(TRANS)-form-ations: building a safe & inclusive Vancouver

a joint project of the LGBTQ Advisory Committee’s Trans Sub-Committee & Metha Brown, Masters Candidate, The School of Community & Regional Planning, UBC
This document represents over a year’s worth of work on the part of an extraordinary array of collaborators. This section attempts to acknowledge all the many and various ways in which people have contributed, but we recognize that it is a virtually impossible endeavor. * is used to protect people's privacy.

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Thanks.

As one might guess, with a list of contributors this long the thanks could fill several pages, but I will attempt to keep it concise.

First, I would like to extend thanks to the over 150 people who responded to our survey on city forms. You are far too many to name here, but you put us on the path towards what you see recommended here.

This project would never have happened without Normajean McLaren and Nathan Edelson connecting me with Dana Walker, and to Dana for connecting me with the LGB-TQ CCAC (alphabet city!). Also to Dana for his consistent support and enthusiasm.

To all of those who took the time to share their experiences and perspectives, but most especially to those 'on camera collaborators' who lended their moving, funny, and illuminating stories that shaped the video and the directions of the policy recommendations.

This project would have been without a vision or voice if not for you.
To Tim Stevenson and Ellen Woodsworth for embodying the qualities of champions, for their guidance and support during the development stages of the video and report.

To the entire City Council of Vancouver for unanimously approving the motion in support of Bill C-389.

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To Constance Barnes and Fatima Jaffer for wrapping truths in sarcasm, and to Fatima for leading the organizing the Day Against Hate Crimes.

To my personal circle of support; most especially Thien Phan for being a patient sounding board and keen eye.

To Maged Senbel for his well-versed insights on washroom design.

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My sincere thanks. Metha Brown
How can the City of Vancouver build safe, strong, & inclusive communities?

In 2008, this question became one of City Council's priorities, and each of the advisory committees were charged with helping to identify and address the challenges in each of their respective areas. Since then, the Trans sub-committee of the Lesbian, Gay, Bisexual, Transgender, & Queer (LGBTQ) Advisory Committee has reached out to trans folks, their loved ones, service providers, researchers, and city staff in an attempt to do just this. Over a ten month period, we spoke with people in ten on-camera interviews, an additional six off-camera and phone interviews, a four-person focus group, and a survey that had over 150 respondents. We also met with key city staff and our Councillor liaisons to identify upcoming opportunities to meet these needs.

From these conversations, we have created a 20-minute video and this companion report. The video focuses on diverse personal stories that illuminate the challenges and areas for development, while this companion report presents a brief context and overview of some of the history, challenges, and recommendations. It is not an exhaustive evaluation of all the issues within a municipal jurisdiction and its satellite agencies that affect trans and gender non-conforming folks. Rather, it offers strategic areas for development that represent the most common and influential challenges identified in our conversations.

We would like to encourage members of the City of Vancouver to look at these challenges for the opportunities that they are. Firstly, they are the identification of initiatives that, with minimal investment, can have major, positive impacts on trans folks' lives and overall community health. Secondly, they present the opportunity to begin a deeper, on-going conversation that intersects and mirrors the City's other conversations with its residents on access, equality, and social justice. If Vancouver aims to be a liveable, deeply sustainable, and just city, both immediate action and ongoing dialogue are essential.

We would like to recognize that our work builds on that of local trans community members, advocates, and the transgender legal and health advocacy network in North America, often trans themselves, that precede us.
Strategic Recommendations

Washrooms & Changerooms

Washrooms, more than any other facet that arose in our conversation, present the most common obstacle to full participation to working, playing, studying, shopping, accessing services, and remaining active. Changerooms present a similar barrier to remaining active that reduce opportunities for physical fitness as a component of holistic wellness.

Recommendations:
- In low-occupancy load buildings, increase the allotment of single user washroom and changeroom spaces.
- In high-occupancy load buildings, increase the allotments of a fourth washroom typology: multi-gendered washrooms with added privacy and safety features.
- In high-occupancy load recreational buildings, continue to adopt and adapt universal changerooms.

Benefits:
- More flexible washroom spaces that increase access and safety for a variety of users and reduce wait times. More flexible washroom spaces that increase access and safety for a variety of users and reduce wait times.

Recreational Facilities

Recreational facilities, especially aquatic centres, are relatively inaccessible to trans folks. It is not only changerooms that make them inhospitable environments, but a confluence of other factors including lack of financial accessibility, appropriate programming, and staff that are trained to support trans-inclusion.

Recommendations:
- Ensure that low-income programs are targeted to include trans populations.
- Create an All Bodies Swim programming that creates safe and inclusive spaces for trans folks.
- Create and implement training that will acquaint staff with the experiences of trans and gender nonconforming folks and the challenges that face them in rec facilities, as well as how to mediate conflicts that arise with other users who attempt to ‘police’ gender.

Benefits:
- Trans and gender non-conforming folks will be able to access key areas of physical fitness and create spaces where community supports physical wellness.

City Forms

The “Gender” box on membership and registration forms is pervasive and creates a barrier to accessing spaces of cultural and intellectual enrichment, community support, and physical wellness. While it is commonly unacceptable to ask for other markers of identity (race, ethnicity, or socio-economic status), “gender” appears on many forms, often with the assumption that it is necessary for the appropriate provision of services and spaces. Collecting gendered information has limited benefits while posing significant risks to the registrant and the agency.

Recommendations:
- Make gender optional on all city forms and train staff to convey this information to registrants.
- Evaluate which forms collect gender, and to what degree they analyze the information, removing gender from the form when possible.
- When possible, collect gender information through a supplementary tool, such as a survey, that can deal with the diversification of gender in a nuanced manner that does not endanger the respondent or present a barrier to membership.

Benefits:
- Simultaneously reduce barriers to key services and spaces for trans and gender non-conforming folks while streamlining and enhancing the accuracy in the collection, storage, and analysis of gendered information.
Understanding Trans & Gender Nonconforming Experiences: A Primer

People's experience of life outside narrow definitions of male and female date back to antiquity on all continents. It is outside of this paper's scope to give it a comprehensive treatment. These long, rich, and diverse histories reflect courageous acts by trans and gender nonconforming folks, and the families, friends, professionals, communities, and cities that have supported and made space for them. Resources that document the evolution of trans history and theory can be found in

**Starting Points: The Etymology of Experience**

**gender**

from Latin: *gener*; the behavioral, cultural, or psychological traits typically associated with one sex

**trans**

prefix; from Latin: *trans- and tra-*; across, beyond, through, so as to change

**conform**

from Latin: *conformare*; to act in accordance with prevailing standards or customs

**non**

prefix; *not*, *other than*, *reverse of*, *absence of*

The recombination of these etymological roots into the words transgender and gender nonconforming reflects a movement through, away from, and in resistance to gender norms. When people identify within these umbrella terms of transgender or gender nonconforming, they are declaring male or female as too narrow to reflect their reality, as well as a rejection of rigid expectations of the roles, characteristics, and behaviors associated with a “man” or “woman”.

**Frameworks: The Gender Binary, Gender Continuum, & Postgenderism**

**Male**

**Female**

Gender as a Binary:

Gender, when seen as black and white, can be understood as a gender binary with two poles: “man” and “woman”. These poles are conceived as fixed with essential and natural characteristics of masculinity and femininity. People are typically assigned a gender at birth when the doctor, based on the appearance of genitalia, identifies the child's apparent sex.

People who undergo “full” physical transitions to move within the gender binary are often identified as transsexuals, FTM or MTF. However, after fully transitioning, may self-identify as plainly male or female.

People who make partial physical and full social and document transitions (see next page) many people may self-identify as transgender, and sometimes more specifically as a transman or transwoman, FTM or MTF.

**Male**

**Female**

Gender as a Continuum:

Gender as a continuum projects an understanding of gender in which people's unique combinations of masculine and feminine traits place them at various points on a gray-scale spectrum. This continuum also opens up room for gender to be identified in ways other than male or female.

People who view gender as a continuum may self-identify with such terms as androgynous, Two-Spirit, bigendered, or multigendered.

Alternatively, people may primarily identify at one pole, but still find some part of themselves identifies with a place closer to another pole. Some may express this in their daily lives, but some perform or express in other manners. This includes people who identify as drag kings/queens and cross-dressers.

* Forms of third genders appear accepted alongside gender binaries as far back as Mesopotamia. In the contemporary world, third genders are recognized by governments in places such as India and Nepal and accepted to certain degrees in Thai and Samoan cultures, among others.

Postgenderism:

Postgenderism can be understood as arguing for a multi-hued, 3-dimensional construct in which social characteristics, behaviors, and roles are disassociated from masculinity or femininity entirely. People here may also identify as transgender, genderqueer, as a third gender, agendered, or thirdgendered.
**gender** is the social construction assigned to people at birth based on their apparent sex. Gender incorporates ideas about masculinity and femininity and prescribes behavioral norms accordingly. Gender is culturally specific and evolves over time as cultures change.

**sex** refers to a person’s biological or anatomical makeup and assigns a male or female gender. It includes chromosomes (XX, XY, XXY), hormones (estrogen, testosterone), secondary sex characteristics (facial hair, vocal register, breasts, etc), and sex organs (ovaries, prostate, genitalia, etc).

The understanding of and language around sex is also diversifying. Modern science’s understanding of chromosomal and anatomical diversity is currently expanding in several fields of medical/biological research.

This research focuses on the diverse sex characteristics of people typically defined as male or female. Additionally, it explores the experience of **intersex** people, or people whose biological or anatomical make-ups do not fit with the male/female sex binary. Intersex people have diverse variations of combinations of sex characteristics and are becoming an increasingly visible population. Intersex people do not imply transgender.

**gender identity** refers to a person’s sense of self as a gendered person. This sense typically emerges at a young age. Though people sometimes move through a clarification process through which they become more specific about their identity, gender identity is deeply ingrained from an early age and is not understood to be a choice.

**gender expression** is how we convey our gender identity to the world. It includes dress, speech, mannerisms, and the minimization/maximization of typically gendered markers such as a facial hair, hair style, or choice of gendered activities.

People may use the word **present** as synonymous with gender expression, but it may carry additional meaning in some cases. It may refer to a part-time nature (such as sex workers who work in drag) or indicate a temporary element (such as during a physical transition). Ultimately, it reinforces the notion that if people express gender in a way that fits into a gender binary, but do not have the sex characteristics or documents to match, then their expression is not “real”.

**transphobia** is the fear, hatred or discomfort with, people whose perceived gender identity does not conform to social assumptions about gender. Transphobia may be expressed consciously or sub-consciously, and may include but is not limited to:

- Feeling discomfort or disgust, which prevents a person from dealing with a trans person in a welcoming and respectful manner;
- Insistence on approaching a trans person in a way that is inconsistent with their presentation;
- ‘Outing’ someone. Outing is to make public any information regarding gender identity, gender expression, or transition a person wishes to remain private.

**transition** indicates a moving of sorts. When it is associated with gender, it refers to a whole host of actions, both material and symbolic.

**Physical transition** a person may choose to undergo several actions in order to bring their body and mind/spirit into alignment and/or to be more readily accepted socially.

This can include hormone therapy, which will alter, to differing degrees, secondary sex characteristics. It may also include forms of surgery that alter their chests, genitalia, and internal reproductive organs. When a person undergoes the full range of potential modifications, this is sometimes said to be a “full” transition.

It can be within a gender binary, such as from male to female (this person might identify as a transwoman, MTF, transsexual, or simply as a woman).

Physical transitions are time- and energy-consuming periods that require appropriate physical and mental medical care, strong support networks, and considerable financial resources. They often put considerable strain on people’s physical health and their personal and professional life. However, they can transform the overall health and well-being of trans folks over their lifetime.

**Social transition** a person may choose to undergo only selected physical modifications or no physical actions, and still make the social transition during which they may alter their pronouns, dress, speech, behavior, and activities to more closely align. Partners, families, friends, employers, colleagues, and communities play key roles in successful social transitions.

**Document transition** during a social and/or physical transition people will typically transition their gender marker on birth certificates, driver’s license, passports, and other documents.
“the problem is... it confines us into labels that are so much smaller than who we actually are.”

Gwen Haworth, on the gender binary
Common Challenges | Jurisdiction
--- | ---
Locating, securing, and finding the financial resources for safe and supportive medical and psychological care. | Provincial
Locating, securing, and finding the financial resources for hormone therapy & gender transformation surgery | Provincial
Changing gender on official documents such as driver’s license, birth certificate, & passport | Provincial, Federal
Housing discrimination in the form of denial, bullying, harassment, and eviction | Provincial, Federal
Employment discrimination in the form of failure to hire, promote, sexual harassment, and dismissal without grounds | Provincial, Federal
Assault and harassment on the street, on transit, and other public places and institutions | Municipal Agency: Police

Municipal challenges, challenges for Vancouver:

The challenges listed on the left are the most lifetime-defining challenges. However, there are day-to-day challenges that municipalities have large degrees of influence over. Changes to these areas, which often require relatively minimal investment, could have dramatically positive impacts for trans folks and set an example for other municipalities and jurisdictional levels.

Before we move further into an explication of issues that face trans folks at a municipal level in the Vancouver context, it is useful to note that those who influence these issues are within every dimension of the City of Vancouver as an organization. City builders, managers, and reformers all have a role to play; this includes government officials, commissioners, planners, architects, public administrators, department managers, and frontline city staff.

Cities are sites of struggle for social justice where citizens and residents assert their right to the city. If city officials are concerned with helping citizens exercise that right, then it is important to look at its existing spaces and places through a spatial justice lens. If spatial justice can be understood as the equitable distribution of key services and resources throughout the geographies of the city, then we must examine how our existing building and spaces either invite or exclude. And while this might seem lofty or abstract, there are very real implications for the way in which we design, construct, and finance plans, physical structures, and programming.

As we explore further, we will discover that building codes create rigidly gendered spaces that are unsafe for trans folks. The absence of supportive staff and programming can also create an invisible wall to wellness and community participation. The representation of gender on city forms masks an understanding of Vancouver’s gendered diversity. Requiring people to answer gendered questions puts trans people at risk of harassment or outing, and subsequently prevent them from accessing services.

Ultimately, this document highlights key considerations raised by the trans community that the City of Vancouver can take action on to improve the lives of trans folks in order to benefit their health and the overall health of Vancouver’s communities.
Imagine... Today your boss has scheduled you for a packed day that includes two client meetings in the morning at their offices, a working lunch at a popular cafe, and a presentation at City Hall in the afternoon. Afterwards your roommate from college is celebrating their birthday at . From your working knowledge, your safest bet are the single stall options at the big box retailers on Cambie, but that’s a x minute walk from .

**Washrooms: context**

**Challenges:** We visit one of the most rigidly gendered spaces multiple times a day: the washroom. When we move through the public realm many of us take for granted that there will be a public space in which we can relieve ourselves free from harassment and threats of violence. However, for folks that do not fit neatly within the ideas of male and female, rigidly segregated washrooms present a daily challenge to full inclusion in our city. Trans and gender nonconforming folks often experience discrimination, outing, harassment, and, in some cases, violence from fellow washroom users, building officials, and even security and police officers. Community members we spoke to said washrooms constitute the most frequent site of exclusion.

**Impacts on Participation & Relationships**

Trans and gender nonconforming folks often avoid businesses, offices, educational institutions, parks, recreational facilities, and service centres where they will not have access to a washroom that is safe. This limits their ability to fully participate in the wealth of Vancouver’s offerings. Trans folks cannot access the full range of opportunities to work, learn, exercise, shop, attend cultural events, and access services. This limits their possibilities for individual enrichment and also creates barriers to building and maintaining participation in our communities. Time that could be spent participating instead is dedicated to identifying potential places to relieve oneself safely. In unfortunate circumstances, it can result in avoiding certain activities altogether and compromising one’s relationships.

**Health Impacts**

Studies have shown that frequent stress put on the urinary system from the constant avoidance of washrooms results in a greater likelihood of chronic urinary tract infections amongst trans and gender nonconforming people compared to their counterparts who feel safe accessing washrooms (SLRP, 2003).

**No-Go Zones**
Underlying Questions:

**How do we build and retrofit washrooms to provide safety for an array of people?**
e.g. Strategically diversify the design of washrooms that create user experiences that decrease wait time for everyone and provide an increased sense of access and safety for multiple groups including families, elders and caregivers, and transgender people.

**Where do the needs of trans and gender nonconforming people’s needs intersect with the needs of others?**
e.g. the incorporation of washrooms with floor to ceiling banks of stalls with shared sinks could benefit both trans and gender nonconforming folks’ safety and simultaneously reduce the wait time for women who are comfortable using all gendered spaces.

**How can adaptation bring visibility to the issue without forcing unwanted visibility onto an individual?**
e.g. Using signage that states “All Gendered” or use figures that represent a variety of people rather than a rigid division that reinforces gender roles.

**WASHROOM DEVELOPMENT - Some Historic Highlights in North America**

- 1968- Racial segregation outlawed in the USA
- 1983- Last segregated school for black Canadians closes
- 1992- Americans with Disabilities Act Passes and establishes guidelines for accessible washrooms
- 1999- B.C. Human Rights Tribunal rules that transsexuals have the right to use the washroom with which they self-identify
- 2001- UVic becomes first Canadian university to offer co-ed and gender inclusive washrooms

**CITY OF VANCOUVER’S GOAL:**
Building strong, safe, and inclusive communities.

**BUILDING CODE APPLICATION**
Build and retrofit washrooms that are safe and inclusive for residents and visitors with a variety of gender identities, presentations, and expressions.
It is impossible to match the breadth and depth of the building code in this document.

Instead, the following recommendations suggest strategic modifications that could be applied to the various articles and permutations according to building type, occupant size, and occupant demographic which benefit an array of users.

The recommendations generally suggest additional forms of washroom design and/or alternative schemes for the allocation of space based on assumed occupants.

In addition to single-user, women’s, and men’s washrooms, incorporate a fourth option: the ‘All Genders Washroom’.

As shown, these spaces are relatively similar to multi-user gender-segregated washrooms with adaptations in toilet partitions to heighten the doors higher to the ceiling and lower to the floor for maximum privacy.

At least one stall should be built to specifications for wheelchair accessibility.

At least one baby changing station within the accessible stall, but preferably within a contained alcove should be present so families have a new space for optimal access.

Additionally, it is suggested that architectural amendments, such as open vents above entry doors, would create a sense of connection to exterior spaces and mitigate safety concerns.

Both text and figurative signage should reflect not just a male/female binary + wheelchair + family, but a diversity of figures or an ‘All Genders Washroom’.
In the revised building code, ideal configurations reflect a variety of choice. This creates spaces that provide for the needs of diverse people. Additionally, it creates more adaptable options that can prevent costly renovations or additions in the future.

The above diagram holds a total of ten stalls, which in the current code would apply to a building with an assumed occupant load of 151 - 175.

While a comprehensive inventory of the current average number of buildings within each occupant load category was not available to the authors, published numbers suggest many buildings fall within a diverse range of occupant loads.

The next section will propose revisions to the allotment of water closets according to occupant load as set forth in the Water Closet charts in Vancouver’s 2007 Building By-Laws.
Proposed Alternative Allotments Requirements:
Strategically Balance Forms for Highest & Safest Use

The charts to the right represent the current and proposed water closet allowances (on this and the next page, respectively). The proposed allotment schedule (next page) with consideration to the following:

* Where possible, whether in a single-user or all genders configuration, the form that can provide the most people ample safe access should be used.

* In buildings with low occupancy loads, highest and safest use translates into more highly segregated spaces for individual users.

* As occupancy load increases, a balance between gendered and ungendered spaces to afford the greatest levels of accommodation.

<table>
<thead>
<tr>
<th>Number of Persons of Each Sex</th>
<th>Minimum Number of Water Closets</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
</tr>
<tr>
<td>1-25</td>
<td>1</td>
</tr>
<tr>
<td>26-50</td>
<td>1</td>
</tr>
<tr>
<td>51-75</td>
<td>2</td>
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<tr>
<td>76-100</td>
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<td>101-125</td>
<td>3</td>
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<tr>
<td>126-150</td>
<td>3</td>
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<tr>
<td>151-175</td>
<td>4</td>
</tr>
<tr>
<td>176-200</td>
<td>4</td>
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<td>301-350</td>
<td>6</td>
</tr>
<tr>
<td>351-400</td>
<td>6</td>
</tr>
<tr>
<td>Over 400</td>
<td>7 + 1 for every additional 200</td>
</tr>
</tbody>
</table>
### Table 3.7.2.2.A

**Water Closets for an Assembly Occupancy**

Forming Part of Sentence 3.7.2.2

**Proposed 2011 Changes**

<table>
<thead>
<tr>
<th>Number of Persons of Each Sex</th>
<th>Male</th>
<th>Female</th>
<th>Single User</th>
<th>All Genders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-25</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>26-50</td>
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<tr>
<td>351-400</td>
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<td>10</td>
</tr>
<tr>
<td>Over 400</td>
<td></td>
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</tr>
</tbody>
</table>

The formula on which the proposed schedule is based employs a similar logic to the former schedule, a logic based on ratios of increasing spatial allotment in relation to increasing occupancy.

In the 2007 formula, men received a water closet addition at every two intervals of population increase while women received one at every interval.

In the 2011 formula, all genders water closets increase most frequently, followed by women, and then men, with an additional interval at which neither makes a gain in order to add another single-user water closet.
Currently, the language and logic regarding sex-segregation of water closets excludes people who do not fit within neat male and female categories. While we do not suggest elimination of male and female as defining logic or language, we ask that the City of Vancouver consider modifications to make interpretation more inclusive and flexible. We have provided two examples for consideration below.

<table>
<thead>
<tr>
<th>2007 Language:</th>
<th>2011 Language:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Division B, Part 3, 3.72.2 (1):</strong></td>
<td><strong>Division B, Appendix A, 3.72.2 (1) 2011:</strong></td>
</tr>
<tr>
<td>Except as permitted by Sentence (4), water closets shall be provided for each sex assuming that the occupant load is equally divided between males and females, unless the proportion of each sex expected in the building can be determined with reasonable accuracy.</td>
<td>“assumes that there will be a sufficient number of persons in the building to justify the provision of separate water closet facilities for both males and females. In some circumstances overall low occupant loads would not require more than one water closet for males and one water closet for females and yet the building has more than one storey. It is deemed that rooms each containing a single water closet for both males and females would satisfy the intent of the By-law. The total number of water closets must be adequate for the total number of occupants. Requirements for accessibility for persons with disabilities may be considered...”</td>
</tr>
</tbody>
</table>

**2007 Language:**
Except as permitted by Sentence (4), water closets shall be provided for each sex assuming that the occupant load is equally divided between males and females, unless the proportion of each sex expected in the building can be determined with reasonable accuracy.

**2011 Language:**
Except as permitted by Sentence (4), water closets shall be provided that enable all people safe access to a water closet. It is assumed that the occupant load is equally divided between males and females, with an acknowledgment that there exist people who may not easily fit within those two categories, unless the proportion of each group expected in the building can be determined with reasonable accuracy.

"assumes that there will be a sufficient number of persons in the building to justify the provision of separate water closet facilities for both males and females. In some circumstances overall low occupant loads would not require more than one water closet for males and one water closet for females and yet the building has more than one storey. It is deemed that rooms each containing a single water closet for both males and females would satisfy the intent of the By-law. The total number of water closets must be adequate for the total number of occupants. Requirements for accessibility for persons with disabilities may be considered...”
**Context:** Changerooms present a real barrier to physical well being in both public spaces such as community centres, ice rinks or pools, and private spaces such as gyms or yoga studios. The following recommendations address both the development and retrofitting of change and shower spaces in public and private buildings.

The changes suggested address general improvements for privacy that would benefit an array of users. This benefits people ranging from those with religious concerns regarding modesty, to people who may feel self-conscious in states of undress. Small measures to strengthen privacy could help to support the attendance of multiple marginalized populations in places of physical wellness.

**Recommendations:**

* In new developments, at least one single-user changeroom can address the needs of a range of users that feel unsafe in multi-user spaces.

* In private facilities that are requesting upgrades, at least one-fourth of the change room floor space should be converted into a design that incorporates private change areas with curtains that extend to 2 inches above the ground.

* In shower areas, shower curtains should be required in at least half of the shower rooms. Additionally, in multi-user spaces there should be at least two change areas with curtains that extend to 2 inches from the floor.

* In community centres, universal changerooms such as that at Killarney Centre, are an ideal way to serve multiple users effectively.
While changerooms present barriers in a variety of fitness centres, aquatic facilities are especially challenging because swim attire is both revealing and highly gendered. While many of our street clothes grow more androgynous, the same cannot be said of typical swim attire. This creates an environment in which users are more likely to ‘police’ other users’ gender presentation. The following recommendations can begin to create an inclusive environment in which people are protected from harassment and violence.

**Aquatic Centres**

**Dress Code Education**

Currently, the Parks Board policy states that street clothes may be worn as swim attire as long as it is not worn in from the street.

Since street clothes can be less gendered, this is helpful for trans and gender nonconforming folks. However, users that are unfamiliar with this policy may attempt to discourage other users from wearing approved street clothes. Users may also attempt to use street clothes as a way to ‘police’ gender. ‘Policing’ gender refers to people harassing those whose gender expression does not fit within dominant norms, whether the the intent is to ostracize, change, and/ or harm them.

For this reason, the dress code should be posted in multiple languages with clearly understandable visuals to aid in interpretation. Ideally, materials on dress code should also be provided at membership enrollment and renewal.

**Staff Training**

In addition to staff training for dress code, staff training would also benefit from including:

**Trans and Gender Nonconforming Awareness**

* A glossary of terms that reflect places people commonly identify across the gender spectrum
* Dialogue scenarios that explore how to discuss pronouns and presentation
* Materials that share personal stories of people’s lived experience as a trans person, and especially experience with being excluded by acts of discrimination and harrassment from both individuals and systems.

**Conflict Resolution**

* How to clearly state policies in accessible language with a variety of users
* How to convey respect to others’ views without deprioritizing the party at risk
* How to use active listening and negotiation skills to address others’ needs and diffuse the tension, as well as document and forward any cases of harassment to the proper authorities
Accessible Programming

Because trans and gender nonconforming folks have clear barriers to participation, trans community members and allies have been organizing an ‘All Bodies Swim’ that creates a safe space through closed swim times. Although this is a trans-sensitive space, they are not a trans-exclusive space. Rather, they are created for a variety of people whose bodies may come under scrutiny for a number of reasons during public swims. The All Bodies Swim can be incorporated into core and special programming in ways that can foster community development as well as physical fitness. Suggestions include:

* In core programming, it can be incorporated into regularly scheduled hours such as existing Senior’s Swims or Parents & Tots Swims.

* In special programming, the City could sponsor All Bodies Swim special events programming through waiving or reducing event fees and announcing this on the website.

Financial Accessibility

Trans and gender nonconforming people, due to employment and other forms of discrimination, often lack the disposable income to be able to afford wellness activities.

* We recommend, therefore, that subsidies and reduced-fees programs can be actively directed towards increasing attendance.
Ethical Considerations & Gender Information:
The Benefits and Risks to Individuals and Agencies

As explored to the left, requiring that people disclose information about their gender puts trans at risk and creates a barrier to accessing services. Before deciding to collect any gender information, organizational leaders should consider the following questions:

- Will the benefit to the organization outweigh the risks to ourselves and the individual?
- Are there alternative data collection tools that minimize the risk and maximize the benefit?

Intake and membership forms that require participants to provide information on gender can force people to be outed to staff. If the person’s identification documents do not match their presentation and the staff make an issue of it, it outs people as having transitioned from one gender to another. Additionally, if a person’s gender identity does not fit within the man/woman gender binary, they can be outed as transgender or gender nonconforming.

Once outed, there is a risk that staff or other users within earshot of the outing may unintentionally direct enough attention to a trans person that they no longer feel comfortable in the space. In more extreme cases, the trans person may be subjected to gender policing, harassment, or ostracization from staff and fellow users.

Context: City Membership & Registration Forms

<table>
<thead>
<tr>
<th>Individual</th>
<th>Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Risks</strong></td>
<td><strong>Risks</strong></td>
</tr>
<tr>
<td>* A person may be outed, and subsequently harassed. This experience can be deeply hurtful and especially harmful to more vulnerable trans members.</td>
<td></td>
</tr>
<tr>
<td>* Harassment or gender policing at this initial point of contact can make the space too unsafe for the person to return to.</td>
<td></td>
</tr>
<tr>
<td>* If the site is within the community where they live, work, or learn, it is possible that the information becomes public knowledge and risks outing the person on other essential contexts on which the person’s life or livelihood depend.</td>
<td></td>
</tr>
<tr>
<td>* There is a risk that gender information can present another opportunity for outing with staff at a later date.</td>
<td></td>
</tr>
<tr>
<td><strong>Benefits</strong></td>
<td><strong>Benefits</strong></td>
</tr>
<tr>
<td>* If a staff person shows respect and discretion, trans folks are more likely to return.</td>
<td></td>
</tr>
<tr>
<td>* If the agency used the information to provide appropriate services, there is a chance the trans person might benefit.</td>
<td></td>
</tr>
<tr>
<td>* If the form contributes to an environment in which potential or current users are discriminated against or harassed, institutions could find themselves accused in a human rights complaint.</td>
<td></td>
</tr>
<tr>
<td>* Gender information can be used for programming planning and budgeting.</td>
<td></td>
</tr>
<tr>
<td>* Gender information can be used to market programming and services.</td>
<td></td>
</tr>
<tr>
<td>* It can create an opportunity to create a welcoming environment for trans-folks.</td>
<td></td>
</tr>
</tbody>
</table>
Recommendations for Alternative Arrangements:
Collecting Gender Information in an Appropriate Manner

From an ethical and typical risk analysis, if the risk to the individual outweighs the likelihood that there will be a considerable benefit to the organization, alternative tools should be pursued. We suggest that in cases of registration and membership forms, the risk to the individual and agency outweigh the benefits.

As an alternative, we suggest that supplementary data collection methods, such as surveys, provide more accurate, efficient, and inclusive tools. In the long run, they better equip organizations to provide and market appropriate services to their members and do not put individuals in danger. Surveys provide room for a more accurate and nuanced reflection of people’s experience of gender. This does not require a comprehensive survey, but can be achieved in a concise manner (see box to the right for an example).

Surveys need not inquire solely about gender, but can be framed about getting to know the many facets of a person, from their programming preferences, to dimensions of their identity that may include race, sexual preference, or religion. When considering adding any of these identity markers, each should be as carefully weighed from an ethical perspective and designed as respectfully and inclusively as possible, and all questions should be optional.

Ideally, when information is collected on gender, it gives room for all people to accurately convey their own gender experience. The field “Gender: M F” does not adequately represent all gender experiences. When eliciting information about how people self-identify around gender, as the survey to the right does, it is important to give both higher levels of classification and an opportunity for self-identification whenever possible. Self-identification might be onerous with the entire membership population, but depending on the survey sample size, it can be manageable.

Before such a survey can be designed, collected, or analyzed, organizations should also consider the level of privacy and sensitivity at each point in the chain. If staff are not equipped to handle the demands of confidentiality or are uncomfortable with the subject matter, more training is necessary before collecting this information.

Recommendations:

* Registration and Membership Forms
  * Whenever possible, gender should not be collected via registration forms.
  * When gender is collected on forms, gender should be optional.
  * Title (Mr. Mrs. Ms. Dr., etc) is often a proxy for gender. It, too, should be optional on all forms.

* Surveys
  * Use survey tools to capture important gender information that is intended to diversify the representation of gender options and treatment. Ensure that designated staff are equipped to deliver and communicate respectfully and effectively about it.

Sample Survey

Hi there. We are interested in getting to know more about our members so that we can better design programs to suit your needs and let you know about them. Please note that your participation is entirely optional. The answers are anonymous and kept confidential throughout this process.

All questions on this survey are optional. If you need clarification, please turn this survey over for an explanation of the terms used. If you still have questions you may ask an available staff member at 778-778-7788 or at hillcrestsurveyteam@vancouver.ca.

Thanks for your time!

**Gender:** (please check all that apply)

- Female [ ]
- Male [ ]
- Transgender [ ]
- Gender Nonconforming [ ]
- Other [ ]

If Other applies, please clearly print the way in which you identify your gender here: ________________________________

Have you ever identified otherwise? Y  N

If you would care to share your former identification please indicate it here: ________________________________

*We also recommend that sex be, as policy, removed from all city forms. As we have understood the array of city services, there are none that we can identify that would require information on a person’s chromosomes, genitalia, etc.*
How can the City of Vancouver build safe, strong, & inclusive communities?

As the City of Vancouver continues to position itself as a global leader in sustainability, and rises in the ranks of popular liveability indexes, perhaps its next great challenge may be to become a champion in the advancement of human rights.

Transgender folks are a diverse set of people with an array of gifts that often can’t be fully lived or appreciated. It takes tremendous courage to risk so much in order to become fully who they know themselves to be in the face of frequent, sometimes daily, discrimination and harassment. Discrimination and harassment are, of course, not only individual behaviours, but are systemically embedded within the structures we build and the programs we design and deliver.

In the 1960s, the racial civil rights movement tore down the walls of racially segregated washrooms and opened up the doors to integrated pools and schools. Each generation of city-builders and administrators must look to see where, too, they can alter public systems and services to advance spatial and social justice. As Dean Spade, a prominent lawyer who identifies as trans and advocates for trans rights, frequently reminds us in his writing, if we aim to take care of those most at risk then those in the middle will be covered. While no organization, even the city itself, can change the entire environment, its officials can choose to act with courage, too.

We have attempted here to marry the idealistic and the pragmatic, identifying where actions that would support trans and gender nonconforming folks intersects the needs of others. We have identified the areas where the needs of trans folks align with city initiatives underway, and where there are opportunities to have a real impact with relatively minimal investment. These are by no means the only ways in which the City can support trans and gender nonconforming folks, but we do believe that these are achievable priorities. We, of course, hope that there will be sincere efforts with lasting results, but as we stated at the outset, this is equally about the opening of a new dialogue between trans and gender nonconforming folks and their city officials.
Recommendations:
* In low-occupancy load buildings, increase the allotment of single user washroom and changeroom spaces.

* In high-occupancy load buildings, increase the allotment of a fourth washroom typology: multi-gendered washrooms which offer added privacy and safety features.

* In high-occupancy load recreational buildings, continue to adopt and adapt universal changerooms.

Opportunities for Action:
* The city of Vancouver is currently revising its building codes by-laws, the recommendations can be adopted or adapted within the current revision schedule.

Recommendations:
* Ensure that low-income programs are targeted to include trans populations.

* Create an All Bodies Swim programming that creates safe and inclusive spaces for trans folks.

* Create and implement training that will acquaint staff with the experiences of trans and gender nonconforming folks and the challenges that face them in rec facilities, as well as how to mediate conflicts that arise with other users who attempt to ‘police’ gender.

Opportunities for Action:
* Identify the next programming & budget cycle.

* Identify potential openings in staff training schedules in 2012.

Recommendations:
* Make gender optional on all city forms and train staff to convey this information to registrants.

* Evaluate which forms collect gender, and to what degree they analyze the information, removing gender from the form when possible.

* When possible, collect gender information through a supplementary tool, such as a survey, that can deal with the diversification of gender in a nuanced manner that does not endanger the respondent or present a barrier to membership.

Opportunities for Action:
* Incorporate recommendations into the current initiative to streamline city forms and migrate them online.

* Identify potential opportunities to do departmental audits, update forms, and incorporate surveys.
References


Resources

City of Vancouver, LGBTQ Advisory Committee to City Council
The Committee seeks to enhance access to full participation in City services for LGBTQ communities. The Committee provides input on discrimination issues (e.g., hate crime) and addresses issues of concern (e.g., housing). The Committee works with other civic agencies, community outreach, and handle matters referred to by Council to address and ensure the needs of the LGBTQ community are considered.
lgbtq@vancouver.ca

Vancouver Coastal Health - Transgender Health Program
The Transgender Health Program was launched by Vancouver Coastal Health in June 2003 to bring together transgender people, loved ones, and health care providers to improve transgender health services in BC. Services are free, anonymous, and confidential.
http://transhealth.vch.ca/.

National Centre for Transgender Equality
NCTE is a social justice organization dedicated to advancing the equality of transgender folk through advocacy, collaboration and empowerment in the US. NCTE monitors federal activity, communicates this activity to members, provides congressional education, and establishing a center of expertise on transgender issues.
http://transequality.org

National Gay and Lesbian Task Force
The Task Force builds political power of the LGBT community from the ground up. This is done by training activists, organizing broad-based campaigns to defeat anti-LGBT referenda and advance pro-LGBT legislation, and building organizational capacity. As part of a broader social justice movement, the Task Force works to create a nation that respects the diversity of human expression and identity and creates opportunity for all.
http://www.thetaskforce.org/issues/transgender

Sylvia Rivera Law Project
SRLP works to guarantee that all people are free to self-determine their gender identity and expression. As a collective organization, they believe that gender self-determination is linked to racial, social and economic justice and seek to increase the political voice and visibility of low-income people and people of color who are transgender, intersex, or gender non-conforming. SRLP works to improve access to respectful and affirming social, health, and legal services in communities.
www.srlp.org

Transgender Law Center
TLC provides legal services and advocacy for the transgender community, working to change laws and systems that fail to incorporate the needs of transgender people. TLC utilizes direct legal services, public policy advocacy, and educational opportunities to advance the rights and safety of diverse transgender communities.
www.transgenderlawcenter.org