



Council Report

For the Meeting of September 27, 2018

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

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,



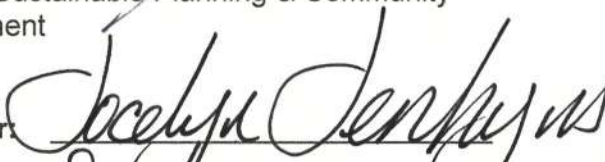
Ryan Morhart
Manager, Permits & Inspections



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