

# Considered at the June 15, 2021 Council Meeting

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## City of Port Moody Report/Recommendation to Council

Date: May 6, 2021

Submitted by: Community Development Department – Building, Bylaw, and Licensing Division

Subject: Building Bylaw Housekeeping Amendments

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### Purpose

To present a housekeeping amendment bylaw for Building Bylaw No. 3200 for Council consideration.

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### Recommended Resolution(s)

**THAT City of Port Moody Building Bylaw, 2019, No. 3200, Amendment Bylaw No. 2, 2021, No. 3314 (Housekeeping) be read a first, second, and third time as recommended in the report dated May 6, 2021 from the Community Development Department – Building, Bylaw, and Licensing Division regarding Building Bylaw Housekeeping Amendments.**

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### Background

The Building Bylaw was adopted in October 2019. Annually, staff prepare a housekeeping amendment Bylaw to address errors or omissions, improve language clarity, and address changes to procedures or industry practices.

### Discussion

Amendment Bylaw No. 3314 (**Attachment 1**) provides for the following housekeeping amendments:

- Recently, the Building Section has created an on-line inspection request system. An amendment to the Bylaw was required to allow for requests to be received via email and not solely by telephone.
- The siting of swimming pools, consistent with accessory buildings under the Zoning Bylaw, was missed when the Bylaw was first adopted. This is not a change to current or previous bylaw regulation related to the siting of swimming pools, but an alignment between the two regulations.
- The geodetic elevation of a property was misrepresented by the unit of measurement. The unit should be metres and not millimetres.
- A property's precise seismic data can now be found on a Government of Canada website. This website is now referenced in the bylaw.

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- Articles 12.35, 12.36, 12.37, 12.38, 12.39, and 12.40 have been re-written to capture minor punctuation omissions such as the capitalization of Stop Work Order and italicizing defined terms such as Building Official and Coordinating Registered Professional.
- Add a definition for Low Carbon Energy System to be consistent with Energy Step Code Corporate Policy.

All proposed housekeeping amendments are consistent with current Building Code requirements.

## Other Option(s)

THAT the report dated May 6, 2021 from the Community Development Department – Building, Bylaw, and Licensing Division regarding Building Bylaw Housekeeping Amendments be received for information.

## Financial Implications

There are no financial implications associated with this report.

## Communications and Civic Engagement Initiatives

There are no communication and civic engagement initiatives associated with this report.

## Council Strategic Plan Objectives

This report aligns with Council Strategic Plan Objectives by providing clarity for interpretation of the Building Bylaw by providing excellent customer service.

## Attachment(s)

1. City of Port Moody Building Bylaw, 2019, No. 3200, Amendment Bylaw No. 2, 2021, No. 3314 (Housekeeping).

## Report Author

Robyn MacLeod, RBO, CRBO

Manager of Building, Bylaw, and Licensing

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## Report Approval Details

Document Title:	Building Bylaw Housekeeping Amendments.docx
Attachments:	- Attachment 1 - City of Port Moody Building Bylaw, 2019, No. 3200, Amendment Bylaw No. 2, 2021, No. 3314 (Housekeeping).pdf
Final Approval Date:	May 17, 2021

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - May 10, 2021 - 4:44 PM

Dorothy Shermer, Corporate Officer - May 10, 2021 - 5:21 PM

Rosemary Lodge, Manager of Communications and Engagement - May 11, 2021 - 10:04 AM

Paul Rockwood, General Manager of Finance and Technology - May 11, 2021 - 10:21 AM

Tim Savoie, City Manager - May 17, 2021 - 10:31 AM

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## City of Port Moody

### Bylaw No. 3314

A Bylaw to amend the Building Bylaw.

The Council of the City of Port Moody enacts as follows:

#### 1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Building Bylaw, 2019, No. 3200, Amendment Bylaw No. 2, 2021, No. 3314 (Housekeeping)”.

#### 2. Amendments

- 2.1 City of Port Moody Building Bylaw, 2019, No. 3200 is amended by adding the following definition:

*“Low Carbon Energy System means a professionally operated and maintained, highly efficient mechanical system that supplies a building’s space heating, cooling, and domestic hot water heating demand primarily from renewable energy sources, and meets defined GHG limits;”.*

- 2.2 Bylaw No. 3200 is further amended by replacing section 12.31 with the following:

“12.31 Requests for inspections under 12.30 of this Bylaw must be made through the City’s website or by telephone before 4:00pm on the day before the requested date of inspection.”.

- 2.3 Bylaw No. 3200 is further amended by adding the following:

##### **“Pool Location**

17.8 Location of pools on a property shall comply with the requirements for accessory building stipulated in the current edition of the Zoning Bylaw.”.

- 2.4 Bylaw No. 3200 is further amended by replacing the following in Schedule 3:

##### “Frost Protection

Minimum Depth (geodetic elevation under 300mm)	460 mm
Minimum Depth (geodetic elevation over 300mm)	610 mm”

with the following:

##### “Frost Protection

Minimum depth 0-300 metres	460 mm
Minimum depth over 300 metres	610 mm”.

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- 2.5 Bylaw No. 3200 is further amended by replacing the following in Schedule 3:

“Seismic Data:

Acceleration related seismic zone (Za)	4
Velocity related seismic (Zv)	4
Zonal Velocity Ratio	0.2”

with the following:

“Seismic Data:

Values are to be obtained by providing the latitude and longitude on the Government of Canada website for National Building Code of Canada Seismic Hazard Values. The website can be found at:

[http://www.earthquakescanada.nrcan.gc.ca/hazard-alea/interpolat/index\\_2015-en.php](http://www.earthquakescanada.nrcan.gc.ca/hazard-alea/interpolat/index_2015-en.php)”.

- 2.6 Bylaw No. 3200 is further amended by replacing “stop work order” in section 8.6(b) with “Stop Work Order”.

- 2.7 Bylaw No. 3200 is further amended by replacing the following sections 12.35 to 12.40:

“12.35 The *Building Official* may direct the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a Stop Work Order Notice on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *Building Code*, any applicable Bylaw of the City or the applicable provisions of the *Homeowner Protection Act*.

12.36 The coordinating registered professional may request, in writing, that the *Building Official* order the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a stop work order notice on the premises. The *Building Official* will consider such a request and, if not acted upon, will respond, in writing, to the *coordinating registered professional* and give reasons.

12.37 If a registered professional’s services are terminated, the owner must immediately stop any work that is subject to their design or field review and the *Building Official* is deemed to have issued a stop work order under section 12.36.

12.38 The owner must immediately, after the posting of a notice under section 12.36, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation, or order of the Province or of a provincial agency, and of every applicable Bylaw of the City.

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- 12.39 Subject to section 12.36, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.36 until the stop work order notice has been removed by the *Building Official*.
- 12.40 The notice referred to in section 12.36 must remain posted on the premises until that which is contrary to the enactments has been remedied."

with the following sections 12.35 to 12.40:

- "12.35 The *Building Official* may direct the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a Stop Work Order on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *Building Code*, any applicable Bylaw of the City, or the applicable provisions of the *Homeowner Protection Act*.
- 12.36 The *coordinating registered professional* may request, in writing, that the *Building Official* order the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a Stop Work Order on the premises. The *Building Official* will consider such a request and, if not acted upon, will respond, in writing, to the *coordinating registered professional* and give reasons.
- 12.37 If a *coordinating registered professional's* services are terminated, the owner must immediately stop any work that is subject to their design or field review, and the *Building Official* is deemed to have issued a Stop Work Order under section 12.36.
- 12.38 The owner must immediately, after the posting of a Stop Work Order under section 12.36, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation, or order of the Province or of a provincial agency, and of every applicable Bylaw of the City.
- 12.39 Subject to section 12.36, no work other than the required remedial measures may be carried out on the parcel affected by the Stop Work Order referred to in section 10.36 until the Stop Work Order has been removed by the *Building Official*.
- 12.40 The Stop Work Order referred to in section 12.36 must remain posted on the premises until that which is contrary to the enactments has been remedied."

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## 3. Severability

- 3.1 If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**Read a first time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a second time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Read a third time** this \_\_\_ day of \_\_\_\_, 20\_\_.

**Adopted** this \_\_\_ day of \_\_\_\_, 20\_\_.

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R. Vagramov  
Mayor

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D. Shermer  
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3314 of the City of Port Moody.

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D. Shermer  
Corporate Officer