

THE CORPORATION OF THE CITY OF WHITE ROCK CORPORATE REPORT



DATE: January 11, 2021

TO: Land Use and Planning Committee

FROM: Carl Isaak, Director, Planning and Development Services

SUBJECT: Text Amendment to Introduce Accessible (Barrier-Free) Parking into White Rock Zoning Bylaw, 2012, No. 2000

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

1. Recommend that Council give first and second readings to “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Accessible Parking Standards) Bylaw, 2021, No.2371;*” and
2. Recommend that Council direct staff to schedule the public hearing for “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Accessible Parking Standards) Bylaw, 2021, No. 2371.*”

EXECUTIVE SUMMARY

The City of White Rock Zoning Bylaw, 2012, No. 2000, currently requires accessible or “barrier-free” parking, to be provided in accordance with the requirements of the BC Building Code (BCBC). In 2018, the BCBC was amended to remove reference to accessible parking standards, and municipalities were given the responsibility of establishing minimum accessible parking space standards. While the number of accessible parking spaces in a private development is currently established in the Zoning Bylaw, the dimensions and layout of these spaces is not specified in the Zoning Bylaw. The purpose of this corporate report is to introduce, through a zoning bylaw amendment, minimum standards as they relate to the dimensions and supply of accessible parking, including specific reference to both standard accessible parking spaces and “van-accessible” parking spaces. Van-accessible spaces are designed to accommodate wider vehicles / clearance areas in order to accommodate, for example, vehicles that may have equipment such as a wheelchair lift.

The related draft Zoning Amendment Bylaw is attached to this corporate report as Appendix B.

PREVIOUS COUNCIL DIRECTION

Council considered the matter of accessible parking on October 21, 2019.

Motion # & Meeting Date	Motion Details
Motion #: 2019-460 October 21, 2019	THAT Council 1. Receives for information the corporate report dated October 21, 2019 from the Directors of Engineering and Municipal Operations, Financial Services, and Planning and Development Services titled “Wheelchair Van Side-Ramp Accessible Parking Improvements”;

	<ol style="list-style-type: none"> 2. Directs staff to include \$35,000 in the Draft 2020 to 2024 Financial Plan for van-accessible parking space upgrades, for Council's consideration; and 3. Direct staff to staff bring forward amendments to the Zoning Bylaw to implement an approach similar to Surrey, Richmond and other municipalities, with regard to both the overall number of accessible parking spaces and the ratio of van-accessible parking spaces.
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INTRODUCTION/BACKGROUND

The BCBC was amended in 2018 to harmonize building standards with those of the National Building Code, released in 2015. Through these amendments, the regulation of accessible parking spaces within the BCBC was discontinued and the responsibility for this regulation was shifted to municipalities. Additional information about the amendments can be found within a Bulletin from the Province, provided in Appendix A.

Section 4.14.6 of City of White Rock Zoning Bylaw, 2012, No. 2000, currently reads as follows:

The size of parking spaces for persons with disabilities shall be provided in accordance with the requirements of the BC Building Code. Further, as part of the overall required number of parking stalls, parking stalls for occupancies where more than 10 parking spaces are provided shall be provided as follows:	
Total Required Spaces	Required Spaces for Handicapped
10 to 75	1
76 to 125	2
126 to 200	3
Over 200	4 plus 1 for every additional 100 or fraction thereof

As noted, the City's Zoning Bylaw currently references the regulations for the dimensions of accessible parking as being established by the BCBC. However, these standards no longer exist within the BCBC, technically creating a gap in the regulations that apply to the parking that is designed to serve those with specific mobility needs. While currently accessible spaces are still being provided by builders voluntarily under the previous BCBC standards, it would be appropriate for the City to adopt specific standards for our community.

Furthermore, the City's Zoning Bylaw currently lacks standards to support and regulate the provision of van-accessible parking spaces. Such spaces are intended to provide additional space for people with disabilities who require vans or other vehicles that are equipped with mobility instruments, including ramps or platform lifts, which facilitate entry and exit into and out of the vehicle. Van-accessible parking spaces promote safety and mobility by providing more area in between parking spaces and around vehicles. Further, van-accessible parking spaces accommodate a wider range of vehicles than standardized accessible parking spaces while also allowing larger vehicles to enter and exit the space more safely and with less difficulty due to their increased width. For these reasons, van-accessible parking spaces are essential for the mobility of many people with disabilities and should be incorporated into an update to the City's standards regarding accessible parking.

A comparative review of zoning standards regarding accessible parking has been conducted in support of presenting administrative zoning amendments to the Land Use and Planning Committee (LUPC). Fourteen (14) municipalities around Metro Vancouver were researched in addition to recent work undertaken by the City of Kingston, which updated its zoning provisions in response to legislative changes coming out of the Accessibility for Ontarians with Disabilities

Act (AODA). This review has led to the identification of common approaches to regulating accessible parking which are believed to be appropriate for introduction in the City of White Rock. The following is a summary of key observations identified within the cities reviewed as part of this undertaking:

1. Where van-accessible spaces are not explicitly identified, the minimum width of an “accessible” parking space ranged from 2.6 metres to 4.0 metres; in some cases, this minimum width included an adjacent access aisle ranging from 1.2 metres to 1.5 metres.
2. Where there is a distinction between a van-accessible space and a standard accessible space, the minimum width of the standard space was between 2.4 metres and 2.7 metres and the minimum width of a van-accessible space was typically set at 3.4 metres.
 - The majority of the cities reviewed (70%) specify a minimum space length of 5.5 metres, regardless of whether the space is a van-accessible space or a standard accessible space.
 - The vertical clearance for access to an accessible space, where specified, is 2.3 metres.
 - Approximately 65% of cities assign accessible spaces to increments of required parking spaces (e.g., 2 accessible spaces when between 51 and 100 spaces); Richmond and Surrey require that a minimum of 2% of the total required parking spaces be accessible, rounded upward to the nearest whole number. The ranges of requisite accessible parking are largely aligned with a supply of 1.5 to 2.0% of the required standard parking spaces.
 - Burnaby and New Westminster require that one out of every three accessible spaces be van-accessible; Kingston, Richmond, and Surrey, and the AODA require that:
 - where a single accessible space is required, that space must be van-accessible;
 - equal numbers of accessible and van-accessible spaces are provided where there is an even number of accessible spaces required;
 - Approximately 65% of municipalities reviewed provide standards for access aisles.
 - 1.5 metres is most commonly established as the minimum width of an access aisle.
 - Kingston, Richmond, and Surrey, and the AODA allow access aisles to be shared in between two accessible or van-accessible spaces.

Based on the foregoing, City staff have prepared a bylaw to amend Zoning Bylaw No. 2000 to introduce accessible parking standards that are largely consistent with those observed throughout the Lower Mainland (see the draft Bylaw No. 2371 in Appendix B for details; the diagram in the draft bylaw for dimensions and layout is the same as the City of Richmond’s bylaw).

This includes minimum space dimensions for regular and van-accessible parking spaces (2.5 metre and 3.4 metre width, respectively, plus 1.5 metre access aisle), minimum vertical clearance paths to get to van-accessible parking spaces (2.3 metres), and minimum numbers of accessible spaces provided based on the overall number of parking spaces required for a building (2% minimum). Under the proposed amendment to the Zoning Bylaw, the minimum total number of accessible spaces will either remain the same or increase by one (1) space.

Once adopted, these standards would apply to new buildings which have not yet received a building permit.

FINANCIAL IMPLICATIONS

Amendments to the City's Zoning Bylaw will require a Public Hearing with advertising of such being published in the Peace Arch News. The costs of this advertised can be covered within existing budgets.

LEGAL IMPLICATIONS

While builders are currently providing accessible parking spaces in accordance with the design criteria that was removed from the British Columbia Building Code in 2018, it is appropriate that the City establish design and layout criteria for accessible parking spaces that would be enforceable in the event of a dispute over the standards. The proposed amendments further specify van-accessible requirements, which are not presently in place and could not be required unless the Zoning Bylaw is amended.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

As noted above, the introduction of accessible parking standards will require an amendment to the City of White Rock Zoning Bylaw, 2012, No. 2000. The community will be engaged in the review of recommended standards as part of a statutory Public Hearing, advertised in accordance with the requirements of the *Local Government Act*.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

Draft Bylaw No. 2371, and the accessible parking standards included therein, have been reviewed with staff within the City's Engineering and Operations Department and Building staff within the Planning and Development Services Department. These staff have offered their support for the standards as presented in this report.

CLIMATE CHANGE IMPLICATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES

While establishing accessible parking space standards is not identified as a specific project under the recently adopted 2021-2022 Council Strategic Priorities, this amendment to the Zoning Bylaw fits within the spirit of the theme of "Our Community," specifically the objective to "guide land use decisions of Council to reflect the vision of the community."

As the research work on this aspect of the Zoning Bylaw was already underway prior to the adoption of Council's new Strategic Priorities, and the amendment is ready for Council's consideration, this amendment is being brought forward for Council's consideration. The initial request from the South Fraser Active Living Group (SFALG) to consider van side-ramp accessible parking space requirements was made and originally supported by Council in 2019.

OPTIONS / RISKS / ALTERNATIVES

The following alternative options are available for the Committee's consideration:

1. Direct staff to not make any changes to the Zoning Bylaw for specifying accessible parking space dimensions. This option leaves an unintended gap in the Zoning Bylaw as it relates to the dimensioning of accessible parking and, in doing so, limits the ability of the City to mandate adequate facilities for those with accessibility needs; or

2. Direct staff to revise the draft Zoning Amendment Bylaw so that it contains standards for regular accessible parking spaces only (not van-accessible spaces). This option would ensure standard accessible spaces are defined, with minimum dimensions and supply requirements in the Zoning Bylaw, but the amendment would not include changes to introduce requirements for van-accessible spaces.

Staff's recommendation, to adopt standards for both regular and van accessible parking spaces, is included in the recommendation at the outset of this corporate report.

CONCLUSION

While the minimum number of accessible parking spaces is currently defined in the Zoning Bylaw, due to an amendment to the British Columbia Building Code in 2018 that removed design criteria for such spaces from the Code and allowed municipalities to establish their own requirements, the dimensions and layout for accessible spaces are not currently regulated by the Zoning Bylaw. Staff have conducted research on accessible space design criteria as implemented by other relevant jurisdictions and have proposed a text amendment to the Zoning Bylaw to introduce these requirements for accessible parking spaces. The minimum number of accessible parking spaces would either remain the same as the current requirements or be increased by one space (depending on the total number of parking spaces required for the building). Further, the proposed amendment would also introduce new requirements for van-accessible parking spaces, which are designed to accommodate wider vehicles / clearance areas in order to support vehicles that may have equipment such as a side-accessed wheelchair lift.

Staff recommend giving the draft Zoning Amendment Bylaw first and second readings and scheduling a (digital) public hearing.

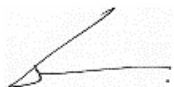
Respectfully submitted,



Carl Isaak
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: Ministry Bulletin - Accessibility in the 2018 British Columbia Building Code
Appendix B: Draft Zoning Amendment Bylaw No. 2371 - Accessible Parking Standards

APPENDIX A

Ministry Bulletin - Accessibility in the 2018 British Columbia Building Code



Information Bulletin
Building and Safety Standards Branch
PO Box 9844 Stn Prov Govt
Victoria BC V8W 9T2
Email: building.safety@gov.bc.ca
Website: www.gov.bc.ca/buildingcodes

No. B18 – 05
August 24, 2018

Accessibility in the 2018 British Columbia Building Code

This bulletin provides an overview of the changes to the accessibility provisions in the 2018 British Columbia Building Code (BC Building Code) from the previous 2012 edition.

Although the BC Building Code is based on the National Building Code of Canada (NBC), British Columbia's unique accessibility requirements preceded and varied considerably from prior NBC requirements. The 2015 edition of the NBC contains many updates over previous editions to increase accessibility in buildings and is now more closely aligned with the requirements and approaches of most Canadian jurisdictions, including those of British Columbia (B.C.).

The Province of B.C. is committed to making buildings more accessible for persons with disabilities. The 2018 BC Building Code requires a greater level of building accessibility by combining the requirements of the 2015 NBC with B.C.'s historical requirements. In aligning more closely with the NBC, the BC Building Code achieves greater consistency not only with the NBC, but also with codes from other Canadian jurisdictions. This enhances B.C.'s ability to integrate new accessibility provisions from other leading jurisdictions into future codes.

A new Building Access Handbook is being developed to guide code users through the accessibility provisions of the 2018 BC Building Code.

New Definitions in the 2018 BC Building Code

Access or accessible means an area and its facilities, or both, as required by this Code, which is easy to approach, enter, exit, operate, participate in, pass to and from, and use safely and independently by *persons with disabilities*.

Persons with disabilities means persons who have a permanent or temporary physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

New Organization and Approach

The 2018 BC Building Code follows the organization and approach of the 2015 NBC. Section 3.8. of Division B, which contains accessibility requirements for buildings, is arranged as follows:

Subsection 3.8.1. provides the scope of the BC Building Code's requirements for access.

Subsection 3.8.2. establishes the application of accessible design requirements (found in Subsection 3.8.3.) to spaces and facilities.

Subsection 3.8.3. establishes the design criteria for what is required of a space or facility in order to be considered 'accessible'.

Subsection 3.8.4. determines the minimum requirements for providing access during alterations or additions to existing buildings.

Subsection 3.8.5. contains the requirements for adaptable dwelling units.

The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. For further information, contact the Building and Safety Standards Branch.



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Common criteria are now grouped in related provisions. For example, code users will now find a single application statement directing them to single design criteria, such as for spaces designated for wheelchair use in rooms or areas with fixed seats.

Many references to other requirements in the Building Code have also changed. Much of the content has been reorganized within Section 3.8. Some examples include:

- Article 3.8.3.19. in the 2012 BC Building Code which addresses the protection of accessible floor areas now appears as Article 3.3.1.7. in the 2018 BC Building Code
- Requirements for doors providing access that appeared in Article 3.3.1.13. of the 2012 BC Building Code now appear in Article 3.8.3.6. of the 2018 BC Building Code
- Provisions for accessible washrooms that appeared in Article 3.7.2.10. of the 2012 BC Building Code are now contained in Subsection 3.8.3.

New Spaces Requiring Access

Some spaces where access was not previously required must now provide access. For example, **apartment and condominium buildings** that only required interior access between the main entrance and the elevator must now provide access throughout all common areas, when the building is served by an elevator (access into and throughout dwelling units is still not required). **Small shops and stores** that had a total retail floor space of less than 50 m² were previously exempted from providing access; however, the 2018 BC Building Code does not contain this exemption.

In the 2018 BC Building Code, where a space is required to be accessible, 50 percent of the **pedestrian entrances** to spaces must be made accessible. This may result in greater use of power operated doors at more accessible entrances.

B.C.'s requirement that access be available throughout the building is continued, and the 2018 BC Building Code contains some specific requirements for how that is to be achieved. There is specific language for providing an accessible path of travel which starts outside the building and ends at each location where there is a feature or service to be used by persons with disabilities. Where controls are intended for occupant use such as light and intercom switches, such controls shall be accessible.

A greater proportion of **viewing spaces** for persons using wheelchairs shall be provided in assembly occupancies with fixed seats.

The 2018 BC Building Code places increased attention on connections to and from buildings. An accessible path of travel shall connect a sidewalk, roadway, or street to an accessible entrance. When provided, parking areas and passenger-loading zones shall be connected by an accessible path of travel.

The 2018 BC Building Code requires visible warning systems in all **accessible sleeping rooms and bed spaces** in addition to a portion of others.

Historical requirements for **parking spaces** are not maintained in the 2018 BC Building Code. The 2012 BC Building Code parking requirements do not address the variety of considerations for either loading/unloading vehicles, or for local planning requirements. Many local authorities have already established parking requirements that address accessible parking stalls, and there are also other standards and guidance documents available for designers such as the CSA B651, "Accessible Design for the Built Environment" standard.

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New Design Requirements

The 2018 BC Building Code offers the **CSA B651, “Accessible Design for the Built Environment”** standard as an option for design of certain applications. Designers may choose to follow design criteria contained in the BC Building Code (in Subsection 3.8.3.), or follow the design criteria in the CSA B651 standard.

The 2018 BC Building Code also requires a minimum level of **illumination** for an accessible path of travel, and doorways located in an accessible path of travel must have a **clear width** of not less than 850 mm. Power door operators that are not designed to operate automatically must be operable by touch or approach of a fist, arm, or foot. **Foot-operated controls** are new to the 2018 BC Building Code.

Limited-use / limited-application elevators, also referred to as LU/LA elevators, are permitted as passenger elevating devices and are exempted from the minimum elevator car dimensions (to accommodate a patient stretcher) in Article 3.5.4.1.

In assembly occupancies, classrooms and meeting rooms with an area over 100 m², as well as all courthouses, shall be equipped with assistive listening systems.

The 2018 BC Building Code contains specific language on the location and **placement of signage** to avoid shadows and glare; however, the specific language on stroke and font of characters is moved to the Notes as guidance (rather than as an enforceable part of the BC Building Code) to allow flexibility of design.

There are changes to **grab bar** design criteria with regards to required lengths and locations of grab bars. For example, an L-shaped grab bar must be adjacent to accessible water closets.

There are new illustrations in the Notes to demonstrate the application of accessible provisions. The complete content of Section 3.8. of Division B of the 2018 BC Building Code, with all new application and design criteria (including commentary), will be made available in the Building Access Handbook.

Links

- Building a Better B.C. for People with Disabilities:
<https://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/accessibility>
- Ministry website: <https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards>
- Table on [Where to Find B.C.-Specific Provisions by Code Reference](#)

Contact the Building and Safety Standards Branch

- **General** inquiries can be sent to building.safety@gov.bc.ca
- **Technical** Code inquiries can be sent to codequestion@gov.bc.ca

The Building and Safety Standards Branch does not enforce compliance with the BC Building Code. Local governments are authorized to enforce the BC Building Code through the Local Government Act and the Community Charter.

The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. For further information, contact the Building and Safety Standards Branch.

APPENDIX B

Draft Zoning Amendment Bylaw No. 2371 – Accessible Parking Standards

The Corporation of the CITY OF WHITE ROCK BYLAW 2371



A Bylaw to amend the
"White Rock Zoning Bylaw, 2012, No. 2000" as amended

The CITY COUNCIL of the Corporation of the City of White Rock, in open meeting assembled, ENACTS as follows:

1. Schedule "A" of the "White Rock Zoning Bylaw, 2012, No. 2000" as amended is further amended by removing Section 4.14.6 in its entirety and replacing the section with the following new section 4.14.6:

"4.14.6 Accessible Parking:

1) Accessible Parking Dimensions:

- a) Accessible parking spaces shall have a minimum length of 5.5m and a minimum width of 2.5m.
- b) Van-accessible parking spaces shall have a minimum length of 5.5m and a minimum width of 3.4m.
- c) The access and egress route to and from accessible and van-accessible parking spaces must have a minimum vertical clearance of 2.3m.
- d) Accessible parking spaces and van-accessible parking spaces shall have an adjacent access aisle on one side with a minimum width of 1.5m that may be shared between two adjacent accessible and / or van-accessible parking spaces.
- e) A wheel stop shall be placed 0.6m from the end of each accessible and van-accessible parking spaces.

2) Accessible Parking Supply:

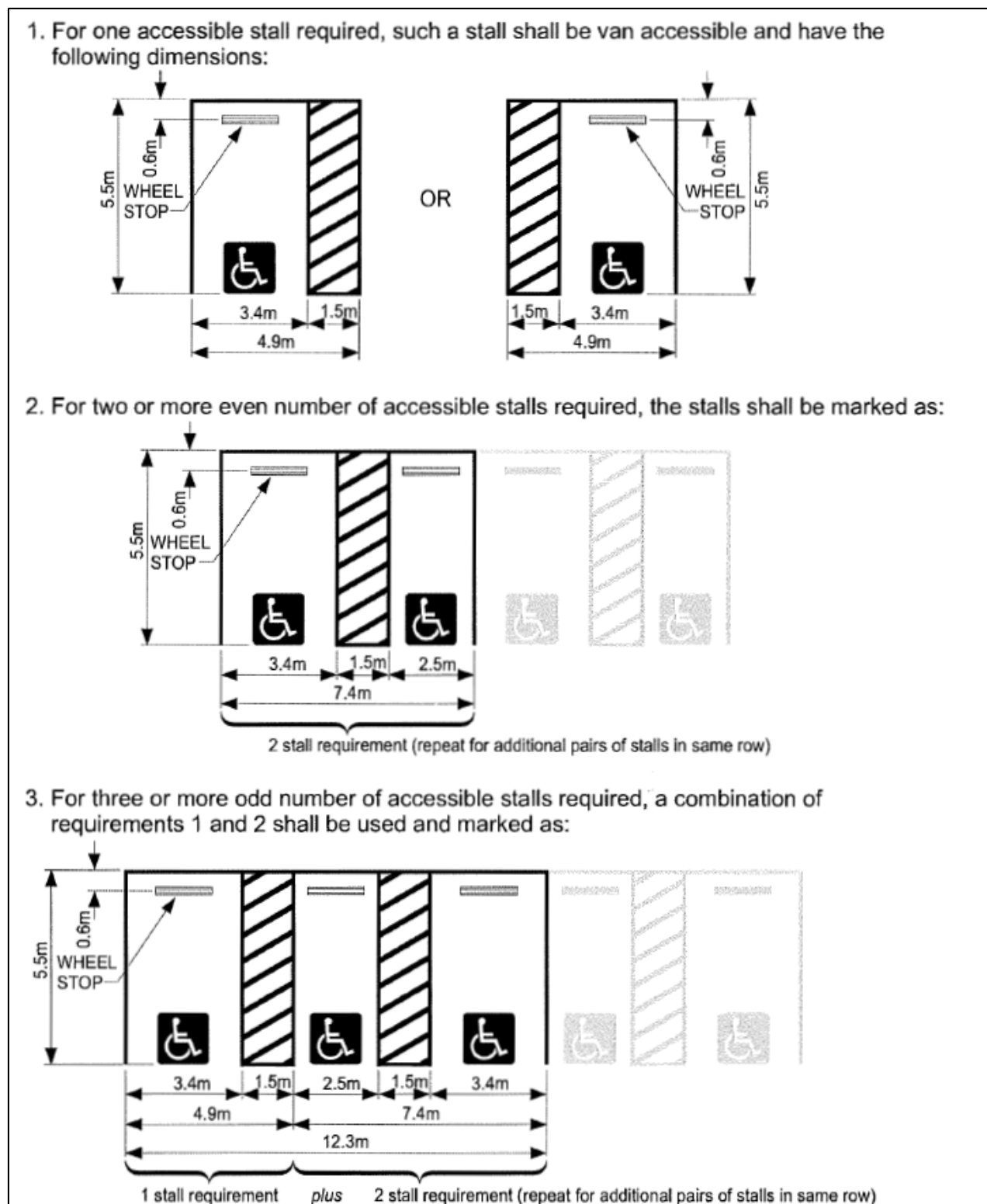
- a) Accessible and van-accessible parking spaces shall be provided in accordance with the following supply requirements:

Total Required Parking Spaces	Minimum Required Van-Accessible Spaces	Minimum Required Accessible Spaces
10 or less	0	0
11 to 50	1	0
51 to 100	1	1
101 to 150	2	1
151 to 200	2	2
Over 200	5 plus 1 for every additional 100 required parking spaces or fraction thereof. <ul style="list-style-type: none">• When the required accessible space supply is an even number there must be an equal number of van-accessible spaces to standard accessible spaces.	

- When the required accessible space supply is an odd number there should be one additional van-accessible space than standard accessible spaces.

3) Accessible Parking Dimensions and Layout

The dimensions and layout of accessible parking shall comply with the following:



2. This Bylaw may be cited for all purposes as the "White Rock Zoning Bylaw 2012, No. 2000, Amendment (Accessible Parking Standards) Bylaw, 2020, No. 2371".

RECEIVED FIRST READING on the	day of
RECEIVED SECOND READING on the	day of
PUBLIC HEARING held on the	day of
RECEIVED THIRD READING on the	day of
RECONSIDERED AND FINALLY ADOPTED on the	day of

Mayor

Director of Corporate Administration