

No. B23-02
May 1, 2023

9.36.1.3. Compliance Pathway British Columbia Building Code 2018 Revision 5

The purpose of this bulletin is to provide information about Revision 5 changes to the British Columbia Building Code 2018 (BC Code) regarding the compliance pathways available in 9.36.1.3. of Division B. Changes are effective May 1, 2023 and apply to projects for which a permit is applied for on or after this date.

Background

Revision 5 updates to the BC Code introduced various ways a building can achieve energy compliance through the provisions set forth in Article 9.36.1.3. of Division B. Residential buildings, including houses with or without a secondary suite or buildings containing only dwelling units where the common spaces do not exceed 20% of the total floor area, are to comply with 9.36.6. Energy Step Code, with some exceptions (see flow chart below in Appendix A).

The new prescriptive tables described in Sentence 9.36.1.3.(6) provide an alternative energy efficiency compliance pathway that is only applicable for Part 9 buildings that are outside the scope of the BC Energy Step Code (see sentence 9.36.1.3.(3)), or if local governments enact a bylaw that allows for buildings to comply with the prescriptive tables (see Bulletin B23-01 for more information about local government authorities).

Appendix A features an illustration of the applicable energy compliance pathway by building type. There are two illustrations, one for residential and the other for non-residential, that code users can reference to determine the appropriate energy compliance pathway.

More Information

BC Codes are Now Available Free Online

Free online access to the [BC Building Code](#) and the [BC Fire Code](#) is available on the BC publications [website](#).

Links

- Codes Canada: (volunteer & attend) https://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes_centre_index.html
- Ministry website: <https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards>
- National Code Change Request: https://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes_centre/code_change_request.html

Contact the Building and Safety Standards Branch

- **General** inquiries can be sent to building.safety@gov.bc.ca

Contact the Local Authority

- Local authority contact information is available online at <http://www.civicinfo.bc.ca/directories>.

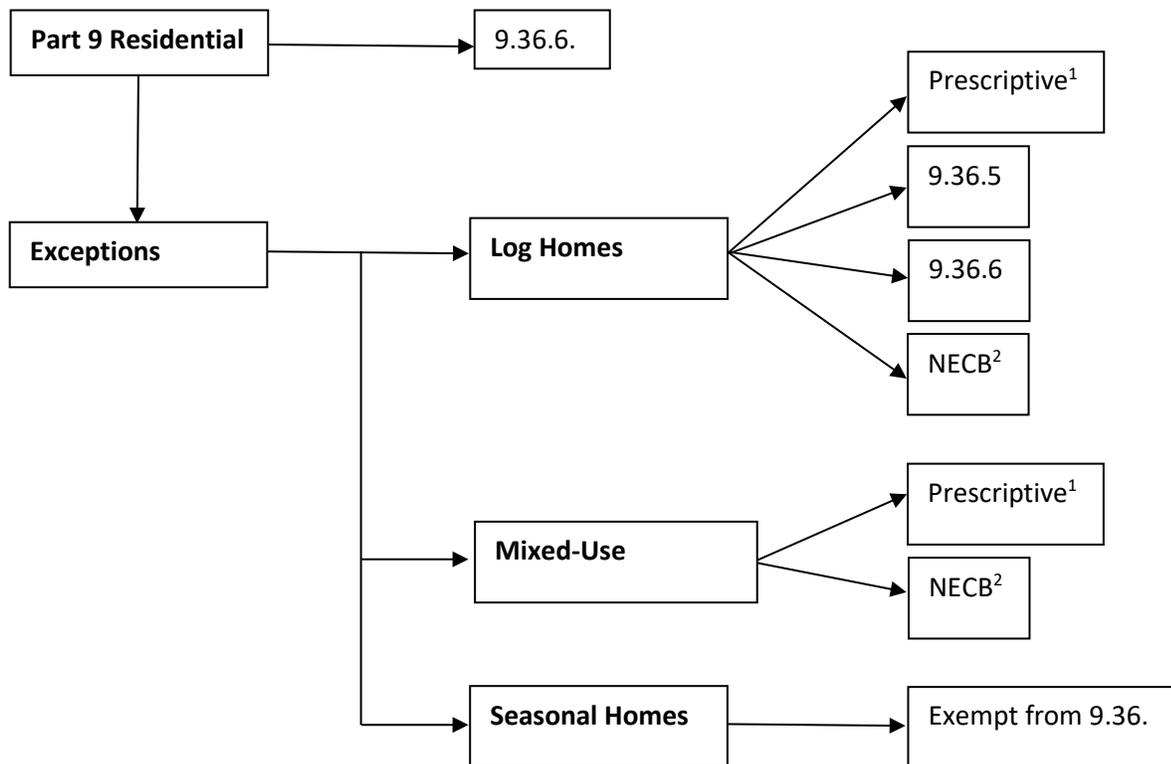
The Building and Safety Standards Branch does not enforce compliance with the BC Code. Local authorities are authorized to enforce the BC Code through the Local Government Act and the Community Charter.

**Appendix A:
 British Columbia Building Code 2018 Revision 5
 References to 9.36.1.3. Compliance Pathway**

The following illustration depicts the ways in which a building is to comply with the energy efficiency requirements through the provisions of Article 9.36.1.3. of Division B.

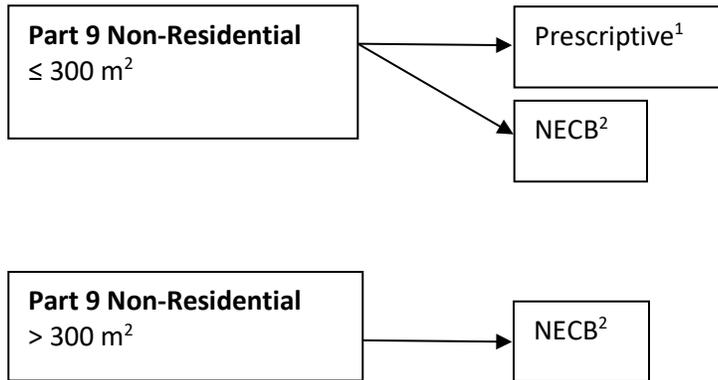
For easier reading, the flow chart contains simplified terms and explanations. Refer to the Definitions section for further clarity.

Part 9 Residential (Group C Major Occupancy)



The contents of this Bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. For further information, contact the Building and Safety Standards Branch.

Part 9 Non-Residential (Group D, E, and F Major Occupancy)



Notes:

- (1) The prescriptive compliance path refers to the pre-existing prescriptive tables set forth in Tables 9.36.2.6.-A to B, 9.36.2.7.-A to C, and 9.36.2.8.-A to B.
- (2) Refers to the National Energy Code of Canada for Buildings.

Definitions:

Part 9 Residential:

As described in Sentence 9.36.1.3.(3):

- houses with or without a *secondary suite*, and
- *buildings* containing only *dwelling units* and common spaces whose total *floor area* does not exceed 20% of the total *floor area* of the *building*

Log Homes:

As described in Sentence 9.36.1.2.(9):

- “log homes” shall mean homes with a type of construction whereby the exterior vertical opaque walls primarily consist of structural log members.

Mixed-Use:

As described in Clauses 9.36.1.3.(2)(c):

- *Buildings* containing a mix of *residential* and *non-residential* occupancies as described in Clauses 9.36.1.3.(2)(a) and 9.36.1.3(2)(b)

Seasonal Homes:

As described in Sentence 9.36.1.3.(5):

- *Buildings* or portions of *buildings* that are not *conditioned spaces*, and *residential buildings* that are not intended for use in the winter months on a continuing basis.

Part 9 Non-residential ≤ 300 m²:

As described in Clause 9.36.1.3.(2)(b):

- *Buildings* containing *business and personal services, mercantile or low-hazard industrial occupancies* to which Part 9 applies whose combined total *floor area* does not exceed 300m², excluding parking garages that serve *residential occupancies*

Part 9 Non-residential > 300 m²:

As described in Sentence 9.36.1.3.(4):

- *Buildings* containing *non-residential occupancies* whose combined total *floor area* exceeds 300 m² or *medium-hazard industrial occupancies* shall comply with the NECB.