

# Part 1 Compliance

## Section 1.1. General

### 1.1.1. Application of this By-law

#### 1.1.1.1. Application of this By-law

- 1) This By-law applies to any one or more of the following:
  - a) the design and construction of a new *building*,
  - b) the *occupancy* of any building,
  - c) a change in *occupancy* of any *building*,
  - d) an *alteration* of any *building*,
  - e) an addition to any *building*,
  - f) the demolition of any *building*,
  - g) the reconstruction of any *building* that has been damaged by fire, earthquake or other cause,
  - h) the correction of an *unsafe condition* in or about any *building*,
  - i) all parts of any *building* that are affected by a change in *occupancy*,
  - j) the work necessary to ensure safety in parts of a *building*
    - i) that remain after a demolition,
    - ii) that are affected by but that are not directly involved in alterations, or
    - iii) that are affected by but not directly involved in additions,
  - k) except as permitted by the Fire By-law, the installation, replacement, or *alteration* of materials or equipment regulated by this By-law,
  - l) the work necessary to ensure safety in a relocated or removed *building* during and after relocation or removal,
  - m) safety during construction of a *building*, including protection of the public,
  - n) the design, installation, extension, *alteration*, renewal or repair of *plumbing systems*,
  - o) the *alteration*, rehabilitation and change of *occupancy* of *heritage buildings*,
  - p) the design and *construction* of a *marina*,
  - q) the *alteration* of a *marina*, and
  - r) retaining structures greater than 1.2 m in height.
- 2) This By-law does not apply to the following:
  - a) *sewage*, water, electrical, telephone, rail or similar public infrastructure systems located on, or in a *street* or a public transit right of way,
  - b) utility towers and poles, and television, radio and other communication aerials and towers, except for loads resulting from their being located on or attached to *buildings*,
  - c) mechanical or other equipment and *appliances* not specifically regulated in these regulations,
  - d) flood control and hydro electric dams and structures,
  - e) accessory *buildings* less than 10 m<sup>2</sup> in building area that do not create a hazard,
  - f) with the permission of the *authority having jurisdiction*, temporary *buildings* including
    - i) construction site offices,
    - ii) seasonal storage *buildings*,
    - iii) **Deleted**,
    - iv) emergency facilities, and
    - v) similar structures with the permission of the *Chief Building Official*,
  - g) factory built housing and components complying with CSA-Z240 MH Series standard, but this exemption does not extend to on site preparations (siting, foundations, mountings), connection to services and installation of *appliances*,

- h) areas that are specifically exempted from provincial *building* regulations by provincial or federal enactments.
- i) an existing residential *building* with not more than two *dwelling units* located on a parcel which is the subject of an application for a *building permit* to construct a laneway house if there is no renovation or change in use of the existing *building*,
- j) a *noncombustible container* used only for storage of emergency supplies and required by the City's Emergency Social Services Program if
  - i) the *building area* of the *container* is no more than 15 m<sup>2</sup>,
  - ii) the *container* is located at least 3 m from any *building*, and
  - iii) the location of the *container* does not obstruct the *exit* path of an *existing building* and the firefighter's access path to an *existing building*, and
- k) structures necessary for the operation of a *public bike share station* if the *public bike share station*
  - i) does not interfere with any public works, public facilities or public amenities,
  - ii) does not include any enclosed structures,
  - iii) is located at least 3 m from any *building*,
  - iv) does not obstruct the *exit* path of an *existing building* and the firefighter's access path to an *existing building*.

3) This By-law applies to both site-built and factory-constructed *buildings*. (See Note A-1.1.1.1.(3).)

4) *Farm buildings* shall conform to the requirements in the National Farm Building Code of Canada 1995.

5) For *heritage buildings*, the Alternative Compliance Measure for Heritage Buildings in Section 11.5. of Division B and the alternative compliance measures in Sentence (6) may be substituted for requirements contained elsewhere in this By-law. (See Note A-1.1.1.1.(5).)

6) Alternative compliance measures to assist in the rehabilitation of *existing buildings* in Section 11.3. of Division B may be substituted for the requirements contained elsewhere in this By-law if the conditions for using the alternatives have been met.

7) Alternative compliance measures to assist in the conversion of *existing buildings* in Section 11.4 of Division B may be substituted for the requirements contained elsewhere in this By-law if the condition for using the alternative have been met.

### 1.1.1.2. Application to Existing Buildings

1) Where a *building* is altered, rehabilitated, renovated or repaired, or there is a change in *major occupancy*, the *building* shall be upgraded in accordance with Part 11 of Division B. (See Appendix A.)

### 1.1.2. Internal References to this By-law

#### 1.1.2.1. Book I (General) of the By-law

1) This is the first of the two Books, Book I (General) and Book II (Plumbing Systems), that together form the Building By-law.

#### 1.1.2.2. Internal References to the By-law

1) Unless a Book is specified, references to "the Vancouver Building By-law," "the Building By-law," "the By-law," "this By-law" and the like shall be read as references to the Book in which they appear.

### 1.1.3. Appendices, Notes and Annotations

#### 1.1.3.1. Appendices, Notes and References to Appendices and Notes have No Legal Effect

1) The Appendices and Notes of this By-law have no legal effect, except for the Appendices and Appendix Notes that are directly referenced in a Part of this By-law, being the following:

- a) the following Notes:
  - i) A-1.4.1.2.(1) Designated flood plain of Division A, including Figures A-1.4.1.2.(1)-C, D and E,
  - ii) A-1.4.1.2.(1) Flood construction level requirements of Division A,
  - iii) A-Table 9.23.3.5.-B of Division B,

- iv) A-9.23.13. of Division B, including Table A-9.23.13., and
- v) A-11.2.1.2. of Division B,
- b) Appendix C of Division B, and
- c) Appendix D of Division B.
- 2)** References in parentheses to the Appendices and Notes of this By-law have no legal effect.