

## **Purpose**

To inform owners, contractors and the general public about regulations that affect construction of buildings in respect of building height. The BC Building Code, the *Architect's Act*, the District of Summerland Building, Fire Area Limit, Fire & Life Safety (High Buildings) and Zoning bylaws must all be considered during the building design process.

## **In Plain Language**

All buildings other than single detached dwellings and farm buildings more than two storeys or 9.5m in height must be fully sprinklered.

## **The Building Act**

In BC, the *Building Act* gives the Province the authority to set the BC Building Code and other provincial building regulations. Setting regulations at a provincial level helps foster more consistent requirements throughout BC.

## **British Columbia Building Code (BCBC)**

The BC Building Code is a provincial building regulation under section 3 of the *Building Act*. The BCBC includes the BC Plumbing Code. The Code applies to the construction of new residential, commercial, institutional and industrial buildings and to alterations, additions to and demolition of existing buildings. It sets minimum standards for health, safety, fire and structural protection, accessibility, energy efficiency, protection from water and sewer damage and water efficiency. The BCBC contains technical building requirements that define the methods, materials, products, assemblies, dimensions or performance required by the regulation. In general, a single detached dwelling is a good example of a Part 9 (Simple) building while a shopping mall is an example of a Part 3 (Complex) building. Building requirements for each type of building are based on the difference in their size and use. The height of the building is one of the determining factors.

Matters regulated in the BC Building Code (or other provincial building regulation) for which local governments have authority to set their own requirements in bylaws are described as 'Unrestricted Matters'. Regulations that require the installation of sprinkler systems are currently classified as 'Unrestricted Matters'.

## **The BC Fire Code**

The BC *Fire Code* is a companion document to the BC Building Code. Each deals with the safety of people in buildings in the event of a fire.

The Building Code generally applies at the time of construction or renovation. The Fire Code generally applies to the fire safety measures when a building is occupied. Buildings are expected comply with both.

## **District of Summerland Regulations**

The following District of Summerland bylaws include regulations related to building height:

### **Zoning Bylaw**

Each zone contained in the District of Summerland Zoning Bylaw stipulates the maximum building height for new construction in that zone.

### **Building Bylaw**

The District of Summerland regulates the construction and use of buildings and plumbing systems for the health, safety and protection of persons and property via the Building Bylaw. In accordance with provincial legislation, the Building Bylaw reflects the *British Columbia Building Code and the British Columbia Plumbing Code*.

## District of Summerland Regulations

The following District of Summerland bylaws also include regulations related to building height:

### Fire Limit Area Bylaw

The District of Summerland is one of about thirty municipalities in the province that maintains authority to require sprinkler system installation through a Fire Limit Area Bylaw [Temporarily Unrestricted Matters under the *Building Act*]. The bylaw requires that a sprinkler system to the NFPA 13 Standard to be installed in every building other than a single detached dwelling or farm building that is greater than two storeys or 9.5 meters in height measured from grade on more than one side of the building.

All fire sprinkler systems shall be designed and reviewed by a Registered Fire Protection Engineer or a Professional Engineer registered to practice in BC with experience in sprinkler design. Review of work by the Engineer shall include field review as defined in the BC Building Code and review of Contractors material and test certificate, a copy of which shall be provided with a Letter of Assurance of Professional Field Review and Compliance (Schedule B).

### Fire & Life Safety Bylaw (High Buildings)

The District of Summerland's Fire & Life Safety Bylaw was amended by Bylaw No. 2421 to address 'High Buildings'. Any building of six or more storeys in height is subject to specific requirements outlined in the bylaw; requirements include signage, construction standards and provision of fire-fighting equipment storage areas.

## What's in a Name?

In the Fire Area Limit Bylaw **storey** means that portion of a building other than a basement, which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and ceiling above it.

In the BC Building Code **storey** means that portion of a building that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

In the District of Summerland Zoning Bylaw **storey** means that part of a building other than a basement or loft which is situated between the top of any floor and the top of the next floor above it and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

BCBC Part 3 [Complex Buildings] – Fire Protection, Occupant Safety and Accessibility, Section 3.2. Building Fire Safety, subsection 3.2.1.1. Exceptions to Determining Building Height states that: 1) A roof-top enclosure shall not be considered as a storey in calculating the building height if the roof-top enclosure is

- a) Provided for elevator machinery, a stairway or a service room, and
- b) used for no purpose other than for service to the building."

BCBC Part 9 is intended for single family and small commercial of 3 storeys or less in building height, having a building area not exceeding 600 m<sup>2</sup> and used for major occupancies classified as Group C (Residential occupancies), when an Architect is not required. It states at 9.10.4.4 (Roof-top enclosures) the same exception. As such, if any space used for any other purpose on a roof, such as storage or sun decks translates, to a 'storey'.