



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Director of Development Services
Subject: Moved on Buildings

File No.: 3800-01-2501
Date: March 12, 2025

PURPOSE:

For Council to consider the implications of permitting homes older than 15 years to be relocated into the City of Courtenay. Staff have provided three options for Council to consider and Staff are recommending not to amend the Building Bylaw No. 3114.

BACKGROUND:

Building Bylaw No. 3114 was adopted on November 22, 2023, and took effect on January 1, 2024. Part 11, section 11.1(b), states that any building or structure moved into the City must be no more than 15 years old. Previously, there were no age restrictions on relocated buildings, which created challenges for both building owners and staff regarding life safety and did not align with the objectives and policies of the Official Community Plan Bylaw No. 3070, 2022 (OCP).

At the regular Council meeting on November 8, 2023, staff presented a report outlining the proposed changes in Building Bylaw No. 3114. The amended bylaw aimed to align with the policy direction of the Official Community Plan (OCP) for energy efficiency, harmonize with the BC Building Code, and ensure consistency with current practices while minimizing the City's liability.

At the regular meeting of Council on June 26, 2024, a delegation appeared requesting that Council reconsider the building bylaw to allow the relocation of homes older than 15 years within the City of Courtenay. At the regular meeting of Council on July 17, 2024 Council passed the following resolution;

“THAT Council direct staff to report back on the options and implications of permitting homes older than 15 years to be relocated within the City of Courtenay.”

DISCUSSION:

There are several factors to take into consideration when moving buildings. Some of the factors that staff considered when proposing the changes to the building bylaw and are discussed in more detail below were the policies and objectives of the OCP, cost, but more importantly the life safety for the occupants of the building.

Life Safety

Building codes are developed and updated continually to provide minimum standards of life safety for the occupants of the building. The BC Building Code (BCBC) applies to the work necessary to ensure life safety in buildings during and after construction/relocation. Where a building is altered, rehabilitated, renovated or

repaired, or there is a change in occupancy, the level of life safety and building performance shall not be decreased below a level that already exists. As the building department would only be inspecting the new construction an established level of life safety is assumed and that the building is in compliance with the code of the day. The 15 years of age requirement would limit the minimum code requirements to the 2006 BCBC.

Significant changes from the previous 1998 code that was in effect for 10 years were introduced in the 2006 BCBC improving life safety requirements for buildings such as guards, carbon monoxide detectors, building envelope, and environmental loads (wind, seismic, snow). On March 10, 2025 new seismic requirements came into effect that will have a further impact on both new and existing/relocated buildings.

When relocating buildings, the structural capacity of the building from environmental loads have to be considered to ensure that the loads are not higher than its original design. It becomes costly and challenging when buildings are required to be retrofitted to meet current environmental loads. All new work would be required to meet the current 2024 BCBC. This would include but not limited to the footings, foundation, anchorage of the building, and radon.

Energy Efficiency and Greenhouse Gas emissions

The OCP sets out objectives and policies to meet energy efficiency and greenhouse gas (GHG) targets for both new and existing buildings and it identified that *“existing buildings are responsible for 36% of Courtenay’s total annual emissions after transportation”*. The City has established by bylaw that all new construction to be one step higher than the provincial minimum Energy Step Code standard and on February 28, 2024 Council reconsidered the adopted motion for the implementation of the ZCSC and passed the following resolution:

“That in keeping with the City’s Official Community Plan, Council direct staff to incorporate into the 2025 work plan and budget the staff resources and funding required for the engagement and policy development needed to accelerate the adoption of levels EL3 and EL4 of the Zero Carbon Step Code.”

Operational emissions are the emissions released from the ongoing operation of the building. Sources will include heating and cooling, ventilation, lighting, and other electronic appliances. Newer buildings meet higher energy and water efficient standards and will have lower GHG emissions where existing buildings could require significant upgrading depending on the age of the building, but these standards adopted by Council would not be applicable at this time to relocated buildings as they would fall under the code of the day adding to Courtenay’s existing inefficient buildings.

Environmental Considerations

The environmental impacts of relocating buildings is complicated and beyond the scope of this report, but consideration needs to be given to the impacts of moving the building compared to a responsible demolition approach of the building on site. Relocating buildings delay the demolition of the building, but would occur at the end of its life. Recycling the materials at site when the building is demolished and reusing the foundation would be more beneficial than relocating the building when considering environmental impacts.

Embodied Emissions (also called Embodied Carbon) are the emissions released from the extraction, manufacturing, transportation, installation and decommissioning of building materials. Concrete

foundations make up 25% of the composition of an average 2000sqft wood frame home that would typically be demolished when the building is removed. Additional materials such as perimeter drains would also add to this quantity. Depending on the age of the building hazardous materials (asbestos, lead) can be present and would also need to be remediated. This adds a significant cost when retrofitting equipment, or for building additions and alterations.

Local Governments

There is no consistent approach by local governments in regulating moved in buildings as shown in the bylaw excerpts below. Local governments have used various approaches such as age, value, zoning, but staff consider using an age limit continually improves life safety and meets the objectives and policies detailed in the OCP with respect to energy and water efficiency and GHG emissions. Staff have summarized three local government approaches to moved on buildings; Town of Ladysmith, Sunshine Coast Regional District, Examples of other local government approaches are outlined below.

Town of Ladysmith

Town of Ladysmith repealed section 13.3 in their Building & Plumbing Bylaw 1994, No. 1119 noted below:

13.3 Any building moved into the Municipality shall be of an age not greater than 15 years and at the request of the Building Inspector, the applicant shall furnish proof, to the satisfaction of said Inspector, of the age of the building to be moved.

And replaced Part 13 with Part 12 Building move in the newly adopted Town of Ladysmith Building & Plumbing Bylaw 2024, No.2174 with the following:

*12.1 A person shall not move a building or structure into or within the Town
(a) except where certified by a registered professional that the building, including its foundation, will substantially comply with the current version of the building code in its new location;*

This change is even more restrictive and would be very difficult to achieve. This language is also contained in the MIABC Core Bylaw that the City of Courtenay's bylaw is based upon.

Sunshine Coast Regional District

Sunshine Coast Regional District Zoning Bylaw No. 337 Part VI Residential Zones regulate the width of dwelling units in the single-family residential zones

"No building containing a dwelling may have a width less than 6 metres"

The 6 metres width minimum dictates what form of housing can be moved on to a site. Limits mobile homes and smaller buildings. These buildings will need to follow the requirements of the most recent BC Building code for life safety issues.

Regional District of Nanaimo

Regional District of Nanaimo require an appraised value of moved on buildings and is regulated under Building Bylaw 1250 Section 18 Moved on Buildings which states:

18. Moved on Buildings

- (2) The following information must be provided when applying for a Building Permit for a moved-on building:
 - (d) *A report from an accredited appraiser (A.A.C.I.) showing the appraised value of the moved-on building; and,*
 - (e) *The building must appraise (as determined by an accredited appraiser (A.A.C.I.) at a value equal to or greater than 100 percent of the average assessed value of the improvements (as determined by the BC Assessment Authority) of the neighbouring developed properties within 100 metres;*

The value of the building has to be equal or greater than the assessed value of the neighbourhood where you are proposing to move the building. If it does not meet the financial test it can not be placed in this neighbourhood. BC Building code requirements for the structure still apply to life safety and building performance.

Availability

Concerns were raised that it is difficult to obtain buildings of 15 years of age or newer. At the time of the delegation there were 4 buildings recently sold by Nichel Brothers which were all constructed in 2016. These 8-year-old buildings would have been constructed under the 2012 BCBC meeting a higher level of life safety. Staff expect the volume of buildings of 15 years of age and newer to be more available in response to the introduction of the new Provincial zoning requirements and densification.

Summary

Establishing a time period for relocated buildings will ensure that buildings moved into the City would continually meet higher life safety, energy efficiency and GHG emission requirements that would be comparable to or better than existing on site constructed buildings.

Meeting higher standards over time will help reduce the need for costly retrofits, such as upgrades for energy efficiency, emission reductions, and seismic safety, required to comply with current BC Building Code standards.

Staff do not recommend increasing or removing the age limit on relocated buildings, as it aligns with the objectives and policies of the OCP and ensures higher levels of life safety for building occupants. If an amendment to the building bylaw is required, staff recommend including it in the proposed updates for Council's consideration as part of the 2025 department work plan.

POLICY ANALYSIS:

The Community Charter provides municipalities the authority to regulate, prohibit and impose requirements by bylaw in respect to buildings and structures (Part 2: Division 1 Section 8) and to regulate bylaw enforcement and related matters. (Part 8: Division 1 Section 260)

The buildings and landscape objective 1 of the OCP identified that existing buildings are upgraded for higher energy and water efficiency and to perform at net-zero emissions. Maintaining the age limit in the bylaw will address polices BL 1 to BL3 as the need for costly retrofits programs, rebates, and financing mechanisms would not be required.

In addition, limiting the age of the buildings allowed to be relocated and promoting responsible demolition of buildings on site supports objective 5 of the OCP and policy statement BL 13 to help reduce construction waste generation.

FINANCIAL IMPLICATIONS:

If there are any proposed changes by Council to the building bylaw No.3114 this would only require a minimal amount of staff time and this would not require any increases to the 2025 budget.

OPTIONS: 1 (Recommended)

That Council direct staff not to ammend “Building Bylaw No. 3114” Part 11 Section 11.1 .

OPTIONS: 2

That Council direct staff to ammend “Building Bylaw No. 3114” Part 11 Section 11.1 to remove the age restriction on buildings or structures that will be moved within or into the City.

OPTIONS: 3

That Council provide an alternative age restriction on buildings or structures that will be moved within or into the City and,

That Council direct staff to ammend “Building Bylaw No. 3114” Part 11 Section 11.1 to include the alternative age restriction.

ATTACHMENTS:

1. Building Bylaw No. 3114

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