



VILLAGE OF LIONS BAY

BUILDING BYLAW NO. 649, 2026

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Village of Lions Bay

BUILDING BYLAW No. 649, 2026

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

GIVEN that the Village Council:

- A. may by bylaw regulate, prohibit and impose requirements in respect to *buildings* and *structures* under sections 8(3)(g) and (l) of the *Community Charter* for the following matters under section 53(2):
 - (a) the provision of access to a *building* or other *structure*, or to part of a *building* or other *structure*, for a person with disabilities;
 - (b) the conservation of energy or water;
 - (c) the reduction of greenhouse gas emissions;
 - (d) the health, safety or protection of persons or property;
- B. is enacting this bylaw to regulate *construction* and administer the British Columbia *Building Code* in Lions Bay in accordance with the *Community Charter* and the *Building Act*;
- C. has employed trained *building officials* for the purposes of this bylaw;

NOW THEREFORE the Council of the Village of Lions Bay enacts as follows:

PART 1: TITLE

Citation

- 1.1 This bylaw may be cited as “Building Bylaw No. 649, 2026”.

PART 2: PURPOSE OF BYLAW

- 2.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 2.2 Every *permit* issued under this bylaw is issued expressly subject to the provisions of this Part.

- 2.3 This bylaw is enacted to regulate, prohibit, and impose requirements with respect to *construction* in the Village in the public interest.
- 2.4 The purpose of this bylaw does not extend to:
- (a) the protection of *owners*, subsequent owners, designers, or *constructors* from economic loss;
 - (b) the assumption by the Village or any *building official* of any responsibility for ensuring the compliance by any *owner* or his or her representatives, any employees, *constructors*, or designers retained by the *owner*, with the *building code*, the requirements of this bylaw, or other applicable enactments, codes, or standards;
 - (c) providing any person a warranty of design, workmanship, or compliance with this bylaw, other bylaws of the Village, or the *building code* with respect to any *building* or *structure* for which a *building permit* or *final inspection notice* is issued under this bylaw;
 - (d) providing any person or subsequent owner a warranty or assurance that *construction* undertaken under *building permits* issued by the Village is free from latent, or any, defects or complies with the *building code*; or,
 - (e) the protection of any other real property from incidental damage or nuisance.

PART 3: SCOPE AND EXEMPTIONS

Application

- 3.1 This bylaw applies to the geographical area of the Village and to land, the surface of water, air space, *buildings*, or *structures* in the Village.
- 3.2 This bylaw applies to the design, *construction*, or *occupancy* of new *buildings* or *structures*, and the *alteration*, reconstruction, demolition, removal, relocation, *occupancy*, change of use, or change of *occupancy* of *existing buildings* and *structures*.
- 3.3 This bylaw does not apply to:
- (a) except as set out in Part 11: of this bylaw, a fence;
 - (b) an accessory *building* with a floor area of less than 10 square metres;
 - (c) a trellis, an arbour, a wall supporting soil that is less than 1.22 metres in height, or other similar landscape *structures* on a parcel zoned for single-family residential *occupancy* uses under the Village's zoning bylaw;

- (d) a *building* or *structure* commonly known as “Canadian Standards Association Z240 MH series, Z241 series or A277 series”, except as regulated by the Building Code.

Limited Application to Existing Buildings

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

PART 4: PROHIBITIONS

- 4.1 A person must not commence or continue any *construction, alteration, excavation, reconstruction, demolition, removal, relocation, or change the use or occupancy* of any *building or structure*, including other work related to *construction*:
- (a) except in conformity with the requirements of the *building code* and this bylaw;
and
 - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not *occupy or permit the occupancy* of any *building or structure* or part of any *building or structure*:

- (a) unless a subsisting final inspection notice has been issued by a *building official* for the *building* or *structure* or the part of the *building* or *structure*; or
 - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or *construction* undertaken pursuant to this bylaw.
- 4.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter, or modify plans and supporting documents after the same have been reviewed by the *building official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.
- 4.5 A person must not, unless authorized in writing by a *building official*, reverse, alter, deface, cover, remove, or in any way tamper with any notice, *permit*, or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 4.6 A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building*, *structure*, or other works for which a *permit* has been issued, unless that variance has been authorized in writing by a *building official*.
- 4.7 A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the Village on and into property in the administration of this bylaw.
- 4.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.9 A person must not contravene an administrative requirement of a *building official* made under section 6.6 or any other provision of this bylaw.
- 4.10 A person must not change the use, *occupancy*, or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

PART 5: PERMIT CONDITIONS

- 5.1 A *permit* is required if work regulated under this bylaw is to be undertaken.

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

PART 6: POWERS OF A BUILDING OFFICIAL

Administration

- 6.1 Words defining the authority of a *building official* are to be construed as internal administrative powers and not as creating a duty.
- 6.2 A building official may:
- (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;
 - (b) keep records of applications received, *permits*, notices, orders issued, inspections, and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
 - (c) establish or require an *owner* to establish whether a method or type of *construction* or material used in the *construction* of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and,

- (d) direct that tests of materials, equipment, devices, *construction* methods, structural assemblies, or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, *construction*, or *foundation* condition complies with this bylaw and the *building code*.

Refusal and Revocation of Permits

- 6.3 A *building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the Village and must state the reason in writing.
- 6.4 A *building official* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, *construction* methods, structural assemblies, or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

Right of Entry

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

Powers

- 6.6 Subject to applicable enactments, a *building official* may by notice in writing require:
 - (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
 - (b) an *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the Village or other applicable enactments or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed by the *building official*;
 - (c) an *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way, an easement, or a setback or yard required under an enactment;
 - (d) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, constructed in contravention of a provision of this bylaw;
 - (e) an *owner* to have work inspected by a *building official* prior to covering;
 - (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building official*;

- (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
- (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *building official* has not issued a final inspection notice for the work;
- (i) an *owner* to correct any *unsafe condition*; and,
- (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment.

6.7 Every reference to “*owner*” in section 6.6 includes a reference to the *owner’s* agent or *constructor*.

6.8 Every person served with a notice under this Part must comply with that notice:

- (i) within the time ordered, or,
- (ii) if no time is ordered, immediately.

PART 7: OWNER’S RESPONSIBILITIES

Permit Requirements

7.1 Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, prior to:

- (a) *constructing*, repairing, or altering a *building* or *structure*, including a *retaining wall* and the structural elements of a pool;
- (b) moving a *building* or *structure* into or within the Village;
- (c) demolishing a *building* or *structure*;
- (d) *occupying* a new *building* or *structure*;
- (e) *constructing* a masonry fireplace or installing a wood-burning appliance or chimney, whether attached to, part of, or detached from a *building*;
- (f) changing the use or *occupancy* of a *building*,

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

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

Owner’s Obligations

7.3 Every *owner* must:

- (a) comply with the *building code*, the requirements of this bylaw, and the conditions of a *permit*, and must not omit any work required by the *building code*, this bylaw, or the conditions of a *permit*;
- (b) ensure that all *permits*, plans, specifications, and supporting documents on which a *permit* was based, and all municipal inspection certificates, and all professional field reviews are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and,
- (c) prior to the issuance of a *building permit*, execute and submit to the Village an *owner's* undertaking in the form attached as Appendix A.

7.4 Every *owner* must carry out *construction* or have the *construction* carried out in accordance with the requirements of the *building code*, this bylaw, and other bylaws of the Village and neither of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *building official* or a *registered professional* shall relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code*, and all other applicable codes, standards, and enactments.

7.5 Every *owner* must allow a *building official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw.

7.6 Every *owner* to whom a *permit* is issued must, during *construction* post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

Damage to Municipal Works

7.7 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.

7.8 In addition to payment of a security deposit under sections 10.7 to 10.12, every *owner* must pay to the Village, within 30 days of receiving an invoice for same from the Village, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

Demolition

7.9 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must:

- (a) provide to the Village a vacancy date;

- (b) pay capping and inspection chamber installation fees as set out in the Village's bylaws governing fees for waterworks and sewer; and
- (c) ensure that all municipal services and other services are capped and terminated at the property line in a Village standard inspection chamber and valve arrangement.

7.10 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.

Notice

7.11 Every *owner* must, at least 2 *days* prior to commencing work at a *building site*, give written or online notice to a *building official* of the date on which the *owner* intends to begin such work.

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

7.13 If an *owner* or a *registered professional* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a building permit until the *owner* has engaged a new *registered professional*, including a *coordinating registered professional*, and has delivered to a *building official* new letters of assurance.

7.14 Without limiting the requirements of sections 10.27 to 10.33, every *owner* must give at least 2 *days* online or written notice to a *building official*:

- (a) of intent to do work that is required or ordered to be corrected during *construction*;
- (b) of intent to cover work that is required under this bylaw to be, or has been ordered to be, inspected prior to covering; and,
- (c) when work has been completed so that an inspection can be made.

7.15 Every *owner* must give notice in writing to a *building official* and pay the non-refundable fee set out in the Village's bylaws governing fees immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of a final inspection notice.

- 7.16 Every *owner* must give such other notice to a *building official* as may be required by the *building official* or by a provision of this bylaw.

PART 8: OBLIGATIONS OF OWNER'S CONSTRUCTOR

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

PART 9: REGISTERED PROFESSIONAL'S RESPONSIBILITIES

Professional Design and Field Review

- 9.1 The provision by the *owner* to the Village of letters of assurance in accordance with the requirements of the *building code* shall occur prior to:
- (a) the pre-*occupancy* site review coordinated by the coordinating *registered professional* or other *registered professional* for a complex *building*, or
 - (b) a final inspection for a simple *building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the Village with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*.
- 9.2 If a *registered professional* provides letters of assurance in accordance with the *building code*, they must also provide proof of professional liability insurance to the *building official* in the form and amount set by Appendix B to this bylaw.

Requirement for a Registered Professional

- 9.3 The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the *building code*, in respect of a *permit* application:
- (a) prior to the pre-occupancy site review coordinated by the coordinating *registered professional* or other *registered professional* for a complex *building*,
 - (b) prior to a final inspection for a simple *building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the Village with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*;
 - (c) for *foundation* and excavation components of new simple *buildings* and additions greater than 55 square metres to simple *buildings* in accordance with the *building code* and for *retaining walls* and construction or structural alterations of pools but not for garages, carports, and garden structures;
 - (d) a *building* that is designed with common egress systems for the occupants and requires the use of firewalls in accordance with the *building code*;
 - (e) prior to alterations to a *building*, or to a structural component of a *building* described in paragraph (b) in this section;
 - (f) for a *building* in respect of which the *building official* determines that site conditions, size, or complexity so warrant in the interests of safety of persons or protection of property under the *building code*;
 - (g) if the *building* envelope components of the *building* fall under Division B Part 3 of the *building code*, the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and,
 - (h) for a parcel of land on which a *building* or *structure* is proposed if the *building official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence, or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*:
 - (i) for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended; and,
 - (ii) that the plans submitted with the application comply with the relevant provisions of the building code and applicable bylaws of the Village.

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

Professional Plan Certification

9.5 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* referred to in sections 9.1 and 9.3 are:

(a) relied upon by the Village and *its building officials* as certification that the design and plans to which the letters of assurance refer comply with the *building code*, this bylaw and other applicable enactment,

and acceptance of the same does not:

(b) constitute in any way a representation, warranty, or assurance that the Village has reviewed the same;

(c) constitute in any way a representation, warranty, or assurance that the lands, *building*, or *structure* can be safely used or occupied; or,

(d) constitute in any way a representation, warranty, or assurance that the *construction* and works on the lands, *building*, or *structure* do not pose a hazard, danger, or *unsafe condition* for any other lands, *buildings*, or *structures*.

9.6 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.

9.7 For a *building permit* issued for the *construction* of a *complex building*, the *building official* shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments. Any failure on the part of the *building official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the Village or its *building officials* on the *registered professionals*.

9.8 If a *building permit* is issued for a *construction* of a *complex building*, the *permit fee* is reduced by 5% of the fees payable under the Village's bylaws governing fees, up to a maximum reduction of \$500.00 (five hundred dollars).

PART 10: BUILDING APPLICATION REQUIREMENTS

Requirements Before Applying for a Building Permit

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

Building Permit Applications for Complex Buildings

10.2 An application for a *building permit* with respect to a *complex building* must:

- (a) be made using the form prescribed by the *building official*, and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form attached as Appendix A to this bylaw and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as without limitation whether the *building* is designed under Part 3 or Part 9 of the *building code*, major *occupancy* classification(s) of the *building*, *building area*, *building height*, number of streets the *building* faces, and accessible entrances, work areas, washrooms, firewalls, and facilities;
- (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
- (f) include a site plan prepared by a *registered professional* showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of existing and proposed statutory rights of way, easements, setback requirements, adjacent street, and lane names;
 - (iv) the location and dimensions of existing and proposed *buildings* or *structures* on the parcel;
 - (v) setbacks to the natural boundary of any watercourse;
 - (vi) north arrow;
 - (vii) if applicable, location of an approved existing or proposed private or other alternative sewage disposal system, water supply system, and storm water drainage system;
 - (viii) zoning compliance summary;
 - (ix) the location, dimensions, and gradient of parking and parking access;
 - (x) proposed and existing setbacks to property lines;
 - (xi) natural and finished grade at *building* corners and significant breaks in the *building* plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
 - (xii) first storey floor elevation;

- (xiii) location, setbacks, and elevations of all *retaining walls*, steps, stairs, and decks;
- (xiv) line of upper floors;
- (xv) location and elevation of curbs, sidewalks, manholes, and service poles;
- (xvi) location of existing and proposed service connections;
- (xvii) location of top bank and water courses;
- (xviii) geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Village's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,

except that the *building official* may waive, in whole or in part, the requirements for a site plan if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (g) include floor plans showing the dimensions and uses and *occupancy* classification of all areas, including the dimensions and height of crawl and roof spaces; the location, size, and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;
- (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights, and *constructions* systems;
- (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished grade, spatial separations, and ridge height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the Village zoning bylaw and development *permit*;
- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
- (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6, and 2.2.9, Division C of the *building code*;
- (l) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits, and ministry of health approvals;
- (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C, of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the coordinating *registered professional*;
- (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *building code*, each signed by such *registered*

professionals as the *building official* or *building code* may require to prepare the design for and conduct field reviews of the *construction* of the *building*;

- (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section; and,
- (p) include illustration of any slopes on the subject parcel that exceed 30%.

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

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Village's subdivision and development servicing bylaw;
- (b) a section through the site showing grades, *buildings*, *structures*, parking areas, and driveways; and,
- (c) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code*, and other bylaws and enactments relating to the *building* or *structure*.

Building Permit Applications for Simple Buildings

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

- (a) be made in the form prescribed by the *building official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix A and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
- (e) include a site plan showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;

- (iii) the location and dimensions of existing and proposed statutory rights of way, easements, setback requirements, adjacent street, and lane names;
- (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
- (v) setbacks to the natural boundary of any watercourse;
- (vi) north arrow;
- (vii) if applicable, location of an approved existing or proposed alternative private or other sewage disposal system, water supply system, or storm water drainage system;
- (viii) the location, dimensions and gradient of parking and parking access;
- (ix) proposed and existing setbacks to property lines;
- (x) natural and finished grade at *building* corners and datum determination points;
- (xi) *first storey* floor elevation;
- (xii) location, setbacks, and elevations of all *retaining walls*, steps, stairs, and decks;
- (xiii) line of upper floors;
- (xiv) location and elevation of curbs, sidewalks, manholes, and service poles;
- (xv) location of existing and proposed service connections;
- (xvi) location of top bank and water courses;
- (xvii) *accessible* paths of travel from the street to the *building*;
- (xviii) zoning compliance summary;
- (xix) the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Village's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,

except that for a *simple building* the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, location, size, and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (g) include a cross-section through the *building* illustrating *foundations*, drainage, ceiling heights and *construction* systems;

- (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations, and natural and finished *grade* to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the Village zoning and, if applicable, development permit;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;
- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, Ministry of Transportation and Infrastructure approvals, and Ministry of Health approvals;
- (k) except for garages, carports, and garden *structures* located on land, include a *foundation* and *excavation* design prepared by a *registered professional* in accordance with the *building code*;
- (l) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
- (m) include two sets of drawings at a scale of ¼ inch to 1 foot including the information set out in (f) to (i) of this section; and,
- (n) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code*.

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

- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
- (b) two or more *buildings* that will contain four or more dwelling units; or
- (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant,

a *building official* may require the following be submitted with a *permit* application for the *construction* of each simple *building* in the project:

- (d) a section through the site showing grades, *buildings*, *structures*, parking areas, and driveways;
- (e) a roof plan and roof height calculations;
- (f) structural, electrical, plumbing, mechanical, and fire suppression drawings prepared and sealed by a *registered professional*;

- (g) letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a *registered professional*; and
- (h) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code*, and other bylaws and enactments relating to the *building* or *structure*.

Site and Location Information

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

- (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
- (b) verify, during and upon completion of the *construction*, that all provisions of this and other applicable bylaw have been complied with;
- (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site, or its relationship to neighbouring grades; and,
- (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location, and elevation,

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

Building Permit Fee

10.7 At the time of submitting a building permit application the *owner* must submit:

- (a) the building permit application fee prescribed in the Village's bylaws governing fees; and,
- (b) the security deposit in the amounts set out in the Village's bylaws governing fees.

10.8 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the Village:

- (a) the *building permit* fee prescribed in the Village's bylaws governing fees; and,

- (b) any fees, charges, levies, or taxes imposed by the Village and payable under an enactment at the time of issuance of the *building permit*.

10.9 The security deposit required by section 10.7:

- (a) will be applied to the cost borne by the Village to maintain, restore, or replace any public works or public lands which are destroyed, damaged, or otherwise impaired in the carrying out of the work referred to in any *building permit* held by the applicant;
- (b) will be applied to the cost borne by the Village to make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
- (c) serves as the security deposit for provisional *occupancy* when the final inspection notice makes provision for a security deposit; and,
- (d) serves as a security deposit to effect compliance with any condition under which the *permit* was issued.

10.10 The security deposit or applicable portion must be returned to the applicant:

- (a) when the *building official* is satisfied that no further damage to public works or public lands will occur;
- (b) when the inspections required by this bylaw are complete and acceptable to the *building official*; and,
- (c) when the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building official*;

only if the applicant has requested the return of the security.

10.11 Any credit greater than the amount of the security deposit used by the Village for the purposes described in sections 10.9 to 10.10 of this Part will be returned to the *permit* holder upon the request of the applicant unless otherwise so directed by the *permit* holder. Any amount in excess of the security deposit required by the Village to complete corrective work to public lands, public works, or the site is recoverable by the Village from any or all of the *permit* holder, the *constructor*, or the *owner* of the property.

10.12 The *owner* must deliver to the *building official* an executed Appendix A under which the *owner* acknowledges and agrees that any damage to municipal works or services arising from the *construction* associated with the *building permit* will be repaired at the *owner's* expense and to the satisfaction of the Public Works Superintendent, and the *owner*

must deposit with the Village security in accordance with sections 10.7 to 10.10 of this Part.

Permit Fee Refunds

10.13 No fee or part of a fee paid to the Village may be refunded if *construction* of the *building* has started or if the *permit* has expired.

10.14 A *building permit* or other *permit* fee may be partially refunded, only if:

- (a) the *owner* has submitted a written request for a refund;
- (b) the *building official* has certified a start has not been made on the *construction* of the *building* or *structure*; and,
- (c) the *permit* has not expired.

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

Design Modification

10.16 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the Village a *building permit* fee based on the plan review hourly rate set out in the Village's bylaws governing fees.

Construction Before Permit Issued

10.17 The *building permit* or other *permit* fee is doubled for every *permit* application if *construction* commenced before the *building official* issued a *permit*, to a maximum of \$10,000.00.

Expiration of Application for a Permit

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

Issuance of a Building Permit

10.19 If:

- (a) a completed application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;
- (b) the *owner* has paid all applicable fees set out in sections 10.7 to 10.17 of this Part;
- (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
- (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw;
- (e) the *owner* has retained an architect if required under this bylaw; and,
- (f) no covenant, agreement, resolution, or regulation of the Village requires or authorizes the *permit* to be withheld,

the *building official* shall issue the *permit* in the form prescribed by the *building official*, for which the application is made, and the date of issuance is deemed to be the date the Village gives written notice to the *owner* that the *permit* is ready to be picked up by the *owner*.

Compliance with the Homeowner Protection Act

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

- (a) is covered by home warranty insurance; and,
- (b) the *constructor* is a licensed “residential builder” as defined in that Act.

10.21 Section 10.20 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act*.

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

Partial Construction

10.23 If a site has been *excavated* under a *building permit* for *excavation* issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.44, but without the *construction* of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must

fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice from the Village to do so.

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

Conditions of a Building Permit

- 10.25 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned to a new *owner*.
- 10.26 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building construction* or *occupancy* being carried on when in violation of this or another bylaw.

Inspections

- 10.27 A *building official* may attend the site from time to time during the course of *construction* to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.28 A *building official* may attend periodically at the site of the *construction buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *building code*, this bylaw, and any other applicable enactments concerning safety.
- 10.29 Every *owner* or *constructor* shall give at least two *days'* notice to the *building official* to obtain an inspection and written acceptance of the work and at the stages set out in section 10.30.
- 10.30 Every *owner* or *constructor* must obtain inspection and written acceptance from the *building official* or, where a *registered professional* has been retained, the *registered profession* of the following aspects of the work prior to concealing them:
- (a) after demolition, the grading of and removal of debris from the site;
 - (b) within 24 hours of the start of *excavation*;

- (c) where concrete footings and foundations are being used, after forms for footings and foundations are completed but prior to placing any concrete therein;
- (d) where concrete footings and foundations are being used, after removal of form work from the footings and foundations;
- (e) after installation of perimeter drains and damp proofing but prior to backfilling against the building;
- (f) the preparation of ground, including ground cover when required, perimeter insulation on inside of concrete *foundation* walls and reinforcing steel;
- (g) hydronic heating pipes, below slab insulation, and radon pipes;
- (h) installation of *building* services before being covered;
- (i) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
- (j) framing, sheathing, fire stopping (including drywall in fire separations), bracing, chimney and ductwork, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper, or exterior finishes which would conceal such work;
- (k) insulation and vapour barrier;
- (l) *construction* of an exterior deck if the deck serves as a roof;
- (m) on-site *constructed* tub or shower bases before being covered with a finishing material;
- (n) the installation of wall sheathing membrane, externally applied vapour or air barrier, stucco wire or lath, and flashings, but prior to the installation of exterior finishes which could conceal such work; and,
- (o) the *health and safety aspects of the work* and the conservation, GHG emission reduction and accessibility aspects of the work when the *building* or *structure* is substantially complete and ready for *occupancy* but prior to *occupancy*,

10.31 A *building official* will only carry out an inspection under section 10.30 if the *owner* or the *owner's agent* has requested the inspection online or in writing in accordance with this bylaw, and without limiting the foregoing, the *building official* has no obligation or duty to carry out an inspection in the absence such a request.

10.32 Despite the requirement for the *building official's* acceptance of the work outlined in section 10.30, or a *building official's* attendance at a *construction* site as authorized by this bylaw, if a *registered professional* provides letters of assurance, the Village will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the

construction referenced by those letters of assurance substantially conform to the *design*, plans, and specifications and that the *construction* complies with the *building code*, this bylaw, and other applicable enactments respecting safety.

10.33 No person may conceal any aspect of the work referred to in section 10.30 of this bylaw until a *building official* or the *registered professional* has *accepted* it in writing.

10.34 For work in respect of *complex buildings*, the *owner* must:

- (a) convene a preconstruction meeting prior to the start of *construction* and of the preconstruction meeting and the *owner* or their representative must ensure that the *coordinating registered professional*, the *constructor*, and representatives of major trades are in attendance at the preconstruction meeting;
- (b) convene a pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for the purposes of having the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and Fire Services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable Village requirements, and other enactments respecting safety and the conservation, GHG emission and accessibility aspects of the work; and
- (c) cause the *coordinating registered professional* to deliver to the *building official* the Confirmation of Required Documentation described in Appendix C, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick at least 2 *days* prior to the pre-occupancy coordinated site review coordinated by the *coordinating registered professional*;
- (d) provide the Village with written notice of the meeting and site review referenced in this section at least 2 *days* in advance of such events.

Stop Work Order

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

10.36 The *coordinating registered professional* may request, in writing, that the *building official* post a stop work order notice on the premises and order the immediate

suspension or correction of all or a portion of the *construction* on a *building* or *structure*. The *building official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons for denying the request.

- 10.37 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to *registered professional's design* or *field review* and the *building official* is deemed to have issued a stop work order under section 10.35.
- 10.38 Immediately after the posting of a notice under section 10.35 or stoppage pursuant to section 10.37, the *owner* must 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 Village.
- 10.39 Subject to the terms of the stop work notice issued pursuant to section 10.35, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.35 until the stop work order notice has been removed by the *building official*.
- 10.40 The notice referred to in section 10.35 must remain posted on the premises until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

- 10.41 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice in the form prescribed by the *building official* on the affected part of the *building* or *structure*.
- 10.42 If a notice is posted under section 10.41, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and refrain from further *occupancy* until all applicable provisions of the *building code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *building official*.

Inspection and Other Fees

- 10.43 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in the Village's bylaws governing fees for:

- (a) a second and each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one site visit is required for any required inspection;
- (b) a special inspection during the Village's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location, or *construction* techniques; or,
- (c) inspection required under this bylaw which cannot be carried out during the Village's normal business hours.

Permit Expiration

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

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

Permit Extension

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

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

Building Permit Revocation

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

- (a) a condition under which the *permit* was issued; or,
- (b) a requirement of the *building code* or of this or another bylaw of the Village, such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

Building Permit Cancellation

- 10.47 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building official*.
- 10.48 On receipt of the written cancellation notice, the *building official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 10.49 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design, or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 10.50 If a *building permit* application or *permit* is cancelled, and *construction* has not commenced under the *permit*, the *building official* must return to the *owner* any fees deposited under the Village's bylaws governing fees, less:
- (a) any non-refundable portion of the fee; and,
 - (b) 15% of the refundable portion of the fee.

Occupancy

- 10.51 No person may occupy a *building* or *structure* or part of a *building* or *structure* for which a *building permit* was issued until a final inspection notice has been issued by a *building official* for the *building* or *structure* or that part of a *building* or *structure* for which a *building permit* was issued.
- 10.52 A final inspection notice will not be issued unless:
- (a) all letters of assurance have been submitted as required in accordance with this bylaw;
 - (b) all certifications of inspections and approvals for plumbing rough in, plumbing, sprinkler systems, sewerage, and drainage works have been received and accepted by the *building official*;
 - (c) all aspects of the work requiring inspection and acceptance pursuant to sections 10.30 to 10.34 of this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;

- (d) where requested by the *building official*, the *owner* has delivered to the Village as-built plans of works and *services* in digital format;
- (e) where requested by the *building official*, the *owner* has provided to the Village a *building* survey prepared by a British Columbia Land Surveyor showing the *building* height, size, location, and elevation determined in accordance with the Village's land use regulations;
- (f) the *owner* has executed and delivered to the Village every agreement, instrument, or form required by the Village in relation to the work or the site;
- (g) all other documentation required under applicable enactments has been delivered to the Village; and,
- (h) the *owner* has delivered to the Village as-built drawings of the *building* or *structure* in digital format if *construction* have varied significantly from the approved plans and are requested by the *building official*.

10.53 When a *registered professional* provides letters of assurance, the Village will rely solely on the letters of assurance when issuing a final inspection report authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design*, *the building code*, this bylaw, and other applicable enactments respecting safety.

10.54 A *building official* may issue a final inspection notice for partial *occupancy* of a portion of a *building* or *structure* under *construction* when:

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

Temporary Buildings

10.55 Subject to the bylaws of the Village and orders of Council, the *building official* may issue a *building permit* for the erection or placement of a *temporary building* or *structure* for *occupancy* if:

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

10.56 An application for a *building permit* for the erection or placement of a *temporary building* or *structure* must be made in the form of a temporary *permit* application in the form prescribed by the *building official*, signed by the *owner* or *agent*, and must include:

- (a) plans and supporting documents showing the location and *building height* of the *temporary building* or *structure* on the parcel;
- (b) plans and supporting documents showing *construction* details of the *temporary building* or *structure*;
- (c) a statement by the *owner* indicating the intended use and duration of the use of the *temporary building* or *structure*;
- (d) plans and supporting documents showing the proposed parking and loading space;
- (e) a written description of the *project* explaining why the *building* is temporary;
- (f) a copy of an issued development permit, if required;
- (g) in the case of a temporary manufactured building, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
- (h) a report or drawing by an engineer, architect, or designer confirming compliance with the *building code*, this bylaw, the Village's zoning bylaw, and other applicable bylaws, and, without limiting the generality of the foregoing, confirming that the *temporary building* or *structure* can be safely used ;
- (i) security in the form of cash or a letter of credit for 10% of the value of the *temporary building* or *structure*, which security
 - (i) may be used by the Village to remove the *temporary building* or *structure* after one year of the date of the final inspection required under this bylaw; or,
 - (ii) must be returned to the *owner* if the *owner* removes the *temporary building* or *structure* within one year of the date of the final inspection of the *temporary building* or *structure* required under this bylaw; and,
- (j) in the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.

10.57 Before receiving a *building permit* for a *temporary building* or *structure* for occupancy, the *owner* must pay to the Village the applicable *building permit* fee.

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

Sanitary Facilities

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

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

by plumbing that complies with the *Building Code* and this bylaw, must be provided, at all times with toilet paper, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking or overflowing. Such facilities must be located on the construction site in a manner so as not to create a nuisance to neighbouring parcels or highways.

PART 11: RETAINING WALLS AND GRADES

- 11.1 No person may construct, or structurally repair, a *retaining wall* without a *building permit*.
- 11.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel or excavations creating surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally, must be restrained by *retaining walls*.
- 11.3 Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments and recommended requirements of a professional engineer with expertise in geotechnical engineering.

PART 12: BUILDING MOVE

- 12.1 No person may move a *building* or *structure* into or within the Village:
- (a) except where certified by a *registered professional* that the *building*, including its *foundation*, will substantially comply with the current version of the *building code*; and,
 - (b) a *building permit* has been issued for the *building* or *structure*.

PART 13: POOLS

Swimming Pool Permit and Fencing

- 13.1 A person must not construct, or structurally repair, a swimming *pool* without a valid *building permit*.
- 13.2 A swimming *pool*, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.22 metres and no openings other than gates greater than 100 mm at their greatest dimension.

Pool Gate

- 13.3 Access through a fence enclosing a swimming *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 swimming *pool*, spa, or hot tub side of the gate.

Spa or Hot Tub Lid

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

Maintenance

- 13.5 A person may not use a swimming *pool*, including a spa or hot tub unless the *owner* or *occupier* of property on or in which a *pool*, spa or hot tub is located maintains every fence or cover required under sections 13.2 to 13.4 in good order, and without limiting the foregoing, maintains and repairs to good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks, or broken or binding members.

Leaks or Other Failures

- 13.6 A person may not obtain a valid and subsisting *building permit* for or use a swimming *pool* without first delivering to the *building official* at the time of the *building permit* application an opinion of a *registered professional* that the *design* of the *pool* will not cause or result in leaks or other failures of the *pool*.

PART 14: ENERGY CONSERVATION AND GHG EMISSION REDUCTION

- 15.1 In relation to the conservation of energy and the reduction of greenhouse gas emissions, the Village incorporates by reference the British Columbia Energy Step Code in accordance with sections 15.2 through 15.4.
- 15.2 A *building* regulated by Part 3 of the *Building Code* must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.
- 15.3 A *building* regulated by Part 9 of the *Building Code* must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.
- 15.4 Any *building* regulated by Part 3 or Part 9 of the *Building Code* that is located on property that is rezoned must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.

PART 15: OFFENCES

Violations

- 15.1 Without limiting Part 4 of this bylaw, every person who:
- (a) violates a provision of this bylaw;
 - (b) *permits*, suffers or allows any act to be done in violation of any provision of this bylaw; or,
 - (c) neglects to do anything required to be done under any provision of this bylaw, commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000.00, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- 15.2 Every person who fails to comply with any requirement issued by a *building official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 15.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional charge as outlined in the Village's bylaws governing fees.

Deemed Offence

- 15.4 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.
- 15.5 No person is deemed liable under section 15.4 who establishes, on a balance of probabilities, that the *construction* or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.
- 15.6 Nothing in section 15.5 affects:
- (a) the Village's right to require and the *owner's* obligation to obtain a *permit*; and,
 - (b) the obligation of the *owner* to comply with this bylaw.

Ticketing

- 15.7 The offences in Appendix D are designated for enforcement under s. 264 of the *Community Charter*.
- 15.8 The following persons are designated as bylaw enforcement officers under section 264(1) (b) of the *Community Charter* for enforcing the offences in Appendix D: *building officials*, fire inspectors and persons designated by Council as bylaw enforcement officers.
- 15.9 The words or expressions set forth in Column 1 of Appendix D are authorized pursuant to s. 264(1)(c) of the *Community Charter* to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
- 15.10 The amounts appearing in Column 3 of Appendix D are the fines established pursuant to s. 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

PART 16: INTERPRETATION

Definitions

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

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

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

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

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

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

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

complex building means:

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

- (i) *assembly occupancy*;
- (ii) *care occupancy*;
- (iii) *treatment occupancy*; or
- (iv) *post-disaster building*,

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

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

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

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

constructor means a person who *constructs*;

day means a full day that is a day that the Village offices are open;

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

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

GHG means greenhouse gas;

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

owner means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the form prescribed by the *building official*;

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

pool means a *structure* or *constructed* depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 0.6 m, including an in-ground *pool* and hot tub;

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

Professional Governance Act means the *Professional Governance Act*, S.B.C. 2018, c. 47 as amended from time to time;

project means any *construction* operation;

retaining wall means a *structure* exceeding 1.2 metres in height that holds or retains *soil* or other material behind it;

roof slope means low slope or flat roofs have a pitch of 3/12 or lower, conventional roofs have a pitch between 4/12 and 9/12, while steep roofs have a pitch of 10/12 or higher.

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

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

structure means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.22 meters in height;

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

16.2 In this bylaw the following words and terms have the meanings:

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

16.3 Every reference to this bylaw in this or another bylaw of the Village is a reference to this bylaw as amended to the date of the reference.

16.4 Every reference to:

(a) the *building code* is a reference to the current edition as of the date of issuance of the *building permit*; and

(b) a section of the *building code* is a reference to the applicable successor sections,

as the code or section may be amended or re-enacted from time to time.

16.5 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

Appendices

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

Severability

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

PART 17: REPEAL

20.1 VILLAGE OF LIONS BAY BUILDING BYLAW NO. 234, 1994, AS AMENDED, IS REPEALED.

PART 18: IN FORCE

18.1 This bylaw comes into force upon adoption.

READ A FIRST TIME this 7 day of October 2025.

READ A SECOND TIME this 18 day of November 2025.

READ A THIRD TIME this 20 day of January 2026.

ADOPTED this 3 day of February 2026.

Mayor _____

Corporate Officer _____

Village of Lions Bay

BYLAW No. 649, 2026

Appendix A – Owner’s Undertaking

Property Address: _____

Legal Description: _____

Building Permit #: _____

1. This undertaking is given by the undersigned, as the *owner* of the property described above, with the intention that it be binding on the *owner* and that the Village will rely on same.
2. I confirm that I have applied for a *building permit* pursuant to “Village of Lions Bay Building Bylaw 2026, No. XXXX” (the “Bylaw”) and that I have carefully reviewed the provisions of the Bylaw and in particular, **I understand, acknowledge, and accept** the provisions describing the purpose of the Bylaw set out in Part 2 of the Bylaw , the conditions under which *permits* are issued, the disclaimer of warranty or representation, and the limited extent of the scope of the Bylaw and inspections thereunder.
3. Without in any way limiting the foregoing, I acknowledge fully that it is my responsibility to ensure compliance with the Building Code and the Bylaw whether any work to be performed pursuant to the *permit* applied for is done by me, a contractor, or a *registered professional* and the issuance of a *building permit* does not constitute any representations, assurances, or warranties regarding any actual or potential geotechnical matters that do or could be related to the development of the building site and lot to which the *building permit* applies.
4. I am not in any way relying on the Village or its *building officials*, agents, or employees to protect me or any other persons as set out in Part 3 of the Bylaw and I will not make any claim alleging any such responsibility or liability on the part of the Village or its *building officials*.
5. I hereby agree to indemnify and save harmless the Village and its employees from all claims, liability, judgments, costs, and expenses of every kind which may result from

negligence or from the failure to comply fully with all bylaws, statutes ,and regulations relating to any work or undertaking in respect of which this application is made.

- 6. I acknowledge and agree that if I damage any Village works or services, I will repair such damages to the satisfaction of the Village if requested by the Village to do so, or pay for the costs of such repairs if the costs exceed the value of any security deposit paid to the Village

I am authorized to give these representations, warranties, assurance and indemnities to the Village.

Owner's Information:

Name: _____

(PRINT)

Address: _____

Tel. No.: _____ Cell No.: _____ Fax No.: _____

Email: _____

These undertaking covenants and agreements are executed under seal by the *owner* this _____ day of _____, _____.

(Day) (Month) (Year)

1. Where *owner* is an individual:

Owner's Signature

Signed, sealed, and delivered in the presence of:

Witness's Signature

Witness's Name

(PRINT)

Witness's Address

Signed, sealed, and
delivered in the presence
of:

Witness's Signature

Witness's Name

(PRINT)

Witness's Address

Owner's Name

(PRINT)



2. Where *owner* is a corporation:

Name of Corporation

Signed, sealed, and
delivered in the presence
of:

Witness's Signature

Witness's Name

(PRINT)

Witness's Address



Per:

Authorized Signatory

Name

(PRINT)

3. Where *owner* is a partnership:



Name of Partnership

Per:

Authorized Signatory

Name _____ (PRINT)

Village of Lions Bay

BYLAW No. 649, 2026

Appendix B – Confirmation of Professional Liability Insurance

1. *This Confirmation letter must be submitted along with each BC Building Code Schedule A and Schedule B before issuance of a building permit. A separate Confirmation Letter must be submitted for each registered professional.*
2. *This Confirmation Letter must be submitted with each BC Building Code Schedule C after completion of the building but before a final inspection is made by the building official. A separate Confirmation Letter must be submitted for each registered professional.*
3. *Only an original Confirmation Letter, printed by the Village or an unaltered photocopy of this document is to be completed and submitted.*

Attention: Manager, Inspections

Property Address: _____

Legal Description: _____

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation for insurance coverage as outlined in the Village of Lions Bay Building Bylaw 2026, No. XXXX;
- b) I am insured by a policy of insurance covering liability to third parties for errors and omissions in respect to the above project, in the amount of at least One Million Dollars (\$1,000,000.00);
- c) I have enclosed a copy of my certificate of insurance coverage indicating the particulars of such coverage;
- d) I am a *registered professional*; and
- e) I will notify the *building official* in writing immediately if the undersigned’s insurance coverage is reduced or terminated at any time during *construction*.

Signature

Name (PRINT)

Date

Address (PRINT)

(Affix professional seal here)

Phone

(If the *registered professional* is a member of a firm, complete the following)

I am a member of this firm:

Name of Firm (PRINT)

Address (PRINT)

I sign this letter on behalf of myself and the firm.

Note: This Confirmation letter must be signed by a registered professional. The BC Building Code defines a registered professional as a person who is registered or licensed to practice (a) as an architect under the Professional Governance Act, S.B.C. 2018, c. 47, or (b) as a professional engineer under the Professional Governance Act, S.B.C. 2018, c. 47.

Village of Lions Bay

BYLAW No. 649, 2026

Appendix C – Confirmation of Required Documentation

Building Permit Number: _____

Note:

1. *The Confirmation of Required Documentation and all required documentation must be submitted to the Chief Building Inspector 2 days prior to the Pre-Occupancy Coordinated Review.*
2. *The Confirmation of Required Documentation and all required documentation must be submitted in a tabbed ringed binder, with tab sections as per this Appendix.*

	Provided	N/A	
TAB 1	<input type="checkbox"/>	<input type="checkbox"/>	CONFIRMATION OF REQUIRED DOCUMENTATION
TAB 2	<input type="checkbox"/>	<input type="checkbox"/>	DIRECTORY OF PRINCIPALS (Role/Firm/Name/Telephone)
	<input type="checkbox"/>	<input type="checkbox"/>	Owner
	<input type="checkbox"/>	<input type="checkbox"/>	Co-ordinating Registered Professional
	<input type="checkbox"/>	<input type="checkbox"/>	Registered Professionals
	<input type="checkbox"/>	<input type="checkbox"/>	Warranty Provided
	<input type="checkbox"/>	<input type="checkbox"/>	Licensed Builder
	<input type="checkbox"/>	<input type="checkbox"/>	Sub-Contractors
TAB 3	<input type="checkbox"/>	<input type="checkbox"/>	LETTERS OF ASSURANCE (A, B, C-A, C-B)
	<input type="checkbox"/>	<input type="checkbox"/>	Co-ordinating Registered Professional
	<input type="checkbox"/>	<input type="checkbox"/>	Architectural
	<input type="checkbox"/>	<input type="checkbox"/>	Structural
	<input type="checkbox"/>	<input type="checkbox"/>	Mechanical
	<input type="checkbox"/>	<input type="checkbox"/>	Geotechnical Temporary
	<input type="checkbox"/>	<input type="checkbox"/>	Geotechnical Permanent
	<input type="checkbox"/>	<input type="checkbox"/>	Fire Suppression

- _____ (other)
- TAB 4
- PROFESSIONAL REVIEW LETTERS
 - Alternative Solution (Confirmation of Field Review – sealed)
 - Site Services – Civil Engineer
 - Building Envelope Specialist
 - Roofing Consultant
 - Generator Test Report / Certificate
 - (Other - specify) _____
 - (Other - specify) _____
- TAB 5
- FIRE ALARM
 - Fire Alarm Verification Certificate (include field work sheets)
 - Letter of Signed Contract from ULC Listed Monitoring Agency
- TAB 6
- SPRINKLER SYSTEMS
 - Material and Test Certificate – Above ground piping
 - Material and Test Certificate – Underground piping
 - Fire Pump Test Report
- TAB 7
- PROVINCIAL APPROVALS
 - Certificate to Operate Elevating Device (one per each device)
 - Health Approval (on-site sewage disposal)
 - Health Approval (food services)
- TAB 8
- VILLAGE APPROVALS
 - Sprinkler Permit – Pre-*occupancy* Co-ordinated Review
 - Fire Department Acceptance (Fire Safety Plan)
 - Final Inspection (Building Inspector– pre-*occupancy* review)
 - Developmental Engineering Final Inspection
 - Planning Technicians Final Inspection

TAB 9 DEFICIENCY LIST

Submitted by Coordinating Registered Professional

Name (PRINT)

Signature

Date

Address (PRINT)

Phone

Village of Lions Bay

BYLAW No. 649, 2026

Appendix D – Offences

COLUMN 1	COLUMN 2	COLUMN 3
DESIGNATED EXPRESSION	SECTION	FINE
Interference with <i>building official's</i> right of entry		
Construction without <i>building permit</i>		
Demolition without <i>building permit</i>		
Moving <i>building</i> without <i>building permit</i>		
Failure to having <i>permit</i> and supporting documents on site		
Unsafe site		
Failure to post civic address		
Failure to comply with <i>permit</i> conditions		
Failure to obtain final inspection notice		
Unsafe condition		
Failure to clear all debris and fill		
Failure to obtain <i>building official's</i> written acceptance prior to concealing work		
Failure to stop work after a <i>registered professional's</i> services are terminated		
Violation of Stop Work Order		
Violation of Do Not Occupy Notice		