

RESORT MUNICIPALITY OF WHISTLER

BUILDING REGULATION BYLAW NO. 2482, 2025

A BYLAW FOR THE ADMINISTRATION OF THE BUILDING CODE AND
THE REGULATION OF CONSTRUCTION IN WHISTLER

WHEREAS the Council of the Resort Municipality of Whistler (“RMOW”) has the authority to enact this Bylaw to regulate construction and administer the British Columbia *Building & Plumbing Code* in the RMOW in accordance with the *Community Charter* and the *Building Act*;

AND WHEREAS the Council of the RMOW may by bylaw, regulate, prohibit and impose requirements in respect of buildings and structures under the authority of the *Community Charter* relating to :

- (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; and
- (d) the health, safety or protection of persons or property;

AND WHEREAS the RMOW has employed trained building officials for the purposes of this Bylaw;

NOW THEREFORE the Council of the RMOW, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

PART 1 CITATION

1.1 This bylaw may be cited as “Building Regulation Bylaw No. 2482, 2025” (Bylaw).

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PART 3 SEVERABILITY

- 3.1 The provisions of this Bylaw are intended to be severable. If any section, subsection, paragraph, subparagraph or phrase in this Bylaw is for any reason declared invalid by a court of competent jurisdiction, that decision should not affect the validity of any other portion of the Bylaw.

PART 4 PURPOSE OF THE BYLAW

- 4.1 Despite any other provisions in this Bylaw, this Bylaw must be interpreted in accordance with this part.
- 4.2 Every Permit issued under this Bylaw is issued expressly subject to the provisions of this part.
- 4.3 This Bylaw is enacted to regulate, prohibit, and impose requirements regarding Construction in the RMOW in the public interest.
- 4.4 The purpose of this Bylaw does not extend to:
- (a) the protection of Owners, Designers, Constructors, or any other persons from economic loss;
 - (b) the assumption by the RMOW or any Building Official of any responsibility for ensuring compliance by any Owner, Owner's Agents or any employees, Constructors or Designers retained by the Owner, with the Building Code, the requirements of this Bylaw, or other applicable enactments, codes or standards;
 - (c) providing any person with a warranty of design or workmanship with respect to any Building or Structure for which a Permit, Occupancy Permit or File Completion Notice is issued under this Bylaw;
 - (d) providing any person with a warranty or assurance that Construction undertaken under Permits issued by the RMOW is free from latent, or any defects; or
 - (e) the protection of adjacent real property from incidental damage or nuisance.

PART 5 SCOPE AND EXEMPTIONS**Application**

- 5.1 This Bylaw applies to the geographical area of the RMOW and to Land, the surface of water, air space, Buildings, or Structures in the RMOW.
- 5.2 Subject only to the exceptions in section 5.4, this Bylaw applies to the design, Construction, and Occupancy of new Buildings and Structures, and the Alteration, reconstruction, demolition, removal, or relocation of Existing Buildings and Structures.
- 5.3 Metric units are used for all measurements in this Bylaw; however, where necessary the approximate equivalent of those units in commonly used units of imperial measure (feet, inches, etc.) are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do

not form part of this Bylaw. Any ambiguity, conflict, or inconsistency between the metric measurements and the imperial measurements will be resolved by giving precedence to the metric measurements.

5.4 This Bylaw does not apply to:

- (a) a fence, except as set out in Part 17 of this Bylaw;
- (b) an accessory building with a floor area of less than 10m² that does not contain electrical, fuel-burning or plumbing facilities;
- (c) a trellis or arbour;
- (d) a Retaining Wall less than 1.22m in height, constructed only for the purpose of supporting Soil, which does not, constitute a potentially Unsafe Condition and which is not part of a sequence of Retaining Walls, spaced less than two horizontal to one vertical from each other;
- (e) landscaping or other surfacing of Land, except when creating a public parking lot;
- (f) bridges other than pedestrian and vehicular bridges attached to Buildings;
- (g) docks or wharves;
- (h) decks or patios which are less than 600mm from the ground or finished Grade, which are not attached to a Building and have no walls or roofs;
- (i) repair and maintenance of lawfully conforming Buildings or Structures where the level of life safety and Building performance shall not be decreased below a level that already exists, because of the repair or maintenance in question and includes but is not limited to;
 - i. repair and maintenance or limited replacement that is less than 10% of the Fenestration products in a 12-month period of roofing, cladding and Fenestration;
 - ii. the cleaning or repair of mechanical heating and ventilation systems other than commercial ventilation systems; and
 - iii. the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or the replacement of tubs, showers, toilets, lavatories or sinks if the Construction does not involve or require the rearrangement of valves, pipes or fixtures, or hot water tanks.
- (j) a Storage Racking system less than 2.6m in height that is not machine loaded for commercial or industrial uses.

Limited Application to Existing Buildings

- 5.5 Except as specifically provided in the Building Code or this Bylaw, this Bylaw shall not be interpreted as requiring a Building constructed to completion or under construction pursuant to a Permit issued before the enactment of this Bylaw to be reconstructed or altered to meet the standards in this Bylaw or the Building Code.

- 5.6 If an Alteration is made to an Existing Building, the Alteration must comply with this Bylaw and the Building Code and the entire Building must be made to comply with this Bylaw and the Building Code, but only to the extent necessary to address any new Building Code compliance issues introduced in the remainder of the Building as a result of the Alteration.
- 5.7 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 Building Code compliance issues introduced in the remainder of the Building as a result of the Alteration or Addition.
- 5.8 Where a Building is demolished, deconstructed, or damaged by fire, decay, storm, or otherwise, to an extent greater than 75 per cent of its Assessed Value upon its Foundations, this Bylaw applies to any repair, reconstruction or replacement of the Building as if it were a new Building, and the entire Building must comply with the Building Code.

PART 6 PROHIBITIONS

- 6.1 A person shall not commence or continue any Construction, or any other activity or undertaking, to which this Bylaw applies except in accordance with:
- (a) the requirements of the Building Code and this Bylaw; and
 - (b) a valid and subsisting Permit for the Construction, issued under this Bylaw.
- 6.2 A person shall not occupy or permit the Occupancy of, any Building or Structure or part thereof, for which a Permit under this Bylaw has been issued, contrary to the terms of such Permit unless a Building Official has issued an Occupancy Permit.
- 6.3 A person shall not knowingly submit false or misleading information to a Building Official in relation to any Permit application or Construction undertaken pursuant to this Bylaw.
- 6.4 Except in accordance with this Bylaw, a person shall not erase, alter, or modify plans and supporting documents filed for reference with the Building Official, including acceptance of revised plans or supporting documents after the same has been Accepted by the Building Official or a Permit has been issued.
- 6.5 A person shall not 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, unless authorized in writing by a Building Official.
- 6.6 A person shall not do any Construction that is substantially at variance with the Accepted design or plans of a Building, Structure, or other Construction for which a

Permit has been issued unless that variance has been authorized in writing by a Building Official.

- 6.7 A person shall not interfere with or obstruct the entry of a Building Official or other authorized RMOW official to a property in the administration of this Bylaw.
- 6.8 A person shall not Construct on a Parcel unless the civic address is conspicuously posted on the front of the premises or on a signpost so it may be easily read from the public Highway from which it takes its address.
- 6.9 A person shall not cover or conceal any Construction required to be inspected under this Bylaw without first obtaining written authorization from a Building Official.
- 6.10 A person shall not continue any Construction if a Stop Work Order is posted by a Building Official or Bylaw Officer, other than the permitted Construction outlined on the Stop Work Order.
- 6.11 A person shall not occupy a Building, Structure, or any part of it, if a Do Not Occupy Notice is posted by a Building Official, Bylaw Officer or Fire Chief.
- 6.12 A person shall not allow loose or blowing debris and all Projects shall be subject to a continuous and effective program of dust control during the various phases of Construction.
- 6.13 A person shall not alter, allow or cause damage to Municipal Works or property.
- 6.14 A person shall not allow Construction to extend outside the boundaries of the property on which the Construction is or has been permitted to be located and shall otherwise ensure that the Construction does not adversely affect adjacent properties.
- 6.15 A person shall not place water within a Pool until a Pool fence or equivalent temporary barrier is inspected and Accepted by a Building Official is put in place.
- 6.16 A person shall not allow a direct connection to be made between any sewer or any other drainage system and any line connected to a Pool as required under the Environmental Protection Bylaw No. 2426, 2025.
- 6.17 A person shall not allow a Pool to be designed with a direct connection from the domestic water supply below the flood level of the Pool unless protected by an approved backflow prevention device.

PART 7 POWERS OF A BUILDING OFFICIAL

Administration

- 7.1 Words defining the authority of Building Officials are to be construed as internal administrative powers and not as creating a duty.

7.2 A Building Official may:

- (a) administer this Bylaw, but owes no public duty to enforce or administer this Bylaw;
- (b) keep records of applications received; Permits, notices and orders issued; and inspections and tests made;
- (c) retain copies of all digital, or hard copy papers, and documents connected with the administration of this Bylaw;
- (d) 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;
- (e) 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, or 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

7.3 A Building Official may refuse to issue a Permit where:

- (a) the proposed Construction will contravene the requirements of the Building Code or the provisions of this or any other bylaw of the RMOW;
- (b) the proposed Construction requires a Development Permit and the RMOW has not issued a Development Permit, or the proposed Construction is not in compliance with an issued Development Permit that is still valid;
- (c) the results of the tests on materials, devices, construction methods, structural assemblies or Foundation conditions are not satisfactory to the Building Official;
- (d) the Parcel referred to in the Permit application does not:
 - i. have vehicular access; or
 - ii. meet requirements of other RMOW Bylaws: or
- (e) the Building Official has identified, on the Parcel that is the subject of the Permit application, an outstanding, ongoing or otherwise unresolved violation of this or any other Bylaw of the RMOW regarding the Construction, Occupancy or use of any Building, Structure or part thereof.

and if a Building Official refuses to issue a Permit, the Building Official must give the Owner written reasons for the refusal.

7.4 A Building Official may:

7.4.1 revoke a Permit if:

- (a) a condition under which the Permit was issued is violated.
- (b) any requirement of the Building Code or of this Bylaw or another related bylaw of the RMOW is violated;
- (c) the Permit was issued in error;
- (d) Homeowner Protection Office Registration under the *Homeowner Protection Act* ("HP Act") is cancelled or terminated;
- (e) the Building Official determines the Permit was issued based on false or incorrect information; or
- (f) the results of any tests carried out pursuant to, or required by, the Permit are not satisfactory to the Building Official.

7.5.2 deliver the revocation of such Permit by a written notice to the Owner.

Right of Entry

- 7.5 Subject to Section 16 of the *Community Charter*, a Building Official has the authority to enter on or into any property at any time to ascertain whether the requirements of this Bylaw are being met or has any reason to believe that an Unsafe Condition exists.

Powers

- 7.6 Subject to applicable enactments, a Building Official may, by notice in writing, require:
- (a) a person or Owner who contravenes any provision of this Bylaw to comply with that provision within the time ordered;
 - (b) an Owner to stop Construction on a Building or Structure, or any part thereof, if the Construction is proceeding in contravention of this Bylaw, the Building Code, or any other enactment of the RMOW or other applicable enactments, or if there is deemed to be an Unsafe Condition, and may enter any property to affix or post a Stop Work Order;
 - (c) an Owner to remove or prevent any unauthorized encroachment on a public Parcel, a statutory right of way or easement, or a setback required under any enactment;
 - (d) an Owner to remove any Building or Structure, or any part thereof, constructed in contravention of this Bylaw;
 - (e) an Owner to have Construction inspected by a Building Official prior to covering;

- (f) an Owner to uncover and replace, at the Owner's expense, any Construction that has been covered without inspection contrary to this Bylaw or an order issued by a Building Official;
- (g) a person to cease any use or Occupancy that contravenes this Bylaw;
- (h) a person to cease any use or Occupancy if any Unsafe Condition exists because of Construction being undertaken but not complete and where the Building Official has not issued a File Completion Notice or Occupancy Permit for the Construction; and
- (i) an Owner to correct any Unsafe Condition, or Construction that contravenes this Bylaw, the Building Code, or any other enactment.

7.7 Every reference to "Owner" in section 7.6 includes a reference to the Constructor.

7.8 Every person served with a notice under this part must comply with that notice:

- (a) within the time ordered, or
- (b) if no time is ordered, immediately.

PART 8 OWNER'S RESPONSIBILITIES

Owner's Obligations

8.1 Every Owner shall, in respect of any Construction carried out or otherwise occurring on Land that a person owns:

- (a) comply with the Building Code, the requirements of this Bylaw, and the conditions of a Permit, and shall not omit any Construction required by the Building Code, this Bylaw, or the conditions of a Permit; and
- (b) ensure that all Permits, plans, specifications, and supporting documents on which a Permit is based; all municipal inspection certificates; and all professional Field Reviews are available at the site of the Construction for inspection during working hours of the Building Official, and that all Permits are posted conspicuously on the site during the entire execution of the Construction; and

8.2 None of the:

- (a) issuance of a Permit under this Bylaw,
- (b) the review of plans and supporting documents by a Building Official, or
- (c) inspections made by a Building Official or other Registered Professional

shall relieve the Owner from full and sole responsibility to perform the Construction in strict accordance with this Bylaw, the Building Code, and all other applicable codes, standards, and enactments.

8.3 Every Owner to whom a Permit is issued shall, during Construction:

- (a) in accordance with section 6.8, post a civic address on the Parcel so that it may be easily read from the road from which the property takes its address;
- (b) post the Permit placard on the property so that it may be easily read from the road from which the property takes its address;
- (c) provide Building Officials with safe access to the Construction site and all areas requiring inspection;
- (d) ensure the Construction site is maintained free of loose or blowing debris and is subject to a continuous and effective program of dust control during the various phases of Construction; and
- (e) ensure that any applicable Whistler Fire Rescue Service fire exemption permits are in place at the required fire rating restriction times.

Damage or Alteration to Municipal Works

8.4 Every Owner shall be responsible for the cost of repairing and cleaning up any damage or non-authorized Alterations to Municipal Works that occurs during and arises directly or indirectly from the Construction authorized by the Permit. In the event of damage:

- (a) the Owner shall pay to the RMOW, within 30 days of receiving an invoice from the RMOW, the cost to repair any damage to Municipal Works arising directly or indirectly for which a Permit was issued; and
- (b) if the invoice for the repairs is not paid within 30 days, the amount may be added to the Owner's property taxes.

Notice

8.5 Every Owner shall provide a Building Official with at least 48 hours notice of any change in, or termination or engagement of, a Registered Professional, including Coordinating Registered Professional, during Construction.

8.5.1 If an Owner terminates the engagement of a Registered Professional, including the Coordinating Registered Professional, the Owner shall cease all Construction under a 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 in the form of a Schedule

A & B as outlined in the Building Code.

- 8.6 Every Owner shall provide a notice in writing to a Building Official and pay the applicable fee, as set out in the Fees Bylaw, immediately upon any change in ownership of the Owner, which occurs prior to the issuance of an Occupancy Permit.
- 8.7 Every Owner shall provide such other notice to a Building Official as may be required by the Building Official or by a provision of this Bylaw.
- 8.8 Every Owner shall obtain, prior to the Occupancy of a Building or part thereof, the Occupancy Permit from the Building Official to occupy the Building or part thereof, pursuant to Part 11.

PART 9 OBLIGATIONS OF CONSTRUCTOR

- 9.1 No Constructor shall carry out Construction except in compliance with all requirements of the Building Code, this Bylaw and all other applicable codes, standards, and enactments.
- 9.2 No Constructor shall carry out any Excavation or other Construction on public property, disturb public property, erect any Building or Structure on public property, or store materials or equipment on public property, in whole or in part, without approval in writing from the Owner or appropriate authority over such public property.
- 9.3 For the purposes of the administration and enforcement of this Bylaw, every Constructor is jointly and severally responsible with the Owner for all Construction undertaken under a Permit or otherwise.

PART 10 REGISTERED PROFESSIONAL'S RESPONSIBILITIES

Professional Design and Field Review

- 10.1 The provision by the Owner to the RMOW 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 Part 3 Building; or
 - (b) an Occupancy inspection for a Part 9 Building in circumstances where letters of assurance have been required in accordance with the requirements of the Building Code, in which case the Owner shall provide the RMOW with letters of assurance in the form of Schedules C-A or C-B, as appropriate, as outlined in the Building Code.
- 10.2 If a Registered Professional provides letters of assurance in accordance with the Building Code, they must also provide adequate proof of professional liability insurance to the Building Official.

Requirement for a Registered Professional

10.3 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, as referred to in the Building Code, in respect of a Permit application:

- (a) for a Part 3 Building, prior to the pre-Occupancy site review coordinated by the Coordinating Registered Professional or other Registered Professional; or
- (b) for a Part 9 Building, prior to an Occupancy inspection in circumstances where letters of assurance have been required in accordance with the requirements of the Building Code;
- (c) for a building that is designed with common egress systems for the occupants and requires the use of Firewalls in accordance with the Building Code;
- (d) prior to Alterations to a Building, or to a structural component of a Building described in paragraph (b);
- (e) for a Building in respect of which the Building Official determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the Building Code;
- (f) if the Building envelope components of the Building fall under Division B Part 3 of the Building Code, the Building contains more than 5 (five) dwellings, or if the building envelope does not comply with the prescriptive requirements of Division B - Part 9 of the Building Code; and
- (g) for a Parcel of Land on which a Building or Structure is proposed if the Building Official believes the Parcel is, or is likely to be, within the Flood Plain, subject to flooding (including high groundwater), mudflows, debris flows, debris torrents, erosion, landslip, rock falls, subsidence or avalanche, and the requirements for a Professional Design is in addition to a requirement under Division 8 of Part 3 of the *Community Charter* and requires:
 - i. 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 RMOW.

10.4 The Building Official may require any Registered Professional carrying out the Professional Design and Field Review required under section 10.3 to provide evidence that they have experience and expertise in respect of the Professional Design and Field Review of the context and scope required and at the discretion of the Building Official, a peer review may be required prior to the acceptance of any Professional Design or Field Reviews conducted by a Registered Professional.

- 10.5 Where there are three (3) or more Registered Professionals involved in a Project, a Building Code Schedule A – Confirmation of Commitment by Owner and Coordinating Registered Professional shall be provided at time of Permit application.

Professional Plan Certification

- 10.6 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 and referred to in sections 10.1 and 10.3 are relied upon by the RMOW 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 enactments.
- 10.7 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.
- 10.8 For a Permit issued for the Construction of a Part 3 Building, the Building Official shall provide the Owner with a notice that the 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 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 RMOW or its Building Officials on the Registered Professionals.
- 10.9 If a Permit is issued for the Construction of a Part 3 Building, the Permit fee is reduced as set out in the Fees Bylaw.

PART 11 PERMIT APPLICATIONS REQUIREMENTS

- 11.1 An Owner may apply for a Permit under this Bylaw by:
- (a) completing the relevant application form, as amended or updated from time to time;
 - (b) providing all information required for the application as set out in this Bylaw, and any further information reasonably required by the Building Official to evaluate and assess the application for compliance with this Bylaw, the Building Code, and other relevant enactments; and
 - (c) pay the required fee, as set out in the Fees Bylaw.
- 11.2 The Building Official may prescribe the form and content of application forms for the purposes of this Bylaw, and in so doing may prescribe different forms for different types of Permits based on the nature or complexity of the application.

Types of Permits

- 11.3 Without limiting the authority to establish different application requirements for different types of Permits, depending on the scope of Construction proposed by a person who applies for a Permit, a Building Official may accept an application and issue a Permit for any one or more of the following:
- (a) Building Move or Placement, in accordance with Part 12;
 - (b) Demolition or Partial Demolition of Buildings, in accordance with Part 13;
 - (c) Fire Alarms, in accordance with Part 14;
 - (d) Mechanical Ventilation and Heating, in accordance with Part 15;
 - (e) Plumbing and Fire Suppression Systems, in accordance with Part 16;
 - (f) Pools, including In-ground Pools and Hot Tubs, in accordance with Part 17;
 - (g) Retaining Walls, in accordance with Part 18;
 - (h) Solar Hot Water and Photovoltaic Solar Panel Systems, in accordance with Part 19;
 - (i) Temporary Buildings, in accordance with Part 20;
 - (j) Storage Racking, in accordance with Part 21;
 - (k) Solid Fuel-Burning Appliances, in accordance with Part 22;
 - (l) Exterior Envelope Renovation, in accordance with Part 23; and
 - (m) Site Alteration, in accordance with Part 24.
- 11.4 Prior to an application for a Permit, the Owner shall satisfy the following requirements or conditions, as applicable under the application:
- (a) ensure the proposed Building or Structure, or other Construction, complies with all Bylaws of the RMOW, or is authorized by a Development Permit, Development Variance Permit or the Board of Variance;
 - (b) the approving officer for the RMOW has 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 has been registered in the Land Title Office;
 - (c) has provided evidence to the Building Official showing that the person applying for the Permit is either the Owner of the Parcel that is the subject of the proposed

Permit, or is the Agent of the Owner, in which case, the Agent must provide the name and contact information of the Owner;

- (d) address the property or Building in accordance with RMOW requirements and Bylaws;
- (e) show proof of application for registration or exemptions for home warranty for Projects governed under the HP Act;
- (f) apply for and obtain approval from the RMOW and other applicable public authorities for an alternate Private Sewage Disposal System where the Parcel is not able to be connected to the RMOW's sewage disposal system;
- (g) apply for and obtain approval from the RMOW, and other applicable public authorities for an alternate water supply system where the Parcel is not able to be connected to the RMOW's water system; and
- (h) provide a design for an on-site stormwater drainage system where the Parcel is not connected to the RMOW's stormwater drainage system unless the Owner applies for and obtains approval from the RMOW to connect to the RMOW's stormwater system.

Permit Applications for Part 3 Buildings

11.5 An application for a Permit with respect to a Part 3 Building shall:

- (a) be in such form as required by the Building Official and signed by the Owner or a signing officer if the Owner is a corporation;
- (b) include payment of the applicable application fee as prescribed in the Fees Bylaw;
- (c) be accompanied by the RMOW's current Owner's acknowledgement of responsibility and undertaking form signed by the Owner, or a signing officer if the Owner is a corporation;
- (d) 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;
- (e) include a Building Code compliance summary including the applicable edition of the Building Code, (such as and without limitation the Building is designed under Part 3 of the Building Code, Major Occupancy classification(s) of the Building, Building Area, Building Height, number of streets the Building faces, accessibility requirements, Construction areas, washrooms, Firewalls and facilities);
- (f) include a copy of a survey plan prepared by a Land Surveyor registered by the Association of BC Land Surveyors or a certified member of the Applied Science Technologists and Technicians of British Columbia as a Registered in Site

Improvements Surveyor (either a Land Surveyor);

- (g) include a Construction fire safety plan as per Section 5.6 of the *British Columbia Fire Code*, a material staging plan and a trucking route plan;
- (h) include a site plan prepared by a Registered Professional showing: (all dimensions are to be shown in metric and imperial measurements)
 - 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, covenant boundaries, and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of existing and proposed Buildings or Structures on the Parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond, stream or watercourse;
 - vi. north arrow;
 - vii. if applicable, location of an approved existing or proposed private or other alternative sewage disposal system, water supply system or stormwater drainage system;
 - viii. zoning analysis checklist in the RMOW current format;
 - ix. the location, dimensions and gradient of parking and parking access to:
 - a. proposed and existing setbacks to property lines for all Buildings, Structures and parking spaces; and
 - b. natural Grade along the property line;
 - x. natural and finished Grades in geodetic elevations at Building corners and significant breaks in the Building plan and proposed Grade around the Building faces in order to ascertain Foundation height;
 - xi. on-site stormwater management plan;
 - xii. First Storey floor elevation in geodetic elevation:
 - a. location, setbacks to property lines, setbacks between

Retaining Walls, and elevations of all Retaining Walls, steps, stairs and decks;

- xiii. line of upper floors and maximum Building Height in geodetic elevations;
- xiv. location and geodetic elevations of curbs, driveways, sidewalks, manholes, and Service poles;
- xv. location and depth of existing and proposed Service connections to:
 - a. top bank for streams and water courses; and
 - b. on-site access routes for firefighting and closest hydrant(s);
- xvi. Accessible paths of travel from the street to the Building;
- xvii. 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 Zoning Bylaw, registered covenants or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, and
- xviii. Where the Parcel of Land contains slopes in excess of 15 per cent, and upon the request of the Building Official, be accompanied by:
 - a. 0.5 m contours of the existing ground surface of the Parcel;
 - b. 0.5 m contours of the proposed final grading;
 - c. the elevation of all floor areas of the Building, the location of all retaining, driveways, parking areas and other Structures on the Parcel; and
 - d. the drainage provisions as outlined in the approved subdivision grading plans, if any, or the approved sedimentation control and stormwater management plans;

except that the Building Official may waive, in whole or in part, the requirements for a site plan, if the Permit is sought for repair or Alteration of an Existing Building or Structure;
- xix. include key plan;
- xx. 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; and

- xxi. include a minimum of two cross-sections through the Building or Structure in sufficient detail and locations to illustrate Foundations, drainage, ceiling heights and construction systems, including thermal and building envelope assemblies;
- (i) for Existing Buildings, include a key plan showing the location of the unit within the Building;
- (j) 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 Zoning Bylaw and any issued Development Permit that is still valid;
- (k) include cross-sectional details drawn at an appropriate scale and sufficient locations to illustrate that the Building or Structure conforms to the Building Code;
- (l) 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;
- (m) include copies of approvals required under any enactment relating to health and safety, including, without limitation, sewage disposal permits, Highway access permits and/or Ministry of Health approvals;
- (n) include a letter of assurance in the form of Building Code Schedule A, signed by the Owner, or a signing officer if the Owner is a corporation, and the Coordinating Registered Professional;
- (o) include letters of assurance in the form of Building Code Schedule B, 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;
- (p) 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 (l) of this section;
- (q) include calculations confirming proof of adequate water supply for firefighting as per Fire Underwriters FUS water supply;
- (r) include all documentation required by RMOW as amended, from time to time; and
- (s) include Alternative Solution as per section 11.33, as applicable.

11.6 In addition to the requirements of section 11.5 of this Bylaw, a Building Official may require the following to be submitted with a Permit application for the Construction of a Part 3 Building if the complexity of the proposed Building or Structure or siting circumstances warrant:

- (a) site servicing and on-site stormwater management 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 RMOW's subdivision servicing guidelines available through the Engineering Department; and
- (b) a section through the site showing Grades, Buildings, Structures, parking areas and driveways where any slopes on the Parcel exceed 10 per cent.

Permit Applications for Part 9 – Houses and Simple Buildings

11.7 An application for a Permit with respect to a Part 9 Building shall:

- (a) be in such form as required by the Building Official, signed by the Owner, or a signing officer if the Owner is a corporation;
- (b) include payment of the applicable application fee, as prescribed within the Fees Bylaw;
- (c) be accompanied by the RMOW's current Owner's acknowledgement of responsibility and undertaking form, signed by the Owner, or a signing officer if the Owner is a corporation;
- (d) 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;
- (e) include a copy of a survey plan prepared by a Land Surveyor;
- (f) include a site plan showing: (all dimensions are to be shown in metric and imperial measurements)
 - i. the bearing and dimensions of the Parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the Parcel;
 - iii. the location and dimensions of existing and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of existing and proposed Buildings or Structures on the Parcel;

- v. setbacks to the natural boundary of any lake, swamp, pond, stream or watercourse;
- vi. north arrow;
- vii. if applicable, location of an approved existing or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
- viii. zoning analysis checklist in the RMOW current format;
- ix. the location, dimensions and gradient of parking and parking access to
 - a. proposed and existing setbacks to property lines for all Buildings, Structures and parking spaces; and
 - b. natural Grade along the property line;
- x. natural and finished Grades in geodetic elevations at Building corners and significant breaks in the Building plan and proposed Grade around the Building faces to ascertain Foundation height;
- xi. on-site storm water management;
- xii. First Storey floor elevation in geodetic elevations;
 - a. location, setbacks to property lines, setbacks between Retaining Walls, and elevations of all Retaining Walls, steps, stairs and decks;
- xiii. line of upper floors and maximum Building Height in geodetic elevations;
- xiv. location and geodetic elevation of curbs, driveways, sidewalks, manholes and Service poles;
- xv. location and depth of existing and proposed Service connections to;
 - a. top bank and water courses and or streams; and
 - b. on-site access routes for firefighting and closest hydrant(s);
- xvi. Accessible paths of travel from the street to the Building, when applicable; 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 Zoning Bylaw, registered covenants or provincial flood mapping regulations establish siting requirements related to minimum

floor elevation; and

xvii. where the Parcel of Land contains slopes more than 15 per cent, and upon the request of the Building Official, be accompanied by:

- a. 0.5 m contours of the existing ground surface of the Parcel;
- b. 0.5 m contours of the proposed final grading;
- c. The elevation of all floor areas of the Building, the location of all retaining, driveways, parking areas and other Structures on the Parcel;
- d. The drainage provisions as outlined in the approved subdivision grading plans, if any, or the approved sedimentation control and stormwater management plans;

except that for a Part 9 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 or Structure;

xviii. Include key plan;

- (g) include floor plans showing the dimensions and uses of all areas, including the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall and ceiling finishes; plumbing fixtures; solar-ready provisions, structural elements; and stair dimensions;
- (h) include a minimum of two cross-sections through the Building illustrating Foundations, drainage, ceiling heights and construction systems, including thermal and Building envelope assemblies;
- (i) 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 Zoning Bylaw and any issued Development Permit that is still valid;
- (j) include roof plan and roof height calculation;
- (k) 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;
- (l) include copies of approvals required under any enactment relating to health and safety, including, without limitation, sewage disposal permits, Highway access permits and/or Ministry of Health approvals;

- (m) include an Excavation management plan and a storm water management plan design prepared by a Registered Professional in accordance with the Building Code;
- (n) include geotechnical letters of assurance, in addition to a required geotechnical report, if the Building Official determines that the site conditions so warrant;
- (o) include two sets of drawings at a suitable scale of design including the information set out in (f) to (k) of this section;
- (p) include a Building Code compliance summary including the applicable edition of the Building Code, (such as, and without limitation, the Building is designed under Part 9 and in compliance with article 2.2.2.1. (2), Division C of the Building Code);
- (q) Alternative Solution as per section 11.33, if applicable;
- (r) include calculations confirming proof of adequate water supply for firefighting as described in Part 26 of this Bylaw, and
- (s) include a Construction fire safety plan, a material staging plan, and a trucking route plan.

11.8 In addition to the requirements of section 11.7 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 m²;
- (b) two or more Buildings that will contain four or more Dwelling Units; or
- (c) 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 Part 9 Building in the Project:
 - i. a Construction fire safety plan, material staging and trucking route plan as per British Columbia Fire Code section 5.6;
 - ii. a section through the site showing Grades, Buildings, Structures, parking areas and driveways;
 - iii. a roof plan and roof height calculations in geodetic elevations;
 - iv. structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a Registered Professional;
 - v. letters of assurance in the form of Schedule A & Schedule B referenced in the Building Code, signed by a Registered Professional; and/or

- vi. 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 RMOW's subdivision servicing bylaw in effect on the date of application.

Site and Location Information

11.9 Without limiting sections 11.5(f) or 11.7(e) of this part, the Building Official may require an Owner to submit an up-to-date plan or survey prepared by a Land Surveyor which contains sufficient information respecting the site and location of any Building to:

- (a) establish, before Construction begins, that all the provisions of this Bylaw in relation to this information will be complied with;
- (b) verify, on completion of the Construction, that all provisions of this Bylaw and other applicable bylaws 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 neighboring Grades; and
- (d) in relation to Construction of a new Building, or Addition to an Existing Building, prior to the placement of concrete for Foundations, show the elevation at the 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 issued with a written requirement from a Building Official under this section must comply with the requirement.

Permit Fee

11.10 Before receiving a Permit for a Building or Structure, the Owner must first pay to the RMOW:

- (a) the Permit fee as prescribed in the Fees Bylaw;
- (b) the securities as prescribed in the Fees Bylaw; and
- (c) any fees, fines, charges, levies or taxes imposed by the RMOW and payable under an enactment at the time of issuance of the Permit.

Valuation for Permit

11.11 The valuation of Construction set out in the application for a Permit shall be the total current monetary worth of all Construction related to the Building or Structure, and shall include:

- (a) site preparation and civil Construction including Excavation and the use of hoisting, pile driving, compaction or erection devices;
- (b) all design documents, labour and fees involved in the design, investigative testing, consulting services, Construction labour and management, even if provided by the Owner, or donated voluntarily by others, Constructor's profit and overhead, sales taxes and the Construction insurance; and
- (c) all mechanical, electrical, plumbing, drainage and gas installations necessary for carrying out the Construction to its completed form.

11.12 The Building Official may place a value on the Construction for the purposes of determining applicable Permit fees by using an appropriate method from the "Marshall Valuation Services" publications with the updated current cost multipliers, or such other universal source of calculating valuation, as the Building Official deems reasonable, practical and expedient.

Permit Fee Refund

11.13 Except as otherwise provided in this Bylaw or the Fees Bylaw, all fees and charges paid or payable under this Bylaw shall be non-refundable.

11.14 A Permit fee may be partially refunded, as set out in the Fees Bylaw, only if:

- (a) the Owner has submitted a written request for a refund;
- (b) the Building Official has certified that no Construction under the Permit has been started; and
- (c) the Permit has not Expired.

11.15 A Permit fee is not refundable after the Permit has been extended under section 11.54 of this Bylaw.

Design Modification

11.16 If an issued Permit is active and the Owner proposes modifications to the Building design whereby the value of the Construction does not increase or the value of the Construction decreases, the Owner must pay a fee based on the plan revision hourly rate set out in the Fees Bylaw.

Construction Before Permit Issued

11.17 The Permit fee will be doubled for every Permit application where Construction commenced before the Building Official issued a Permit, to a maximum of \$2,000, as set out in the Fees Bylaw.

- 11.18 If Construction has advanced without inspection to a stage where compliance with this Bylaw or other applicable Bylaws or enactments cannot be readily determined, the Building Official may require tests and investigations by an independent agency at the Owner's expense to establish compliance or provide recommended remedial measures to be taken, prior to the issuance of a Permit.

Incomplete Applications or Expiry of Application

- 11.19 If a Building Official receives an incomplete application for a Permit, the Building Official may:

- (a) refuse to accept the application; or
- (b) notify the applicant, in writing, of any additional information required to complete the application (the "Deficiencies").

- 11.20 On receiving a notice of Deficiencies an applicant may, within 90 days for Part 9 Buildings and 150 days for Part 3 Buildings:

- (a) withdraw the application by giving written notice to the Building Official;
- (b) correct the Deficiencies; or
- (c) request a one-time extension of up to 30 days, which a Building Official must not unreasonably refuse;

otherwise, the application is automatically cancelled without any need for the RMOW to give any notice of the cancellation to the applicant, or refund any fees paid in connection with the application after the appropriate time has expired.

Confirmation of Permit Application Reviews

- 11.21 Upon receiving a completed Permit application, the Building Official will either issue a Permit, or refuse issuance of a Permit with written reasons for the refusal within:

- (a) 60 business days for Part 9 Permit applications; or
- (b) 100 business days for Part 3 Permit applications.

- 11.22 If a Building Official does not issue a Permit within the timelines set out in section 11.21, the Permit may still be issued, but the Permit fee shall be reduced as prescribed within the Fees Bylaw.

Issuance of a Permit

11.23 Each Building, Structure or part thereof constructed on a site requires a separate Permit and shall be assessed a separate Permit fee based on the value of Construction of that Building, Structure or part thereof.

11.24 If:

- (a) a completed application in compliance with sections 11.3 and 11.5 to 11.6 or 11.7 to 11.8, including all required supporting documentation, has been submitted;
- (b) the Owner has paid all applicable fees set out in this Bylaw and the Fees Bylaw;
- (c) the Owner or their 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;
- (f) no covenant, agreement, resolution or regulation of the RMOW requires or authorizes the Permit to be withheld; and
- (g) the Owner has provided a hazardous materials assessment and remediation compliance letter for Additions or Alterations to Buildings constructed prior to 1990;

then the Building Official must issue the Permit for which the application is made, and the date of issuance is deemed to be the date the RMOW gives written notice to the Owner that the Permit has been issued.

Compliance with the *Homeowner Protection Act*

11.25 If the application in respect of a Building that includes, or will include, a Residential Occupancy governed by the HP Act, the Permit must not be issued until the Owner provides evidence under Section 30(1) of the HP Act, that the proposed Building:

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

11.26 Section 11.25 does not apply if the Owner is not required to be licensed or to obtain home warranty insurance in accordance with Sections 20(1) or 30(1) of the HP Act.

11.27 Every Permit subject to the HP Act is issued subject to the Owner and Constructor maintaining compliance with the HP Act during the term of the Permit.

Issuance of Partial Permits

- 11.28 The Building Official may issue a Permit for a portion of a Building or Structure before the design, plans and supporting documents for the entire Building or Structure have been Accepted, provided sufficient information has been provided to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with this and any other applicable RMOW Bylaws and the Permit fee applicable to that portion of the Building or Structure has been paid. Notwithstanding the issuance of the Permit, the requirements of this Bylaw shall apply to the remainder of the Building or Structure as if the Permit for the portion of the Building or Structure had not been issued.
- 11.29 If a site has been Excavated under a Permit for Excavation issued under this Bylaw and a Permit is not subsequently issued or a subsisting Permit has Expired under section 11.51, but without the Construction of the Building or Structure for which the Permit was issued having commenced, the Owner must fill in the Excavation to restore the original gradients to the site within 60 days of being notified by the Building Official to do so.

Sanitary Facilities during Construction

- 11.30 During the time a Permit has been issued and remains valid under this Bylaw, the Owner must provide on the Parcel of Land in respect of which the Permit has been issued, sanitary facilities for the disposal of human waste from individual persons who enter on the Parcel in relation to the Construction referred to in the Permit, and such facilities must be accessible and unlocked when not occupied while Construction 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 *Public Health Act*, by plumbing that complies with the Building Code and this Bylaw,

must be provided with toilet paper, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking beyond the facility and without overflowing within the facility. Such facilities must be located so as not to create a nuisance to neighboring Parcels or Highways.

Conditions of a Permit

- 11.31 A Permit or an application for a Permit that is in process may not be transferred or assigned until the Owner has notified the Building Official in writing, the Building Official has authorized the transfer or assignment in writing and the Owner has paid the non-refundable fee required in the Fees Bylaw. The transfer or assignment of a Permit is not an extension of a Permit.

- 11.32 The review of plans and supporting documents and issuance of a 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.

Alternative Solutions

- 11.33 An Owner who wishes to provide an Alternative Solution to satisfy one or more of the requirements of the Building Code or this Bylaw shall submit sufficient evidence, certified by a professional engineer or architect for Part 3 Buildings and qualified person(s) for Part 9 Buildings, to demonstrate that the proposed Alternative Solutions will provide the level of performance required by the Building Code or this Bylaw and pay the fee specified in the Fees Bylaw.

Inspections for Part 9 Buildings

- 11.34 If a Registered Professional provides letters of assurance, the RMOW 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. Copies of all Field Reviews must be submitted to the RMOW.
- 11.35 Despite section 11.34, 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.
- 11.36 A Building Official may attend periodically at the site of the Construction of Part 9 Buildings or Structures to ascertain whether the Construction is being carried out in substantial conformance with the Building Code, this Bylaw and any other applicable enactments concerning safety.
- 11.37 For all Construction in respect of Part 9 Buildings, the Owner must obtain an inspection and receive a Building Official's written acceptance of the following aspects of the Construction prior to concealing them:
- (a) Pre-Construction on-site orientation - site review when required by the Building Official;
 - (b) After demolition, the grading off and removal of debris from site;
 - (c) Footings/Excavation - after preparation for footings is complete, prior to placement of concrete;
 - (d) Foundation - after forms for Foundation walls are completed, the location

certificate is submitted and Accepted by a Building Official, prior to placement of concrete;

- (e) Damp proofing/drain tile/roof drains - after damp-proofing and Foundation drainage is in place, prior to backfilling;
- (f) Sewer Services - sanitary sewer Service, after the sewer line is in place and under test, prior to backfilling;
- (g) Domestic water Service - after the water Service lines are in place and water has been turned on, prior to backfilling;
- (h) Plumbing under-slab - plumbing and underground fire suppression supply lines, prior to covering;
- (i) Radon/Soil Gas Control - after slab preparation for Soil gas requirements, the preparation of ground, including ground cover when required, perimeter insulation of inside of concrete Foundation walls are in place, prior to covering;
- (j) Foundation/Under Slab Insulation – prior to backfilling Foundation walls or pouring slabs where required insulation would be covered;
- (k) Plumbing Rough-in - installation of rough-in plumbing, on-site constructed tubs or showers and tub or shower trap tests when complete and under test, prior to covering;
- (l) Framing - framing, sheathing, fire stopping, bracing, with installation of chimney and ductwork, rough wiring, rough plumbing, rough heating, gas venting, exterior doors and windows; but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such Construction;
- (m) Fire Separations/fire blocking – installation of required fire separations prior to covering;
- (n) Insulation Vapour/Air Barrier - insulation, air and Vapour Barrier, after all insulation and Vapour Barrier is in place but prior to interior finish being applied which conceals the Construction;
- (o) Plumbing Final – all plumbing requirements for Occupancy;
- (p) Building Final (Partial Occupancy) - subject to sections 11.60 to 11.63, after the Health and Safety Aspects of the Construction and applicable Accessibility aspects of the Construction are complete, as determined by the Building Official; and
- (q) Occupancy or Completion – when all aspects of the Construction, including Energy conservation and GHG emissions reduction requirements, of a Building or Structure is substantially complete, ready for Occupancy or use;

- (r) Re-inspections are required for:
- i. Construction that is required or ordered to be corrected;
 - ii. Construction that is required or ordered to be inspecting prior to covering; and
 - iii. Construction that has been completed so that an Occupancy inspection can be conducted.

11.38 A Building Official will only carry out an inspection under section 11.37 if the Owner or the Owner's Agent has requested the inspection in accordance with this Bylaw.

11.39 No person may conceal any aspect of the Construction referred to in section 11.37 of this Bylaw until a Building Official has Accepted it in writing.

11.40 Where applicable, additional inspections may be required for Permit types outlined in in Parts 12 to 24.

Part 3 Building Commissioning

11.41 For Construction in respect of Part 3 Buildings, the Owner must:

- (a) give at least 48 hours online or written notice, exclusive of Saturdays, Sundays or statutory holidays to the RMOW when requesting a preconstruction meeting with the Building Official prior to the start of Construction, and the Owner must ensure that the Coordinating Registered Professional, the Constructor, as well as representatives of major trades, are in attendance;
- (b) give at least 48 hours online or written notice, exclusive of Saturdays, Sundays or statutory holidays to the RMOW when requesting a pre-Occupancy review coordinated by the Coordinating Registered Professional or other Registered Professional to have the Owner, the Constructor, and the Registered Professionals demonstrate to the Building Official and the Whistler Fire Rescue Service compliance with the Health and Safety Aspects of the Construction, the coordination and integration of the fire and life safety system, any applicable RMOW requirements or other enactments respecting safety and the Step Code and Zero Carbon requirements and Accessibility aspects of the Construction; and
- (c) cause the Coordinating Registered Professional, at least 48 hours prior to the pre-Occupancy coordinated site review coordinated by the Coordinating Registered Professional, to deliver to the Building Official the Confirmation of Required Documentation in such form determined by the Building Official

Stop Work Orders

11.42 The Building Official or Bylaw Officer may attach a Stop Work Order on the premises when it is found that the Construction is not being performed in accordance with the

requirements of the Building Code, any applicable Bylaw of the RMOW or the applicable provisions of the HP Act.

- 11.43 The Coordinating Registered Professional may request, in writing, that the Building Official order the immediate suspension or correction of all or a portion of the Construction on a Building or Structure by attaching a Stop Work Order on the premises. The Building Official must consider such request and, if not acted upon, must respond, in writing, to the Coordinating Registered Professional and give reasons.
- 11.44 If a Registered Professional's services are terminated, the Owner must immediately stop any Construction that is subject to their design or Field Review and the Building Official is deemed to have issued a Stop Work Order under section 11.42.
- 11.45 The Owner must immediately, after the posting of a Stop Work Notice under section 11.42, 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 RMOW.
- 11.46 Subject to 11.42, no Construction other than the required remedial measures may be carried out on the Parcel affected by the Stop Work Notice until the Stop Work Notice has been removed by the Building Official or Bylaw Officer.
- 11.47 The Stop Work Notice referred to in section 11.42 must remain posted on the premises until that which is contrary to the enactments has been remedied.

Not Safe to Occupy Notice

- 11.48 If a person occupies a Building or Structure or part of a Building or Structure in contravention of this Bylaw, a Building Official or Fire Chief may post a Not Safe to Occupy Notice on the affected part of the Building or Structure.
- 11.49 If a Not Safe to Occupy Notice is posted under section 11.48, the Owner of a Parcel 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 Not Safe to Occupy Notice has been rescinded in writing by a Building Official or Fire Chief.

Inspection and Other Fees

- 11.50 In addition to the fees required under other provisions of this Bylaw, the Owner must pay the non-refundable fees set out in the Fees Bylaw for:
- (a) a third and each subsequent re-inspection where it has been determined by the Building Official that due to non-compliance with the provisions of this Bylaw or due to non-complying Construction, or due to complexity more than two visits are

required for any required inspection;

- (b) a special inspection during the RMOW's normal business hours to establish the condition of a Building, or if an inspection requires special arrangements because of time, location, or construction methods; and
- (c) an inspection required under this Bylaw which cannot be carried out during the RMOW's normal business hours.

Permit Expiration

11.51 Every Permit is issued on the condition that the Permit Expires and the rights of the Owner under the Permit terminate if, beginning on the date the Permit is issued:

- (a) the Construction authorized by the Permit is not commenced within 180 days, unless the Permit is extended under Part 11;
- (b) Construction is discontinued for a period of 180 days; or
- (c) the Construction is not completed within:
 - i. 36 months, for a new Part 9 Building
 - ii. 24 months, for a new Part 3 Building
 - iii. 24 months, for all other Permit types;

of the date of issuance of the Permit.

11.52 Where a Permit has Expired, any further Construction is prohibited unless the Permit is extended or a new Permit is issued, except as may be specifically ordered or authorized, in writing, by a Building Official.

11.53 Where a Permit has Expired, and a new Permit application is made, all Construction shall comply with this Bylaw, the Building Code and any other RMOW Bylaws and enactments in force at the time of the new application.

Permit Extension

11.54 A Building Official may extend an Expired Permit only once, for a period not more than 180 days from the date of expiry of the original Permit, 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 Fees Bylaw has been paid.

11.55 Where Construction has commenced and has not been discontinued or suspended for a period of more than 180 days, the Building Official may extend the expiry date for the Permit for a period of time as the Building Official considers reasonable, to a maximum of one year, where the Building Official is satisfied that there exists a reasonable excuse for the delay in completing Construction, 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 Fees Bylaw has been paid.

Permit Cancellation by Owner

11.56 A Permit, or a Permit application, may be cancelled by the Owner on delivery of written notification of the cancellation to the Building Official.

11.57 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".

11.58 If the Owner, or Owner's 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 Construction, 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 Construction "cancelled" or "amended".

11.59 If a Permit application or Permit is cancelled, and Construction has not commenced under the Permit, the Building Official must return to the Owner any refundable fees deposited under the Fees Bylaw. The Owner must return any Permit documents issued within 14 days of notification of the cancelled Permit & any documents submitted for a Permit application that has been cancelled will be held for 14 days from the date of cancellation for the Owner to pick up.

Partial Occupancy

11.60 Upon written request by the Owner, a Building Official may issue a Partial Occupancy Permit for 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 Construction, and, if applicable Accessibility;
- (b) the requirements set out in section 11.65 have been met with respect to it.

- 11.61 In the case of a Partial Occupancy Permit, the Building Official may withhold an Occupancy Permit until the Building, Structure or part thereof complies with this Bylaw, the Building Code and any other applicable Bylaws or enactments.
- 11.62 The Building Official may revoke a Partial Occupancy Permit for partial Occupancy for failure to comply with any conditions of the Partial Occupancy Permit.

Occupancy

- 11.63 No person may use or occupy a Building or Structure or part of a Building or Structure until an Occupancy Permit has been issued by a Building Official for:
- (a) Occupancy of a Building or Structure or part thereof after completion of Construction; or
 - (b) any change of class of Occupancy of any Building or Structure or part thereof.
- 11.64 An Occupancy Permit will not be issued unless:
- (a) all letters of assurance have been submitted when required in accordance with this Bylaw;
 - (b) all aspects of the Construction requiring inspection and Acceptance pursuant to sections 11.34 to 11.40 of this Bylaw have both been inspected and Accepted or the inspections and Acceptance are not required in accordance with this Bylaw;
 - (c) the Owner has provided to the RMOW a Building survey prepared by a Land Surveyor showing the Building Height, size, location and elevation determined in accordance with the RMOW's Zoning bylaw;
 - (d) all other documentation required under applicable enactments has been delivered to the RMOW;
 - (e) where any of the requirements for life and fire safety have been deemed to be satisfied by an Alternative Solution pursuant to provisions of the Building Code, the Owner shall submit to the Building Official, prior to use or Occupancy of the Building or Structure, certification from Qualified Person(s) responsible for the Alternative Solution, that the Construction substantially complies with the requirements set out in the Alternative Solution report.
- 11.65 When a Registered Professional provides letters of assurance in accordance with this Bylaw, the RMOW may rely solely on the letters of assurance when issuing an Occupancy Permit as assurance that the items identified on the letters of assurance substantially comply with the design, the Building Code, this Bylaw and other applicable enactments respecting safety.

File Completion Notice

- 11.66 A File Completion Notice will be issued for Projects such as demolition, renovation, fire alarm, commercial kitchen mechanical ventilation, plumbing and fire suppression, Pools, Retaining Walls, Solar Hot Water and Photovoltaic Solar Panels, and CSA Z-240 Manufactured Homes.
- 11.67 A File Completion Notice will be issued where the original Building and/or Structure did not receive an Occupancy Permit.

Stand-alone Permit Types

- 11.68 Parts 12 to 24 are stand-alone permit types that can be applied for separately from an application for a Part 3 or Part 9 Building or Structure. The following requirements apply to all such applications:
- (a) An application in Parts 12 to 24 must:
 - i. be made using the form designated by the Building Official and signed by the Owner, or a signing officer if the Owner is a corporation; and
 - ii. Include the Acknowledgement of Owner or Owner's Agent Form, using the form designated by the Building Official; and
 - iii. pay the applicable fee as prescribed in the Fees Bylaw.

PART 12 BUILDING MOVE & PLACEMENT PERMIT

- 12.1 An application for a Permit with respect to a Building move or placement must:

- (a) provide a site plan showing:
 - i. the location of the proposed Building and any accessory Buildings in relation to Existing Buildings on the property in the form of a site plan drawn to scale;
 - ii. distances from the proposed Building and all Existing Buildings to the property boundaries;
- (b) show the distances from the proposed Building and all Existing Buildings to the property boundaries;
- (c) provide drawings showing Construction details for on-site Construction as outlined in section 11.5 or 11.7; and
- (d) provide written approval from the Manufactured Home Park Owner or authorized representative.

- (e) Obtain a Permit for demolition as outlined in Part 13 for the removal of Foundations for a Manufactured Home, Structure, Building or part thereof;
- 12.2 The Owner must apply for a Permit for renovation as outlined in Part 11 for portions of a Building or Structure partially relocated with a Building or Structure remaining.
- 12.3 The relocation of Manufactured Homes factory constructed and assembled more than 30 years prior to the date of Permit application is prohibited. The year, make, model and serial numbers shall be determined by the CSA Rating Plate and/or the Province of British Columbia Manufactured Home Registry.
- 12.4 A Building Official may require a report from an accredited restoration company or Registered Professional with experience in environmental engineering stating that there are no environmental issues or hazards regarding health and safety to occupants prior to issuing a Permit to relocate a Manufactured Home, Modular Home or other Building.
- 12.5 Where a Manufactured Home is less than five years old, the report described in section 12.4 may be waived by the Building Official.

Permit Issuance

- 12.6 The Building Official may issue a Permit for Construction involved in the moving of any Building, Structure or part thereof into or within the RMOW where the Owner has:
 - (a) finalized disconnection of Services;
 - (b) finalized any outstanding taxes owing and utility billing accounts to the RMOW;
 - (c) have approval for safe route transport by the RMOW's Engineering department;
 - (d) provided a hazardous assessment and clearance letter for the demolition of any existing on-site Construction for Buildings constructed prior to 1990, and

Completion Conditions

- 12.7 All Construction including relocations, Alterations and Additions for relocated Manufactured Homes, or other Buildings shall be completed within 180 days of the date the Permit was issued.
- 12.8 If the Owner does not move the Manufactured Home, Building, Structure or part thereof for which a Permit is issued and complete Construction within the time specified in section 12.7, the Building Official may notify the Owner in writing and direct the Owner to complete that Construction within 30 days from the date of the notice.

- 12.9 If the Construction is not completed within 30 days of the date of the notice, the RMOW may enter, clean and tidy the site at the expense of the Owner; and if the invoice for the cleanup is not paid within 30 days, the amount may be added to the Owner's property taxes.
- 12.10 If the Manufactured Home, Modular Home, Building, Structure or part thereof to be moved is located on a property in the RMOW, then the property must be returned to a safe, clean and tidy condition within 120 days from the date of issuance of the Permit.

PART 13 DEMOLITION PERMITS

Application Requirements

- 13.1 An application for a Permit with respect to a demolition must:
- (a) provide a site plan showing servicing locations and all Buildings and Structures indicating habitable, livable, operational floor areas for determining applicable Works and Services Charges by the RMOW's Engineering Department in accordance with applicable bylaws;
 - (b) provide the vacancy date;
 - (c) provide a hazardous materials assessment and remediation clearance letter for Buildings constructed prior to 1990;
 - (d) ensure that all municipal Services and other Services are capped and terminated at the property line to RMOW standards;
 - (e) provide a demolition fire safety plan, and a trucking route plan; and
 - (f) apply for a Permit for renovation as outlined in Part 11 for portions of a Building or Structure that are to remain as part of a partial demolition.

Demolition sites

- 13.2 The following items shall be required at demolition sites to the satisfaction of the Building Official:
- (a) the demolition of Buildings and Structures shall be in accordance with Part 8 of the Building Code "Safety Measures at Construction and Demolition Sites";
 - (b) Fire Safety Plan, approved by the Whistler Fire Rescue Service;
 - (c) all Construction material and debris, including concrete Foundations and septic tanks are to be removed from the site;
 - (d) all Services and utilities are to be disconnected at the property lines;

- (e) the site shall be left in a clean and tidy condition within 90 days from the date of issuance of the Permit for demolition;
- (f) should demolition not have commenced by the 90-day expiry date, the Building Official may at their discretion cancel the Permit by written notice. There shall be no refund for the Permit fee;
- (g) any request to extend the 90-day time limit shall be received 30 days prior to the date of expiry. The request shall be in writing from the Owner and approved in writing by the Building Official; and
- (h) where required for industrial and commercial demolition sites, the *Environmental Management Act* shall apply.

PART 14 FIRE ALARM PERMITS

Application Requirements

14.1 An application for a Permit to install a fire alarm with respect to any Occupancy must:

- (a) include a set of design drawings and specifications prepared by a Registered Professional along with letters of assurance in either hard copy or in PDF digital format as required by the RMOW.

Professional Design and Commissioning

14.2 The design, installation, commissioning and maintenance shall conform to:

- (a) the Building Code; and
- (b) all relevant standards of the National Fire Protection Agency (NFPA) pertaining to fire alarm systems.

14.3 No engineered system shall be put into use until it has been tested and accepted by the Registered Professional who is responsible for its design, as applicable.

PART 15 MECHANICAL VENTILATION AND HEATING PERMITS

Application Requirements

15.1 An application for a Permit with respect to a mechanical ventilation and heating for Residential Occupancy in a Part 9 Building must provide a heat load worksheet, an appliance selection worksheet, and a ventilation checklist.

15.2 An application for a Permit for a commercial mechanical ventilation system, spray booth operation or wood dust collection system shall include a set of design

drawings, prepared by a Registered Professional along with letters of assurance in either hard copy or PDF digital format as required by the RMOW.

Design Standards

15.3 The design, installation and Alteration of Part 9 heating systems, commercial cooking system, spray booth operation or wood dust collection systems shall conform to:

- (a) The Building Code, Division B, Section 9.32 Ventilation and 9.33. Heating and Air-conditioning;
- (b) the Building Code, Division B, Part 6 Heating, Ventilation and Air-conditioning;
- (c) the Building Code, Division B, Part 3, Section 3.2.5 Provisions for Fire Fighting; and
- (d) all relevant standards of the NFPA pertaining to fire suppression systems.

Inspections and Commissioning

15.4 Where a mechanical and ventilation system has been installed or altered under Permit for Part 9 residential use, an inspection shall be requested before:

- (a) the system is covered up; and
- (b) the system is used.

15.5 Where a mechanical system has been installed or altered under Permit for a commercial mechanical ventilation system, spray booth or wood dust collection system, it shall not be put into use until it has been tested and accepted by the Registered Professional who is responsible for its design and installation, as applicable.

PART 16 PLUMBING AND FIRE SUPPRESSION PERMITS

Application Requirements

16.1 An application for a Permit to install plumbing shall:

- (a) provide a set of isometric drawings where Construction is not performed by a Qualified Plumber for single-family dwelling Projects; or
- (b) provide a set of design drawings, including storm water management systems, prepared by a Registered Professional along with letters of assurance, where applicable.

16.2 The design, installation and maintenance of plumbing and fire suppression systems shall conform to:

- (a) the Building Code, Division B, Part 7;
- (b) the Building Code, Division B, Part 3, Section 3.2.5 - Provisions for Fire Fighting; and
- (c) all relevant standards of the NFPA pertaining to fire suppression systems.

Inspections and Commissioning

16.3 Where a plumbing system has been installed or altered under Permit for a Part 9 Building, an inspection shall be requested before:

- (a) the system is covered up; and
- (b) the system is used.

16.4 Where a plumbing system or fire suppression system has been installed or altered under Permit for a Part 3 Building it shall not be put into use until it has been tested and accepted by the Registered Professional who is responsible for its design, as applicable.

PART 17 POOLS, INCLUDING INGROUND POOLS AND HOT TUBS

Application Requirements

17.1 All references to Pool in this Part includes Above Ground Pools and Hot Tubs unless otherwise specified.

17.2 An application for a Permit to install a Pool must:

- (a) include a set of design drawings, site plan showing location and distance from property lines to the proposed Pool and any accessory Buildings in relation to Existing Buildings on the property in hard copy or in PDF digital format as prescribed by the RMOW;
- (b) Include Construction details for the Pool and the proposed method of enclosure of the Pool area; and
- (c) approval of design from the Local Health Authority having jurisdiction, if the Pool is accessible for public use.

Professional Design

- 17.2 In accordance with section 10.1 of this Bylaw, Professional Design and Field Reviews may be required, subject to the complexity of the design and the condition of Soils where the Pool is to be located.

Fencing

- 17.3 A Pool must be enclosed within a fence, a Building, or a combination of fence and Building constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.5 m and no openings are greater than ten centimeters (10 cm) at their greatest dimension. Where the access to the Pool is from a dwelling located on the same property as the Pool, the access may be directly from the dwelling.
- 17.4 The fence or equivalent barrier referred to in section 17.3 shall be of chain link type material, provided the openings do not exceed five centimeters (5 cm) and the wire is not less than no. 11 gauge, solid material with a flat vertical surface, or vertically oriented material.
- 17.5 A Pool fence or equivalent temporary barrier shall be in place, inspected and approved by the Building Official prior to placing the water in a Pool.

Pool Gate

- 17.6 Access through a fence enclosing a Pool must be only through a self-closing and self-latching gate designed and constructed or installed to cause the gate to return to a closed position when not in use and secured by a latch located on the Pool side of the gate.
- 17.7 All openings or gates in the fence or barrier shall be locked closed when not in use.

Hot Tub Lid

- 17.8 In lieu of a fence, a Hot Tub may be covered with a locking cover, which would prevent unauthorized access to the water.

Pools

- 17.9 Every Pool shall be surrounded by a non-slip walkway, designed so that the surface water shall drain away from the Pool.

Above Ground Pools

- 17.10 An Above Ground Pool may be protected from access by fencing the access ladder to limit access, with a child-resistant self-closing and self-latching gate through the fence.

Maintenance

- 17.11 A person may not use or occupy a Pool unless the Owner of the property on which a Pool, is located maintains every fence or cover required under sections 17.3 to 17.10 in good order, and without limitation maintains and repairs in 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

- 17.12 A person may not obtain a Permit for or use or occupy a Pool without first delivering to the Building Official at the time of the 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.

Drainage

- 17.13 Drainage from Pools must be discharged via sanitary sewer connection on the property or other means acceptable to the Building Official. Exceptions may be made for properties on private septic systems by the Building Official.
- 17.14 No direct connection shall be made between any sewer or any other drainage system and any line connected to a Pool.

Backflow Prevention

- 17.17 No Pool shall be designed with a direct connection from the domestic water supply below the flood level of the Pool unless protected by an approved backflow prevention device.

Public Pools

- 17.18 Pools intended for public use shall not be occupied until an operating permit for the Pool has been issued by the Local Health Authority.

PART 18 RETAINING WALLS AND GRADES**Application Requirements**

- 18.1 An application for a Permit with respect to a Permit to Construct a Retaining Wall must;
- (a) include a set of design drawings, a site plan showing all Buildings, Structures & servicing and specifications prepared by a Registered Professional along with letters of assurance in hard copy or PDF digital format as required by the RMOW.

Professional Design and Permit Closure

18.2 A Registered Professional shall undertake the design and conduct Field Reviews of the Construction and drainage of a Retaining Wall Structure:

- (a) greater than 1.2 m in height;
- (b) where a sequence of walls, regardless of height, are located closer than 2 horizontal to 1 vertical;
- (c) where site drainage is impacted as determined by the RMOW;
- (d) where other geotechnical concerns exist as determined by the RMOW; or
- (e) where the Retaining Wall is supporting another Building or Structure.

Site Safety Conditions

18.3 If a Building Official determines that an Unsafe Condition exists as the result of the Construction of a Retaining Wall requiring a Permit, a guard or fence may be required.

Finished Grades and Slope Retention

18.4 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed or Excavated into the natural Grade on a Parcel must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally, unless restrained by a Permitted Retaining Wall.

18.5 Retaining Walls cannot be Constructed of stacked un-cemented rock or boulders or creosoted timbers.

18.6 No person may occupy a Building unless the finished Grade complies with all applicable enactments.

PART 19 SOLAR HOT WATER & PHOTOVOLTAIC SOLAR PANEL PERMIT**Application Requirements**

19.1 An application for a Permit with respect to a solar panel system must:

- (a) be accompanied by plans showing the location of the proposed solar panel system in relation to Existing Buildings on the property in the form of a site plan drawn to scale;
- (b) include Construction details for the attachment of the panels to the Building and

provide a sealed drawing by a Registered Professional to confirm that structural members of the Building are designed to accommodate the anticipated loads for solar domestic hot water systems and where photovoltaic solar systems incorporate a ballast system.

- 19.2 For hot water systems, compliance with CAN/CSA-F383-87, Installation Code for Solar Domestic Hot Water Systems, as referred to in the Building Code is required.

Completion of Permit - Commissioning

- 19.3 Prior to operating a solar panel system the Owner shall provide verification from the Registered Professional of record, where applicable.

PART 20 TEMPORARY PERMIT

- 20.1 Subject to the Bylaws of the RMOW, the Building Official may issue a Permit for the installation or placement of a Temporary Building or Structure for Occupancy if:

- (a) the Permit is for a period not exceeding one year; and
- (b) the Building or Structure complies with the Zoning Bylaw, was built in compliance with the Building Code and this Bylaw, and connects, as required by enactments, to RMOW utility Services.

Application requirements

- 20.2 An application for a Permit for the erection or placement of a Temporary Building or Structure must include:

- (a) plans and supporting documents showing the location and Building height of the Building or Structure on the Parcel;
- (b) plans and supporting documents showing Construction details of the Building or Structure;
- (c) a statement by the Owner indicating the intended use and duration of the use;
- (d) plans and supporting documents showing proposed parking and loading spaces;
- (e) a written description of the Project explaining why the Building is temporary;
- (f) in the case of a Manufactured Home, 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; a report or drawing by an engineer, architect or Designer confirming compliance with the Building Code, this Bylaw, the Zoning Bylaw, and other applicable Bylaws; in the case of a Temporary Building, information to comply with clause 1.1.1.1(2)(f), Division C of the Building Code; and

- 20.3 Before receiving a Permit for a Temporary Building or Structure for Occupancy, the Owner must pay the RMOW the applicable fee set out in the Fees Bylaw. A Permit fee for a Temporary Building or Structure is not refundable.

Inspections

- 20.4 Where a Permit is required, a Temporary Building shall not be used until it has been Accepted and a letter of assurance has been provided by the Registered Professional who is responsible for its design, as applicable.

PART 21 STORAGE RACKING PERMIT

Application Requirements

- 21.1 An application for a Permit with respect to a Storage Racking System must:
- (a) include a detailed floor plan highlighting all racking, interior walls, exits, travel distances and aisle widths and clearances conforming to the BC Fire Code;
 - (b) include an analysis indicating the commodities classification, area of the storage, height of storage and if the building is sprinklered or non-sprinklered; and
 - (c) when the Building is sprinklered, provide verification that the existing sprinkler design conforms to the Building Code from a certified sprinkler engineer.

Professional Design and Commissioning

- 21.2 The design, installation, commissioning and maintenance shall conform to the Building Code.

Completion of Permit

- 21.3 A Storage Racking System shall not be used until it has been Accepted and a letter of assurance has been provided by the Registered Professional who is responsible for its design, as applicable.

PART 22 SOLID FUEL BURNING APPLIANCE PERMIT

Application Requirements

- 22.1 An application for a Permit with respect to a solid fuel burning appliance must:
- (a) be accompanied by plans showing the location of the solid fuel burning appliance including dimensions from walls or other interior structures; and
 - (b) be accompanied by the appliance and flue manufacturers specifications.

Inspections and Commissioning

22.2 The design, installation, commissioning and maintenance of a solid fuel burning appliance shall:

- (a) conform to the manufacturers specifications;
- (b) conform to the Building Code; and
- (c) be installed by a Wood Energy Technology Transfer (WETT) certified installer.

22.3 Where a solid fuel burning appliance has been installed or altered under Permit, an inspection shall be requested:

- (a) at the framing inspection, when the appliance and associated flue has been installed within a framed assembly.

Completion of Permit

22.4 Final inspection prior to the solid wood burning appliance being used shall be provided with verification of installation from a WETT certified inspector.

PART 23 EXTERIOR ENVELOPE RESTORATIONS**Application Requirements**

23.1 An application for a Permit with respect to an exterior envelope restoration must:

- (a) include a detailed floor plan and elevations highlighting changes to roofing, exterior cladding and Fenestration;
- (b) must be administered by a Registered Professional with letters of assurance for Part 3 Buildings.

Inspections

23.2 Where a Permit for an exterior envelop restoration is required, a Building or Structure shall not be used until it has been received and a letter of assurance has been provided by the Registered Professional who is responsible for its design, as applicable.

PART 24 SITE ALTERATION

24.1 Without limiting section 5.2 of this Bylaw, a person must not clear trees, remove or deposit Soil from or on the site, create a driveway access, construct a driveway, Grade a lot, construct storm water management or install on-site civil infrastructure for future construction without receiving a Permit for site alteration.

Application Requirements

24.2 An application for a Permit with respect to a site alteration must:

- (a) include a detailed site plan highlighting proposed Construction and location of temporary Structures, and applicable information outlined in Building Code s.13.5(h) for Part 3 Projects or s.13.7 (f) for Part 9 Projects; and
- (b) include a site plan that identifies any Significant Trees as defined in the RMOW Tree Protection Bylaw No. 2435, 2025 and include a plan for protective fencing, as applicable; and
- (c) include a Construction fire safety plan as per Section 5.6 of the British Columbia Fire Code, a material staging plan and a trucking route plan.

PART 25 ACCESS ROUTE FOR FIRE DEPARTMENT ACCESS

25.1 Prior to the issuance of a Permit for a Part 9 Building of multi-family or commercial Occupancy, the Owner must satisfy the Building Official that the Building or Structure for which the Permit is issued will be served by a fire access route that satisfies the following:

- (a) Whistler Fire Rescue Service vehicle access requirements in effect at the time of Permit issuance; and
- (b) A portion of a roadway or yard provided as a required access route for fire department use shall:
 - i. have a clear width not less than 6 m, unless it can be demonstrated to the satisfaction of the Fire Chief that lesser widths are satisfactory;
 - ii. have a centre-line radius not less than 12 m;
 - iii. have an overhead clearance not less than 5 m;
 - iv. have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m;
 - v. be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit access under all climatic conditions;
 - vi. have turnaround facilities for any dead-end portion of the access route more than 90 m long; and
 - vii. connect with a public thoroughfare.

Fire Department Access to Buildings

- 25.2 Prior to the issuance of a Permit for Part 9 Buildings, Whistler Fire Rescue Service personnel access shall be provided as follows:
- (a) for a Building or Structure provided with a fire department connection, a fire department pumper vehicle (Fire Vehicle) must be able to be located within 45 m of a fire hydrant; or
 - (b) for a Building not provided with a fire department connection,
 - i. a Fire Vehicle can be located so that the length of the access route from a hydrant to the Fire Vehicle plus the unobstructed path of travel for the firefighter from the Fire Vehicle to the Building is not more than 90 m; and
 - ii. the unobstructed path of travel for the firefighter from the Fire Vehicle to the Building is not more than 45 m.
- 25.3 The unobstructed path of travel for the firefighter required by section 25.2 from the Fire Vehicle to the Building shall be measured from the Fire Vehicle to the fire department connection provided for the Building, except that if no fire department connection is provided, the path of travel shall be measured to the principal entrance of the Building.
- 25.4 If a portion of a Building is completely cut off from the remainder of the Building so that there is no access to the remainder of the Building, the access routes required by section 25.3 shall be located so that the unobstructed path of travel from the Fire Vehicle to one entrance of each portion of the Building is not more than 45 m.
- 25.5 Where fire department access cannot be adequately provided, such as a Building located on the sides of hills or not conveniently accessible by roads designed for firefighting, then the Building shall be provided with a sprinkler system designed with the appropriate NFPA standard and there must be assurance that the water supply pressure and quantity are unlikely to fail.

PART 26 FIRE FIGHTING WATER SUPPLY FOR PART 9 BUILDINGS

- 26.1 Every Part 9 Building shall be provided with adequate water supply for fire protection as follows:
- (a) be designed to meet the applicable fire flow rates as outlined in the Fire Underwriters Survey FUS calculations; or
 - (b) be fully sprinklered with a sprinkler system designed with the appropriate NFPA

standard and there must be assurance that the water supply pressure and quantity are unlikely to fail.

PART 27 CLIMATIC DATA

- 27.1 The climatic data for the design of Buildings in the RMOW shall be the data listed in the current edition of Division B - Appendix C to the Building Code for Whistler, British Columbia and the values so noted.

PART 28 ENERGY CONSERVATION and GHG EMISSIONS REDUCTION

Step Code Requirements

- 28.1 Effective January 1, 2024:

- (a) Any Part 9 Building, including auxiliary Buildings must be designed and constructed to meet the minimum performance requirements specified in Step 4 of the Step Code.
- (b) Any Part 9 Building, including auxiliary Buildings which is located on Land in respect of which Council has after January 1, 2024 approved an Owner-initiated application to amend the Zoning Bylaw to increase permitted density of residential development, or permit additional uses, must be designed and constructed to meet the minimum performance requirements specified in Step 5 of the Step Code.
- (c) Any Part 9 Building, including auxiliary Buildings which includes the construction of "in-ground basement floor area" that is excluded from gross floor area calculations under Part 5 of the Zoning Bylaw must be designed and constructed to meet the minimum performance requirements specified in Step 5 of the Step Code.
- (d) Any Part 3 Building must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Step Code.
- (e) Any residential Part 3 Building, which includes the construction of "in-ground basement floor area" that is excluded from gross floor area calculations under Part 5 of the Zoning Bylaw, must be designed and constructed to meet the minimum performance requirements specified in Step 4 of the Step Code.
- (f) Any Part 9 Building, including auxiliary Buildings must be designed and constructed to meet the minimum performance requirements specified by emissions level three (EL-3) of the Zero Carbon Step Code.
- (g) Any Part 3 Building, including auxiliary Buildings, must be designed and constructed to meet the minimum performance requirements specified by emissions level three (EL-3) of the Zero Carbon Step Code.

- 28.2 For a Part 9 or Part 3 Building or Structure that is designed in compliance with the applicable step of the Step Code but where the constructed Building or Structure does not meet the performance requirements of the applicable step of the Step Code, the Building Official may place an inspection note on the Permit file, or issue an Occupancy Permit for the Building or Structure and then may request Council to authorize the Building Official to register a Section 57 Note against title under the authority of the *Community Charter* stating that the Building or Structure has not met the design requirements for the applicable step of the Step Code.
- 28.4 The Owner of any Building subject to a requirement under section 29.1 or section 29.2 must do the following prior to the issuance of any Occupancy Permit in respect of the Building:
- (a) submit to the RMOW a BC Energy Compliance Report – As built with all sections including section “F” completed; and
 - (b) affix one of the following home energy labels to the Building in a conspicuous location, upon or near the electrical panel:
 - i. an EnerGuide Rating System label;
 - ii. a Passive House Certification; or
 - iii. a comparable home energy label acceptable to the Building Official.
- 28.5 Prior to receiving a Building Official’s written acceptance for subsection 11.37(I), the Owner shall submit a mid-Construction compliance report as prescribed within the Building Code.

PART 29 NUMBERING OF BUILDINGS

- 29.1 Immediately upon issuance of a Permit governing the Construction, Alteration or repair of a Building, or prior to and during Occupancy of a Building, the Owner or occupant must display the address number assigned to it by the RMOW:
- (a) on or over the entrance to the Building or where landscaping or Structures obscure the visibility of a Building entrance from the adjacent Highway, on the Building property within sight of the adjacent Highway; and/or
 - (b) until such time as the Building is removed from the site or has been demolished.
- 29.2 Despite section 30.1 the RMOW’s Engineering department may renumber or alter the assigned numbers in respect of any Building or any Parcel, including those already in existence or numbered.
- 29.3 Without limiting sections 30.1 or 30.2, a Building Official must, on the issuance of a Permit, designate a house number or set of house numbers related to the Building

authorized by the Permit. The Owner must post the number or numbers on the site immediately after obtaining the Permit and keep the numbers posted in a conspicuous location at all times during Construction.

- 29.4 Without limiting sections 30.1 through 30.3, on issuance of an Occupancy Permit, the Owner of the Parcel must affix the numbers permanently in a conspicuous place on the Building such that the number is visible from an adjacent Highway that is not a lane.

PART 30 OFFENCES AND ENFORCEMENT

Violations

- 30.1 Without limiting Part 6 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 \$50,000, 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.

- 30.2 Every person who fails to comply with any order or notice issued by a Building Official, or who allows a violation of this Bylaw to continue, contravenes this Bylaw.

- 30.3 Every person who commences Construction requiring a Permit without first obtaining such a Permit must, if a Stop Work Order is issued and remains outstanding for 30 days, pay an additional charge as outlined in the Fee Bylaw.

Deemed Offence

- 30.4 An Owner is deemed to have knowledge of and be liable for a violation of this Bylaw and subject to the penalties under section 31.1 of this Bylaw in respect of any Construction on the Parcel the Owner owns and includes any Change of Use or Occupancy of a Building or Structure or part of a Building or Structure on that Parcel.

- 30.5 No person is liable for a violation of this Bylaw under Section 31.4 who establishes, on a balance of probabilities, that the Construction or Change of Use or Occupancy occurred before they became the Owner of the Parcel.

- 30.6 Nothing in Section 31.5 affects:

- (a) the RMOW's right to require an Owner to correct Construction that was undertaken in violation of this Bylaw before that person became the Owner of the Parcel;
- (b) the Owner's obligation to obtain a Permit to correct Construction that was undertaken in violation of this Bylaw before that person became the Owner of the Parcel; and
- (c) the obligation of the Owner to otherwise comply with this Bylaw in respect of Construction or a Change of Use or Occupancy that occurred before they became the Owner of the Parcel.

Ticketing

- 30.7 The offences in the RMOW's Municipal Ticket Information System Implementation Bylaw No. 1719, 2005 and the Bylaw Notice Enforcement Bylaw No. 2174, 2018, as amended or replaced from time to time, are designated for enforcement under Section 264 of the *Community Charter*.

PART 31 INTERPRETATION

- 31.1 Every reference to this Bylaw in this or another Bylaw of the RMOW is a reference to this Bylaw as amended to the date of the reference.
- 31.2 Every reference to:
- (a) the Building Code is a reference to the current edition as of the date of application for the 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.
- 31.3 Where any provincial act or regulation or any other RMOW Bylaw may apply to any matter covered by this Bylaw, compliance with this Bylaw shall not relieve the Owner or their Agent from complying with provisions of such other act, regulation or Bylaw.
- 31.4 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.

PART 32 DEFINITIONS

- 32.1 In this Bylaw the following words and terms have the meanings as set out in the Building Code as of the date of the adoption of this Bylaw:

- (a) Section 1.2.1.1: alternative solutions; and
- (b) Section 1.4.1.2.: Accessible, Assembly Occupancy, Building Area, Building Height, Business and Personal Services Occupancy, Care Occupancy, Constructor, Coordinating Registered Professional, Designer, Detention Occupancy, Dwelling Unit, 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, Unsafe Condition or Vapour Barrier.

32.2 Subject to this Bylaw, the definitions set out in the Schedule to the *Community Charter* for: Assessed Value, Highway, Land, Occupier, Parcel, Service and Soil; and

32.3 Every reference to this Bylaw in this or another bylaw of the RMOW is a reference to this Bylaw as amended to the date of reference.

32.4 In this Bylaw, all words or phrases shall have their common meaning except where changed, modified, or expanded by the definitions set forth in this section.

“Above Ground Pool” means an engineered, factory-built kit designed for swimming, bathing or wading.

“Accepted” means, in respect of the functions of the Building Official, reviewed and approved 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, as well as any addition to a plumbing system by adding any new plumbing fixtures, plumbing systems, or piping systems.

“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 Construction within the limitations of their licence.

“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, as well as any

change, repair, relocation, removal, or modification of plumbing On-site Services, plumbing systems or piping systems.

“Building” means any Construction used or intended for supporting or sheltering any use or occupancy, including a Manufactured Home.

“Building Code” means the *British Columbia Building and Plumbing Code*.

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

“Bylaw Officer” means a person who holds that position at the RMOW and has been so authorized by the Council of the RMOW pursuant to the *Police Act*.

“Fees Bylaw” means the RMOW Fees Bylaw No. 2483, 2025, as amended or replaced from time to time.

“Change of Use or Occupancy” means changing the use of a Building, or portion of a Building, to an alternative use, even if no Construction or Alterations are anticipated.

“Construct” or “Construction” includes to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate, or shore.

“Deficiencies” means the list of items that need to be resolved for a Permit to demonstrate compliance to the Building Code to allow the Building Official to issue the Permit.

“Development Permit or Development Variance Permit or Board of Variance Order” means a permit that is issued by the RMOW for a proposed development to evidence that it meets the policies and objectives of the Official Community Plan (OCP) and satisfies all requirements in the Zoning Bylaw.

“Not Safe to Occupy Notice” means a notice issued by a Building Official or the Fire Chief requiring every person to immediately cease Occupancy of a Building or Structure due to an Unsafe Condition.

“Existing Building” means the portion of a Building constructed with a Permit prior to the submission of a Permit application required under this Bylaw.

“Expired” means a condition of Permit issuance where the rights of the Owner under that Permit are terminated, typically through the passage of time.

“Fenestration”, means the arrangement, proportioning, and design of windows, doors and skylights in a Building.

“File Completion Notice” means a document that confirms that the Construction completed under the Permit complies with this and other applicable RMOW Bylaws, where an Occupancy Permit cannot be supplied.

“Fire Chief” means the person in charge of the Whistler Fire Rescue Service.

“Flood Plain”, means a Parcel of Land or portion of any Parcel of Land lying at an elevation equal to or less than the flood Construction level as established by RMOW Bylaws.

“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, which includes a wide range gases that trap heat in the atmosphere increasing the average temperature and causing climate change.

“Health and Safety Aspects 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.

“Hot Tub” means an above ground, free standing Structure used or intended to be used for swimming, bathing, or wading, which is designed to contain water.

“Inter-modal Containers” means a large metal box, in the shape of a rectangular parallelepiped, designed and used to transport goods from one port to another by road, rail, sea, or air, also called freight shipping; except when used for storage is considered a Structure.

“Land Surveyor” means a person registered as a British Columbia land surveyor or a certified member of the Applied Science Technologists and Technicians of British Columbia who is registered in site improvement surveys (RSIS).

“Manufactured Home” means Mobile Home and Modular Home.

“Mobile Home” means a pre-manufactured home constructed to the requirements of the CSA-Z240MH Series-16 or any preceding or replacement standard.

“Modular Home” means a home conforming to the requirements of the CSA A277, "Procedure for certification of prefabricated buildings, modules, and panels" or any preceding or replacement standard for certified factory-built homes.

“Monitored” means the method by which a Building Official may review the process of Field Reviews as conducted by Registered Professionals pursuant to the Building Code and this Bylaw and other applicable enactments:

- (a) the monitoring function is satisfied by the Building Official's receipt of the applicable letters of assurance submitted by the Registered Professional and as referred to in Section 2.6 of Part 2 of the Building Code;
- (b) although a Building Official may review Registered Professionals' field inspection reports to ascertain Field Review frequency or visit a site from time to time to verify that Registered Professional Field Reviews are taking place, the Building Official is under no duty to do so; and
- (c) monitoring does not include assessment of compliance with the Building Code, this Bylaw or any other enactments, or the approval of any aspects of Construction.

Monitoring does not include assessment of compliance with the Building Code, this Bylaw or any other enactments, or the approval of any aspect of Construction.

“Municipal Works” means all RMOW owned property, including all public infrastructure.

“Occupancy Permit” means a document or File Completion Notice issued by the RMOW confirming that a Building or Structure is safe for the use(s), specified by the Owner and all supporting documentation has been submitted and complies with this and other RMOW Bylaws.

“On-site Services” means utilities and features, which provide for servicing a Project within the property on which it is located and includes water Service piping and distribution systems, storm and sanitary sewer collection, access roads, natural gas, electric, and cable.

“Off-site Services” means Services required pursuant to the RMOW Subdivision servicing guidelines of the day that are required to be located on a public road, public Land, or statutory right-of-way at final approval of the subdivision or development.

“Owner” means the registered Owner of an estate in fee simple of Land, or an Agent duly authorized by the Owner in writing in the prescribed form, and where the context or circumstances so require:

- (a) a tenant for life under a registered life estate;
- (b) a registered holder of an agreement for sale;
- (c) a holder or Occupier of Land held in the manner in accordance with the *Community Charter*; or
- (d) a lessee with authority to build on Land.

“Partial Occupancy Permit” means an Occupancy Permit for a portion of a Building or Structure where the conditions in section 11.60 to 11.63 have been met.

“Part 3 Building” means:

- (a) a Building used for a Major Occupancy classified as:
 - i. Assembly Occupancy;
 - ii. Care or Detention Occupancy;
 - iii. High-Hazard Industrial Occupancy;
 - iv. Treatment Occupancy; or
 - v. Post-Disaster Occupancy; or
- (b) a Building exceeding 600m² 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.

“Part 9 Building” means a Building of three storeys or less in Building Height, having a Building Area not exceeding 600m² and used for a Major Occupancy classified as:

- (a) Residential Occupancy;
- (b) Business and Personal Services Occupancy;
- (c) Mercantile Occupancy; or
Medium and Low Hazard Industrial Occupancy.

“Permit” means permission or authorization in writing by the Building Official to perform Construction or site alteration activities regulated by this Bylaw.

“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 600mm, and greater than 7.5 square metres in size and also includes Above Ground Pool and Hot Tub as stipulated in Part 17.

“Professional Design” means the plans and supporting documents bearing the date, seal or stamp, and signature of a Registered Professional.

“Project” means any Construction operation.

“Qualified Person” means a person with appropriate certification to provide assurance that the Alternative Solution meets the requirements of the Building Code and this Bylaw;

“Qualified Plumber” means a person who holds a current certificate of qualification issued by the Province of British Columbia as a journeyman plumber for which a statement of compliance and assurance is being provided pursuant to the Certificate of Plumbing Test.

“Retaining Wall” means any Structure other than a Building that holds or retains Soil or other earth material behind it.

“Step Code” means the BC Energy Step Code as referenced in the Building Code Section 9.36.6, as amended from time to time.

“Stop Work Order” means an order issued by the Building Official or Bylaw Officer requiring the immediate suspension or correction of all or a portion of the Construction on a Building or Structure.

“Storage Racking System” means a system greater than 2.6 m in height that is generally machine loaded for commercial or industrial uses.

“Structure” means Construction or portion of Construction, of any kind, whether fixed to, supported by or sunk into Land, airspace or water, and includes Foundations or supporting frame Construction for exterior signs, equipment and machinery, interior storage racking greater than 2.6 m in height, tents, Retaining Walls, Inter-modal Containers, and Pool fences, but specifically excludes paving, fences and landscaping.

“Temporary Building” includes any temporary sales office, Construction office or a Structure in which tools are stored during Construction of a Building or other Structure.

“Zero Carbon Step Code” means the BC Energy Step Code as it relates to GHG emissions as referenced in the Building Code Section 9.37, as amended from time to time

“Zoning Bylaw” means the RMOW Zoning and Parking Bylaw No. 303, 2015, as amended or replaced from time to time.

PART 33 REPEAL

33.1 The RMOW “Building and Plumbing Regulation Bylaw No. 1617 2002” is repealed.

PART 34 IN FORCE

34.1 This Bylaw shall be effective from the date of adoption.

GIVEN FIRST, SECOND AND THIRD READINGS this ____ day of _____, 2025.

ADOPTED this ____ day of _____, 2025.

Jack Crompton
Mayor

Pauline Lysaght
Corporate Officer

I HEREBY CERTIFY that this is a
true copy of “Building Regulation
Bylaw No. 2482, 2025”.
