

EXPLANATION

**A By-law to amend
Building By-law No. 10908,
regarding change to definition of heritage *building*
and miscellaneous housekeeping amendments**

The enactment of this By-law will correct a number of housekeeping errors and incorporate changes resulting from changes to the British Columbia *Building Code* and will also expand the definition of "heritage *building*" so that the Chief *Building Inspector* may treat a *building* as a heritage *building* for the purpose of permitting alternate compliance methods, even though the *building* may not be listed on the Vancouver Heritage Register or designated as a heritage property, in order to encourage the retention of "character homes" in Vancouver.

Director of Legal Services
October 28, 2014

BY-LAW NO. _____



A By-law to amend
Building By-law No. 10908,
regarding change to definition of heritage building
and miscellaneous housekeeping amendments

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the *Building By-law*.
2. In Books I and II, Division A, Part 1, Sentence 1.4.1.2. (1), Council:
 - a) strikes out the definition of "*Heritage building*" and substitutes:

"Heritage building" means a *building* that is legally protected or officially recognized as a heritage property by the Province of British Columbia or the *City*, or a *building* that, in the opinion of the *City Building Inspector*, has sufficient heritage value or heritage character to justify its conservation. (See Appendix A.)"; and
 - b) in the definition of *Arts and Culture indoor event*, strikes out "two days" and substitutes "three days".
3. In the Preface to Book I, Division A, under the heading "Change Indication", Council deletes the second paragraph.
4. In Book I, Division A, at the end of Subclause 1.1.1.1. (2)(k)(iii), Council adds "and".
5. In Book I, Division B, Council:
 - a) at the beginning of Sentence 3.1.5.12.(7) strikes out "A" and substitutes "Except as provided in Sentence (8), a";
 - b) after Sentence 3.1.5.12.(7) adds:

"8) A walk-in cooler or freezer consisting of factory-assembled wall, floor or ceiling panels containing foamed plastic insulation with a flame-spread rating not more than 500 is permitted to be used in a *building* required to be of non-combustible construction, provided

 - a) the *building* is sprinklered; and
 - b) the panels
 - i) are protected on both sides by sheet metal not less than 0.38 mm thick with a melting point not less than 650 °C,

- ii) do not contain an air space,
 - iii) when tested in accordance with CAN/ULC-S138, “Test for Fire Growth of Insulated *Building* Panels in a Full-Scale Room Configuration,” meet the criteria defined therein, and
 - iv) when a sample panel with an assembled joint typical of field installation is subjected to the applicable test described in Subsection 3.1.12. has a flame-spread rating not more than that permitted for the space in which the panels are located, the space that the panels bound, or the walls of the *building* to which the cooler or freezer is attached, as applicable.”;
- c) at the end of Sentence 3.2.5.15.(1) deletes “(See Appendix A)”;
 - d) in Clause 3.2.6.1.(1)(a) before “floor” adds “uppermost”;
 - e) in Sentence 3.4.6.16.(3) strikes out “Sentence 3.8.3.3.(7)” and substitutes Clause 3.3.1.13.(10)(d)”;
 - f) in Sentences 3.5.2.1.(1) and (2) after “Regulation” adds “of the Safety Standards Act of British Columbia”;
 - g) in Sentence 3.8.2.27.(2) strikes out “1375 mm” and substitutes “1200 mm”;
 - h) at the end of Sentence 3.8.5.5.(5) adds “(See Section 3.7 for wall reinforcement location)”;
 - i) at the beginning of Sentence 5.4.1.1.(2) strikes out “Except as provided in Sentence (3), an” and substitutes “An”;
 - j) at the beginning of Sentence 5.4.1.2.(1) strikes out “Except as provided in Sentence (2), materials” and substitutes “Materials”;
 - k) at the beginning of Sentence 5.5.1.1.(2) strikes out “Except as provided in Sentence (2), a” and substitutes “A”;
 - l) at the beginning of Sentence 5.6.1.1.(1) strikes out “Except as provided in Sentence (2), where” and substitutes “Where”;
 - m) at the beginning of Sentence 5.8.2.1.(1) strikes out “Except as provided in Sentence (2), where” and substitutes “Where”;
 - n) in Part 8, strikes out “*construction safety program*” wherever it appears and substitutes “*construction safety plan*”;

- o) in Article 8.2.1.3. strikes out Sentences (3) and (4) and substitutes:
 - “3) Access openings through fencing, boarding or barricades erected in accordance with Sentence (1) shall be equipped with gates that shall be:
 - a) closed and locked when the *construction* site is unattended; and
 - b) maintained in place until the *construction* is completed.”;
- p) strikes out Article 8.2.4.5. and substitutes:
 - “8.2.4.5. Deleted
 - 8.2.4.6. Construction Vehicle Traffic Hazard**
 - 1) If the location or use of a vehicle related to a *construction* site creates a traffic hazard on a *public way* adjacent to a *construction* site, the vehicle shall display
 - a) a 360 degree yellow flashing light,
 - b) four way flashers, and
 - c) a flashing arrow board.”;
- q) strikes out Sentence 8.2.5.4.(1) and substitutes:
 - “1) A chute which is inclined more than 45 degrees to the horizontal shall be fully enclosed”;
- r) in Table 8.3.1.1.:
 - i) strikes out “Article 8.2.1.1.”, and
 - ii) strikes out the title for Article 8.2.4.5. and substitutes “Deleted”;
- s) strikes out Clause 9.9.9.1.(1)(b) and substitutes:
 - “b) an *exit* doorway located within 1 storey of ground level.”;
- t) strikes out Clause 9.10.14.3.(2)(b) and substitutes “b) Deleted.”;
- u) strikes out Sentence 9.10.14.4.(12) and substitutes:
 - “12) Where a *building of residential occupancy* is *sprinklered* and the *limiting distance* is less than 1.2 m but no less than 1 m, the maximum percentage of *unprotected openings* may be 10 per cent provided
 - a) the windows are glazed with tempered, wired or laminated glass, or glass block, and

- b) the exposing *building* face is constructed according to Article 9.10.14.5.”;
 - v) after Subsection 9.11.2 adds the title to subsection 9.11.3. as follows:
 - “9.11.3. Required Construction Materials (Airborne Sounds)”;
 - w) in Sentence 9.34.1.1.(2) strikes out “Article 9.36.3.1.” and substitutes “Article 9.37.3.1.”;
 - x) in Table 9.38.1.1. strikes out :
 - i) the words “Strike out Article 9.10.15.3. and substitutes “9.10.15.3.Deleted.””,
 - ii) the words “Strike out Article 9.10.15.4. and substitutes “9.10.15.4.Deleted.””,
 - iii) the title “9.36.3.1. Specific Requirements” and substitutes “9.37.3.1. Specific Requirements”,
 - iv) the title “9.36.4.1. Specific Requirements” and substitutes “9.37.4.1. Specific Requirements”, and
 - v) the words “In Article 9.10.15.3. strike out Sentence (2) and substitute: “(2) Deleted” ”;
6. In Book I, Division B, Council:
- (a) deletes “Section 9.36” and substitutes “Part 10” in
 - i) sentence 9.7.2.2.(10),
 - ii) sentence 9.31.1.1.(4),
 - iii) sentence 9.32.1.1.(4), and
 - iv) sentence 9.33.1.1.(3);
 - (b) deletes “,” and adds “and Part 10,” at the end of Subclauses 9.25.1.1.(2)(a) (i) and (ii); and
 - (c) at the end of Sentence 9.25.1.1.(3), deletes “.” and substitutes “and Part 10.”.
7. In Book I, Division B, in Sentence 9.34.1.1.(2), Council strikes out “36” and substitutes “37”.
8. In Book I, Division B, in Clause 10.2.1.1.(1)(b)(iii), Council strikes out “6” and substitutes “7”.

9. In Book I, Division B, Council strikes out the title of Section 10.2.2. and substitutes:
"10.2.2. Energy Efficiency for One and Two-Family Dwellings, One and Two-Family Dwellings with Secondary Suites or Lock-off Units, and Laneway Houses".
10. In Book I, Division B, in Sentence 10.2.2.1.(1), after "suites", Council adds "or lock-off units".
11. In Book I, Division B, in Sentence 10.2.2.6.(1), Council:
(a) strikes out "Gas-heated" and substitutes "gas-heated", and
(b) inserts the word "domestic" in front of "gas-heated".
12. In Book I, Division B, in Sentence 10.2.2.9.(1), Council inserts the word "domestic" in front of "wood burning heating appliance".
13. In Book I, Division B, Council strikes out Clauses 10.2.2.10.(2)(b), (c) and (d), and substitutes:
" (b) each *one-family dwelling with secondary suite or lock-off unit*,
(c) each *dwelling unit in a two-family dwelling*, and
(d) each *dwelling unit in a two-family dwelling with secondary suite or lock-off unit.*"
14. In Book I, Division B, in Sentence 10.2.3.1.(1), after "*secondary suites*," Council adds "or lock-off units".
15. In Book I, Division B, after Sentence 10.3.1.2.(2), Council adds:
"(3) The water supply to flush tanks equipped for automatic flushing shall be controlled with a timing device that limits operation to the period during which the *building* is normally occupied."
16. In Book I, Division B, in Sentence 12.2.2.1., Council:
(a) re numbers Sentences (4), (5) and (6) as (3), (4) and (5) respectively;
(b) in renumbered Sentence (4) strikes out "(6)" and substitutes "(5)"; and
(c) in renumbered Sentence(5) strikes out "(5)" and substitutes "(4)".
17. In Book I, Division C, in Sentence 2.2.7.3.(1), after "this subsection" Council adds ", Part I".
18. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

19. This By-law is to come into force and take effect on January 1, 2015, immediately following enactment of *Building By-law No. 10908*, *Building By-law Amending By-law No.11070* and *Building By-law Amending By-law No.11075*.

ENACTED by Council this day of , 2014

Mayor

City Clerk