

Building and Safety Standards Branch PO Box 9844 Stn Prov Govt Victoria BC V8W 9T2 Email: <u>building.safety@gov.bc.ca</u> Website: <u>www.gov.bc.ca/buildingcodes</u>

No. B24-01 March 8, 2024

Transition period for adaptable dwellings in the British Columbia Building Code 2024

This bulletin provides information about the effective date for adaptable dwelling unit requirements in the British Columbia Building Code (Building Code) 2024 of March 10, 2025.

Why did the Province create a transition period for effective dates?

The Province recognizes that the effective date of the BC Codes (Building, Plumbing, and Fire) represents a point-in-time for building projects that can be many years in the making. Providing industry a reasonable transition period to new requirements helps minimize construction delays and cost increases for in-stream projects. During a transition period, training and education on the new requirements builds knowledge and capacity before the new requirements come into force. Construction timelines and costs are most effectively managed at the initial planning stages of any construction project.

The adaptable dwelling unit changes in the Building Code 2024 represent a move forward to increase the inventory of housing options for people with permanent or temporary disabilities as well as those wanting to age in place. During engagements on Building Code changes, industry raised the importance of managing impacts associated with limited time between learning of the new requirements and having to follow the new requirements. In response, the Province is providing a one-year transition period for adaptable dwellings and earthquake design requirements¹.

The March 10, 2025, effective date provides a measured approach to balance accessibility and housing supply priorities and considers human rights, equity for all people, engagement feedback, product availability and affordability, and impacts for the building industry.

During this period, the Ministry of Housing will continue work with interested parties and local governments to develop strategies, guidance, and tools to implement the new requirements.

¹ The new earthquake design requirements in the Building Code 2024 also represent a substantial change which may have impacts associated with in-stream projects. These changes also have a delay period until March 10, 2025, and discussed in a separate bulletin B24-02.

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What accessibility/adaptability building code requirements apply, when?

The 2018 edition of the Building Code continues to apply to building projects for which a building permit² was applied for before March 8, 2024.

Except for Subsection 3.8.5., Adaptable Dwelling Units, all accessibility requirements contained within Section 3.8. and the rest of the 2024 edition of the Building Code apply to building projects for which building permits are applied for on or after March 8, 2024.

Building projects with adaptable dwelling units for which building permits are applied for between March 8, 2024 and March 9, 2025 must follow the 2024 Building Code's accessibility requirements for all common areas of the building, but the 2018 edition of the Building Code applies to the adaptable dwelling units themselves. Subsection 3.8.5. of the 2018 edition of the Building Code is voluntary unless the local authority requires it by bylaw. This means, the adaptable dwelling unit doorway and all features within the unit continue to follow the 2018 Building Code even though the building's common entrances, common hallways, and common amenity spaces (as examples) are designed to the 2024 Building Code.

The transition period means adaptable dwelling units, and the features within those units, can continue to follow the Building Code 2018 design requirements for an additional year. Designers are encouraged to familiarize themselves with the adaptable dwelling unit requirements in the 2024 Building Code and there will be information and education materials made available during this period. Designers may consider following the 2024 Building Code's adaptable dwelling unit requirements even before March 10, 2025 as there have been updates for the benefit of the occupants.

Effective March 10, 2025, projects for which building permits are applied for will be required to comply with the Building Code 2024 adaptable dwelling unit requirements.

How do the codes' cross-references apply?

The intention is that when designing adaptable dwellings during this transition period, designers will use the Building Code 2018 for all technical requirements within the adaptable dwelling unit, until the provisions come into effect March 10, 2025. The suite entry door from the common corridor is considered part of that adaptable dwelling unit.

When designing features within the adaptable dwelling unit to the provisions in Subsection 3.8.5. of the BC Building Code 2018, any references to other provisions outside Subsection

² This assumes the building permit applied for is issued and that work begins and continues to completion. See <u>Ministerial Order No. BA 2023 10</u> for the application of the Building Code.

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3.8.5. are to be those that coordinate with the 2018 edition. It is not intended that designers search for a comparable provision elsewhere in the 2024 edition when conforming to Subsection 3.8.5. of the 2018 edition. Should Subsection 3.8.5. of the 2018 edition reference a provision outside Subsection 3.8.5., that reference is to be followed in the 2018 edition as it was intended and coordinated as such.

For example, Sentence 3.8.5.4. (2) of the Building Code 2018 edition defines floor space on both sides of a bathroom and bedroom doors inside adaptable dwelling units; however, it references provisions in Article 3.8.3.6 Doorways and Doors.

Since this floor space is 'inside' the adaptable dwelling unit, it is permitted to apply the Building Code 2018 Article 3.8.3.6. provisions to inform that clear floor space. This allows Building Code 2018 adaptable dwelling units to continue unchanged in their interior layout and design until March 10, 2025.

The transition period only applies 'inside' the adaptable dwelling unit. During this period, when following Subsection 3.8.5. of the 2018 edition, any reference that concerns a matter outside the dwelling unit, such as common spaces, shall follow the provisions of the 2024 edition. Meaning, any requirements to common areas of the building in Subsection 3.8.5. of the 2018 edition are superseded by the requirements in the 2024 edition.

For example, Article 3.8.5.3. Building Access Requirements in the Building Code 2018 edition essentially says common paths of travel, both interior and exterior, are to conform to Subsection 3.8.3.

Since this article refers to the shared or common parts of the building and property (not inside private dwelling units); those shared/common paths of travel are to comply with the design requirements in Subsection 3.8.3. of the 2024 edition for accessible paths of travel. This aligns with the intention that the Building Code 2024 accessibility provisions to come into effect March 8, 2024.

How can designers use this transition period?

Training and education materials are being developed for designers. The Ministry of Housing will be releasing bulletins and guidance material on what the new adaptable dwelling unit requirements are, as well as how they contribute to a safe, healthy, and functional home over the lifecycle of occupants and their various needs.

Not all designers may be experienced with designing accessible or adaptable spaces, so this transition period affords designers time to become familiar with the requirements and apply

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them in a functional and economical manner. Designers are encouraged to become familiar with accessible and adaptable technologies, materials, and products, as well as spatial design.

Designers should review any relevant local bylaws to determine how a local authority may apply the Building Code's adaptable dwelling unit requirements and if there are any specific local requirements that may apply.³

Designers may be interested in applying the Building Code 2024 adaptable dwelling unit provisions ahead of March 10, 2025, as there may be accessibility and/or economical reasons for incorporating the new requirements ahead of effective date. Designers are encouraged to work with the local authority on proposed solutions that differ from Subsection 3.8.5. of the Building Code 2018. Although the Building Code 2024 provisions were developed based on recent data and analysis and represent current policy intent, any alternative solution proposal to the 2018 acceptable solutions is to follow the evaluation procedure described in Division C.

How can local authorities use this transition period?

Many local authorities have been leaders in increasing the supply of adaptable dwelling units through a combination of requiring certain units to be built as adaptable and establishing technical requirements for what it means to be 'adaptable'. During engagements, respondents highlighted the benefits of consistent building requirements between jurisdictions. Local authorities are encouraged to review existing bylaws. In some instances, the Building Code 2024 requirements may be considered to 'replace' those enacted in bylaws. Some local authorities incentivize supply of adaptable dwelling units through floor area ratio calculations, and continuing this practice may help transition to the new requirements.

The Ministry of Housing will meet with and provide local planners with information about the transition period whether or not they have local bylaws requiring adaptable dwelling units.

With the Building Code 2024 provisions for adaptable dwelling units coming into force March 10, 2025, local authorities are encouraged to use the transition period to look at what tools they have to foster the creation of adaptable dwelling units, and housing options generally. Local authorities are encouraged to work with designers who may be interested in applying the Building Code 2024 adaptable dwelling unit provisions before they become effective. Early uptake helps build familiarity and capacity ahead of effective date.

³ The Building Act General Regulation prescribes adaptable dwelling units as a time-limited unrestricted matter. The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. The Building and Safety Standards Branch does not enforce compliance with the British Columbia Building Code. Local authorities are authorized to enforce the British Columbia Building Code through the Local Government Act and the Community Charter.