

**Date:** June 13, 2024

**To:** **Mayor and Council.**

**Name and title:** Deanna Wasnik, Director of Planning and Development

**Subject:** City of Prince George Building Bylaw No. 9482, 2024

**Attachment(s):**

- 1) City of Prince George Building Bylaw No. 8922, 2018
- 2) Letter of Support
- 3) PowerPoint Presentation
- 4) Proposed City of Prince George Building Bylaw No. 9482, 2024

**Recommendation(s):**

That Council GIVES FIRST THREE READINGS to “City of Prince George Building Bylaw No. 9482, 2024”.

**Purpose:**

The purpose of this report is to outline the bylaw amendments required to replace the existing City of Prince George Building Bylaw No. 8922, 2018 (“Building Bylaw 8922”). As Building Bylaw 8922 is six (6) years old, it required a comprehensive review to ensure the bylaw meets provincial legislative requirements, can be clearly interpreted, and is consistent with other bylaws. In March of 2024, the Provincial Government also updated the *BC Building Code*, and other applicable enactments, to ensure that code requirements were updated to meet current building standards. The proposed City of Prince George Building Bylaw No. 9482, 2024 (“Building Bylaw 9482”), was updated to reflect changes in terms, re-formatted, provided definitions to coincide with provincial changes, and allow alternative standards for construction buildings to energy standards.

Therefore, Administration is proposing to repeal Building Bylaw 8922, and replace it with the proposed Building Bylaw 9482. The Building Bylaw 9482 will trigger several consequential amendments to the City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016 (“Notice Enforcement Bylaw”), City of Prince George Subdivision and Development Servicing Bylaw No. 8618, 2014 (“Development Servicing Bylaw”), and City of Prince George Officer Positions and Delegation of Authority Bylaw No. 8340, 2011 (“Delegation of Authority Bylaw”). The proposed consequential amendments will be provided in a separate Report to Council.

**Professional Reliance and Design**

On January 22, 2018, Council adopted the existing Building Bylaw 8922. Included within this bylaw was the ability for the building official to rely on letters of assurance from a registered professional to provide design and plan certification when the site conditions, size, complexity or aspect of a development may warrant this option. Furthermore, this Building Bylaw also indicated that letters of assurance be provided with any complex (Part 3) building permit application. The intent of professional

reliance and design has not been modified within the proposed Building Bylaw 9482, and has been enhanced based on a legal review.

#### Strategic Priorities:

Maintaining accurate and reliable bylaws support Council's priorities of organizational excellence.

#### Policy / Regulatory Analysis:

##### **Building Bylaw 8922**

As indicated previously, the existing Building Bylaw 8922 was adopted by Council on January 22, 2018. This bylaw was also recently revised, having portions of Building Bylaw 8922 placed within the City of Prince George Development Procedures Bylaw No. 9423, 2023. Council adopted Development Procedures Bylaw 9423 and the consequential amendments to the Building Bylaw 8922 on August 28, 2023.

##### **Building Bylaw 9482**

The proposed Building Bylaw 9482 reflects the updates to the *Building Code*, *Plumbing Code*, energy conservation, re-formatting, simplifying interpretation and terminology. The proceeding sections will highlight the notable changes in each section of Building Bylaw 9482.

##### Definitions (Section 4)

This bylaw identifies several new definitions to assist with interpretation of regulations within the Bylaw. The significant change to this section includes the removal of the term "complex" and "standard" buildings to describe certain building occupancies with a specific height and area. To ensure a clearer interpretation, the term "Part 9" and "Part 3" buildings will be used to be consistent with the *Building Code*.

Further to this, this bylaw has an expanded definition of qualified professional and letters of assurance to provide direction for professional reliance and design building permits.

##### General Provisions (Section 5)

This section was included to be consistent with other bylaws and provides interpretation for sections (i.e. use of headings and delegated authority).

##### Owner's Responsibility (Section 7)

This section has been enhanced to include the owner's responsibility to not submit false or misleading information to the City. Further to this, the indemnification of the City from acting in good faith under the Provincial Codes, and the *Building Bylaw* if damages are caused by a decision, inspection or examination by the building official.

##### Permits (Section 9)

This section's intent is to describe specific permit related requirements. The exemptions of a building permit have changed from repeating certain building exemptions identified in the *Building Code* to just indicating that exemptions are identified in Division A Part 1 of the *Building Code*.

Section 9.14 was added to the Building Bylaw to allow prescription requirements (i.e. alternate requirements based on an existing building), and allowing the building envelope and mechanical system to meet BC Energy Step Code, ASHRAE and NECB standards, as indicated in the Building Code, and the letters of assurance schedules.

### Inspections (Section 10)

The section that relates to professional reliance and design was enhanced to provide direction that registered professional(s) provides the letters of assurance, conducts the field reviews, and closing schedules. This section also further reinforces that they are providing an assurance of professional design, and the construction of the building substantially complies with the *Building Code* and other applicable enactments.

### Offence and Penalty (Section 16)

This section of the Building Bylaw was reformatted to be consistent with other Bylaws.

### Climatic Data

The Building Bylaw 9482 removes the climatic data section and will let the snow load for the design and construction of buildings be regulated by the *Building Code*.

### Consequential Amendments:

These are consequential amendments to other City Bylaws that reference the previous Building Bylaw. This will be provided to Council in a separate report, and update the various sections of the Notice Enforcement Bylaw, Development Servicing Bylaw, and Delegation of Authority Bylaw to remove any reference to the previous Building Bylaw 8922.

### Summary and Conclusion:

As the Building Bylaw is six (6) years old, it was determined that we need a comprehensive review to ensure that the bylaw met provincial legislative requirements, that interpretation was clear, reformatted, and that it was consistent with all Development Services bylaws. Therefore, Administration is proposing to repeal the City of Prince George Building Bylaw, 8922, 2018 and replace it with a new Building Bylaw No. 9482, 2024.

### Respectfully submitted:

Deanna Wasnik, Director of Planning and Development

Prepared by Mandy Stanker, Manager of Development Services

### Approved:

Walter Babicz, City Manager

Meeting date: 2024/08/19