

**RESORT MUNICIPALITY OF WHISTLER**

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## STAFF REPORT TO COUNCIL

**PRESENTED:** July 8, 2025  
**FROM:** Building Department  
**SUBJECT:** BUILDING REGULATION BYLAW NO. 2482, 2025 AND BUILDING PERMIT FEES AND CHARGES BYLAW NO. 2483, 2025

**REPORT:** 25-058  
**FILE:** 3900-20-2482/2483

### RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

**That** the recommendation of the General Manager of Climate Action, Planning and Development Services be endorsed.

### RECOMMENDATION(S)

**That** Council consider giving first, second and third readings to “Building Regulation Bylaw No. 2482, 2025”; and

**That** Council consider giving first, second and third readings to “Building Permit Fees and Charges Bylaw No. 2483, 2025”.

### PURPOSE OF REPORT

The purpose of this report is to seek Council’s consideration for the first three readings of the following bylaws:

- “Building Regulation Bylaw No. 2482, 2025” (Building Regulation Bylaw)
- “Building Permit Fees and Charges Bylaw No. 2483, 2025” (Building Fees and Charges Bylaw)

These bylaws will repeal and replace the “[Building and Plumbing Regulation Bylaw No. 1617, 2002](#)” (Building Bylaw) and support and improve the Resort Municipality of Whistler’s (RMOW) building permitting processes.

☐ Information Report

☒ Administrative Report (Decision or Direction)

### DISCUSSION

#### Background

Through authority from the *Local Government Act* and *Community Charter*, a local government can administer compliance of the *BC Building and Plumbing Codes* and can regulate construction within the RMOW through the Building Regulation Bylaw. The Building Regulation Bylaw applies to the design, construction or occupancy of new buildings or structures, and any alteration, reconstruction, demolition, removal, relocation or occupancy to existing buildings or structures.

Initially, at the November 5, 2024 Committee of the Whole (COTW) Meeting, the Building Department provided an update on modernization of the Building Bylaw ([COTW Report No. W24-008](#)). Staff provided an overview of objectives of the Building and Plumbing Bylaw Modernization Project (Project) and the proposed approach, including the plan for community engagement.

At the direction of Council, staff returned on December 17, 2025 with [Administrative Report No. 24-115](#) that provided detail on the two engagement options for the Project. The results of this community engagement and recommendations for the proposed bylaws were then shared at the April 29, 2025 COTW Meeting in [COTW Report No. W25-003](#).

Council endorsed using the Municipal Insurers Association of British Columbia (MIABC) model core bylaw (Model Bylaw) for large cities as the base template for the Building Regulation Bylaw to ensure consistency and adherence to current legislative requirements. This Model Bylaw was drafted by Don Lidstone of Lidstone & Company and commissioned by the MIABC and is the bylaw format used by most municipalities in BC.

The Model Bylaw is a prescriptive bylaw template, which has been developed and reviewed legally to provide a base bylaw for local governments to adopt. The intent with the Model Bylaw is to provide clarity in the permit process, outline the roles and responsibilities for each partner in the construction process, and provide a structure that is easier and more consistent for staff and applicants to understand and use, thereby reducing the need to develop additional policies and procedures which add complexity to the permitting process.

The goals of the Building Regulation Bylaw and Building Fees and Charges Bylaw are to:

- Reduce risk for the municipality and community;
- Improve clarity, consistency, and fairness in interpreting the building codes;
- Improve compliance with the bylaw and support enforcement;
- Improve efficiency for staff with permit processing;
- Clarify roles and responsibilities for applicants and the municipality;
- Support additional department improvements (such as e-permitting);
- Support the construction and development community; and
- Provide consistency in permit fees and fiscal sustainability for the department.

Council further endorsed splitting the fee section out of the Building Bylaw to create two bylaws: the Building Regulation Bylaw and a separate Building Fees and Charges Bylaw. This format will be consistent with regional partners (Pemberton and Squamish) as well as a growing number of local governments across BC.

### **Recommendations from the Committee of the Whole**

The COTW passed the following recommendations to Council on **April 29, 2025**:

***That Council adopt the Committee of the Whole (COTW) recommendation that the “Building Regulation Bylaw No. 2482, 2025” (Building Bylaw) be presented to Council for approval in a form substantially similar to the Building Bylaw attached as Appendix A to COTW Report No. W25-003; and***

***That Council adopt the COTW recommendation that the “Building Permit Fees and Charges Bylaw No. 2483, 2025” (Building Fees and Charges Bylaw) be presented to Council for approval in a form substantially similar to that attached as Appendix B to COTW Report No. W25-003; and further***

***That*** Council adopt the COTW recommendation and direct staff to return to a future Regular Council Meeting in fall 2025 for Council to consider the following additional items:

1. *amend the Building Fees and Charges Bylaw to include a new permit fee calculation structure as described in COTW Report No. W25-003;*
2. *consult further with the construction industry on the inclusion of wildfire hazard requirements in the Building Bylaw and prepare recommendations; and*
3. *in conjunction with the Architectural Institute of British Columbia, draft a certified professional program for Part 3 buildings (as defined in the BC Building Code) to be added to the Building Bylaw, including any related policy updates.*

### **Analysis**

The Building Department retained Flywheel Building Solutions (Flywheel), an expert in building bylaws and the Model Bylaw, to support and advise on the Building Bylaw updates. Flywheel has also been working alongside RMOW legal counsel during the review process.

### **Building Regulation Bylaw No. 2482, 2025**

As requested, a summary of changes as they relate to the Model Bylaw are provided below in Table 1.

The structure of the sections has been shifted slightly from that of the Model Bylaw to better align with a format that mirrors the RMOW permit process, as well as the structure of other RMOW bylaws and to support the step-by-step journey an applicant takes when submitting for a permit.

Working with our legal counsel, the language has also been simplified, where possible, to make the bylaw easier to read, understand and follow.

The Building Regulation Bylaw will also include details on stand-alone permit types (Part 12 to 24) to outline permit requirements for various specific scopes of work for buildings, structures, and mechanical and safety systems. These inclusions are intended to:

- Provide clarity for applicants on when a permit is required;
- Provide a streamlined permit for a specific scope of work, allowing for a simplified application and review; and
- Ensure improved application standards: higher-quality submissions are now mandatory to streamline the permit review process.

As noted in COTW and associated reports, the MIABC allows the RMOW to customise the Model Bylaw for solutions that are specific to Whistler. These are typically noted as “unrestricted matters”. Following the results of the engagement and Council consideration, staff propose to include the following unrestricted matters to support adequate emergency response and fire safety given that Whistler has a unique topography with many properties that present challenging access and steep topography.

- Part 25: Fire Access route design
- Part 26: Firefighting water supply requirements
- Part 27: Wildfire (reserved) to allow development of additional requirement in 2025

Recognizing that the building permit process is often the catch all for many other municipal bylaw regulations, the Building Regulation Bylaw is focused on clarifying the building permit process and requirements, whilst the permit application forms are better suited to bring awareness to other municipal bylaws that should be considered when proposing a project. For example, making applicants

aware on the permit application forms that a tree permit may be required depending on the scope of the project proposed, or that permits from engineering may be required if they are affecting areas outside of the property line. These reference trigger points for requirements are best suited to the permit application forms, therefore keeping the Building Regulation Bylaw focused on the building related items.

Generally, the final structure of the new RMOW bylaw will be as follows:

Table 1

Building Regulation Bylaw Part	MIABC Core Part	Alteration and Edits Summary
Part 1: Citation	Part 1: Citation	Edited to reflect RMOW title and to include existing bylaw being repealed.
Part 2: Table of Contents	Added	Included for easy navigation
Part 3: Severability	Added	Standard language, minor edits by legal counsel.
Part 4: Purpose of the Bylaw	Part 2: Purpose of Bylaw	Standard language, minor edits to reflect RMOW context and by legal counsel.
Part 5: Scope and Exemptions	Part 3: Scope and Exemptions	Minor edits to provide clarity on what does and does not require a permit, clear statements of the RMOW responsibilities.
Part 6: Prohibitions	Part 4: Prohibitions	Standard language, minor edits by legal counsel.
Part 7: Powers of a Building Official	Part 6: Powers of a Building Official	Standard language, minor edits by legal counsel.
Part 8: Owner's Responsibilities	Part 7: Owner's Responsibilities	Standard language, minor edits by legal counsel.
Part 9: Obligations of Constructor	Part 8: Obligations of Owner's Constructor	Standard language, minor edits by legal counsel.
Part 10: Registered Professional's Responsibilities	Part 9: Registered Professional's Responsibilities	Standard language, minor edits by legal counsel.  Included 10.10 (Reserved) for further consideration and development of a Certified Professionals (CP) program, based on engagement feedback.
Part 11: Permit Applications Requirements	Part 10: Building Application Requirements	Edits to reflect specific RMOW requirements.  11.5 and 11.7 Application requirements are consistent with Model Bylaw, edits for RMOW specifics.  Removed the requirement for security deposits (Highway Use and Clearing Fee).  11.24 Confirmation of Permit application reviews has been added to show the commitment from the RMOW that complete and substantially compliant applications in the review process will be either provided with the initial deficiency list after review (reasons for denial of permit issuance), or issue the permit within specified timeline parameters, if this is not met then a reduction in the permit fee will be applied. This is a commitment from staff to review timelines of complete and compliant applications for the owners or applicants.  11.40 Inspections list is consistent with Model Bylaw list.

		Edits to the permit expiration and cancellation parameters to support other RMOW processes such as Business Licences as it related to Building permit files.
Part 12: Building Move & Placement Permit	Part 12: Building Move	Standard language, minor edits to reflect RMOW context and by legal counsel.
Part 13: Demolition Permits		Provides clarity on requirements for a specific scope of work
Part 14: Fire Alarm Permits		Provides clarity on requirements for a specific scope of work
Part 15: Mechanical Ventilation and Heating Permits		Provides clarity on requirements for a specific scope of work
Part 16: Plumbing and Fire Suppression Permits		Provides clarity on requirements for a specific scope of work
Part 17: Pool Permits	Part 14: Pools	Standard language, minor edits to reflect RMOW context and by legal counsel.
Part 18: Retaining Walls and Grades	Part 11: Retaining Walls and Grades	Standard language, minor edits to reflect RMOW context and by legal counsel.
Part 19: Solar Hot Water & Photovoltaic Solar Panel Permits		Provides clarity on requirements for a specific scope of work
Part 20: Temporary Building Permit		Provides clarity on requirements for a specific scope of work
Part 21: Storage Racking Permit		Provides clarity on requirements for a specific scope of work
Part 22: Solid Fuel Burning Appliance Permit		Provides clarity on requirements for a specific scope of work
Part 23: Exterior Envelop Restorations		Provides clarity on requirements for a specific scope of work
Part 24: Site Alteration		Provides clarity on requirements for a specific scope of work
Part 25: Access Route for Fire Department Access	Part 16: Access route for Fire Vehicle	Unrestricted matter to be included
Part 26: Fire Fighting Water Supply for Part 9 Simple Building		Unrestricted matter to be included
Part 27: Climatic Data		Confirms data for Whistler
Part 28: Energy Conservation and	Part 15: Energy Conservation and	Specific details on Whistler's Step Code and Zero Carbon Step Code requirements, as adopted by Council on May 16, 2023 in <a href="#">Administrative Report No. 23-016</a> .

GHG Emissions Reduction	GHG Emissions Reduction	
Part 29: Numbering of Buildings	Part 13: Numbering of Buildings	Standard language, minor edits by legal counsel.
Part 30: Offences and Enforcement	Part 18: Offences	Standard language, minor edits by legal counsel.
Part 31: Interpretation	Part 19: Interpretation	Expanded Definitions: Terms are more precisely defined, aligning with BC Building Code (BCBC) terminology to improve understanding and enforcement.
Part 33: Definitions		
Part 34: Repeal		Added, legal counsel.
Part 35: In Force	Part 21: In Force	Standard language, minor edits by legal counsel.

### Building Permit Fees and Charges Bylaw No. 2483, 2025

The Building Fees and Charges Bylaw simply separates out the existing fee schedule and includes the addition/deletion of the follow service fees:

Added:

- Administrative application processing fee
- Alternative Solution review for any existing building permit application or building permit fee
- Occupancy Load review fee
- Product Compliance review fee
- Product Test report review
- Product Code equivalency review

Removed:

- Plan Processing Fees – this has been consolidated into the Administrative Application processing fee above.
- Highway Use, clearing and inspection fee

The determination of the value of construction will remain with the current method of calculating the fee based on the “declared cost of construction” structure which is based on the Marshall and Swift Cost Estimator.

Staff will return to Council with an amendment in late 2025 that will propose to implement a new fee structure based on construction and/or permit type/size as supported during the engagement.

### Next Steps for the Project:

Staff Task	Timing to Return to Council
Incorporate feedback for the new permit fee structure and test the implementation with Tempest and financial platforms	Late 2025 with recommendations to implement the new method of calculating permit fees.
Research and explore possible requirements related to unrestricted matter of wildfire hazard requirements	Late 2025
Engage with the Architectural Institute of BC (AIBC) to determine the process to implement a CP program for Part 3 buildings in partnership with the AIBC	Late 2025



Work within the Building Regulation Bylaw and review and feedback or recommendations to bring minor amendments or unintended interpretations or intent.

Late 2025

## POLICY CONSIDERATIONS

### **Relevant Council Authority/Previous Decisions**

[Building Bylaw](#) – current consolidated version.

[November 5, 2024, COTW Report No. W24-008: Building and Plumbing Bylaw Modernization Project](#) – outlines the Project and the proposed rewriting of the Building Bylaw.

[December 17, 2024, Administrative Report No. 24-115: Engagement Phase for the Building and Plumbing Bylaw Modernization Project](#) – details to the engagement approach for the Project, seeking endorsement for staff to follow the engagement plan set out in Option #1.

[April 29, 2025, COTW Report No. W25-003: Building Bylaw Updates and Engagement Results](#) – details the engagement results and detail on how this feedback has been incorporated into the Project.

### **2023-2026 Strategic Plan**

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

#### **Strategic Priorities**

☒ Housing

*Expedite the delivery of and longer-term planning for employee housing*

☒ Climate Action

*Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan*

☐ Community Engagement

*Strive to connect locals to each other and to the RMOW*

☐ Smart Tourism

*Preserve and protect Whistler's unique culture, natural assets and infrastructure*

☐ Not Applicable

*Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs.*

### **Community Vision and Official Community Plan**

The Official Community Plan (OCP) is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

This work does not have specific applications to the OCP, but the Building Regulation Bylaw is the tool by which all development occurs in Whistler, requiring all development in Whistler ensure health and life safety in the built environment for all residents and visitors to Whistler. Further, the Building Regulation Bylaw ensures that quality applications are reviewed and approved as quickly as possible to support appropriate growth in Whistler, while also ensuring environmental performance that is consistent with the BCBC and our municipal climate objectives.

The following sections of the OCP benefit directly from the Building Regulation Bylaw:

**4.1. Goal:** Land use and development are effectively managed to maintain Whistler's unique sense of place, protect Whistler's natural environment, provide a high quality of life for residents and provide exceptional experiences for our visitors.

**5.1. Goal:** Meet Whistler's long-term housing needs consistent with the growth management policies and land use designations in this OCP.

**5.4. Goal:** Reduce the environmental and energy impacts of residential neighbourhoods to improve the quality of life and sustainability of the resort community.

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## BUDGET CONSIDERATIONS

Budget for the consultant, Flywheel, legal review and community engagement for the Project are accounted for under the 2025 Building Department budget.

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## LÍŁWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líl'wat People, known in their language as *L'il'wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for planning on unceded territories, as currently managed by the provincial government; achieve mutual objectives and enable participation in Whistler's resort economy.

There are no specific considerations to include in this report.

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## COMMUNITY ENGAGEMENT

Level of community engagement commitment for the Project:

☐ Inform    ☐ Consult    ☒ Involve    ☐ Collaborate    ☐ Empower

The RMOW provided opportunities for community members to learn about the Project, ask questions at Information Sessions, and share feedback through a community survey from February 12 to March 13, 2025. The full engagement summary can be found in the April 29, 2025 COTW Meeting (COTW Report No. W25-003) in [Appendix D – Engagement Summary – March 2025](#)

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## REFERENCES

"Building Regulation Bylaw No. 2482, 2025" (included in the Council package)

"Building Permit Fees and Charges Bylaw No. 2483, 2025" (included in the Council package)

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## SUMMARY



Staff present the following bylaws for first, second and third readings to repeal and replace the “Building and Plumbing Regulation Bylaw No, 1617, 2002”:

- “Building Regulation Bylaw No. 2482, 2025”
- “Building Permit Fees and Charges Bylaw No. 2483, 2025”

The Building Regulation Bylaw and Building Fees and Charges Bylaw will continue to support the modernization of the Building Department, from permit processing and clear understanding of the requirements, and supports the ongoing transformation into an e-apply and digital format.

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## **SIGN-OFFS**

### **Written by:**

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### **Reviewed by:**

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