

**BUILDING BYLAW, 2019, NO. 9529**

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Includes Bylaw Amendments:

No. 9570, 9585, 9723, 9789, 9928, 10029, 10042, 10118, 10050, and 10178

**THE CORPORATION OF THE DISTRICT OF SAANICH**

**BUILDING BYLAW, 2019, NO. 9529**

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**THE CORPORATION OF THE DISTRICT OF SAANICH**

**BYLAW No. 9529**

**BUILDING BYLAW**

**A Bylaw for Administration of the Building Code and Regulation of Construction**

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The Municipal Council of The Corporation of the District of Saanich in open meeting assembled enacts as follows:

**PART 1: TITLE**

**Citation**

- 1.1 This bylaw may be cited as “Building Bylaw, 2019, No 9529”.

**PART 2: PURPOSE OF BYLAW**

- 2.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 2.2 Every permit issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.3 This bylaw is enacted to regulate, prohibit and impose requirements in regard to *construction* in the *District* in the public interest.
- 2.4 The purpose of this bylaw does not extend to
- (a) the protection of *owners, designers or constructors* from economic loss;
  - (b) the assumption by the *District* or any *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the *owner*, with the *building code*, the requirements of this bylaw, or other applicable enactments, codes or standards;
  - (c) providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building permit* or *occupancy permit* is issued under this bylaw;
  - (d) providing any person a warranty or assurance that *construction* undertaken under *building permits* issued by the *District* is free from latent, or any, defects; or
  - (e) the protection of adjacent real property from incidental damage or nuisance.

## PART 3: SCOPE AND EXEMPTIONS

### Application

- 3.1 This bylaw applies to the geographical area of the *District* and to land, the surface of water, air space, *buildings* or *structures* in the *District*.
- 3.2 This bylaw applies to the design, construction or *occupancy* of new *buildings* or *structures*, and the *alteration*, reconstruction, demolition, removal, relocation or *occupancy* or change of use or *occupancy* of *existing buildings* and *structures*.
- 3.3 This bylaw does not apply to
- (a) except as set out in Part 11 [*Retaining Walls*] of this bylaw, a fence;
  - (b) an accessory *building* with a floor area of less than 10 square metres in area that is used for utility purposes that do not create a hazard;
  - (c) a trellis, an arbour, a wall supporting soil that is less than 1.20 metres in height, or other similar landscape *structures* on a parcel zoned for single-family *residential occupancy* uses under the *District's* zoning bylaw; and
  - (d) a *building* or *structure* commonly known as "Canadian Standards Association Z240 MH series or Z241 series", except as regulated by the *building code*.

### Limited Application to Existing Buildings

- 3.4 Except as provided in the *building code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute.
- 3.5 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the *District*, including relocation relative to parcel lines created by subdivision or consolidation. Part 12 applies to *building* moves.
- 3.6 If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *building code* and the entire building must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration*.
- 3.7 If an *alteration* creates an *addition* to an *existing building*, the *alteration* or *addition* must comply with this bylaw and the *building code* and the entire building must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration* or *addition*.

## PART 4: PROHIBITIONS

- 4.1 A person must not commence or continue any *construction, alteration, excavation, reconstruction, demolition, removal, or relocation* or change the use or *occupancy* of any *building or structure*, including other work related to construction
- (a) except in conformity with the requirements of the *building code* and this bylaw; and
  - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not *occupy or permit the occupancy* of any *building or structure* or part of any *building or structure*
- (a) unless a subsisting *occupancy permit* has been issued by a *building official* for the *building or structure* or the part of the *building or structure*; or
  - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or construction undertaken pursuant to this bylaw.
- 4.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.
- 4.5 A person must not, unless authorized in writing by a *building official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building or structure* pursuant to this bylaw.
- 4.6 A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building, structure* or other works for which a *permit* has been issued, unless that variance has been authorized in writing by a *building official*.
- 4.7 A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the *District* on property in the administration of this bylaw.
- 4.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.9 A person must not contravene an administrative requirement of a *building official* made under section 6.6 or any other provision of this bylaw.

- 4.10 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

## **PART 5: PERMIT CONDITIONS**

- 5.1 A *permit* is required if work regulated under this bylaw is to be undertaken.
- 5.2 Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the *District* will in any way
- (a) relieve the *owner* (and if the *owner* is acting through an *agent*, the *agent* of the *owner*) from full and sole responsibility to perform the work in respect of which the *permit* was issued in strict compliance with this bylaw, the *building code*, and all other applicable codes, standards and enactments;
  - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
  - (c) constitute a representation or warranty that the *building or structure* meets any standard of materials or workmanship.
- 5.3 No person shall rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4 Without limiting section 5.2(a), it is the full and sole responsibility of the *owner* (and if the *owner* is acting through an *agent*, the *agent* of the *owner*) to carry out the work in respect of which the *permit* was issued in compliance with the *building code*, this bylaw and all other applicable codes, standards and enactments.

## **PART 6: POWERS OF A BUILDING OFFICIAL**

### **Administration**

- 6.1 Words defining the authority of a *building official* are to be construed as internal administrative powers and not as creating a duty.
- 6.2 A *building official* may
- (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;

- (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
- (c) establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and
- (d) direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *building code*.

### **Refusal and Revocation of Permits**

- 6.3 *A building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the *District*, and must state the reason in writing.
- 6.4 *A building official* may revoke a *permit* if, in his or her opinion, 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, or if all *permits* required under this bylaw have not been obtained.

### **Right of Entry**

- 6.5 Subject to section 16 of the *Community Charter*, a *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

### **Powers**

- 6.6 Subject to applicable enactments, a *building official* may by notice in writing require
  - (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
  - (b) an *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the *District* or other applicable enactments, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form of Appendix D;
  - (c) an *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;

- (d) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
  - (e) an *owner* to have work inspected by a *building official* prior to covering;
  - (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building official*;
  - (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
  - (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *building official* has not issued an *occupancy permit* in relation to the work;
  - (i) an *owner* to correct any *unsafe condition*; and
  - (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment.
- 6.7 Every reference to “*owner*” in section 6.6 includes a reference to the *owner’s agent* or *constructor*.
- 6.8 Every person served with a notice under this Part must comply with that notice
- (i) within the time ordered, or
  - (ii) if no time is ordered, immediately.

### **Establishment of Forms**

- 6.9 The District’s Manager of Inspection Services may from time to time establish one or more forms for the following purposes under this bylaw:
- (a) an application for a *building permit*;
  - (b) a *plumbing permit*;
  - (c) a *building permit*; and
  - (d) an *occupancy permit*.

## **PART 7: OWNER’S RESPONSIBILITIES**

### **Permit Requirements**

- 7.1 Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, prior to
- (a) *constructing*, plumbing, repairing or *altering* a *building* or *structure*, including a *retaining wall*;

- (b) moving a *building* or *structure* into or within the *District*;
- (c) demolishing a *building* or *structure*;
- (d) *occupying* a new *building* or *structure*;
- (e) *constructing* a masonry fireplace or installing a wood-burning appliance or chimney, whether attached to, part of or detached from a *building*;
- (f) changing the use or *occupancy* of a *building*,

unless the works are the subject of another valid and subsisting *building permit*.

7.2 Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building* or *structure*.

7.3 Despite section 7.1, a *permit* is not required in the following circumstances:

- (a) for minor repairs or *alterations* to non-structural components of a *building*;
- (b) where a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared, or a leak repaired if no change to the piping is required;
- (c) for an accessory *building* less than 10 square metres in area that is used for utility purposes that do not create a hazard;
- (d) for retaining structures less than 1.20 metres in height;
- (e) for retaining structures greater than 1.20 metres in height that are more than 30 degrees off vertical.

### **Owner's Obligations**

7.4 Every *owner* must

- (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *building code*, this bylaw or the conditions of a *permit*; and
- (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work.

7.5 Every *owner* and every *owner's agent*, must carry out *construction* or have the *construction* carried out in accordance with the requirements of the *building code*, this bylaw and other bylaws of the *District* and none of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *building*

*official* or a *registered professional* shall relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and all other applicable codes, standards and enactments.

- 7.6 Every *owner* must allow a *building official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction,
- (a) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and
  - (b) post the *permit* on a placard on the property so that it may be easily read from the public highway from which the property takes its address.

### **Damage to Municipal Works**

- 7.7 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 7.8 In addition to payment of a security deposit under sections 10.8 to 10.11, every *owner* must pay to the *District*, within 30 days of receiving an invoice for same from the *District*, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

### **Demolition**

- 7.9 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must:
- (a) Provide to the *District* a vacancy date;
  - (b) Pay any applicable capping and inspection chamber installation fees as set out in the *District's* bylaws governing waterworks and sewer;
  - (c) Ensure that all municipal services and other services are capped and terminated at the property line; and
  - (d) Provide to the District a hazardous material report and clearance letter.
- 7.10 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.

### **Notice**

- 7.11 Every *owner* must give notice to a *building official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.

- 7.12 If an *owner* or a *registered professional* terminates the engagement of the *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a *building permit* until the *owner* has engaged a new *registered professional*, including a *coordinating registered professional*, and has delivered to a *building official* new letters of assurance.
- 7.13 Without limiting sections 10.28 to 10.43, every *owner* must give at least 48 hours' notice to a *building official*
- (a) of intent to do work that is required or ordered to be corrected during *construction*;
  - (b) of intent to cover work that is required under this bylaw to be, or has been ordered to be, inspected prior to covering; and
  - (c) when work has been completed so that a final inspection can be made.
- 7.14 Every *owner* must give notice in writing to a *building official* and pay the non-refundable fee set out in Appendix A immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 7.15 Every *owner* must give such other notice to a *building official* as may be required by the *building official* or by a provision of this bylaw.

#### **Development Works and Services Required**

- 7.16 Without limiting any other requirement of this bylaw, every owner of land being developed shall construct, upgrade or install all development works and services on the parcel or parcels being developed and along the entire length of the frontage of any highway adjacent to the parcel or parcels in accordance with the standards and specifications prescribed in the District's Subdivision Bylaw, 1995, or any successor bylaw.
- 7.17 Except as provided in section 7.18, all development works and services required under section 7.16 shall be constructed, upgraded and installed at the expense of the owner of the land prior to the issuance of a building permit.
- 7.18 Despite section 7.17, in the case of any development other than a development that involves only single family or two family dwellings, the development works and services required under section 7.16 may be constructed, upgraded and installed after the issuance of a building permit, but only if the owner of the land:
- (a) deposits with the District a bond in favour of the District in an amount not less than 120% of the estimated cost of the required development works and services; and
  - (b) enters into a development servicing agreement with the District to construct, upgrade and install the required development works and services by no later than a specified date or forfeit the deposit under subsection (a).

- 7.19 Every owner of land being developed shall, prior to the issuance of a building permit, do the following:
- (a) deposit with the District a bond in favour of the District in an amount not less than 5% of the estimated cost of the development works and services required under section 7.16;
  - (b) enter into a warranty agreement with the District to rectify any deficiencies in design, materials or workmanship that may arise in connection with the required development works and services during the period of 12 months following acceptance of the required development works and services by the District, failing which the deposit under subsection (a) shall be forfeited to the District; and
  - (c) pay to the District an administration fee equal to 4.5% of the estimated cost of the required development works and services.
- 7.20 Prior to the acceptance of any required development works and services by the District, every owner of land being developed shall do the following:
- (a) where the required development works and services are not within a highway and are located within or upon the land being developed, the owner shall grant to the District a statutory right of way in respect of such development works and services in a form satisfactory to the Director of Engineering; or
  - (b) where the required development works and services are not within a highway and are located within or upon land other than the land being developed, the owner shall obtain the grant to the District by the owner of such land a statutory right of way in respect of such development works and services in a form satisfactory to the Director of Engineering.
- 7.21 For development of Non-Market Housing, as defined by the Zoning Bylaw, the Director of Engineering may, at their sole discretion and to their satisfaction, accept a Letter of Indemnity secured by a public authority in lieu of the security requirements set out in sections 7.18(a) and 7.19 of this Bylaw.

## **PART 8: OBLIGATIONS OF OWNER'S CONSTRUCTOR**

- 8.1 Every *constructor* must ensure that all *construction* is done in compliance with all requirements of the *building code*, this bylaw and all other applicable, codes, standards and enactments.
- 8.2 Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that no public property is disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.

- 8.3 For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

## **PART 9: REGISTERED PROFESSIONAL'S RESPONSIBILITIES**

### **Professional Design and Field Review**

- 9.1 The provision by the *owner* to the *District* of letters of assurance in accordance with the requirements of the *building code* shall occur prior to
- (a) the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
  - (b) a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the *District* with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*.
- 9.2 [this section has been deleted]

### **Requirement for a Registered Professional**

- 9.3 The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the *building code*, in respect of a *permit* application
- (a) prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*;
  - (b) prior to a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the *District* with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*;
  - (c) for a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *building code*;
  - (d) prior to *alterations* to a *building*, or to a structural component of a *building* described in paragraph (b);
  - (e) for a *building* in respect of which the *building official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the *building code*;

- (f) if the *building* envelope components of the *building* fall under Division B Part 5 of the *building code*; and
- (g) for a parcel of land on which a *building* or *structure* is proposed if the *building official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*
  - (i) for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended, and
  - (ii) that the plans submitted with the application comply with the relevant provisions of the *building code* and applicable bylaws of the *District*.

9.4 The *building official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.3 to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

#### **Professional Plan Certification**

- 9.5 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* referred to in sections 9.1 and 9.3 are relied upon by the *District* and *its building officials* as certification that the design and plans to which the letters of assurance refer comply with the *building code*, this bylaw and any other applicable enactment.
- 9.6 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.
- 9.7 For a building permit issued for the construction of a *complex building*, the building official shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments. Any failure on the part of the building official to provide the *owner* with the notice will not diminish or invalidate the reliance by the *District* or its *building officials* on the *registered professionals*.
- 9.8 If a *building permit* is issued for construction of a *complex building*, the *permit fee* is reduced by 5% of the fees payable under Appendix A to this bylaw, up to a maximum reduction of \$500.00 (five hundred dollars).

## PART 10: BUILDING APPLICATION REQUIREMENTS

### Requirements Before Applying for a Building Permit

- 10.1 Prior to application of a *building permit*, the *owner* must satisfy the following requirements or conditions:
- (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated by the *District's* Official Community Plan as a development *permit* area;
  - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the *District*, except to the extent a variance of a bylaw is authorized by a development *permit*, development variance permit or order of the Board of Variance;
  - (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the Land Title Office;
  - (d) the *owner* must provide evidence to the *building official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*, in which case, the *agent* must provide the name and contact information of the *owner*;
  - (e) if the parcel that is the subject of the *building permit* application is not intended to be connected to the *District's* sewage disposal system, the *owner* must apply for and obtain any required approval from the Vancouver Island Health Authority (or any successor organization) and any other applicable public authorities for an alternate *private sewage disposal system*;
  - (f) if the parcel that is the subject of the *building permit* application is not intended to be connected to the *District's* waterworks system, the *owner* must apply for and obtain approval from the Vancouver Island Health Authority (or any successor organization) and any other applicable public authorities for an alternate water supply system;
  - (g) if the parcel that is the subject of the *building permit* application is not intended to be connected to the *District's* storm water drainage system, the *owner* must apply for and obtain approval from the *District* and other applicable public authorities for the alternate storm water drainage and detention system; and
  - (h) if all on site and off site works and services required by a *District* bylaw or other enactments have not been completed in accordance with the enactments, the *owner* must enter into a completion agreement with the *District* and deliver to the *District* a bond for completion of the works and services.

## Building Permit Applications for Complex Buildings

- 10.2 An application for a *building permit* with respect to a *complex building* must
- (a) be made in the form prescribed by the Manager of Inspection Services and signed by the *owner*, or a signing officer if the *owner* is a corporation;
  - (b) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
  - (c) include a *building code* compliance summary including the applicable edition of the *building code*, such as without limitation whether the building is designed under Part 3 or Part 9 of the building code, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
  - (d) include a copy of a survey plan prepared by a British Columbia land surveyor;
  - (e) include a site plan prepared by a *registered professional* showing
    - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
    - (ii) the legal description and civic address of the parcel;
    - (iii) the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
    - (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
    - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
    - (vi) north arrow;
    - (vii) if applicable, location of an approved *existing* or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
    - (viii) zoning compliance summary;
    - (ix) the location, dimensions and gradient of parking and parking access;
    - (x) proposed and *existing* setbacks to property lines;

- (xi) natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
- (xii) first storey floor elevation;
- (xiii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- (xiv) line of upper floors;
- (xv) location and elevation of curbs, sidewalks, manholes, and service poles;
- (xvi) location of *existing* and proposed service connections;
- (xvii) location and species of all trees greater than 10 centimetres in diameter;
- (xviii) location of top bank and water courses;
- (xix) access routes for firefighting;
- (xx) *accessible* paths of travel from the street to the *building*;
- (xxi) geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the *District's* land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,

except that the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*, but only where such repair or *alteration* does not add additional floor area to the *building* or *structure*;

- (f) include floor plans showing the dimensions and uses and *occupancy* classification of all areas, including: 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; fire separations; plumbing fixtures; structural elements; and stair dimensions;
- (g) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and construction systems;
- (h) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and ridge height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the *District's* zoning bylaw and any applicable development permit;

- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
- (j) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *building code*;
- (k) include 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 approvals;
- (l) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C, of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
- (m) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
- (n) include five (5) sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (f) to (j) of this section, which may be included by digital submission; and
- (o) include illustration of any slopes on the subject parcel that exceed 30%.

10.3 In addition to the requirements of section 10.2 of this bylaw, a *building official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant:

- (a) 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 servicing bylaw;
- (b) a cross-section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and
- (c) 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*.

### **Building Permit Applications for Simple Buildings**

10.4 An application for a *building permit* with respect to a *simple building* must

- (a) be made in the form prescribed by the Manager of Inspection Services and signed by the *owner*, or a signing officer if the *owner* is a corporation;

- (b) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (c) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
- (d) include a site plan showing
  - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - (ii) the legal description and civic address of the parcel;
  - (iii) the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
  - (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
  - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
  - (vi) north arrow;
  - (vii) if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
  - (viii) the location, dimensions and gradient of parking and parking access;
  - (ix) proposed and *existing* setbacks to property lines;
  - (x) natural and finished grade at *building* corners and datum determination points;
  - (xi) *first storey* floor elevation;
  - (xii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
  - (xiii) line of upper floors;
  - (xiv) location and elevation of curbs, sidewalks, manholes and service poles;
  - (xv) location of *existing* and proposed service connections;
  - (xvi) location and species of all trees greater than 10 centimetres in diameter;

- (xvii) location of top bank and water courses;
  - (xviii) access routes for firefighting;
  - (xix) *accessible* paths of travel from the street to the *building*;
  - (xx) zoning compliance summary; and
  - (xxi) the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the *District's* land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,
- (e) except that for a *simple building* the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*, but only where such repair or *alteration* does not add additional floor area to the *building*; include floor plans showing the dimensions and uses of all areas, including: 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;
  - (f) include a cross-section through the *building* illustrating *foundations*, drainage, ceiling heights and construction systems;
  - (g) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the *District's* zoning bylaw and any applicable development permit;
  - (h) include 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*;
  - (i) include 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 approvals;
  - (j) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
  - (k) include five (5) sets of drawings at a suitable scale of design including the information set out in (e) to (h) of this section, which may be included by digital submission; and

- (l) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code*.

10.5 In addition to the requirements of section 10.4 of this Part, if a *project* involves

- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
- (b) two or more *buildings* that will contain four or more dwelling units; or
- (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant,
- (d) a *building official* may require the following be submitted with a *permit* application for the construction of each *simple building* in the *project*:
- (e) a cross-section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- (f) a roof plan and roof height calculations;
- (g) structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
- (h) letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a *registered professional*; and
- (i) 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 and Location Information

10.6 Without limiting sections 10.2(d) or 10.4(c) of this Part, the *building official* may in writing require an *owner* to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to

- (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
- (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaw have been complied with;
- (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and

- (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person given a written requirement under this section must comply with the requirement.

### **Building Permit Fee**

10.7 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the *District*

- (a) the *building permit* fee prescribed in Appendix A; and
- (b) any fees, charges, levies or taxes imposed by the *District* and payable under an enactment at the time of issuance of the *building permit*.

### **Security Deposit with Building Permit Application**

10.8 An applicant for a building permit must pay to the District, at the time of the application, the following security deposit:

- (a) for a single family dwelling parking structure, a combination parking structure/accessory building, or an accessory building greater than 25 square metres: \$1,000.00;
- (b) for a single family dwelling addition, alteration, renovation (including demolition of existing building(s) and structure(s)): \$1,000.00;
- (c) for a new single family dwelling or simple building (including demolition of existing building(s) and structure(s)): \$2,000.00;
- (d) for a complex building: \$10,000.00;
- (e) for a second dwelling unit under section 10.61 of this bylaw: \$50,000.00;
- (f) for demolition of a single family dwelling or accessory building: \$1,000.00; and
- (g) for demolition of a building other than a single-family dwelling or accessory building: \$2000.00.
- (h) No security deposit shall be required for municipal projects conducted by or on behalf of Saanich, on property owned or managed by Saanich.

- 10.9 The security deposit sum set out in section 10.8 of this Part
- (a) covers the cost borne by the *District* to maintain, restore or replace any public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any *building permit* held by the applicant;
  - (b) covers the cost borne by the *District* to make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
  - (c) serves as the security deposit for provisional *occupancy* when an *occupancy permit* makes provision for a security deposit; or
  - (d) serves as a security deposit to effect compliance with any condition under which the *permit* was issued.
- 10.10 The security deposit or applicable portion must be returned to the applicant
- (a) when the *building official* is satisfied that no further damage to public works or public lands will occur;
  - (b) when the inspections required by this bylaw are complete and acceptable to the *building official*; and
  - (c) when the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building official*;
- only if the applicant has requested the return of the security.
- 10.11 Any credit greater than the amount of the security deposit used by the *District* for the purposes described in sections 10.8 to 10.10 of this Part will be returned to the original depositor. Any amount in excess of the security deposit required by the *District* to complete corrective work to public lands, public works, or the site is recoverable by the *District* from the *permit* holder, the *constructor* or the *owner* of the property.

### **Permit Fee Refunds**

- 10.12 No fee or part of a fee paid to the *District* may be refunded if construction of the *building* has started.
- 10.13 Fifty percent (50%) of a *building permit* or other *permit* fee may be refunded, only if
- (a) the *owner* has submitted a written request for a refund;
  - (b) the *building official* has certified a start has not been made on the construction of the *building* or *structure*; and
  - (c) the *permit* has not expired.

10.14 A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.45 of this Part.

### **Design Modification**

10.15 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the *District* the applicable plan revision fee set out in Appendix A.

### **Construction Before Permit Issued**

10.16 The *building permit* or other *permit* fee is doubled for every *permit* application if construction commenced before the *building official* issued a *permit*, to a maximum of \$20,000.00 over and above the standard fee.

### **Expiration of Application for a Permit**

10.17 A *building permit* application expires 180 days from the date a complete application is received under this Part if the *building permit* is not issued by the application expiration date, unless the *permit* is not issued only due to delays caused by the *District*.

### **Issuance of a Building Permit**

10.18 If

- (a) a completed application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;
- (b) the *owner* has paid all applicable fees set out in sections 10.7 to 10.16 of this Part;
- (c) the *owner* or his or her *agent* has paid all charges and met all requirements imposed by any other statute or bylaw;
- (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw;
- (e) the *owner* has retained an architect if required under this bylaw; and
- (f) no covenant, agreement, resolution or regulation of the *District* requires or authorizes the *permit* to be withheld,

the *building official* must issue the *permit* for which the application is made.

10.19 Despite section 10.18, the *building official* may refuse to issue a *permit* when the *owner* has been notified of a violation of this bylaw concerning the construction of another *building* or *structure* by the *owner*.

### **Compliance with the *Homeowner Protection Act***

10.20 If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*

(a) is covered by home warranty insurance; and

(b) the *constructor* is a licensed “residential builder” as defined in that Act.

10.21 Section 10.20 of this Part 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*.

10.22 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the *permit*.

### **Partial Construction**

10.23 If a site has been *excavated* under a *building permit* for a foundation issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.44, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the *District* to do so.

10.24 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building official* under section 10.45, permanent type fencing with privacy screen complying with the *District’s* Zoning Bylaw, must be erected around the *building* site for protection of the public.

### **Conditions of a Building Permit**

10.25 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *building official* in writing, the *building official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under Appendix A. The transfer or assignment of a *building permit* is not an extension of a *building permit*.

10.26 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.

## Inspections

- 10.27 If a *registered professional* provides letters of assurance in accordance with this Part, the *District* will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw and the *building code* as assurance that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.28 Despite section 10.27 of this Part, a *building official* may attend the site from time to time during the course of construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.29 A *building official* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *building code*, this bylaw and any other applicable enactments concerning safety.
- 10.30 For all work in respect of *simple buildings* the *owner* must obtain an inspection and receive a *building official's* written acceptance prior to concealing the work for the following stages of inspection, as may be applicable:
- (a) Demolition Inspection;
  - (b) Excavation and Footing Forms Inspection;
  - (c) Foundation Forms Inspection;
  - (d) Foundation Drainage, Damp Proofing and Rainwater Leaders Inspection;
  - (e) Underslab Radon Inspection;
  - (f) Underslab Plumbing Inspection;
  - (g) Slab/Foundation Insulation Inspection;
  - (h) Sewer, Storm and Water Lateral Inspection;
  - (i) Rough Plumbing Inspection;
  - (j) Framing and Sheathing Inspection;
  - (k) Pre-Cladding and Flashing Inspection;
  - (l) Solid fuel Burning Appliance, Fireplace, and Factory Building Chimney Inspection;
  - (m) Insulation Inspection;
  - (n) Fire Separation Inspection;

- (o) Stucco-Wire Inspection;
  - (p) Occupancy Inspection;
  - (q) Final Inspection.
- 10.31 A *building official* will only carry out an inspection under section 10.30 if the *owner* or the *owner's agent* has requested the inspection in accordance with this bylaw.
- 10.32 Despite the requirement for the *building official's* acceptance of the work outlined in section 10.30, if a *registered professional* provides letters of assurance, the *District* will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.33 No person may conceal any aspect of the work referred to in section 10.30 of this bylaw until a *building official* has *accepted* it in writing.
- 10.34 For work in respect of *complex buildings*, the *owner* must
- (a) give at least 48 hours' notice to the *District* when requesting a preconstruction meeting with the *building official* prior to the start of construction, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance; and
  - (b) give at least 48 hours' notice to the *District* when requesting a pre-occupancy coordinated site review coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and fire services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable *District* requirements and other enactments respecting safety and the conservation, GHG emission and accessibility aspects of the work; and

### **Stop Work Order**

- 10.35 The *building official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice in the form described in Appendix D on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *building code*, any applicable bylaw of the *District* or the applicable provisions of the *Homeowner Protection Act*.

- 10.36 The *coordinating registered professional* may request, in writing, that the *building official* order the immediate suspension or correction of all or a portion of the construction on a *building or structure* by attaching a stop work order notice on the premises. The *building official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 10.37 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design or field review* and the *building official* is deemed to have issued a stop work order under section 10.35.
- 10.38 The *owner* must immediately, after the posting of a notice under section 10.35, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the *District*.
- 10.39 Subject to section 10.35, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.35 until the stop work order notice has been removed by the *building official*.
- 10.40 The notice referred to in section 10.35 must remain posted on the premises until that which is contrary to the enactments has been remedied.

### **Do Not Occupy Notice**

- 10.41 If 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 Appendix E on the affected part of the *building or structure*.
- 10.42 If a notice is posted under section 10.41, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building or structure* immediately and 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*.

### **Inspection and Other Fees**

- 10.43 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in Appendix A for
- (a) a third and each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than two site visits are required for any required inspection;
  - (b) a special inspection during the *District's* normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques; and

- (c) inspection required under this bylaw which cannot be carried out during the *District's* normal business hours.

### **Permit Expiration**

10.44 Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if

- (a) the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*;
- (b) work is discontinued for a period of 180 days; or
- (c) the work is not completed within two years of the date of issuance of the *permit*.

### **Permit Extension**

10.45 A *building official* may extend the period set out under section 10.44 for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if

- (a) application for the extension is made at least 30 days prior to the date of *permit* expiration; and
- (b) the non-refundable fee set out in Appendix A has been paid.

### **Building Permit Revocation**

10.46 The *building official* may revoke a *building permit* if there is a violation of

- (a) a condition under which the *permit* was issued; or
- (b) a requirement of the *building code* or of this or another bylaw of the *District*,

and such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

### **Building Permit Cancellation**

10.47 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building official*.

10.48 On receipt of the written cancellation notice, the *building official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".

- 10.49 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 10.50 If a *building permit* application is cancelled, the *building official* must return to the *owner* any fees deposited under Appendix A, less
- (a) any non-refundable portion of the fee; and
  - (b) 15% of the refundable portion of the fee.

### **Occupancy**

- 10.51 No person may occupy a *building* or *structure* or part of a *building* or *structure* until an *occupancy permit* has been issued by a *building official*.
- 10.52 An *occupancy permit* will not be issued unless
- (a) all letters of assurance have been submitted when required in accordance with this bylaw;
  - (b) all aspects of the work requiring inspection and acceptance pursuant to this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
  - (c) the *owner* has delivered to the *District* as-built plans of works and *services* in digital format as required by the *District*;
  - (d) the *owner* has provided to the *District* a *building* survey prepared by a British Columbia Land Surveyor showing the *building* height, size, location and elevation determined in accordance with the *District's* land use regulations;
  - (e) all other documentation required under applicable enactments has been delivered to the *District*; and
  - (f) the *owner* has delivered to the *District* as-built drawings of the *building* or *structure* in digital format as required by the *District*.
- 10.53 When a *registered professional* provides letters of assurance in accordance with this bylaw, the *District* will rely solely on the letters of assurance when issuing an *occupancy permit* as assurance that the items identified on the letters of assurance substantially comply with the *design*, the *building code*, this bylaw and other applicable enactments respecting safety.

10.54 A *building official* may issue an *occupancy permit* for partial *occupancy* of a portion of a *building* or *structure* under construction when

- (a) that portion of the *building* or *structure* is self-contained and provided with essential services respecting *health and safety aspects* of the work, and if applicable, accessibility, GHG emissions and conservation; and
- (b) the requirements set out in section 10.52 have been met with respect to it.

10.55 An *occupancy permit* may not be issued unless

- (a) all letters of assurance have been submitted when required in accordance with the requirements of this bylaw;
- (b) all aspects of the work requiring inspection and review pursuant to this bylaw have both been inspected and *accepted*;
- (c) the *owner* has executed and delivered to the *District* every agreement, instrument or form required by the *District* in relation to the work or the site; and
- (d) all required offsite works respecting safety have been completed.

### **Temporary Buildings**

10.56 Subject to the bylaws of the *District* and orders of its council, the *building official* may issue a *building permit* for the erection or placement of a *temporary building* or *structure* for *occupancy* if

- (a) the *permit* is for a period not exceeding one year; and
- (b) the *building* or *structure* is located in compliance with the *District's* zoning bylaw, built in compliance with the *building code* and this bylaw, and connected, as required by enactments, to *District* utility services.

10.57 An application for a *building permit* for the erection or placement of a *temporary building* or *structure* must be made in the form of a temporary *permit* application in the form prescribed by the *District's* Manager of Inspections, signed by the *owner* or *agent*, and must include

- (a) plans and supporting documents showing the location and *building height* of the *building* or *structure* on the parcel;
- (b) plans and supporting documents showing construction details of the *building* or *structure*;
- (c) a statement by the *owner* indicating the intended use and duration of the use;
- (d) plans and supporting documents showing the proposed parking and loading space;

- (e) a written description of the *project* explaining why the *building* is temporary;
- (f) a copy of an issued development *permit*, if required;
- (g) in the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
- (h) a report or drawing by an engineer, architect or designer confirming compliance with the *building code*, this bylaw, the *District's* zoning bylaw and other applicable bylaws;
- (i) security in the form of cash or a letter of credit for 10% of the value of the *temporary building*, which security
  - (i) may be used by the *District* to remove the *building* after one year of the date of the final inspection required under this bylaw; or
  - (ii) must be returned to the *owner* if the *owner* removes the *temporary building* within one year of the date of the final inspection of the *temporary building* required under this bylaw; and
- (j) in the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.

10.58 Before receiving a *building permit* for a *temporary building* or *structure* for *occupancy*, the *owner* must pay to the *District* the applicable *building permit* fee set out in Appendix A.

10.59 A *permit fee* for a *temporary building* or *structure* is not refundable.

### **Sanitary Facilities**

10.60 During the time a *building permit* has been issued and remains valid under this bylaw, the *owner* must provide on the parcel of land in respect of which the *permit* has been issued, sanitary facilities for the disposal of human waste from individual persons who enter on the parcel in relation to the work referred to in the *permit*, which facilities must be accessible and unlocked when not occupied while work is being carried out on the parcel under this bylaw, and every sanitary facility that is not connected to a

- (a) sanitary sewer; or
- (b) septic disposal system approved under the *Health Act*,

by plumbing that complies with the *building code* and this bylaw, must be provided, at all times the facility is required under this bylaw, with toilet paper, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking beyond the facility and without overflowing within the facility. Such facilities must be located so as not to create a nuisance to neighbouring parcels or highways.

## Second Dwelling Unit

- 10.61 Where only one dwelling unit is permitted on a *parcel*, the *owner* may obtain a *building permit* to construct a second dwelling unit on the *parcel* by entering into a written agreement with the *District* prior to the issuance of the *building permit*, whereby the *owner* agrees to:
- (a) demolish the first dwelling unit within 30 days of issuance of an *occupancy permit* for the second dwelling, or actual occupation of the second dwelling, whichever occurs first; or
  - (b) convert the first dwelling unit to an alternative use permitted under the *District's* zoning bylaw within 30 days of issuance of an *occupancy permit* for the second dwelling, or actual occupation of the second dwelling, whichever occurs first; and
  - (c) if the *owner* elects to convert the first dwelling unit pursuant to subsection (b), grant, and register against title to the *parcel* in priority over all charges and encumbrances of a financial nature, a covenant to the *District* under section 219 of the *Land Title Act* as required by the *District's* Manager of Inspection Services.

## Alternative Solutions

- 10.62 An owner that wishes to provide alternative solutions to satisfy one or more of the requirements of the Building Code or this Bylaw must submit sufficient evidence to demonstrate that the proposed alternative solutions will provide the level of performance required by the Building Code or this Bylaw and pay the fee specified in Appendix A of this Bylaw.

## PART 11: RETAINING WALLS AND GRADES

- 11.1 No person may construct, or structurally repair, a *retaining wall* without a *building permit*.
- 11.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a *parcel*, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.
- 11.3 Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.

## PART 12: BUILDING MOVE

- 12.1 No person may move a *building* or *structure* into or within the *District*

- (a) except where certified by a *registered professional* that the *building*, including its *foundation*, will substantially comply with the current version of the *building code*; and
- (b) where a *building permit* has been issued for the *building* or *structure*.

### **PART 13: NUMBERING OF BUILDINGS**

- 13.1 Immediately upon issuance of a *building permit* governing the *construction*, *alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the *District*
  - (a) on or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the adjacent highway, on the *building* property within sight of the adjacent highway; and
  - (b) until such time as the *building* is removed from the site or has been demolished.
- 13.2 Despite section 13.1, the *District's* Director of Engineering may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered.
- 13.3 Without limiting sections 13.1 or 13.2, the *District's* Director of Engineering must, on the issuance of a *building permit*, designate a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction.
- 13.4 Without limiting sections 13.1 through 13.3, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in a conspicuous place on the *building* such that the number is visible from an adjacent highway that is not a lane.

### **PART 14: ENERGY CONSERVATION AND GHG EMISSION REDUCTION**

- 14.1 In relation to the reduction of greenhouse gas emissions, the District incorporates by reference the *Zero Carbon Step Code* in accordance with sections 14.2 to 14.8 below.
- 14.2 For *building permit* applications received on or after May 1, 2023 to October 31, 2023 inclusive, a building regulated by Part 9 of the *building code* must be designed and constructed to meet or exceed the performance requirements specified in GHG Emission Level 1 (measure only) of the *Zero Carbon Step Code*.

- 14.3 For *building permit* applications received on or after November 1, 2023, a building regulated by Part 9 of the *building code* must be designed and constructed to meet or exceed the performance requirements specified in GHG Emission Level 4 of the *Zero Carbon Step Code*.
- 14.4 For *building permit* applications received on or after May 1, 2023 to June 30, 2024 inclusive, a multi-unit residential building that is six storeys or fewer and regulated by Part 3 of the building code must be designed and constructed to meet or exceed the performance requirements specified in GHG Emission Level 1 (measure only) of the *Zero Carbon Step Code*.
- 14.5 For *building permit* applications received on or after May 1, 2023 to October 31, 2024 inclusive, all buildings regulated by Part 3 of the *building code* other than multi-unit residential buildings that are six storeys or fewer, must be designed and constructed to meet or exceed the performance requirements specified in GHG Emission Level 1 (measure only) of the *Zero Carbon Step Code*.
- 14.6 For *building permit* applications received on or after July 1, 2024 a multi-unit residential building that is six storeys or fewer and regulated by Part 3 of the *building code* must be designed and constructed to meet or exceed the performance requirements specified in GHG Emission Level 4 of the *Zero Carbon Step Code*.
- 14.7 For *building permit* applications received on or after November 1, 2024, a building regulated by Part 3 of the building code must be designed and constructed to meet or exceed the performance requirements specified in GHG Emission Level 4 of the *Zero Carbon Step Code*.
- 14.8 The owner of any building subject to a requirement under sections 14.2 to 14.7 must do the following prior to the issuance of any occupancy permit in respect of the building:
- (a) submit a *compliance report* to the District’s Inspections Division; and
  - (b) submit an electronic copy of one of the following home energy labels to the District’s Inspections Division and affix a printed version of this home energy label to the building in a conspicuous location, upon or in close proximity to the electrical panel:
    - (i) an EnerGuide Rating System label;
    - (ii) a Passive House Certification; or
    - (iii) a comparable home energy label acceptable to the District’s Manager of Inspection Services.
- 14.9 The building official may issue directives with respect to the application related to technical matters, including such energy reporting requirements for the purpose of producing the *compliance report*.”

## PART 15: FIRE ACCESS ROUTES AND SPARK ARRESTORS

- 15.1 Prior to issuance of a building permit for a *building* under Part 9 of the *building code*, the owner must satisfy the *building official* that the *building* or *structure* for which the permit is issued will be served by a fire access route that when exceeding 45 meters, satisfies the following:
- (a) the clear width of an access route must be not less than 6 metres;
  - (b) the centerline radius of an access route must be not less than 12.0 metres;
  - (c) the overhead clearance of an access route must be not less than 5.0 metres;
  - (d) the gradient of an access route must not change more than 1 in 12.5 over a minimum distance of 15.0 metres, unless the *building official* is satisfied that an alternative solution under BC Building Code 9.10.20.3.(1) is acceptable.;
  - (e) the access route must comply with the bearing load and surface material standards of the District's Subdivision and Development Servicing Bylaw, as amended or replaced from time to time;
  - (f) the access route must have turnaround facilities for any dead-end portion of the access route more than 90 metres long;
  - (g) the access route must be connected with a public highway; and
  - (h) if a portion of the *building* or *structure* is completely cut off from the remainder of the *building* or *structure* so that there is no access to the remainder of the *building* or *structure*, the access route shall be located so that the unobstructed path of travel from the vehicle to one entrance of each portion of the building is not more than 45 m.
- 15.2 In any case where a chimney is attached to a solid fuel burning appliance installed in any *building* or *structure* located within the Rural Saanich Interface Fire Hazard Development Permit Area under the *District's* official community plan, such chimney shall be equipped with a spark arrestor that complies with the following:
- (a) the arrestor screen shall have heat and corrosion resistance equivalent to 19-gauge (1.04 mm) galvanized steel or 24-gauge (0.61 mm) stainless steel;
  - (b) arrestor screen openings shall not allow passage of spheres having a diameter larger than 12.7 mm nor block the passage of spheres having a diameter of less than 9.5 mm;
  - (c) the arrestor shall be accessible for cleaning, and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue;
  - (d) where the arrestor is part of a listed chimney termination system, it shall be constructed and installed in accordance with the listing.

## PART 16: EMERGENCY COMMUNICATIONS

### Definitions

16.1 In this part:

*adequate emergency radio coverage* means coverage that provides system access and "delivered audio quality" (DAQ) of 3.4 or better (speech understandable with repetition only rarely, some noise or distortion may be present) for communication between a portable (handheld) radio with simple flexible whip antenna ("rubber ducky") and the *CREST Communications System* on all frequencies utilized by the *CREST Communications System*:

- (a) within the *building*, for a minimum of 90% of the area of each floor of the *building*, including underground areas such as for parking;
- (b) within the *building*, for 100% of fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms and high-hazard areas; and
- (c) in areas that are in the *shadowed area* of the *building*, in 90% of all areas where DAQ 3.4 could be achieved before the erection, *construction* or modification of the *building* or *structure*;

*amplification system* means a system that satisfies all of the following requirements:

- (a) the system is comprised of one or more of the following components:
  - (i) passive antenna systems or radiating cable systems;
  - (ii) distributed antenna systems with uni-directional or bi-directional amplifiers as needed;
  - (iii) voting receiver systems; or
  - (iv) any other system accepted by the *Fire Chief* in writing in a particular instance;
- (b) each of the components referred to in subsection (a) is included in the Radio Equipment List published from time to time by Innovation, Science and Economic Development Canada (ISED) or any successor organization;
- (c) the system is licensed and maintained in accordance with the applicable requirements of Innovation, Science and Economic Development Canada (ISED) or any successor organization;

*CREST* means Capital Region Emergency Service Telecommunications Inc., and includes any successor organization;

*CREST Communications System* means the public safety communications system network maintained by *CREST*;

*Fire Chief* means the person appointed as Chief of the Saanich Fire Department or that person's authorized delegate;

*radio communications engineer* means a professional engineer registered in the Province of British Columbia and qualified in radio communications;

*shadowed area* means an area that suffers attenuation or obstruction of radio signals to or from the area as a result of the interposition of all or any part of the *building* or *structure* in the radio signal path between the area and the transmitting/receiving site of the *CREST Communications System*.

## Prohibitions

- 16.2 Unless a specific exemption under section 16.5 applies, no person shall erect, *construct*, change the use of, or renovate any *building* or *structure* or any part thereof, or cause the same to be done, in a manner that:
- (a) degrades the radio coverage provided by the *CREST Communications System* as experienced by its users, including but not limited to fire services and law enforcement personnel; or
  - (b) fails to result in adequate emergency radio coverage in the *building* or *structure* or any *shadowed area*.
- 16.3 No *occupancy permit* shall be issued for a *building* or *structure* or any part thereof until the requirements of this Part have been met to the satisfaction of the *building official* and the *Fire Chief*.
- 16.4 Despite any other provision of this Part, no *amplification system* shall degrade the outdoor performance of the *CREST Communications System* except with the prior written consent of *CREST*.

## Exemptions

- 16.5 This Part shall not apply to:
- (a) a *building* or *structure* regulated under Part 9 of the *building code*;
  - (b) any *building* or *structure* regulated under Part 3 of the *building code* that complies with all of the following:
    - i) is constructed entirely of wood frame;
    - ii) does not have any metal cladding;
    - iii) does not have any Low-E reflective glass;

- iv) does not have any portion of the *building* or *structure* with a floor level that is partially or wholly underground, including basements, cellars and crawlspaces;
  - v) the area of all the floors of the *building* or *structure* is less than 4,500 square metres, as measured to the lesser of the outside edge of the exterior walls or sheathing; and
  - vi) is less than 12 metres in height, as measured from the lowest ground elevation of the *building* or *structure* to the highest point of the *building* or *structure*; or
- (c) any *building* or *structure* that is exempted from this Part by the *Fire Chief* or *building official* in writing.

## Requirements

- 16.6 Where necessary to comply with section 16.2, the *owner* of a *building* or *structure* shall install an *amplification system* in accordance with this Part.
- 16.7 An *amplification system* must be designed, installed, tested, commissioned and maintained by, or under the direct supervision of, a *radio communications engineer*, and at the sole expense of the *owner*.
- 16.8 If any part of an installed *amplification system* contains an electrically powered component, the following requirements must be satisfied:
- (a) the *amplification system* shall be equipped to operate on an independent "Uninterruptible Power Supply" (UPS), using a battery and/or generator system, for a period of at least four hours without external power or maintenance;
  - (b) all amplifiers and electronics used in the *amplification system* shall be protected by National Electrical Manufacturers Association (NEMA) type 4 or higher enclosures;
  - (c) the UPS must automatically charge the batteries in the presence of external power;
  - (d) the UPS must provide a monitored alarm signal to indicate failure of primary power, failure of the UPS system power output, or discharge of the batteries, with the silencing of the alarm being the responsibility of the *owner* or the person maintaining the *amplification system* on behalf of the *owner*;
  - (e) the Saanich Fire Department must be notified of any failure referred to in subsection (d) immediately following detection of the failure, and in any event not later than two hours after the initial failure has occurred;

- (f) notwithstanding subsection (e), the Saanich Fire Department must be notified immediately of any critical alarm detected by the *amplification system* regarding battery condition or *amplification system* performance;
- (g) an *amplification system* summary alarm, consisting of a relay contact closure or equivalent, must be provided to the *building* fire panel by means of a hard wired connection.

16.9 Where signal amplifiers are used as part of an *amplification system*, they must include filters that will protect the amplifiers from overload and the system from interference by out-of-band signals.

### Acceptance Testing

16.10 Acceptance tests and measurements shall be performed by the *radio communications engineer* on behalf of the *owner* after completion of installation of the *amplification system* in accordance with all of the following requirements:

- (a) tests shall be performed using radio frequencies designated by *CREST*, after proper coordination with an authorized representative of *CREST* and with the *Fire Chief* and the Chief Constable of the Saanich Police Department.
- (b) if queuing occurs on the radio system while testing is underway, testing shall be terminated immediately and resumed only when traffic levels on the system drop to the level where queuing will no longer occur;
- (c) where the *shadowed area*, or the floor area of a *building*, is greater than 4,500 square metres the area shall be divided into a uniform grid of not more than 15 m on a side, or if the floor area is smaller than 4,500 square metres, it shall be divided into a uniform grid of approximately 20 equal areas, each a minimum of 9 square metres, and measurements shall be taken in each grid area;
- (d) the size and number of the grids referred to in subsection (c) may be reduced or increased by written direction of the Fire Chief or a *building official* where special construction or other obstructions may significantly affect communications;
- (e) tests shall also be performed in fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms, and high-hazard areas;
- (f) tests shall be made using a portable (handheld) radio of the type used by emergency service personnel, carried at hip level (with external speaker/mic) and using a simple "rubber ducky" antenna;
- (g) a test shall be deemed satisfactory if DAQ 3.4 or better can be achieved for a five-second test transmission in each direction;

- (h) if system access is not reliable, or if DAQ 3.4 for five seconds cannot be achieved at any location, the test operator may move a maximum of 1.5 m in any direction inside of the grid and repeat the test;
- (i) if, following a repeat test under subsection (h), system access continues to be unreliable, or if DAQ 3.4 still cannot be achieved, or if there is any doubt about whether it can be achieved, a failure shall be recorded for that location;
- (j) for all tests, a pre-defined “Harvard” sentence should be used, such that the listeners are not aware of the sentence in advance on each test, and a different recorded sentence should be used at each location;
- (k) a maximum of two non-adjacent grid areas on a floor or in a *shadowed area* are permitted to fail the test;
- (l) in the event that three or more areas on a floor or in a shadowed area fail the test, the floor or shadowed area may be divided into 40 approximately equal areas with a minimum area of 4 square metres each, and the tests repeated;
- (m) in the event of repeat tests under subsection (l), a maximum of four non-adjacent grid areas are permitted to fail the test;
- (n) backup batteries and power supplies shall be tested under full load by generating communication traffic automatically for a duration of at least one hour. If within the one-hour period, the battery shows no symptom of failure or impending failure, the test shall be continued for additional one-hour periods to determine the integrity of the battery. The battery shall not fail within a four-hour continuous test period;
- (o) the gain values of all amplifiers shall be measured, using a service monitor that has been calibrated by a certified laboratory within the preceding 12 months, and the results shall be kept on file by the *owner* for future verification and monitoring of performance. The gain records file must have multiple back-ups and be stored in more than one location.

16.11 An *amplification system* is deemed to have failed acceptance testing, and the *owner* must make all corrections to the *amplification system* necessary to achieve *adequate emergency radio coverage* in accordance with this Part, in the event any of the following applies:

- (a) the *amplification system* fails the 40-area test under subsections 16.10(l) and (m); or
- (b) the *amplification system* fails to provide *adequate emergency radio coverage* in any of the fire command centre, any portion of a stairwell, protect-in-place areas, lobby refuge areas, equipment rooms, or high-hazard areas.

## Annual Testing

- 16.12 Not less than once per calendar year, the *owner* of a *building* containing an *amplification system* must test all active components of the *amplification system*, including but not limited to all amplifiers, power supplies and back-up batteries, and shall keep a record of such tests as part of the Fire Safety Plan for the *building* for inspection by the *Fire Chief* or such other inspector as may be designated by the *District*. Amplifier gain shall be adjusted if necessary to re-establish the gain recorded upon acceptance testing, and batteries and power supplies shall be tested under load for a period of at least one hour to verify that they will function properly during a power outage.
- 16.13 Additional tests or inspection of records may be conducted from time to time by the Saanich Fire Department at the discretion of the *Fire Chief*, after giving reasonable notice to the *building's owner*. If communications within the *building* or within the shadowed area appear to have degraded, or if the tests show unacceptable communications performance, the *owner* of the *building* or *structure* is required to remedy the problem and restore the amplification system in a manner consistent with the original acceptance criteria, so as to achieve *adequate emergency radio coverage* in accordance with this Part, unless the *owner* can demonstrate conclusively that the degradation is solely the result of external changes not under his or her control.

## Qualifications of Testing Personnel and Equipment

- 16.14 All tests required under this Part shall be performed by or under the direct supervision of a *radio communications engineer*, and all test reports shall bear the seal of the *radio communications engineer*.
- 16.15 Portable radios used for tests required under this Part shall be of a size and type as designated as acceptable by the *Fire Chief*, or such replacement radio as may be in use by the Saanich Fire Department at the time, accepted by *CREST* and programmed to operate on a P25 radio tuned to a P25 test channel. SINAD, BER, and signal strength measurements shall be made using appropriate instrumentation acceptable to the *Fire Chief*. Radios and measurement equipment shall have been tested for conformance to design specifications within twelve months prior to the conduct of *amplification system* acceptance tests or re-tests.

## PART 17: OFFENCES

### Violations

- 17.1 Without limiting Part 4 of this bylaw, every person who
- (a) violates a provision of this bylaw;
  - (b) permits, suffers or allows any act to be done in violation of any provision of this bylaw; or

(c) neglects to do anything required to be done under any provision of this bylaw, commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000.00, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

17.2 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.

### **Deemed Offence**

17.3 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.

17.4 No person is deemed liable under section 17.3 who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.

17.5 Nothing in section 17.4 affects

(a) the *District's* right to require and the *owner's* obligation to obtain a *permit*; and

(b) the obligation of the *owner* to comply with this bylaw.

## **PART 18: INTERPRETATION**

### **Definitions**

18.1 In this bylaw

*accepted* means reviewed by the *building official* under the applicable provisions of the *building code* and this bylaw;

*addition* means an *alteration* to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

*agent* includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

*alternative solution* means an alternative solution authorized under the *building code*;

*alteration* means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

*bond* means an irrevocable letter of credit, cash, certified cheque, or surety.

*building code* means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

*building official* means the person designated in or appointed to that position by the *District*, and includes a building inspector, plan checker or plumbing inspector designated or appointed by the *District*, and for certainty the *building official* is the “building inspector” referred to in the *Community Charter* and *Local Government Act*;

*complex building* means:

(a) a *building* used for a *major occupancy* classified as:

- (i) *assembly occupancy* with an occupancy load greater than 30 persons;
- (ii) *care occupancy*;
- (iii) *detention occupancy*;
- (iv) *high hazard industrial occupancy*,
- (v) *treatment occupancy*; or
- (vi) *post-disaster building*,

(b) a *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as:

- (i) *residential occupancy*;
- (ii) *business and personal services occupancy*;
- (iii) *mercantile occupancy*; or
- (iv) *medium and low hazard industrial occupancy*,

*compliance report* means a standardized report template that demonstrates that the building complies with the BC Building Code’s energy efficiency requirements and the Zero Carbon Step Code requirements under sections 14.2 to 14.7 above, in a form acceptable to the District’s Manager of Inspection Services.

*coordinating registered professional* means a *registered professional* retained pursuant to the *building code* to coordinate all design work and field reviews of *the registered professionals* required for a development;

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

*constructor* means a person who *constructs*;

*development works and services* means those highways, sidewalks, boulevards, boulevard crossings, transit bays, street lighting, underground wiring systems, water distribution systems, fire hydrant systems, sewage collection systems, sewage disposal systems, drainage collection systems and drainage disposal systems required to be constructed, upgraded or installed pursuant to the *District's* Subdivision Bylaw, 1995 or any successor bylaw;

*District* means The Corporation of the District of Saanich;

*existing*, in respect of a *building*, means that portion of a *building constructed* prior to the submission of a *permit* application required under this bylaw;

*foundation* means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

*GHG* means greenhouse gas;

*health and safety aspects of the work* means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *building code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;

*occupancy permit* means permission or authorization in writing by a *building official* to occupy a *building* or part of a *building* for the *accepted occupancy*;

*owner* means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the form attached as Appendix B;

*permit* means permission or authorization in writing by the *building official* to perform work regulated by this bylaw and, in the case of an *occupancy permit*, to occupy a *building* or part of a *building*;

*professional design* means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

*project* means any construction operation;

*retaining wall* means a *structure* exceeding 1.20 metres in height that holds or retains *soil* or other material behind it;

*simple building* means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as

- (a) *residential occupancy*;
- (b) *business and personal services occupancy*;
- (c) *mercantile occupancy*;
- (d) *medium hazard industrial occupancy*; or
- (e) *low hazard industrial occupancy*,

*structure* means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.20 meters in height;

*temporary building* includes a sales office, construction office or a *structure* in which tools are stored during construction of a *building* or other *structure*;

*value of the work* means the greater of the following amounts:

- (a) the declared *value of the work*; or
- (b) the value calculated using a method stipulated in the “Marshall & Swift Valuation Service”;

*Zero Carbon Step Code* means the regulation of Greenhouse Gas (GHG) Emissions set out in Division B, Parts 9 and 10, of the Building Code.

18.2 In this bylaw the following words and terms have the meanings

- (a) set out in section 1.4.1.2 of the *building code*: *accessible assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, treatment occupancy or unsafe condition*;
- (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil*; and
- (c) subject to this bylaw, set out in section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written and year*.

- 18.3 Every reference to this bylaw in this or another bylaw of the *District* is a reference to this bylaw as amended to the date of the reference.
- 18.4 Every reference to
- (a) the *building code* is a reference to the current edition as of the date of issuance of the *building permit*; and
  - (b) a section of the *building code* is a reference to the applicable successor sections, as the code or section may be amended or re-enacted from time to time.
- 18.5 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

### **Appendices**

- 18.6 Appendices A through E are attached to and form part of this bylaw.

### **Severability**

- 18.7 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

## **PART 19: REPEAL**

- 19.1 Building and Plumbing Bylaw, 2005, No. 8627 and all amendments thereto are hereby repealed.

## **PART 20: IN FORCE**

- 20.1 This bylaw comes into force on the date of its adoption.

Includes Bylaw Amendments No. 9570, 9585, 9723, 9789, 9928, 10029, 10042, 10118, and 10050.

**District of Saanich  
BYLAW No. 9529, 2019**

**PART 21: APPENDIX A – FEES**

**BUILDING PERMIT FEES**

1. Building Permit Application Fee:

An application shall be accompanied by a non-refundable application fee of the following amounts:

- \$100.00: for permits where the value of the work is less than \$15,000.00;
- \$300.00: for permits where the value of the work is \$15,001.00 to \$100,000.00;
- \$1,000.00: for permits where the value of the work is \$100,001.00 to \$500,000.00;
- \$3,000.00: for permits where the value of the work is \$500,001.00 to \$2,000,000.00;
- \$7,500.00: for permits where the value of the work is \$2,000,001.00 to \$10,000,000.00;
- \$15,000.00: for permits where the value of the work is over \$10,000,000.00.

2. The non-refundable application fee shall form part of, and is not in addition to, the building permit fee. Building Permit Fees

Building Permit fees payable for a permit for the construction, addition, alteration or repair of any building or structure or any part thereof, including any deconstruction, demolition or removal of existing buildings or structures or any part thereof, shall be as follows:

- (a) For permits where the value of the work is \$1,000.00 or less: \$100.00;
- (b) For permits where the value of the work is in excess of \$1,000.00, the fees shall be:

\$100.00 for the first \$1,000.00 plus;  
\$13.00 per thousand for the next \$499,000.00 plus;  
\$10.00 per thousand for all value in excess of \$500,000.00.

3. The fee for a permit to deconstruct, wreck, demolish or remove a building from a lot shall be \$50.00.

4. The building permit fee for a permit to move a building on to a lot shall be based on the value of the building and the value of work required on site. The minimum permit fee shall be \$100.00.

5. The building permit fee for a permit which involves an *alternative solution* to the BC Building Code shall be:
  - (a) \$550.00 for the first *alternative solution*;
  - (b) \$250.00 for each additional *alternative solution*;
  - (c) \$250.00 for each revision to an *alternative solution*.

## PLUMBING PERMIT FEES

1.	Plumbing Permit application fee (Applicable to individual Plumbing Permits. Waived if part of a Building Permit):	\$50.00
2.	Plumbing Fixtures (each)	\$20.00
3.	Sewer Connections (each):	\$50.00
a.	House storm drain lateral	
b.	Sanitary sewer lateral	
c.	Manholes or interceptors	
d.	Pumping Stations	
e.	For alteration or replacement not involving installation of a fixtures	
f.	Grease Traps	
4.	Fire Protection Equipment	
a.	Sprinkler Systems/Standpipes	\$0.40 per square meter
5.	Residential or Commercial Irrigation Systems (backflow preventor)	\$50.00

## CHIMNEY PERMITS

1.	Chimney permit	\$40.00
2.	Fireplace permit	\$30.00
3.	Solid fuel burning stove, range, furnace, boiler or space heating appliance	\$30.00
4.	Minimum chimney, fireplace or solid fuel burning appliance permit fee	\$50.00

## GENERAL

1. Re-inspection fee. The non-refundable fee for re-inspection in circumstances set out in section 10.43(a) of this Bylaw is \$100.00 for the third re-inspection, \$200.00 for the fourth re-inspection, \$500.00 for a fifth re-inspection, and \$400.00 for a sixth (or greater) re-inspection. The non-refundable fee for re-inspection in circumstances set out in section 10.43(b) and (c) is \$100.00.
2. Voluntary inspection fee. The fee for a voluntary request for an inspection to establish the requirement for a building or plumbing permit is \$150.00.
3. Change of owner fee. The non-refundable fee payable under section 7.14 of this Bylaw to change the owner or address of the owner shall be \$75.00.
4. Electronic copy fee. Copies for drawings larger than 11"x17" shall be charged at \$4.00 per sheet. Copies for drawings smaller than 11"x17" shall be charged at \$1.00 per sheet.
5. Cancellation of Notice on Title. The fee to apply to cancel a note against land title shall be \$500.00.
6. Plan revision fee. The fee payable under section 10.15 of this Bylaw for plan revision shall be \$100.00.
7. Temporary building permit fee. The non-refundable fee payable under section 10.58 of this Bylaw shall be \$100.00.
8. Permit extension fee. The non-refundable fee payable under section 10.45 of this Bylaw shall be \$200.
9. Waiver of Fees of Municipal Projects: No fees under this Appendix A shall be required for municipal projects conducted by or on behalf of Saanich, on property owned or managed by Saanich.

District of Saanich  
BYLAW No. 9529, 2019

PART 22: APPENDIX B – LETTER OF AUTHORIZATION

District of Saanich  
Inspection Services  
770 Vernon Ave.  
Victoria BC V8X 2W7

t. 250-475-5457  
f. 250-475-5418  
saanich.ca



# AGENT AUTHORIZATION

Date: \_\_\_\_\_

Civic Address: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

I/we as the registered owner (s) of the above referenced property,

\_\_\_\_\_  
(PRINT NAME)

Appoint: \_\_\_\_\_

\*\* (NAME OF PERSON TO ACT AS AGENT – MUST BE AN INDIVIDUAL) \*\*

Company Name: \_\_\_\_\_

\_\_\_\_\_  
(ADDRESS/PHONE NUMBER OF AGENT)

As an agent authorized to:

View and obtain copies of all plans and permits

Apply for & obtain permits for proposed construction at the above referenced address.

*Note: Plumbing Permits can only be obtained by the property owner (Isometric Drawings are required) or by a Trade Qualified (TQ) Plumber*

Owner(s) Signature: \_\_\_\_\_

\_\_\_\_\_

Owner(s) Print Name: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

This collection of personal information is authorized under the *Local Government Act*, *Community Charter* and section 26(c) of the *Freedom of Information and Protection of Privacy Act*. The information will be used for processing this form. Questions can be directed to the District's Privacy Officer at: 770 Vernon Avenue, Victoria BC V8X 2W7, t. 250-475-1775, e. [foi@saanich.ca](mailto:foi@saanich.ca)

**District of Saanich  
BYLAW No. 9529, 2019**

**PART 23: APPENDIX C – COMPLEX PERMIT OCCUPANCY CHECKLIST**

Building Permit Number: \_\_\_\_\_

*Note:*

1. *The Complex Permit Occupancy Checklist and all required documentation must be submitted to the Building Official 48 hours prior to the Pre-Occupancy Coordinated Review.*
2. *The Complex Permit Occupancy Checklist and all required documentation must be submitted in a tabbed ringed binder, with tab sections as per this Appendix.*

TAB 1	<input type="checkbox"/> Provided <input type="checkbox"/> N/A	CONFIRMATION OF REQUIRED DOCUMENTATION
TAB 2	<input type="checkbox"/> <input type="checkbox"/> DIRECTORY OF PRINCIPALS (Role/Firm/Name/Telephone) <input type="checkbox"/> <input type="checkbox"/> Owner <input type="checkbox"/> <input type="checkbox"/> Co-ordinating Registered Professional <input type="checkbox"/> <input type="checkbox"/> Registered Professionals <input type="checkbox"/> <input type="checkbox"/> Warranty Provided <input type="checkbox"/> <input type="checkbox"/> Licensed Builder <input type="checkbox"/> <input type="checkbox"/> Sub-Contractors	
TAB 3	<input type="checkbox"/> <input type="checkbox"/> LETTERS OF ASSURANCE (A, B, C-A, C-B) <input type="checkbox"/> <input type="checkbox"/> Co-ordinating Registered Professional <input type="checkbox"/> <input type="checkbox"/> Architectural <input type="checkbox"/> <input type="checkbox"/> Structural <input type="checkbox"/> <input type="checkbox"/> Mechanical <input type="checkbox"/> <input type="checkbox"/> Plumbing <input type="checkbox"/> <input type="checkbox"/> Electrical <input type="checkbox"/> <input type="checkbox"/> Geotechnical Temporary <input type="checkbox"/> <input type="checkbox"/> Geotechnical Permanent <input type="checkbox"/> <input type="checkbox"/> Fire Suppression <input type="checkbox"/> <input type="checkbox"/> _____ (other)	
TAB 4	<input type="checkbox"/> <input type="checkbox"/> PROFESSIONAL REVIEW LETTERS <input type="checkbox"/> <input type="checkbox"/> Alternative Solution (Confirmation of Field Review – sealed) <input type="checkbox"/> <input type="checkbox"/> Site Services – Civil Engineer	

- Building Envelope Specialist
- Roofing Consultant
- Generator Test Report / Certificate
- (Other - specify) \_\_\_\_\_
- (Other - specify) \_\_\_\_\_

- TAB 5      FIRE ALARM
- Fire Alarm Verification Certificate (include field work sheets)
  - Letter of Signed Contract from ULC Listed Monitoring Agency

- TAB 6      SPRINKLER SYSTEMS
- Material and Test Certificate – Above ground piping
  - Material and Test Certificate – Underground piping
  - Fire Pump Test Report

- TAB 7      PROVINCIAL APPROVALS
- Certificate to Operate Elevating Device (one per each device)
  - Health Approval (on-site sewage disposal)
  - Health Approval (food services)

- TAB 8      DISTRICT APPROVALS
- Sprinkler Permit – Pre-occupancy Co-ordinated Review
  - Fire Department Acceptance (Fire Safety Plan)
  - Final Inspection (Building Inspector– pre-occupancy review)
  - Developmental Engineering Final Inspection
  - Planning Technicians Final Inspection

- TAB 9      DEFICIENCY LIST

Submitted by Coordinating Registered Professional

\_\_\_\_\_  
Name (PRINT)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address (PRINT)

\_\_\_\_\_  
Phone

District of Saanich  
BYLAW No. 9529, 2019

PART 24: APPENDIX D – STOP WORK ORDER



District of Saanich  
Inspections, Bylaw & Licence Division | 770 Vernon Ave Victoria BC V8X 2W7  
p. 250-475-5457 | f. 250-475-5418 | e. inspections@saanich.ca

# STOP WORK

LOCATION: \_\_\_\_\_

REASON: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This WORK is an infraction of Saanich Building Bylaw No. 9529. Work must not proceed until approvals are obtained from Saanich Inspection Services. Infractions of this bylaw are subject to fines and penalties.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Official/Officer

**THIS CARD MUST NOT BE REMOVED EXCEPT UPON THE AUTHORITY OF SAANICH INSPECTION SERVICES.**

District of Saanich  
BYLAW No. 9529, 2019

PART 25: APPENDIX E – DO NOT OCCUPY



District of Saanich  
Inspections, Bylaw & Licence Division | 770 Vernon Ave Victoria BC V8X 2W7  
p. 250-475-5457 | f. 250-475-5418 | e. inspections@saanich.ca

# NO OCCUPANCY

LOCATION: \_\_\_\_\_

The OCCUPANCY of these premises is hereby prohibited under the provisions of the

\_\_\_\_\_ Bylaw.

REASON: \_\_\_\_\_

\_\_\_\_\_

Any persons occupying or permitting occupancy of these premises is subject to penalties and fines as provided under Municipal Bylaws.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Official/Officer

**THIS CARD MUST NOT BE REMOVED EXCEPT UPON THE AUTHORITY OF SAANICH INSPECTION SERVICES.**