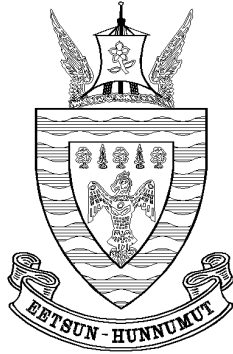


DISTRICT OF NORTH SAANICH



BYLAW NO. 1150

CONSOLIDATED FOR CONVENIENCE ONLY

BUILDING AND PLUMBING BYLAW

The amending by-laws which have been consolidated into "District of North Saanich Building and Plumbing Bylaw (2007)" are as follows:

1235, 1241, 1386, 1468, 1473

as of March 18, 2019

This consolidation of the *District* of North Saanich Building and Plumbing Bylaw and amendments have been prepared exclusively for the use by the *District* of North Saanich for convenience only.

The *District* of North Saanich does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original By-laws.

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DISTRICT OF NORTH SAANICH**BY - LAW NO. 1150****A BYLAW FOR THE ADMINISTRATION AND
ENFORCEMENT OF THE *BUILDING CODE***

WHEREAS the Community Charter authorizes the *District*, for health, safety and protection of persons and property, to regulate the *construction*, alteration, repair or demolition of *buildings* and *structures* by bylaw;

AND WHEREAS the Local Government Act of the Province of British Columbia authorizes the establishment of a *Building Code* for the Province;

AND WHEREAS the British Columbia *Building Code* has been adopted by the Provincial Government to govern standards for the *construction* and demolition of *buildings* in all municipalities and regional districts in British Columbia;

AND WHEREAS it is deemed necessary to provide for the administration and enforcement of the said *Building Code*;

NOW THEREFORE the *Council* of the *District* of North Saanich, in open meeting assembled, enacts as follows:

PART 1**INTERPRETATION****Application**

1.1.1 This Bylaw shall be applicable to the geographic area of the *Municipality* and to all land, water, airspace, *buildings* and *structures* therein.

1.1.2 This bylaw applies to:

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- (a) The design, construction, plumbing systems, and occupancy of new *buildings* and structures;
- (b) The alteration, demolition, reconstruction, relocation, plumbing systems, removal, occupancy and change of occupancy of existing *buildings and structures*;
- (c) The placement of a mobile home, factory built non-residential structures, irrigation systems, retaining walls one metre or higher and fire suppression sprinkler systems; and
- (d) The construction, placement or demolition of a sign structure regulated by the Sign Bylaw, and requiring a permit under that bylaw.

Exemptions

1.2 This bylaw does not apply to:

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- (a) A one storey *building*:
 - i) that is less than 10 m² in area;
 - ii) that is accessory to a single dwelling unit;
 - iii) that is not serviced with electrical, plumbing, heating or similar services;
 - iv) that does not otherwise create a hazard;
- (b) Repairs to an existing building used as a single dwelling unit or an accessory building to a single dwelling unit, other than repairs involving any construction for which an inspection is required under section 13.1 of this bylaw;
- (c) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, provided such repairs do not involve or require the rearrangement of valves, pipes or fixtures; or
- (d) Landscaping, paving or retaining walls less than one metre in height above finished grade.

Definitions

1.3.1 In this Bylaw, the following words and terms shall have the meanings set out in section 1.4.1.2(1) of the *Building Code*: *assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, registered professional, and residential occupancy*;

1.3.2 In this Bylaw:

'adequate vehicular access' means a maintained public road, ditched or storm sewered for adequate drainage, and of sufficient strength to carry a fire truck of 9.0 tonne single-axle loading and for which a boulevard crossing can be approved to serve the *building* in question. A lane shall be considered *adequate vehicular access* only in a case where the property is also served by a maintained public highway and vehicular access to the property is specifically permitted only from the lane;

'agent' means a *person*, firm, company or corporation representing the owner by written designation or contract, and includes a hired tradesman or contractor who may be granted permits for work within the limitations of his licence;

'authority having jurisdiction' means the *Municipal Council* or the *Official*

designated by the Municipal *Council* responsible for the enforcement of any part of this bylaw.

'*Building Code*' means the current edition of the British Columbia *Building Code*, those regulations, as amended, established pursuant to the Local Government Act;

'*Building Official*' means all persons appointed or designated as building inspectors by the Municipal Council, and includes all members of the Fire Department who undertake inspections of chimneys and fireplaces.

'*construct*' includes to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, *reconstruct*, demolish, remove, excavate or shore;

'*construction*' includes erection, installation, repair, alteration, addition, enlargement, location, relocation, reconstruction, demolition, removal or excavation;

'*Council*' means the *Council* of the *District* of North Saanich;

BYLAW 1386 '*deconstruction*' means to break down into reusable components, to dismantle;

BYLAW 1468 '*Energy Step Code*' means the system of energy performance requirements, referred to as the Energy Step code, set out in Division B, Parts 9 and 10, of the *Building Code*;

BYLAW 1468 '*Floor Area*' means the area on any storey of a building measured to the outermost surface of the exterior walls, and includes the space occupied by interior walls and partitions;

'*District*' means the *District* of North Saanich as incorporated under the Act or the geographical area within its boundaries, as the context requires;

'*Land Surveyor*' means a British Columbia *Land Surveyor*, someone who is a member in good standing in the Corporation of British Columbia *Land Surveyors*.

'*Medical Health Officer*' means the *person* appointed to that position under the Health Act;

'*Municipality*' means those lands, including the surface of water and airspace, which comprise the *District* of North Saanich;

'*permit*' means permission or authorization in writing by the Building Inspector under this Bylaw to perform work regulated by this Bylaw;

'*person*' means a natural *person*, his heirs, executors, administrators, or assigns, and a firm, corporation, municipal or quasi-municipal corporation, school board, hospital board or other government or government agency, and the singular

includes the plural, and the male includes the female;

BYLAW 1386 'retaining wall' means a wall designed and used to hold secure or intact or to support existing ground or imported fill materials located against it;

BYLAW 1386 'structure' includes anything that is placed, constructed, sunk into, erected, moved, or sited on land or water, including a shipping container, wharf, float, buoy, bridge, swimming pool, ramp, staircase, retaining wall, camping space, hard landscaping, and improvements accessory to the principal permitted use of land, but specifically excludes:

- soft landscaping,
- paving improvements,
- retaining walls under 1 meter (3.28 ft.) in height,
- arbours for plants and produce,
- signs under 1 meter (3.28 ft.) in height,
- fences under 2 meter (6.56 ft.) in height; and
- poultry coops established in accordance with the Animal Control Bylaw;

'swimming pool' means any structure or constructed depression used or intended to be used for swimming, bathing, wading, diving or other recreational purposes which is designed to contain water and has a surface area exceeding 15 square metres (150 sq. ft.) to a depth exceeding 1.0 metres (39 inches)

'value' means the fair market value including materials and labour.

Duty of Care

1.4 This Bylaw does not create any duty of care whatsoever on the *District*, the *Council* members, the *Building Official*, or any employees or agents of the *District* in respect of:

- (a) the issuance of a permit under this Bylaw;
- (b) the review of the drawings, plans and specifications;
- (c) inspections made by the *Building Official* or failure to make such inspections; or
- (d) the enforcement or failure to enforce the current edition of the *Building Code* or the provisions of this Bylaw.

Cause of Action

1.5 Neither a failure to administer or enforce, or the incomplete or inadequate administration or enforcement, of the *Building Code* or the provisions of this Bylaw, nor any error, omission or other neglect in relation to the issuance of a permit under this Bylaw, the review of the drawings, plans and specifications, or inspections made by the *Building Official*, shall give rise to a cause of action in favor of any person whomsoever, including the owner.

Warranty or Representation

- 1.6 Neither the issuance of a permit under this Bylaw, the review of the drawings, plans and specifications, nor inspections made by the Building Inspector, shall in any way constitute a representation, warranty or statement that the *Building Code* or this Bylaw has been complied with and no *person* shall rely on any of the above listed matters as establishing compliance with the *Building Code* or this Bylaw.

Owner's Responsibility

- 1.7.1 It shall be the full responsibility of the owner or his agent to ensure all construction complies the *Building Code*, this Bylaw, this bylaw, all other bylaws of the *District* and other applicable enactments respecting safety. Neither the issuance of a permit under this Bylaw, the review of drawings, plans and specifications, nor inspections made by the *Building Official*, shall relieve the owner or his agent from this responsibility.
- 1.7.2 Before construction commences all owner(s) shall satisfy themselves that the building site is safe and will not be affected by flooding water caused by surface run-off or otherwise, or by other hazards.

Administrative Directions

- 1.8 Words defining the responsibilities and authority of the *Building Official* shall be construed to be internal administrative directions and not as creating a duty.

Part 2**PROHIBITIONS**

Conformity with *Building Code* and Building and Plumbing Bylaw

- 2.1 (a) No *building* or *structure*, or part of a *building* or *structure*, shall be constructed or demolished except in accordance with the requirements of the *Building Code* and of this Bylaw.
- (b) Section 2.1(a) of this Bylaw applies whether or not in any case it is expressly stated that the doing of or failure to do the thing mentioned shall be unlawful.

Requirement for Permit

- 2.2 Every person shall apply for and obtain:
- 2.2.1 A building permit before constructing, repairing or altering a building or structure;
 - 2.2.2 A building move permit before moving a building or structure;
 - 2.2.3 A demolition permit before demolishing a building or structure;
 - 2.2.4 A fireplace or chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid building permit;
 - 2.2.5 A plumbing permit before installing any plumbing installations; and
 - 2.2.6 A sign permit before installing any sign.

Construction and Occupancy

- 2.3 The requirements of the *Building Code* and of this Bylaw shall apply to the *construction* or demolition and the use and occupancy of a *building* or *structure*.

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- 2.4 **REPEALED**

General Prohibitions

2.5 No person shall:

- (a) unless authorized by the *Building Official*, reverse, alter, deface, cover, remove or in any way tamper with any notice or certificate posted upon or affixed to any building pursuant to any provision of this Bylaw;
- (b) do any work that is at variance with the description, plans or specifications for the building, *structure*, work or thing for which a permit has been issued, unless such change has been reviewed by the *Building Official* and the *Building Official* has authorized the change;
- (c) interfere with or obstruct the entry of the *Building Official* or his representatives authorized under this Bylaw who are acting in the conduct of administration and enforcement of this Bylaw;
- (d) erase, alter or modify any drawings or specifications after the same have been reviewed by the *Building Official*, or any drawings or specifications which have been filed for reference with the *Building Official* after the permit has been issued;
- (e) submit false or misleading information in relation to an application for a permit under this Bylaw; or
- (f) repair a building damaged by fire, decay, storm or otherwise to an extent greater than 75% of its *value* above its foundations unless in every respect the entire building is made to comply with the *Building Code* subject to the provisions of this Bylaw;
- (g) occupy or permit occupancy of any building or part thereof hereafter erected until the *Building Official* has issued an occupancy certificate for it, provided that subject to the provisions of this bylaw and upon request of the holder of a permit or the owner, the *Building Official* may issue a provisional occupancy certificate or a part thereof to a building;
- (h) *construct* on a parcel unless the civic address is conspicuously posted on the front of the premises or on a sign post so that it may be easily read from the public highway.

Part 3**THE BUILDING OFFICIAL**

Administration of Bylaw

3.1 The *Building Official* may:

- (a) keep records of applications received, permits and orders issued, inspections and tests made, and retain copies of all papers and documents connected with the administration of this Bylaw; and
- (b) establish whether any method or type of *construction* or material used in the *construction* of any building conforms with the requirements and provisions of the *Building Code*.

Any records, paper or documents kept by the *Building Official* are the property of the *District* and shall not be available for public viewing without the consent of the *Building Official* unless consent by resolution is obtained from the *Council*.

Issuance of Permits

3.2.1 The *Building Official* may issue a permit where he is satisfied that the work which is the subject of a permit application will conform to the requirements of this Bylaw, and the requirements of Section 5.1 to Section 5.5 and Sections 5.8 and 5.9 inclusive of this bylaw have been satisfied.

3.2.2 A building permit or plumbing permit, or both, is required prior to the commencement of work whenever work regulated by this bylaw is to be undertaken.

3.2.3 In addition to the permits required in Section 3, chimney, fireplace and solid fuel burning appliance permits are required, prior to commencement of work.

Refusal to Issue Permit

3.3.1 The *Building Official* may refuse to issue a permit whenever:

- (a) information that is submitted is inadequate to determine compliance with the provisions of this bylaw;
- (b) incorrect information is submitted;
- (c) it would authorize any building work or occupancy that would not be permitted by this bylaw;
- (d) the proposed work does not comply with the Building Code, a *District* bylaw or a statute; or

- (e) the proposed work will contravene a restrictive covenant, statutory right-of-way or easement registered in favour of the *District*.

3.3.2 The *Building Official* may refuse to issue a permit where the applicant has been notified of a violation of this Bylaw with regard to the *construction* of another building or part thereof for which a permit has or has not been, issued to him and such violation has not been remedied.

Correction Notice

3.4 The *Building Official* may order, in writing, the correction of any work which is in contravention of this bylaw.

Cessation of Work

3.5 The *Building Official* may in writing order the cessation of work which is proceeding in contravention of this bylaw, and he may authorize in writing the continuance of the work after corrections have been completed.

Revocation of Permit

3.6.1 The *Building Official* may revoke a permit when:

- (a) there is a contravention of any condition under which the permit was issued;
- (b) construction is at variance with the permit drawings;
- (c) the permit was issued in error;
- (d) the permit was issued on the basis of incorrect information;
- (e) all permits required under this bylaw have not been obtained; or
- (e) the results of tests on materials, devices, *construction* methods, structural assemblies or foundation conditions contravene the *Building Code* or the provisions of this Bylaw or both.

3.6.2. The permit revocation shall be in writing and shall be transmitted to the permit holder by registered mail or personal service.

Conformity to *Building Code*

3.7 The *Building Official* may establish or require the owner to establish whether any method or type of *construction* or material used in the *construction* of a building conforms to the requirements of the *Building Code*.

Right of Entry

3.8 *A Building Official:*

- 3.8.1 may enter any land, building, structure or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw are being observed;
- 3.8.2 where the residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant twenty-four (24) hours in advance of entry; and
- 3.8.3 shall carry proper credentials confirming his or her status as a *Building Official*.

Public Property

- 3.9.1 Every owner is responsible for the cost of repair of any damage to public property or works that results from any work done on the owner's property.

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- 3.9.2 Every owner shall, on issuance of a Building Permit for projects valued at \$10,000.00 or more, deposit with the Director of Planning & Community Services, a sum of money to secure payment for injury to, destruction, defacement, disturbance or deposit on or in *District* property, installations, roads and accesses, caused by any work done under such permit or by any person doing the work. Such a deposit shall be as stated in Schedule A. The Director of Planning & Community Services shall apply the deposit toward making good any such injury, destruction, defacement or disturbance to *District* property and cleaning of *District* property. The deposit is refundable after all the required inspections on the project have been completed to the satisfaction of the Director of Planning & Community Services and the Director of Infrastructure Services is satisfied that there has been no injury to, destruction, defacement, disturbance or deposit on or in *District* property, installations, roads or accesses.

Part 4**MUNICIPAL AND UTILITY SERVICES**

Road, Access, Sewerage and Water

- 4.1 Notwithstanding the regulations hereinafter contained, the *Building Official* may refuse to issue a building permit for the *construction* of a building unless:
- (a) a road is constructed for the full frontage of the property to the service level prescribed in the current subdivision bylaws of the *District*;
 - (b) vehicular access is provided to the parcel upon which the building is to be placed or constructed;
 - (c) the parcel is serviced to the parcel line by a municipal sanitary sewer system or has been approved for the installation of an alternative disposal system;
 - (d) the applicant obtains approval for the *construction*/alteration of a sanitary disposal field from the *Medical Health Officer* or his representatives prior to the issuance of such *Building Permit*;
 - (e) a watermain is extended for the full frontage of the parcel at no expense to the *District* of North Saanich; and
 - (f) the parcel is serviced to the parcel line from a municipal water distribution system or other approved source of sufficient size and capacity to supply potable water and water for fire protection.

Part 5**BUILDING PERMITS**

Requirements and Exemptions

- 5.1.1 It shall be the responsibility of the owner or his agent to make application for and obtain a building permit prior to commencement of any *construction*.
- 5.1.2 No *construction* shall commence or continue unless a building permit for the work has been issued by the *Building Official*, except as follows:
- (a) not more than one storage building per parcel not exceeding a total of ten (10) square metres (107 square feet) in building area, in respect of which there are no mechanical services;
 - (b) temporary on-site *construction* trailers for projects being constructed under valid permits;

provided that they comply with all applicable bylaws and regulations.

Separate Application for Each Building

- 5.2 Subject to Section 5.3 of this Bylaw, each building to be constructed on a parcel shall be the subject of a separate building permit application and building permit, and shall be assessed a separate building permit fee based on the *value* of the building.

Permit Phasing

- 5.3 The *Building Official* may issue a building permit for the *construction* of a phase of a building before the entire plans and specifications for the whole building have been submitted or reviewed, provided that adequate information and detailed statements have been filed complying with all pertinent requirements of this Bylaw. The issuance of the permit notwithstanding, the requirements of this Bylaw apply to the remainder of the building, as if the permit had not been issued.

Form of Application

- 5.4 Applications for building permits filed with the *Building Official* shall:
- (a) be made in the form prescribed by the *Building Official*;
 - (b) be signed by the *owner* or his agent or by a signing officer if the *owner* is a corporation;

- (c) state the intended use or uses of the building or *structure*;
- (d) include a minimum of two complete sets of the specifications and plans at a suitable scale of the design with the following information:
 - (i) the dimensions and the north point of the building or *structure*;
 - (ii) the dimensions of the property on which the building or *structure* is, or is to be, situated;
 - (iii) floor plans showing the dimensions and uses of all areas, the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
 - (iv) a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
 - (v) elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - (vi) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*;

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- (vii) a foundation design prepared by a *registered professional* in accordance with section 4.2 of Part 4 of the *Building Code* if required by the *Building Code*;

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- (viii) the legal description and civic address of the parcel;
- (ix) the location and dimensions of all statutory rights of ways, easements and setback requirements;
- (x) setbacks to the natural boundary of any lake, swamp, pond, watercourse, or marine shoreline where the *District's* land use regulations establish siting requirements related to flooding;
- (xi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the *District's* land use regulations establish siting requirements related to minimum floor elevations;
- (xii) the location, dimension and gradient of parking and driveway

access;

(xiii) the grades and elevations of the streets and sewers abutting the land, when required by the *Building Official*;

(xiv) the positions, heights and horizontal dimensions of all *buildings* on the land;

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(xv) a survey of the building site, including existing grades at the proposed building site and proposed setbacks, prepared by a British Columbia *Land Surveyor*, if required by the *Building Official*;

(xvi) the technical information specified in other parts of this Bylaw required to be included in the application;

(xvii) other information necessary to illustrate all essential features of the design of the building;

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(e) be accompanied by letters of assurance in the form of Schedule B referred to in Subsection 2.2.7 Division C of the *Building Code*, signed by the *registered professional*;

(f) be accompanied by copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;

(g) be accompanied by the owner's acknowledgement of responsibility and undertakings made in the form attached as Schedule "C" to this bylaw, signed by the owner, or a signing officer if the owner is a corporation;

(h) include a copy of a title search made within thirty days of the date of the application;

(i) contain any other information necessary to satisfy the *Building Official* that the proposed building or *structure* complies with all relevant municipal bylaws; and

(j) for any renovation or demolition of a building constructed prior to 1990, be accompanied by a Hazardous Materials Assessment and

BYLAW 1235

Abatement report prepared by a qualified professional.

Additional Requirements for Complex Projects

BYLAW 1386

5.5 In addition to the requirements of section 5.4, the following may be required by a *building official* to be submitted with a building permit application for the construction of a *building* where the services of registered professionals are required by the Architects Act of BC or the British Columbia Building Code for the design and review of the *building* or *structure*, or otherwise where the complexity of the proposed *building* or *structure* or siting circumstances warrant:

5.5.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the District's Subdivision and Development Control bylaw;

5.5.2 a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;

5.5.3 a roof plan and roof height calculations;

5.5.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;

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5.5.5 letters of assurance in the form of Schedule B referred to in Subsection 2.2.7 Division C of the *Building Code*, signed by the *registered professional*; and

5.5.6 any other information required by the *building official* or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.

Site Plans For Renovations

5.6 The *Building Official* may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.

Applications for Cross Connection Control Devices

5.7 An application for installation of a cross connection control device shall be made on the building permit application form as prescribed by the *Building Official*.

Applications for Signs

5.8 An application for a sign permit shall be made on the building permit application form as prescribed by the *Building Official*.

Plan Processing Fee

- 5.9.1 An application for a building permit shall be accompanied by the appropriate plan processing fee as set out in Schedule “A” attached hereto and forming part of this Bylaw.
- 5.9.2 A plan processing fee shall be a credit towards the building permit fee levied at the time of permit issuance.
- 5.9.3 A plan processing fee is non-refundable, and shall be forfeited and the application cancelled if the building permit has not been secured and entirely paid for within thirty days of notification that the permit is ready for issuance.
- 5.9.4 When an application has been cancelled, the plans and related documents submitted with the application may be destroyed.

Building Permit Fee

- 5.10.1 Before receiving a building permit for any building or *structure*, the owner or his agent shall first pay to the *Building Official* the appropriate building permit fee as set out in Schedule “A” attached hereto and forming part of this Bylaw.
- 5.10.2 No fee or part of a fee paid to the *District* shall be refunded if a start has been made on the *construction* of the building.
- 5.10.3 A building permit fee may be partially refunded as set out in Schedule “A” attached hereto and forming part of this Bylaw, provided that the owner or his agent has submitted a written request for a refund, the building Inspector has certified that work has not been commenced, and the permit has not expired.

Issuance of Permit

5.11.1 If the *Building Official* is satisfied that:

- (a) A complete application including all required supporting documentation has been submitted
- (b) The proposed work set out in the application substantially conforms with the *Building Code*, this bylaw and all other relevant bylaws of the *District*,
- (c) The owner or the owner’s agent has paid all applicable fees set out in Schedule “A” of this bylaw;
- (d) The owner or the owner’s agent has paid all charges and met all other requirements imposed by any other enactment or bylaw;
- (e) No enactment, covenant, agreement, regulation, in favour or, or

- regulation of the District authorized the permit to be withheld;
- (f) The owner has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*; and
 - (g) The owner has retained an architect if required by the provisions of the *Architects Act*,

the Building Official may issue a building permit to the owner or to his agent.

- 5.11.2 When the application is in respect of a *building* that includes, or will include, a *residential occupancy*, the building permit must not be issued unless the *owner* provides evidence pursuant to section 30 (1) of the *Homeowner Protection Act* that the proposed *building* is covered by home warranty insurance, and the constructor is a licensed residential builder.

BYLAW 1386

- 5.11.3 Section 5.11.2 of this bylaw does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20 (1) or 30 (1) of the *Homeowner Protection Act*. If exempt from home warranty insurance requirements the applicant or owner must provide copy of the owner builder authorization issued pursuant to 20 (1) of the *Homeowner Protection Act*.

Conditions of a Building Permit

- 5.12.1 After issuance of the building permit, the applicant shall post a notice as issued by the *Building Official* in a place open to public viewing on the parcel for which the building permit has been issued.
- 5.12.2 The applicant shall keep a copy of the reviewed drawings and specifications on the parcel for which the building permit has been issued.
- 5.12.3 A building permit or an application for a building permit that is in process shall not be transferred or assigned until the applicant has notified the *Building Official* in writing who has authorized the transfer or assigned, and the applicant has paid the fee required under Schedule "A".
- 5.12.4 The review of drawings and specifications and the issuance of a permit shall not prevent the *Building Official* from thereafter requiring the correction of errors in the said drawings and specifications, or from prohibiting building *construction* or occupancy being carried on when in violation of this or any other bylaw.

Expiry of Permit

5.13.1 A building permit shall expire if:

- (a) *construction* pursuant to the permit is not commenced by required inspection within six months of the date of issuance;
- (b) *construction* is discontinued or suspended for a period of more than one year from the date of the last inspection by the *Building Official*;
- (c) A period of more than one year from the date of the last inspection by the *Building Official* passes without another inspection by the *Building Official* regardless of whether or not there has been *construction* during that period;
- (d) the building has not been completed at the end of a 24 month period following permit issuance; or
- (e) an extension has not been granted.

5.13.2 In order to complete a project, where a permit has expired, a new permit must be obtained and new permit fee paid based on the value of the work remaining.

Extension Before Expiry Date

BYLAW 1241

5.14 A building permit may be extended one time only before it has expired for a period of not greater than one year from the date of expiry providing that:

- (a) application in writing for the extension is made at least thirty days prior to the date of expiry;
- (b) no other extension to the building permit has been given; and
- (c) a Permit Extension Fee as set out in Schedule "A" has been paid.

Extension After Expiry Date

5.15.1 A building permit which has expired before *construction* has been started may be extended for a period of not greater than one year from the date of expiry provided that:

- (a) application in writing for the extension is made within thirty days of the date of expiry; and
- (b) a Permit Extension Fee as set out in Schedule "A" has been paid.

- 5.15.2 A building permit which has expired after *construction* has started may be extended for a period of not greater than one year from the date of expiry providing that:
- (a) an application in writing for the extension is made within thirty days of the date of expiry; and
 - (b) a Permit Renewal Fee as set out in Schedule "A" has been paid.

Changes By Permit Holder

- 5.16.1 No *construction* which is at variance with the description, plans or specifications for a building or *structure* for which a building permit has been issued shall take place, unless such change has been reviewed by the *Building Official*.
- 5.16.2 Neither the granting of a building permit nor the review of the relevant drawings and specifications nor inspections made by the *Building Official* shall in any way relieve the owner or his agent from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of the *Building Code* and all relevant bylaws of the *District*.

Requirement for *Registered Professional*

- 5.17.1
- a) Notwithstanding any other provision contained in this bylaw, the *Building Official* may require as a condition precedent to the issuance of a building permit that all drawings, specifications and plot plans, or any part thereof, be prepared, sealed and signed by and the *construction* carried out under the supervision of a *Registered Professional* where pursuant to the authority of an enactment he determines that the site conditions, size or complexity of the proposed work warrant this requirement.
 - (b) The *Building Official* may also require the *Registered Professional* to confirm in writing that he has prepared his submissions in accordance with the *Building Code*, and further to sign an undertaking that he will be responsible for the supervision of *construction* to completion.
 - (c) The *Building Official* may also require the *Registered Professional* to submit Letters of Assurance and "Structural Design" and "*Field Review*", Assurance of "*Field Review*", and "Compliance" and "Site Soil Improvement Certification," which Schedules are provided in the British Columbia *Building Code*.

- (d) *Registered Professional* shall ensure that the plans, specifications, drawings and related documents submitted with the application for a building permit conform substantially with the *Building Code* and other applicable safety enactments and their commitment for field review.

BYLAW 1241

5.17.2 Prior to the issuance of an occupancy permit, for cases described in Section 5.17.1, the owner shall submit Letters of Assurance in the form set out in the British Columbia *Building Code* and forming part of this Bylaw incorporating the assurances of *Registered Professional* that:

- (a) the professional *field review* has been completed for all the applicable disciplines, and
- (b) the *construction* of the project substantially conforms with the plans, specifications and related documents for which the building permit was issued.

5.17.3 Where the *Building Official* determines that the site conditions so warrant, he may require that the owner submit a Letter of Assurance in the form as set in the British Columbia *Building Code* and forming part of this Bylaw incorporating the assurance of a *Registered Professional* in the applicable discipline that he has carried out a subsurface investigation of the site.

BYLAW 1241**BYLAW 1386**

5.17.4 The letters of assurance in the form of Schedule B referred to in Subsection 2.2.7 Division C of the *Building Code* and provided pursuant to sections 5.17.1, 5.17.2, 5.17.3 of this bylaw are relied upon by the *District* and its *Building Officials* as certification that the design and plans to which the letters of assurance relate comply with the *Building Code* and other applicable enactments relating to safety.

BYLAW 1386

5.17.5 A building permit issued pursuant to section 5.17.1 of this bylaw shall include a notice to the *owner* that the building permit is issued in reliance upon the certification of the *registered professionals* that the design and plans submitted in support of the application for the building permit comply with the *Building Code* and other applicable enactments relating to safety.

Professional Design and *Field Review*

BYLAW 1386

5.18.1 When a *Building Official* considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a *registered professional* provide design and plan

certification and *field review* by means of letters of assurance in the form of Schedule B referred to in Subsection 2.2.7 Division C of the *Building Code*.

BYLAW 1386

- 5.18.2 Prior to the issuance of an occupancy permit for a *building* in circumstances where letters of assurance have been required in accordance with this bylaw, the *owner* shall provide the *District* with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in the *Building Code*.
- 5.18.3 When a *registered professional* provides letters of assurance in accordance with this bylaw, he or she shall also provide proof of professional liability insurance to the *Building Official* on Schedule "D" attached to and forming part of this bylaw.

Retaining Walls**BYLAW 1386**

- 5.19 A *registered professional* shall undertake the design and conduct *field reviews* of the construction of a retaining wall greater than 1 meter in height. Sealed copies of the design plan and *field review* reports prepared by the *registered professional* for all retaining walls greater than 1 meter in height shall be submitted to a *Building Official* prior to acceptance of the works. Height of *retaining walls*, for the purpose of this bylaw, is the vertical distance between finished grades on each side of the *retaining wall*.

Release from Liability

- 5.20.1 Notwithstanding any other provision in this bylaw, a *Building Official* shall require as a condition of the issuance of a building permit that the owner execute and submit to the *District* a release in the form set out in Schedule "C" attached hereto and forming part of this bylaw.
- 5.20.2 Neither the issuance of a permit under this bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a *Building Official*, shall constitute a representation or warranty that the *Building Code* or the bylaw have been complied with or the *building* or *structure* meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the *Building Code* or this bylaw or any standard of construction.

Climatic Data/Seismic Data**BYLAW 1386**

- 5.21 Climatic data for the design of buildings shall be the data for Sidney in Table C-2 in division B – Appendix C of the British Columbia Building Code or Schedule B of this bylaw, whichever specifies the highest standard.

Part 6**FOUNDATIONS**

Survey Certificate

- 6.1.1 The owner shall, after the foundation of the principal building has been placed and prior to constructing any portion of the building on the foundation shall submit to the Building Inspector for his review a plan of non-encroachment prepared by a British Columbia *Land Surveyor* showing:
- (a) the shortest distances from the surfaces of the foundation to all parcel lines;
 - (b) sufficient spot elevations in the front and rear yards to establish the average grade of the site;
 - (c) sufficient spot elevations of the centre line of all roads abutting the parcel or lot to establish the average elevation of the road; and
 - (d) an elevation of the top of the finished concrete walls or in the case of a dwelling constructed on a concrete slab an elevation at the top of the concrete slab.
- 6.1.2 Accessory *buildings* and additions to existing *buildings* will require a survey certificate as required by the *Building Official*.
- 6.1.3 All elevations shall be measured from geodetic datum.

Part 7**TEMPORARY BUILDINGS**

Issuance of Permit

- 7.1 Subject to the bylaws of the *District* and orders of the *Council*, the Building Inspector may issue a building permit for the erection or placement of a temporary *building*, or *structure* for a temporary occupancy provided the:
- (a) permit shall be for a period not exceeding twelve months unless determined otherwise by a building inspector; and
 - (b) *building* or *structure* is located in compliance with zoning bylaw regulations, is built (where applicable) in compliance with the *Building Code*, and is connected as required to municipal utility services.

Permit Application

- 7.2 The application for a building permit for the erection or placement of a temporary *building* or *structure* shall be made in the form prescribed by the *Building Official*, shall be signed by the owner or his agent, and shall be accompanied by:
- (a) plans showing the location of the *building* or *structure* on the site;
 - (b) plans showing *construction* details of the *building* or *structure*; and
 - (c) a statement by the owner or his agent indicating the intended use and duration of the use.

Permit Fee**BYLAW 1241**

- 7.3.1 Before receiving a building permit for a temporary *building* or *structure*, the owner or his agent shall first pay to the *Building Official* the appropriate *building* permit fee as set out in Schedule A attached to and forming part of this Bylaw.
- 7.3.2 Permit fees for temporary *buildings* are not refundable.

Part 8**PLUMBING, DRAINAGE AND SEWER**

Inspection Chamber

- 8.1 Except where an inspection chamber conforming to "Subdivision and Development Control Bylaw No. 246" or any successor bylaw exists, every connection to a sanitary sewer or storm sewer service shall be fitted at the property line with an inspection chamber.

Sewer Connections

- 8.2 All sewer connections to municipal mains or laterals on municipal property or rights-of-way are to be made by municipal crews only unless express permission in writing is given by the Director of Infrastructure Services. No private individual or contractor shall be permitted to excavate on a municipal road allowance or sewer right-of-way for the purpose of installing or cleaning a sewer house connection. No excavations for installation or maintenance of ditches or storm drains and connections on a municipal road allowance or drain right-of-way shall be permitted without a permit to work in the road allowance from the Director of Infrastructure Services.

Site Servicing

- 8.3 Except where specifically required by the Director of Infrastructure Services and where proper legal right-of-way or easement has been obtained and such plans are approved by the Director of Infrastructure Services, no plumbing system, drainage system, house sewer, private sewage disposal system or parts thereof, shall be located in any lot other than the lot that is the site of the building, structure, or premises served by such facilities.

Requirements for Capping Services

- 8.4 Where a building is deconstructed, demolished or removed from its site, the sanitary sewer and storm drain connections shall be provided with a water tight cap or plug at the property line and the location marked as required by the Director of Infrastructure Services. Water connections shall be terminated at the curb stop at property line. Such cappings or removals shall be performed only by Municipal employees at fees for

actual costs. At the time of Building Permit for new construction when the services must be upgraded for the new construction, the existing sanitary and storm services will be capped at the main and the water service abandoned at the main stop.

Provision For Future Installations

- 8.5 When provision is made for the future installation of fixtures, they shall be included in calculating the required sizes of drain pipes. Construction to provide for such future installations shall be terminated with a plugged fitting or fittings and shall be vented as required by this bylaw.

Compliance with Subdivision and Development Control Bylaw

- 8.6 The installation of underground water, sewer and drain systems on private property from the exterior of a building to the property line in respect of developments other than single family dwellings shall, in addition to complying with the Building Code, comply with the specifications set out in the "Subdivision and Development Control Bylaw No. 246" or any successor bylaw for such systems within subdivisions.

Decommission of Septic Systems

- 8.7 Within thirty (30) days of the completion of a sewer connection, an existing septic tank on property shall be removed or shall be completely pumped out, have the bottom of the tank compromised to prevent the accumulation of water and filled with sand or gravel to the satisfaction of the *Building Official*. The septic tank pumpage shall be disposed of in an approved manner.

Fire Hydrant Requirements

- 8.8.1 Fire hydrants on private property shall be 150 mm, tested for a working pressure of 1725 kPa and having one 148 mm pumper port and two 65 mm hose ports set diagonally.
- 8.8.2 The ports are to be threaded to the B.C. Standard and provided with caps.
- 8.8.3 The pumper port must have a Storz fitting.
- 8.8.4 The operating nut is to be pentagonal with 25 mm sides turning counter-clockwise to open and the port caps shall have matching nuts.
- 8.8.5 A drain valve shall be incorporated in the base of the hydrant.

- 8.8.6 There shall be a gate valve installed to isolate the fire hydrant for maintenance.
- 8.8.7 Approximately 0.4 cubic metres of coarse gravel shall be placed around the base of the hydrant to facilitate drainage.

Testing Requirements

- 8.9.1 Where a plumbing permit is required, the system shall not be put into use until it has been reviewed and tested to the satisfaction of the *Building Official*.
- 8.9.2 The plumbing contractor shall notify the *Building Official* when the work is complete and ready to be reviewed or tested.
- 8.9.3 The plumbing contractor shall furnish any equipment, material, power or labour that is necessary for inspection or testing.
- 8.9.4 If any part of a plumbing system is covered before it has been reviewed and accepted by the *Building Official*, it shall be uncovered if the *Building Official* so directs.
- 8.9.5 If any part of a plumbing system is not accepted by the *Building Official* after it has been reviewed or tested, the owner or plumbing contractor shall make any alteration or replacement that is necessary, and the work shall be subjected to further inspection or testing.
- 8.9.6 The *Building Official* may inspect an existing plumbing system and, where there is reason to suspect that the system is not satisfactory, order it to be tested.
- 8.9.7 If any part of the system has become or is in a condition that it may become dangerous or injurious to health, the owner shall make any alteration or replacement ordered in writing by the *Building Official*.

Cross Connection Control

- 8.16 The design, selection and installation of new Backflow Preventers along with the maintenance and field testing of new and existing Backflow Preventers shall conform to the BC Building Code and shall comply with Capital Regional District Cross Connection Control Program Policies, Procedures and Specifications.
- 8.17 The owner of the property on which a backflow preventer is installed shall maintain, repair and field test the backflow preventer, as required by the

Building Code and the Capital Regional District's Cross-Connection Control Bylaw.

- 8.18 The owner shall submit test reports from the initial field test carried out under the CSA Standard to the *Building Official* no later than thirty (30) days following completion of the test. All subsequent tests shall be submitted to the Capital Regional District in accordance with its Cross Connection Control Bylaw.

Part 9**SWIMMING POOLS**

Siting

- 9.1 A *swimming pool* shall be sited no closer to a parcel line than the zoning bylaw permits.

Fencing

- 9.2.1 *Swimming pools* greater than 1 m deep and with a surface area more than 15 m², used or intended to be used for swimming, bathing or wading, shall be enclosed within a sturdy fence not less than 1.22 m in height with no openings greater than 100 mm in their least dimension and so that no member, attachment, or opening located between 100 mm and 900 mm above ground level will facilitate climbing or crawling into the pool area, except heavy gauge chain link fencing with a maximum opening size of 35 mm square may be considered acceptable for this purpose.
- 9.2.2 Where it is desired to tie the fence into a *building*, the *building* may be considered as part of the fence provided it has an exterior wall at least as high as the fence.

Self-Closing Gate

- 9.3 The fence described in section 9.2 shall:
- a) enclose the pool itself or any portion of the premises on which the pool is situated;
 - b) enclose only the pool area provided the pool is open to full view through the fence; and
 - c) be continuous except for points of access which shall be equipped with a self closing gate, so designed as to cause the gate to return to a locked position when not in use, and be secured by a spring lock located not less than 1070 mm above grade which can only be opened from the *swimming pool* side of the fence.

Water Supply

- 9.4 No pool, designed to be supplied with water direct from the domestic water supply shall have any water inlet below the flood level of the pool unless protected by an approved cross connection control device.

Discharge

- 9.5.1 Swimming pool waste water shall discharge into a sanitary sewer where available.
- 9.5.2 Waste water from a swimming pool may be used for irrigation unless it would cause a nuisance or unsanitary condition.
- 9.5.3 For areas not served by sanitary sewer, the method of waste water disposal shall be approved by the Director of Infrastructure Services.

Relief Valve System

- 9.6 For pools constructed below the surrounding grade, a relief valve system is required to be installed to prevent damage to an empty pool should the ground water table rise above the level of the base of the pool.

Owner's Responsibility

- 9.7 The enclosure, protection and sanitation of private swimming pools shall be the responsibility of the owner of the property.

Public Swimming Pools

- 9.8 Public swimming pools, in addition to being required to meet the terms of this Bylaw, are to comply with applicable Provincial regulations.

BYLAW 1468**Part 10****ENERGY STEP CODE**Energy Step Code requirements

- 10.1 *Buildings regulated by Part 3 and Part 9 of the Building Code must be designed and constructed in compliance with the applicable step of the Energy Step Code, as set out in the schedule below:*

	Effective as of January 1st, 2019 to December 31, 2019	Effective as of January 1, 2020
Part 3 Building	All <i>buildings</i> regulated by Part 3 of the <i>Building Code</i> must be designed and constructed to meet the applicable minimum performance requirements specified in Step 1 of the <i>Energy Step Code</i> .	All <i>buildings</i> regulated by Part 3 of the <i>Building Code</i> must be designed and constructed to meet the applicable minimum performance requirements specified in Step 3 of the <i>Energy Step Code</i> .
Part 9 Building (floor area greater than 92 m²)	All <i>Buildings</i> regulated by Part 9 of the <i>Building Code</i> , that have a floor area greater than 92 square meters, must be designed and constructed to meet the minimum applicable performance requirements specified in Step 1 of the <i>Energy Step Code</i> .	All <i>Buildings</i> regulated by Part 9 of the <i>Building Code</i> , that have a floor area greater than 92 square meters, must be designed and constructed to meet the minimum applicable performance requirements specified in Step 3 of the <i>Energy Step Code</i> .
Part 9 Building (floor area less than or equal to 92 m²)	All <i>buildings</i> regulated by Part 9 of the <i>Building Code</i> , that have a floor area less than or equal to 92 square meters, must be designed and constructed to meet the minimum applicable performance requirements specified in Step 1 of the <i>Energy Step Code</i> .	All <i>buildings</i> regulated by Part 9 of the <i>Building Code</i> , that have a floor area less than or equal to 92 square meters, must be designed and constructed to meet the minimum applicable performance requirements specified in Step 2 of the <i>Energy Step Code</i> .

PART 11**BYLAW 1468****DEMOLITION**

Clearing of Site**BYLAW 1386**

- 11.1 Following the commencement of demolition or *deconstruction*, the permit holder must ensure that demolition or *deconstruction* is completed and the site cleared within:
- (a) twenty-eight (28) calendar days with any building with a total floor area equal to or less than 100 square metres or 90 days for *deconstruction*.
 - (b) thirty-five (35) calendar days for buildings with a total floor area greater than 100 square metres or 120 days for *deconstruction*.

Demolition Agreement

- 11.2 Where an owner wishes to continue to use an existing dwelling as a residence while constructing another dwelling on the same parcel, he shall enter into an agreement with the *District* undertaking to deposit a performance bond in the form of a certified cheque or a letter of credit in the amount of twenty-five thousand dollars (\$25,000.00) to guarantee the completion of the work specified in this Agreement; and:
- (a) remove the existing dwelling upon completion of the new dwelling within 30 days of Occupancy of the new dwelling; or
 - (b) convert the existing dwelling to a non-residential use that complies with the Zoning Bylaw.

Burning Request

- 11.3 All requests to demolish a building by burning must be reviewed by the Fire Chief and in accordance with the Fire Prevention and Regulation Bylaw.

Part 12
BYLAW 1468

***BUILDING* MOVE**

Permit Application and Fee

- 12.1.1 No *person* shall move a *building* or *structure* into or within the *Municipality* without first making an application on the prescribed form, obtaining an inspection and paying the appropriate inspection fee set out in Schedule A attached to and forming part of this bylaw.
- 12.1.2 Inspection fees for *building* moves are not refundable.
- 12.1.3 The owner shall deposit a performance bond in the form of a certified cheque or a letter of credit in the amount of ten thousand dollars (\$10,000.00) to guarantee the completion of the work.
- 12.1.4 On receiving permission to move a *building*, a building permit is required prior to any move

Additional Requirements

- 12.2.1 The *building* shall comply in all aspects with the requirements of this Bylaw.
- 12.2.2 If the *building* to be moved is a dwelling, its assessed *value* shall be equivalent to or greater than the current median assessed *value* of the ten closest homes. In the event that an assessed *value* is not available, an appraised *value* may be submitted based on documentation prepared by a designated member of the Appraisal Institute of Canada or the Real Estate Institute of British Columbia and provided at the applicant's expense. The appraised *value* shall be based on the dwelling as if it were at its proposed location.
- 12.2.3 The floor area of the dwelling to be moved shall be equal to or greater than the minimum floor area required by Bylaw for the property to which it is to be moved.
- 12.2.4 When a building structure is raised to accommodate a basement or when a building structure is relocated to another foundation site, then the existing chimney and fireplace unit is to be dismantled and rebuilt. Permits for the replacement fireplace or chimney are required.

Part 13**INSPECTIONS**

Inspection Schedule**BYLAW 1386****BYLAW 1468**

13.1.1 The owner of a property or his agent shall:

- (a) prior to the commencement of any *construction*, obtain all permits required in connection with that *construction* including, without limiting the generality of the foregoing, change in occupancy classification, *swimming pools*, free standing sign *structures* greater than 1 metre (3.28 feet) in height, canopies, awnings, marquees, *buildings* to be moved, and foundations for equipment or machinery;
- (b) give at least twenty-four hours (24 hours) notice to the *Building Official* in order to obtain his inspection of the *construction* of:

BYLAW 1386

- (i) excavation, forms for the footings and foundations are complete, but prior to the placing of concrete therein;

- (ii) under slab vapour barrier/air barrier;

- (iii) perimeter drains and rain water leaders before backfilling;

- (iv) sanitary, storm and water services before backfilling;

- (v) plumbing rough in under test;

BYLAW 1386

- (vi) framing and exterior sheathing;

BYLAW 1473

- (vii) Built in Shower Pan

- (viii) rain screen, before exterior cladding is in place;

- (ix) insulation and vapour barrier;

BYLAW 1386

- (x) drywall, before taping for fire resistance rated applications only;

- (xi) stucco wire and paper;

BYLAW 1386

- (xii) 1st coat stucco;

- (xiii) final occupancy.

- 13.1.2 No aspect of the work referred to in section 13.1.1 of this bylaw shall be concealed until a *Building Official* has accepted the installation.

BYLAW 1386

- 13.1.3 If an owner has provided Schedule A and Schedules B referred to in Subsection 2.2.7 Division C of the Building Code in relation to a building, building official inspections described in 13.1.1(b) are not required and building officials may monitor the construction to determine whether the registered professional's field reviews are being satisfactorily performed.

Permit and Plans at Site

- 13.2 The owner of a property or his agent shall, during *construction*, keep:
- (a) posted in a conspicuous place on the property in respect of which the building permit has been issued, the building permit or a poster or placard in lieu thereof; and
 - (b) on the property at all times a set of reviewed drawings and specifications describing the work covered by the building permit.
 - (c) all correction notices posted.

Stop Work Order

- 13.3.1 A *building official* may order the cessation of any work that is proceeding in contravention of the *Building Code*, this bylaw or any bylaw of the *District* by posting a Stop Work notice in the form of Form "A" to this bylaw.
- 13.3.2 The *owner* of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a *building official*.
- 13.3.3 The owner shall within forty-eight hours (48 hours) of the posting of a notice under Section 13.3.1 secure the *construction* and the lands and premises surrounding the *construction* in compliance with the safety requirements of any statute, regulation or order of the Province or of a provincial agency.
- 13.3.4 Where a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw a *Building Official* may post a Do Not Occupy notice in the form of Form "B" to this bylaw on the affected part of the *building* or *structure*.
- 13.3.5 The *owner* of property on which a Do Not Occupy notice has been posted, and every person, shall cease *occupancy* of the *building* or *structure*

immediately and shall refrain from further *occupancy* until all applicable provisions of the *Building Code* and this bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a *Building Official*.

- 13.3.7 A Stop Work or Do Not Occupy Notice shall remain posted on the premises until that which is contrary to the regulations has been remedied to the satisfaction of the Building Official.
- 13.3.8 Subject to Section 13.3.3, no work other than the required remedial measures shall be carried out on the parcel of land affected by the Stop Work until the notice has been removed by the *Building Official*.

BYLAW 1386

BYLAW 1468

Part 14

WILDFIRE HAZARD AREAS - ***REPEALED***

Part 15
BYLAW 1468

VIOLATIONS

Violations

- 15.1 Every *person* who violates or who causes or allows to be violated any of the requirements of this Bylaw shall be guilty of an offence and each day the violation is caused or allowed to continue shall constitute a separate offence.

Penalty

- 15.2.1 Every person who contravenes any provision of this bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six months.
- 15.2.2 Every person who fails to comply with any order or notice issued by a *building official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.

Part 16**BYLAW 1468****MISCELLANEOUS**

Severability**BYLAW 1241**

- 16.1 The provisions of this bylaw are severable and the invalidity of any part of the bylaw shall not affect the validity of the remainder of this bylaw.

Repeal

- 16.2 "*District* of North Saanich Building Bylaw No. 683, 1991", and amendments thereto, are hereby repealed.

Schedules

- 16.3 Schedules "A" through "D" inclusive and Forms A and B are attached hereto and form part of this bylaw.

Citation

- 16.4 This bylaw may be cited as "*District* of North Saanich Building and Plumbing Bylaw No. 1150, 2007".

READ A FIRST TIME this 7th day of **May, 2007**.

READ A SECOND TIME 7th day of **May, 2007**.

READ A THIRD TIME 7th day of **May, 2007**.

FINALLY ADOPTED this 14th day of **May, 2007**.

Signed by: Ted Daly
MAYOR

Signed by: Sandy Bowden
CORPORATE OFFICER

SCHEDULE A

BYLAW NO. 1150

1. Plan Processing Fees

- 1.1 For a permit application to *construct* a new One-Family Dwelling: \$250.00
- 1.2 For permit applications for other than a new One-Family Dwelling *construction* the plan processing fee shall be fifty percent (50%) of the estimated permit fee required pursuant to section 2.1 but shall not exceed \$2,000.00 nor be less than \$100.00.

2. Building Permit Fees

The charge for permits in accordance with this Bylaw shall be based on fair market *value* of the *construction* costs covered by the permit and the fee shall be calculated in accordance with the following scale:

2.1 Fees

The charge for permits issued in accordance with this Bylaw shall be 1-1/4 percent of the fair market *value* of *construction* covered by the permit.

BYLAW 1241

The *value* of *construction* shall be calculated by the *authority having jurisdiction* using the plans submitted and the *values* of *construction* as identified in the most current version of the Marshall Swift construction cost manual.

The permit fee is doubled where *construction* was commenced before a permit was issued.

BYLAW 13862.2 Permit Fee Reduction

When a *registered professional* has certified that *building* plans comply with the *Building Code* and other applicable enactments respecting safety, the building permit fee shall be reduced by the amount that the *Building Official* determines is the cost of the work that would otherwise have been done by the building inspector to determine such compliance.

2.3 Temporary Building Permit

(for one year or any portion thereof) \$ 300.00

2.4 Re-inspection Fee

Where it has been determined by the Building Inspector that

due to non-compliance with the provisions of this Bylaw or due to unsatisfactory workmanship, more than two inspections are necessary for each type of inspection, the fee for each inspection after the second inspection shall be:

\$ 50.00

2.5 Special Inspection Fees

2.5.1 For a special inspection during normal working hours to establish the condition of a *building*, or where an inspection requires special arrangements because of time, locations, or *construction* techniques, the additional fee for each such inspection shall be:

\$ 60.00

(in addition to other required fees)

2.5.2 For a required permit inspection, for building bylaw compliance, which cannot be carried out during normal working hours and where there is a request to carry out such inspection AFTER HOURS during which the offices of the Municipal Hall are normally open, the fee to be based on the time actually spent in making such inspection, including travelling time, with a minimum inspection fee of 4 hours, for each hour or part thereof shall be:

\$ 100.00

(in addition to other required fees)

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BYLAW 1386

2.6 Permit Transfer or Assignment Fee

For the transfer or assignment of a building permit or an application for a building permit, when requested in writing by the Applicant pursuant to Section 5.12.3 an additional fee shall be paid of \$50.00. Where a transfer has been applied for in writing and paid for after Jan 1, 2014 the applicant may apply in writing for a rebate of the difference of the amount paid and the current fee.

2.7 Permit Renewal Fee

The fee for the renewal of permits which have expired shall be based on the value to complete the structure.

BYLAW 1241

2.8 Permit Extension Fee

For the extension of a building permit when requested in writing by the applicant pursuant to Section 5.14 and 5.15 an additional fee shall be paid of ten percent (10%) of the original permit fee or \$100.00, whichever is the greater.

Any permit application that was received for plan review prior to the adoption of this bylaw shall pay the permit fees that existed at that time for a period not exceeding 30 days from

the date the permit is ready to be issued.

BYLAW 1386

2.9 Wrecking and Demolishing Permit

The fee for a permit to wreck, demolish, *deconstruct* or remove a *building* shall be as follows:

2.9.1 If the *structure* is 92.9 m² (1000 ft²) or less in area \$100.00

2.9.2 If the *structure* is more than 92.9 m² (1000 ft²) in area \$200.00

2.9.3 *Deconstruction* \$ 50.00

2.10 Building Move Inspection Fee

2.10.1 Fee for a required inspection within the boundaries of the *District* of North Saanich. \$ 75.00

2.10.2 Fee for a required inspection outside the boundaries of the *District* of North Saanich will be \$100.00 plus traveling expenses of \$1.00 per km.

2.10.3 Where the Building Inspector is required to use overnight accommodation, aircraft or ferry transportation in order to make a *building* move inspection, the actual costs of the accommodation, meals or transportation shall be payable in addition to other applicable fees including salary costs greater than one hour.

2.11 Plumbing Installation Permits

Each application for a plumbing permit shall be accompanied by a fee in accordance with the following scale:

BYLAW 1386

2.11.1 For each plumbing fixture \$ 15.00
For any alteration or replacement of a fixture \$ 15.00
For installation of an interior roof leader \$ 15.00

BYLAW 1386

2.11.2 For installation or replacement of a hot water storage tank \$ 15.00

2.11.3 For installation of a domestic waterline service \$ 25.00

2.11.4 For installation of a garden irrigation system on private property alone \$ 50.00

For installation of a garden irrigation system on private & municipal property combined \$100.00

2.11.5 For installation of a sanitary sewer discharging

BYLAW 1386		to a community system	\$ 40.00
	2.11.6	For repair or renewal of part of a private sewage on-site disposal system	\$ 15.00
	2.11.7	For site service on strata developments	1 ¼ % of the cost of actual construction
2.12	<u>Heating Installation Permits</u>		
	Each application for a heating installation permit shall be accompanied by a fee in accordance with the following scale:		
	2.12.1	Commercial oil-burner, equipment and tank	\$ 50.00
	2.12.2	Domestic oil-burner, equipment and hot-air furnace	\$ 50.00
		Each additional heating unit	\$ 15.00
		Range oil-burner or space heater and equipment	\$ 15.00
		Solid fuel-burning appliance	\$ 50.00
	2.12.3	Oil hot-water heat systems, furnace and equipment	\$ 75.00
		Burner and equipment for hot-water tank	\$ 75.00
	2.12.4	Replacement or alteration of any of the above equipment or systems	50% of fee
2.13	<u>Gas and Diesel Tanks</u>		
	2.13.1	The installation of above-ground or underground storage tanks for the storage of gas, aviation fuel, diesel fuel or oil with a storage capacity of 1200 litres or less	\$ 35.00
	2.13.2	The installation of above-ground or underground storage tanks for the storage of gas, aviation fuel, diesel fuel or oil with a storage capacity of more than 1200 litres	\$ 75.00
2.14	<u>Fireplace and Chimneys</u>		
	2.14.1	Fireplace and flue	\$ 50.00
	2.14.2	Furnace flue	\$ 10.00

BYLAW 12412.15 Fire Protection Equipment

Each application for fire protection equipment shall be accompanied by a fee in accordance with the following scale:

2.15.1	Sprinkler systems 1 to 8 heads	\$ 25.00
2.15.2	Each additional 10 sprinkler heads	\$ 20.00
2.15.3	Standpipe hose outlet	\$ 25.00
2.15.4	Fire Hydrants	\$ 50.00

2.16 Inspection Fees for Utility Connections

2.16.1	Sanitary sewer discharging to on-site sewage disposal system	\$ 12.00
2.16.2	Storm sewer	\$ 30.00

2.17 Damage - Surety Deposit

Each application for a *building* or demolition *permit* shall be accompanied by a surety deposit in accordance with the following scale:

2.17.1	New <i>construction</i> , additions, alterations or repairs valued at \$10,000 or greater, but less than \$25,000	\$ 500.00
2.17.2	All new <i>construction</i> valued at \$25,000 or greater	\$1000.00
2.17.3	Additions, alterations or repairs valued at \$25,000 or greater	\$1000.00
2.17.4	Demolition	\$1000.00
2.17.5	Seawalls (new <i>construction</i> , additions, alterations or repair)	\$ 500.00

2.18 Re-inspection Fee

Where a permit-holder fails to have the work to be inspected accessible and ready at the time the inspection is called for, an additional fee of \$50.00 may be charged for each subsequent call for inspection made necessary thereby.

BYLAW 1241

3. Refund of Building Permit Fees

Where a refund of a Building Permit Fee is approved pursuant to Section 5.10.3 it shall be calculated on the following basis:

- 3.1.1 the refund is ninety percent (90%) of the permit fee after deducting the plan processing fee, which fee is not refundable; and
- 3.1.2 there shall be no refund for permits where an inspection has been made.

SCHEDULE B

BYLAW NO. 1150

Climatic Data

BYLAW 1386

Design Temperatures			
January		July 2.5%	
2.5% °C	1% °C	Dry °C	Wet °C
-6° C (21° F)	-8° C (20° F)	26° C (76° F)	17° C (63° F)

Degree Days Below 18 °C
2,850

Fifteen Minute Rainfall
8mm (0.2 in.)

One Day Rainfall, 1/50
96mm (3.2 in.)

Annual Rainfall
825 mm

Annual Total Precipitation
850mm (33.5 in.)

Moisture Index
.97

Driving Rain Wind Pressures Pa 1/5
160

Snow Load (kPa) 1/50	
Ss	Sr
2.0	0.3

Hourly Wind Pressures kPa	
1/10	1/50
0.46	0.6

BYLAW 1473

Seismic Data							
S _a (0.2)	S _a (0.5)	S _a (1.0)	S _a (2.0)	S _a (5.0)	S _a (10.0)	PGA	PGV
1.23	1.10	0.630	0.371	0.115	0.040	0.545	0.790

SCHEDULE C - BYLAW NO. 1150

DISTRICT OF NORTH SAANICH

BUILDING AND PLUMBING BYLAW 1150

SCHEDULE C - OWNER'S ACKNOWLEDGEMENTS

I acknowledge that the owner of the land in respect of which this permit is issued is solely responsible for carrying out the work authorized by this permit in accordance with the Building Code and other applicable laws respecting safety, including the requirements of the Building Code in relation to soil conditions for building foundations.

I acknowledge that the owner of the land is also solely responsible for determining whether the work authorized by this permit contravenes any covenant, easement, right of way, building scheme or other restriction affecting the building site, and whether the work requires the involvement of an architect under the *Architect's Act* or an engineer or geoscientist under the *Engineers and Geoscientists Act*.

I acknowledge that the District of North Saanich provides a limited monitoring service in relation to building construction and does not, by accepting or reviewing plans, inspecting construction, monitoring the inspection of construction by others, or issuing building or occupancy permits, make any representation or give any assurance that the construction authorized by this permit complies in any respect with the Building Code or any other applicable laws respecting safety.

If the District of North Saanich has so indicated on this permit application, I acknowledge that the District will issue the permit in reliance on the certification of a registered professional, engaged by me to provide such a certification, that the plans for the work, authorized by the permit comply with the Building Code and other applicable enactments, and that the fee for the permit has been accordingly reduced. I acknowledge that the District, by issuing this permit or any occupancy permit, makes no representations to me or any other person as to any such compliance.

Name of Registered Owner (please print)

Signature of Registered Owner or
Authorized Signatory of Corporate Owner

Date of Acknowledgement

Name of Authorized Signatory (please print)

Project Address

Building Permit Number

FOR OFFICE USE ONLY:	DATE:	
	BLDG PERMIT NO:	

SCHEDULE D – BYLAW 1150

DISTRICT OF NORTH SAANICH

BUILDING AND PLUMBING BYLAW 1150

SCHEDULE D - REGISTERED PROFESSIONAL'S PROOF OF INSURANCE COVERAGE

(This document requires the attachment of a current certificate of insurance coverage and may not be altered in any way.)

District of North Saanich
1620 Mills Road
North Saanich, BC V8L 5S9

Attention: Senior Building Official

Address of Project: _____

Legal Description of Project: _____

The undersigned hereby gives assurance that:

1. I have fulfilled my obligation to obtain a policy of professional liability or errors and omissions insurance as required by section 5.18.3 of Building and Plumbing Bylaw No. 1150, 2007;
2. I have enclosed a copy of my certificate of insurance indicating the particulars of such coverage;
3. I am a registered professional as defined by section 1.1.3.2 of the British Columbia Building Code; and
4. I will notify the Senior Building Inspector immediately if this insurance coverage is reduced or terminated at any time during construction.

Signature

Print Name

Name of Firm

Date

Attachment: Certificate of Insurance

Bylaw No. 1150 – FORM A- STOP WORK ORDER

**DISTRICT OF NORTH SAANICH**

Office Hours

8:00 a.m. - 4:30 p.m.

Development & Community Services Department

1620 Mills Rd.
655-5470**STOP WORK ORDER**


LOCATION: _____

DATE: _____

This Work is in contravention of Building and Plumbing Bylaw No. 1150 or other enactment. The Work must not proceed any further until a satisfactory correction has been agreed to by a Building Official with the Development & Community Services Department.

Building Official**THIS CARD MUST NOT BE REMOVED WITHOUT THE
PERMISSION OF A BUILDING OFFICIAL**

Bylaw No. 1150 – FORM B - DO NOT OCCUPY ORDER

	DISTRICT OF NORTH SAANICH	
Office Hours 8:00 a.m. - 4:30 p.m.	Development & Community Services Department	1620 Mills Rd. 655-5470
DO NOT OCCUPY ORDER		
LOCATION:		
DATE:		
<p>This Building or Structure is considered to be unsafe. The Building or Structure must not be occupied until a satisfactory correction has been agreed to by a District of North Saanich Building Official and that correction has been made.</p>		
		_____ Building Official
THIS CARD MUST NOT BE REMOVED WITHOUT THE PERMISSION OF A BUILDING OFFICIAL		