

BY-LAW NO. 11023

**A By-law to Regulate
the Re-use and Recycling of Building Materials
from pre-1940 Residential Buildings**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. The name of this By-law is the Green Demolition By-law.

Definitions

- 2.1 In this By-law:

“character building” means a building determined to be a character building by the Director of Planning in accordance with the Potential Character or Heritage Review - Interim Procedure, adopted by Council on June 11, 2014;

“character demolition” means demolition of a character building, resulting in the reuse or recycling of not less than 90% of all building materials, by weight, excluding hazardous materials;

“Chief Building Official” means the person appointed as City Building Inspector under section 305 of the Vancouver Charter, and his or her deputies;

“compliance report” means a report substantially in the form attached as Appendix “A”, as modified from time to time by the Chief Building Official;

“demolition permit” means a permit issued pursuant to the Building By-law that authorizes demolition of a building or structure;

“green demolition” means demolition resulting in the reuse or recycling of not less than 75% of all building materials, by weight, excluding hazardous materials;

“hazardous materials” means any material, product or substance regulated as a controlled product or hazardous waste under the B.C. Workers Compensation Act and Environmental Management Act, respectively, that is present on a demolition site or is produced, originates or results from demolition;

“recycling” means the process of collecting, sorting, cleaning, treating and reconstituting materials that would otherwise be waste, and converting them into material that can be used for new products, and includes storage for such purpose;

“reuse” means further or repeated use of the building materials, and includes storage for such purpose;

“recyclable materials” means a material, substance or object that is produced, originates or results from the demolition of a pre-1940 residential building that is:

- (a) an organic material capable of being composted;
- (b) managed as a marketable commodity by a waste recycling or other facility; or
- (c) is a material, product or substance prescribed in Appendix “B”;

“recycling condition” means a condition requiring reuse or recycling imposed on a demolition permit by the Chief Building Official pursuant to this By-law;

“residential building” includes all buildings used as one or two family dwellings, as well as accessory buildings on the same lot or site; and

“waste recycling or other facility” includes a facility or licensed business, other than a disposal or incinerator facility, that:

- (i) has a subsisting permit, licence, or operational certificate issued under the GVS & DD’s Municipal Solid Waste and Recyclable Material Regulatory Bylaw No, 181;
- (ii) is a publicly-owned transfer station under the Integrated Solid Waste and Resource Management Plan for purposes other than disposal;
- (iii) accepts only asphalt and concrete for the purposes of reprocessing, resale and reuse;
- (iv) is a drop off depot owned or operated by a charitable organization registered under the Income Tax Act (Canada) or a non-profit organization to which section 149 of the Income Tax Act applies;
- (v) receives, cleans, sorts, bales or packages recyclable material for the purpose of recycling; or
- (vi) builds products using reused or recycled building materials or resells salvaged building materials.

No demolition without a permit condition

3.1 No person may cause, permit or allow the demolition of a pre-1940 residential building without a demolition permit that includes a condition that the demolition be a green demolition.

3.2 No person may cause, permit or allow the demolition of a pre-1940 residential character building without a demolition permit that includes a condition that the demolition be a character demolition.

Demolition permit for buildings constructed before 1940

4.1 Every demolition permit authorizing demolition of a residential building constructed in whole or in part before 1940 must include a condition, imposed by the Chief Building Official, requiring that the building be subject to green demolition.

Demolition permit for character buildings constructed before 1940

4.2 Every demolition permit authorizing demolition of a character building constructed in whole or in part before 1940 must include a condition, imposed by the Chief Building Official, requiring that the character building be subject to character demolition.

Security deposit condition

5.1 Every demolition permit subject to a recycling condition must include a condition, imposed by the Chief Building Official, requiring the permit holder to pay to the City a security deposit in the form of a letter of credit acceptable to the City for \$15,000.

5.2 Any security deposit payment paid to the City under section 5.1 shall be refunded to the permit holder based on the reuse and recycling achieved and in accordance with Appendix "C", once the permit holder has satisfied all other permit conditions, and otherwise complied with this By-law.

Other permit conditions

5.3 The Chief Building Official may impose other conditions on a demolition permit subject to a recycling condition, including conditions regarding:

- (a) notifications and notices;
- (b) safety;
- (c) demolition requirements;
- (d) timing of demolition;
- (e) deadlines for completion of demolition;
- (f) reviews and inspections; and
- (g) compliance with this By-law, the Building By-law and other enactments.

Demolition in accordance with permit

6.1 Every person issued a demolition permit subject to a recycling condition must ensure that the building is demolished in accordance with this By-law and the demolition permit.

6.2 Every person who demolishes a building pursuant to a demolition permit subject to a recycling condition must keep records of the removal, reuse, recycling and disposal of building materials governed by the demolition permit, including payment receipts, donation receipts, weigh bills, inspection reports, confirmation letters, and sampling reports until the

security deposit is fully refunded in accordance with section 5.2, and in no case for less than 180 days.

6.3 Every person issued a demolition permit subject to a recycling condition must provide to the Chief Building Official:

- (a) a compliance report confirming that the building was demolished and the construction materials reused or recycled in accordance with the permit and this By-law; and
- (b) legible copies or scans of original records required under section 6.2, within 30 days of the completion of the demolition.

6.4 No person issued a demolition permit subject to a recycling condition may cause, permit or allow the submission of a false or inaccurate compliance report.

6.5 No work may be undertaken pursuant to a building permit issued in relation to a site where a demolition permit subject to recycling condition was issued until a compliance report satisfactory to the Chief Building Official is submitted.

6.6 The Chief Building Official may suspend a building permit issued in relation to a site where a demolition permit subject to a recycling condition imposed under this By-law was issued if:

- (a) no compliance report has been submitted;
- (b) a compliance report was submitted in contravention of this By-law; or
- (c) the demolition was carried out in contravention of this By-law, or a demolition permit subject to a recycling condition.

6.7 No person issued a demolition permit subject to a recycling condition may cause, permit or allow the disposal of building materials that are to be reused or recycled, except in accordance with this By-law.

6.8 No building materials that are to be subject to reuse or recycling pursuant to a demolition permit may be delivered to a site other than a waste recycling or other facility.

6.9 The Chief Building Official may, in the case where this By-law imposes unnecessary hardship, relieve the holder of a demolition permit subject to a recycling condition from strict adherence to this By-law, provided the Chief Building Official first considers the:

- (a) cost of compliance;
- (b) diligence of the permit holder in seeking compliance; and
- (c) quality of the building material that will not be reused or recycled as a result of any relief granted.

Severance

7.1 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Enactment

8.1 Except where noted, this By-law is to come into force and take effect on September 1, 2014 and affects all demolition permit applications made after that date.

8.2 Sections 5.1 and 5.2 shall come into force and effect on March 1, 2015.

Enforcement

9.1 Every person who:

- (a) violates any of the provisions of this By-law;
- (b) suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law;
- (c) neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law; or
- (d) does any act which violates any of the provisions of this By-law,

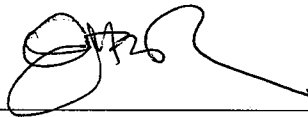
is guilty of an offence against this By-law and liable to the penalties hereby imposed.

Fines

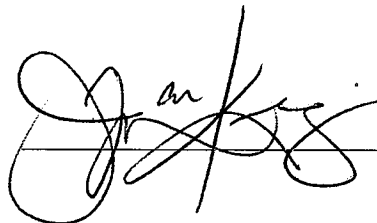
10.1 Every person who commits an offence against this By-law is liable to a fine of no less than \$250 and no more than \$10,000 for each offence.

10.2 Every person who commits an offence of a continuing nature against this By-law is liable to a fine of no less than \$250 and no more than \$10,000 for each day such offence is continued.

ENACTED by Council this 22nd day of July, 2014



Mayor



City Clerk

Appendix A

RECYCLING & REUSE COMPLIANCE REPORT FOR GREEN DEMOLITION

To be completed by contractor

Please submit this form following the completion of deconstruction/demolition and attach documentation (legible copies or scans of receipts and/or weigh scale tags). Electronic submissions preferred. Note: If your company uses waste tracking software, you may submit a report from that as a replacement for page 2 of this form.

Project Address: _____	
Building being demolished/deconstructed:	# of storeys: _____ Estimated building footprint (ft ² or m ²): _____
Foundation (pick one): <input type="checkbox"/> slab on grade <input type="checkbox"/> crawlspace <input type="checkbox"/> walkout <input type="checkbox"/> full basement	
Deconstruction/Demolition Permit No. _____	Name on Permit: _____
Contractor Name: _____	
Deconstruction/Demolition Completion Date : ____/____/____ (DD/MM/YYYY)	
<input type="checkbox"/> Yes, completed Compliance Report Form & documentation are attached <i>Note: receipts must show the type and quantity of waste, and permit #</i>	
Recycling rate achieved for this project: _____ %	
Note here any special circumstances or special efforts made to reuse/recycle:	

CITY STAFF USE ONLY		
Compliance Form	<input type="checkbox"/> Complete	<input type="checkbox"/> Incomplete
Recycling Requirement Met	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Notes:		
Signature of Compliance Report Reviewer: _____		

COMPLETE AND RETURN WITH COPIES/SCANS OF ALL RECEIPTS

1/2



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Material Type	Reuse/Recycling or Disposal Facility (Name, Location)	Tonnes Generated	Recycling Rate % (from facility)	Tonnes Recycled
Materials banned or prohibited from disposal	Cardboard			
	Clean soil & fill			
	Drywall / gypsum			
	Green waste			
	Other _____			
All other materials	Asphalt			
	Roofing shingles			
	Cement and concrete			
	Metal: scrap metals			
	Paper			
	Plastic			
	Wood: clean			
	Fixtures, windows, doors			
Other _____				
Non- recyclable materials	Non-recyclable materials disposed to landfill (total of all loads)		n/a	n/a
	TOTAL:			TOTAL:
<p>Your overall recycling rate: _____%</p> <p>(Total tonnes recycled ÷ Total tonnes generated) x 100</p> <p><i>Note: do not include hazardous materials on this report</i></p>				

COMPLETE AND RETURN WITH COPIES/SCANS OF ALL RECEIPTS



GREENEST CITY 2020
Zero Waste

Appendix B

Recyclable Material List

Appliances
Architectural detail elements (decorative trim, finials, railings, etc.)
Asphalt
Asphalt roofing shingles
Bricks, blocks, ceramic tile
Cabinetry
Cardboard
Concrete
Doors
Drywall
Fixtures and hardware (lighting, plumbing, doorknobs, etc.)
Green waste (shrubs, lawn, etc.)
Metal (steel, aluminum, copper, brass, etc.)
Metal - cable and wiring
Metal - window frames
Paper
Plastic - rigid (buckets, pails, etc.)
Plastic - soft (wrapping, bags, etc.)
Windows in frames
Wood - structural (including pallets)
Wood - plywood, particle board, OSB
Wood - shingles/siding (shakes, shingles, etc.)
Wood - flooring
Glass

Appendix C

FOR PROJECTS WITH 75% RECYCLING REQUIRED	
Recycling rate achieved	Amount of deposit refunded
75%	100%
70-74	80
65-69	70
60-64	60
55-59	50
50-54	40
45-49	30
40-44	20%
Under 40%	0

FOR PROJECTS WITH 90% RECYCLING REQUIRED	
Recycling rate achieved	Amount of deposit refunded
90%	100%
85-89	95
80-84	90
75-79	85
70-74	80
65-69	70
60-64	60
55-59	50
50-54	40
45-49	30
40-44	20%
Under 40%	0