

BUILDING BYLAW NO. 2014

A Bylaw to Regulate Building Construction and Provide for the
Administration of the B.C. Building Code

CONSOLIDATED FOR CONVENIENCE AND REFERENCE PURPOSES ONLY

This consolidated version is not a legal document. For official purposes please refer to the original bylaw and amending bylaw documents.

Includes Bylaw Amendments:
No. 2044, Adopted April 20, 2020

WHEREAS the *Local Government Act* authorizes the District, for the health, safety and protection of persons and property, to regulate the construction, alteration, repair, or demolition of building and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the Province;

AND WHEREAS it is deemed necessary to provide for the administration of the building code;

NOW THEREFORE THE COUNCIL OF THE DISTRICT OF CENTRAL SAANICH, in open meeting assembled, enacts as follows:

Title

1.0 This bylaw may be cited for all purposes as the “**Central Saanich Building Bylaw No. 2014, 2019**”.

2.0 Definition

2.1 In this Bylaw:

2.1.1 The following words and terms have the meanings set out in Section 1.1.3.2 of the Building Code: *assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, registered professional, and residential occupancy.*

2.1.2 *Building Code* means the British Columbia Building Code as adopted by the Minister

pursuant to the *Local Government Act*, as amended or re-enacted from time to time.

2.1.3 *Building Official* includes Building Inspectors, Plan Checkers and Plumbing Inspectors designated by the District of Central Saanich.

2.1.4 *Complex Building* means:

2.1.4.1 all *buildings* used for *major occupancies* classified as:

2.1.4.1.1 *assembly occupancies,*

2.1.4.1.2 *care or detention occupancies,*

2.1.4.1.3 *high hazard industrial occupancies, and*

2.1.4.2 all *buildings* exceeding 600 square meters in *building area* or exceeding three storeys in *building height* used for *major occupancies* classified as:

2.1.4.2.1 *residential occupancies,*

2.1.4.2.2 *business and personal services occupancies,*

2.1.4.2.3 *mercantile occupancies,*

2.1.4.2.4 *medium and low hazard industrial occupancies.*

2.1.5 *Energy Step Code* means the system of energy performance requirements, referred to as the Energy Step Code, set out in Division B, Parts 9 and 10, of the *Building Code*.

2.1.6 *Health and safety aspects of the work* means design and construction regulated by Parts 3, 4, 7 and 9 of the *Building Code*.

2.1.7 *Standard building* means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square meters and used for *major occupancies* classified as:

2.1.7.1 *residential occupancies,*

2.1.7.2 *business and personal services occupancies,*

2.1.7.3 *mercantile occupancies, or*

2.1.7.4 *medium to low hazard industrial occupancies.*

2.1.8 *Structure* means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.2 meters in height.

3.0 Purpose of Bylaw

3.1 The bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this section.

3.2 This bylaw has been enacted for the purpose of regulating construction within the District of Central Saanich in the general public interest. The activities undertaken by or on behalf of the District pursuant to this bylaw are for the sole purpose of providing a limited spot-checking function for reasons of health, safety and the protection of persons and property. The purpose of this bylaw does not extend:

3.2.1 to the protection of *owners*, *owner/builders* or *constructors* from economic loss;

3.2.2 to 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 him or her, with the *Building Code*, the requirements of this bylaw or other applicable enactments respecting safety;

3.2.3 to 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; or

3.2.4 to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the District is free from latent, or any, defects.

4.0 Permit Conditions

4.1 A permit is required whenever work regulated under this bylaw is to be undertaken (see 5.1).

4.2 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the District of Central Saanich, shall in any way relieve the *owner* or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and or other applicable enactments respecting safety.

4.3 It shall be the full and sole responsibility of the *owner* (and where the *owner* is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this bylaw or other applicable enactments respecting safety.

4.4 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the District of Central Saanich, constitute in any way a representation, warranty, assurance or statement that the *Building Code*, this bylaw or other applicable enactments respecting safety

have been complied with.

- 4.5** No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her representatives are responsible for making such determination.

5.0 Scope and Exemptions

- 5.1** This bylaw applies to the design, construction and *occupancy* of new *buildings* and *structures*, and the alteration, reconstruction, demolition, removal, relocation and *occupancy* of existing *buildings* and *structures*.

- 5.2** This bylaw does not apply to *buildings* or *structures* exempted by Part 1 of the *Building Code* except as expressly provided herein, nor to retaining *structures* less than 1.2 meters in height.

6.0 Prohibitions

- 6.1** No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the *occupancy* of any *building* or *structure*, including excavation or other work related to construction unless a *building official* has issued a permit for the work.

- 6.2** No person shall occupy or use any *building* or *structure* unless an occupancy permit has been issued by a *building official* for the *building* or *structure*, or contrary to the terms of any permit issued or any notice given by a *building official*.

- 6.3** No person shall knowingly submit false or misleading information to a *building official* in relation to any permit application or construction undertaken pursuant to this bylaw.

- 6.4** No person shall, 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 upon or affixed to a *building* or *structure* pursuant to this bylaw.

- 6.5** No person shall 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 accepted in writing by a *building official*.

- 6.6** No person shall obstruct the entry of a *building official* or other authorized official of the District of Central Saanich on property in the administration of this bylaw.

7.0 Building Officials

- 7.1** Each *building official* may:

- 7.1.1** administer this bylaw and prescribe the form of permits, permit applications, orders and notices except to the extent that they are specifically prescribed by this bylaw;

7.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw or microfilm or digital copies of such documents; and

7.1.3 establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a *building* or *structure* for which a permit is sought under this bylaw substantially conform to the requirements of the *Building Code*.

7.2 *A building official:*

7.2.1 may enter any land, *building*, *structure*, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw are being observed;

7.2.2 where any residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and

7.2.3 shall carry proper credentials confirming his or her status as a *building official*.

7.3 *A building official* may order the correction of any work that is being or has been done in contravention of this bylaw.

8.0 Application

8.1 Every person shall apply for and obtain:

8.1.1 a building permit before constructing, repairing or altering a *building* or *structure*;

8.1.2 a building move permit before moving a *building* or *structure*;

8.1.3 a demolition permit before demolishing a *building* or *structure*;

8.1.4 a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid building permit;

8.1.5 a plumbing permit before installing any plumbing installations occur; and

8.1.6 a sign permit before installing any sign.

8.2 All plans submitted with permit applications shall bear the name and address of the *Designer* of the *building* or *structure*.

8.3 Each *building* or *structure* to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of that *building* or *structure* as determined in accordance with the *Fees and Charges Bylaw*.

9.0 Applications for Complex Buildings

9.1 An application for a building permit with respect to a *complex building* shall:

- 9.1.1 be signed by the *owner*, or a signing officer if the *owner* is a corporation, or the *coordinating registered professional*;
- 9.1.2 be accompanied by the *owner's* acknowledgement of responsibility made in Form 1, signed by the *owner*, or a signing officer if the *owner* is a corporation;
- 9.1.3 include a copy of a title search made within 30 days of the date of the application;
- 9.1.4 include a site plan prepared by a British Columbia Land Surveyor showing:
 - 9.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 9.1.4.2 the legal description and civic address of the parcel;
 - 9.1.4.3 the location and dimensions of all statutory right of way, easements and setback requirements;
 - 9.1.4.4 the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - 9.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the District's land use regulations establish siting requirements;
 - 9.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the building; and
 - 9.1.4.7 the location, dimension and gradient of parking and driveway access.
- 9.1.5 include floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- 9.1.6 include a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
- 9.1.7 include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and finished grade;
- 9.1.8 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*;

- 9.1.9 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 approval;
 - 9.1.10 include a letter of assurance in the form of Schedule A as referred to in section 2.6 of Part 2 of the *Building Code*, signed by the *owner*, or a signing officer of the *owner* if the *owner* is a corporation, and the *coordinating registered professional*;
 - 9.1.11 include letters of assurance in the form of Schedule B-1 and B-2 as referred to in section 2.6 of Part 2 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* or *structure*; and
 - 9.1.12 include three sets of drawings at a suitable scale of the design prepared by each *registered professional* and including the information set out in section 9.1.5 – 9.1.8 of this bylaw.
- 9.2** The *building official* may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building* or *structure*.
- 9.3** In addition to the requirements of section 9.1, the following may be required by a *building official* to be submitted with a building permit application of the construction of a *complex building* where the complexity of the proposed *building* or *structure* or siting circumstances warrant:
- 9.3.1 site service 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 servicing bylaw;
 - 9.3.2 a section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and
 - 9.3.3 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*.

10.0 Applications for Standard Buildings

10.1 An application for a building permit with respect to a *standard building* shall:

- 10.1.1 be signed by the *owner*, or a signing officer if the *owner* is a corporation;
- 10.1.2 be accompanied by the *owner's* acknowledgement of responsibility made in Form 1, signed by the *owner*, or a signing officer if the *owner* is a corporation;

- 10.1.3 include a copy of a title search made within 30 days of the date of the application;
 - 10.1.4 include a site plan prepared by a British Columbia Land Surveyor showing:
 - 10.1.4.1 the bearing and dimension of the parcel taken from the registered subdivision plan;
 - 10.1.4.2 the legal description and civic address of the parcel;
 - 10.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
 - 10.1.4.4 the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - 10.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the District's land use regulations establish siting;
 - 10.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the site; and
 - 10.1.4.7 the location, dimension and gradient of parking and driveway access.
 - 10.1.5 include floor plans showing the dimensions and uses of all areas: the dimensions and height of crawls 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;
 - 10.1.6 include a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
 - 10.1.7 include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - 10.1.8 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*;
 - 10.1.9 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 approval; and
 - 10.1.10 include two sets of drawings at a suitable scale of the design including the information set out in sections 10.1.5 – 10.1.8 of this bylaw.
- 10.2** The *building official* may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building* or *structure*.

10.3 In addition to the requirements of section 10.1, the following may be required by a *building official* to be submitted with a building permit application for the construction of a *standard building* where the project involves two or more *buildings*, which in the aggregate total more than 1000 square meters, or two or more *buildings* that will contain four or more dwelling units, otherwise where the complexity of the proposed *building* or *structure* or siting circumstances warrant:

- 10.3.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the District's subdivision servicing bylaw;
- 10.3.2 a section through the site showing grades, *building*, *structures*, parking areas and driveways;
- 10.3.3 a roof plan and roof height calculations;
- 10.3.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
- 10.3.5 letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the *Building Code*, signed by the *registered professional*; and
- 10.3.6 any other information required by the *building official* or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.

11.0 Professional Plan Certification

11.1 The letters of assurance in the form of Schedules B-1 and B-2 referred to in section 2.6 of Part 2 of the *Building Code* and provided pursuant to sections 9.1.11, 10.3.5 and 15.1 of this bylaw are relied upon by the District of Central Saanich and its *building officials* as certification that the design and plans to which the letters of assurance relate comply with the *Building Code* and other applicable enactments relating to safety.

11.2 A building permit issued for the construction of a *complex building*, or for a *standard building* for which a *building official* required professional design pursuant to section 10.3.4 and letters of assurance pursuant to section 10.3.5 of this bylaw shall include a notice to the *owner* that the building permit is issued in reliance upon the certification of the *registered professionals* that the design and plans submitted in support of the application for the building permit comply with the *Building Code* and other applicable enactments relating to safety.

12.0 Fees and Charges

12.1 In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with the *Fees and Charges Bylaw*, shall be paid in full prior to issuance of any permit under this bylaw.

- 12.2** An application made for a building permit shall be accompanied by the appropriate plan-processing fee as set out in the *Fees and Charges Bylaw*.
- 12.2.1 The plan-processing fee is non-refundable and shall be credited against the building permit fee when the permit is issued.
- 12.2.2 An application may be cancelled and the plan-processing fee forfeited if the building permit has not been issued and the permit fee paid within 180 days of the date of application.
- 12.2.3 When an application is cancelled the plans and related documents submitted with the application may be destroyed.
- 12.3** The *owner* may obtain a refund of the permit fees set out in the *Fees and Charges Bylaw* when a permit is surrendered and cancelled before any construction begins, provided:
- 12.3.1 the refund shall not include the plan processing fee paid pursuant to section 12.2 of this bylaw; and
- 12.3.2 no refund shall be made where construction has begun or an inspection has been made.
- 12.4** Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in the *Fees and Charges Bylaw* shall be paid prior to additional inspections being performed.
- 12.5** An inspection charge, as set out in the *Fees and Charges Bylaw*, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing *building* or *structure* for which a permit is sought under this bylaw.
- 12.6** A building permit fee paid under subsection 12.1 shall be refunded to the applicant if
- (a) the work authorized by the permit is repair work performed on a strata titled multi-family residential building constructed between January 1, 1983 and December 31, 1998 and damaged by water penetration due to premature failure of the building envelope;
- (b) the value of the construction authorized by the permit exceeds \$2,000 per strata lot in the building; and
- (c) a registered professional certifies in writing that the work comes within the scope of subsections 12.6(a) and 12.6(b) and has been satisfactorily performed.

13.0 Building Permits

13.1 When:

- 13.1.1 a completed application including all required supporting documentation has been submitted;

- 13.1.2 the proposed work set out in the application substantially conforms with the *Building Code*, this bylaw and all other applicable bylaws; and
 - 13.1.3 the *owner* or his or her representative has paid all charges and met all requirements imposed by this and any other applicable bylaw;
- a *building official* shall issue the permit for which the application is made.
- 13.2** When the application is in respect of a *building* that includes, or will include, a *residential occupancy*, the building permit must not be issued unless the *owner* provides evidence pursuant to the *Homeowner Protection Act* that:
- 13.2.1 the proposed *building* is covered by home warranty insurance, and
 - 13.2.2 the *constructor* is a licensed residential builder.
- 13.3** Section 13.2 of this bylaw does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with the *Homeowner Protection Act*.
- 13.4** Every permit is issued upon the condition that the permit shall expire and the rights of the *owner* under the permit shall terminate if:
- 13.4.1 the work authorized by the permit is not commenced within 12 months from the date of issuance of the permit; or
 - 13.4.2 the work has not been completed within 24 months from the date of issuance of the permit.
- 13.5** A *building official* may extend the period of time set out under sections 13.4.1 and 13.4.2 where construction has not been commenced or where construction has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the *owner's* control.
- 13.6** A *building official* may issue a building permit for a portion of a *building* or *structure* before the design, plans and specifications for the entire *building* or *structure* have been accepted, provided sufficient information has been provided to the District to demonstrate to the *building official* that the portion authorized to be constructed substantially complies with this and other applicable bylaws and the permit fee applicable to that portion of the *building* or *structure* has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the *building* or *structure* as if the permit for the portion of the *building* or *structure* had not been issued.
- 13.7** The building official may revoke a permit where there is a violation of:
- 13.7.1 a condition under which the permit was issued; or

- 13.7.2 a provision of the Building Code, this bylaw or other applicable bylaws or enactments respecting the health, safety or protection of persons or property.

The revocation of the permit shall be in writing and transmitted to the owner by registered mail, and deemed delivered at the expiration of three days after the date of mailing.

- 13.8 No permit shall be issued in respect of the same land or building to any person who has been notified in writing of a violation referred to in Section 13.7, until the person has complied with the notice, corrected the violation or satisfied the Building Official that they are capable of correcting the violation.

14.0 Disclaimer of Warranty or Representation

- 14.1 Neither the issuance of a permit under this bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a *building official*, shall constitute a representation or warranty that the *Building code* or this bylaw have been complied with or the *building* or *structure* meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the *Building Code* or this bylaw or any standard of construction.

15.0 Professional Design and Field Review

- 15.1 When a *building official* considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a *registered professional* to provide design and plan certification and *field review* by means of letters of assurance in the form of Schedules B-1, B-2 and C-B referred to in section 2.6 of Part 2 of the *Building Code*.
- 15.2 Prior to the issuance of an occupancy permit for a *complex building*, or *standard building* in circumstances where letters of assurance have been required in accordance with section 9.1.11, 10.3.5 or 15.1 of this bylaw, the *owner* shall provide the District with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the *Building Code*.
- 15.3 When a *registered professional* provides letters of assurance in accordance with sections 9.1.11, 10.3.5, 15.1 or 15.2 of this bylaw, he or she shall also provide proof of professional liability or errors and omissions insurance to the *building official* in Form 2.

16.0 Responsibilities of the Owner

- 16.1 Every *owner* shall ensure that all construction complies with the *Building Code*, this bylaw and other applicable enactments respecting safety.
- 16.2 Every owner to whom a permit is issued shall provide security to the District in accordance with the *Fees and Charges Bylaw*, to secure the cost of repairing damage to any municipal works that occurs in the course of the work authorized by the permit. The District may use the security to

repair any such damage, and the owner shall be responsible for any costs exceeding the amount of the security.

16.3 Every *owner* to whom a permit is issued shall during construction:

16.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;

16.3.2 keep a copy of the accepted designs, plans and specifications on the property; and

16.3.3 post the civic address of the property in a location visible from any adjoining streets.

17.0 Inspections

17.1 When a *registered professional* provides letters of assurance in accordance with sections 9.1.11, 10.3.5, 15.1 or 15.2 of this bylaw, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to section 15.2 of this bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this bylaw and other applicable enactments respecting safety; and 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*.

17.2 A *building official* may attend periodically at the site of the construction of *standard buildings* or *structures* to ascertain whether the *health and safety aspects of the work* are being carried out in substantial conformance with those portions of the *Building Code*, this bylaw and any other applicable enactment concerning safety.

17.3 The *owner* or his or her representative shall give at least 24 hours notice to the District when requesting an inspection of the construction of a *standard building* and shall obtain an inspection and receive a *building official's* acceptance of the following aspects of the work prior to concealing it:

17.3.1 construction of footing and foundation form work, prior to placement of concrete;

17.3.2 installation of perimeter drain tiles and application of foundation damp proofing, after placement of drain rock and prior to backfilling;

17.3.3 installation of all water service, sewer service and drainage piping, after testing and prior to backfilling;

17.3.4 masonry fireplaces and chimneys, when masonry work is at the thimble or smoke chamber to the first flue liner, prior to any wall finishes being applied;

17.3.5 installation and testing of all *plumbing systems*;

- 17.3.6 completion of framing, following plumbing installation, electrical work, duct work, fire stopping, application of sheathing paper, installation of windows, all flashings, stucco lath, and furring strips prior to installation of exterior finishes.
- 17.3.7 insulation and vapour barrier, after the exterior envelope has been weatherproofed;
- 17.3.8 stucco base coat, prior to application of second coat;
- 17.3.9 when the *building or structure* is substantially complete and ready for *occupancy*, but before *occupancy* takes place of the whole or part of the *building or structure*.
- 17.4** No aspect of the work referred in section 17.3 of this bylaw shall be concealed until a *building official* has accepted the installation.
- 17.5** The requirements of section 17.3 of this bylaw do not apply to any aspect of the work that is the subject of a *registered professional's* letter of assurance provided in accordance with sections 9.1.11, 10.3.5, 15.1 or 15.2 of this bylaw.
- 18.0 Occupancy Permits**
- 18.1** No person shall occupy a *building or structure* or part of a *building or structure* until an occupancy permit has been issued.
- 18.2** An occupancy permit shall not be issued unless:
 - 18.2.1 all letters of assurance have been submitted when required in accordance with sections 9.1.11, 10.3.5, 15.1 and 15.2 of this bylaw; and
 - 18.2.2 all aspects of the work requiring inspection and acceptance pursuant to section 17.4 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 17.5 of this bylaw.
- 18.3** A *building official* may issue an occupancy permit for part of a *building or structure* when the part of the *building or structure* is self-contained, provided with essential services and the requirements set out in section 18.2 of this bylaw have been met with respect to it.
- 19.0 Retaining Structures**
- 19.1** A *registered professional* shall undertake the design and conduct *field reviews* of the construction of a retaining structure 1.2 meters or more in height. Sealed copies of the design plan and *field review* reports prepared by the *registered professional* for all retaining structures 1.2 meters or more in height shall be submitted to a *building official* prior to acceptance of the works.
- 20.0 Application of the Energy Step Code**
- 20.1** For building permit applications received from January 1, 2020 to December 31, 2020 inclusive,

- 20.1.1 a new *building* regulated by Part 3 or Part 9 of the *building code*, containing a *major occupancy* to which the *Energy Step Code* applies, must be designed and constructed to meet or exceed the performance requirements specified in Step 1 of the *Energy Step Code*.

20.2 For building permit applications received after January 1, 2021,

- 20.2.1 except as provided in sub-section 20.2.2., a new *building* regulated by Part 3 of the *building code*, containing a Group C (residential), Group D (business and personal services) or Group E (mercantile) occupancy, must be designed and constructed to meet or exceed the performance requirements specified in Step 2 of the *Energy Step Code*;
- 20.2.2. a new wood frame *building*, used for *residential occupancy*, regulated by Part 3 of the *building code*, consisting of six storeys or less, must be designed and constructed to meet or exceed the performance requirements specified in Step 3 of the *Energy Step Code*; and,
- 20.2.3 a new *building* regulated by Part 3 of the *building code*, containing a Group A (assembly) or Group B (care) occupancy to which the *Energy Step Code* applies, must be designed and constructed to meet or exceed the performance requirements specified in Step 1 of the *Energy Step Code*;
- 20.2.4 a new *building* regulated by Part 9 of the *building code*, containing a *major occupancy* to which the *Energy Step Code* applies, must be designed and constructed to meet or exceed the performance requirements specified in Step 3 of the *Energy Step Code*.

21.0 Penalties and Enforcement

- 21.1 Every person who contravenes any provision of this bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (ten thousand dollars) or to imprisonment for not more than six months.
- 21.2 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.
- 21.3 A *building official* may order the cessation of any work that is proceeding in contravention of the *Building Code* or this bylaw by posting a Stop Work notice.
- 21.4 The *owner* of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a *building official*.
- 21.5 Where a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of section 6.2 of this bylaw a *building official* may post a Do Not Occupy notice on the affected

part of the *building or structure*.

21.6 The *owner* of property on which a No Occupancy notice has been posted, and every person, shall cease *occupancy* of the *building or structure* immediately and shall refrain from further *occupancy* until all applicable provisions of the *Building Code* and this bylaw have been substantially complied with and the No Occupancy notice has been rescinded in writing by a *building official*.

21.7 Every person who commences work requiring a building permit without first obtaining such a permit shall, if a Stop Work notice is issued, pay an additional charge per *the Fees and Charges Bylaw* prior to obtaining the required building permit.

22.0 Severability

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

23.0 Forms and Schedules

23.1 Forms 1 and 2 to this bylaw form a part of this bylaw.

24.0 Repeal

24.1 “Central Saanich Building Bylaw No. 1470, 2003” is hereby repealed.

READ A FIRST TIME on this 16th day of September, 2019.

READ A SECOND TIME on this 16th day of September, 2019.

READ A THIRD TIME on this 16th day of September, 2019.

ADOPTED this 7th day of **October,** **2019.**

Chris Graham
Acting Mayor

Liz Cornwell
Corporate Officer

DISTRICT OF CENTRAL SAANICH**BUILDING BYLAW****FORM 1****OWNER'S ACKNOWLEDGEMENTS**

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

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

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

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

Name of Registered Owner (please print)

Signature of Registered Owner or
Authorized Signatory of Corporate Owner

Date of Acknowledgement

Name of Authorized Signatory

Project Address

Building Permit Number

DISTRICT OF CENTRAL SAANICH

BUILDING BYLAW

FORM 2

REGISTERED PROFESSIONAL'S PROOF OF INSURANCE COVERAGE

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

District of Central Saanich Attention:

Chief Building Official

Address of Project: _____

Legal Description of Project: _____

The undersigned hereby gives assurance that:

1. I have fulfilled my obligation to obtain a policy of professional liability or errors and omissions insurance as required by section 15.3 of the Building Bylaw.
2. I have enclosed a copy of my certificate of insurance indicating the particulars of such coverage;
3. I am a registered professional as defined by section 1.1.3.2 of the British Columbia Building Code; and
4. I will notify the Chief Building Official immediately if this insurance coverage is reduced or terminated at any time during construction.

Signature

Print Name

Name of Firm

Date

Attachment: Certificate of Insurance