

## 2019 VBBL Consolidated Changes to 2020Jul01

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These unofficial documents consolidate amendments to the 2019 Vancouver Building By-law from the originally published version to July 01, 2020. These documents are provided as courtesy to construction and design professionals, building owners, and other stakeholders wishing to familiarize themselves with the general substance of changes of the Building By-law (General & Plumbing Systems). Users of these documents are hereby notified that these are transitory documents provided “as is”, that will neither be supported nor updated, and will be superseded by the final published documents. Users are advised that By-law development can occur quickly, and users should contact the City of Vancouver for the latest information.

Changes are in **purple text** and are prefaced with **green text** identifying the specific amendment and effective date.

The included amendments are as follows:

- 12512 – Upcoming 2020 & 2021 Energy Efficiency and Plumbing Requirements
- 12609 – 2020 Annual Fee Amendments
- 12630 – General Housekeeping Amendments
- 12683 – Upcoming 2023 1-3 Storey Energy Efficiency requirements
- 12692 – Energy Efficiency Housekeeping Amendments
- 12715 – Encapsulated Mass Timber
- 12717 – Non-potable water use and *Legionella* mitigation requirements
- 12752 – Housekeeping Amendments

This document supplements future dated changes with respect to energy efficiency and legionella prevention to assist the construction industry in preparing for new requirements effective in 2021 and 2022.

Future dated changes can be found at:

- <https://vancouver.ca/files/cov/vancouver-building-by-law-part-10-unofficial-wording-effective-jan-1-2021.pdf>
- <https://vancouver.ca/files/cov/consolidtion-legionella-prevention-changes.pdf>

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Should there be a conflict between the contents of this document, and the Building By-law or other requirements determined by the Chief Building Official of the City of Vancouver, the Building By-law or other requirements shall apply.

## Preface Text - Book I (General) and Book II (Plumbing Systems)

Rev.: N/A - Eff.Date: 2020Jul01

### General Requirements

Building By-law - Book I (General) requirements must address at least one of the Code's five stated objectives:

- safety
- health
- accessibility for persons with disabilities
- fire and structural protection of buildings
- environment

Code provisions do not necessarily address all the characteristics of buildings that might be considered to have a bearing on the Code's objectives. The design of a technically sound building depends upon many factors beyond simple compliance with building regulations. Such factors include the availability of knowledgeable practitioners who have received appropriate education, training and experience and who have some degree of familiarity with the principles of good building practice and experience using textbooks, reference manuals and technical guides.

Further, since code development is typically based on accumulated test data and past experience, interpretations of literal By-law requirements should also consider typical building sizes and construction methodologies. Buildings that are atypical, or that do not fit within the commonly expected parameters of conventional building practice, should be approached with some caution by code users.

The Building By-law does not list acceptable proprietary building products. It establishes the criteria that building materials, products and assemblies must meet. Some of these criteria are explicitly stated in the By-law while others are incorporated by reference to material or product standards published by standards development organizations. Only those portions of the standards related to the objectives of this By-law are mandatory.

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### Unique to Vancouver Indication

All text in the By-law that is Unique to Vancouver (UTV) is provided with a grey background wherever practical. This identifier was utilized to provide the user of the By-law with a means by which to differentiate the Vancouver provisions of this By-law from those of the 2018 British Columbia Building and Plumbing Codes. Where the provisions of Vancouver have required the deletion of the 2018 British Columbia Building and Plumbing Code text, and no Vancouver text has replaced the deleted text, the word "deleted" has been used to alert the user that a deletion has been made and that there is a difference from the 2018 British Columbia Building and Plumbing Codes text.

### Revision Indication

From time to time, the provisions of the Building By-law may be amended. Where this occurs, updated text is marked by a sidebar with text in brackets indicating a Revision. In some cases, text that was originally included as part of the Building By-law is amended and would result in substantial renumbering of associated portions of the Building By-law. In these circumstances the removed text may be replaced with the words "[UTV Deleted]." to preserve the existing numbering structure.

## === Book I (General) ===

### Book I (General) – Division A

#### Book I – Division A, Part 1 Changes

Rev.: 12630 - Eff.Date: 2020Jul01

##### 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 conditions for using the alternatives have been met**.

Rev.: 12683 - Eff.Date: 2020Jul01

#### 1.3.3.4. Building Size Determination

1) Where a *firewall* divides a *building*, each portion of the *building* so divided shall be considered as a separate *building*, except when this requirement is specifically modified in other parts of this By-law. (See Note A-1.3.3.4.(1).)

2) Except as permitted in Sentence (4), where portions of a *building* are completely separated by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 h and extends through all *storeys* and *service spaces* of the separated portions, each separated portion is permitted to be considered as a separate *building* for the purpose of determining *building height*, provided

a) each separated portion is not more than 4 *storeys* in *building height* and is used only for *assembly, residential, and business and personal services occupancies*, and

b) the unobstructed path of travel for a firefighter from the nearest *street* to one entrance of each separated portion is not more than 45 m.

(See Note A-1.3.3.4.(2) & (3).)

3) Except as permitted in Sentence (4), where portions of a *building* are completely separated by a distance of at least 3 m, each separated portion is permitted to be considered as a separate *building* for the purpose of determining *building height*, provided

a) each separated portion complies with the requirements of Subsection 3.2.3. of Division B,

b) all connecting construction is

i) of *noncombustible construction*, and

- ii) contains only F3 occupancies, or uses and occupancies subsidiary to the remainder of the building,
- c) a vertical *fire separation* that has a *fire-resistance rating* of not less than 2 h and extends through all *storeys* and *service spaces* of the connecting construction and *superimposed portions of the building area above the connecting construction*, and
- d) the unobstructed path of travel for a firefighter from the nearest *street* to one entrance of each separated portion is not more than 45 m.  
(See Note A-1.3.3.4.(2) & (3).)
- 4) The vertical *fire separation* referred to in Sentence (3) may terminate at the floor assembly immediately above a *basement* provided the *basement* conforms to Article 3.2.1.2. of Division B.

Rev.: 12715 - Eff.Date: 2020Jul01

In **Article 1.4.1.2. Defined Terms**, insert the following definition in alphabetical sequence

***Encapsulated mass timber construction*** means that type of construction in which a degree of fire safety is attained by the use of encapsulated mass timber elements with an *encapsulation rating* and minimum dimensions for structural members and other *building assemblies*.

***Encapsulation rating*** means the time in minutes that a material or assembly of materials will delay the ignition and combustion of encapsulated mass timber elements when it is exposed to fire under specified conditions of test and performance criteria, or as otherwise prescribed by this **By-Law**.

Rev.: 12683, 12715 - Eff.Date: 2020Jul01

In **Article 1.4.1.2. Defined Terms**, revise the following definitions

***Access*** or ***Accessible*** means an area and its facilities, or both, as required by this By-law, which is easy to approach, enter, exit, operate, participate in, pass to and from, and use safely and independently by *persons with disabilities*. (See Note A-1.4.1.2.(1).)

***Ancillary residential unit*** means a self-contained *dwelling unit* that:

- with its principal *dwelling unit* constitute a single real estate entity,
- is smaller than the principal *dwelling unit*, and
- is located in:
  - a *building* of only *residential occupancy*, or
  - that portion of a *building* which is *row housing* and is completely separated from other all other parts of the *building* by a continuous vertical *fire separation* that has a *fire-resistance rating* of not less than 1 h.

***Combustible construction*** means that type of construction that does not meet the requirements for *noncombustible construction* or *encapsulated mass timber construction*.

***Row housing*** means a *building* or *portion of a building* of *residential occupancy*, where no *dwelling unit* is located above another *principal dwelling unit* or its *ancillary residential unit*, and there is no common interior or exterior *means of egress*.

## **Notes to Part 1 Changes**

Rev.: 12630 - Eff.Date: 2020Jul01



[In note A-1.4.1.2., add the following section in alphabetical order]

### **Ancillary Residential Unit**

An ancillary residential unit is a self-contained dwelling unit that together with a larger principal dwelling unit forms a single real-estate entity. Ancillary residential units are typically created within an existing single dwelling building (house) either constructed as an addition or an alteration to an existing house or incorporated during the construction of a new house. An ancillary residential unit may have more than one storey and may be on the same level as the principal dwelling unit or be above or below it.

In a building with more than one ancillary residential unit, the principal dwelling unit along with its associated ancillary residential unit, must be either be vertically separated from all other portions of a the building that is of residential occupancy by a vertical fire separation that extends continuously through all crawlspaces, storeys and attic spaces of the vertically separate portions of a building or provided with enhanced fire protection (see Article 9.37.2.24.)

Neither the ancillary residential unit nor any other dwelling unit subordinate to a principal dwelling unit can be strata-titled or otherwise subdivided from the remainder of the principal dwelling unit under provincial legislation. This means that the principal dwelling unit and all subordinate dwelling units are registered under the same title.

## **Book I – Division A, Part 2 Changes**

Rev.: 12630 - Eff.Date: 2020Jul01

### **2.1.1.2. Application of Objectives**

(See Note A-2.2.1.1.(1).)

- 1) Except as provided in Sentences (2) to (6), the objectives described in this Part apply
  - a) to all *buildings* covered in this By-law (See Article 1.1.1.1.), and
  - b) only to the extent that they relate to compliance with this By-law as required in Article 1.2.1.1.
- 2) Objective OS4, Resistance to Unwanted Entry, applies only to *dwelling units* or *commonly accessible facilities* serving multifamily *buildings* and publicly accessible spaces. (See Article 1.3.3.3.)
- 3) Objective OH3, Noise Protection, applies only to *dwelling units*.
- 4) Objective OH5, Hazardous Substances Containment, applies only to the extent defined in
  - a) Book II, (Plumbing Systems) of this By-law, and
  - b) the Fire By-law.
- 5) Objective OA, Accessibility (including Objectives OA1, Accessible Path of Travel, and OA2, Accessible Facilities), does not apply to
  - a) *dwelling units*, row houses, boarding houses, lodging houses and construction camps, except as required by
    - i) Article 3.8.2.12. of Division B, or
    - ii) Subsection 3.8.5. of Division B,
  - b) apartment and condominium *buildings* except to the extent described in Subsection 3.8.2. of Division B,
  - c) *high-hazard industrial occupancies*
  - d) *buildings* that are not intended to be occupied on a daily or full-time basis, including automatic telephone exchanges, pump houses and substations,
  - e) public toilet *buildings* described in Clause 3.8.2.1.(1)(e) of Division B, and
  - f) the *storeys* described in Clauses 3.8.2.1.(1)(f) and (g) of Division B.
- 6) Objective OE, Environment, applies only to

- a) *buildings of residential occupancy* to which Part 9 of Division B applies,
- b) *buildings containing business and personal services, mercantile or low-hazard industrial occupancies* to which Part 9 of Division B applies whose combined total *floor area* does not exceed 300 m<sup>2</sup>, and
- c) *buildings containing a mix of the residential and non-residential occupancies* described in Clauses (a) and (b).
- (See also Article 1.3.3.3.)