

BY-LAW NO. 12239

**A By-law to amend
the Green Demolition By-law No. 11023
Regarding buildings constructed before 1950, and
deconstruction and wood salvage**

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

1. This by-law amends the indicated provisions of the Green Demolition By-law.
2. Council strikes sections 2.1 through 10.2, and substitutes the following:

“Definitions

2.1 In this By-law:

“character residential building” means a residential building determined to be a character building by the Director of Planning in accordance with the Heritage or Character Buildings Review – Interim Procedure, adopted by Council on June 11, 2014, or a character house as defined in section 2 of the Zoning and Development By-law No. 3575;

“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;

“deconstruction” means the systematic dismantling of a building, typically in the opposite order to which it was constructed;

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

“disposal” means the disposal of building materials at a landfill or an incinerator facility;

“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;

“heritage listed residential building” means a residential building listed on the Vancouver Heritage Register;

“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;

“green demolition condition ” means a condition requiring reuse, recycling, or salvage 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;

“salvage” means removing materials such that they are protected from damage and kept intact so that they can be reused; and

“waste recycling or other facility” includes a facility or licensed business, other than a landfill or an 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) resells or builds products using reused, recycled, or salvaged building materials.

Demolition of pre-1950 residential buildings

3.1 No person may cause, permit or allow the demolition of a residential building constructed in whole or in part before 1950 without a demolition permit.

3.2 Every demolition permit authorizing demolition of a residential building constructed in whole or in part before 1950 must include a green demolition condition, imposed by the Chief Building Official, requiring that the building be subject to demolition resulting in the reuse or recycling of not less than 75% of all building materials, by weight, excluding hazardous materials.

3.3 Every demolition permit authorizing demolition of a character residential building constructed in whole or in part before 1950 must include a green demolition condition, imposed by the Chief Building Official, requiring that the character residential building be subject to demolition resulting in the reuse or recycling of not less than 90% of all building materials, by weight, excluding hazardous materials.

3.4 In addition to the applicable green demolition condition imposed under section 3.2 or 3.3 above, every demolition permit authorizing demolition of a residential building constructed in whole or in part before 1910, or demolition of a heritage listed residential building constructed in whole or in part before 1950, must include an additional green demolition condition, imposed by the Chief Building Official, requiring that the residential building be subject to demolition by means of deconstruction, resulting in the salvage of at least three tonnes of wood.

Additional credit for reuse

4.1 Any building materials that are reused or salvaged, rather than recycled or disposed of, can be credited towards compliance with a green demolition condition at a rate of five times its actual weight.

Security deposit condition

5.1 Every demolition permit subject to a green demolition condition must include a condition, imposed by the Chief Building Official, requiring the permit holder to provide to the City, immediately upon issuance of the permit, security in the form of cash or other legal instrument acceptable to the City in the amount of \$14,650.

5.2 Any security deposit payment paid to the City under section 6.1 shall be refunded to the permit holder based on the reuse, recycling, or salvage achieved and in accordance with Appendix "B", once the permit holder has satisfied all other permit conditions and otherwise complied with this By-law.

Other permit conditions

6.1 A fee of \$350.00 must be paid before a demolition permit subject to a green demolition condition may be issued.

6.2 The Chief Building Official may impose other conditions on a demolition permit subject to a green demolition 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

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

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

7.3 Building materials that are to be subject to reuse, recycling, or salvage pursuant to a demolition permit must be delivered or taken to a waste recycling or other facility, or be sold or donated for reuse.

7.4 Every person who demolishes a building pursuant to a demolition permit subject to a green demolition condition must keep original records of the removal, reuse, recycling, salvage, 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 appropriate amount of the security deposit has been refunded to them in accordance with section 6.2, and in no case for less than 180 days.

7.5 The Chief Building Official may demand that a person who demolished a building pursuant to a demolition permit subject to a green demolition condition produce any or all of the original records required under section 8.2.

7.6 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 green demolition 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, recycled, or salvaged as a result of any relief granted.

7.7 The Chief Building Official may allow an exemption from a green demolition condition required under this By-law in the following circumstances:

- (a) when an applicant has applied for a building permit to move a structure;
- (b) when the residential building has been determined by the Chief Building Official to be dangerous and is required to be abated by demolition; and

- (c) in the case of a pre-1910 residential building, when a residential building has been determined by the Chief Building Official to be unsuitable for deconstruction because the building is structurally unsafe or is otherwise hazardous to human life, or because most of the material of the building is not suitable for reuse.

7.8 An applicant may request an exemption under section 9.1 by submitting a written request for exemption, together with supporting documentation, when submitting a demolition permit application.

Compliance reports

8.1 Every person issued a demolition permit subject to a green demolition condition must submit to the Chief Building Official:

- (a) a compliance report confirming that the building was demolished and that the building materials were reused, recycled, or salvaged in accordance with the demolition permit and this By-law; and
- (b) legible copies or scans of original records required under section 8.2,

within 30 days of the completion of the demolition.

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

8.3 The Chief Building Official may require the submission of a satisfactory compliance report prior to issuing a building permit in relation to a site where a demolition permit subject to a green demolition condition was issued.

8.4 The Chief Building Official may suspend a building permit issued in relation to a site where a demolition permit subject to a green demolition 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 the demolition permit or this By-law

Offences and Penalties

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.

9.2 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.

9.3 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.”

3. Council strikes Appendix A and Appendix B and substitutes Appendix A and Appendix B attached as Schedule A to this by-law.

4. 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.

5. This by-law is to come into force and take effect on January 1, 2019.

ENACTED by the Council of the City of Vancouver this 18th day of September, 2018

Signed _____ “Gregor Robertson”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk

[Schedule A]

Appendix A

RECYCLING & REUSE COMPLIANCE REPORT FOR GREEN DEMOLITION

Email this form with supporting documentation* to ComplianceReport@vancouver.ca

Project Address: _____ Permit No. _____
Building # of storeys: _____ Estimated total building area: _____ ft² Was a garage demolished? _____ (yes/no)
Foundation type (pick one): slab on grade crawlspace walkout full basement

Pre-1950 heritage-listed or pre-1910 house? : _____ (yes/no)
If answer is yes, complete Wood Salvage report on page 3

Recycling/reuse Requirement: _____ % (75% or 90%)

Recycling/reuse rate achieved for this project: _____ %

Demolition Completion Date : _____ / _____ / _____
Day Month Year

Demo Contractor Name: _____

Applicant Name on Permit: _____

UPDATED ADDRESS GREEN DEMO DEPOSIT REFUND CHEQUE SHOULD BE
MAILED TO: _____

Tell us about any special circumstances, unusual features of the property, or special efforts made to reuse/recycle:

***Required documentation:**

- For disposal and recycling, applicant must provide legible scans/photos of all receipts and weigh bills from receiving facilities
- For materials salvaged for reuse, acceptable documentation includes itemized donation receipt from a charity, itemized receipt from a salvage company or used building supply store. For private sales: provide clear photos showing the items removed from the house intact AND contact info of buyer(s).

NOTE ABOUT SALVAGE FOR REUSE: Items salvaged for reuse, with documentation, can claim 5 times the estimated weight on the recycling compliance report (example: 100kg of salvaged doors can claim 500kg on the compliance report).

More information:

<http://vancouver.ca/home-property-development/demolition-permit-with-recycling-requirements.aspx>



RECYCLING & REUSE COMPLIANCE REPORT FOR GREEN DEMOLITION

Email this form with supporting documentation* to ComplianceReport@vancouver.ca

Material	Recycling/Reuse or Disposal Facility Name	Metric Tonnes Generated	Recycling Rate % <i>(from facility)</i>	Metric Tonnes Recycled
Drywall / gypsum				
Asphalt roofing shingles				
Concrete, plaster (80 tonnes maximum credited)				
Metal				
Clean wood <i>unpainted, untreated wood/lumber</i>				
Items salvaged for reuse: <i>lumber, windows, doors, cabinets, etc.</i>	Are you claiming 5 x weight bonus? ____ (y/n)		100%	
Appliances/mechanical <i>Stove, fridge, hot water tank, furnace, etc.</i>				
Other _____				
Garbage: non-recyclable materials disposed to landfill (total of all loads)			0	0
		TOTAL:		TOTAL:
<p>Your overall recycling rate: _____%</p> <p>(Total tonnes recycled ÷ Total tonnes generated) x 100</p> <p><i>Notes: do not include hazardous materials on this report; 1000kg = 1 metric tonne</i></p>				

More information:

<http://vancouver.ca/home-property-development/demolition-permit-with-recycling-requirements.aspx>

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RECYCLING & REUSE COMPLIANCE REPORT FOR GREEN DEMOLITION

Email this form with supporting documentation* to ComplianceReport@vancouver.ca

PRE-1910 HOUSES & PRE-1950 HERITAGE-LISTED HOUSES

As of January 1, 2019, the City of Vancouver requires that at least three (3) metric tonnes of wood be salvaged for the purpose of reuse from the demolition of any pre-1910 house or pre-1950 heritage-listed house.

Wood Salvage Requirement: 3 metric tonnes (3000 kg)

Wood Salvaged: _____ Board Feet, OR _____ metric tonnes

To estimate tonnage when you know how many board feet you have: _____ board feet ÷ 0.75 board feet / kg = _____ kg

Evidence of compliance can be provided via:

- receipt of sale to a licensed business that reuses salvaged wood; or
- site inspection.

If you intend to demonstrate compliance on site, please email ComplianceReport@vancouver.ca report to book a site inspection.

NOTE: A portion of the deposit may be refunded where the applicant has made demonstrable efforts to deconstruct and salvage wood but has not achieved the required minimum.

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Appendix B

FOR PROJECTS WITH 75% RECYCLING REQUIRED		FOR PROJECTS WITH 90% RECYCLING REQUIRED	
Recycling Rate Achieved	Amount of Deposit Refunded	Recycling Rate Achieved	Amount of Deposit Refunded
75%	100%	90%	100%
71 – 74%	50%	86 - 89%	70%
66 – 70%	20%	81 – 85%	40%
Under 65%	0	75 - 80%	20%
		Under 75%	0

FOR PROJECTS WITH A DECONSTRUCTION AND SALVAGE REQUIREMENT	
Wood Salvage Requirement Achieved ¹	Amount of Deposit Refunded
Yes	Determined by recycling requirement and rate achieved
No	0

1. Note: If the building materials for a particular house make it uniquely challenging to meet the wood salvage bylaw requirement, the Contractor should notify staff prior to starting demolition work in order to determine a fair and reasonable wood salvage requirement.