

	<b>Planning &amp; Design</b> <b>POLICY</b>	<b>Policy Number</b>  2022-01
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## Non-Conforming buildings - Routine Maintenance: POLICY

Title of Document:	Non-Conforming Buildings - Routine Maintenance: Policy
Title of Designated Responsible Manager:	General Manager, Planning & Design
Original Date Approved:	Feb 2, 2022
Approved By:	General Manager, Planning & Design
Last Revision:	n/a
Next Review Date:	n/a
Governing Legislation:	Land Use Bylaw 6300, Safety Codes Act/Permit Regulations, City of Lethbridge Safety Codes Permit Bylaw 6110, National Building Code – 2019 Alberta Edition, National Energy Code of Canada for Buildings 2017, Barrier Free Design Guide 2017, Canadian Electric Code (24th Edition), Natural gas and propane installation code CAN/CSA-B149.1-20, Code for the field approval of fuel-burning appliances and equipment CAN/CSAB-149.3-20, National Plumbing Code of Canada 2015.

### Summary

### Purpose

The purpose of this Policy is to clarify the definition of Routine Maintenance in the case of situations of non-conformance, as understood by the City of Lethbridge Development Authority, in relation to applicable development, building, electrical, gas and plumbing codes & requirements.

### Background

In the past when an application had been received for a development or building/safety codes permit for a use or building that is non-conforming, the Development Officer or Safety Codes officer would use their discretion to determine if a project was new, an alteration, or simply routine maintenance. However up until this Policy there was lacking clarification on what 'routine maintenance' meant which resulted in inconsistent application of the term to permits. This policy will clarify the term 'routine

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maintenance’, which differs by permit type. The definition and application of this term is described in the ‘Policy Statement’ section below.

### Policy Statement

- The following is a list of **developments that are considered to be Routine Maintenance**, and do not require a development permit according to Land Use Bylaw 6300 Section 13(2)(c):
  - Painting, flooring, replacement of furnace, hot water tank, plumbing fixtures, cupboards, electrical wiring, replacement of roofing materials - but not roofing type, replacement of a deck to the same size and configuration, replacement of windows (same for same), siding/soffit/fascia, construction of interior walls or removing an interior wall as long as it’s not load bearing, screening in of a carport as long as there are no further structural supports or an overhead door. Any works deemed necessary for life safety would entail a discussion with the Safety Codes Officers.
  - While these developments do not require a development permit they may still require a building or other safety codes permit (as per Land Use Bylaw Section 13(2)). Confirmation with a Safety Codes Officer is required to determine if any of these require a permit.
- The following is a list of **building work that is considered to be Routine Maintenance**, and may or may not require a Building Permit according to the National Building Code – 2019 Alberta Edition:
  - Replacing a roof (shingles), windows, replacing soffit/siding/fascia, replacing concrete sidewalks that are sloping towards the home, replacing a furnace, replacing a deck to the same size and configuration, exchanging aging boiler with a forced air furnace and ducting, replacing a hot water tank or exchanging it with an on demand system.
  - The following examples would NOT be considered maintenance: adding an additional furnace, additional windows or doors, adding another deck, changing the roof style (hip to gable), developing an undeveloped basement, building a garage etc.
  - For any other building work not listed, confirmation with a Building Safety Codes Officer is required to determine if any of these require a building permit.
- The following is a list of **electrical work that is considered to be Routine Maintenance**, and may or may not require an Electrical Permit according to the Canadian Electric Code (24th Edition):
  - the replacement of electrical equipment with units of a similar type if the replacement is made for the purpose of maintaining the system and does not modify the ratings or characteristics of the electrical installation. This includes changing any piece of equipment – like for like.
  - For any other electrical work not listed, confirmation with an Electrical Safety Codes Officer is required to determine if any of these require a permit.
- The following is a list of **gas work that is considered to be Routine Maintenance**, and may or may not require an Electrical Permit according to the Natural gas and Propane Installation Code CAN/CSA-B149.1-20, or the Code for the Field Approval of Fuel-Burning Appliances and Equipment CAN/CSAB-149.3-20:

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- The replacement of a dryer, range, water heater or space heating appliance if it's located in a single detached residential dwelling, and, no design change is required to any gas piping or venting system.
- For any other gas work not listed, confirmation with an HVAC Safety Codes Officer is required to determine if any of these require a permit.
- The following is a list of **plumbing work that is considered to be Routine Maintenance**, and would not require a Plumbing Permit according to the National Plumbing Code of Canada 2015:
  - Installing a water service that connects a building to a municipal or private water supply; to install a building sewer or storm sewer outside of a building; to change a fixture, water heater, faucet, trap or valve if a design change to the piping system is not required. To install plumbing fixtures in a single detached residential dwelling if roughed-in piping has been completed under another permit; to install residential water treatment device in a single detached residential dwelling.
  - For any other plumbing work not listed, confirmation with a Mechanical Safety Codes Officer is required to determine if any of these require a permit.

#### Related Documents

- Land Use Bylaw 6300, Safety Codes Act/Permit Regulations, City of Lethbridge Safety Codes Permit Bylaw 6110, National Building Code – 2019 Alberta Edition, National Energy Code of Canada for Buildings 2017, Barrier Free Design Guide 2017, Canadian Electric Code (24th Edition), Natural gas and propane installation code CAN/CSA-B149.1-20, Code for the field approval of fuel-burning appliances and equipment CAN/CSAB-149.3-20, National Plumbing Code of Canada 2015.

#### Responsibility

- The Development Manager and Building Inspections Manager are each responsible for the implementation of the policy within Their jurisdiction.
- The General Manager, Planning & Design is responsible for monitoring the implementation of the procedure.

#### Definitions

- All definitions as outlined in the applicable governing legislations.

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### **Procedure Status**

Current Status:

In effect

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Approval Details:

Approved by: General Manager, Planning & Design

Endorsement Details

Director, Infrastructure Services

Next Review Date

n/a

Procedure Author

Planner 1

Authored date

Feb 2, 2022

Contacts

General Manager, Planning & Design

### **Procedure Location**

- File Path:

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