

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY**

**LANGLEY BUILDING BYLAW 2008 NO. 4642**

**AMENDMENT BYLAW 2018 NO. 5385**

**EXPLANATORY NOTE**

Amendment Bylaw 2018 No. 5385 amends the Langley Building Bylaw 2008 No. 4642 to adopt the BC Energy Step Code as part of the 2012 BC Building Code requirements for new residential construction, as well as make amendments to the Green Building Permit Rebate Program amounts to coincide with revised industry methodology used to measure energy efficiency of buildings.

## THE CORPORATION OF THE TOWNSHIP OF LANGLEY

### LANGLEY BUILDING BYLAW 2008 NO. 4642

### AMENDMENT BYLAW 2018 NO. 5385

WHEREAS it is deemed necessary and desirable to amend Langley Building Bylaw 2008 No.4642;

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Langley, in Open Meeting Assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Langley Building Bylaw 2008 No. 4642 Amendment Bylaw 2018 No. 5385”.
2. The “Langley Building Bylaw 2008 No.4642” is amended as follows:
  1. Section 5.5 (k) “Permits” is amended by deleting the word “and” after the word “report”.
  2. Section 5.5 “Permits” is amended by adding new section 5.11 (l) after existing section 5.11 (k) as follows:
    - (l) a house performance compliance calculation report for energy performance, inclusive but not limited to the annual energy consumption of the proposed house modeled in relation to a reference house, the mechanical energy use intensity, thermal energy demand intensity, peak thermal load, EnerGuide Rating, and airtightness for the building; and
  3. Section 5.11 (l) “Permits” is amended by renaming existing section 5.11 (l) to new section 5.11 (m).
  4. Section 7.0 “Construction” is amended by adding new section 7.5 “Energy Step Code” after existing section 7.4 “Damage to Buildings and Structures” as follows:

#### **7.5 ENERGY STEP CODE**

- a) Any new Building constructed after January 1, 2019 containing a residential occupancy shall be designed and constructed to meet the specified requirements of the Energy Step Code as defined by the BC Building Code to a level of:
  - i. for a parcel of land located within a Development Permit Area requiring either Energy Conservation or reduction of Green House Gas Emissions,
    - (A) Step 2, where the Permit Application is dated in 2019 or 2020,

- (B) Step 3, where the Permit Application is dated in 2021 and thereafter, or
- ii. for a parcel of land not located within a Development Permit Area requiring either Energy Conservation or reduction of Green House Gas Emissions,
  - (A) Step 1 where the Permit Application is dated in 2019,
  - (B) Step 2 where the Permit Application is dated in 2020 or 2021,
  - (C) Step 3, where the Permit Application is dated in 2022 and thereafter.
- b) For a Part 9 Building that is required to be designed and constructed to meet a specified level of the Energy Step Code as above, but where the as constructed Building does not achieve the performance requirements of the applicable Step of the Energy Step Code, after all reasonable mitigation measures are implemented to the satisfaction of the Building Inspector, the Building Inspector may issue an accepted final inspection notice for the Building if it is verified by a Registered Professional or an energy advisor registered in good standing with Natural Resources Canada that the Building is constructed in compliance with the prescriptive or performance requirements otherwise set out in Part 9 of the BC Building Code for Energy Efficiency.
- 5. Section 19.1 “Schedules” is amended by deleting the words “and Appendix B” after the words “Appendix A”.
- 6. ‘Appendix A’ is amended by adding new section 16.0 “ENERGY EFFICIENCY PERFORMANCE BOND” after existing section 15.0 “DAMAGE AND COMPLIANCE BOND” as follows:

#### **16.0 ENERGY EFFICIENCY PERFORMANCE BOND**

To ensure that energy efficiency works related to each Part 9 dwelling unit are completed in accordance with the required Step of the Energy Step Code as specified in Section 7.5 of this Bylaw, an energy efficiency performance bond in the amount of \$5,000.00 per dwelling unit, to a maximum of \$25,000.00 per Building Permit, will be provided at the time of Permit Issuance. The energy efficiency performance bond will be released once it has been verified that the project has been constructed to achieve the energy efficiency performance level in accordance with the required Step of the Energy Step Code as outlined in the Building Code, and has received an accepted final inspection.

- 7. “Appendix A” is amended by deleting existing section 16.0 (A) “Green Building Permit Rebate Program” in its entirety and replacing it with new Section 16.0 “Green Building Permit Rebate Program” as follows:

A) For the purpose of this Section, the following definitions apply:

1. **“Eligible Dwelling Unit”** means Construction of a new Part 9 dwelling unit less than 600m<sup>2</sup> in Building area, or alteration, addition, or renovation of an existing Part 9 dwelling unit where a Permit Application is submitted on or after January 1, 2014, and upon completion of Construction achieves an efficiency rating, to a performance level of:
  - a) for a new dwelling unit to a minimum level of Step 4 or Step 5 of the Energy Step Code, or Passive House certification, as outlined in the BC Building Code for a single family dwelling unit, two family dwellings, townhouses, rowhouses, or manorhomes, or
  - b) for an existing single family dwelling where the Building is altered, added to, or renovated, and upon its completion, where the annual energy consumption rating of the Building, electric base loads excluded from the comparison, is reduced from its pre-existing level as established by the EnerGuide Rating System.
2. **“Green Building Permit Rebate”** means a rebate fee that is issued upon completion of Construction for an Eligible Dwelling Unit where a portion of the original Permit fee is returned to the Permit Holder. Green Building Permit Rebates shall be in the amount specified as follows, except for end units, those being dwelling units located physically at each end of a row in a multiple unit building (maximum two per building) that reach a performance level as indicated in either (b)(i) or (b)(ii) below, shall receive an amount 25% more than as specified below for non end units:
  - a) for a new single family dwelling as designated in the Township of Langley Zoning Bylaw as amended,
    - i. \$1,000 where constructed to a minimum level of Step 4 of the Energy Step Code, or
    - ii. \$1,500 where constructed to a minimum level of Step 5 of the Energy Code, or Passive House certification,
  - b) for each new dwelling unit forming part of a two family dwelling, townhouse, rowhouse, or manorhome as designated in the Township of Langley Zoning Bylaw as amended,
    - i. \$300 where constructed to a minimum level of Step 4 of the Energy Step Code, or
    - ii. \$500 where constructed to a minimum level of Step 5 of the Energy Step Code, or Passive House certification, and

- c) for each existing single family dwelling where the Building is altered, added to, or renovated where the annual energy consumption rating of the Building is reduced from its pre-existing level by more than 10 gigajoules per year (GJ/year),
  - i. \$15 per GJ/year of the net difference in anticipated annual energy consumption savings calculated between the pre-existing and post construction EnerGuide assessments, to a maximum Green Building Permit Rebate value of \$750, provided,
  - ii. the Green Building Permit Rebate amount in (i) above is not to exceed the original Permit fee submitted at the time of Permit Issuance.
- 3. **“Sustainable Construction Fee”** means a fee payable at time of Permit Issuance applicable to all classes of Buildings and Structures as described in sections 7.1, 7.2, as well as alterations, additions, and renovations of single family dwellings as described in section 7.3 of Appendix A of this Bylaw.
- 8. “Appendix A” section 16.0 (B)(2) “Green Building Permit Rebate Program” is amended by replacing the word “16.0” with the word “17.0” after the word “in”.
- 9. Appendix A” section 16.0 (C)(c) “Green Building Permit Rebate Program” is amended by replacing the words “an EnerGuide rating to a minimum level for consideration as an Eligible Dwelling Unit as described in Section 16.0” with the for consideration as an Eligible Dwelling Unit as described in Section 17.0” after the word “achieved”.
- 10. Appendix A” section 16.0 (C)(e) “Green Building Permit Rebate Program” is amended by deleting the words “either Built Green Energy Star for New Homes, R-2000, Net Zero Energy, or” in their entirety.
- 11. “Appendix A” is amended by renaming existing section 16.0 “Green Building Permit Rebate Program” to new section 17.0 “Green Building Permit Rebate Program.

READ A FIRST TIME the	11	day of	June	, 2018.
READ A SECOND TIME the	11	day of	June	, 2018.
READ A THIRD TIME the	11	day of	June	, 2018.
RECONSIDERED AND ADOPTED the		day of		, 2018.

\_\_\_\_\_ Mayor \_\_\_\_\_ Township Clerk