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(Revised)

NEW UPGRADE TRIGGERS FOR EXISTING BUILDINGS

On March 23, 2004 Council endorsed the objectives and methodology for a new upgrade trigger mechanism model for upgrades of existing buildings together with amendments to the Building By-law (VBBL) that are intended to provide greater clarity, flexibility and discretion when applying the By-law to existing buildings.

Background

The Building By-law requires that when work is carried out to an existing building, the building must be upgraded to an "acceptable" level. Prior to April 20, 2004, this "acceptable" level was based solely on monetary values as outlined in Table A of the By-law. The City has used this mechanism since 1978, and in many cases, it has proved to be an effective and reasonable tool for determining the required "acceptable" level of upgrade for existing buildings which are being altered. However, where an existing building has a low assessment value, the current trigger mechanism can be unduly onerous. It is not uncommon for older buildings to have low assessment values and thus require a full Building By-law upgrade as a condition of building permit approval for alterations which are minor in nature.

Since the adoption of the existing building regulations, other model code organizations in North America have more recently developed building codes intended for existing buildings. While the existing Part 10 regulations, including Table A, had served the City well since 1978, the regulations were increasingly becoming outdated and difficult to apply due to the numerous incremental improvements to the By-law.

These concerns have led staff to:

1. Develop a new upgrade trigger mechanism to determine the "acceptable" level of Building By-law upgrade for an existing building when it is being altered, and
2. Amend the Building By-law in such a way as to provide greater clarity, flexibility and discretion when applying the Building By-law to existing buildings.

SUMMARY OF NEW TRIGGER MECHANISM

The City has developed a new trigger mechanism which is based on "categories of work" rather than monetary values to determine the "acceptable" level of Building By-law upgrade to an existing building. The new mechanism also enables building owners and designers to easily determine the required upgrade levels as well as the intended objectives of these upgrade levels for existing building projects. This new model, as well as guidelines relevant to the application of the model, may be found in the 2007 VBBL and on the City's web page at:

<http://www.city.vancouver.bc.ca/commsvcs/CBOFFICIAL/vbblupgrades/index.htm>. Applicants may determine the "acceptable" level of Building By-law upgrade using either the new model or the existing Table A.

The new upgrade trigger mechanism model is based on the following four concepts:

1. Public Safety is Paramount - When an existing building or portion of a building is altered, it should not be less safe than it was prior to the alteration. All clearly unsafe conditions must be addressed and corrected to the satisfaction of the Chief Building Official.

2. Predictability - Building owners/designers should be able to predict the required level of upgrade before initiating an existing building project. The applicable upgrade requirements as well as the objectives of the upgrade level should be clear and available.
3. Incremental Upgrade Levels - Building By-law upgrades should be incrementally increased in an existing building depending on the nature and extent of the work being carried out. For example, seismic provisions should be gradually increased, from the requirement to provide non-structural enhancements to full By-law compliance.
4. Flexibility - the Building By-law should provide building owners and designers with more flexibility when applying By-law requirements to existing buildings.

This new upgrade trigger mechanism model establishes four upgrade levels to meet 1) Fire, Life and Health Safety, 2) Structural Safety, and 3) Accessibility for Persons with Disabilities objectives of the Building By-law. Each of the four upgrade levels state objectives along with the applicable By-law requirements that are deemed to meet the intended objective of each upgrade level.

The City will globally monitor this new model for determining the required upgrade to existing buildings. The City will be monitoring the effects of the model and examining the model to determine where improvements or further refinements are warranted.

SUMMARY OF NEW BUILDING BY-LAW AMENDMENTS FOR EXISTING BUILDINGS

In order to provide greater flexibility and discretion when applying the Building By-law to existing buildings, the By-law now establishes clear policy objectives for upgrades to existing buildings. This approach is intended to facilitate the ability of building owners/designers to develop alternative solutions that meet the prescriptive requirements of the Building By-law. This format is similar to that of an objective based code as proposed for the next edition of the Vancouver Building By-law. These policy objectives are summarised as follows:

1. All unsafe conditions shall require correction to an acceptable level.
2. All new materials and construction work shall comply with the Building By-law.
3. An alteration shall not create non-conformity or substantially increase the level of non-conformity of the existing building with the Building By-law.
4. An acceptable level of upgrading shall meet requirements having the objectives of fire, life & health safety, structural safety, and accessibility.
5. Any significant extension of the life of an existing building beyond its original design life shall require upgrading to an acceptable level.
6. An alteration to an individual suite within an existing building shall not trigger upgrades within any other suites, except if the alteration creates or increases non-conformity with the Building By-law within other suites.
7. An alteration involving reconstruction of an existing building shall require improvement of energy efficiency to an acceptable level.

Part 10 of Division B of the Building By-law has been revised in order to clarify the scope and application of the By-law to existing buildings.

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