



Engage Resource Unit

Building Maintenance Bylaw // Final Summary Report

Project Background

In recent years, there have been several incidents of debris falling off of buildings in Calgary, particularly in the downtown core. The City investigated 27 of these incidents in 2014, and 26 from January to June 2015. From these investigations, we know we can do more to help prevent falling building debris and other safety issues.

Similar incidents have led to [regulations in Quebec](#) (refer to Chapter VIII of the Safety Code Building Act: Buildings) and [bylaws in other cities, like New York City](#).

The City of Calgary's proposed Building Maintenance Bylaw aims to better protect the public by requiring the exterior of Calgary's buildings to be professionally assessed for necessary repairs. This bylaw will fill the gap left after the final inspection when a building is first constructed or renovated, and address safety issues before they happen.

The City of Calgary's proposed Building Maintenance Bylaw will also provide a tool and guidelines for building owners to assess the exterior of their buildings on a regular basis.

While the Alberta Building Code does state that a building owner may not allow an unsafe condition to be maintained, there is no clearly articulated requirement to maintain buildings. Calgary's Community Standards Bylaw does not address the assessment and obligation gap required to ensure public safety.

In order to increase public safety, The City of Calgary wishes to provide a proactive program of routine inspections with consistent enforcement and compliance.

Engagement Objectives

- *Inform and engage with stakeholders both internally and externally on the development and creation of a maintenance bylaw for Calgary.*
- *Ensure both internal and external stakeholders have input into the bylaw's content.*
- *Reach out to and engage internal City of Calgary groups.*
- *Reach out to and engage with industry representatives.*
- *Engage industry group to provide meaningful feedback at multiple working sessions.*
- *Engage internal and external groups on a proposed application software to assist with implementation.*

Stakeholders

Internal	External
Corporate Properties and Buildings	Building Owners and Managers Association
Recreation	Canadian Home Builders' Association
Calgary Housing Company	Calgary Residential Rental Association
Infrastructure and Information Services	Consulting Architects of Alberta



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Transportation – Roads; Calgary Transit	Alberta Roofing Contractors Association
Calgary Fire Department	Association of Professional Engineers and Geoscientists of Alberta
Animal and Bylaw Services	Consulting Engineers of Alberta
Office of Land Servicing and Housing (including Affordable Housing group)	Alberta Association of Architects
Planning and Development	Alberta Building Envelope Council South
City Council Members	Calgary Construction Association
Water Resources	Canadian Condominium Institute
Law Department	Calgary Hotel Association
Waste & Recycling Services	Real Estate Institute Chapter of Canada
	Association of Condominium Managers of Alberta
	The Mustard Seed
	Boardwalk
	Inn From The Cold
	Silvera for Seniors
	Calgary Dream Centre
	Alpha House Calgary
	Calgary Homeless Foundation
	Horizon Housing Society

Engagement Overview

March 19, 2015 – Engagement workshop with external stakeholders

May 13, 2015 – Engagement workshop with external stakeholders

November 25, 2015 – Engagement workshop with external stakeholders

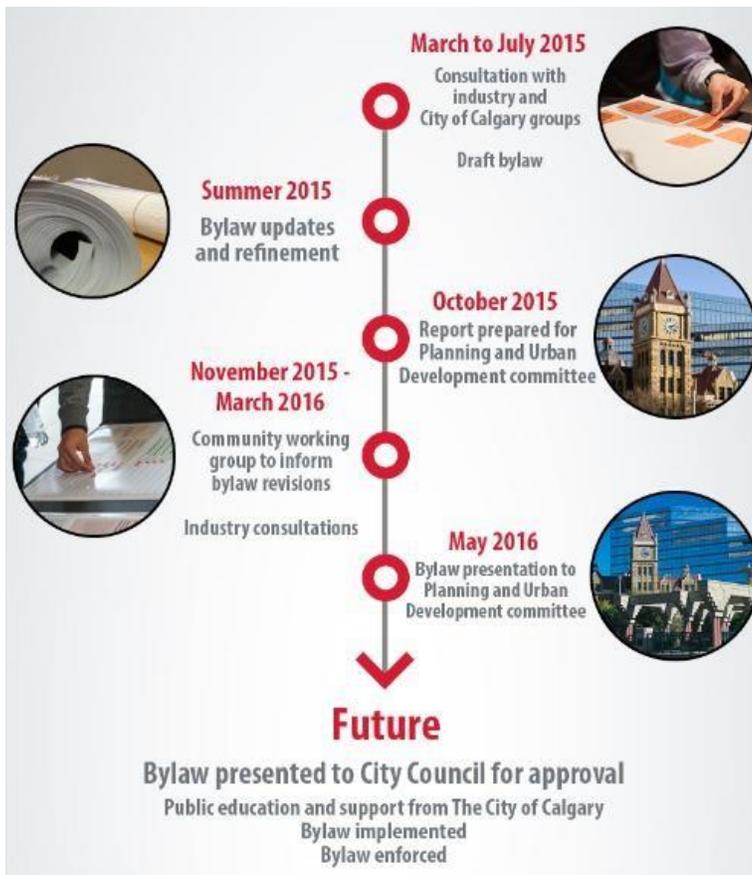
January 14, 2016 – Engagement stakeholder working group session

February 10, 2016 – Engagement stakeholder working group session

February 25, 2016 – Engagement workshop with internal stakeholders

March 10, 2016 – Information session with stakeholder working group

March 2015 – March 2016 – Ongoing engagement with internal and external stakeholders with regular email contact



Engagement Input

This is a summary of what we heard from March 2015 – March 2016 for the Building Maintenance Bylaw.

Theme	Details
Safety	All stakeholders are in support of the safety principles behind the bylaw. In general, stakeholders are in favour of a proactive maintenance program.
Current Practise	Some stakeholders feel their current practices are adequate. Comments were made regarding the <i>Community Standards Bylaw</i> should address issues



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	instead of this proposed Bylaw. While current practise exists with some stakeholders, it is not uniform. Other stakeholders do not have an established current practise.
Definition of qualified professional for inspection	Some stakeholder’s feel The City of Calgary should broaden the group of those qualified to assess a building exterior to include trades people, industry experts, and possibly maintenance staff. Other stakeholders feel the inspection must be conducted by someone with a degree in building science like an engineer or architect. Stakeholders suggested The City of Calgary could have a list of “pre qualified” firms to conduct these assessments.
Requirement of a qualified professional for inspection	The majority of the stakeholder working group feel that the inspection should be conducted by a qualified professional who is knowledgeable in construction materials and methods. Stakeholders who are opposed to the requirement of a qualified professional stated they are not sure if they would add value to their assessment.
Frequency of inspection	Stakeholders feel inspection every five years is adequate and feasible.
Scope of inspection	Stakeholders feel this bylaw should strictly review exterior elements. There are concerns of ‘scope creep’ presented and a desire for a clear definition about what aspects would be included in the exterior assessment or what would be out of scope.
Need to create an inspection “checklist”	Stakeholders feel this is important in order to effectively implement bylaw. Many stakeholders have a more extensive maintenance checklist than the one proposed in the bylaw.
Liability	Stakeholders feel using a qualified professional may illustrate due diligence and risk management.
Adaptation	Some stakeholders prefer an audit system over a submission of documents. Stakeholders agree that education and awareness needs to go hand-in-hand with the implementation of the bylaw.
Ranking System (two tiered inspection approach)	Many stakeholders like the sample ranking evaluation sheet for its two-tiered approach. Stakeholders feel it could satisfy those who would like the option to complete part of their assessment in-house. However, some stakeholders feel that this adds another step to the process when the assessment should be done by a professional from the beginning. Others were not sure that a professional would add value at all and would delay remediation.
Proposed application system for inspections	Stakeholders feel this application would need to be



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	simplistic and easy to use.
Cost	Cost is a major concern for stakeholders. Some stakeholders currently do not have this cost built in to their operations. Compared to the percentage of total maintenance, the percentages for external assessments ranged from zero per cent to five per cent.

APEGA (The Association of Professional Engineers and Geoscientists of Alberta) raised some concerns to The City of Calgary Building Maintenance Bylaw Project Team with the proposed Bylaw after the stakeholder working group sessions were completed. The City of Calgary Building Maintenance Bylaw Project Team upon APEGA’s recommendation modified the language to exclude “technical inspections” and ensure, whenever mentioned within the Bylaw, all assessments and inspections are required to be “visual” in nature.

APEGA also raised additional concerns with specific areas on the checklist which have since been removed or modified. The stakeholder working group was satisfied with the revisions.

Evaluation

Stakeholders were supportive of the engagement process. The coordination of communications and engagement allowed them to be continuously updated with the project and a channel to provide continuous feedback as the project evolved.

ENGAGEMENT OBJECTIVE EVALUATION		
Objectives	Done? Yes or No	Comments
Inform and engage with stakeholders both internally and externally on the development and creation of a maintenance bylaw for Calgary.	Yes	As outlined in the timelines and tactics, multiple channels for all stakeholders were implemented to engage with stakeholders. “We have heard that the cost is low for most of the groups represented around the table”
Ensure both internal and external stakeholders have input into the bylaw’s content.	Yes	Input from all stakeholders was received and some was implemented into the proposal where applicable. “I like getting more information. This is a learning curve. I’m still concerned about the cost the bylaw will add.”
Reach out to and engage internal City of Calgary groups.	Yes	Regular email engagement was conducted throughout the timeline. An internal stakeholder workshop was held on February 26, 2015.



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<p>Reach out to and engage with industry representatives.</p>	<p>Yes</p>	<p>Input from industry representatives was received and some was implemented into the proposal where applicable. Industry was also given the opportunity to select a member from their organization to join the stakeholder working group.</p> <p>“I like the idea of an audit process, rather than the submission of documents”</p>
<p>Engage industry group to provide meaningful feedback at multiple working sessions</p>	<p>Yes</p>	<p>Industry was given the opportunity to select a member from their organization to join the stakeholder working group. These stakeholder working group sessions were held on January 14, February 10, and March 9 2016.</p> <p>“I’m encouraged by today’s meeting; I like the idea of a proactive maintenance program”</p> <p>“I don’t think we’re far off on the scope of the bylaw”</p>
<p>Engage internal and external groups on a proposed application software to assist with implementation</p>	<p>Yes</p>	<p>The proposed application software was presented at both the external and internal stakeholder workshops for input.</p> <p>“The assessment tool needs work. It should be more simplistic and easy to fill out.”</p> <p>“The checklist tool will be good – online valuable”</p>
<p>Create a valuable and meaningful engagement experience for stakeholders</p>	<p>Yes</p>	<p>The results from the survey of Stakeholder Working Group Engagement Process Survey were very positive.</p> <p>“It was a good idea to limit the stakeholder group to one person per group. This lead to better more focused discussion and moved everything forward at an appropriate rate. In general The City has been very flexible and open to ideas throughout the process. I certainly feel that my feedback was listened to. “</p> <p>“Very positive process with the right people around the table in open communication aimed at solutions”</p> <p>“Process was a good one. City team listened to the various stakeholders and provided response that was reasonable and considered. The concerns of the various stakeholders were addressed.”</p>



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Next Steps

Calgary Business Services will lead on taking the report through the internal review and approval process, and present the report and draft bylaw to Standing Policy Committee on Planning and Urban Development in May.