

Storage Garage Frequently Asked Questions

Note: This document has been updated to provide further clarity in February 2023.

1. Why has our storage garage been given a Conditional Pass?

The Fire Inspector has assessed your storage garage (parkade) and has found areas within the storage garage, including enclosed parking stalls, that have been converted into storage rooms that are not compliant with the British Columbia Building Code (BCBC) regulations.

If you have received a Fire Inspection Report with a Conditional Pass, you have received an Order from the Fire Chief that states:

By January 1, 2024, you must remove all non-compliant storage spaces and/or lockers that are not separated by a fire separation with a fire-resistance rating of 1.5 hours from the storage garage.

The Fire Inspector has served you with a Conditional Pass on your routine Annual Fire Inspection report in order to give you a generous two-year time frame to correct the violation of non-compliant storage rooms in a storage garage.

The two-year time frame started on January 1, 2022, and will end on December 31, 2023.

2. Where do I find the Order from the Fire Chief in my Fire Inspection Report?

Fire Inspection Reports come in the form of a pdf attached to an email which has been sent by the Fire Inspector to the building owner or Owner's Registered Agent.

The order to remove all non-compliant storage spaces and/or lockers that are not separated by a fire separation with a fire-resistance rating of 1.5 hours from the storage garage can be found in the email body of a Fire Inspection Report that was issued with a Conditional Pass.

It is the responsibility of the owner or owner's registered agent to read the full email body and understand the order.

3. How can a Fire Inspector enforce Building Code Regulations?

The BC Building Code is a regulation that sets out the minimum requirements for the construction, alteration, and maintenance of buildings in BC. Fire Inspectors are authorized to enforce the BC Building Code as it relates to fire safety measures, such as fire separation, means of egress, and fire protection systems.

4. On what authority can the Fire Department issue this order?

Fire inspectors in BC have the authority to issue orders, fines, or other penalties for non-compliance with building codes related to fire safety. They also have the authority to require corrective action to be taken to address any violations.

Fire Inspectors are authorized as Local Assistants to the Fire Commissioner and are required by the *British Columbia Fire Services Act (BCFSA)* and the District of West Vancouver's Fire Rescue Bylaw No. 5163, 2021 to provide for a regular system of inspection of hotels and public buildings in the municipality.



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The logo for West Vancouver features a blue wavy line above the words "westvancouver" in a blue, lowercase, sans-serif font.

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British Columbia Fire Services Act

Fire Code Administration Regulation

1. Persons responsible for administration and enforcement

(2) The fire commissioner and local assistants are designated as the persons responsible for the enforcement of the British Columbia Fire Code.

British Columbia Fire Code

2.2.1 General

2.2.1.1. Fire Separations

1) Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the British Columbia Building Code.

British Columbia Building Code

3.3.5.6. Storage Garage Separation

1) a storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating of not less than 1.5 hours.

Violations of the BCFC and BCBC are enforced with the support of the Planning and Development Service Division, through the Building Permit Department and Building Inspectors.

5. On January 1, 2024, how will the Fire Department begin enforcing the order to remove all non-compliant storage rooms?

The generous two-year time frame to correct the violation of non-compliant storage rooms in a storage garage will end on December 31, 2023.

Enforcement of the order to remove non-compliant storage rooms will begin on January 1, 2024. At that time Fire Inspectors will begin conducting the routine annual fire inspections of multi-residential and commercial buildings with storage garages.

All non-compliant storage rooms that have not been removed from a storage garage will result in the storage garage failing its initial inspection. All non-compliant enclosed parking stalls that continue to be used as a storage room to store anything other than vehicles will also result in the storage garage failing its initial inspection.

A failed initial routine annual fire inspection is given 28 days to comply with an order to correct a violation. After 28 days a first re-inspection will be conducted, and fees and charges will apply.

Subsequent re-inspection frequency will be at the discretion of the Fire Chief. The *Inspection Schedule and Fees* can be found in the body of your Fire Inspection email.

Any order to correct a violation given by the Fire Department may be appealed to the Office of the Fire Commissioner and/or the Building Code Appeal Board.



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6. How do I appeal an order by the Fire Department?

There are two main avenues for an appeal if you wish to challenge an order issued by the Fire Department.

You may appeal to either or both, the **Office of the Fire Commissioner**, and the **Building Code Appeal Board**. Appealing to either involves two different processes, that serve two distinct purposes.

The Office of the Fire Commissioner is typically responsible for enforcing fire safety codes and regulations, conducting fire investigations, and providing fire prevention education. On the other hand, the Building Code Appeal Board is responsible for hearing appeals related to building code compliance.

7. How do I contact BC's Office of the Fire Commissioner in order to lodge an appeal against an order by the Fire Department?

NOTE: You may appeal an order given by a Local Assistant to the Fire Commissioner as stipulated in the *Fire Services Act Part 2 – Escape From Fire, Appeal s. 34 (1) (2) and Part 1 – Investigation, Prevention and Suppression of Fires Appeals to the fire commissioner s. 27 (1) (2) (3) and also in Part 1 - Other appeals s. 28 (1) (2) (3) (4) (5)*

Fire Services Act: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96144_01

To contact the Office of the Fire Commissioner in British Columbia please visit the following website:

<https://www2.gov.bc.ca/gov/content/safety/emergency-management/fire-safety/contact-us>

8. How do I contact Building Code Appeal Board in BC in order to lodge an appeal against an order by the Fire Department?

NOTE: You may appeal a decision of a local authority on whether a matter conforms to a building regulation as stipulated in the *Building Act [SBC 2015] CHAPTER 2 Part 4 – Building Code Appeal Board, Appeals s. 20 (1) (2)*

Building Act: <https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/15002>

To contact the Building Code Appeals Board of BC please visit the following website for application forms and instructions:

[https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards/building-code-appeal-board#:~:text=board%20reviews%20appeals-.The%20Building%20Code%20Appeal%20Board%20reviews%20appeals%20of%20local%20authority,%2C%20sections%2019%20to%2021\).](https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards/building-code-appeal-board#:~:text=board%20reviews%20appeals-.The%20Building%20Code%20Appeal%20Board%20reviews%20appeals%20of%20local%20authority,%2C%20sections%2019%20to%2021).)

9. Where does it say I cannot store items in our storage garage or in my enclosed parking stall within our storage garage?

There is no provision within the BC Building Code (BCBC) that allows for the storage of **anything other than** motor vehicles bicycles, boats etc. within a storage garage.



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10. What are examples of non-compliant storage rooms?

Some examples of storage garage areas that may have been converted into non-compliant storage rooms include, but are not limited to, enclosed parking stalls with roll-down doors, parking stalls that have been enclosed with drywall, plywood and a door, large and small custom-built cabinets within a parking stall, garden shed-type cabinets in parking stalls, equipment lockers and shipping containers.

These examples do not meet the 1.5-hour separation rating as per BCBC s. 3.3.5.6 (1) and as such you are being ordered to remove the non-compliant storage rooms and stored items.

11. Why are non-compliant storage rooms a problem?

Converting any area within a storage garage into a non-compliant storage room creates another occupancy type and is considered to be a change of use within the storage garage.

The BCBC expressly requires that a storage garage shall be separated from other occupancies, such as storage rooms by a fire separation with a fire-resistance rating of not less than 1.5-hour as per BCBC s. 3.3.5.6 (1)

12. Why have you given such a long deadline for compliance?

A two-year deadline for compliance was given in order to allow residents and strata ample time to correct their violations by removing the non-compliant storage rooms. We feel this measured approach will lessen the impact of this enforcement effort on our residents and encourage compliance.

13. Why did I receive a Fail and a Conditional Pass on my Fire Inspection Report?

You may have received a fail and a conditional pass on one inspection report. The fail is indicating that you are required to remove the identified stored items within 30 days. The conditional pass is indicating that you have until January 1, 2024, to bring the parkade use into compliance as requested and return the storage garage to its original use as vehicle storage only.

14. If I passed before, why not now? Inspectors have not had an issue with my storage before.

The proliferation of items stored in storage garages has prompted many BC municipalities to bring storage garages into compliance with applicable codes and bylaws. West Vancouver examined compliance in our community in comparison to other municipalities and identified a disparity in compliance.

Your Strata Corporation is responsible for ensuring that the property is used and managed in compliance with all codes and bylaws as per BCFC Division C. s. 2.2.1.1. *Responsibility*.

While we understand that this is a change for many residents, it is the expectation that storage garage use will be brought into compliance and non-compliant storage rooms will be removed by January 1, 2024, returning the storage garage to its original intended use as vehicle storage only.

15. What about the 2019 City of Vancouver Bulletin regarding storage in underground parking facilities?

We have spoken with the City of Vancouver staff regarding their *Storage in Underground Parking Facilities Bulletin*, dated February 21, 2019. They offered further clarity in the bulletin, indicating that cages, not impeding means of



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egress nor the use of parking stall space may, with the required permit, be constructed. These cages are not for storing accumulations of combustibles. If an accumulation of combustibles is present, a Fire Engineer's report is requested at the cost of the owner, or the owner must remove the accumulation of combustibles. All storage must be visible and can not be in a room. Any room must be built with permits and built to code with a 1.5-hour fire separation rating. Any garden shed or container is viewed as a room. Any change of use within a stall is unacceptable and will trigger the involvement of property use inspectors and the zoning department. This change of use within a stall is a contravention of the Development Permit.

16. I have a letter from the Fire Inspector saying my storage lockers are OK.

We are aware of a letter that was issued 18 years ago from the West Vancouver Fire Prevention Office regarding the allowance of storage lockers and firewood only.

However, if a storage room was constructed in a storage garage, whether recently or in the past, it is likely that it was constructed without the benefit of permit or inspection approvals and is not permitted to be there. A "legally non-conforming" or "grandfathered" status does not apply to these installations.

Additionally, firewood is an accumulation of combustibles and is not permitted in parking garages.

17. Why are certain types of storage permitted in storage garages such as bicycles?

Secure, clearly visible storage of bikes, contained inside a permitted chain link fenced enclosure, does not constitute either a hazard or an ongoing maintenance issue with respect to the BCBC and the District of West Vancouver Fire Rescue Bylaw No. 5163, 2021.

The District of West Vancouver has approved several bike enclosures through the building permit and inspection process. These types of installations were constructed without affecting drive aisles and means of egress and do not interfere with firefighting activities as long as they remain in place during a fire.

18. Why is our bicycle storage a problem and how do we bring it into compliance with District of West Vancouver Fire Rescue Bylaw No. 5163, 2021?

Access and egress through a storage garage in the event of a fire is an important consideration for both occupants and firefighters. Bicycles that are scattered or hung variously on walls throughout a storage garage present an entanglement hazard to firefighters if they need to advance with charged fire hoses in a smoke-filled, high-heat environment during a fire. This is the reason behind the bylaw and the order you have received requiring you to address bicycle storage in your storage garage.

District of West Vancouver Fire Rescue Bylaw No. 5163, 2021 9.4 (e) Indoor and Outdoor Storage states:

*Not permit limited non-Combustible materials such as bicycles and metal ladders to be stored in a Storage Garage, **unless** they can remain in place during a fire without affecting aisles and means of egress and so as not to interfere with firefighting activities, which is to be determined at the discretion of the Fire Chief.*

As per the discretion of the Fire Chief bicycles storage options are as follows:

- They may be stored in a fire-rated storage room.



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- Within a storage garage they must be contained behind a chain-link enclosure and fixed in place.
- They may be stored within an enclosed parking stall but must be fixed in place.

Construction of a fire-rated storage room or the installation of a chain-link enclosure within your storage garage requires a building permit.

19. Is it possible to get a building permit to construct new code-compliant fire-rated storage room(s) in our storage garage or building?

Yes, it is possible, however, the use of parking stalls as other than vehicle storage constitutes a 'change of use' and will require approval from the District through the development and building permit processes.

Prior to contacting the District with an enquiry regarding the construction of permitted, fire-rated storage room(s) in your storage garage or building, you should be aware of the following:

- Storage garages are required to have a prescribed number of parking stalls, as such you may not technically have a surplus of stalls that can be converted into a fire-rated storage room(s)
- Not all buildings are designed with additional space in which to construct fire-rated storage room(s) in *any* location, which may disqualify your proposal.
- Walls are required to be constructed as ULC-listed wall assemblies with the appropriate fire resistance rating. Walls may be constructed of steel studs, drywall, concrete blocks, or poured concrete.
- Wood construction – **NOT PERMITTED**.
- Fire sprinkler systems may need to be upgraded.
- Fire alarm systems may require additions or upgrades.

20. If you wish to a construct new code-compliant storage room(s) in your storage garage or building, follow these basic directions with regard to permitting.

Development Permit (District of West Vancouver Planning Department)

- Contact the Planning Department at planning@westvancouver.ca to understand how changes to the storage garage and/or stalls may be impacted by the Development Permit conditions of the original building.
- A formal amendment or exemption to the original Development Permit may be required.

Building Permit (District of West Vancouver Permits & Inspections Department)

- Contact a Professional Code Consultant to discuss code-compliant options to create a separate fire-rated storage room. For more information on Registered Professional Code Consultants, see www.egbc.ca
- Contact the Permits & Inspections Department at permits@westvancouver.ca and reference the [Building Permits & Inspections](#) webpage for building permit application information and to apply for a building permit to construct a new storage room.



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- Determine how many residents want to convert parking stalls into storage rooms and try to apply under one building permit.
- Permit application must include:
 - o Architect/Code Consultant sealed and signed Schedule B Letter of Assurance and accompanying drawings.
 - o Consideration of 1.5-hour fire separation for new storage rooms with appropriate closures, fire stopping, etc.
 - o Mechanical Consultant sealed and signed Schedule B Letter of Assurance and accompanying drawings.
 - o Consideration of ventilation of storage rooms, fire dampers, etc.

21. Can I use a shipping container as a storage solution in our storage garage?

Shipping containers are not permitted within storage garages. Shipping containers within the District of West Vancouver must comply with Fire Rescue Bylaw No. 5163, 2021 Section 9.66 Shipping Containers.

22. What am I supposed to do with the items that are to be removed from our storage garage?

If you want to construct a code-compliant storage room in a storage garage, please be aware that:

- Not all buildings are designed with additional space in which to construct a rated storage room.
- It may also not be feasibly possible to construct a rated storage room in a parking stall.
- Preliminary consultation with both the Planning Department and Permits & Inspections Department staff is recommended prior to making any decisions.
- A building permit and/or a development permit may be required, including engaging a Building Code Consultant.
- Electrical and fire sprinkler permits may be required depending on the extent of the work.
- Storage solutions such as free-standing storage containers or cabinets will not be permitted.
- You may choose to explore off-site storage as an option.

23. Who can I talk to for further explanation?

For further information and clarification of technical details and codes, you may wish to retain a Professional Fire Protection Engineer or Building Code Consultant. The expense of the review is to be paid by the owner, not the Fire Department or municipality.

24. How can I get more information?

Please visit: <https://westvancouver.ca/services/emergency-preparedness/fire-rescue/fire-inspection-guidelines>

Should you have further enquiries, please direct your enquiries regarding your Fire Inspection Report to: fireprevention@westvancouver.ca or 604-925-7392. Please include your building address, name, phone number and email. Enquiries will be returned in the order in which they are received. **Please note:** Only enquiries directed to the email or phone number noted above will be returned. Do not contact your Fire Inspector directly.



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