



RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way **TEL** 604 932 5535
Whistler, BC Canada V8E 0X5 **TF** 1 866 932 5535
whistler.ca **FAX** 604 935 8109

STAFF REPORT TO COUNCIL

PRESENTED: December 7, 2021 **REPORT:** 21-136
FROM: Building Department **FILE:** A073
SUBJECT: BUILDING AND PLUMBING REGULATION AMENDMENT (ENERGY STEP CODE)
BYLAW NO. 2342, 2021 REPORT

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Infrastructure Services be endorsed.

RECOMMENDATION(S)

That Council consider giving first, second, and third readings to, “Building and Plumbing Regulation Amendment (Energy Step Code) Bylaw No. 2342, 2021”.

PURPOSE OF REPORT

The purpose of this report is to seek Council direction to amend “Building and Plumbing Regulation Bylaw No. 1617, 2002” to ensure that all new residential buildings are constructed to the energy step code as intended under the “Building and Plumbing Regulation Amendment (Energy Step Code) Bylaw No. 2197, 2018”. Staff are requesting first, second and third readings for “Building and Plumbing Regulation Amendment (Energy Step Code) Bylaw No. 2342, 2021”.

Information Report Administrative Report (Decision or Direction)

DISCUSSION

Background

The Building and Plumbing Regulation Bylaw No. 1617, 2002 (Building and Plumbing Bylaw) was amended in 2018 through Building and Plumbing Regulation Amendment (Energy Step Code) Bylaw No. 2197, 2018 (Energy Code Amendment Bylaw) in order to regulate the energy efficiency of all new Part 9 Residential Buildings after January 1, 2019. At the time that the Building and Plumbing Bylaw was amended, the BC Building Code had only developed an energy step code (Energy Step Code) for Part 9 buildings in Whistler’s climate zone (zone 6). The intent of the Energy Code Amendment Bylaw was to apply the Energy Step Code to all single family, duplex and townhouse buildings.

Limiting the Energy Step Code to only Part 9 buildings appeared to line up with the intent of the Energy Code Amendment Bylaw amendment. However, recently staff have determined that applicants could propose to construct a large single family or duplex building on some lots within Whistler that would be classified as Part 3 (commercial), based on specific height and gross floor area exclusions permitted

under RMOW Zoning and Parking Bylaw No. 303, 2015. Part 3 buildings are defined as a building that exceeds 600 m² in building area or exceeds 3 storeys in building height; and are not currently subject to the Energy Step Code. Building Area means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

With the in-ground basement floor area exclusions, single family and duplex buildings can be constructed over 600m² in building area on larger lots.

For example, most zones permit a maximum gross floor area of 465m². If an applicant proposes a building with all of the gross floor area on the main floor with an in-ground basement the building area could be over 600m². As per Part 5 Section 26.(1).(a).(ii) of the RMOW Zoning and Parking Bylaw No. 303, 2015, the in-ground basement floor area is excluded from gross floor area, up to 125% of the gross floor area on the floor above. The basement could be constructed up to 581.25m² (125% of 465m²). Then if an attached garage was proposed on the main floor, which is excluded under Part 5 Section 26.(1).(a).(v), the building would be greater than 600m² in building area which would classify the building as a Part 3 building.

On downward sloping lots, applicants can benefit from a 3 m height bonus, as per Part 5 Section 5(2) of the RMOW Zoning and Parking Bylaw No. 303, 2015. This 3 meter bonus allows for the construction of four-storey buildings which would classify the building as a Part 3 building.

Analysis

On December 12, 2019, the Province revised the BC Building Code 2018 to include Energy Step Code requirements for Part 3 buildings. Therefore, the Resort Municipality of Whistler (RMOW) can now ensure that all intended residential buildings will be constructed as per the Energy Step Code by making a small amendment to the wording of the Building and Plumbing Bylaw.

There are no technical changes to the Building and Plumbing Bylaw. The wording will be amended to ensure that all of the intended residential buildings will be constructed to the Energy Step Code.

Proposed Amendment

Wording in Section 13 - Energy Step Code of the Building and Plumbing Bylaw is proposed to be changed from “*Any new residential building regulated by Part 9 of the Building Code*” to “*Any single family, duplex or townhouse residential building, including auxiliary buildings*”. This change will be made to sections 13.1.1., 13.1.2. and 13.1.3. This change will ensure that all residential buildings will be required to build in accordance with the Energy Step Code.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

[July 10, 2018: Building and Plumbing Regulation Amendment \(Energy Step Code\) Bylaw No. 2197, 2018](#)

Corporate Plan

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

Council Focus Areas

Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

Pandemic Recovery

*Leadership and support for **community and tourism recovery and sustainability** – priority focuses are where recovery needs intersect with other Council focus areas*

Not Applicable

Community Vision and Official Community Plan

The Official Community Plan (OCP) is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

Goals, Objectives and Policies

This bylaw amendment speaks to multiple goals, objectives and policies within Whistler's OCP.

10.1. Goal – Municipal decision-making is well-structured to achieve energy efficiency goals and greenhouse gas (GHG) reduction targets

10.1.1. Objective – Leverage community-wide GHG reduction targets to track and motivate action.

10.1.1.5. Policy Respect the resort community's adopted GHG reduction target when evaluating changes to development and land use patterns.

10.1.1.6. Policy – Advance the implementation of the Community Energy and Climate Action Plan and ensure it is updated regularly.

10.3. Goal - Substantially reduce GHG emissions from buildings and infrastructure.

10.3.1. Objective - Make energy conservation and energy efficiency initiatives the core strategy and highest priority for achieving our GHG emission reduction goals.

10.3.1.1. Policy - Maintain, update and apply the Green Building Policy to reflect leading practices in energy efficiency and local government jurisdiction, including a broad, progressive integration of the BC Energy Step Code.

BUDGET CONSIDERATIONS

There are no budget considerations.

LIL'WAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Lil'wat People, known in their language as *L'il'wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for Crown land planning; achieve mutual objectives; and enable participation in Whistler's resort economy. This section identifies areas where RMOW activities intersect with these relationships.

There are no specific considerations to include in this report.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform Consult Involve Collaborate Empower

REFERENCES

"Building and Plumbing Regulation Amendment (Energy Step Code) Bylaw No. 2342, 2021"
(included in Council package)

SUMMARY

This report requests Council's consideration of first, second and third reading for "Building and Plumbing Regulation Amendment (Energy Step Code) Bylaw No. 2342, 2021".

SIGN-OFFS

Written by:

Jay Klassen,
Building Official III

Reviewed by:

Joe Mooney,
Manager of Building Department

James Hallisey,
General Manager of Infrastructure Services

Virginia Cullen
Chief Administrative Officer