

CITY OF KELOWNA

BYLAW NO. 12166

Amendment No. 14 to Building Bylaw No. 7245

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Building Bylaw No. 7245 be amended as follows:

1. THAT the Table of Contents be amended as follows:
 - a) Deleting 14.1 Regulations and replacing it with the following:
"14.1 Energy Step Code Requirements";
 - b) Renumbering **PART 14 – VIOLATIONS** as follows:
"Part 15- VIOLATIONS"
 - 15.1 Violations
 - 15.2 Penalty"
 - c) Renumbering **Part 15 – MISCELLANEOUS** as follows:
" PART 16 - MISCELLANEOUS"
 - 16.1 Severability
 - 16.2 Enactments
 - 16.3 Repeal
 - 16.4 Schedules
 - 16.5 Citation
 - 16.6 Effective Date";
2. THAT **PART 1 – INTERPRETATION, Definitions** be amended by adding the following definitions in their appropriate place:

"Energy Step Code" means the Province of British Columbia's performance-based standard for energy efficiency in new construction requiring energy modelling and on-site testing to demonstrate minimum performance against metrics for building envelope, equipment and systems, and airtightness requirements, and including Step 1, Step 2, Step 3, Step 4, and Step 5, as defined in the **Building Code**, all as amended or re-enacted from time to time;

"Water Storage Tanks" means a type of structure or vessel including piping that is installed or constructed above, below or partially sunk into land or water for the purpose of storage of water in excess of 200 liters.;
3. AND THAT **PART 4 – BUILDING PERMITS, 4.1 Requirements, 4.1.1** be amended by adding the following:

"(r) installation or construction of **water storage tanks**";
4. AND THAT **PART 4 – BUILDING PERMITS, 4.6 Extension of Application, 4.6.1 (b)** be amended by adding the following:

"Fees are set out in Schedule "A";

5. AND THAT **PART 4 – BUILDING PERMITS, 4.14 Requirements for Registered Professional, 4.14.4** be added as follows:

"4.14.4. Notwithstanding any other provision of the **building code** or this bylaw, the **building official** may determine that a peer review of a proposed design and/or field inspection conducted by a **registered professional** is warranted. The owner of the property is responsible to supply independent **registered professional** from a different firm or company to verify and validate the application compliance;"

6. AND THAT **PART 10 – DEMOLITION, 10.2 Delayed Demolition, 10.2.1** be amended by deleting "\$20,000" and replacing it with "\$50,000;

7. AND FURTHER THAT **PART 14 – ENERGY STEP CODE, 14.1 Regulations,** be deleted in its entirety and replaced with the following:

"PART 14 – ENERGY STEP CODE

14.1 Energy Step Code Requirements

Part 9 and Part 3 buildings and structures must be designed and constructed in compliance with the applicable step of the Energy Step Code, as set out in the schedules below:

Buildings classified as <u>Part 9</u> of the Building Code		
Building Type	Building permit application filed on or after December 1, 2019	Building permit application filed on or after June 1, 2021
Part 9 residential buildings	Step 1	Step 3

Buildings classified as <u>Part 3</u> of the Building Code	
Building Type	Building permit application filed on or after January 1, 2022
Group C – single-detached residential occupancy	Step 4
Group C – multi-unit residential occupancy of combustible construction (including hotels and motels)	Step 3
Group C – multi-unit residential occupancy of non-combustible construction	Step 2
Group D – Business and personal service occupancy OR Group E – mercantile occupancy	Step 2

- 14.1.2** Development applications that include Part 3 buildings that were accepted for processing prior to June 1, 2021 are exempt from the requirements of Part 14 of this

Bylaw but must meet the minimum energy efficiency requirements as outlined in the **Building Code** at the time of building permit.

14.1.3 For Part 9 and Part 3 buildings, the **Owner** or **Agent** must, to the satisfaction of the **Building Official**, provide all documentation required by the City's **Energy Step Code** administrative requirements or as required by the **Building Official**, prepared by an Energy Advisor or a **Registered Professional**.

14.1.4 For Part 9 buildings, the documentation required for compliance with **Energy Step Code** must provide evidence to the **Building Official** that the Energy Advisor is registered and in good standing with Natural Resources Canada.

8. This bylaw may be cited for all purposes as "Bylaw No. 12166, being Amendment No. 14 to Building Licence Bylaw No.7245."
9. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 22nd day of February, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk