

AGENDA

PUBLIC HEARING

Tuesday, November 21, 2017

7:00 p.m.

Council Chamber, Municipal Hall

355 West Queens Road,

North Vancouver, BC

Council Members:

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



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PUBLIC HEARING

7:00 p.m.
Tuesday, November 21, 2017
Municipal Hall, Council Chambers
355 West Queens Road, North Vancouver

Removal of Density Bonus for Energy Performance Provisions from the Zoning Bylaw

1. **OPENING BY THE MAYOR**
2. **INTRODUCTION OF BYLAW BY CLERK**

District of North Vancouver Rezoning Bylaw 1354 (Bylaw 8273)

Purpose of Bylaw:

The Zoning Bylaw currently permits a modest increase in floorspace for enhanced energy performance in buildings. The Provincial government has enacted the *Building Act* and BC Energy Step Code in an effort to standardize building regulations across the Province. As a result, local regulations that deal with matters addressed in the BC Building Code, such as the District's Density Bonus for Energy Performance contained in its Zoning Bylaw, will have no effect after December 15, 2017. This bylaw proposes to delete the Density Bonus for Energy Performance provisions from the Zoning Bylaw.

3. **PRESENTATION BY STAFF**
4. **REPRESENTATIONS FROM THE PUBLIC**
5. **QUESTIONS FROM COUNCIL**
6. **COUNCIL RESOLUTION**

Presentation: Brett Dwyer, Manager – Development Services

Recommendation:

THAT the November 21, 2017 Public Hearing be closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1354 (Bylaw 8273)" be returned to Council for further consideration.

7. **CLOSING**

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The Corporation of the District of North Vancouver

Bylaw 8273

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 1365 (Bylaw 8273)”.

2. Amendments

The District of North Vancouver Zoning Bylaw 3210, 1965 is amended by:

- (a) deleting subsection (d) of section 4B88-5; and
- (b) deleting section 4C03 in its entirety;
- (c) deleting subsection (iii) of section 502.2.

READ a first time November 6th, 2017

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>NOV 6, 2017</u>
<input type="checkbox"/> Council Workshop	Date: _____



The District of North Vancouver REPORT TO COMMITTEE

October 25, 2017
File: 09.3900.01/00

AUTHOR: Brett Dwyer, Manager Development Services

SUBJECT: **New Construction Bylaw, Building Act and Energy Step Code Implementation**

RECOMMENDATION:

THAT the report titled “New Construction Bylaw, Building Act and Energy Step Code Implementation” from the Manager, Development Services dated October 25, 2017 be received for information;

THAT “Construction Bylaw 8271, 2017” be given FIRST, SECOND and THIRD reading;

THAT “Radio Amplification Bylaw 8272, 2017” be given FIRST, SECOND and THIRD reading;

THAT “Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8274, 2017 (Amendment 32)” be given FIRST, SECOND and THIRD reading;

THAT “District of North Vancouver Rezoning Bylaw 1365 (Bylaw 8273)” to delete section 4C03 Density Bonus for Energy Performance and associated references from District of North Vancouver Zoning Bylaw 3210, 1965 be given FIRST reading;

THAT Bylaw 8273 be referred to Public Hearing;

THAT District Policy 8.3320.7 Green Building Policy – Private Sector Developments be rescinded effective July 1, 2018; and

THAT Council authorize staff to pursue a local variation under the *Building Act* to enable the District to continue regulating stacked rock walls.

REASON FOR REPORT:

The new *Building Act* requires the District to revise its construction related bylaws and to incorporate provisions to implement the BC Energy Step Code. This report proposes a new consolidated Construction Bylaw, a new Radio Repeater Bylaw, rescinding of the Green Building Policy for Private Sector Developments as well as consequential amendments to the

Zoning Bylaw. Related amendments to the Fees and Charges bylaw have been incorporated into Finance's annual comprehensive review of the Fees and Charges.

SUMMARY:

Construction in the District is regulated by varied bylaws including the Building Regulation Bylaw (Bylaw 7353), Electrical Bylaw (Bylaw 7464) and Gas Bylaw (Bylaw 7465). These bylaws require updating to align with current best practices, new processes and the new Provincial *Building Act*. It is proposed to consolidate the abovementioned bylaws into one new Construction Bylaw. Through the *Building Act* the Province has also introduced the Energy Step Code as well as allowing Municipalities to regulate certain unrestricted matters. To that end staff are recommending a gradual approach to Step Code implementation and in consultation with the Fire Rescue Service a new bylaw to regulate radio repeaters for emergency communication.

BACKGROUND:

Staff presented the approach to the new Construction Bylaw and the Step Code at a workshop on July 23, 2017. Further refinements to the bylaw have been undertaken as well as preparation of the varied necessary consequential bylaw and policy amendments. Industry consultation has been undertaken and is summarized in the relevant section of this report.

The BC Building Code applies to all municipalities in BC (except for the City of Vancouver and lands under Provincial or Federal jurisdiction exempt by agreement) and has the same force and effect as if it were adopted as a District bylaw. Owners are fully responsible for carrying out the work or having the work carried out on their behalf in full compliance with the Code. It is however up to individual municipalities to determine how and if they regulate construction (i.e. plan review and approval, issuance of permits and undertaking of inspections). The District currently regulates construction through its Building, Electrical and Gas Bylaws.

The Province enacted the *Building Act* (the Act) in March 2015, and various section of the Act have come into force as enabling regulations have been adopted. The Act creates implications for the new Construction Bylaw as it places restrictions on a local government's ability to implement local building regulations, i.e. create regulations that go above and beyond what is prescribed in the BC Building Code.

EXISTING POLICY:

The current Building Regulation Bylaw was adopted by Council on December 1, 2003 and the Electrical and Gas Bylaws were both adopted by Council on May 17, 2004. District Policy 8.3320.7 Green Building Policy – Private Sector Developments was adopted by Council on November 15, 2010.

ANALYSIS:

In drafting the new Construction bylaw the process was driven by a number of guiding principles as follows:

- Reduce, where possible, municipal risk and exposure using the Municipal Insurance Association of British Columbia (MIA) Model Bylaw as a reference guide. The MIA Model Bylaw is a template bylaw developed and recommended by the Municipal Insurance Association.
- Shift from prescriptive to empowering regulation.
- Maintain a high level of occupant life safety and public safety.
- Consolidate construction related regulations where appropriate.
- Clarify matters or regulations that have been ambiguous or open to a range of interpretations.
- Reconcile inconsistent provisions.
- Delete repetitive, redundant or unnecessary provisions.
- Group like provisions together for ease of use.
- Encourage consistent standards for discretionary energy and fire regulations across the North Shore.

Fundamentals of the Construction Bylaw

The bylaw sets out provisions for review and approval of construction projects; it sets out the inspection process and the requirements for project completion; it established requirements for security deposits, owner and constructor responsibilities; delegates certain powers to staff; establishes where professional certification is required; and regulates, as appropriate, building-related life safety matters. The bylaw also establishes ticketing provisions for infractions and non-compliances.

The bylaw specifies its scope in providing limited and interim spot checking during construction. It is not possible or practical for a municipality to go beyond this limitation. It does not impart on the District any undue responsibility for ensuring compliance with the Building Code (this ultimately rests with the property owner), it does not provide any warranty of design or workmanship.

The bylaw adopts an approach of limited spot checking during construction for Simple Buildings where inspections will be carried out at predetermined stages of construction (i.e. footings, framing and final) and adopts an approach of Compliance Monitoring for Complex Buildings where the District will rely upon professional assurances for design, field review and compliance.

Bylaw Changes and Improvements

The following is a list of notable changes or improvements from the current Building Regulation Bylaw:

1. The revised bylaw will consolidate the Building, Electrical and Gas Bylaws so that these construction related regulations are contained in one bylaw.

2. Requirement for construction notice to be placed on construction sites with relevant information including contractor contact information and permitted construction hours to better inform the neighbours and nearby residents.
3. Requirement added for “Preconstruction Meeting” for single family new construction projects to go over ‘Good Neighbour’ requirements and possible site specific issues with the contractor to minimise impacts to adjoining property owners and the neighbourhood in general.
4. Authority to require a detailed shoring plan for deep excavations in addition to professional letters of assurance.
5. Revision and rationalization of the required inspections.
6. Requirement for a building envelope professional for new single-family construction.
7. Provisions to enable the District to move towards a risk-based approach to inspections, where low risk inspections for a high performing contractor can be waived (based on recorded performance measures) to free up inspectors’ time for more value-added tasks and duties.
8. Enable a single security deposit taken on a construction project to do multiple duties. (i.e. rather than take separate security deposits for building and landscape, tree replacement, soil and driveway removal)
9. Strengthened environmental controls with corresponding ticketing provisions.
10. Bylaw simplified by moving many of the detailed application requirements to a Master Requirement List.
11. New sound transmission provisions as a general provision to the Construction Bylaw.

The *Building Act*

The *Building Act* received royal assent on March 25, 2015, although many of its provisions have only come into effect with the creation of subsequent supporting or enabling regulations. The benefits provided by the Act, as stated by the Province, are to promote consistency of code application, competency of building officials and innovation in construction.

The main matters contained within the Act for local government consideration are the broad powers provided to the Minister, the restriction on local building requirements and the requirement for qualified building officials.

Broad Powers

The Act gives the Minister very broad powers to create regulations that could potentially dictate how municipalities undertake review, inspections and enforcement related to construction projects. The Province, through the Building Safety Standards Branch, has stated that it does not intend to regulate how municipalities administer and enforce the code; however the Act clearly allows for this.

For example, the Act gives the Minister the power to make regulations that may:

- a) prescribe requirements in respect of building activities;
- b) prescribe requirements for the reduction of safety risks on sites where building activities occur;
- c) prescribe requirements in respect of one or more of the following:
 - i. the design of buildings or planning of building activities;
 - ii. the inspection of buildings or building activities;

- iii. the designs, plans, notices, reports or other records relating to an activity referred to in subparagraph (i) or (ii);
- iv. the preparation, retention or inspection of records;
- v. any other matter that the minister considers necessary or advisable.

It is not known at this time if any additional regulations will be pursued by the Province. Staff will monitor Provincial actions and update Council as appropriate.

Qualification of Building Officials

Under the Act building officials working for local governments will need to be qualified if they are making decisions about compliance with the BC Building Code. The Act establishes mandatory minimum qualifications for "Building Officials". The extent to which a Building Official will be able to work on a particular class of building or construction project will be dependent on their level of qualification. This relates to all stages of review and construction. For example, a building official that reviews and approves Part 9 buildings (primarily single family dwellings) is required to have a minimum building level 1 class qualification. Similarly a building official inspecting Part 9 buildings requires the same level qualifications. Likewise a building official reviewing, approving or monitoring construction on Part 3 buildings (larger complex buildings) is required to have and maintain building level 3 class qualifications. A transition period of 4 years was provided from the effective date of February 28, 2017, intended to give individuals time to undertake the required training, exams and experience. This provision will take effect on February 28, 2021. Current District staff are well positioned for this transition date and appropriate hiring practices and training opportunities have been put in place to ensure the District meets these future requirements.

Restriction on Local Building Requirements

The Act restricts local government from regulating any matter regulated by the BC Building Code to a standard higher than the code. Examples of local building requirements would include green building density bonus zoning in the District's Zoning bylaw and stacked rock wall prohibition in the Building Regulation bylaw. A 2-year grace period was provided from the effective date of December 15, 2015, so that after December 15, 2017, any provision regulating to a standard higher than the BC Building Code would have no effect. The exception to this relates to 'Unrestricted matters' and 'Time-limited unrestricted matters' which have been listed in the subsequent *Building Act* General Regulation as well as matters that have been deemed 'Out of Scope' by the Province. The rationale under which a matter may be designated as Unrestricted is if the matter relates to a specific physical location or local circumstance that local governments are best suited to regulate, or matters for which a local government aims to achieve are primarily non-BC Building Code objectives using an existing statutory authority, and the enacted technical building requirement is necessary to achieve the objective. Time-limited unrestricted are matters that could be the subject of a new or revised BC Building Code requirement or a local government variation request.

Where the District wishes to continue to regulate matters related to the BC Building Code, section 219 covenants may be used. However, these are only available where a project requires a discretionary approval such as OCP amendment, rezoning or temporary use permit.

In addition, the Province has established the BC Energy Step Code which allows local governments to establish, by bylaw, higher building energy performance standards. There are also provisions for a local government to apply to the Province where they feel a local building requirement is appropriate for a 'Local Variation'. Provincial consideration of local variations are subject to prescribed cost-recovery provisions.

Each of the above-noted exceptions are discussed in the following sections.

Unrestricted Matters

Unrestricted matters are prescribed matters that are not subject to the restrictions on local building requirements under the Act. This means that these matters can be regulated by a local government to a higher or enhanced standard beyond the BC Building Code. The unrestricted matters listed in the regulation are as follows:

1. Parking stalls for persons with disabilities;
2. Design of access for firefighting;
3. Water supply for firefighting;
4. Flood construction regulation;
5. Heritage protection;
6. Development Permit requirements for wildfire, form and character, and conservation of energy and water and reduction of greenhouse gas emissions;
7. District energy systems;
8. Sound transmission into buildings; and
9. Radio repeater systems for emergency communications.

Subsequently, any bylaw regulating these matters will remain valid after Dec 15, 2017. Given the list of unrestricted matters staff are proposing that regulations relating to sound transmission into buildings be included in the new construction bylaw. In addition a new bylaw is proposed to require radio repeaters for emergency communication in certain building types and compliance will be a requirement in the new Construction Bylaw.

Time-Limited Unrestricted Matters

Time-limited unrestricted matters are matters prescribed in the regulation that are not subject to the restrictions on local building requirements under the Act but only up until Dec 15, 2017. This means that these matters can be regulated by a local government to a higher or enhanced standard beyond the BC Building Code provided the requirement is created before, and not amended after, Dec 15, 2017. The time-limited unrestricted matters listed in the regulation are as follows:

1. Fire sprinklers;
2. Accessibility of buildings; and
3. Adaptable dwelling units.

Given this list of time-limited unrestricted matters staff will be maintaining the fire sprinkler provision and adding a provision for compliance with the District's Accessible Design Policy for Multi-Family Housing.

It is understood that the Province may subsequently review these time-limited matters with a view to creating specific regulations or code provisions that municipalities would have to transition to over time.

Out of Scope matters

In addition to unrestricted matters the Province has indicated that certain other matters are 'out of scope' and subsequently not subject to the *Building Act* provisions which limit the ability of a local government to regulate. These include electric vehicle charging infrastructure, testing of backflow prevention devices, cross-connections outside of property line and screening of rooftop mechanical equipment. In this regard the District can continue to regulate and/or manage these matters as appropriate.

Section 219 Covenants

Section 219 covenants are seen as an available vehicle to achieve what may otherwise be considered a local building regulation. Section 219 covenants are generally negotiated for a variety of matters through the rezoning process, currently including green building standards, accessible design, stormwater management, etc. Where a matter would otherwise not be allowed as a local building requirement, a section 219 covenant could be used. For example, on a sloping site being redeveloped staff may deem it appropriate to require a section 219 covenant prohibiting the use of stacked rock walls. Without such covenant staff could not limit the use of stacked rock walls at the building permit stage as this would be considered a local building requirement. Equally, a 219 covenant could be used to manage other matters respecting the use of land and buildings, the building on land, the subdivision of land, the separate sale of parcels of land, or the preservation, protection or restoration of land and specified amenities in relation to the land.

Local Variations

The Act permits a local government to request a 'local authority variation' as a way of addressing local needs. It is assessed on a cost-recovery basis and requires the Minister's approval. Staff presented stacked rock walls as a possible local variation request in the public workshop on July 23, 2017. The District currently defines and prohibits stacked rock walls which would otherwise be considered a local building requirement under the *Building Act* after Dec 15, 2017.

The District has a relatively long-standing practice of regulating stacked rock walls through bylaw and policy since 1994. The Building Regulation Bylaw currently provides a definition for a stacked rock wall and subsequently prohibits their construction on land zoned for residential use.

Staff are recommending that Council authorize staff to request, through the Province, a local variation to enable the District to continue regulating stacked rock retaining walls.

Energy Step Code

The BC Energy Step Code was created by a Ministerial Order under the *Building Act* on April 7, 2017. The Step Code is a series of incremental steps that prescribe progressive performance targets related to building energy efficiency from the current BC Building Code requirements to net zero ready buildings. The Energy Step Code only applies to new

buildings and entirely new additions. It is a tool that local governments can use to encourage or require the construction of more energy efficient buildings in a predictable way. The expectation from the Province is that by 2032 all new buildings will be 'net zero energy ready'. The Province defines a net zero ready building as a building built to high energy-efficiency standards such that it could (with additional measures) generate enough onsite energy to meet its own energy needs.

Under the Energy Step Code the Province has created 5 steps for Part 9 residential buildings (single family, duplex and smaller townhouse projects). The higher the step, the higher the energy performance of the building, with step 5 being 'net zero ready'.

The BC Energy Step Code: Steps for Part 9 Buildings



For certain Part 3 Buildings (multi-family residential, mercantile, business and personal service) the Step Code prescribes up to 4 steps; step 4 being the highest from an energy performance perspective.

The following table shows the 4 energy steps for Group C classification (residential) buildings. Each increasing step prescribes a decreasing maximum total energy use intensity and maximum thermal energy demand intensity that the building will need to meet. All buildings designed and built under the step code will require energy modelling upfront and airtightness testing during construction.

Energy Performance Requirements for Residential Occupancies
 Forming Part of Sentences 10.2.3.3.(1) and (2)

Step	Equipment and Systems – Maximum Total Energy Use Intensity (kWh/m ² ·year)	Building Envelope – Maximum Thermal Energy Demand Intensity (kWh/m ² ·year)
1	Conform to Part 8 of the NECB	
2	130	45
3	120	30
4	100	15

The following table shows the 3 energy steps for Group D and E classification (commercial and retail) buildings. Again, each increasing step prescribes a decreasing maximum total energy use intensity and maximum thermal energy demand intensity that the building will need to meet with required energy modelling and airtightness testing.

Energy Performance Requirements for Business and Personal Services or Mercantile Occupancies
 Forming Part of Sentences 10.2.3.3.(1) and (2)

Step	Equipment and Systems – Maximum Total Energy Use Intensity (kWh/m ² ·year)	Building Envelope – Maximum Thermal Energy Demand Intensity (kWh/m ² ·year)
1	Conform to Part 8 of the NECB	
2	170	30
3	120	20

The Province is encouraging municipalities that want to implement the step code to implement the lower steps only initially and gradually 'ladder up' to the higher steps.

BC Energy Step Code: Lower and Higher Steps		
Building Type	Lower Steps	Higher Steps
Part 3 Residential	Steps 1 and 2	Steps 3 and 4
Part 9 Residential	Steps 1, 2 and 3	Steps 4 and 5

Staff's proposed approach to the Step Code was presented at the public workshop on July 23, 2017. The gradual approach was for commercial and residential development to meet Step 1 on Dec 15, 2017 with residential then laddering up to Step 2 or 3 (depending on building type and whether rezoning was required) on July 1, 2018.

As a result of industry consultation and further consideration by staff a more simplified approach to Step Code implementation in the District is proposed where implementation commences July 1, 2018. The simplified approach to the Step Code is as follows:-

- July 1, 2018 – Part 3 Commercial to meet Step 1
- July 1, 2018 – Part 3 Residential to meet Step 2*
- July 1, 2018 – Part 9 Residential to meet step 3

*Part 3 Residential projects will be required to meet Step 3 if rezoning is required.

This simplified approach provides for an easier operational transition to the Step Code for industry and staff and aligns with the Province's Step Code Implementation Guide. In

addition the approach will generally bring an aligned approach to the step code across the North Shore from July 1, 2018.

It is worth noting that the Province has undertaken significant industry consultation and readiness surveys so that industry is ready as local governments adopt and bring the Step Code online.

BC Energy Step Code Costing Study

The Province commissioned a costing study report to assess the incremental costs of implementing the Energy Step Code. The research showed that meeting the requirements of the lower steps of the Step Code involve only very modest cost premiums.

More specifically, for Part 3 buildings, the report indicates through modelling, that builders and designers can achieve Step 4 (the highest step for Part 3 buildings) for less than a 3% capital cost premium, and achieve Step 3 for less than 2.4%.

Furthermore, for Part 9 buildings the report found that builders can achieve the majority of steps (not just lower steps) for less than 2% capital cost premium above the cost of conventional construction.

The Province's costing study also advises that as industry gains experience with energy efficient construction practices and energy efficient products become more readily available that the cost premiums will decrease and that the most cost-effective time to invest in a building's energy efficiency is at the conceptual design stage.

Implications of the Energy Step Code for Existing Policies

As the *Building Act* will not allow municipalities to regulate building energy efficiency other than in accordance with the Step Code the District's current Green Building Policy will not be able to be enforced. Furthermore, the modest density bonus provisions in the zoning bylaw will no longer have any effect after Dec 15, 2017, and should be removed as a consequential amendment to the Zoning Bylaw.

Given that the Step Code will be the vehicle to manage building energy efficiency it may also be appropriate to reconsider the policies related to District Energy in the Official Community Plan.

Impacted Bylaws and Policies

The following table provides a list of bylaws and policies that are impacted by the *Building Act* and its limitations on local building requirements.

Bylaw or Policy	Current Implementation	Comment
Policy 8.3320.7 Green Building Policy – Private Sector Developments	Green Building rating system and energy performance requirement negotiated through rezoning and secured by s219 covenant.	Transition to Step Code will supersede Green Building Policy. This report recommends rescinding of this policy as building energy performance will be regulated by the Step Code.
Density Bonus general provisions (zoning bylaw)	'As a right' for zoned properties.	Transition to Step Code will supersede requirement for these provisions. A corresponding zoning bylaw amendment is proposed to delete these provisions.
Accessible Design Policy (Policy)	Negotiated through rezoning and implemented with Development Covenant.	As a 'time-limited unrestricted matter' it has been incorporated as a requirement into new Construction Bylaw.
Sound Transmission into Buildings (Bylaw)	Generally created as a site specific zoning regulation through rezoning.	As an 'unrestricted matter' it is included as a general provision in the new Construction bylaw.
Fire Sprinklers (Bylaw)	Current Building Regulation bylaw.	As a 'time-limited unrestricted matter' the current provisions have been ported over to the new Construction bylaw.
Radio repeaters	Negotiated through rezoning.	As an 'unrestricted matter' a new Radio Amplification bylaw is proposed to assist with emergency communication and compliance will be a requirement in the new Construction Bylaw.
Stacked rock walls (bylaw)	Currently prohibited in Building Regulation bylaw	No longer permitted to be regulated under the <i>Building Act</i> and has not been included in the new Construction Bylaw. If appropriate s219 covenant could be negotiated through rezoning process or the District may wish to apply to the Province for a Local Variation.

Environmental Considerations

The proposed Construction Bylaw includes a number of important policy changes that will allow DNV staff to manage the impacts of construction in a proactive manner. Currently, the bylaws that address environmental protection are mainly reactive in their implementation. After damage or impact occurs staff take enforcement action. Building, Legal and Environment staff have collaborated on the proposed Construction Bylaw resulting in new regulations that will allow staff to reduce the likelihood of environmental impacts. Trained staff will now be able to identify construction activity with potential for fouling of our streams, storm sewers and roadways and require immediate implementation of better management practices. Failure to mitigate or reduce the potential for environmental damage will be subject to penalties under the new bylaw.

The proposed bylaw will also consider and integrate important procedural steps for projects that involve both Building as well as Development Permits. This is another important step to ensure that recommendations developed by qualified professionals (relating to site safety) during the Development Permit process are carried through to the Building Permit process.

The process for securing environmental restoration, planting and other enhancement work, as a condition of permits, will also be strengthened with the new bylaw.

Industry Consultation:

Noting that the Province has undertaken significant industry consultation on the *Building Act* and the Energy Step Code additional consultation on the District's approach to implementation was undertaken. Correspondence was sent to a wide range of District clients including individual developers, builders, architects and designers working across both single family and complex development types outlining the District's approach to the new Construction Bylaw and the Step Code and seeking comment in return. The Urban Development Institute (UDI) and Greater Vancouver Homebuilders Association (GVHBA) were also advised of the District's proposed approach.

The feedback from industry was generally neutral with no objections to the new Construction Bylaw or the District's approach to Step Code implementation. The one matter that raised some level of interest was how the District would transition from its current Green Building Policy to the Step Code and how applications in process would be treated. As a result of this consultation staff are recommending a simplified approach to the Step Code where the District transitions to the Step Code on July 1, 2018 (rather than having an incremental approach starting on Dec 15, 2017).

With this approach rezoning projects currently in progress would follow the District's Green Building Policy until July 1, 2018, at which time the Step Code would apply. The expectation is that any project that submits for Building Permit after July 1, 2018, would comply with the applicable Step in the Step Code depending on building type and occupancy classification.

Concurrence:

Staff have worked closely with Legal, Environment and Fire Department in the drafting of the Construction Bylaw. In addition staff have worked with the City of North Vancouver and

District of West Vancouver to target an approach to the Step Code that is generally consistent across the North Shore.

Liability/Risk:

Adoption of the new Construction Bylaw will reduce the District's liability exposure.

Conclusion:

The Building Regulation Bylaw requires updating and revision to align with current best practices, new processes and the new Provincial *Building Act*. It is proposed to consolidate related bylaws into a new Construction Bylaw.

Respectfully submitted,



Brett Dwyer, Chief Building Official
Manager Development Services

Attachments

Attachment 1 – Construction Bylaw 8271, 2017

Attachment 2 – Radio Amplification Bylaw 8272, 2017

Attachment 3 - Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8274, 2017 (Amendment 32)

Attachment 4– District of North Vancouver Rezoning Bylaw 1365 (Bylaw 8273)

Attachment 5 - Policy 8.3320.7 Green Building Policy – Private Sector Developments

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev.	<input type="checkbox"/> Clerk's Office	External Agencies:
<input type="checkbox"/> Development Services	<input type="checkbox"/> Communications	<input type="checkbox"/> Library Board
<input type="checkbox"/> Utilities	<input type="checkbox"/> Finance	<input type="checkbox"/> NS Health
<input type="checkbox"/> Engineering Operations	<input type="checkbox"/> Fire Services	<input type="checkbox"/> RCMP
<input type="checkbox"/> Parks	<input type="checkbox"/> ITS	<input type="checkbox"/> Recreation Com.
<input type="checkbox"/> Environment	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch.
<input type="checkbox"/> Facilities	<input type="checkbox"/> GIS	<input type="checkbox"/> Other:
<input type="checkbox"/> Human Resources		



**THE CORPORATION OF THE DISTRICT
NORTH VANCOUVER
CONSTRUCTION BYLAW 827, 2017**

The Corporation of the District of North Vancouver

Bylaw 8271

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The Corporation of the District of North Vancouver

Bylaw 8271

A bylaw for the Administration and Enforcement of the *Building Code*

WHEREAS the Province of British Columbia has enacted the British Columbia *Building Code* to govern standards in respect of the *construction*, alteration, repair and demolition of *buildings* and *structures* in municipalities and regional districts in the Province;

AND WHEREAS the Province by enactment has authorized the Council to regulate the *construction*, alteration, repair or demolition of *buildings* and *structures* by bylaw for the general public interest and the health, safety and protection of persons, property and the environment;

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

PART 1 INTERPRETATION

Citation

1.1 This bylaw may be cited as “**CONSTRUCTION BYLAW 8271, 2017**”.

Definitions

1.2 In the absence of specific definition in section 1.4, the words used in this bylaw have the meaning, if any, given to them by definition in the *Community Charter*, S.B.C. 2003 c. 26, as amended or replaced.

1.3 In this bylaw the following words and terms have the meanings set out in Section 1.4.1.2 of the *Building Code* as of the date of the adoption of this bylaw: *assembly, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, detention occupancy, excavation, field review, firewall, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, private sewage disposal system, registered professional, residential occupancy* and *unsafe condition*.

1.4 In this bylaw:

addition means any *alteration* to a *building* which will increase the total aggregate floor area or the *building height*;

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

Approving Officer means the person appointed by the *Council* as the Approving Officer under the *Land Title Act* and includes his or her deputy;

architect means a person who is a member in good standing of The Architectural Institute of British Columbia pursuant to the *Architects Act*, RSBC 1996, c. 17, as amended or replaced from time to time;

assessed value means the value of the property determined by the BC Assessment Authority pursuant to the *Assessment Act*, RSBC 1996, c. 20, as amended or replaced from time to time;

B.C. Natural Gas and Propane Code has the meaning given to it in the *Gas Safety Regulation*;

Building Code means the current edition of the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or replaced from time to time;

building official means the *Chief Building Official* and the building inspectors, plan checkers, plumbing inspectors, mechanical inspectors and electrical inspectors designated or appointed by the *District*;

building permit means a *permit* issued under Parts 5, 8, 9 or 10 of this bylaw;

building review means an audit check by a *building official* of representative elements of a *building* or *structure* prior to or under *construction* for the purposes of the *health and safety aspect of the work*;

bylaw enforcement officer means the person(s) appointed by the *District* whose duties include enforcing and carrying out the provisions of this bylaw;

Chief Building Official means the Manager Development Services or a person designated in writing by the Manager Development Services to act in his/her place and is the "building inspector" under the *Community Charter*;

Community Charter means the *Community Charter*, SBC 2003, c. 26, as amended or replaced from time to time;

complex building means:

- (a) all *buildings* used for *major occupancies* classified as:
 - (i) *assembly occupancies*,
 - (ii) *care or detention occupancies*, or
 - (iii) *high hazard industrial occupancies*, or
- (b) all *buildings* exceeding 600 square meters in *building area* or exceeding three storeys in *building height* used for *major occupancies* classified as:

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

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

Council means the elected council of the *District*;

demolition permit means a *permit* authorizing the demolition of a *building* subject to the terms and conditions specified in sections 4.39 of this bylaw;

designer means the *person* responsible for design and, unless the requirement is waived under an enforcement policy of the Council, if required under this bylaw or the *Building Code* must be an *architect* or *engineer*;

development permit means a permit for development in an area designated as a development permit area by the *District's* Official Community Plan Bylaw 7900;

development permit area means an area designated as a development permit area by the *District's* Official Community Plan Bylaw 7900;

District means the Corporation of the District of North Vancouver;

Do Not Occupy Notice means a notice posted by a *building official* pursuant to section 4.69;

Electrical Code has the meaning prescribed in the *Safety Standards Act* and *Electrical Safety Regulation*;

electrical permit means a *permit* issued under Part 13 of this bylaw;

electrical work has the meaning prescribed in the *Electrical Safety Regulation*;

Electrical Safety Regulation means the *Electrical Safety Regulation* (BC Reg. 104/2004) under the *Safety Standards Act*, as amended or replaced from time to time;

Energy Step Code means the British Columbia Energy Step Code established by the *Building Code* and as amended or replaced from time to time;

engineer means a person who is a professional engineer and/or geoscientist and member in good standing of The Association of Professional Engineers and Geoscientists of the Province of British Columbia pursuant to the *Engineers and Geoscientists Act*, RSBC 1996, c. 116, as amended or replaced from time to time;

Environmental Protection and Preservation Bylaw means the District's Environmental Protection and Preservation Bylaw No. 6515;

environmental protection officer means the person designated or appointed to that position by the *District* and includes a person designated in writing by the environmental protection officer to act in his/her place;

field safety representative has the meaning prescribed in the *Safety Standards General Regulation* (BC Reg. 105/2004) under the *Safety Standards Act*, as amended or replaced from time to time;

Gas Safety Regulation means the *Gas Safety Regulation* (BC Reg. 103/2004) under the *Safety Standards Act*, as amended or replaced from time to time;

gas work means regulated work in respect of gas equipment or a gas system for which the *District* is entitled to issue a *permit* under this bylaw and under the *Gas Safety Regulation*;

health and safety aspects of the work means design and construction regulated by Parts 3, 4, 7, 8, 9 and 10, of the building code;

heating system includes forced air duct and hydronic piping distribution systems;

Homeowner Protection Act means the *Homeowner Protection Act*, SBC 1998, c. 31, as amended or replaced from time to time;

licensed gas contractor has the meaning prescribed in the *Gas Safety Regulation*;

Local Government Act means the *Local Government Act*, RSC 2015, c. 1, as amended or replaced from time to time;

Master Requirements List means the *District's* list of requirements for the information, forms, and plans to be included in an application for a *permit* provided by the Building Department of the *District* and/or available on the *District's* website;

mechanical permit means a *permit* issued under Part 12 of this bylaw and includes an installation permit under the *Gas Safety Regulation*;

mechanical work includes work on *plumbing* and *heating systems* and any other work for which a *mechanical permit* is required under this bylaw and includes *gas work*, but does not include any mechanical work that is not specifically regulated under the *Building Code*;

Municipal Solicitor means the person designated or appointed to that position by the *District* and any *person* named by the *Council* to act in place of the *Municipal Solicitor*;

occupancy permit means an occupancy permit issued by the *District* under section 5.29 to 5.30 of this bylaw;

owner means the person who is the *owner* as defined in the *Building Code* or an agent of that person;

permit means a permit under this bylaw, including a *building permit*, *electrical permit*, *mechanical permit* or *occupancy permit*;

plumbing includes all or any part of a drainage system, venting system, sanitary sewage system or water system, and includes fire sprinklers;

pool means a *structure* or depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth exceeding 0.5 m;

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 for which a *permit* is required under this bylaw;

qualified person has the meaning prescribed in section 20.112(1) of the *Occupation Health and Safety Regulation*, BC Reg 296/97, as amended or replaced from time to time;

registered professional means an *architect* or an *engineer*;

retaining wall means a wall, or a series of walls, constructed for the purpose of supporting or confining earth, water or other material and restraining it from moving, which:

- (a) exceeds 1.22 m (4 ft) in height above the lesser of natural or finished grade; or
- (b) in the case of a series of walls, if any of the walls extend above a line commencing 1.22 metres above the lesser of natural or finished grade at the base of any of the walls and projected at an angle of one linear unit vertically to one unit horizontally;

Safety Standards Act means the *Safety Standards Act*, SBC 2003, c. 39, as amended or replaced from time to time;

security deposit means the amount to be deposited with District in accordance with section 5.7;

Servicing Agreement has the meaning prescribed in the Development Servicing Bylaw;

simple 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:

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

Stop Work Order Notice means the notice in a form prescribed by the *Chief Building Official* directing that work be immediately suspended pursuant to section 4.48 or 4.50;

structure means any construction or portion thereof of any kind, whether fixed to, supported by, or sunk into land or water;

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

Tree Protection Bylaw means the District's Tree Protection Bylaw No. 7671;

value of the work means the amount calculated as follows:

- (a) for construction of a *building* containing a *residential occupancy* that is served by only one stove, or two stoves if permitted as an auxiliary and secondary *residential occupancy*, the greater of:
 - (i) the declared value of the work, or
 - (ii) the value calculated using Schedule A; or
- (b) for all other construction, the greater of:
 - (i) the declared value of the work, or
 - (ii) the value calculated using a method stipulated in the "Marshall Valuation Service" or "RS Means".

Zoning Bylaw means the *District's Zoning Bylaw* No. 3210.

Administrative Directions

- 1.5 Words defining the authority of a *building official* are to be construed as internal administrative directions and not as creating a duty on a *building official*.

Abbreviations

- 1.6 The abbreviations of words and phrases in this bylaw have the meanings assigned to them by the *Building Code*.

PART 2 PURPOSE OF BYLAW

- 2.1 This bylaw is enacted for the purpose of regulating construction within the District of North Vancouver in the general public interest. The activities undertaken by or on behalf of the *District* under this bylaw are for the sole purpose of providing a limited and interim spot checking function for reasons of the health, safety and protection of persons, property and the environment. This bylaw and the acceptance or review of plans, drawings, specifications and supporting documents, *building reviews* or inspections made by or on behalf of the *District* do not:

- 2.1.1 constitute a representation, warranty, assurance or statement that any work undertaken pursuant to *permits* issued by the *District*:

- (a) is free from latent, or any, defects;
 - (b) complies with the *Building Code*, this bylaw or any other applicable standards or enactments; or
 - (c) meets any standards in respect of design, materials or workmanship;
- 2.1.2 in any way relieve the *owner* or his or her representatives from full and sole responsibility to perform the work in strict accordance with the *Building Code*, the *Gas Safety Regulation*, the *Electrical Safety Regulation*, this bylaw, other *District* bylaws and any other applicable enactments respecting safety;
- 2.1.3 protect *owners*, *owner/builders* or *constructors* from economic loss;
- and no person may rely on this bylaw or any of those acts as establishing compliance with the *Building Code*, this bylaw or any standard of construction.
- 2.2 This bylaw is to be interpreted in accordance with the purposes set out in section 2.1, notwithstanding any other provision in this bylaw.

PART 3 APPLICATION

Application

- 3.1 Notwithstanding the issuance of a *permit* under this bylaw, an *owner* must comply with all applicable enactments, including the *Zoning Bylaw*, the *Environmental Protection and Preservation Bylaw*, the *Tree Protection Bylaw* and any applicable *development permit area* requirements.
- 3.2 This bylaw applies to:
- 3.2.1 the design, *construction* and *occupancy* of new *buildings* and *structures*;
 - 3.2.2 the alteration, reconstruction, demolition, removal, relocation and *occupancy* of existing *buildings* and *structures*; and
 - 3.2.3 existing *buildings* and *structures* in the circumstances set out in sections 3.4 to 3.7.
- 3.3 This bylaw does not apply to:
- 3.3.1 *buildings* and *structures* exempted by Part I of the *Building Code* except as expressly provided herein;
 - 3.3.2 a fence permitted to be *constructed* under the *Zoning Bylaw*, except as provided for in Part 8 - Pools;
 - 3.3.3 paving;
 - 3.3.4 a retaining *structure* that is not a *retaining wall*;

- 3.3.5 an accessory *building* with a floor area less than 10 square metres or a trellis, arbour or other such landscape feature on a parcel zoned for single family residential uses under the *Zoning Bylaw*;
- 3.3.6 non-structural repair and maintenance of lawfully-conforming *structures* on a parcel zoned for single-family residential use under the *Zoning Bylaw*;
- 3.3.7 the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or the replacement of tubs, showers, toilets, lavatories or sinks if the work does not involve or require the rearrangement of valves, pipes or fixtures or hot water tanks.
- 3.3.8 electrical work to which the *Electrical Safety Regulation* does not apply;
- 3.3.9 *gas work* to which the *Gas Safety Regulation* does not apply.

Limited Application to Existing *Buildings*

- 3.4 If an application is made for a *building permit* to re-construct an existing *building* or a *structure* that is damaged or destroyed by fire, decay, storm, earthquake or otherwise to the extent of 150 percent or more of its *assessed value* of the improvements, as determined by the *building official*, then the entire *building* or *structure*, including those portions that are not damaged or destroyed, must comply with this bylaw and all other applicable District bylaws as if the entire *building* or *structure* were a new *building* or *structure*.
- 3.5 If an application is made for a *building permit* for an *addition* or *alteration* to an existing *building*, other than a single family residential *building*, the balance of the *building* must be upgraded to a level consistent with Schedule B.
- 3.6 If an *alteration* is made to an existing *building*:
 - 3.6.1 the *alteration* must comply with this bylaw and the *building code*; and
 - 3.6.2 the *building* must be upgraded to a level consistent with Schedule B.
- 3.7 If an *alteration* is limited to a suite intended for a Group A Division 2, D, E or F2 *occupancy* under the *Building Code* and if the *occupancy* load for that suite exceeds 60 persons, the suite area and its means of egress must be upgraded to a level consistent with Schedule B and:
 - 3.7.1 materials approved for one-hour fire resistive *construction* must be installed on the suite side of the suite separation, or
 - 3.7.2 the *building* must either have been *constructed* or upgraded to a level consistent with Schedule B within the last 20 years.

PART 4

ADMINISTRATION AND POWERS, ROLES AND RESPONSIBILITIES

Local Safety Manager

- 4.1 The *Chief Building Official* is the local safety manager under the *Safety Standards Act* and associated regulations and has all of the powers of a local safety manager under said enactments.

Powers

- 4.2 The *Chief Building Official* may:
- 4.2.1 administer this bylaw;
 - 4.2.2 establish the form and content of application forms and other documents, plans or forms to be submitted as part of an application for a *permit*;
 - 4.2.3 establish the form and content of the Master Requirements List;
 - 4.2.4 establish the terms and conditions of obtaining and continuing to hold a *permit* pursuant to section 15 of the *Community Charter*;
 - 4.2.5 issue and revoke *permits* under this bylaw;
 - 4.2.6 withhold a *building permit* that conflicts with bylaws in preparation in accordance with section 463 of the *Local Government Act*;
 - 4.2.7 require an applicant for a *building permit* to provide certification by a qualified professional that the plans submitted with the *permit* application, or specified aspects of those plans, comply with the *Building Code* and other applicable enactments respecting safety;
 - 4.2.8 require an applicant for a *building permit* to establish whether a method or type of *construction* or material used in *construction* of a *building* or *structure* complies with the requirements of this bylaw and the *Building Code*;
 - 4.2.9 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* 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*; and
 - 4.2.10 require an applicant for a *building permit* in relation to a *building* that was *constructed* prior to 1990 to provide a hazardous materials report and confirmation prepared by a *qualified person* in accordance with section 20.112 of the *Occupation Health and Safety Regulation*, BC Reg 296/97, as amended or replaced from time to time.
 - 4.2.11 waive, in whole or in part, the requirements for a site plan, if the *building permit* is in relation to the repair or *alteration* of an existing *building* or *structure*;

- 4.2.12 waive the requirement for a *building review* under section 5.24 of this bylaw based on a risk-based analysis and evaluation of the performance history of the *constructor* carrying out the relevant work and the risk associated with the specific *building review* and provided that *building reviews* in respect of foundation and footing forms, framing or final *building review* may not be waived;
- 4.2.13 designate and alter the numbering of *buildings*.
- 4.3 The *Chief Building Official* may order the correction of any work that is being or has been done in contravention of this bylaw or any other bylaw of the *District* and, without limiting the generality of the foregoing, the *Chief Building Official* may order:
 - 4.3.1 a *person* who contravenes any provision of this bylaw to comply with the provision and specify the time within which the work must be completed;
 - 4.3.2 an *owner* to have work inspected by a *building official* prior to covering;
 - 4.3.3 an *owner* to uncover any work that has been covered without *building review* contrary to this bylaw or an order issued by the *Chief Building Official*;
 - 4.3.4 a stop work order under sections 4.63 and 4.64;
 - 4.3.5 the removal of any *building, structure* or part of them *constructed* in contravention of a provision of this bylaw;
 - 4.3.6 the cessation of any *occupancy* in contravention of this bylaw;
 - 4.3.7 an *owner* to correct any unsafe conditions;
 - 4.3.8 an *owner* to correct any work that contravenes this bylaw, the *Building Code*, or any other *District* bylaws; and
 - 4.3.9 the removal of any unauthorized encroachment on *District* property.
- 4.4 Every person served with an order under section 4.3 must comply with the order within the time stated in the order.

Building Official

- 4.5 *A building official:*
 - 4.5.1 may enter any land, *building, structure* or premises in accordance with the provisions of section 16 of the *Community Charter* to ascertain whether the terms of this bylaw are being observed;
 - 4.5.2 may waive the requirement for a *building review* under section 5.24 of this bylaw based on a risk-based analysis and evaluation of the performance history of the person carrying out the relevant work and provided that *building reviews* in respect of foundation and footing forms, framing or final *building review* may not be waived;

Permit Required

- 4.6 A *permit* is required for any work regulated under this bylaw.
- 4.7 Without limiting section 4.6, , a person must not do any of the following unless a *building official* has issued a valid and subsisting *permit* for the work or unless the work is specifically excluded from the ambit of this bylaw under a provision of this bylaw:
- 4.7.1 *construct*, repair or alter a *building* or *structure*, including a *temporary building* or *structure*;
 - 4.7.2 change the use, *occupancy*, or both, of a *building* or *structure* or part of a *building* or *structure*;
 - 4.7.3 install or modify a commercial cooking facility or ventilation system used in a process producing grease laden vapours;
 - 4.7.4 install or modify a fire alarm system or fire sprinkler system;
 - 4.7.5 move a *building* or *structure*;
 - 4.7.6 demolish a *building* or *structure*;
 - 4.7.7 occupy a new *building* or *structure*;
 - 4.7.8 install, *construct*, repair or alter a masonry fireplace or a wood burning appliance or chimney, unless the works are encompassed by another valid *building permit*;
 - 4.7.9 install, alter or repair plumbing or heating systems or performing other *mechanical work*; or
 - 4.7.10 perform *electrical work*.
- 4.8 Applications for a *permit* must be submitted in the form specified by the *Chief Building Official* and be submitted together with the Building Permit Fee specified in the Fees and Charges Bylaw 6481 in accordance with section 17.1 of this bylaw.
- 4.9 The Building Permit Fee will increase as prescribed in the Fees and Charges Bylaw 6481 if, contrary to this bylaw, *construction* is commenced before the *Chief Building Official* has issued a *permit*.
- 4.10 A person must not submit false or misleading information in relation to a *permit*, an application for a *permit* or *construction* undertaken under this bylaw.
- 4.11 A person must not erase, alter or modify plans and supporting documents after the same have been reviewed by a *building official* and a person must not erase, alter or modify plans and supporting documents which have been filed for reference with a *building official* after the *permit* has been issued.

Requirements of Permit

- 4.12 Every *owner* must comply with the requirements and conditions of this bylaw and any *permit* issued under this bylaw.

Lapse of Application

- 4.13 A *permit* application lapses 180 days from the date on which a complete application is received, unless the *permit* has not been issued because of delays caused solely by the *District*.

Expiration of Permit

- 4.14 A *permit* expires and the rights of the *owner* under the *permit* terminate if:
- 4.14.1 the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*; or
 - 4.14.2 work is discontinued for a period of 180 days or more; or
 - 4.14.3 the work is not completed within two years of the date of issuance of the *permit*.

Permit Extension

- 4.15 A *building official* may extend the period of time set out under section 4.14 by up to six months if:
- 4.15.1 the work authorized by the *permit* has not been commenced or has been delayed or 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*;
 - 4.15.2 an application for the extension is made within 30 days of the date of *permit* expiration; and
 - 4.15.3 the *owner* has paid the permit extension fee prescribed in the Fees and Charges Bylaw 6481.

Refusal to Issue Permit

- 4.16 A *building official* may refuse to issue a *permit* where, in his or her opinion, the proposed work contravenes the *Building Code*, this bylaw or the provisions of any other bylaw of the *District*.

Permit Revocation

- 4.17 The *Chief Building Official* may revoke a *permit* if:
- 4.17.1 there is a violation of:

- (a) a condition under which the *permit* was issued;
 - (b) a requirement of the *Building Code, Electrical Code, BC Natural Gas and Propane Code*, or the *Safety Standards Act* and associated regulations;
 - (c) a requirement or prohibition under this bylaw or another bylaw of the *District*;
- 4.17.2 the *permit* was issued in error or based on false information;
- 4.17.3 the applicant has failed to obtain any permit required under another *District* bylaw;
or
- 4.17.4 a circumstance arises that creates a risk that was not known or did not exist at the time the *permit* was issued.

Permit Cancellation

- 4.18 An *owner*, or his or her *agent*, may cancel a *permit* application by delivering written notification of cancellation to the *Chief Building Official*.
- 4.19 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 *Chief Building Official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *Chief Building Official* may cancel the *permit*.

Permit Transfers

- 4.20 A *permit* or an application for a *permit* may not be transferred or assigned until the *owner* has notified the *Chief Building Official* in writing, the *owner* has paid the permit transfer fee prescribed in the Fees and Charges Bylaw 6481, and the *Chief Building Official* has authorized the transfer or assignment in writing. The transfer or assignment of a *permit* is not an extension of a *permit*.
- 4.21 Any *security* being held by the District in respect of a *permit* that has been transferred must either be returned to the person or entity that paid the *security deposit* or assigned to the transferee by way of an assignment agreement in a form satisfactory to the *Chief Building Official*.

Permit Correction

- 4.22 The review of plans and supporting documents and issuance of a *permit* do not prevent the *Chief Building Official* from subsequently requiring the correction of errors in the said plans and supporting documents or from prohibiting work from being carried on pursuant to the *permit* or from prohibiting occupancy of a *building* where the plans, the supporting documents, the work or the *occupancy* are in violation of this or another bylaw.

Conformity to *Building Code*

- 4.23 The *Chief Building Official* may require the *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*.

Alternate Solutions

- 4.24 Alternate solutions will be considered by the *building official* in accordance with the provisions of the *Building Code*.

Tests

- 4.25 The *Chief Building Official* may direct that tests of materials, equipment, devices, *construction* methods, structural assemblies or *foundations* be made and reports, documentation and evidence be provided, all at the expense of the *owner*, to determine whether the material, equipment, device, *construction* or *foundation* condition complies with this bylaw and the *Building Code*.

OWNER'S AND CONSTRUCTOR'S RESPONSIBILITIES

Owner's Responsibility

- 4.26 It is the full and sole responsibility of the *owner* (and where the *owner* is acting through a representative, the *owner's* representative) to carry out the work in respect of which the *permit* was issued in compliance with the *Building Code*, the *Electrical Code*, the *B.C. Natural Gas and Propane Code*, this bylaw and all other applicable enactments respecting safety.

Owner's Undertakings

- 4.27 Despite the other provisions of this bylaw, the *Chief Building Official* may require as a condition of the issuance of a *permit* that the *owner* execute and submit to the *District* the *Owners' Responsibilities Form* in the form specified by the *Chief Building Official*.
- 4.28 Where the *Chief Building Official* determines that any work or excavation may directly, or indirectly, affect private property adjacent to the excavation site, the *owner* must provide:
- 4.28.1 an excavation and shoring plan, signed and sealed by a qualified professional; and/or
- 4.28.2 a report by a certified arborist,
- specifying measures to be taken to protect adjoining land, structures, walks, walls, services and trees.
- 4.29 Every *owner* to whom a *permit* is issued must:
- 4.29.1 not interfere with or obstruct the entry of a *building official* or other authorized official of the *District* onto into any land, *building*, *structure* or premises at any

reasonable time in order to administer and enforce this bylaw;

- 4.29.2 ensure that the *permit*, the designs, plans and specifications on which the issuance of the *permit* was based, all municipal inspection certificates, and all professional *field review* records are available at the site of the work with respect to which the *permit* was issued for the purpose of inspection by the *building official*;
 - 4.29.3 ensure that the *permit* is posted conspicuously on the site of the work authorized by the *permit* during the entire execution of said work;
 - 4.29.4 ensure that all work for which a *permit* is required is carried out in compliance with the *permit* and any supporting documents and with the *Building Code*, the *Electrical Code*, the *B.C. Natural Gas and Propane Code*, this bylaw, any other applicable bylaw of the *District*, the *Homeowner Protection Act*, *Safety Standards Act* and associated regulations and any other applicable enactments respecting safety;
 - 4.29.5 not do any work that is at variance with the accepted designs, plans and specifications of a *building* or *structure* or of any other work for which a *permit* has been issued, unless that variance has been accepted in writing by a *building official*.
 - 4.29.6 for any *building permit* that involves soil disturbance, excavation, or concrete works, ensure that sediment and erosion are managed on the site such that no material will enter any road, any neighbouring property or the *District* sewer system;
 - 4.29.7 prior to commencing any *construction* under the *permit*, ensure that all catch basins capable of receiving surface run-off from the *construction* site are fitted with a catch basin specific design of sediment trap, which sediment traps must be maintained in accordance with the supplied manufacturer's specifications;
 - 4.29.8 obtain all permits required under other *District* bylaws in relation to the proposed work;
 - 4.29.9 pay the cost of repairs of any damage to public property or *District* works or services that occurs in the course of the work authorized by the *permit*; and
 - 4.29.10 where required by the *Chief Building Official*, post a sign on the property to which the *permit* relates for the full duration of *construction*:
 - (a) the civic address of the property in a location that is visible from all adjoining streets;
 - (b) the contact information for the *owner* or the *constructor*, including contact information that is monitored 24 hours per day for issues arising after hours or emergencies; and
 - (c) the contact information for the *District*.
- 4.30 The sign required under section 4.29.10 must conform to the template provided by the *Chief Building Official* and meet the following requirements:

- (a) maximum height from grade of 3.0 metres;
- (b) maximum area of 3.0 square metres for Part 3 buildings and a maximum area of 1.5 square metres for single or two family dwellings;
- (c) script that is at least 5.00 cm high and is in a colour that contrasts with the background of the sign; and
- (d) set out the hours permitted for *construction* under the Noise Regulation Bylaw 7188 and any exemptions to the *construction* hours which may have been granted.

Notice

- 4.31 Every *owner* must give notice in writing to the *Chief Building Official* of any change in or termination of engagement of a *registered professional* during the course of the *construction* before the change or termination occurs.
- 4.32 If an *owner* terminates the engagement of a *registered professional*, the *owner* must suspend the work with respect to which the *registered professional* was engaged until the *owner* has engaged a new *registered professional* and has delivered to the *Chief Building Official* letters of assurance from the new *registered professional*.
- 4.33 It is the *owner's* responsibility to give notice in writing to the *Chief Building Official* immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 4.34 Every *owner* must give such other notice to the *Chief Building Official* as may be required by the *Chief Building Official* or by a provision of this bylaw.

Uncovering Work

- 4.35 When required by the *Chief Building Official*, every *owner* must uncover and replace at the *owner's* own expense any work that has been covered without inspection contrary to this bylaw.

Damage to Public Property

- 4.36 Every *owner* to whom a *permit* is issued must not cause damage to *District* property or municipal works during the work authorized by the *permit* and, in the event that such damage is caused, the owner is responsible for the cost to repair such damage.
- 4.37 If the *Chief Building Official* determines that *District* property or municipal works or services have been damaged, obstructed or fouled by debris, material or dirt in the course of work authorized by a *permit*, the *Chief Building Official* may deliver written notice to the *permit* holder to repair or clean up and if the required work is not completed within the time specified in the notice, the *District* may, but is not obligated to, carry out such work.

- 4.38 Every *owner* must pay to the *District*, within 30 days of receiving an invoice for same from the *District*, the cost of repairs undertaken by the *District* pursuant to section 4.37, failing which the *District* may, without notice, deduct the invoiced amount from the *owner's* *security deposit*.

Demolition

- 4.39 Every *owner* applying for a *demolition permit* must:
- 4.39.1 provide a vacancy date;
 - 4.39.2 provide written authorization from all *owners* to demolish;
 - 4.39.3 deposit with the *District* a *demolition security deposit* in the amount specified in section 5.7.1 of this bylaw as security for the repair, replacement, and clean up of any water and sewer works, roadways, curbs, gutters, sidewalks, boulevards and other *District* property damaged in the course of the work authorized by the *demolition permit* and for the clean-up of the land subject to the *permit* and/or completion of the works required under sections 4.39.4 [capping fees] and 4.42 [demolition clean up];
 - 4.39.4 pay the capping and inspection chamber installation fees prescribed in the Waterworks Bylaw and the Sewer Bylaw; and
 - 4.39.5 all municipal services must be capped and terminated at the property line in a *District* standard inspection chamber and valve arrangement.
- 4.40 The *Chief Building Official* may require as a condition of issuing a *demolition permit* that the *owner* provide a report from a commercial pest control service that a *building* or *structure* which is proposed to be demolished is free of rodent infestations and/or noxious weeds or pests.
- 4.41 Every *owner* must ensure that prior to carrying out demolition, all erosion and sediment controls as required pursuant to the Development Servicing Bylaw 8145 and the Environmental Protection and Preservation Bylaw 6515, as amended or replaced, have been installed.
- 4.42 Every *owner* must ensure that immediately upon completion of demolition:
- 4.42.1 all debris and fill is cleared from the site;
 - 4.42.2 all gypsum board and other recyclable materials from the *building* is separated from other debris and disposed of in accordance with applicable provincial regulations;
 - 4.42.3 the site is back-filled and all holes filled;
 - 4.42.4 the site is made level based on the grades indicated on the topographical survey required pursuant to section 5.6;
 - 4.42.5 the site is made stable from water or rainfall induced erosion; and

- 4.42.6 the site left in a neat and tidy condition.
- 4.43 The *Chief Building Official* may waive and/or relax the time for compliance with any of the conditions set out in section 4.42 provided that a *building permit to construct* a new *building* has been issued for the same property.
- 4.44 If the *building official* determines that the terms and conditions upon which a *demolition permit* is issued are not being complied with, the *building official* may deliver written notice requiring compliance within 24 hours and if the *building official* determines that non-compliance continues after 24 hour notice period, then the *District* may, but is not obligated to, enter on to the property to which the demolition permit relates and do or cause to be done through its contractors all such things as may be required to fulfil said conditions, including without limitation, completion of the demolition and securing the site, and for such purpose may without notice or limitation deduct from the demolition *security deposit* all costs and expenses incurred and payments and expenditures made by the *District*.
- 4.45 The *District* will return to the payee the demolition *security deposit* less all amounts deducted therefrom in accordance with section 4.39.3, upon completion of the demolition work contemplated in the *demolition permit* and upon the *building official* being satisfied that all damage caused by the applicant has been repaired and all conditions upon which the *demolition permit* was issued have been complied with and satisfied.

Obligations of Constructor

- 4.46 Every *constructor* must ensure that all requirements of the *Building Code*, this bylaw and other applicable enactments respecting *construction safety* are complied with.
- 4.47 Every *constructor* is responsible jointly and severally with the *owner* for all work undertaken to which this bylaw applies.

PROFESSIONAL DESIGN AND FIELD REVIEWS

Requirement for Registered Professional for Construction of Complex *Building*

- 4.48 The *owner* must provide *professional design* and plan certification and *field reviews* for the *construction of a complex building*, supported by letters of assurance in the form specified in the current *Building Code*, each signed by such *registered professionals* as the *Chief Building Official* or *Building Code* may require.
- 4.49 If the site conditions, size or complexity of a development or an aspect of a development warrant, the *Chief Building Official* may require a qualified professional to determine the bearing capacity by providing design and plan certification and field reviews supported by letters of assurance in form specified in the current *Building Code*.

Other Projects where Registered Professional is Required

- 4.50 The *owner* must provide *professional design* and *field reviews* supported by letters of assurance in the form of Schedules A (if applicable) and B referred to in section 2.6 of Part 2 of the *Building Code*, each signed by such *registered professionals* as the *Chief*

Building Official or Building Code may require, to prepare the *professional design* for and conduct *field reviews* of:

- 4.50.1 the construction or *alteration* of a *simple building constructed* on, or contiguous to, a *complex building*;
- 4.50.2 the *construction* or *alteration* of *foundations* and *excavations* in respect of *simple buildings* if required by the *Chief Building Official* in the circumstances set out in section 5.5;
- 4.50.3 the *construction* or *alteration* of structural, electrical, mechanical or fire suppression elements for *simple buildings* if required by the *Chief Building Official* in the circumstances set out in section 5.5;
- 4.50.4 the *construction* or *alteration* of any structural components of a *building* that fall within the scope of Part 4 of the *Building Code*;
- 4.50.5 the *construction* or *alteration* of a *retaining wall*;
- 4.50.6 the *construction* or *alteration* of a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* according to the *Building Code*;
- 4.50.7 the *construction* or *alteration* of the *building* envelope components of:
 - (a) all *buildings* under Part 3 of the *Building Code*,
 - (b) all residential *buildings* that contain more than two dwelling units, and
 - (c) all other *buildings* whose *building* envelopes do not comply with the prescriptive requirements of Part 9 of the *Building Code*;
- 4.50.8 *electrical work* in a complex building;
- 4.50.9 *mechanical work* in a complex building;
- 4.50.10 the installation of storm water pumps;
- 4.50.11 the installation of sanitary pumps where the pump serves an entire residence;
- 4.50.12 the installation of a fire sprinkler system, except for modifications to existing systems involving the relocation or addition of less than six sprinkler heads, in which case the requirement for *registered professional design* and *field review* may be waived by the *Chief Building Official*;
- 4.50.13 the *construction* or *alteration* of a *building* or *structure* on a parcel that the *Chief Building Official* believes is subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche. For greater certainty, this requirement for *professional design* and a

field review is in addition to a requirement under any other enactment for a report certified by a qualified professional that the parcel may be used safely for the use intended;

- 4.50.14 any *project* where the *Chief Building Official* considers that the site conditions, size or complexity of or associated with the *project* warrant the provision of *professional design* and *field reviews*.
- 4.51 Sealed copies of the *professional design* and *letters of assurance* required by sections 4.48 and 4.50 must be submitted to the *building official* prior to issuance of a *building permit* for the work.
- 4.52 The requirement for *professional design* and *field review* may be waived by the *Chief Building Official* for work involving minor tenant improvements.
- 4.53 The *Chief Building Official* may require the *registered professional* carrying out the *professional design* and *field review* of a *building* envelope to provide evidence that he or she has experience and expertise in respect of the *professional design* and *field review* of *building* envelopes.
- 4.54 Where *professional design* is required pursuant to sections 4.48 or 4.50, the *owner* must give notice in writing to the *Chief Building Official* of any change in or termination of engagement of a *registered professional* during *construction* immediately when the change or termination occurs.
- 4.55 If an *owner* terminates the engagement of a *registered professional*, the *owner* must terminate the work until the *owner* has engaged a new *registered professional* and has delivered to the *Chief Building Official* letters of assurance.
- 4.56 Where an *owner* has provided a report by a *registered professional*, the *Chief Building Official* make direct that the report be peer reviewed by a qualified professional selected and retained by the *District*. The peer review will be completed at the *owner's* expense and the *owner* must pay the invoice for same within 30 days of the invoice date, If the invoice amount is not paid when due, the *Chief Building Official* may, at his/her discretion, issue a *Stop Work Order Notice*. The unpaid invoice amount may be deducted from the *security deposit*.
- 4.57 For all new single family *construction*, the *owner* must provide *professional design* and plan certification and *field reviews* for the building envelope, supported by letters of assurance in the form specified in the current *Building Code*.

Assurance of Field review

- 4.58 Not less than 48 hours prior to the coordinated preoccupancy site review for a *complex building* and not less than 48 hours prior to final inspection for a *simple building* or other *project* in circumstances where letters of assurance have been required in accordance with section 4.48 or 4.50, 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 section 2.6 of Part 2 of the *Building Code*.

Professional Liability Insurance

- 4.59 A *registered professional* who provides letters of assurance as required by this bylaw must provide proof of professional liability insurance to the *Chief Building Official* in the form specified by the *Chief Building Official*.

Professional Plan Certification

- 4.60 The letters of assurance provided pursuant to sections 4.48 or 4.50 are relied upon by the *District* and its *building officials* as certification that the *professional design* and plans to which the letters of assurance relate comply with the *Building Code*, the *Electrical Code*, the *B.C. Natural Gas and Propane Code* and other applicable enactments relating to safety.

Field reviews

- 4.61 If a *registered professional* provides letters of assurance in accordance with sections 4.48, 4.49, 4.50 or 4.57, 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 work authorized by the *permit* substantially conforms to the *design*, plans and specifications and that the work substantially complies with the *Building Code*, the *Electrical Code*, *B.C. Natural Gas and Propane Code*, this bylaw, any other applicable bylaw of the *District*, provisions of the *Homeowner Protection Act*, *Safety Standards Act* and associated regulations, or any other applicable enactments respecting safety.
- 4.62 Despite section 4.61, a *building official* may attend the site from time to time during the course of the work to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.

Stop Work Order

- 4.63 The *Chief Building Official* may direct the immediate suspension or correction of all or a portion of work to which this bylaw applies by attaching a *Stop Work Order Notice* on the premises on which the work is being done where the work is not being performed in accordance with the requirements of the *Building Code*, the *Electrical Code*, the *B.C. Natural Gas and Propane Code*, this bylaw, any other applicable bylaw of the *District*, provisions of the *Homeowner Protection Act*, *Safety Standards Act* and associated regulations, or any other applicable enactments respecting safety.
- 4.64 A *coordinating registered professional* may request, in writing, that the *Chief Building Official* order the immediate suspension or correction of all or a portion of work on a *building* or *structure* by attaching a *Stop Work Order Notice* on the premises on which the work is being done. The *Chief Building Official* will consider such a request and if not acted upon, will give reasons, in writing, to the *coordinating registered professional*.
- 4.65 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *professional design* or *field review* and the *Chief Building Official* is deemed to have issued a *Stop Work Order Notice* under section 4.63.

- 4.66 The *owner* must immediately after posting a *Stop Work Order Notice* 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*.
- 4.67 No work other than the required remedial measures may be carried out on a parcel affected by the *Stop Work Order Notice* until the *Stop Work Order Notice* has been removed by the *Chief Building Official*.
- 4.68 The *Stop Work Order Notice* must remain posted on the premises until the required remedial measures have been completed and the *Chief Building Official* directs in writing that the notice may be removed.

Do Not Occupy Notice

- 4.69 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of section 4.7.2 of this bylaw a *building official* may post a *Do Not Occupy Notice* on the affected part of the *building* or *structure*.
- 4.70 If a notice is posted under section 4.69, the *owner* of the 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 must 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*.

No Interference with Notices

- 4.71 A person must not reverse, alter, deface, cover, remove or in any way tamper with a *construction* site identification placard, *Stop Work Order Notice*, certificate, card or notice posted on or affixed to a *building* or *structure* pursuant to a provision of this bylaw unless authorized by the *Chief Building Official*.

PART 5 BUILDING PERMIT

Requirements before Applying for Building Permit

- 5.1 Prior to submitting an application for a *building permit*, the *owner* must satisfy the following requirements or conditions:
- 5.1.1 issuance of a development permit in an area designated by the *District's* official community plan as a development permit area, where required;
 - 5.1.2 compliance of the proposed *building* or *structure* with all *District* bylaws, 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;
 - 5.1.3 signing by the *Approving Officer* of a subdivision plan that, once registered, would create the parcel on which the *building* or *structure* is proposed to be *constructed*;
 - 5.1.4 documentation to provide evidence to the *Chief Building Official* that the *person*

applying for the proposed *building permit* is the *owner* of the parcel that is the subject of the proposed *building permit* application or is the *agent* of the *owner*;

- 5.1.5 if the parcel that is the subject of the proposed *building permit* application is not, or is not intended to be, connected to the *District's* sewage disposal system, approval of an alternate *private sewage disposal system*;
- 5.1.6 if the parcel that is the subject of the proposed *building permit* application is not connected to the *District's* waterworks system, approval of an alternate water supply system.

Applications for Complex Buildings

- 5.2 An application for a *building permit* with respect to a *complex building* must include all of the applicable information, documents and plans specified in the Master Requirements List and:
 - 5.2.1 be accompanied by the *Owner's Responsibilities Form* and, where applicable, the *Authority to Represent the Owner Form*, in the forms specified by the *Chief Building Official*, signed by the *owner* or a signing officer if the *owner* is a corporation;
 - 5.2.2 include a copy of a title search made within 30 days of the date of the application;
 - 5.2.3 include the name and address of the *designer* of the *building* or *structure*; and
 - 5.2.4 include a *Building Code* compliance summary, including applicable edition of the *Building Code*, Part 3 or Part 9 designation, major occupancy classification(s) of the *building*, *building* area and height, number of streets the *building* faces, accessible entrances, work areas, washrooms and facilities.
- 5.3 In addition to the requirements of section 5.2, the following may be required to be submitted with a *building permit* application for the *construction* of a *complex building* if, in the opinion of a *building official*, the complexity of the proposed *building* or *structure* or siting circumstances warrant:
 - 5.3.1 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* development servicing bylaw;
 - 5.3.2 section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
 - 5.3.3 any other information required by the *building official* or the *Building Code* to establish compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the *building* or *structure*.

Applications for Simple Buildings

- 5.4 An application for a *building permit* for a *simple building* must include all of the applicable

information, documents and plans specified in the Master Requirements List and:

- 5.4.1 the *Owner's Responsibilities Form* and, where applicable, the *Authority to Represent the Owner Form*, in the form specified by the *Chief Building Official*, signed by the *owner* or a signing officer if the *owner* is a corporation;
 - 5.4.2 a title search made within 30 days of the date of the application;
 - 5.4.3 the name and address of the *designer* of the *building* or *structure*;
 - 5.4.4 a foundation and excavation design for (i) components of new *simple buildings* greater than 46 m² and (ii) *additions* to *simple buildings* greater than 46 m² to *simple buildings* prepared by a *registered professional* in accordance with section 4.2 of Part 4 of the *Building Code*. This section 5.4.4 does not apply to garages, carports and garden *structures* located on land zoned for single family use. The requirements of this section 5.4.4 may be waived by the *Chief Building Official* if documentation, prepared and sealed by a *registered professional*, is provided assuring that the *professional design* of the foundation substantially complies with section 9.4.4 of Part 9 the *Building Code* and the foundation excavation substantially complies with section 9.12 of Part 9 of the *Building Code*;
 - 5.4.5 include a geotechnical report if the *Chief Building Official* determines that the site conditions so warrant;
 - 5.4.6 include letters of assurance as may be required pursuant to section 4.50 ;
- 5.5 In addition to the requirements of section 5.4, the *Chief Building Official* may require the following to be submitted with a *building permit* application for the *construction* of a *simple building* if 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:
- 5.5.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Development Servicing Bylaw 8145;
 - 5.5.2 a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
 - 5.5.3 a roof plan and roof height calculations;
 - 5.5.4 letters of assurance as required by section 4.50;
 - 5.5.5 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*.

Survey

- 5.6 The *Chief Building Official* may order any *owner* to submit an up to date plan of survey prepared by a registered British Columbia land surveyor which contains sufficient

information respecting the site and location of any *building*:

- 5.6.1 to establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
- 5.6.2 to verify, on completion of the *construction*, that:
 - (a) finished grade elevations and onsite drainage works have been completed in accordance with the *building permit* plans; and
 - (b) all provisions of this bylaw have been complied with;
- 5.6.3 in relation to an existing *building*, when and as required by the *Chief Building Official*, to substantiate its location, size, including appendages whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
- 5.6.4 in relation to *construction* of a new *building* or addition to an existing *building*, prior to the placement of concrete for *foundations* and footings, including the elevations 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 served with an order under this section must comply with the order.

Security Deposit

- 5.7 Except as provided in section 5.8, an applicant for a *building permit* must pay to the *District*, at the time of the application, *security deposits* in the following amounts in the form of cash or an irrevocable letter of credit in a form satisfactory to the *District*:
 - 5.7.1 \$10,000 or 1.0 percent of the *value of the work*, whichever is greater, to a maximum of \$20,000 for each new single family residential dwelling or demolition authorized by the *permit*;
 - 5.7.2 \$2,500 or 1.0 percent of the *value of the work*, whichever is greater, to a maximum of \$5,000 for each *permit* for additions, renovations, alterations in a single family dwelling;
 - 5.7.3 1.0 percent of the *value of the work* up to a maximum of \$1,000 where the property to which the *permit* relates is not the subject of a form and character *development permit*;
 - 5.7.4 where the property to which the *building permit* relates is the subject of a form and character *development permit*, the security taken for landscaping under the *development permit* will serve as the security for the *building permit* and may be used by the District in accordance with section 5.10; and
 - 5.7.5 1.0 percent of the *value of the work* where the property to which the *permit* relates does not fall within subsections 5.7.1 through 5.7.4.
- 5.8 Notwithstanding section 5.7, where an applicant for a *building permit* has multiple *permits*

in progress, the *Chief Building Official* may, but is not obligated to, permit such applicant to post and maintain rolling *security deposit* amounts as set out in the table below to serve as the *security deposit* required in section 5.7 for any applicant which is named on the letter of credit, provided however that the *Chief Building Official* may revoke the approval under this section 5.8 where the applicant has a history of repeated or on-going non-compliance with construction-related *District* bylaws:

Number of Permits	Security Deposit Amount
Up to 10	\$50,000.00
11 to 20	\$80,000.00

5.9 Notwithstanding section 5.7, the *Chief Building Official* may waive the requirement to provide a *security deposit* where satisfied that (a) the *value of the work* is less than \$100,000.00 and (b) the likelihood of damage being caused to *District* infrastructure is low.

5.10 The *security deposit* may be used by the *District* to:

5.10.1 cover the costs borne by the *District* to:

- (a) maintain, restore or replace any public works or public lands which are destroyed, damaged or otherwise impaired in carrying out the work referred to in any *permit* held by the applicant, in accordance with sections 4.37 and 4.38;
- (b) cover the costs 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) clear any debris, material, dirt, chattels, or equipment which have accumulated on any road, lane, sidewalk, boulevard or other *District* property as a result of work carried out in connection with any *building permit* held by the applicant;
- (d) backfill the site and make the site level based on the grades indicated on the topographical survey submitted as part of the application for a *permit*;
- (e) install erosion and sediment controls;
- (f) install sod, sow seeds, or plant trees and/or vegetation;
- (g) make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
- (h) correct any damage to the environment that results as a consequence of a contravention of any condition or requirement in a *development permit*;

5.10.2 pay for a peer review required pursuant to section 4.56 where the *owner* has failed to pay;

- 5.10.3 cover the District's administrative costs including, but not limited to, costs incurred investigating expired *permits*, renewing existing *permits*, re-inspection fees, legal costs or Land Title Office registration costs for notices filed against title;
 - 5.10.4 serve as the *security deposit* for a provisional *occupancy permit* when such a *permit* requires a security deposit; and
 - 5.10.5 serve as a *security deposit* for the purpose of effecting compliance with any condition under which the *permit* was issued.
- 5.11 Where the *District* has drawn down the *security deposit* in accordance with section 5.10, the *building permit* applicant must within 10 days of notice from the *District* restore the *security deposit* to the amount originally posted.
- 5.12 The security taken pursuant to the Environmental Protection and Preservation Bylaw 6515 and the Tree Protection Bylaw 7671 constitutes security for the purpose of this bylaw and may be used in accordance with section 5.10 and the *security deposit* taken pursuant to section 5.7 of this bylaw may be used as security for the purpose of the Environmental Protection Bylaw 6515 and the Tree Protection Bylaw 7671.
- 5.13 The *security deposit*, or the amount remaining after any deductions made by the *District* in accordance with section 5.10, will be returned, with interest, to the person or entity that paid the *security deposit* after:
- 5.13.1 all required repairs, replacement, clean-up and other works under section 5.10.1 have been completed to the satisfaction of the *building official*;
 - 5.13.2 the *building official* is satisfied that no further damage to public works or public lands will occur;
 - 5.13.3 the *building reviews* required by this bylaw are complete and acceptable to the *building official*; and
 - 5.13.4 the conditions or provisions of a provisional *occupancy permit* are completed to the satisfaction of the *building official*.
- 5.14 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.
- 5.15 If a *security deposit* is not collected by the payee within 5 years of the date the *occupancy permit* was issued or the last inspection was conducted, the full amount may be retained by the District and deposited to general revenue.

Compliance with the Homeowner Protection Act

- 5.16 If a *building permit* application is made 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 under section 30(1) of the *Homeowner Protection* that the proposed *building*:
- 5.16.1 is covered by home warranty insurance; and

- 5.16.2 the *constructor* is a licensed residential builder.
- 5.17 Section 5.16 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*.
- 5.18 Every *building 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 *building permit*.

Partial Building Permit

- 5.19 A *building official* may issue a *building permit* for a portion of a *building* or *structure* or for an *excavation* before the design, plans and specifications for the entire *building* or *structure* have been accepted if sufficient information has been submitted 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 all *security deposits* and charges related to the entire *building* or *structure* and the *permit* fee applicable to that portion of the *building* or *structure* have been paid. Despite the issuance of a *permit*, 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.
- 5.20 If a site has been *excavated* under a *building permit* for *excavation* only and a *building permit* is not subsequently issued for a *building* or *structure* to which the *excavation* relates, or if such a *permit* is issued but subsequently expires without the *construction* of the *building* or *structure* having commenced, the *owner* must fill in the *excavation* and restore the original gradients of the site within 60 days of being served notice by the *District* to do so.

Building Reviews

- 5.21 If a *registered professional* provides letters of assurance in accordance with section 4.48, 4.49, 4.50 or 4.57, the *District* will rely solely on *field reviews* by the *registered professional* and the letters of assurance submitted pursuant to this bylaw 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.
- 5.22 Despite section 5.21, 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*.
- 5.23 A *building official* may attend periodically at the site of the *construction* of *simple 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 enactments concerning safety.
- 5.24 For all work in respect of *simple buildings*, the *owner* must:

- 5.24.1 where required by the *Chief Building Official*, arrange a preconstruction meeting with at least 48 hours' notice to the *District* and said preconstruction meeting must be attended by the *building official*, the *constructor* and the *owner* or his or her representative, ;
- 5.24.2 give at least 24 hours' notice to the *District* when requesting a *building review*; and
- 5.24.3 obtain a *building review* and receive a *building official's* written acceptance of the following aspects of the work prior to concealing them:
- (a) after demolition, but only where no *building permit* has been applied for in respect of the site, the grading of and removal of debris from the site;
 - (b) foundation and footing forms, before concrete is poured;
 - (c) foundation dampproofing;
 - (d) site and foundation drainage;
 - (e) prior to inspection under section 5.24.3(f), plumbing located below the finished slab level;
 - (f) after preparation of the subgrade, but prior to pouring the concrete floor slab including any hydronic heating pipes and below slab insulation;
 - (g) framing, firestopping, bracing, chimney and ductwork, including rough in of factory built chimneys and fireplaces and solid fuel burning appliances, rough wiring, rough plumbing, rough heating, rough gas piping, gas venting, gas appliance rough in, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
 - (h) insulation and vapour barrier;
 - (i) the *health and safety aspects of the work* when the *building* or *structure* is substantially complete (prior to *occupancy*, where *occupancy* is required).
- 5.25 A *building official* will only carry out a *building review* under section 5.24 if the *owner* has requested the *building review* and only in the order prescribed in section 5.24.3(a) to (j).
- 5.26 Despite the requirement for the *building official's* acceptance of the work outlined in section 5.24.3, if a *registered professional* provides letters of assurance, the *District* will rely solely on *field reviews* by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspect 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.
- 5.27 A person must not conceal any aspect of the work referred to in section 5.24.3 of this bylaw until a *building official* has provided notice of acceptance.

- 5.28 For work in respect of *complex buildings*, the *owner* must:
- 5.28.1 arrange a preconstruction meeting with at least 48 hours' notice to the *District* and said preconstruction meeting must be attended by the *building official*, the *owner* or his or her representative, the *coordinating registered* professional, the *constructor* as well as representatives of major trades;
 - 5.28.2 arrange a pre-occupancy coordinated site review meeting with at least 48 hours' notice to the *District* for the *owner*, the *constructor* and the *registered professionals* to demonstrate to the *building official* and *District Fire Service* 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
 - 5.28.3 cause the *coordinating registered professional* to deliver to the *building official*, at least 48 hours prior to the pre-occupancy coordinated site review meeting, a confirmation of required documentation in the form specified by the *Chief Building Official*, with all such documentation contained in a hard covered three ring binder and in digital pdf format on a USB flash drive.

Occupancy Permits

- 5.29 A person must not:
- 5.29.1 occupy or *permit occupancy* of a *building* or *structure* or part of a *building* or *structure* until a *building official* has issued a final inspection notice for it;
 - 5.29.2 a new *building* or *structure* or a *building* where there has been a change in the occupancy classification under the *Building Code* until an *occupancy permit* has been issued by the *Chief Building Official*.
- 5.30 An *occupancy permit* will not be issued unless:
- 5.30.1 all letters of assurance have been submitted when required by this bylaw;
 - 5.30.2 the confirmation of required documentation specified in section 5.28.3 has been submitted when required in accordance with the requirements of this bylaw;
 - 5.30.3 all aspects of the work requiring *building review*, inspection and acceptance pursuant to this bylaw have been reviewed, inspected and accepted or the inspections and acceptance are not required pursuant to section 5.21;
 - 5.30.4 the post *construction* reports by the applicable qualified professionals pursuant to the *development permit* have been submitted;
 - 5.30.5 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
 - 5.30.6 all required off site works respecting safety have been completed.
 - 5.30.7

- 5.31 A *building official* may issue a provisional *occupancy permit* for partial *occupancy* of all or a portion of a *building* under *construction* when that portion of the *building* or *structure* is self-contained and provided with essential services respecting health and safety. The holder of a provisional *occupancy permit* must pay the Provisional Occupancy Fee prescribed in the Fees and Charges Bylaw 6481.

Temporary Building

- 5.32 Subject to the bylaws of the *District* and orders of *Council*, the *Chief Building Official* may issue a *building permit* for the erection or placement of a *temporary building* or *structure* for *occupancy* provided that the occupancy will not exceed one year and the *building* or *structure* will be removed immediately thereafter.
- 5.33 The application for a *building permit* for the erection or placement of a *temporary building* or *structure* must include:
- 5.33.1 the information, documents and plans specified in the Master Requirements List;
 - 5.33.2 security in the form of cash or a letter of credit for 10% of the value of the *temporary building*, which security:
 - (a) 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
 - (b) 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
 - 5.33.3 the non-refundable Temporary Building Fee prescribed in the Fees & Charges Bylaw 6481.

Sanitary Facilities

- 5.34 After a *building permit* has been issued and during the time it remains valid under this bylaw, the *owner* must provide on the parcel of land in respect of which the *building 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 *building permit*, which facilities must be accessible and unlocked when not occupied, and every sanitary facility that is not connected by plumbing that complies with the *British Columbia Plumbing Code* and this bylaw to a:
- 5.34.1 sanitary sewer; or
 - 5.34.2 septic disposal system approved under the *Public Health Act*, SBC 2008, c. 28, as amended or replaced from time to time,

must, at all times the facility is required under this bylaw, be supplied with toilet paper, a locking door for privacy, and ventilation, and kept in a 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.

PART 6 ACOUSTIC REQUIREMENTS

- 6.1 The applicant for a *building permit for construction* of any *building* which will contain a *residential occupancy*, other than a single family dwelling, must provide as part of the application a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements demonstrating that the noise levels in those portions of the dwelling listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purpose of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level:

<u>Portion of Dwelling Unit</u>	<u>Noise Level (Decibels)</u>
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

PART 7 ACCESSIBLE DESIGN REQUIREMENTS

- 7.1 The applicant for a *building permit for construction* of a multi-family *building* must demonstrate that the design and *construction* complies with the District’s Accessible Design Policy for Multi-Family Housing, as amended or replaced, or such other design as may be accepted by the *Chief Building Official*.

PART 8 POOLS

Permit Required

- 8.1 Without limiting section 4.6, no person may *construct* or structurally repair a swimming *pool* without a valid and subsisting *building permit*.

Swimming Pool Fencing

- 8.2 A *pool*, spa or hot tub not contained within a *building* must be completely enclosed by a fence *constructed* without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.2 meters and no openings greater than 100 mm at their least dimension.

Pool Gate

- 8.3 Access through a fence enclosing a *pool*, *spa* or *hot tub* must be only through a self-closing and self-latching gate designed and *constructed* or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the *pool*, *spa* or *hot tub* side of the gate.

Spa or Hot Tub Lid

8.4 In lieu of a fence, a spa or hot tub may be covered with a locking cover to prevent unauthorized access to the water.

Maintenance

8.5 The owner and the occupier of any property on or in which a *pool*, spa or hot tub is located must maintain all fences, gates or covers required under sections 8.2 to 8.4 in good order at all times and must immediately repair or replace any sagging fences, gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

PART 9 RETAINING WALLS

Permit

9.1 Without limiting section 4.6, no *person* may *construct*, or structurally repair, a *retaining wall* without a valid and subsisting *building permit* or *development permit*, if required.

9.2 A *registered professional* must undertake the design and conduct *field reviews* of the *construction* or structural repair of a *retaining wall*. Sealed copies of the design plan and letters of assurance prepared by the *registered professional* for all *retaining walls* must be submitted to a *building official* prior to issuance of a *permit* for the work.

Slopes Created by Excavation

9.3 Except as certified by a qualified professional, a cut on a parcel that is steeper than one linear unit vertically to one linear unit horizontally and total height of 1.22 meters or more that is created by *excavation* is prohibited unless restrained by a *retaining wall*.

Slopes Created by Fill Material

9.4 Except as certified by a qualified professional, 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.

PART 10 BUILDING MOVE

Permit Required

10.1 No *person* may relocate a *building* or *structure* into, out of or within the *District* without a valid and subsisting *building permit* for the relocation.

10.2 No *person* may relocate a *building* or *structure* into or within the *District* except:

10.2.1 where a *registered professional* has certified that the *building* or *structure* will substantially comply with the current version of the *Building Code*; and

10.2.2 a *building* permit has been issued for the *building* or structure.

PART 11 ADDRESSING AND SUITE NUMBERING

Addressing

- 11.1 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.
- 11.2 Immediately upon issuance of a *building permit* or prior to and during the occupancy of a *building*, until such time as the *building* is removed from the site or has been demolished, the *owner* or occupant must display the address number assigned to the *building* by the *Chief Building Official*:
- 11.2.1 on or over the entrance to the *building*; or
- 11.2.2 elsewhere on the *building* within sight of the street where landscaping or *structures* obscure the view of the *building* entrance from the street.
- 11.3 Despite section 11.2, the *Chief Building Official* may re-number or alter the assigned numbers in respect of any *buildings* on any parcel, including those already in existence or numbered.
- 11.4 The address numbers must be on a contrasting background and of a size in conformance with Table 11.3.1 below:

Table 11.3.1

Building Setback from Street	Minimum Non-illuminated Character Size	Minimum Illuminated Character Size
0-15 m	100 mm	80 mm
15-20 m	150 mm	100 mm
Greater than 20 m	200 mm	150 mm

Suite Numbering

- 11.5 Except as otherwise authorized by the *Chief Building Official*, all buildings must use a consecutive increasing numbering system for storey and suite numbering without skipping any numbers in accordance with the following:
- 11.5.1 Floors number in increasing numerical sequence starting from either the first storey as established by the *Building Code* or the primary addressed street entrance and without skipping any numbers;

- 11.5.2 Numbering must not skip numbers between adjacent floor levels; and
- 11.5.3 Suites must be numbered in increasing numerical sequence, in a clockwise fashion starting from the first and closest suite located directly to the left when entering the floor space through either the primary addressed street entry or the passenger elevator serving the primary addressed street entry and ending to the right of the elevator.

PART 12 MECHANICAL PERMIT

Potable Water Cross Connection

- 12.1 The *Chief Building Official* may, in respect of a parcel where there is a cross connection to potable water, disconnect the water service to the parcel and discontinue the water service until the *Chief Building Official* confirms that the cross connection to the potable water has been removed.

Mechanical Permits for Simple Building

- 12.2 An application for a *mechanical permit for plumbing for a simple building* must:
 - 12.2.1 include the applicable information, documents and plans specified in the Master Requirements List; and
 - 12.2.2 contain any other information necessary to satisfy the *Chief Building Official* that the proposed installation, *alteration* or repair of plumbing complies with the *health and safety aspects of the work* and this and every other applicable *District* bylaw; and
 - 12.2.3 be submitted together with the applicable fees prescribed in the Fees and Charges Bylaw 6481 in accordance with section 16.1 of this bylaw.
- 12.3 An application for a *mechanical permit* for a forced air heating distribution system for a simple *building* must include heat loss calculations and appliance selection work sheet per the HVACIABC “Quality First” guidelines or equivalent.
- 12.4 An application for a *mechanical permit* for a hydronic heating distribution system for a *simple building* must include:
 - 12.4.1 heat loss calculations and hydronic system design per the RHWABC guidelines or equivalent;
 - 12.4.2 letters of assurance as may be required pursuant to section 4.48 or 4.50.

Mechanical Permits for Complex Building

- 12.5 An application for a *mechanical permit for plumbing for a complex building* must be signed by a licensed plumber and:

- 12.5.1 include the applicable information, documents and plans specified in the Master Requirements List; and
- 12.5.2 contain any other information necessary to satisfy the *Chief Building Official* that the proposed installation, *alteration* or repair of plumbing complies with the *health and safety aspects of the work* and this and every other applicable *District* bylaw.
- 12.5.3 when required by the *Chief Building Official*, include a minimum of two complete sets of:
 - (a) plans showing the location and size of every *building* drain and every trap, sump and *plumbing* fixture and all water distribution piping; and
 - (b) sectional drawings showing the size and location of every *soil* or waste pipe, trap and vent pipe,

and the drawings and documents must be sealed by the *registered professional* and include complete design and calculation criteria so that the *Chief Building Official* has the information available for examination;
- 12.5.4 include letters of assurance as required pursuant to section 4.48 or 4.50;
- 12.5.5 contain any other information necessary to satisfy the *Chief Building Official* that the proposed installation, *alteration* or repair of plumbing complies with the *health and safety aspects of the work* and this and every other applicable *District* bylaw; and
- 12.5.6 be submitted together with the applicable fees prescribed in the Fees and Charges Bylaw 6481 in accordance with section 16.1 of this bylaw.
- 12.6 An application for a *mechanical permit* for sprinklers or a fire suppression system must:
 - 12.6.1 be signed by a licensed sprinkler fitter or, if permitted by a provincial enactment, the *owner*;
 - 12.6.2 include plans, sections and documentation as required by the relevant NFPA 13, 13r or 13d standard sealed by the *registered professional*; and
 - 12.6.3 include letters of assurance as may be required pursuant to section 4.48 or 4.50.

Storm and Sanitary Sewer Connections

- 12.7 Every *owner* of a parcel must in all cases where it is proposed to conduct waste from *plumbing* fixtures, trade waste or surface or roof water to a public sewer:
 - 12.7.1 confirm with the *Chief Building Official* that the public sewer is at a sufficient depth and of a capacity to receive the discharge;
 - 12.7.2 deliver to the *District's* Director of Engineering such information as the Director of Engineering may require to show that the proposed sewers will be laid at such depth and in such a position as to connect the property with the *building* or storm

sewer extension; and

12.7.3 arrange the plumbing to suit the location of the connection provided for the parcel by the *Chief Building Official*.

Mechanical Inspections

12.8 *A building official* may attend periodically at the site of *mechanical work* in respect of *simple 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 enactments concerning safety.

12.9 For all *mechanical work* in respect of *simple buildings* the *owner*, or his or her representative, must give at least 24 hours' notice to the *District* when requesting an inspection and must obtain an inspection and receive a *building official's* acceptance of the following aspects of the work prior to concealing them:

12.9.1 underground water, sanitary and storm services, foundation drainage piping and damp proofing; prior to such inspection the *owner* or his agent, must deliver to the *Chief Building Official* a letter sized site and foundation drainage plan;

12.9.2 heating distribution piping or duct work;

12.9.3 rough plumbing;

12.9.4 rough fire sprinkler and fire suppression piping;

12.9.5 tub and shower fixtures and piping;

after the *mechanical work* is complete and ready for occupancy, but before occupancy.

12.10 *A building official* will only carry out an inspection under section 12.8 if the *owner* has requested the inspection and only in the order prescribed in section 12.9.1 to 12.9.5.

12.11 The requirements of section 12.9 do not apply to any aspect of the work that is the subject of a *registered professional's* letters of assurance provided in accordance with section 4.50.

12.12 If a *registered professional* provides letters of assurance in accordance with sections 4.48, 4.49, 4.50 or 4.57, 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 work authorized by the *permit* substantially conforms to the *design*, plans and specifications and that the work substantially complies with the *Building Code*, the *Electrical Code*, *B.C. Natural Gas and Propane Code*, this bylaw, any other applicable bylaw of the *District*, provisions of the *Homeowner Protection Act*, *Safety Standards Act* and associated regulations, or any other applicable enactments respecting safety.

12.13 Despite section 12.12, a *building official* may attend the site from time to time during the course of the work to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.

12.14 For *mechanical work* in respect of *complex buildings* the *owner* or his or her representative must:

12.14.1 arrange a preconstruction meeting prior to the start of *construction* with at least 48 hours' notice to the *District* and this preconstruction meeting must be attended by the *building official*, the *owner* or his or her representative, the *coordinating registered professional*, the *constructor* and representatives of major trades;

12.14.2 request an inspection prior to opening the premise isolation water valve;

12.14.3 request an inspection prior to removal of the sanitary premise isolation plug; and

12.14.4 request an inspection prior to removal of the storm water premise isolation plug.

Provisional Plumbing Final

12.15 The *Chief Building Official* may issue an inspection notice for provisional *plumbing* final in support of provisional *occupancy* of part of a *building* pursuant to section 5.31.

Connection to Storm Drainage System

12.16 Subject to the Sewer Bylaw 6656 and Development Servicing Bylaw 8145, during *construction* or *alteration* of a single or two family dwelling, the *owner* must connect all rainwater conductors in the onsite drainage system to a municipal storm drainage system provided such system is contiguous to the parcel on which the *construction* or *alteration* is taking place.

12.17 The onsite drainage system referred to in section 12.16 must be extended to the rear parcel line if the municipal connection is located at the front of the parcel or to the front parcel line if the municipal connection is located at the rear of the parcel wherever reasonably possible.

Plumbing Regulations

12.18 An *owner* must:

12.19 not permit or cause to be permitted material transitions upstream of the main shut off valve within the perimeter of a *building* foundation;

12.20 ensure that sanitary and storm sewer connections in respect of a *building* are fitted with a *District* standard inspection chamber at or near the property line;

12.21 not permit or cause to be permitted corrugated, perforated and unperforated plastic piping to be used in conveying storm water in a storm drainage system; and

12.22 not permit or cause to be permitted the connection of any subsoil drainage system to a drywell or rock pit unless the subsoil conditions are suitable for use of a drywell or rock pit as determined by a soil report prepared by a qualified professional engineer and accepted by the *Chief Building Official* in advance.

Storm Water Pumps

- 12.23 A *mechanical permit* for the installation of storm water pumps must include letters of assurance as required pursuant to section 4.50.10.
- 12.24 New storm water pump installations must include:
- 12.24.1 dual or duplex pumps; and
 - 12.24.2 a high level alarm audible within the premises.
- 12.25 As a condition of issuance of a *mechanical permit* for the installation of a storm water pump, the *Owner* must grant to the *District* a covenant under section 219 of the *Land Title Act*, RSBC 1996, c. 250, as amended or replaced from time to time, in a form satisfactory to the *municipal solicitor*.

Sanitary System Pumps

- 12.26 A *mechanical permit* for the installation of sanitary pumps where the pump serves an entire residence must include letters of assurance as required pursuant to section 4.50.11.
- 12.27 New sanitary pump installations must include a high level alarm audible within the premises.

Fire Sprinklers

- 12.28 "*Fire limits area*" in this Part means the areas shown on the plan attached as Schedule C.
- 12.29 Except as set out in section 12.30, sections 12.31 to 12.33 apply to:
- 12.29.1 a new *building* containing a mercantile, industrial, assembly, institutional, business, personal service or *residential occupancy*;
 - 12.29.2 an existing *building* containing a *residential occupancy* upon creation of an additional dwelling unit;
 - 12.29.3 an existing *building* containing a mercantile, industrial, assembly, institutional, business, personal services or *residential occupancy* if the total *building permit* value of all *additions* and structural *alterations* made within any consecutive 24 month period, as determined by the *Chief Building Official* pursuant to this bylaw, exceeds 25% of the assessed value of the existing *building* as determined by the most recent assessment by the British Columbia Assessment Authority; and
 - 12.29.4 an existing *building* containing a *residential occupancy and located within the fire limits area* if the total *building permit* value (excluding the value of the fire sprinkler system) of all *additions* and or structural *alterations* made within any consecutive 24 month period, as determined by the *Chief Building Official* pursuant to this bylaw, exceeds \$100,000.00.
- 12.30 Sections 12.31 to 12.33 do not apply to single family *residential* dwelling units located

outside the *fire limits area*, accessory *buildings* having a floor area of less than 30 square meters, *temporary buildings*, park shelters, detached gas station canopies or detached garages serving only one dwelling unit.

- 12.31 A *building* containing a mercantile, industrial, assembly, institutional, business, personal service or *residential occupancy* and any *building* in a *fire limits area* must be sprinklered in accordance with NFPA 13 1996 "Standard for Installation of Sprinkler Systems".
- 12.32 A *building* containing only a *residential occupancy* of up to four storeys in height must be sprinklered in accordance with NFPA 13 1996 "Standard for installation of Sprinkler Systems" or with NFPA 13R 1996 "Standard for installation of Sprinkler Systems in Residential Occupancies up to and including Four Storeys in Height", except as set out in section 12.33.
- 12.33 A *building* containing only one or two family *residential occupancies* must be sprinklered in accordance with NFPA 13 1996 "Standard for installation of Sprinkler Systems" or with NFPA 13R 1996 "Standard for installation of Sprinkler Systems in Residential Occupancies up to and including Four Storeys in Height", or NFPA 13D 1996 "Standard for installation of Sprinkler Systems in one and two Family Dwellings and Mobile Homes".
- 12.34 A *mechanical permit* for the installation of fire sprinkler systems must include letters of assurance as required pursuant to section 4.50.12.

Water Conservation

- 12.35 Every water closet must be a low consumption type which:
- 12.35.1 conforms with CSA B45.0-99, "General Requirements for Plumbing Fixtures"; and
 - 12.35.2 has an average water consumption not exceeding 6 litres per flush cycle.
- 12.36 Every urinal must be a low consumption type which:
- 12.36.1 conforms with CSA B45.0-99, "General Requirements for Plumbing Fixtures"; and
 - 12.36.2 has an average water consumption not exceeding 3.8 litres per flush cycle.

Gas Work

- 12.37 No *mechanical permit* is required under this Bylaw for *gas work* that may be done without a *permit* pursuant to the *Gas Safety Regulation*.
- 12.38 Only those persons who may perform *gas work* pursuant to the *Gas Safety Regulation* may apply for a *mechanical permit* for *gas work* under this bylaw.
- 12.39 An application for a *mechanical permit* must be submitted together with the applicable fees prescribed in the Fees and Charges Bylaw 6481 in accordance with section 16.1 of this bylaw.

- 12.40 The *District's* mechanical inspectors are safety officers under the *Safety Standards Act* for the purpose of administering the *Gas Safety Regulation* and have all of the powers of safety officers under said enactments.
- 12.41 Where *gas work is being* undertaken pursuant to a *mechanical permit* issued to a licensed gas contractor, the *District's* mechanical inspectors will provide random spot inspections only.

PART 13 ELECTRICAL PERMITS

Local Safety Manager and Local Safety Officers

- 13.1 The *District's* electrical inspectors are safety officers under the *Safety Standards Act* for the purpose of administering the *Electrical Safety Regulation* and have all of the powers of safety officers under said enactments.

Permits

- 13.2 Only those persons who may perform *electrical work* pursuant to the *Electrical Safety Regulation* may apply for an *electrical permit* under this bylaw.
- 13.3 An application for an *electrical permit* must be submitted together with the applicable fees prescribed in the Fees and Charges Bylaw 6481 in accordance with section 16.1 of this bylaw.
- 13.4 No *electrical permit* is required under this Bylaw for *electrical work* that may be done without a permit pursuant to the *Electrical Safety Regulation*.

PART 14 ENERGY STEP CODE

- 14.1 In relation to the conservation of energy and the reduction of greenhouse gas emissions, the District may reference and implement, in whole or in part, the *Energy Step Code*.
- 14.2 Effective July 1, 2018, any building classified as a Group D or Group E occupancy under the *Building Code* must be designed and constructed to meet the performance requirements specified in Step 1 of the *Energy Step Code*.
- 14.3 Effective July 1, 2018, any residential occupancy building regulated by Part 3 of the *Building Code* must be designed and constructed to meet the performance requirements specified in Step 2 of the *Energy Step Code*.
- 14.4 Effective July 1, 2018, any residential occupancy building regulated by Part 9 of the *Building Code*, must be designed and constructed to meet the performance requirements specified in Step 3 of the *Energy Step Code*.
- 14.5 Any residential occupancy building regulated by Part 3 or Part 9 of the *Building Code* which is located on property that has been re-zoned after December 15, 2017, must be designed and constructed to meet the performance requirements specified in Step 3 of the *Energy Step Code*.

PART 15

RADIO AMPLIFIER BYLAW

- 15.1 All applications for a *building permit* to which the Radio Amplifier Bylaw 8272 applies must comply with the requirements of that bylaw and required information must be submitted with the *building permit* application.

PART 16

FEEES AND CHARGES

Permit Fees

- 16.1 In addition to any applicable fees and charges required under other bylaws, the *owner* must pay all applicable fees related to an application for any *permit* under this bylaw as prescribed in the Fees and Charges Bylaw 6481 and such fees must be paid as follows:
- 16.1.1 50% of the total applicable fees must be paid at the time of the *building permit* application; and
- 16.1.2 the full balance of the total applicable fees must be paid prior to issuance of the *permit*.

Inspection Fees

- 16.2 In addition to the permit fees required under section 16.1, the *owner* must also pay the *building review*, inspection, re-examination fees and other fees as prescribed in the Fees and Charges Bylaw 6481.

Fee Reduction where Letters of Assurance are Being Relied Upon

- 16.3 Where letters of assurance are being relied upon by the *District* pursuant to sections 4.48 or 4.50, the applicable *permit* fee will be reduced by 2.5%, up to a maximum reduction of \$500.00.

Refunds

- 16.4 No fee or part of a fee paid to the *District* may be refunded if *construction* of the *building* has started.
- 16.5 Except as otherwise provided in this bylaw, all fees and charges required by this bylaw are non-refundable.
- 16.6 If a valid and subsisting *permit* is cancelled at the request of the applicant, the *Chief Building Official* may issue a refund as follows:
- 16.6.1 for a *building permit*, a refund equal to that part of the fees paid at issuance of the *permit* in accordance with section 16.1.2 less an administration fee of 15% of that amount;
- 16.6.2 for an *electrical permit* or *mechanical permit*, a refund equal to the application fees for such *permit* less an administration fee of 15%,

provided that:

- 16.6.3 the *owner* has submitted a written request for a refund;
 - 16.6.4 the *Chief Building Official* has certified that *construction* of the work authorized by the *permit* has not been started;
 - 16.6.5 the *permit* has never been extended; and
 - 16.6.6 the *permit* has not expired.
- 16.7 If a valid and subsisting *electrical permit* or *mechanical permit* is cancelled at the request of the applicant, the *Chief Building Official* may refund the application fees for such *permit* less an administration fee of 15%.

PART 17 OFFENCES

Violations

- 17.1 Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed and each day that such violation is permitted to exist shall constitute a separate offence.

Penalty

- 17.2 Every *person* who commits an offence contrary to the provisions of this bylaw is liable on summary conviction to a penalty of not more than \$10,000.00 in addition to the costs of the prosecution.

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 Nothing in section 17.3 affects:
- 17.4.1 the *District's* right to require and the *owner's* obligation to obtain a *permit*; and
 - 17.4.2 the obligation of the *owner* to comply with this bylaw.

Designation of Bylaw

- 17.5 This Bylaw is designated under section 264 of the Community Charter as a bylaw that may be enforced by means of a ticket in the form prescribed.

Designation of Bylaw Enforcement Officer

- 17.6 *Building officials, bylaw enforcement officers, environmental protection officers and members of the Royal Canadian Mounted Police are designated to enforce this bylaw by means of a ticket under section 264 of the Community Charter.*

Ticketing

- 17.7 Pursuant to Section 264(1)(c) of the Community Charter, the words or expressions set forth below in Column 1 of the table below designate the offence committed under the bylaw section numbers appearing in Column 2 opposite the respective words or expressions.
- 17.8 Pursuant to Section 265(1)(a) of the Community Charter, the fine amount set forth below in Column 3 of the table below is the fine amount that corresponds to the words or expressions and section number set out in Columns 1 and 2 opposite the fine amount:

COLUMN 1	COLUMN 2	COLUMN 3
DESIGNATED EXPRESSION	SECTION	FINE
		\$
Failure to comply with order by Chief Building Official	4.4	200
Construct building without permit	4.7.1	300
Change use without permit	4.7.2	200
Change occupancy without permit	4.7.2	200
Install commercial cooking facility without permit	4.7.3	200
Install or modify fire alarm or sprinkler without permit	4.7.4	200
Move building without permit	4.7.5	250
Demolish building without permit	4.7.6	250
Occupy new building without permit	4.7.7	150
Install, construct, repair or alter fireplace or wood-burning appliance without permit	4.7.8	200
Perform mechanical work without permit	4.7.9	200
Perform electrical work without permit	4.7.10	200
Failure to comply with conditions of permit	4.10	100
Carry out work contrary to regulations	4.26	150
Obstruct entry of inspector	4.29.1	150
Failure to have plans available at site	4.29.2	100
Failure to post permit on site	4.29.3	100
Failure to ensure work complies with permit or regulations	4.29.4	100
Do work at variance with accepted plans	4.29.5	200
Failure to manage sediment or erosion	4.29.6	200
Failure to ensure catch basin fitted with sediment trap	4.29.7	200
Failure to pay costs for damage to District property	4.29.9	200
Failure to post signage with required information	4.29.10	200
Failure to post signage that meets requirements	4.30	100

COLUMN 1	COLUMN 2	COLUMN 3
DESIGNATED EXPRESSION	SECTION	FINE
Failure to notify re. change in registered professional	4.31	100
Failure to suspend work when registered professional terminated	4.32	150
Failure to notify re. change of ownership or address	4.33	100
Failure to uncover work completed without inspection	4.35	200
Cause damage to District property or works	4.36	150
Failure to provide pest control report	4.40	100
Failure to install required erosion and sediment controls during demolition	4.41	200
Failure to clear debris from demolition site	4.42.1	150
Failure to separate gypsum from other debris	4.42.2	150
Failure to back-fill demolition site	4.42.3	200
Failure to make demolition site level	4.42.4	100
Failure to make demolition site stable from erosion	4.42.5	200
Failure to leave demolition site in tidy condition	4.42.6	150
Failure by constructor to comply with Building Code	4.46	150
Failure to secure site after Stop Work Order Notice posted	4.66	200
Carry out unauthorized work after Stop Work Order Notice posted	4.67	300
Failure to leave Stop Work Order Notice posted	4.68	200
Failure to cease occupancy when Do Not Occupy Notice posted	4.70	200
Failure to fill in excavation	5.20	200
Failure to obtain building review	5.24.3	300
Failure to obtain building review prior to concealing work	5.27	200
Occupying building with changed classification where no occupancy permit	5.29	200
Occupy temporary building for more than 1 year	5.32	200
Failure to remove temporary building	5.32	150
Failure to provide sanitary facilities or required amenities	5.34	150
Failure to keep sanitary facility in sanitary condition	5.34	100
Construct or repair pool without permit	8.1	200
Failure to enclose pool, spa or hot tub	8.2	150
Failure to install self-latching gate to pool	8.3	150
Failure to have locking cover on spa or hot tub	8.4	150
Failure to maintain required fence, gate or cover for pool, spa or hot tub	8.5	150
Construct or repair retaining wall without permit	9.1	200
Failure to obtain or submit to District registered professional design or field review for retaining wall	9.2	150
Excavation steeper than permitted	9.3	200
Deposit of fill material steeper than permitted	9.4	200
Relocate building without building permit	10.1	250
Failure to display address number per requirements	11.1	100
Address numbers smaller than required	11.4	100

COLUMN 1	COLUMN 2	COLUMN 3
DESIGNATED EXPRESSION	SECTION	FINE
Failure to number floors as required	11.5.1	100
Failure to comply with suite numbering requirements by skipping numbers between adjacent floors	11.5.2	100
Failure to number suites in increasing numerical sequence and clockwise fashion	11.5.3	100
Failure to arrange plumbing to suit location of connection to public sewer	12.7.3	150
Failure to obtain mechanical inspection	12.9	150
Failure to request mechanical inspection	12.14	150
Failure to connect drainage to municipal storm drainage system	12.16	200
Permit material transitions upstream of main shut off valve within perimeter of building foundation	12.19	200
Failure to ensure sanitary and storm sewer connections fitted with District standard inspection chamber at or near property line	12.20	200
Permit corrugated, perforated and unperforated plastic pipe to convey storm water	12.21	200
Permit connection of subsoil drainage system to drywell or rock pit without professional report accepted by Chief Building Official	12.22	200
Failure to include dual or duplex pumps in new storm water pump installation	12.24.1	200
Failure to include high level alarm audible within the premises for new storm water pump installation	12.24.2	150
Failure to grant section 219 covenant for storm water pump	12.25	200
Failure to include high level alarm audible within the premises for new sanitary pump installation	12.27	150
Failure to sprinkler mercantile, industrial, assembly, institutional, business, personal service or residential occupancy building or building in Fire Limits Area as required	12.31	200
Failure to sprinkler residential building up to four stories in height as required	12.32	200
Failure to sprinkler one- or two-family residential occupancy as required	12.33	200
Person who is not authorized performing gas work	12.38	200
Person who is not authorized performing electrical work	13.2	200

PART 18 MISCELLANEOUS

Severability

- 18.1 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 shall not affect the validity of the remaining portions of this bylaw.

References

- 18.2 Any reference to Bylaw 7353, 2003 in any other District Bylaw is hereby deleted and replaced with a reference to this Bylaw 8271, 2017.

Repeal

- 18.3 The District of North Vancouver Building Regulation Bylaw No. 7353, 2005 is repealed and all references in other District bylaws to District of North Vancouver Building Regulation Bylaw No. 7353 are hereby amended to refer to District of North Vancouver Construction Bylaw 8271, 2017.

- 18.4 The following bylaws are repealed:

18.4.1 The Electrical Bylaw No. 7464, 2004; and

18.4.2 The Gas Bylaw No. 7465, 2004.

Amendment of Other Bylaws

- 18.5 The *District's* Environmental Protection Bylaw 6515 is amended by inserting the following at the end of section 32:

The security taken pursuant to this section may also be used by the District in accordance with section 5.7 of the Construction Bylaw 8271, 2017 and the security deposit taken pursuant to section 5.7 of the Construction Bylaw 8271, 2017 may be used by the District for this section 32.

- 18.6 The *District's* Tree Protection Bylaw 7671, 2012 is amended by inserting the following at the end of section 19:

The security taken pursuant to this section may also be used by the District in accordance with section 5.7 of the Construction Bylaw 8271, 2017 and the security deposit taken pursuant to section 5.7 of the Construction Bylaw 8271, 2017 may be used by the District for this section 19.

Appendices

- 18.7 Schedules A to C are attached to and form part of this bylaw.

Citation

18.8 This bylaw may be cited for all purposes as the "**Construction Bylaw 8271, 2017**".

In Force

18.9 This bylaw comes into force December 15, 2017.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

SCHEDULE A to BYLAW 8271 -VALUE OF WORK

Residential

Construction	\$/Sq.M	\$/Sq.Ft.
Crawlspace	430.60	40.00
Unfinished Basement	753.50	70.00
Main Floor	1,668.40	155.00
Upper Floor	1,507.00	140.00
Additional Floors	1,507.00	140.00
Basement or space finishing	645.80	60.00
Basement with secondary suite	753.50	70.00
Additions	120%	120%
Garages	699.70	65.00
Carports	430.60	40.00
Verandas/Covered decks	538.20	50.00
Sundeck	430.60	40.00
Carport infill to create garage	322.90	30.00
Garage/carport infill to create living area	484.40	45.00
Sundeck enclosure to create living area	807.30	75.00
Detached Garages	861.10	80.00

Demolition

Minor - less than or equal to 100 m ²	\$5000.00
Major - greater than 100 m ²	\$10,000.00

SCHEDULE B to BYLAW 8271 - Application to Existing Buildings

The level of upgrading required for an existing *building* that is non-compliant with the current *Building Code* is illustrated in the table below. The upgrading is based on the aggregate project value of all *building permits* issued over the previous 24-month period immediately preceding the date of application of a proposed *building permit*, including the value of the proposed project, divided by the assessed value of the building, expressed as a percentage.

For the purpose of applying the table below, when voluntary upgrades for fire alarm systems, sprinkler systems, exits, accessibility, seismic work and building envelop are performed along with other alterations, additions and changes of major occupancy in existing buildings, the applicant may deduct the value of this work from the aggregate value of the project costs.

When considering what is an acceptable level to upgrade existing structures the *Chief Building Official* will be guided by the following table.

Ratio of Project Costs to Assessed Value %	Item to be Upgraded	Location of Upgrading			Notes for Upgrading Work
		Project Area	Public Areas	Entire Building	
Up to 25%	Exits (*)	X			Number, capacity and fire separations
Over 25% and up to 50%	Including item above				
	Alarms/detectors	X	X		
	Emergency Lights	X	X		
	Exits			X	
	Exits Lights & Signs		X	X	
	Flame Spread Rating			X	
Over 50% and up to 100%	Including all items above				
	Access to exits and means of egress	X	X	X	
	Alarms/detectors			X	
	Emergency Lights			X	
	Fire Fighting Access and Water Supply			X	
	Floor assemblies & supports	X			
	Spatial Separation	X			
Over 100% and up to	Including all items above				

200%	Access to Exits			X	Structural survey (defined below)
	Building structure			X	
	Flame Spread Rating			X	
	Occupancy Separation			X	
	Standpipes and Sprinklers			X	
	Provisions for Section 3.7	X			
Washrooms	X				
Over 200%	Including all items above				Structural analysis (defined below)
	Building Structure			X	
	Emergency Power & Lights			X	
	Floor assemblies & supports			X	
	High Rise requirements			X	
	Lightning Levels			X	
	Provisions for Section 3.7			X	
	Spatial Separation			X	
	STC requirements			X	
	Ventilation			X	
Washrooms			X		

(*) to public street

Schedule B Definitions:

Structural Survey

- 1) When alterations to an existing building do not include an addition and when the total cost of the intended work exceeds 100% but does not exceed 200% of the actual value of the building as determined by the British Columbia Assessment Authority, a structural survey of the existing building may be provided by a registered structural engineer instead of a structural analysis.
- 2) The Structural Survey required by section 1) must:
 - (a) describe the condition of all structural members and connections;
 - (b) document evidence of deterioration from physical damage, fire, weather or neglect;
 - (c) document evidence of foundation settlement or failure;
 - (d) include an evaluation of the building's expected stability with respect to minimum

design loads, forces and effects;

- (e) include an evaluation of the building in conformance with the NRC publication "Guidelines for Seismic Evaluation of Existing Buildings" dated December 1992;
 - (f) document the condition of all flashings, rain gutters, down pipes, chimneys, ornamentation, parapets and appurtenances; and
 - (g) indicate the weather protection ability of the roof and exterior cladding, and the extent of impermeability of the below ground structure, where present.
- 3) Sealed drawings which detail the structural upgrading work required as a result of the survey carried out under section 2) must be provided to the *Chief Building Official* by the *owner*.
 - 4) All structural work referred to in section 3) must be completed prior to final inspection and occupancy.

Structural Analysis

- 1) A Structural Analysis of an existing *building* must be provided to the *Chief Building Official* by a registered structural *engineer* when:
 - (a) the total cost of the intended work exceeds 200% of the value of the *building* as determined by the British Columbia Assessment Authority; or
 - (b) the work includes an *addition* or *alteration* as determined by sections 3.5, 3.6 or 3.7 of this bylaw.
- 2) The Structural Analysis required by section 1) must:
 - (a) take into account the proposed *alterations* and the *building occupancy*;
 - (b) indicate the structural sufficiency of the *building* to safely resist all vertical and lateral loads, including wind and earthquake forces, and any construction loads that may be expected; and
 - (c) show the remedial works necessary to bring the *structure* up to the minimum standards required by Part 4 of the *Building Code*.
- 3) Sealed drawings which detail the structural upgrading work required as a result of the analysis carried out under section 2) must be provided to the *Chief Building Official* by the *owner*.
- 4) All structural work referred to in section 3) must be completed prior to final inspection and occupancy.

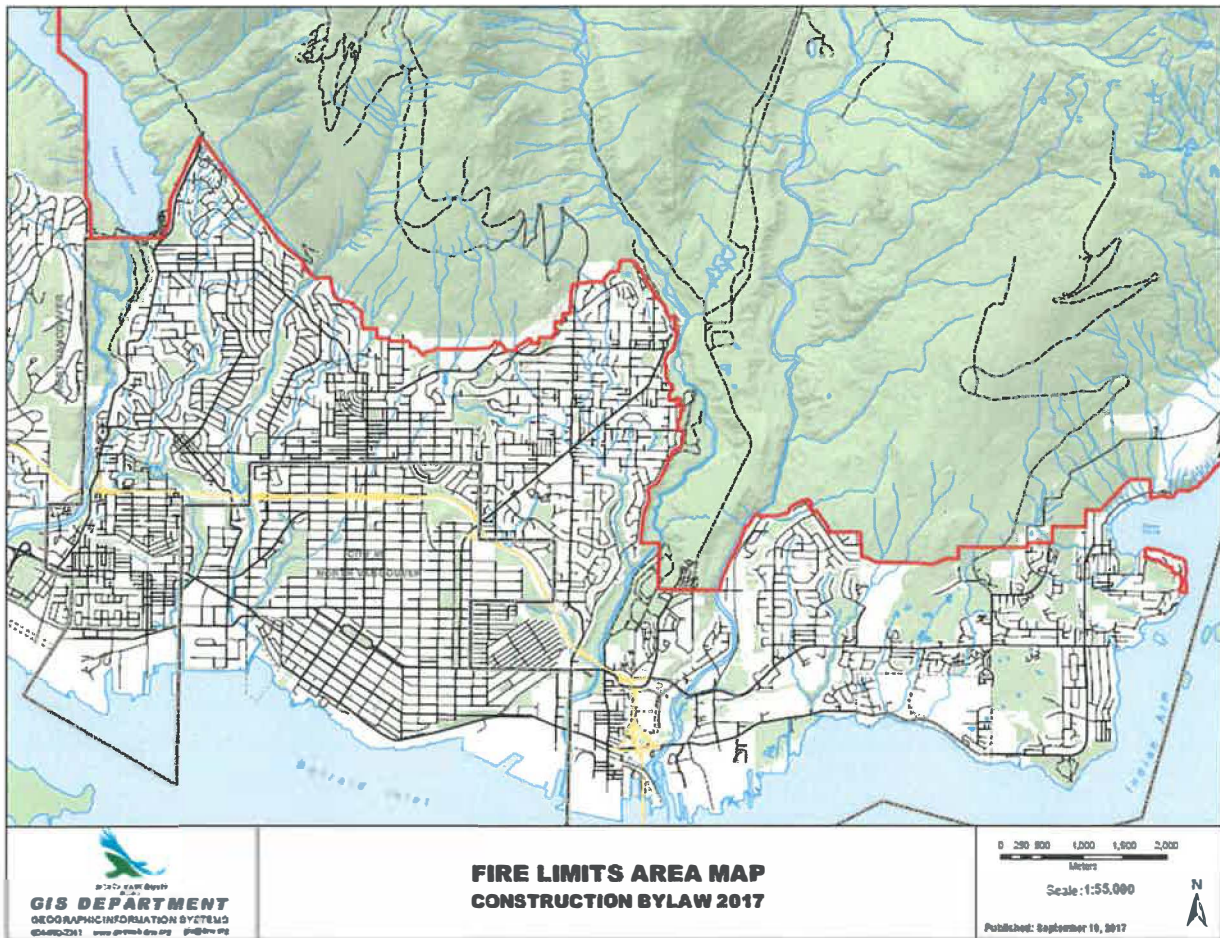
Voluntary Upgrade

Where voluntary upgrades for fire alarm systems, sprinkler systems, exits, seismic work and building envelope are performed, it is not the intent of this bylaw to require the *owner* to further upgrade the *building* as detailed in section 3.5 to 3.7 of this bylaw.

SCHEDULE C to BYLAW 8271 -FIRE LIMITS AREAS

The designated **Fire Limits Areas** are:

- 4700 and greater Blocks Prospect Rd
- 4900 greater Blocks Skyline
- 4300 and greater Blocks St Georges Ave
- 1500 and greater Blocks Lillooet Rd
- 4400 and greater Blocks Marion Rd
- 4500 and greater Blocks Lynn Valley Rd
- 2200 and greater Blocks Indian River Cres
- 2800 and greater Blocks Panorama Dr
- Eastridge Rd – even addresses only
- Any construction above the 1050ft elevation
- The areas designated as Woodlands, Sunshine and Cascades
- The area designated as Indian Arm, and
- All areas so designated on the attached plan



The Corporation of the District of North Vancouver

Bylaw 8272

A bylaw for the Regulation of Radio Amplification

WHEREAS a need exists for certain buildings and structures to have internal communications infrastructure systems which support the uninterrupted operation of the District's fire services, law enforcement and other emergency services radio communications essential to public safety and emergency response;

AND WHEREAS building design which incorporates multiple levels of underground and/or high-rise occupancy, or construction materials including concrete, low-emissivity glass, metal studs and flooring, metal-coated insulation and other attenuating materials all contribute to the interruption of emergency services communications networks;

AND WHEREAS radio support and amplification systems within buildings or structures can overcome the interruption of emergency communications networks and are vital to the delivery of public safety and emergency services in the District;

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

1. INTERPRETATION

Citation

1.1 This bylaw may be cited as "**RADIO AMPLIFICATION BYLAW 8272, 2017**".

Purpose and Application

1.2 It is not contemplated nor intended that this bylaw will provide, nor will this bylaw be interpreted as:

- (a) providing protection to owners, builders, constructors or any other persons from economic loss;
- (b) for ensuring the compliance by any owner, agent of an owner or any employees, builders, constructors or designers retained by an owner, with the requirements of this bylaw;
- (c) providing a warranty to any person of design or workmanship or materials with respect to any building, structure or part thereof for which a permit or occupancy certificate is issued under this bylaw;
- (d) providing a warranty or assurance to any person that construction or installation undertaken pursuant to this bylaw is free from any defects, whether patent or latent.

- 1.3 This bylaw applies to:
- (a) the design, construction and occupancy of new buildings and structures; and
 - (b) the alteration, reconstruction or renovation of existing buildings which add more than 20% in gross floor area to an existing building or structure.
- 1.4 This bylaw does not apply to:
- (a) any single and two family dwelling;
 - (b) any building or structure constructed of wood frame and without metal cladding;
 - (c) any building less than 5,000 square metres; or
 - (d) any building or structure less than 12 metres in height to the top of the roof.
- 1.5 The owner of any building or structure referred to in section 1.3 above which is constructed using reinforced concrete or structural steel, metal cladding, studs and/or flooring, reflective or low-emissivity glass, or other attenuating materials, and which:
- (a) has a gross floor area of more than 5,000 square metres;
 - (b) is over 12 metres in height to the top of the roof;
 - (c) has more than 1,000 metres of basement floor space; or
 - (d) has a basement more than 10 metres below the lowest street level of the building

must install and maintain radio amplification systems which will function with the area-wide public safety communications service provider to support uninterrupted radio network communications for public safety and emergency responders within the District.

Definitions

- 1.6 In the absence of specific definition in this section 1.5, the words used in this bylaw have the meaning, if any, given to them by definition in the *Community Charter*, S.B.C. 2003 c. 26, as amended or replaced.
- 1.7 In this Bylaw, unless the context otherwise requires:
- “agent of an owner” includes a person, firm or corporation representing the owner by designation or contract and includes a hired tradesman or contractor for the owner;
- “building” means a structure or portion thereof, which is used or intended to be used for supporting or sheltering any use or occupancy;
- “Building Code” means the current edition of the British Columbia Building Code as adopted by the Minister responsible under provincial legislation, as amended, re-enacted or repealed and replaced from time to time;

"building official" means the Chief Building Official and the building inspectors, plan checkers, plumbing inspectors, mechanical inspectors and electrical inspectors designated or appointed by the District;

"Chief Building Official" means the person designated or appointed to that position by the District and any person named by the Council to act in place of the Chief Building Official;

"construct" or "construction" includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, with respect to a building or structure;

"Council" means the elected council of the District;

"District" means the Corporation of the District of North Vancouver;

"E-Comm" means Emergency Communications for Southwest British Columbia Incorporated and all the features and functions of the trunked public safety radio telecommunications systems, including microwave and VHF/UHF radio systems, provided by E-Comm to fire services, law enforcement and other emergency services;

"Fire Chief" means the person appointed to that position by the District and any person named by the Council to act in place of the Fire Chief;

"occupancy permit" means an occupancy permit issued by the District pursuant to the Construction Bylaw 8271, 2017;

"owner" means the person who is the owner as defined in the Building Code or an agent of that person;

"permit" means a permit issued to authorize construction regulated by the Construction Bylaw 8271, 2017, including a building permit, electrical permit, mechanical permit or occupancy permit as those terms are defined in the Construction Bylaw 8271, 2017.

"shadowed area" means an area that is subject to attenuation or obstruction of radio signals to or from the areas as a result of the interposition of all or any part of the building or structure in the radio signal path (line of sight) between the area and the transmitting/receiving site of the area-wide public safety communications service provider.

2. GENERAL PROHIBITIONS

Adequate Radio Coverage

- 2.1 Except as otherwise provided, no person shall erect, construct, change the use of or provide an addition of more than 20% in square footage to any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for the area-wide public safety communications service provider, including but not limited to fire services and law enforcement personnel.
- 2.2 For the purpose of section 2.1, "adequate radio coverage" means system access and "Delivered Audio Quality" (DAQ) of 3.4 or better (speech understandable with repetition rarely, some noise or distortion may be present) for communication between a portable (handheld) radio using a simple flexible whip antenna and both the area-wide public safety

communications service provider and the District radio communications network(s) transmitting/receiving sites:

- (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 Shadow 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.

As an aid to system design, DAQ 3.4 has been measured by NTIA (U.S. Department of Commerce, National Telecommunications and Information Administration) to be approximately equivalent to 22 dB SINAD (Signal-to-Noise And Distortion ratio) for analogue signals modulated with a 1 kHz tone at 1.5 kHz deviation, and to 2% BER (Bit Error Rate) for P25 digital signals. It may also be approximately equivalent to a received signal level of -95 dBm in the absence of other signals that may affect the receiver. Good design should provide a margin of not less than 10 dB to allow for uncontrolled variables. Based on the foregoing, the design target for indoor coverage should be -85 dBm.

- 2.3 The radio frequency ranges to be supported are any frequencies used by the area-wide public safety communications service provider. If signal amplifiers are used, they must include filters that will protect the amplifiers from overload and the system from interference by out-of-band signals.
- 2.4 In the event that active amplification is required to meet the foregoing communication quality requirements in the building including Shadowed Area of the building, coordination with the public safety communications service provider and the District's communications network provider is required to ensure that its outdoor radio communication performance is not degraded. Where a decision must be made regarding the maintenance of either service provider's outdoor radio communication performance and restoration of signal strength in the building and Shadowed Area, the trade-off decision shall be made by the public safety communications service provider(s) and communicated to the Fire Chief and Officer in Charge of the North Vancouver RCMP detachment by the building owner.

Amplification Systems Allowed

- 2.5 Where a building or structure is required to provide an Amplification System to achieve adequate radio communication coverage, such system must include any of the following that are sufficient to achieve the required coverage:
 - (a) passive antenna systems or radiating cable systems;
 - (b) distributed antenna systems with uni-directional or bi-directional amplifiers (BDAs) as needed;
 - (c) voting receiver systems; or

- (d) any other system accepted and approved by the Fire Chief and Police Chief, as signified in writing on a case by case basis.
- 2.6 To prevent interference and operational interruption to the area wide public safety radio system, any amplification system installed under this bylaw must meet the guidelines and installation standards as described in the "Standard and Methods of Installation" as provided by the area-wide public safety communications service provider.
- 2.7 If any part of the installed Amplification System contains an electrically powered component, the system must 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 (4) hours without external input or maintenance. All amplifiers and electronics required by the system must be protected by NEMA type 4 enclosures with physical security. The UPS must automatically charge the batteries in the presence of external power. The UPS must provide a monitored alarm signal to indicate failure of primary power, failure of the UPS system power output, and/or discharge of the batteries. Silencing of this alarm is the responsibility of the person maintaining the equipment.
- 2.8 A system summary alarm, consisting of a relay contact closure or equivalent, must be provided to the building fire panel via a hard wired connection.
- 2.9 Radio equipment must only be selected from the ISED Radio Equipment List and all active systems must be licensed by the federal regulator, Innovation, Science & Economic Development Canada (ISED), and must comply with the applicable Standard Radio Systems Plan (SRSP). Any license required must be renewed annually by the building owner and the cost of the licensing borne solely by the building owner.

3. PROCEDURES TO VERIFY AND MAINTAIN COMPLIANCE

- 3.1 Tests and measurements to verify and maintain compliance must be made at the sole expense of the building owner. The procedures used must be developed by the owner, subject to acceptance by the Fire Chief, and in compliance with the following guidelines:
 - (a) **Acceptance Test Procedure**
 - 3.1.1 Acceptance tests and measurements must be performed after completion of installation of the Amplification System. Tests must be performed using radio frequencies assigned to the area-wide public safety communications service provider and the District, after proper coordination with an agent for that system and with the Fire Chief.
 - 3.1.2 If queuing occurs on the radio system while testing is underway, testing must be terminated immediately and resumed only when traffic levels on the system reach a level where queuing no longer occurs.
 - 3.1.3 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. A different recorded sentence should be used at each location.

- 3.1.4 Where the Shadowed Area or the floor plate area of a building is greater than 4,500 m², the area must 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 m², it shall be divided into a uniform grid of approximately 20 equal areas to a minimum of 9 m², and measurements shall be taken in each grid area. The size of the grids must also be reduced, or the number of grids increased, upon recommendation of the Fire Chief or building official in areas where special construction or other obstruction may significantly affect communications. Tests must also be performed in fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms, and high-hazard areas.
- 3.1.5 Tests must first be made using a portable (handheld) radio of the type used by the District's Fire or Police service personnel, carried at chest level and using a simple flexible antenna, and will be deemed satisfactory if DAQ 3.4 or better (speech understandable with repetition only rarely, some noise or distortion may be present) can be achieved for a five-second test transmission in each direction. 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 1.5m in any direction inside of the grid and repeat the test. If 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.
- 3.1.6 A maximum of two (2) non-adjacent grid areas on a floor or in a shadow will be allowed to fail the test. In the event that three (3) or more areas on a floor or in a shadow fail the test, the floor or Shadowed Area may be divided into 40 approximately equal areas to a minimum of 4 m², and the tests repeated. In such event, a maximum of four (4) non-adjacent grid areas will be allowed to fail the test. If the Amplification System fails the 40-area test, the building owner shall have the system altered to meet the 90% coverage requirement, otherwise the Amplification System will not be accepted.
- 3.1.7 If the Amplification System fails to provide acceptable communication in any fire command centre, portion of a stairwell, protect-in-place areas, lobby refuge areas, equipment rooms, or high-hazard areas, the building owner must have the system altered to meet the 100% coverage requirement for these areas, otherwise the Amplification System will not be accepted.
- 3.1.8 Backup batteries and power supplies must be tested under full load by generating communication traffic automatically for a duration of at least one (1) hour. If within this period the battery shows any 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 must not fail within a four (4) hour continuous test period.
- 3.1.9 Backup batteries and power supplies must be tested under full load by generating communication traffic automatically for a duration of at least one (1) hour. If within this period the battery shows any 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 must not fail within a four (4) hour continuous test period.

3.1.10 The gain values of all amplifiers must be measured, using a service monitor that has been calibrated by a certified laboratory within the past 12 months, and the results must be kept on file by the building 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.

(b) Annual Tests

3.1.11 At least annually, the building owner must test all active components of the Amplification System, including but not limited to amplifiers, power supplies and back-up batteries, and must keep a record of such tests as part of the Fire Safety Plan for inspection by the Fire Chief or a building official. Amplifier gain must be adjusted if necessary to re-establish the gain recorded upon acceptance testing, and batteries and power supplies must be tested under full load by generating communication traffic for a period of at least one (1) hour to verify that they will function properly during a power outage.

3.1.12 Additional tests or inspection of records may be conducted from time to time by the Fire Service at the discretion of the Fire Chief, after giving reasonable notice to the building 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, unless the owner can demonstrate conclusively that the degradation is solely the result of external changes not under his or her control.

(c) Qualifications of Testing Personnel and Test (Measurement) Equipment

3.1.13 Tests must be performed by or under the direct supervision of a professional engineer registered in the Province of British Columbia and qualified in radio communications. Test reports must bear the seal of the engineer.

3.1.14 Portable radios used must be of a size and type as may be in use by the District Fire and Police services at the time and programmed to operate on an analogue test channel and on a digital test band channel as designated by the Fire Chief. SINAD, BER and signal strength measurements must be made using appropriate instrumentation acceptable to the Fire Chief and/or Officer in Charge of the North Vancouver RCMP detachment. Radios and measurement equipment must have been tested for conformance to design specifications within twelve months prior to the conduct of Amplification System acceptance tests or re-tests.

4. PERMIT AND OCCUPANCY CONDITIONS

4.1 A permit or occupancy permit will not be issued for any building or structure until the requirements of this bylaw have been met to the satisfaction of the Fire Chief.

5. RIGHT OF ENTRY

5.1 Every owner or occupant of a building must, at all reasonable times, permit building official or Fire Chief (or their designates) to enter into and inspect any building or structure to ascertain whether the regulations and provisions of this bylaw are being obeyed and any person who refuses entry shall be in violation of this bylaw and shall be liable to the penalties hereby imposed.

6. DEEMED NUISANCE

6.1 The construction or erection of a building or structure which interferes with the District's fire services, law enforcement or other emergency related telecommunications networks shall constitute a nuisance because it threatens the health, safety and welfare of the residents and visitors to the District of North Vancouver. In addition to any other remedies or enforcement procedures provided herein, the District may seek an injunction to restrain such a nuisance.

7. OFFENCES AND PENALTIES

7.1 Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed and each day that such violation is permitted to exist shall constitute a separate offence.

Enforcement by Ticket

7.2 This bylaw is designated pursuant to section 264 of the Community Charter as a bylaw that may be enforced by means of a ticket in the form prescribed.

Bylaw Enforcement Officers

7.3 Bylaw Enforcement Officers are designated to enforce this bylaw by means of a ticket pursuant to section 264 of the Community Charter.

Ticketing

7.4 The words or expressions listed below in the "Designated Expression" column are authorized to be used on a ticket issued pursuant to section 264 of the Community Charter to designate an offence against the respective section of this bylaw appearing opposite in the "Section" column. The amounts appearing in the "Fine" column below are the fines set pursuant to section 264 of the Community Charter for contravention of the respective section of this bylaw appearing opposite in the "Section" column.

COLUMN 1	COLUMN 2	COLUMN 3
DESIGNATED EXPRESSION	SECTION	FINE
		\$
Erect, construct, change use or add to building without adequate radio coverage	2.1	200
Failure to install amplification system the meets guidelines	2.6	200
Failure to permit entry of inspector	5.1	200

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

The Corporation of the District of North Vancouver

Bylaw 8274

A bylaw to amend the Bylaw Notice Enforcement Bylaw 7458, 2004

The Council for The Corporation of The District of North Vancouver enacts the following:

Citation

1. This bylaw may be cited as "Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8274, 2017 (Amendment 32)".

Amendments

2. Schedule A to Bylaw 7458 is amended by deleting all offences from the Building Regulation Bylaw No. 7353 (2003) section and substituting the following in the appropriate alphabetical location in the table:

Bylaw Section	Description	A1 Penalty Amount (\$)	A2 Discounted Penalty (within 14 days) (\$)	A3 Late Payment (after 28 days) (\$)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount (\$)
The following fines apply to the contraventions below:						
Construction Bylaw 8271, 2017						
4.4	Failure to comply with order by Chief Building Official	200	150	300	NO	N/A
4.7.1	Construct building without permit	300	225	450	NO	N/A
4.7.2	Change use without permit	200	150	300	NO	N/A
4.7.2	Change occupancy without permit	200	150	300	NO	N/A
4.7.3	Install commercial cooking facility without permit	200	150	300	NO	N/A
4.7.4	Install or modify fire alarm or sprinkler without permit	200	150	300	NO	N/A
4.7.5	Move building without permit	250	190	375	NO	N/A
4.7.6	Demolish building without permit	250	190	375	NO	N/A
4.7.7	Occupy new building without permit	150	115	225	NO	N/A
4.7.8	Install, construct, repair or alter fireplace or wood-burning appliance without permit	200	150	300	NO	N/A
4.7.9	Carry out mechanical work without permit	200	150	300	NO	N/A
4.7.10	Carry out electrical work without permit	200	150	300	NO	N/A
4.10	Failure to comply with conditions of permit	100	75	150	NO	N/A
4.26	Carry out work contrary to regulations	150	115	225	NO	N/A
4.29.1	Failure to allow inspector to enter	150	115	225	NO	N/A
4.29.2	Failure to have plans available at site	100	75	150	NO	N/A
4.29.3	Failure to post permit on site	100	75	150	NO	N/A
4.29.4	Failure to ensure work complies with permit or regulations	100	75	150	NO	N/A
4.29.5	Failure to manage sediment or erosion	200	150	300	NO	N/A
4.29.6	Failure to ensure catch basin fitted with sediment trap	200	150	300	NO	N/A
4.29.8	Failure to pay costs for damage to District property	200	150	300	NO	N/A
4.29.9	Failure to post signage with required information	200	150	300	NO	N/A
4.30	Failure to post signage that meets requirements	100	75	150	NO	N/A

Bylaw Section	Description	A1	A2	A3	A4	A5
		Penalty Amount (\$)	Discounted Penalty (within 14 days) (\$)	Late Payment (after 28 days) (\$)	Compliance Agreement Available	Compliance Agreement Discount (\$)
	The following fines apply to the contraventions below:					
4.31	Failure to notify re. change in registered professional	100	75	150	NO	N/A
4.32	Failure to suspend work when registered professional terminated	150	115	225	NO	N/A
4.33	Failure to notify re. change of ownership or address	100	75	150	NO	N/A
4.35	Failure to uncover work completed without inspection	200	150	300	NO	N/A
4.36	Cause damage to District property or works	150	115	225	NO	N/A
4.40	Failure to provide pest control report	100	75	150	NO	N/A
4.41	Failure to install required erosion and sediment controls during demolition	200	150	300	NO	N/A
4.42.1	Failure to clear debris from demolition site	150	115	225	NO	N/A
4.42.2	Failure to separate gypsum from other debris	150	115	225	NO	N/A
4.42.3	Failure to back-fill demolition site	200	150	300	NO	N/A
4.42.4	Failure to make demolition site level	100			NO	N/A
4.42.5	Failure to make demolition site stable from erosion	200	150	300	NO	N/A
4.42.6	Failure to leave demolition site in tidy condition	150	115	225	NO	N/A
4.46	Failure by constructor to comply with Building Code	150	115	225	NO	N/A
4.66	Failure to secure site after Stop Work Order Notice posted	200	150	300	NO	N/A
4.67	Carry out unauthorized work after Stop Work Order Notice posted	300			NO	N/A
4.68	Failure to leave Stop Work Order Notice posted	200	150	300	NO	N/A
4.70	Failure to cease occupancy when Do Not Occupy Notice posted	200	150	300	NO	N/A
5.20	Failure to fill in excavation	200	150	300	NO	N/A
5.24.3	Failure to obtain building review	200	150	300	NO	N/A
5.27	Failure to obtain building review prior to concealing work	200	150	300	NO	N/A
5.29	Occupying building with changed classification where no occupancy permit	200	150	300	NO	N/A
5.32	Occupy temporary building for more than 1 year	200	150	300	NO	N/A
5.32	Failure to remove temporary building	150	115	225	NO	N/A
5.34	Failure to provide sanitary facilities or required amenities	150	115	225	NO	N/A
5.34	Failure to keep sanitary facility in sanitary condition	100	75	150	NO	N/A
8.1	Construct or repair pool without permit	200	150	300	NO	N/A
8.2	Failure to enclose pool, spa or hot tub	150	115	225	NO	N/A
8.3	Failure to install self-latching gate to pool	150	115	225	NO	N/A
8.4	Failure to have locking cover on spa or hot tub	150	115	225	NO	N/A
8.5	Failure to maintain required fence, gate or cover for pool, spa or hot tub	150	115	225	NO	N/A
9.1	Construct or repair retaining wall without permit	200	150	300	NO	N/A
9.2	Failure to obtain or submit to District registered professional design or field review for retaining wall	150	115	225	NO	N/A
9.3	Excavation steeper than permitted	200	150	300	NO	N/A
9.4	Deposit of fill material steeper than permitted	200	150	300	NO	N/A

Bylaw Section	Description	A1	A2	A3	A4	A5
		Penalty Amount (\$)	Discounted Penalty (within 14 days) (\$)	Late Payment (after 28 days) (\$)	Compliance Agreement Available	Compliance Agreement Discount (\$)
	The following fines apply to the contraventions below:					
10.1	Relocate building without building permit	250	190	375	NO	N/A
11.1	Failure to display address number per requirements	100	75	150	NO	N/A
11.4	Address numbers smaller than required	100	75	150	NO	N/A
11.5.1	Failure to number floors as required	100	75	150		
11.5.2	Failure to comply with suite numbering requirements by skipping numbers between adjacent floors	100	75	150	NO	N/A
11.5.3	Failure to number suites in increasing numerical sequence and clockwise fashion	100	75	150	NO	N/A
12.7.3	Failure to arrange plumbing to suit location of connection to public sewer	150	115	225	NO	N/A
12.9	Failure to obtain mechanical inspection	150	115	225	NO	N/A
12.14	Failure to request mechanical inspection	150	115	225	NO	N/A
12.16	Failure to connect drainage to municipal storm drainage system	200	150	300	NO	N/A
12.19	Permit material transitions upstream of main shut off valve within perimeter of building foundation	200	150	300	NO	N/A
12.20	Failure to ensure sanitary and storm sewer connections fitted with District standard inspection chamber at or near property line	200	150	300	NO	N/A
12.21	Permit corrugated, perforated and unperforated plastic pipe to convey storm water	200	150	300	NO	N/A
12.22	Permit connection of subsoil drainage system to drywell or rock pit without professional report accepted by Chief Building Official	200	150	300	NO	N/A
12.24.1	Failure to include dual or duplex pumps in new storm water pump installation	200	150	300	NO	N/A
12.24.2	Failure to include high level alarm audible within the premises for new storm water pump installation	150	115	225	NO	N/A
12.25	Failure to grant section 219 covenant for storm water pump	200	150	300	NO	N/A
12.27	Failure to include high level alarm audible within the premises for new sanitary pump installation	150	115	225	NO	N/A
12.31	Failure to sprinkler mercantile, industrial, assembly, institutional, business, personal service or residential occupancy building or building in Fire Limits Area as required	200	150	300	NO	N/A
12.32	Failure to sprinkler residential building up to four stories in height as required	200	150	300	NO	N/A
12.33	Failure to sprinkler one- or two-family residential occupancy as required	200	150	300	NO	N/A
12.38	Person who is not authorized performing gas work	200	150	300	NO	N/A
13.2	Person who is not authorized performing electrical work	200	150	300	NO	N/A

3. Schedule A to Bylaw 7458 is amended by adding, in alphabetical order, the following new section for offences against the Radio Amplifier Bylaw 8272:

Bylaw Section	Description	A1	A2	A3	A4	A5
		Penalty Amount (\$)	Discounted Penalty (within 14 days) (\$)	Late Payment (after 28 days) (\$)	Compliance Agreement Available	Compliance Agreement Discount (\$)
Radio Amplification Bylaw 8272, 2017						
2.1	Erect, construct, change use or add to building without adequate radio coverage	200	150	300	NO	N/A
2.6	Failure to install amplification system that meets guidelines	200	150	300	NO	N/A
5.1	Failure to permit entry of inspector	200	150	300	NO	N/A

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

The Corporation of the District of North Vancouver

Bylaw 8273

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1365 (Bylaw 8273)".

2. Amendments

The District of North Vancouver Zoning Bylaw 3210, 1965 is amended by:

- (a) deleting subsection (d) of section 4B88-5; and
- (b) deleting section 4C03 in its entirety;
- (c) deleting subsection (iii) of section 502.2.

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Land Administration	8
Sub-Section:	General	3320
Title:	GREEN BUILDING POLICY – PRIVATE SECTOR DEVELOPMENTS	7

PREAMBLE

The District of North Vancouver has committed to bold leadership in sustainability as evident in the District’s Vision Statement:

‘By 2020, we will be recognized among the most sustainable communities in the world as demonstrated through our environmental stewardship, strong network of communities, a vibrant economy and community-driven growth and change’

The construction and operation of buildings take a toll on the natural environment throughout their entire lifecycle, including eventual demolition and disposition. Buildings also represent a significant contribution to community greenhouse gas emissions. In 2007, buildings in the District were estimated to contribute approximately 50% of the total community greenhouse gas emissions.

In 2010, the District established community greenhouse gas emission reduction targets of 8% by 2020, 13% by 2030 and 21% by 2050, over 2007 levels, to be achieved through land use and transportation, planning programs, waste reduction strategies, community engagement and, the development of higher performing, energy efficient buildings.

The District has taken action to address greenhouse gas emissions arising from commercial, industrial, multi-family and institutional buildings by adopting a Green Building Strategy including a requirement that all new multi-family, commercial, industrial and institutional buildings outperform the Model National Energy Code for Buildings by at least 33%.

Single family buildings form the largest part of the District’s housing stock and have a significant impact on energy consumption and greenhouse gas emissions. Therefore, the Green Building Strategy will also encourage the construction of new single family buildings meeting higher energy efficiency standards and other green building measures.

REASON FOR POLICY

This policy is primarily intended to encourage a shift towards higher performing buildings which reduce energy consumption and greenhouse gas emissions. However, the District also wishes to promote the use of broader green building strategies to:

- encourage the development of buildings which reduce their overall impact on the environment through appropriate design, construction and on-going, efficient operation;
- reduce building construction and operating costs;
- create and maintain healthy and effective work places, homes, recreation spaces and educational buildings; and
- reduce the amount of construction and demolition waste sent to landfills.

APPLICATION

This Policy applies to all new commercial, industrial, multi-family, institutional and single family buildings;

1. Compliance with this Policy is **mandatory** for all applications involving Official Community Plan amendments and/or rezoning or subdivision for single family purposes.
2. Compliance with this Policy is **voluntary** for applications where only a development permit or building permit for new construction, are required.
3. Private sector projects on lands acquired from the District of North Vancouver by sale or lease shall, as a condition of the land transfer agreement, comply with Council Policy 2-3710-2 “Green Building Policy – Municipal Buildings” except where the scale of the project may warrant an exemption as determined by the Director of Corporate Services.

POLICIES

1. All applicants for new building, building addition or building renovation projects covered under this Policy shall complete either the Green Building Performance Commitment for Large Projects or for Single Family Homes and submit the signed commitment with their application.
2. The building performance baseline is either:
 - LEED – NC or CS (2009) ‘Gold’ + a minimum of 6-8 points depending upon whether the project is New Construction or Core and Shell, or
 - A minimum energy performance of EnerGuide 80.
3. Applicants are encouraged to incorporate an Integrated Design Process during the initial design phase to identify opportunities to maximize energy efficiency without compromising other elements of the building.
4. Green building incentives will be considered commensurate with the level of performance to which applicants commit.
5. As it is not only the design and construction of buildings which determine performance, but its ongoing use, all building projects covered under this Policy shall be operated and maintained to ensure that they continue to perform as designed and commissioned.
6. This Policy will be reviewed and amended as required to ensure it remains current with respect to the B.C. Building Code, building practices and applicable rating system metrics.

EXEMPTIONS:

This policy does not apply to:

- renovation of designated heritage buildings, although, architects and designers are encouraged to incorporate appropriate green building measures provided that the heritage aspects of buildings are maintained.

AUTHORITY TO ACT

Delegated to Staff

Approval Date:	November 15, 2010	Approved by:	Regular Council
1. Amendment Date:	November 14, 2016	Approved by:	Council
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

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PUBLIC HEARINGS

Tuesday, November 21, 2017, at 7 pm

District of North Vancouver Municipal Hall
355 West Queens Road, North Vancouver, BC

Two public hearings will occur consecutively in the order noted below.

Removal of Density Bonus for Energy Performance Provisions from the Zoning Bylaw

What:

A Public Hearing for Bylaw 8273 that proposes to delete section 4C03 Density Bonus for Energy Performance and associated references from District of North Vancouver Zoning Bylaw 3210, 1965.

What changes?

The Zoning Bylaw currently permits a modest increase in floorspace for enhanced energy performance in buildings. The Provincial government has enacted the *Building Act* and BC Energy Step Code in an effort to standardize building regulations across the Province. As a result, local regulations that deal with matters addressed in the BC Building Code, such as the District's Density Bonus for Energy Performance contained in its Zoning Bylaw, will have no effect after December 15, 2017. This bylaw proposes to delete the Density Bonus for Energy Performance provisions from the Zoning Bylaw.

Who can I speak to?

If you have questions on the development proposal, please contact Brett Dwyer, Manager – Development Services, at 604-990-2247 or dwyerb@dnv.org

1923 Purcell Way & Capilano University Multi-Family & Student Housing

What:

A Public Hearing for Bylaws 8262 and 8263, proposed amendments to the Official Community Plan and Zoning Bylaw, to permit the development of multi-family and student housing.

What changes?

Bylaw 8262 proposes to amend the OCP land use designation of the small portion of 1923 Purcell Way identified in the drawing below from Residential Level 5: Low Density Apartment (RES5) to Institutional. Bylaw 8263 proposes to amend the District's Zoning Bylaw by creating a new Comprehensive Development Zone 109 (CD109) and rezone 1923 Purcell Way from Low Rise Residential Zone 1 (RL1) to Comprehensive Development Zone 109 (CD109). The CD109 Zone addresses use, density, amenities, setbacks, site coverage, building height, landscaping and parking. Bylaw 8263 also proposes to rezone the small portion of 1923 Purcell Way identified in the drawing below to Public Assembly (PA) to facilitate the construction of a student housing project.

Who can I speak to?

If you have questions on the development proposal, please contact Tamsin Guppy, Development Planner, at 604-990-2391 or guppyt@dnv.org



Proposed*



*Provided by applicant for illustrative purposes only. The actual development, if approved, may differ.

How can I provide input?

We welcome your input Tuesday, November 21, 2017, at 7 pm. You can speak in person by signing up at the hearing, or you can provide a written submission to the Municipal Clerk at input@dnv.org or by mail to Municipal Clerk, District of North Vancouver, 355 West Queens Road, North Vancouver, BC, V7N 4N5, before the conclusion of the hearing.

Please note that Council may not receive further submissions from the public concerning this application after the conclusion of the public hearing.

Need more info?

Relevant background material and copies of the bylaws are available for review at the Municipal Clerk's Office or online at dnv.org/public_hearing from November 7 to November 21, 2017. Office hours are Monday to Friday 8 am to 4:30 pm, except statutory holidays.

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