

April 19, 2016

Mayor and Councillors  
Standing Committee on Planning and Urban Development  
P.O. Box 2100, Station M  
700 Macleod Trail South  
Calgary AB, T2P 2M5

Dear Mayor & Councillors:

**Re: Building Maintenance Bylaw**

First off I would like to sincerely thank Marco Civitarese, Cliff De Jong, Cathy Ascroft, Dave Hewitt, and the project team from Planning Development & Assessments for their hard work on this Bylaw, and for taking the time to thoroughly engage with BOMA Calgary and its members throughout this process. They have hosted valuable engagement sessions, and have taken countless hours out of their days to meet with us individually. It was also clear that the team was actually listening to stakeholder comments, and this high level of collaboration is reflected in the report and the bylaw.

BOMA Calgary and our members have long been leaders in promoting industry best practice on issues that affect commercial buildings. It goes without saying that the health and safety of both tenants inside the buildings and the public at street level is paramount. That is why in 2013, together with the City of Calgary and the Province we developed a *Building Envelope Safety Supplement to Recommended Practices in Health and Safety: A Guide for Building Owners and Managers*. This guide identified industry best practices as it relates to movable work platforms, cladding, signage, sidewalk safety, restricted access, fall protection, and snow and ice. The *Building Envelope Safety Supplement* was therefore a valuable resource when drafting the Building Maintenance Bylaw.

We must also realize that despite the best efforts of BOMA and of the City through this Bylaw, nothing either of us does will entirely eliminate the risk exterior hazards on buildings can pose. The most thorough maintenance regime on the newest building does not provide a 100% guarantee against incidents. It is also important to mention that nothing in this Bylaw changes an owner's liability and

responsibility as it relates to maintaining their building. So when approaching this Bylaw, the challenge was how to raise the bar of building maintenance in Calgary so that we improve the safety of our buildings, while not creating an unnecessarily onerous process for building managers. This balance is what BOMA has been striving for from day one of this process. Balance is so important because of the scope of the proposed Bylaw. The Bylaw governs a myriad of buildings from relatively new AAA office towers to older five-story office buildings in the suburban market. This matters because the resources of an owner/manager can differ greatly, and therefore so is their ability to absorb additional costs. So again, that balance between improving safety and making a bylaw that owners have the capacity and resources to comply with is paramount.

BOMA Calgary believes that this bylaw achieves that balance. The scope of the assessments focuses on the aspects of the building envelope that pose the greatest risk to the public. Similarly, we believe that the five year intervals for assessments are reasonable given current industry best practice. This bylaw will increase the cost of owning or managing a commercial building, but we believe that the current scope and reporting requirements of the proposed bylaw make these costs as low as possible.

City staff and stakeholders also discussed the issue of what constitutes a “qualified professional” at length, and BOMA Calgary believes that the solution reached addressed the concerns of all parties and will support the goals and intent of this bylaw.

In summary, BOMA Calgary believes that this bylaw will help promote proper building maintenance with the goal of creating a safer city. We also believe the bylaw is written in a manner that will make it simple for any commercial building five stories or higher to comply at a reasonable cost.

Thank you again for the opportunity to provide comment. We look forward to cooperating, collaborating and consulting on future projects.

Regards,



Lloyd Suchet  
Executive Director  
BOMA Calgary