



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, September 27, 2018

Council Chambers, City Hall, 1 Centennial Square

Located on the traditional territory of the Esquimalt and Songhees People

To be held Immediately Following the Committee of the Whole Meeting

Pages

**A. CONVENE COUNCIL MEETING**

**B. APPROVAL OF AGENDA**

**C. BYLAWS**

**C.1 Bylaw for Building and Plumbing Regulations**

1

A report providing an update and recommending:

**1st, 2nd, and 3rd readings of:** Building and Plumbing Regulation Bylaw,  
Amendment Bylaw (No. 1) No. 18-107

The purpose of the bylaw is to amend the *Building and Plumbing Regulation Bylaw* to provide for implementation of the British Columbia Energy Step Code, to clarify the authority of the building officials, and to update the fee schedule.

**D. CLOSED MEETING**

MOTION TO CLOSE THE SEPTEMBER 27, 2018 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

*Section 90(1)(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;*

*Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*

*Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*

*Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

E. APPROVAL OF CLOSED AGENDA

F. READING OF CLOSED MINUTES

G. UNFINISHED BUSINESS

H. CORRESPONDENCE

I. NEW BUSINESS

I.1 Land/Lease

I.2 Land/Lease

I.3 Proposed Municipal Service

I.4 Proposed Honour

\*I.5 Law Enforcement

Addenda: Report

J. CONSIDERATION TO RISE & REPORT

K. ADJOURNMENT



## **Council Report**

### **For the Meeting of September 27, 2018**

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**To:** Council **Date:** August 30, 2018  
**From:** Jonathan Tinney – Director, Sustainable Planning and Community Development  
**Subject:** Update of the Building and Plumbing Bylaw

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### **RECOMMENDATION**

That Council give first, second and third reading to the Building and Plumbing Regulation Bylaw, Amendment Bylaw (No. 1) No. 18-107.

### **EXECUTIVE SUMMARY**

On April 26, 2018 Council adopted an approach to Step Code (Appendix B) and directed staff to prepare the necessary bylaw amendments. The attached Building and Plumbing Bylaw represents those changes, enabling enforcement of Step Code as of November 1, 2018, as intended. This is the primary purpose for the bylaw update, but it also coincides with the Municipal Insurance Association's (MIA) recently released model building bylaw update, which is required due to the introduction of the Step Code provisions in the BC Building Code and the new Building Act. MIA's release of a new model building bylaw would typically result in more substantial changes to the current bylaw; however, much of that which is included in the new MIA bylaw was anticipated and incorporated into the Building and Plumbing Bylaw, recently updated and adopted in 2017.

The proposed update ensures staff has necessary authority to support Council's adoption of Step Code targets. Council's approach involves graduated timelines for enforcement of steps and varying applicability of steps depending on building typography. The bylaw update supports Council's direction in this regard; as well, it supports submission of mid-construction blower test results. The tests are important to educate builders by measuring performance at the earliest opportunity giving time to correct issues and reduce non-compliance issues that might otherwise arise at final inspection, when it is more difficult or expensive to correct. The bylaw includes additional updates that adopt current language and terminology found in the new MIA model bylaw and an adjustment for revised plan fees.

### **ISSUES & ANALYSIS**

Prior to the adoption of Step Code targets a broad consultation process was carried out to identify issues with adoption. Through the process, it was found that a graduated approach to Steps was most likely to reduce cost impacts and provide builders with sufficient time to adjust skill sets. It



was also found that mid-construction blower door tests were valuable and that a rebate program to support the requirement for them was necessary.

Consequently, a rebate program was established for those that carry out mid-construction blower door tests; however, no determination was made to direct when, or if, these tests were to be conducted. Current thought is that the tests and reports generated provide an invaluable tool as the only way to measure how a project is coming together in terms of energy performance through air tightness. This mid-construction evaluation is thought to be critically important to identify issues at a timely point in the process of construction, allowing builders to address issues when it is simplest and most cost effective to correct. Not requiring a mid-construction blower door test could potentially lead to non-compliance at the point of completion when owners are ready to occupy; and willingness, or ability to correct, are less likely to exist.

A large majority of stakeholders recognize the importance of this test, and a rebate was established to offset the expense and allow builders to experience the benefit without incurring significant expense, if any at all. This bylaw makes the test mandatory for all new buildings subject to Step Code requirements as the test is currently the most effective tool to avoid compliance issues resulting from adoption of Step Code.

The remaining issue is that the mid-construction test does not result in a pass or fail as there is no target to be met at the middle of construction. Nevertheless, it will provide a gauge to determine how close the advancing construction is to intended performance targets. The test does not guarantee all issues related to air tightness will be avoided, but it does offer a level of surety that eleventh hour issues will be minimized. Consideration of the above has resulted in a bylaw requirement for all new buildings to submit a mid-construction blower test report. It is expected that as an inventory of experience is generated over the coming years, the test may become unnecessary due to experience.

In summary, the direction provided by Council requires the following key changes to be incorporated into the bylaw to bring Step Codes into force:

- enactment dates for varying Step Code targets
- applicability clauses for Step Code targets in relation to varying building typography's
- regulation supporting submission of mid-construction blower door test results.

In addition to these key changes, the bylaw has incorporated a small number of adjustments in keeping with the MIA model building bylaw release. These textual adjustments do not have administrative or functional implications. Lastly, the amendment bylaw amends revision fee requirements to support the intent of recovering costs associated with reviewing revised plan applications.

## **OPTIONS & IMPACTS**

### *2015 – 2018 Strategic Plan*

#### **Objective 1: Innovate and Lead:**

Support climate leadership initiatives through an efficient and purposeful permitting and inspection process.

#### **Objective 3: Strive for Excellence in Planning and Land Use:**

Support excellence in our built environment while minimizing climactic impact through advanced construction methods.

Objective 13: Demonstrate Regional Leadership:

Local adoption of Step Code simplifies adoption process for neighbour municipalities due to gained regional experience.

#### *Impacts to Financial Plan*

There are no Financial Plan impacts associated with this bylaw amendment.

### **CONCLUSIONS**

The update to the Building and Plumbing bylaw ensures Step Code ambitions are properly supported giving staff powers to enforce these targets as intended and without causing delay. The update also includes textual amendments that align with the MIA's newly released model bylaw which are non-consequential and minor in change, and which after twelve months of experience with the 2017 Bylaw, are necessary.

Respectfully submitted,



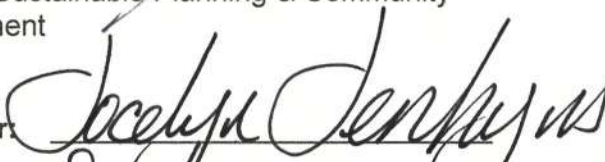
Ryan Morhart  
Manager, Permits & Inspections



Jonathan Tinney  
Director, Sustainable Planning & Community  
Development

Report accepted and recommended by the City Manager

Date:

  
Sept. 21, 2018

#### **List of Attachments:**

- Appendix A: Amended Building and Plumbing Regulation Bylaw
- Appendix B: Building and Plumbing Regulation Amendment Bylaw
- Appendix C: Recommended Adoption of BC Energy Step Code April 26, 2018



NO. 18-107

## BUILDING AND PLUMBING REGULATION BYLAW AMENDMENT BYLAW (NO. 1) A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Building and Plumbing Regulation Bylaw* to provide for implementation of the British Columbia Energy Step Code as well as to update the bylaw to clarify the authority of the building officials and to update the fee schedule.

### Contents

- 1 Title
  - 2 Amendments to the *Building and Plumbing Regulation Bylaw*
  - 3 Step Code Changes on January 1, 2020
  - 4 Effective Date
- Schedule 1 – Amended Preamble and Table of Contents  
Schedule 2 – Amended Schedule A - Fees

Under its statutory powers, including sections 8(3)(l) of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

### Title

- 1 This Bylaw may be cited as the "Building and Plumbing Regulation Bylaw Amendment Bylaw (No. 1)".

### Amendments to the *Building and Plumbing Regulation Bylaw*

- 2 The *Building and Plumbing Regulation Bylaw* No. 17-113 is amended
  - (1) by deleting the preamble and the table of contents and replacing them with the text attached to this bylaw as Schedule 1;
  - (2) in section 2 by:
    - (a) deleting "2012" in the definition of the Building Code;
    - (b) adding the following definitions immediately after the definition of "cost of construction":

“Energy Step Code” means the system of energy performance requirements set out in Division B, Part 10 of the Building Code;

“existing building” means a building that has been constructed prior to the enactment of section 5A”; and

- (c) by deleting the definition of "health and safety aspects of the work" and replacing it with the following:

"health, and safety, and energy and water efficiency aspects of the work" means aspects of design and construction regulated by the Building Code and attributed in Division B Appendix A, Parts 2 and 3 of the Building Code with either any of the following Objectives: OS Safety, OH Health, or OE Energy and Water Efficiency,";

- (3) in section 3 by adding a new paragraph (e) immediately after paragraph (d) as follows:

"(e) the protection of adjacent real property from incidental damage or nuisance.";

- (4) in section 5

- (a) in subsection (1) by adding the words "and section 5A" immediately after "(2)"; and
- (b) in subsection (2) by deleting the word "or" at the end of paragraph (d), adding the word "or" at the end of paragraph (e), and by adding a new paragraph (f) immediately after paragraph (e), as follows:

"(f) accessory buildings with a building area of less than 10 square meters.";

- (5) by adding a new section 5A, immediately after section 5, as follows:

**"Limited Application to Existing Buildings**

- 5A (1) Except as provided in the Building Code or to the extent an existing building is under construction or does not have an occupancy permit, when an existing building has been constructed before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the existing building must be reconstructed or altered, unless it is expressly provided by this or another bylaw, regulation or statute.
- (2) If an alteration or addition is made to an existing building, the alteration or addition and any elements of the existing building affected or impacted by the alteration or addition must comply with this bylaw and the Building Code.";

- (6) in section 6 by adding a new subsections (7) and (8), immediately after subsection 6, as follows:

- “(7) No person may erase, alter, or modify
- (a) plans and supporting documents after the same have been reviewed by the building official, or
  - (b) plans and supporting documents that have been filed for reference with the building official after the permit has been issued
- except in accordance with this bylaw.
- (8) A person must not construct on a parcel unless the civic address is conspicuously posted on the front of the premises or on a sign post such that it may be easily read for a street from which it takes its address.”;

- (7) in section 7(1) by:

- (a) adding the words “, but owes no public duty to enforce or administer this bylaw or the Building Code” at the end of paragraph (a);
- (b) deleting the word “shall” and replacing it with “may” and deleting the words “or microfilm copies of such documents; and” and replacing them with “on microfilm or by electronic means;” in paragraph (b);
- (c) adding the words “or require an owner to establish” immediately after the word “establish” and by deleting the period and replacing it with “; and” in paragraph (c); and
- (d) adding a new paragraph (d), immediately after paragraph (c), as follows:
 

“(d) direct that test of materials, equipment, devices, construction methods, structural assemblies, or foundations be carried out, or that sufficient evidence or proof be submitted by the owner, at the owner’s expense, where in the opinion of the building official it is necessary to determine whether the materials, equipment, devices, construction methods, structural assemblies, or foundations complies with this bylaw or the Building Code.”; and
- (e) by adding the words “or removal” immediately after the word “correction” and adding the words “or the Building Code and may prescribe the time within which the correction or removal is to be done.” in subsection (4);



(8) by adding new subsections (5) through (8) to section 7 as follows:

- “(5) A building official may order the owner to remove or prevent any unauthorized encroachment on a public parcel, street, statutory right of way or easement, or a setback or yard required under any City bylaw or other enactment.
- (6) A building official may enter any land, building, structure, or premises at any reasonable time to affix or post a stop work order under section 21 or any other order issued under this bylaw.
- (7) Every person who has been served with an order issued by a building official must comply with that order within the time specified in the order or, if no time is specified, immediately.
- (8) No person who has notice of an order issued by a building official must knowingly do, or allow to be done, anything that contravenes such order.”;

(9) by adding a new Part 3A immediately after section 11 as follows:

#### **“PART 3A – ENERGY CONSERVATION AND GHG EMISSION REDUCTION**

##### **Application of the British Columbia Energy Step Code**

- 11A (1) A building regulated by Part 3 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.
- (2) A building regulated by Part 9 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.”;

(10) by adding a new section 12A immediately after section 12 as follows:

##### **“Refusal and Revocation of Permits**

- 12A (1) A building official may refuse to issue a permit if the proposed work would contravene the requirements of the Building Code or the provisions of this or any other City bylaw.
- (2) A building official may revoke a permit if, in the building official's opinion, the results of tests on materials, equipment, devices, construction methods, structural assemblies, or foundations conditions fail to meets the requirements of the Building Code or this Bylaw or if all permits required under this bylaw have not been obtained.

- (3) If a building official refuses to issue a permit under subsection (1) or revokes a permit under subsection (2), the building official must provide the owner with written reasons for his or her decision.
  - (4) A refusal to issue a permit or revocation of a permit is not invalid solely for the reason of inadequacy or incompleteness of the written reasons provided under subsection (3).";
- (11) in section 13, by adding new subsections (9) and (10), immediately after (8), as follows:
  - "(9) A building official may require the owner to uncover any work that has been covered or concealed in contravention of subsection (5) or any previous order of a building official.
  - (10) A building official may request the results of a mid-construction blower door test as indication that the construction is progressing in accordance with approved plans.";
- (12) in section 18 (3) by:
  - (i) striking out paragraph (b) and replacing it with the following:
    - "(b) ensure that all permits, plans and specifications, and supporting documents on which a permit was based, all municipal inspection certificates, and all professional field reviews are available at the site of the work for inspection by building officials during working hours,"
  - (ii) striking out the period and adding "; and" at the end of paragraph (c); and
- (13) by replacing Schedule "A" with the new Schedule "A" attached hereto as Schedule 2.

### **Step Code Changes on January 1, 2020**

- 3 The *Building and Plumbing Regulation Bylaw* is further amended by repealing section 11A and replacing it with the following:
  - "11A (1) Subject to subsection (2), a building regulated by Part 3 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 2 of the Energy Step Code.
  - (2) A building regulated by Part 3 of the Building Code that is 6 stories or less and composed of wood-frame construction must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.

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MAYOR



**Schedule 1**

NO. 17-113

**BUILDING AND PLUMBING REGULATION BYLAW****A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to regulate the construction, alteration, and demolition of buildings and other structures within the City of Victoria by providing for a limited and interim spot-checking of health, safety, and energy and water efficiency aspects of the work and a permitting system for the purpose of keeping of records.

Under its statutory powers, including section 8(3)(l) and 63 of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

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- 2 Definitions
- 3 Interpretation and Purpose

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- 5 Scope and Exemptions
- 5A Limited Application to Existing Buildings
- 6 Prohibitions
- 7 Building Officials
- 8 Record Searches

**PART 3 – APPLICATIONS**

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- 14 Occupancy Permits

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- 18 Responsibility of the Owner

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- 19 Fees and Charges

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- 23 Permits under Former Bylaw
- 24 Severability
- 25 Schedule
- 26 Commencement and Repeal

Schedule A - Fees

## Schedule 2

## SCHEDULE "A"

## Fees

## Building Permits

- a. Application Fee ..... \$100.00
- b. Permit Fee ..... 1.40% of Cost of Construction
- c. Permit Fee where work has commenced without a permit:  
 ..... 2.8% of Cost of Construction up to \$20,000.00  
 and ..... 1.4% of Cost of Construction for the remainder in excess of \$20,000.00
- d. Permit Extension Fees (expired permit) ..... \$100.00
- e. Plan Revision Fees (issued permits):
  - i. \$100; or
  - ii. the lesser of
    - 1. 10% of the original Permit Fee; or
    - 2. \$125 per hour of staff time required to review the revised plans,

whichever is greater, plus the Permit Fee on any increase in the Cost of Construction.
- f. Re-inspection Fee (Pursuant to 19(7)) ..... \$50.00
- g. Excavation Deposit ..... 1.2 times the estimated cost to backfill the excavation

## Plumbing Permits

- h. Application Fee ..... \$100.00
- i. Permit Fee ..... 1.40% of Cost of Construction
- j. Permit Fee where work has commenced without a permit:  
 ..... 2.8% of Cost of Construction up to \$20,000.00  
 and ... 1.4% of Cost of Construction for the remainder in excess of \$20,000.00 for
- k. Permit Extension Fees (expired permit) ..... \$100.00
- l. Plan Revision Fees (issued permits):
  - i. \$100; or
  - ii. the lesser of
    - 1. 10% of the original Permit Fee; or
    - 2. \$125 per hour of staff time required to review the revised plans,

whichever is greater, plus the Permit Fee on any increase in the Cost of Construction.
- m. Re-inspection Fee (Pursuant to 19(7)) ..... \$50.00

## Record Searches

- n. Records access fee ..... \$25.00
- o. Fee for digitization or copying of plans under section 8(1) ..... actual cost
- p. Fee for a written statement pursuant to section 8(2) ..... \$50.00



**BUILDING AND PLUMBING REGULATION BYLAW**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to regulate the construction, alteration, and demolition of buildings and other structures within the City of Victoria by providing for a limited and interim spot-checking of health, safety, and energy and water efficiency aspects of the work and a permitting system for the purpose of keeping of records.

Under its statutory powers, including section 8(3)(l) and 63 of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

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Schedule A - Fees

## **PART 1 – INTERPRETATION AND PURPOSE**

### **Title**

- 1 This bylaw may be cited as the “Building and Plumbing Regulation Bylaw, 2017”.

### **Definitions**

- 2 (1) In this bylaw the following words and terms have the meanings set out in Division A 1.4.1 of the Building Code: assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, plumbing contractor, plumbing system, registered professional, and residential occupancy.
- (2) In this bylaw:
- “affordable housing” means any housing unit which is:
- (a) part of a development wholly owned and operated by a registered non-profit residential housing society or government agency, or operated by a registered non-profit residential housing society or government agency pursuant to a legally binding arrangement with the property owner; and
  - (b) subject of a housing agreement with the City, or a covenant in favour of the City, securing its use as below-market housing unit in perpetuity;

"applicant" means either the owner or a person authorized by the owner to apply for and obtain a building permit;

"Building Code" means the *British Columbia Building Code* as adopted by the Minister pursuant to section 692 (1) of the *Local Government Act*, as amended or re-enacted from time to time;

"building official" means the same as that defined by the *Building Act* and includes the chief building official;

"chief building official" means the person employed by the City as the Chief Building Official and includes a person authorized to act on his or her behalf;

"City" means The Corporation of the City of Victoria;

"complex building" means:

- (a) all buildings used for major occupancies classified as
  - (i) assembly occupancies,
  - (ii) care or detention occupancies,
  - (iii) high hazard industrial occupancies, and
- (b) all buildings exceeding 600 square meters in building area or exceeding three storeys in building height used for major occupancies classified as
  - (i) residential occupancies,
  - (ii) business and personal services occupancies,
  - (iii) mercantile occupancies, or
  - (iv) medium and low hazard industrial occupancies;

"cost of construction" means costs calculated in accordance with section 19(9);

"Energy Step Code" means the system of energy performance requirements set out in Part 10 of Division B of the Building Code;

"existing building" means a building that has been constructed prior to the enactment of section 5A;

"former bylaw" means any building or plumbing bylaw of the City in force at any time prior to the adoption of this bylaw;

"health, safety, and energy and water efficiency aspects of the work" means aspects of design and construction regulated by the Building Code and attributed in Division A, Parts 2 and 3 of the Building Code with any of the following Objectives: OS Safety, OH Health, or OE Energy and Water Efficiency;

"owner" includes a lessee, a person in charge, a person who has care and control and a person who holds out that the person has the powers and authority of ownership or who for the time being exercises the powers and authority of ownership;

"Plumbing Code" means the plumbing system part of the Building Code.

"standard building" means any building that is not a complex building; and



"structure" means a construction or portion thereof of any kind, whether fixed to, supported by, or sunk into land or land covered by water, but does not include landscaping, fences, paving, or retaining structures less than 1.2 meters in height.

### **Interpretation and Purpose**

- 3 (1) This bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.
- (2) This bylaw has been enacted for the purpose of regulating construction within Victoria in the general public interest and the activities undertaken by or on behalf of the City pursuant to this bylaw are for the sole purpose of providing a limited and interim spot checking function of health, safety and energy and water efficiency aspects of the work.
- (3) It is not contemplated nor intended, nor does the purpose of this bylaw extend to
- (a) the protection of owners, owner/builders, or constructors from economic loss;
  - (b) the assumption by the City or any building official of any responsibility for ensuring the compliance by any owner, his or her representatives or any employees, constructors or designers retained by him or her, with the Building Code, the requirements of this bylaw or other applicable enactments respecting safety;
  - (c) providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this bylaw;
  - (d) providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City is free from latent, or any defects;
  - (e) the protection of adjacent real property from incidental damage or nuisance.

## **PART 2 – ADMINISTRATION**

### **Permit Required and Effect of the Permit**

- 4 (1) A permit is required whenever work regulated under this bylaw is to be undertaken.
- (2) Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections shall
- (a) in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the Building Code and or other applicable enactments respecting safety; and

- (b) constitute in any way a representation, warranty, assurance or statement that the Building Code, this bylaw or other applicable enactments respecting safety have been complied with.
- (3) It shall be the full and sole responsibility of the owner to carry out the work in respect of which the permit was issued in compliance with the Building Code and this bylaw or other applicable enactments respecting safety.
- (4) No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.

### **Scope and Exemptions**

- 5 (1) Subject to subsection (2) and section 5A, this bylaw applies to the design, construction and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, removal, relocation and occupancy of existing buildings and structures.
- (2) This bylaw does not apply to buildings or structures exempted by Division A Part 1 of the Building Code except as expressly provided herein, nor does it apply to the following:
  - (a) retaining structures less than 1.2 meters in height;
  - (b) platforms less than 0.6 meters above grade;
  - (c) plumbing systems outside of private property (municipal infrastructure);
  - (d) irrigation systems downstream of a backflow prevention device;
  - (e) plumbing systems separately serviced for the purpose of site drainage; or
  - (f) accessory buildings with a building area of less than 10 square meters.

### **Limited Application to Existing Buildings**

- 5A (1) Except as provided in the Building Code or to the extent an existing building is under construction or does not have an occupancy permit, when an existing building has been constructed before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the existing building must be reconstructed or altered, unless it is expressly provided by this or another bylaw, regulation or statute.
- (2) If an alteration or addition is made to an existing building, the alteration or addition and any elements of the existing building affected or impacted by the alteration or addition must comply with this bylaw and the Building Code.

### **Prohibitions**

- 6 (1) No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building, structure or plumbing system, including excavation or other work related



to construction unless a building official has issued a valid and subsisting permit for the work.

- (2) No person shall occupy or use any building or structure:
  - (a) unless a valid and subsisting occupancy permit has been issued by a building official for the building or structure; or
  - (b) contrary to the terms of any permit issued or any notice given by a building official.
- (3) No person shall knowingly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this bylaw.
- (4) No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this bylaw.
- (5) No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been accepted in writing by a building official.
- (6) No person shall obstruct the entry of a building official or other authorized official of the City on property in the administration of this bylaw.
- (7) No person may erase, alter, or modify
  - (a) plans and supporting documents after the same have been reviewed by the building official, or
  - (b) plans and supporting documents that have been filed for reference with the building official after the permit has been issued except in accordance with this bylaw.
- (8) A person must not construct on a parcel unless the civic address is conspicuously posted on the front of the premises or on a sign post such that it may be easily read for a street from which it takes its address.

### **Building Officials**

- 7 (1) A building official may:
  - (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw or the Building Code;
  - (b) keep records of permit applications, permits, notices and orders issued, inspections and tests made, and may retain copies of all documents related to the administration of this bylaw on microfilm or by electronic means;
  - (c) establish or require an owner to establish whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this bylaw substantially conform to the requirements of the Building Code; and



- (d) direct that test of materials, equipment, devices, construction methods, structural assemblies, or foundations be carried out, or that sufficient evidence or proof be submitted by the owner, at the owner's expense, where in the opinion of the building official it is necessary to determine whether the materials, equipment, devices, construction methods, structural assemblies, or foundations complies with this bylaw or the Building Code.
- (2) A building official may enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw or the Building Code are being observed.
- (3) Before exercising the authority under subsection (2) in relation to any residence that is occupied, a building official shall
  - (a) obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and
  - (b) carry proper credentials confirming his or her status as a building official.
- (4) A building official may order the correction or removal of any work that is being or has been done in contravention of this bylaw or the Building Code and may prescribe the time within which the correction or removal is to be made.
- (5) A building official may order the owner to remove or prevent any unauthorized encroachment on a public parcel, street, statutory right of way or easement, or a setback or yard required under any City bylaw or other enactment.
- (6) A building official may enter any land, building, structure, or premises at any reasonable time to affix or post a stop work order under section 21 or any other order issued under this bylaw.
- (7) Every person who has been served with an order issued by a building official must comply with that order within the time specified in the order or, if no time is specified, immediately.
- (8) No person who has notice of an order issued by a building official must knowingly do, or allow to be done, anything that contravenes such order.

### **Record Searches**

- 8 (1) A person may request a search to be conducted to locate a building, plumbing or electrical plan deposited with the City.
- (2) A person may obtain a written statement or report on the status of a building's construction or permits as determined from permit records deposited with the City.
- (3) A building official may collect a prescribed fee for services identified under this section as set out in Schedule A.

## **PART 3 – APPLICATIONS**

### **General Application Requirements**

- 9 (1) Every person shall apply for and obtain:
- (a) a building permit before constructing, demolishing, repairing, changing the use of, or altering a building or other structure; and
  - (b) a plumbing permit before constructing or altering a plumbing system.
- (2) An application for a building or plumbing permit shall be made using the forms prescribed by the chief building official.
- (3) All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.
- (4) The application process for standard buildings applies to any applications for permits required under this bylaw in relation to any structure that is not a building.
- (5) Each building or other structure to be constructed on a site requires a building permit and shall be assessed a separate building permit fee based on the value of that building or other structure as determined in accordance with Schedule A to this bylaw.

### **Applications for Complex Buildings**

- 10 (1) An application for a building permit with respect to a complex building shall include with the application:
- (a) information for the proposed work as required by the Building Code;
  - (b) a site plan prepared by a British Columbia Land Surveyor showing:
    - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
    - (ii) the legal description and civic address of the parcel;
    - (iii) the location and dimensions of all statutory rights of way, easements and setback requirements;
    - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
    - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding;
    - (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the City's land use regulations establish siting requirements related to minimum floor elevation; and



- (vii) the location, dimension and gradient of parking and driveway access;
  - (c) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
  - (d) any letters of assurance required by the Building Code;
  - (e) the required number of drawing sets at a suitable scale of the design prepared by each registered professional and including the information set out in this section.
- (2) In addition to the requirements of subsection (1), the following may be required by a building official to be submitted with a building permit application for the construction of a complex building where, in the opinion of the building official, the complexity of the proposed building or structure or siting circumstances warrant:
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's subdivision servicing bylaw.
  - (b) a section through the site showing grades, buildings, structures, parking areas and driveways;
  - (c) any other information required by the building official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.
- (3) The building official may waive the requirements under subsection (1)(b) for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.

### **Applications for Standard Buildings**

- 11 (1) An application for a building permit with respect to a standard building shall include:
- (a) information for the proposed work as required by the Building Code;
  - (b) a site plan prepared by a British Columbia Land Surveyor showing:
    - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
    - (ii) the legal description and civic address of the parcel;
    - (iii) the location and dimensions of all statutory rights of way, easements and setback requirements;
    - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;



- (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding;
  - (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the City's land use regulations establish siting requirements related to minimum floor elevation; and
  - (vii) the location, dimension and gradient of parking and driveway access;
  - (c) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
  - (d) the required number of sets of drawings at a suitable scale of the design including the information set out in this section.
- (2) In addition to the requirements of subsection (1), the following may be required by a building official to be submitted with a building permit application for the construction of a standard building where the project involves two or more buildings with the aggregate footprint area that totals more than 1000 square meters, or two or more buildings that will collectively contain four or more dwelling units, or otherwise where, in the opinion of the building official, the complexity of the proposed building or structure or siting circumstances warrant:
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's subdivision servicing bylaw.
  - (b) a section through the site showing grades, buildings, structures, parking areas and driveways;
  - (c) a roof plan and roof height calculations;
  - (d) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;
  - (e) letters of assurance as required by the Building Code,
  - (f) any other information required by the building official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.
- (3) The building official may waive the requirements under subsection (1)(b) for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.

### **PART 3A – ENERGY CONSERVATION AND GHG EMISSION REDUCTION**

### **Application of the British Columbia Energy Step Code**

- 11A (1) A building regulated by Part 3 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.
- (2) A building regulated by Part 9 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.

[to be replaced on January 1, 2020 by:

- 11A (1) Subject to subsection (2), a building regulated by Part 3 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 2 of the Energy Step Code.
- (2) A building regulated by Part 3 of the Building Code that is 6 stories or less and composed of wood-frame construction must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.
- (3) Subject to subsection (4), a building regulated by Part 9 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.
- (4) A building regulated by Part 9 of the Building Code that has a floor area of 102 square metres or less may be designed and constructed to meet the minimum performance requirements specified in Step 2 of the Energy Step Code.]

### **PART 4 – PERMITS AND INSPECTIONS**

#### **Building and Plumbing Permits**

- 12 (1) Subject to subsection (2), a building official shall issue the permit for which the application is made if:
- (a) a completed application including all required supporting documentation has been submitted;
  - (b) the building official is satisfied that the proposed work set out in the application substantially conforms with the Building Code, this bylaw and all other applicable bylaws and enactments;
  - (c) the owner or his or her representative has paid all applicable fees under this bylaw;
  - (d) the owner or his or her representative has paid all charges and met all requirements imposed by any other enactment; and
  - (e) no enactment, covenant, agreement, or regulation in favour of, or regulation of, the City authorizes the permit to be withheld.
- (2) When the application is in respect of a building that includes, or will include, a residential occupancy, the building permit must not be issued unless the owner



provides evidence pursuant to section 30 (1) of the *Homeowner Protection Act* that the proposed building:

- (a) is covered by home warranty insurance, and
  - (b) the constructor is a licensed residential builder.
- (3) Subsection (2) does not apply if the owner is not required to be licensed and to obtain home warranty insurance in accordance with sections 20 (1) or 30 (1) of the *Homeowner Protection Act* and the owner has provided evidence in support of this.
  - (4) Every permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if:
    - (a) the work authorized by the permit is not substantially commenced within 12 months from the date of issuance of the permit; or
    - (b) work is discontinued for a period of 12 months.
  - (5) A building official may extend the period of time set out under subsections (4) where construction has not been commenced or where construction has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the owner's control and the applicable fee as set out in Appendix A has been paid.
  - (6) A building official may issue a permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, provided sufficient information has been provided to demonstrate to the building official that the portion authorized to be constructed substantially complies with this and other applicable bylaws and the permit fee applicable for the entire cost of the building or structure has been paid.
  - (7) Notwithstanding issuance of a permit pursuant to subsection (6), the requirements of this bylaw apply to the remainder of the building or structure as if the permit for the portion of the building or structure had not been issued.

### **Refusal and Revocation of Permits**

- 12A (1) A building official may refuse to issue a permit if the proposed work would contravene the requirements of the Building Code or the provisions of this or any other City bylaw.
- (2) A building official may revoke a permit if, in the building official's opinion, the results of tests on materials, equipment, devices, construction methods, structural assemblies, or foundations conditions fail to meet the requirements of the Building Code or this Bylaw or if all permits required under this bylaw have not been obtained.
- (3) If a building official refuses to issue a permit under subsection (1) or revokes a permit under subsection (2), the building official must provide the owner with written reasons in writing.



- (4) A refusal to issue a permit or revocation of a permit is not invalid solely for the reason of inadequacy or incompleteness of the written reasons provided under subsection (3).

### **Inspections**

- 13 (1) When a registered professional provides letters of assurance in accordance with this bylaw, the City will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to this bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the Building Code, this bylaw and other applicable enactments respecting safety and attendance by a building official on site, for any reason or purpose, at any time during construction shall not impose on the building official or the City any duty or obligation in relation to work covered by the letters of assurance.
- (2) A building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.
- (3) A building official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with the those portions of the Building Code, this bylaw and any other applicable enactment concerning safety.
- (4) The owner or his or her representative shall give at least 24 hours' notice to the City when requesting an inspection and shall obtain an inspection and receive a building official's acceptance of the following aspects of the work prior to concealing it:
  - (a) installation of potable water service, sanitary service and storm service;
  - (b) installation of perimeter drain tiles and dampproofing, prior to backfilling;
  - (c) the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
  - (d) rough-in of factory built chimneys and fireplaces and solid fuel burning appliances;
  - (e) the framing and sheathing;
  - (f) any underground plumbing is installed and tested;
  - (g) plumbing system roughed-in and tested;
  - (h) bathtubs, showers and site constructed shower pans and tested;
  - (i) plumbing fixtures;
  - (j) insulation and vapour barrier; and

- (k) when the building or structure is substantially complete and ready for occupancy, but before occupancy takes place of the whole or part of the building or structure.
- (5) No aspect of the work referred in subsection (4) shall be concealed until a building official has accepted it in writing.
- (6) The requirements of subsection (5) do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance.
- (7) Work that is the subject of a registered professional's letter of assurance shall have inspections requested according to subsection (4) solely for the purpose of monitoring progress of construction and that field reviews are being undertaken by the registered professionals and attendance by a building official on site, for any reason or purpose, at any time during construction shall not impose on the building official or the City any duty or obligation in relation to work covered by the letters of assurance.
- (8) A building official may authorize work regulated by the Plumbing Code to be covered or concealed without inspection subsequent to a request for inspection provided the request for inspection includes declaration that the work has been installed in compliance with the Plumbing Code and that the declaration is made by an individual who possesses a Canadian tradesman's qualification certification as a plumber and has overseen the work.
- (9) A building official may require the owner to uncover any work that has been covered or concealed in contravention of subsection (5) or any previous order of a building official.
- (10) A building official may request the results of a mid-construction blower door test as indication that the construction is progressing in accordance with approved plans.

### **Occupancy Permits**

- 14 (1) No person shall occupy a building or structure or part of a building or structure until an occupancy permit has been issued.
- (2) An occupancy permit shall not be issued unless:
  - (a) all letters of assurance have been submitted when required in accordance with this bylaw and the Building Code; and
  - (b) all aspects of the work requiring inspection and acceptance pursuant to this bylaw have both been inspected and accepted unless the inspections and acceptance are not required in accordance with section 13(7) or (8) of this bylaw.
- (3) A building official may issue an occupancy permit for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in subsection (2) have been met with respect to it.



## **PART 5 - PROFESSIONAL CERTIFICATION AND RESPONSIBILITY**

### **Professional Plan Certification**

- 15 (1) The letters of assurance in the form of Schedules A, B, C-A and C-B referred to in Division C of the Building Code and provided pursuant to this bylaw are relied upon by the City and its building officials as certification that the design and plans to which the letters of assurance relate comply with the Building Code and other applicable enactments relating to safety.
- (2) A building permit issued with reliance on letters of assurance as stated in subsection (1) may include a notice to the owner that the building permit is issued in reliance upon the certification of the registered professionals that the design and plans submitted in support of the application for the building permit comply with the Building Code and other applicable enactments relating to safety.
- (3) When a building permit is issued in accordance with subsection (2) the permit fee shall be reduced by 5% up to a maximum reduction of \$500.00.

### **Disclaimer of Warranty or Representation**

- 16 Neither the issuance of a permit under this bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a building official, shall constitute a representation or warranty that the Building Code or this bylaw have been complied with or the building or structure meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the Building Code or this bylaw or any standard of construction.

### **Professional Design and Field Review**

- 17 (1) When a building official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a registered professional provide design and plan certification and field review by means of letters of assurance in the form of Schedules A, B, C-A and C-B referred to in Division C of the Building Code.
- (2) Prior to the issuance of an occupancy permit for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with this bylaw, the owner shall provide the City with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Division C of the Building Code.

### **Responsibilities of the Owner**

- 18 (1) Every owner shall ensure that all construction complies with the Building Code, this bylaw and other applicable enactments respecting safety.



- (2) Every owner to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- (3) Every owner to whom a permit is issued shall, during construction:
  - (a) post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
  - (b) ensure that all permits, plans and specifications, and supporting documents on which a permit was based, all municipal inspection certificates, and all professional field reviews are available at the site of the work for inspection by building officials during working hours;
  - (c) post the civic address on the property in a location visible from any adjoining streets; and
  - (d) where a building permit is issued, post and maintain a Neighbourhood Notice of Construction placard in the format provided by the City such that it is readable from each street frontage the property adjoins.

## **PART 6 – FEES AND CHARGES**

### **Fees and Charges**

- 19 (1) In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with Schedule A to this bylaw, must be paid in full prior to issuance of any permit under this bylaw.
- (2) An application made for a building permit or plumbing permit shall be accompanied by the application fee as set out in Schedule A to this bylaw.
- (3) An application fee is non-refundable.
- (4) An application shall be cancelled and the application fee forfeited if the building permit or plumbing permit has not been issued and the permit fee paid within 12 months of the date of written notification to the owner that the permit is ready to be issued.
- (5) When an application is cancelled the plans and related documents submitted with the application may be destroyed.
- (6) The owner may obtain a refund of 50% of the permit fees set out in Schedule A to this bylaw when an issued permit is surrendered and cancelled before any construction begins, provided:
  - (a) the refund shall not include the application fee paid pursuant to subsection (2); and
  - (b) no refund shall be made where construction has begun or an inspection has been made.

- (7) Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Schedule A to this bylaw shall be paid prior to additional inspections being performed.
- (8) Where work has commenced without a valid and subsisting issued permit, the Permit Fee for that work shall be assessed at the rate set out in Schedule A for work without permit.
- (9) For the purpose of calculating fees under Schedule A, the cost of construction shall be the greater of:
  - (a) the contract price including professional fees and a reasonable allowance for extras; and
  - (b) the cost as determined by the Chief Building Inspector based on fair market value of the work as determined in accordance with the Marshall & Swift "Marshall Valuation Service" or "Statistics Canada's Construction Price Indexes."
- (10) Subsection (1) does not apply in relation to a permit for a project consisting entirely of affordable housing dwelling units.
- (11) Where a permit relates to a building which will contain affordable housing dwelling units, the fee required under subsection (1) shall be reduced based on the floor area of affordable housing dwelling units as a percentage of the total floor area of the building.

## PART 7 – OFFENCES AND ENFORCEMENT

### Offences and Penalties

- 20 (1) A person commits an offence and is subject to the penalties imposed by this bylaw, the *Ticket Bylaw* and the *Offence Act* if that person:
  - (a) contravenes a provision of this bylaw;
  - (b) consents to, allows, or permits an act or thing to be done contrary to this bylaw; or
  - (c) neglects or refrains from doing anything required by a provision of this bylaw.
- (2) Each day that a contravention of a provision of this bylaw occurs or continues shall constitute a separate offence.
- (3) The maximum fine that may be imposed for a contravention of this bylaw is \$10,000.



### **Stop Work Notice**

- 21 (1) A building official may order the cessation of any work that is proceeding in contravention of the Building Code or this bylaw by posting a Stop Work notice in the form prescribed by the chief building official.
- (2) Without limiting the generality of subsection (1), the chief building official may order the cessation of any work that, in the opinion of the chief building official, is unsafe or represents danger to the public or the neighbouring properties whether or not a permit for such work is required under this bylaw.
- (3) Every persons who fails to comply with any order or notice issued by a building official, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- (4) The owner of property on which a Stop Work notice has been posted, and every other person having knowledge of the Stop Work notice, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been complied with and the Stop Work notice has been rescinded by a building official.

## **PART 8 – MISCELLANEOUS PROVISIONS**

### **Building Inspector under the *Community Charter***

- 22 (1) A building official is a "building inspector" for the purposes of the *Community Charter*.
- (2) In addition to building officials, the City's Manager of Bylaw and Licensing Services, is designated as the "building inspector" for the purposes of section 57(1)(b) of the *Community Charter*.

### **Permits under Former Bylaw**

- 23 Subject to the provisions of the former bylaw, a permit issued pursuant to the former bylaw, remains valid and work authorized under the permit may be carried out in accordance with the terms of the permit, the Building Code and this bylaw as if the permit had been issued under this bylaw.

### **Severability**

- 24 The provisions of this bylaw are severable and the invalidity of any part of this bylaw shall not affect the validity of the remainder of this bylaw.

### **Schedule**



25 Schedule "A" attached to this bylaw forms part of this bylaw.

**Commencement and Repeal**

26 (1) This bylaw comes into force upon adoption.

(2) Bylaw No. 93-111 is repealed.

(3) Bylaw No. 04-067 is repealed.

(4) Bylaw No. 88-024 is repealed.

READ A FIRST TIME the **12<sup>th</sup>** day of **October** 2017

READ A SECOND TIME the **12<sup>th</sup>** day of **October** 2017

READ A THIRD TIME the **12<sup>th</sup>** day of **October** 2017

ADOPTED on the **26<sup>th</sup>** day of **October** 2017

**"CHRIS COATES"**  
CITY CLERK

**"LISA HELPS"**  
MAYOR

**SCHEDULE "A"****Fees****Building Permits**

- a. Application Fee ..... \$100.00
- b. Permit Fee ..... 1.40% of Cost of Construction
- c. Permit Fee where work has commenced without a permit:  
     ..... 2.8% of Cost of Construction up to \$20,000.00  
     and ..... 1.4% of Cost of Construction for the remainder in excess of \$20,000.00
- d. Permit Extension Fees (expired permit) ..... \$100.00
- e. Plan Revision Fees (issued permits):
  - i. \$100; or
  - ii. the lesser of
    - 1. 10% of the original Permit Fee; or
    - 2. \$125 per hour of staff time required to review the revised plans,

whichever is greater, plus the Permit Fee on any increase in the Cost of Construction.
- f. Re-inspection Fee (Pursuant to 19(7)) ..... \$50.00
- g. Excavation Deposit ..... 1.2 times the estimated cost to backfill the excavation

**Plumbing Permits**

- h. Application Fee ..... \$100.00
- i. Permit Fee ..... 1.40% of Cost of Construction
- j. Permit Fee where work has commenced without a permit:  
     ..... 2.8% of Cost of Construction up to \$20,000.00  
     and ... 1.4% of Cost of Construction for the remainder in excess of \$20,000.00 for
- k. Permit Extension Fees (expired permit) ..... \$100.00
- l. Plan Revision Fees (issued permits):
  - i. \$100; or
  - ii. the lesser of
    - 1. 10% of the original Permit Fee; or
    - 2. \$125 per hour of staff time required to review the revised plans,

whichever is greater, plus the Permit Fee on any increase in the Cost of Construction.
- m. Re-inspection Fee (Pursuant to 19(7)) ..... \$50.00

**Record Searches**

- n. Records access fee ..... \$25.00
- o. Fee for digitization or copying of plans under section 8(1) ..... actual cost
- p. Fee for a written statement pursuant to section 8(2) ..... \$50.00

**To:** Committee of the Whole **Date:** April 13, 2018  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Recommended Adoption of BC Energy Step Code

1. That Council adopt the following approach to the BC Energy Step Code, and direct staff to prepare the necessary building bylaw amendments as follows:
  - a. For new Part 9 buildings:
    - i. Step 1 building bylaw requirement starting on November 1<sup>st</sup>, 2018 for all new Part 9 buildings
    - ii. Step 3 building bylaw requirement starting on January 1<sup>st</sup>, 2020 for all new Part 9 buildings with the exception of small single family homes/garden suites
    - iii. Step 2 building bylaw requirement starting on January 1<sup>st</sup>, 2020 for all new small single family homes/garden suites
    - iv. The development of a tiered fee program to support Part 9 builders to use an energy advisor, conduct a mid-construction blower-door test, conduct a post-construction verification blower-door test, and obtain a home EnerGuide label.
  - b. For new Part 3 buildings:
    - i. Step 1 building bylaw requirement starting on November 1<sup>st</sup>, 2018
    - ii. Step 3 building bylaw requirement starting on January 1<sup>st</sup>, 2020 for wood-frame mid-rise (under 6-storeys) residential buildings
    - iii. Step 2 building bylaw requirement starting on January 1<sup>st</sup>, 2020 for concrete high-rise (over 6-storeys) residential buildings
    - iv. Step 2 building bylaw requirement starting on January 1<sup>st</sup>, 2020 for commercial office buildings.
2. That staff proceed with preparation of a sustainability checklist for rezoning and development permit application forms that reference Step Code requirements as well as other sustainable design elements that are reflective of City goals and policies.

The BC Energy Step Code is a new performance-based building code that establishes measurable energy-efficiency requirements for new construction. The Step Code is a Provincial building code that came into effect on December 15, 2017, after which time local governments can choose to opt in and either require or incentivize meeting the requirements of the code. The role of municipalities is to establish an appropriate implementation strategy for the Step Code in their local context.



The Step Code applies to Part 9 and Part 3 residential and commercial buildings. Part 9 buildings are three storeys or less and have a building area no more than 600 square metres. These include single family homes, duplexes, townhomes and small apartment buildings. Part 3 buildings are four storeys and taller, and greater than 600 square metres in building area. They include larger apartment buildings, condos and office buildings.

Staff received Council direction to consult with industry on a proposed approach to Step Code at the January 18, 2018 Committee of the Whole meeting. Following Council direction, staff undertook a second round of industry engagement in collaboration with the Urban Development Institute – Capital Region, Canadian Home Builder's Association – Vancouver Island, Vancouver Island Construction Association, Capital Regional District's Climate Action Program, District of Saanich and District of North Saanich, with the purpose of receiving feedback on the proposed approach.

The purpose of this report is to [1] provide Council with results and feedback from industry consultation on the proposed adoption approach to the BC Energy Step Code, [2] provide a final recommended approach for Step Code adoption, and [3] seek Council's direction to prepare the necessary building bylaw amendments necessary for Step Code adoption.

## **PURPOSE**

The purpose of this report is to seek Council approval with regard to a recommended adoption approach to the BC Energy Step Code.

## **BACKGROUND**

Since August 2017, staff have been collaborating with the CRD and local municipalities on education, industry engagement and training opportunities related to the Step Code. A full list of the engagement events undertaken can be found in the Engagement Summary in Attachment A. This engagement helped to inform a proposed approach to adoption of the Step Code to seek feedback from industry, and this proposed approach was presented to the Committee of the Whole (COTW) on January 18, 2018.

Following Council direction to consult with industry on a proposed approach to Step Code, staff undertook a second round of industry engagement in collaboration with the Urban Development Institute – Capital Region, Canadian Home Builder's Association – Vancouver Island, Vancouver Island Construction Association, Capital Regional District, District of Saanich, and District of North Saanich with the purpose of receiving feedback on the proposed approach.

### **Council Commitments and the 2018 Climate Leadership Plan**

In August 2016, Council committed to a long-term greenhouse gas (GHG) reduction target of 80% by 2050 for both corporate and community emissions, including a corresponding specific target of 100% renewable energy.

The building sector accounts for 50% of the City's GHG emissions, and represents a substantial opportunity for improvement. Based on our 2007 community GHG emissions, residential buildings contributed 16.5% of all GHG emissions, while commercial buildings contributed over 25%, with half of the total GHGs coming from space heating and cooling.

The 2018 Climate Leadership Plan sets out goals and targets for Low Carbon, High Performance Buildings and the adoption of the Step Code aligns with *Goal 1: Buildings are highly energy efficient, using only a small fraction of their 2017 operational energy needs*, and also aligns directly with the target that states "*By 2030, all new buildings are 'net zero energy ready'.*"

## Industry Engagement on Proposed Approach

Staff have been collaborating with the CRD Climate Action Program, District of Saanich, North Saanich, and other local municipalities on a program of education, industry engagement and training opportunities since August 2017. Those engagement activities that were undertaken in the fall of 2017 were summarized in the January 18, 2017 COTW report, and a detailed engagement summary can be found in Attachment A.

Following Council direction to engage with industry on a proposed approach, staff undertook the following activities:

1. Building Industry Workshop #2 (February 21, 2018)
  - 45 attendees
  - Co-hosted by Urban Development Institute – Capital Region, Canadian Home Builders Association – Vancouver Island, Vancouver Island Construction Association, District of Saanich, District of North Saanich, CRD CAP
2. Building Industry Workshop #3 (February 22, 2018)
  - 36 attendees
  - Co-hosted by Urban Development Institute – Capital Region, Canadian Home Builders Association – Vancouver Island, Vancouver Island Construction Association, District of Saanich, District of North Saanich, CRD CAP
3. Industry Survey #3 (February 21 – March 28, 2018)
  - 102 responses
4. Part 3 Residential Developers focus group<sup>1</sup>
  - 8 attendees
  - Co-hosted by Urban Development Institute – Capital Region, and District of Saanich.

## ISSUES & ANALYSIS

### Approach to Step Code in other BC Communities

- At the time of writing, the following local governments have adopted the Step Code:
  - City of North Vancouver
  - District of North Vancouver
  - District of West Vancouver.
- At the time of writing, the local governments listed below have provided a notification to the Province stating their intent to engage with industry on an adoption approach to the Step Code. Together, these municipalities make up more than 60% of residential building permits in BC:
  - City of Richmond - June 16, 2017
  - City of North Vancouver - July 4, 2017
  - City of Campbell River - July 10, 2017
  - City of Duncan - August 24, 2017
  - District of North Vancouver - September 1, 2017

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<sup>1</sup> Through the engagement process, it was identified that the Part 3 residential developer community was under-represented in the engagement process, and this focus group was coordinated by UDI and held at City Hall in an effort to ensure that this audience had the opportunity to provide feedback on the proposed approach



- City of Victoria - September 27, 2017
  - District of Saanich - September 27, 2017
  - Comox Valley Regional District - October 3, 2017
  - District of North Saanich - October 4, 2017
  - Resort Municipality of Whistler - October 5, 2017
  - District of West Vancouver - October 24, 2017
  - Township of Langley - November 7, 2017
  - District of Squamish - November 9, 2017
  - City of New Westminster - November 28, 2017
  - City of Surrey - December 7, 2017
  - City of Kelowna - January 22, 2018
  - City of Penticton - January 27, 2018
  - City of Burnaby - March 1, 2018
  - City of Kimberley - March 12, 2018
  - City of Vernon - March 19, 2018
  - Village of Belcarra - March 27, 2018
  - District of Peachland - March 28, 2018.
- The District of Saanich is in a similar point in their adoption processes as the City of Victoria, and Saanich staff have been involved in engagement processes to date.
  - North Saanich have also been involved and are in a similar point in their adoption processes as the City of Victoria.
  - Other local governments in the CRD have indicated that they may recommend a similar approach to Step Code adoption as what is recommended in the City of Victoria, but have not formally notified the Province of their intention to engage.

### **Feedback from Industry on Proposed Approach**

Following Council direction, and through the second round of engagement with development industry representatives, home builders, architects, designers, engineers, and others, staff asked for feedback on three key areas of the proposed approach:

1. the proposed Steps and their associated requirements
2. the timelines proposed, and
3. the application process.

Feedback on each of these can be found in this section, and a detailed engagement summary can be found in Attachment A.

### **Proposed Step Requirements**

Staff sought feedback related to the technical requirements of the proposed Steps, as well as industry capability and readiness for building to those requirements. Staff also sought feedback related to the proposed rebate program for Part 9 builders.

Feedback from Part 9 builders and developers included:

- Step 1 interim period viewed as providing a learning opportunity for performance-based approach to design
- Step 3 viewed as achievable and noted that many are building to this standard now
- some concern regarding affordability and cost implications of Step 3
- the need to ensure that Energy Advisors are accredited and quality assurance is included



- the need to communicate customer benefits – explore making building energy labelling mandatory
- rebate program viewed as a reasonable gesture and worthwhile for promoting the mid-construction blower door test, but also viewed by some as too small of an amount to make a meaningful difference.

Feedback from Part 3 builders and developers included:

- Step 3 for high-rise/concrete residential and commercial office viewed as a challenge in terms of design and cost implications
- concerns around cost and impacts on affordability for Step 3
- the need to review and amend design guidelines and policies to support the adoption of the Step Code
- concerns around availability of energy modelers in the local market
- concerns around lack of awareness of air tightness testing technical requirements and process for Part 3 buildings.

### Timelines

Staff sought feedback on the timelines of Step 1 adoption starting on November 1<sup>st</sup>, 2018, followed by Step 3 adoption starting on January 1<sup>st</sup>, 2020. As per Council direction, staff also sought feedback on potential accelerated timelines.

Feedback from Part 9 builders and developers included:

- Step 1 interim phase is viewed positively by some; for others it was viewed as too short a time frame where not enough projects will be able to benefit from the interim period
- Step 3 on January 1<sup>st</sup>, 2020 was generally viewed as reasonable, though some viewed this as too ambitious of a timeline
- many viewed training as the key to success in meeting the proposed timelines
- there was little positive feedback related to the notion of accelerated timelines.

Feedback from Part 3 builders and developers included:

- timelines viewed as too fast for some (Step 3 for Part 3 high-rise residential and commercial in particular)
- interim Step 1 period not viewed by some as providing much value, as the timelines are longer for these complex projects
- there was little positive feedback related to the notion of accelerated timelines, although some noted that the Step 1 interim period could begin earlier, in order to create a longer interim period prior to January 1<sup>st</sup>, 2020.

### Application Process

Staff sought feedback on the application process, which included expectations in terms of administration, the role of energy advisors and modellers, and considerations for how projects that are currently underway (or 'in-stream') will be impacted.

Feedback from Part 9 builders and developers included:

- general support for the process and acknowledgement of importance of mid-construction blower door test
- the need for training on behalf of City staff to ensure smooth roll-out and processing
- concerns that Step Code requirements and administration may alter the processing timelines of development applications.

Feedback from Part 3 builders and developers included:

- some would like requirements to be triggered at the time of rezoning or development permit application as opposed to at the building permit stage to provide project teams with more clarity earlier on in the development process
- concerns around lack of awareness of air tightness testing technical requirements and process for Part 3 buildings
- concerns that Step Code requirements and administration may alter the processing timelines of development applications.

## OPTIONS & IMPACTS

### Guiding Principles

The approach taken to date has been guided by a goal of providing balance between the criteria below, and consideration was made to ensure the final recommended approach addresses these criteria well.

1. Industry capacity and readiness
  - ensure, through engagement and dialogue, that the building industry is able to deliver projects at the proposed Step(s)
  - minimize risk of non-compliance with the adopted Step(s)
2. The City's climate action goals
  - understand and articulate the City's climate action goals to stakeholders and ensure the approach is reflective of these goals
3. Cost implications
  - acknowledge and identify costs associated with each Step and minimize potential impacts to housing affordability
  - understand and identify potential operational cost savings related to energy efficiency
4. Regional coordination
  - reduce confusion across municipal boundaries and aim for a coordinated, performance-based approach to building in the region with our municipal neighbours
5. Clarity regarding timelines and steps
  - provide clear expectations regarding what Step(s) will be required, when they will be required, and how the application process will be administered.

### Recommended Adoption Approach to the BC Energy Step Code

The Step Code is organized into Lower and Upper Steps according to different building types (see Figure 1).

- To achieve the Lower Steps, building and design professionals and trades can rely on conventional building designs with careful air-sealing practices and incrementally incorporate some key elements in the design, building envelope, and equipment and systems. Local governments are encouraged to focus adoption on the Lower Steps.
- To achieve the Upper Steps, builders and designers will need to adopt a more integrated approach to building design, and may need to incorporate more substantial changes in building design and construction. Such approaches are potentially more costly and challenging without additional training and experience, and for these reasons are not recommended to be adopted as a base building requirement in the short term.



It is important to note that there are a different number of Steps for each building typology, with 5 Steps for Part 9 buildings, 4 Steps for Part 3 residential, and 3 Steps for Part 3 commercial buildings (see Figure 1). As such, Step 3 is not equivalent for each building typology. The proposed approach staff received Council direction to engage upon in January 2018 included Step 3 for all building types, meaning the adoption of Upper Steps for Part 3 high-rise concrete residential and commercial buildings. The final recommended approach to adoption outlined herein focuses on the Lower Steps of the Code.



Figure 1 - Definition of Lower and Upper Steps by building type (Part 9 and Part 3), and recommended Steps to adopt (highlighted)

### Part 9 Buildings

Part 9 buildings are three storeys or less and have a building area no more than 600 square metres. These include single family homes, duplexes, townhomes and small apartment buildings. Since 2012, the City has seen an average of 40 applications per year for the construction of Part 9 residential projects, including:

- an average of 27 single-family homes per year
- an average of 4 townhomes per year
- an average of 9 duplexes per year.

### Recommended Step Code Adoption for Part 9 Buildings

Part 9 (excluding small SFD)	Part 9 Small SFD (garden suite)
Step 1 November 1, 2018	Step 1 November 1, 2018
Step 3 January 1, 2020	Step 2 January 1, 2020



<b>Part 9 (excluding small SFD)</b>	<b>Part 9 Small SFD (garden suite)</b>
Step 4/5 – to be determined*	Step 3/4/5 – to be determined*

\* Staff recommend taking a monitor and adapt approach for increasing Steps following January 2020. This approach will allow for a period of time to analyze what Step projects are achieving, in order to solidify an appropriate timeline for adoption of the next Step(s). Staff will report back on recommendations for adoption of the next Steps in 2021.

### Rationale

While there was some concern from a minority of participants around the timelines being too fast (see previous section outlining feedback), no changes to the recommended approach were made, as Step 3 was generally viewed as achievable, assuming there is access to training and ample warning. Staff have noted that both the Canadian Home Builders' Association and BC Housing have already begun training programs related to the Step Code, and access to training is not anticipated to be a challenge going forward. The rebate program was viewed as a nice gesture but not seen as making a big impact in terms of easing the transition.

As noted in previous reports, the Step 2 approach is recommended for small single family homes/garden suites, primarily due to the fact that some of the air tightness metrics are more difficult to achieve and the costing report has a higher associated incremental construction cost premium for each of the Steps for this building type. As these buildings are smaller and therefore lower energy users on aggregate, staff recommend this as an appropriate approach to small single family homes/garden suites.

### Tiered Fee Program

The Step Code requires applicants to hire an energy advisor and conduct a post-construction blower door test. Feedback to date suggests that these process requirements represent a substantial shift in project delivery for some Part 9 applicants. Acknowledging this may present challenges to applicants, staff propose the creation of a tiered fee program for builders whereby the fee would be reduced for a builder's first time through the new process.

To be eligible for a reduced fee, applicants will have to demonstrate that they have:

1. hired a licensed energy advisor,
2. conducted a mid-construction blower door test,
3. conducted a final, post-construction blower door test, and
4. completed an EnerGuide rating and label for the new home.

In order to ensure that builders carry out the above requirements, the fee for a building permit will be reduced by \$500 at the time that they apply for building occupancy, which means that the City will provide the builder with \$500 back at that time (because they would have already paid the full building permit fee earlier in the process). The reduced fee would be designed to be limited to one builder/developer, and would be available for the interim Step 1 period (November 1st, 2018 to December 31st, 2019) or as funds allow. It is worth noting that BC Hydro has announced a funding offer of up to \$20,000 to assist eligible communities in providing such a program, and that amount is anticipated to cover the majority of applications we would see over the course of the period.

### Part 3 Buildings

Part 3 buildings are four storeys and taller and greater than 600 square metres in building area. They include larger apartment buildings, condos and office buildings. The majority of new housing units in the City of Victoria are in Part 3 buildings.

- Since 2012, the City has seen an average of eight applications per year for the construction of new Part 3 residential projects, and an associated average of 593 total units per year.
- Since 2012, the City has seen an average of three applications per year for the construction of new Part 3 office projects.

#### Recommended Approach for Part 3 Buildings

<b>Part 3 Residential (mid-rise / wood-frame)</b>	<b>Part 3 Residential (high-rise / concrete)</b>	<b>Part 3 Commercial</b>
Step 1 November 1, 2018	Step 1 November 1, 2018	Step 1 November 1, 2018
Step 3 January 1, 2020	Step 2 January 1, 2020	Step 2 January 1, 2020
Step 4 – to be determined*	Step 3/4 – to be determined*	Step 3 – to be determined*

\* Staff recommend taking a monitor and adapt approach for increasing Steps following January 2020. This approach would allow a period of time in which to analyze what Step projects are achieving, in order to solidify an appropriate timeline for adoption of the next Step(s). Staff will report back on recommendations for adoption of the next Steps in 2021.

#### Rationale and Changes to Approach Based on Feedback

Staff recommend a change in the adoption approach for Part 3 high-rise/concrete residential and Part 3 commercial buildings. The proposed approach presented in January 2018 included adoption of Step 3 by January 2020 for all Part 3 building types. Although Step 3 is a Lower Step for Part 9 development, it is considered an Upper Step for high rise/concrete and commercial Part 3 development (see Figure 1).

Meeting the requirements of Step 3 for these buildings types may require substantial changes in building design (including but not limited to window-to-wall ratio and concrete-slab balconies) and cost implications associated with systems. Given this, and feedback heard through the workshops as well as in a focus group with Part 3 residential developers, staff recommend changing the approach to Step 2 adoption for these building types. This approach will ensure industry capability while not significantly impacting other City goals related to climate action.

#### Option for Part 3 Buildings

An option for Council to consider is to require Step 2 as a base building requirement for Part 3 high-rise/concrete residential and commercial buildings, as stated above, with Step 3 included as a rezoning policy consideration for these building types.



## Application Process and In-Stream Applications

The application process is recommended to be as follows (see Figure 2):

- Projects that have applied for building permit prior to November 1<sup>st</sup>, 2018 will be considered in-stream and will not be subject to Step Code requirements.
- Building permits applied for between November 1<sup>st</sup>, 2018 and December 31<sup>st</sup>, 2019 will need to demonstrate compliance with Step 1 of the Step Code.
- Building permits applied for after January 1<sup>st</sup>, 2020 will need to demonstrate compliance with the Steps adopted for that building typology:
  - Step 3 for Part 9 homes (excluding small homes/garden suites)
  - Step 2 for Part 9 small homes/garden suites
  - Step 3 for Part 3 mid-rise/wood-frame residential buildings
  - Step 2 for Part 3 high-rise/concrete residential buildings and commercial buildings.
- For Part 9 projects:
  - A pre-construction compliance report (see Attachment B) will need to be filled out by a licensed energy advisor and submitted along with the building permit application
  - An as-built compliance report (see Attachment C) will need to be filled out by a licensed energy advisor and submitted along with the occupancy permit application.
- For Part 3 projects:
  - Letters of assurance submitted for building permit will indicate responsibility for meeting Step Code requirements
  - Letters of assurance submitted for occupancy upon completion of a project will indicate Step Code requirements have been met.

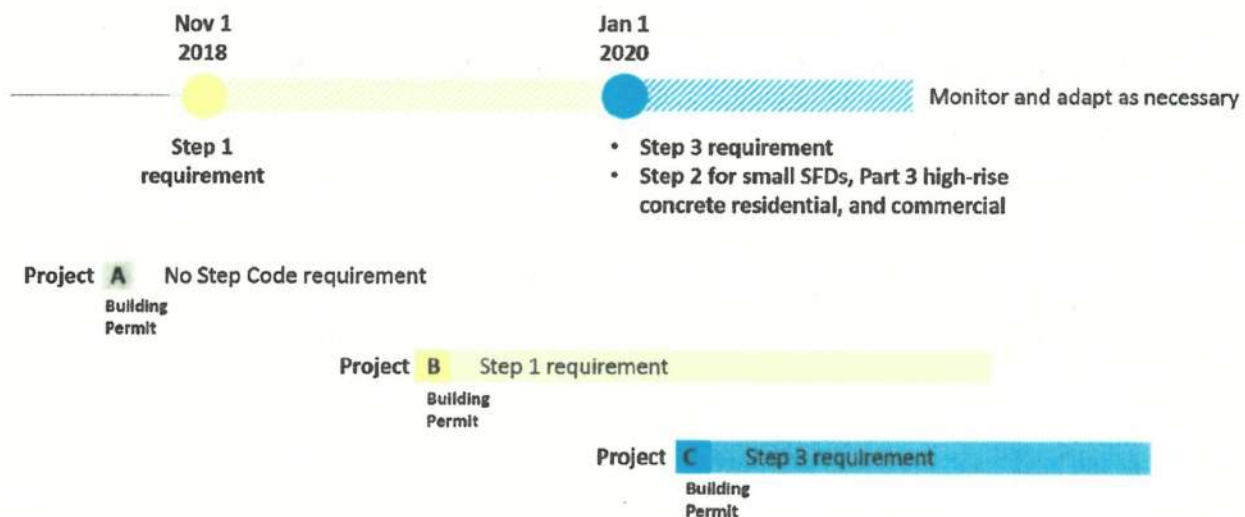


Figure 2 - Diagram illustrating when Step Code requirements will be triggered during the application process, should it be adopted

## Recommended Future Work

Based on feedback heard in our industry engagement, as well as actions outlined in the Climate Leadership Plan, there are a number of additional and related pieces of work that staff recommends undertaking, should Step Code be adopted.



### Sustainability Checklist for Rezoning and Development Permit Applications

Currently, providing green building details is a requirement for all Rezoning Applications and Development Permit Applications that include new construction. Applicants submit details of the green features contained within the development in the form of a letter, along with the other requirements of the application. By submitting and signing the application, the applicant is providing a voluntary commitment to include the green features as indicated in the letter to Council. In the cases where the green features are required as a condition of rezoning, further documentation may be required.

Staff recommend updating this to be a Sustainability Checklist that references Step Code requirements as well as other sustainable design elements that are reflective of City goals and/or policy (e.g., bicycle parking rates, electric vehicle charging station guidance, stormwater management and other low-impact development strategies, etc.). This scope of work would be intended to be done in consultation with industry representatives.

The intention of this checklist would be to:

- provide sustainable design details of applications to Council in a more concise and easily legible fashion with each development application, for ease of comparison, tracking, and decision making
- make the process more uniform and consistent, so that it is more efficient for both applicants and development services staff to undertake and/or process. The current letter format is often received in different formats and levels of detail, and it can be challenging and time intensive to identify those aspects of the building that align directly with the City's climate actions goals.

### GHG intensity reporting

While the Step Code is focused on energy efficiency, it does not require the reporting of GHG emissions associated with a project. Compliance forms provide an optional section where the GHG intensity of the project can be voluntarily provided. In light of Council climate action goals related to GHG reduction, staff recommend exploring the requirement of GHG intensity reporting following a period of monitoring with regard to Step Code roll out. This was not an aspect to adoption that staff discussed with industry, and is thus recommended to be viewed as an additional area for exploration that may be layered on to the approvals process in the future.

### Home Energy Labelling and Energy Benchmarking

Home energy labelling has been identified as an important precursor for market transformation on energy efficient buildings, and developing a home energy labelling strategy is included as an action in the Climate Leadership Plan. While transparency through labelling has become standard practice in other facets of our lives, from food nutrition to the energy consumption of home appliances, prospective homeowners are left in the dark as to the operating costs of what is likely the largest investment of their lives.

Local governments that opt into using the BC Energy Step Code will be requiring all new buildings to undertake energy modelling and air tightness testing, two elements that are required in the procurement of home energy labelling. This represents a critical opportunity that can help set the stage for mandatory energy labelling on new buildings (something that higher levels of government



have indicated is forthcoming), given it will address the cost barrier of requiring an energy evaluation for the purposes of labelling alone. As local governments contemplate the best tools and approaches for adopting Step Code, there is an opportunity to [a] capture the data local governments need to make informed decisions about programs and policies and [b] make the information available publically or to current and future building owners.

Benchmarking is the process of providing and sharing energy consumption data, and is a term typically used to describe that practice in larger, more complex buildings (Part 3 buildings). Similar to the case of home energy labelling, Step Code implementation presents an opportunity to request that benchmark energy consumption data be shared, using the EPA's Energy Star Portfolio Manager.

Neither home energy labelling nor energy benchmarking was discussed with industry in significant detail during Step Code engagement, and these items are recommended to be viewed as an additional area for staff to potentially explore and report back to Council on in the future.

#### *Accessibility Impact Statement*

The BC Energy Step Code will not impact a builder, designer, or developer's ability to incorporate accessible design requirements, and all existing code requirements regarding safety and access remain.

#### *2015 – 2018 Strategic Plan*

The BC Energy Step Code aligns with objectives 1 - Innovate and Lead, 3 - Strive for Excellence in Planning and Land Use, 12 - Take Climate Action and Prepare for Emergencies, and 13 - Demonstrate Regional Leadership.

#### *Impacts to the Financial Plan*

The implementation of a rebate or tiered fee structure program for Part 9 builders as described in the report may require some additional staff resources in terms of administration. BC Hydro does have a funding offer of up to \$20,000 for eligible local governments to assist in the implementation of such a program.

#### *Official Community Plan Consistency Statement*

##### OCP Sustainability Vision:

*"Victoria is an urban sustainability leader inspiring innovation, pride and progress towards greater ecological integrity, livability, economic vitality, and community resiliency confronting the changes facing society and the planet today and for generations to come, while building on Victoria's strengths as a harbour-centred, historic, capital city that provides exceptional quality of life through a beautiful natural setting, walkable neighbourhoods of unique character, and a thriving Downtown that is the heart of the region."*

##### *Section 12 - Climate Change and Energy Goals:*

- 12(b) - New and existing buildings are energy efficient and produce few greenhouse gas emissions.

##### *Section 12 – Climate Change and Energy Broad Objectives:*

- 12(a) - That climate change is mitigated through the reduction of greenhouse gas emissions from buildings, transportation and solid waste.
- 12(c) - That community energy consumption and generation are managed to give priority to conservation and efficiency, diversification of supply, renewable energy, and low carbon fuels.

## CONCLUSIONS

This report outlines a recommended approach to adoption of the BC Energy Step Code for Council's consideration. The recommended approach provides a balance between evaluation criteria and goals, which are reflective of what staff have heard to date through the project engagement process. Based on the results of the industry engagement and analysis above, staff are seeking Council's direction to prepare the necessary building bylaw amendments necessary for Step Code adoption.

Respectfully submitted,

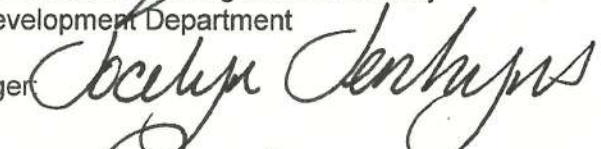


Devon Miller  
Community Energy Planner  
Community Planning Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager

  
 Date: April 19, 2018

## List of Attachments

- Attachment A: BC Energy Step Code: Capital Region Phase 2 Engagement Summary
- Attachment B: Part 9 Pre-Construction Compliance Form
- Attachment C: Part 9 As-Built Compliance Form
- Attachment D: Letter from BC Sustainable Energy Association regarding proposed approach.