



District of West Vancouver

## **Building Bylaw Bylaw No. 4400, 2004**

Effective Date – December 15, 2004

### **Consolidated for Convenience Only**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

<b>Amendment Bylaw</b>	<b>Effective Date</b>
Bylaw No. 4970, 2018	March 12, 2018
Bylaw No. 4961, 2018	July 1, 2018
Bylaw No. 4933, 2017	March 27, 2017
Bylaw No. 4798, 2014	October 6, 2014
Bylaw No. 4729, 2013	May 13, 2013
Bylaw No. 4720, 2012	July 2, 2012
Bylaw No. 4704, 2011	November 28, 2011
Bylaw No. 4698, 2011	November 28, 2011
Bylaw No. 4685, 2011	May 19, 2011
Bylaw No. 4663, 2010	December 6, 2010
Bylaw No. 4542, 2008	March 3, 2008
*Bylaw No. 4521, 2007	October 22, 2007

*(\*Bylaw 4521 is "Regulatory Bylaw Enforcement and Penalty Amending Bylaw 4521, 2007" which amended several bylaws including Building Bylaw 4400, 2004)*

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Building Bylaw No. 4400, 2004). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

# Consolidated Building Bylaw No. 4400, 2004

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# **Consolidated Building Bylaw No. 4400, 2004**

Amendment  
Bylaw No.  
4961, 2018

A Bylaw to provide for health, safety and protection of persons and property, and the conservation of energy.

Previous amendments: *Amendment Bylaws 4970, 4961, 4521, 4542, 4663, 4685, 4698, 4704, 4720, 4729, 4798, and 4933.*

AND WHEREAS the Province of British Columbia has adopted a *Building Code* to govern standards in respect of the *Construction of Buildings* in the Province;

WHEREAS it is deemed necessary to provide for the administration of the *Building Code*;

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

## **Part 1 Citation**

- 1.1 This bylaw may be cited as Building Bylaw No. 4400, 2004.

## **Part 2 Severability**

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, clause or phrase.

## **Part 3 Previous Bylaw Repeal**

- 3.1 Building Bylaw No. 2473, 1973, Plumbing Bylaw No. 2474, 1973 and Electrical Inspection Safety Bylaw No. 3848, 1993, each as amended, are repealed.

## Part 4 Definitions

### 4.1 In this bylaw:

"**Agent**" includes a person, firm, or corporation representing the Owner, by written designation or contract;

"**BCLS**" means British Columbia Land Surveyor;

"**Building**" means any *Structure* used or intended for supporting or sheltering any use or occupancy;

Amendment  
Bylaw No.  
4720, 2012

"**Building Code**" means the current edition of the British Columbia Building Code as adopted by the minister, and as amended or re-enacted from time to time;

Amendment  
Bylaw No.  
4720, 2012

"**Building Inspector**" means the Building Inspector, Plumbing Inspector, Electrical Inspector, Manager of Permits and Inspections, Supervisor of Inspections, Bylaw Officer, or other persons designated by Council to act in place of the Building Inspector;

"**Construct**" means erect, repair, alter, add, demolish, remove, excavate, and shore;

Amendment  
Bylaw No.  
4720, 2012

"**Construction**" means erection, repair, alteration, addition, demolition, move, remove, excavation and shoring;

"**Construction, Major Project**" means a construction project having a construction value exceeding \$500,000;

Amendment  
Bylaw No.  
4542, 2008

"**Construction Value**" means the greater of declared value of the work provided by the applicant or the value of the work calculated by the Manager of Permits and Inspections using accepted current costing guides such as the Altus Helyar Construction Cost Guide. In the event the applicant does not agree with the value determined by the Manager of Permits and Inspections, the applicant may, prior to payment of the fees and issuance of the Permit, retain a professional Quantity Surveyor registered in British Columbia to provide a written estimate of the value of the work, in which event "Construction Value" will mean the value of the work as estimated by the Quantity Surveyor;

"**Homeowner Protection Office (HPO)**" means the Crown Corporation responsible for contractor licencing and warranty related to residential development;

Amendment  
Bylaw No.  
4720, 2012

**“Letters of Assurance”** means the schedules A; B; C-A and C-B as per the *Building Code* outlining the responsibilities and commitments of the *Registered Professionals*;

**“Owner”** means owner as defined in the *Community Charter*;

Amendment  
Bylaw No.  
4720, 2012

**“Owner’s Acknowledgement”** means a form completed by the Owner acknowledging responsibility for Construction as per Schedule B of this bylaw;

**“Part 3 Building”** means a class of *Building* as defined by the Building Code, which requires the engagement of *Registered Professionals*;

**“Part 9 Building”** means a class of *Building* as defined in the *Building Code*, which may require limited engagement of *Registered Professionals*;

**“Permit”** means Building Permit, Plumbing Permit, Drainage Permit, Sprinkler Permit, Hot Water Heating Permit, or Electrical Permit;

**“Pool”** includes swimming pools, hot tubs, or other water features where the depth of the water exceeds 450mm;

**“Professional Design”** means design and field review by *Registered Professionals* to include sealed plans, and *Letters of Assurance*;

**“Registered Professionals”** means an architect or engineer registered in British Columbia with the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of B.C.;

**“Safety Manager”** means the local safety manager responsible for the delivery of electrical inspection services in the District as per the *Safety Standards Act* and associated regulations;

**“Safety Officer”** means the local safety officer responsible for the delivery of electrical inspection services in the District as per the *Safety Standards Act* and associated regulations;

Amendment  
Bylaw No.  
4729, 2013

**“Structure”** means any *Construction* supported on the ground or on water and includes: *Buildings*, *Pools*, retaining walls, garden walls, but excludes fences, and retaining walls less than 1.2m in exposed height.

Amendment Bylaw No. 4961, 2018 **“Zoning Bylaw”** means the bylaw regulating land use adopted by the Council of the Corporation of the District of West Vancouver, and as amended or re-enacted from time to time.

4.2 Subject to S. 4.1 of this bylaw words and phrases have the same meaning as those specified in the *Building Code*.

## Part 5 General Prohibitions

5.1 No Construction of any *Building* or *Structure*, or part thereof, shall be carried out without a *Permit* being first obtained from the *Building Inspector*.

5.2 No person shall tamper with any notice posted or affixed to any *Building* pursuant to any provision of this Bylaw.

Amendment  
Bylaw No.  
4729, 2013

5.3 No person shall use or occupy any new *Building* or part thereof until an approval for occupancy has been granted by the *Building Inspector*.

5.4 No person shall do any work that is at variance with the approved plans or *Permits*, unless such change has been approved in writing by the *Building Inspector*.

5.5 No Person shall obstruct the entry of the *Building Inspector* acting in the conduct of administration and enforcement of this Bylaw.

5.6 No Person shall alter the approved plans or any documentation or *Permits* issued by the *Building Inspector*.

5.7 No Person may submit false or misleading information in relation to a *Permit* or an application under this Bylaw.

## Part 6 Inspector Powers

6.1 The *Building Inspector* may:

6.1.1 Enter any *Building* or premises at any reasonable time for the purpose of administering or enforcing this Bylaw;

Amendment  
Bylaw No.  
4698, 2011

6.1.2 Refuse to issue a *Permit* where there is a contravention of this Bylaw or any other applicable bylaws of the Municipality;

Amendment  
Bylaw No.  
4698, 2011

6.1.3 Revoke a *Permit* where it is based on incorrect information, or there is a contravention of this Bylaw, the *Building Code*, or a *Permit*; and

- Amendment  
Bylaw No.  
4698, 2011
- 6.1.4 Suspend a *Permit*, by ordering the cessation of work, for a period of time and on terms determined by the *Building Inspector*, where there is a contravention of this Bylaw or a *Permit*;
- Amendment  
Bylaw No.  
4729, 2013
- 6.1.5 Order the cessation of work when the project is proceeding contrary to the approved traffic or storm water management plan;
- 6.1.6 Order the correction of any work where the *Construction* is not in compliance with this Bylaw or the *Building Code*, *Structure* is in an unsafe condition;
- 6.1.7 Withhold the issuance of a *Permit* not specifically covered or designated by any of the provisions of this Bylaw, until the matter has been brought before Council;
- 6.1.8 Direct that tests of materials or assemblies be made at the expense of the *Owner*, where it is necessary to determine whether the *Construction* meets the requirements of this bylaw. Testing shall be completed by an accredited nationally recognized Testing Agency;
- 6.1.9 Direct that a *Building* or *Structure*, or part thereof, not be occupied or where currently occupied be vacated where in the opinion of the *Building Inspector* a hazard exists;
- 6.1.10 Order the immediate clean up of any *Construction* site where there is *Construction* and/or demolition debris.

## Part 7 Owner Responsibilities

- 7.1 The issuance of a *Permit*, the approval of plans, or inspections made by the Building Inspector do not relieve the *Owner* from full responsibility for carrying out the work in accordance with the approved plans, *Permits*, this bylaw or the *Building Code*.
- Amendment  
Bylaw No.  
4720, 2012
- 7.2 Any *Owner* of property for which a *Permit* is issued shall be responsible for the cost of repair of any damage to Municipal works that occurs as a result of the work covered by the *Permit*. A Damage Deposit plus an administration fee will be collected prior to *Permit* issuance as per the Fees and Charges Bylaw No.4414, 2005 and as amended or re-enacted from time to time.
- 7.3 Where professional certification has been provided, the District will not perform inspections related to that aspect of the *Construction* covered by the *Letters of Assurance*. The *Building Inspector* may require the *Owner* to submit an *Owner's Acknowledgement* confirming the role of the

Municipality and the *Owner's* responsibility prior to the issuance of the *Permit*.

## Part 8 Owner Duties

- 8.1 Every *Owner* of a property or their *Agent* shall:
- 8.1.1 Obtain from the *Building Inspector* prior to commencement of work *Permits* relating to *Construction of Buildings or Structures*, or change in classification of occupancy;
  - 8.1.2 Except for the Construction of a Part 3 Building, give at least 24 hours notice to the Building Inspector and obtain inspection and Building Inspector acceptance of the following aspects of the work prior to covering:
    - Amendment Bylaw No. 4542, 2008
      - 8.1.2.1 Forms for footings and foundations;
      - 8.1.2.2 Perimeter drain tiles, rain water leaders and damp proofing;
      - 8.1.2.3 Utility services to include storm and sanitary sewer system, and water service;
      - 8.1.2.4 Concrete slab preparation prior to pour;
      - 8.1.2.5 Framing and sheathing;
      - 8.1.2.6 Rough plumbing, electrical, sprinklers and hot water heating;
      - 8.1.2.7 Insulation and vapour barrier;
    - Amendment Bylaw No. 4729, 2013
      - 8.1.2.8 Final inspection of all *Permits* issued for the construction of the *Building* or portion thereof, once complete and ready for occupancy;
      - 8.1.2.9 As may otherwise be required by the *Building Inspector*.
  - Amendment Bylaw No. 4542, 2008
    - 8.1.3 Following completion of *Construction* and prior to occupancy submit *Letters of Assurance* from the respective



*Registered Professionals* confirming design and field review responsibilities;

- |                                      |        |   |
|--------------------------------------|--------|---|
| Amendment<br>Bylaw No.<br>4729, 2013 | 8.1.4  | Obtain from the <i>Building Inspector</i> a Certificate of Occupancy prior to the occupancy of any new <i>Building</i> , after all aspects of the work have received inspection approval;                         |
| Amendment<br>Bylaw No.<br>4729, 2013 | 8.1.5  | Obtain from the <i>Building Inspector</i> approval to occupy parts of an existing <i>Building</i> , altered by a Permit, after completion, and prior to occupancy;  |
|                                      | 8.1.6  | Provide a <i>BCLS</i> survey confirming the location and height of the <i>Structure</i> as required by the <i>Building Inspector</i> ;  |
|                                      | 8.1.7  | Obtain approval from the <i>Building Inspector</i> prior to making variations to the approved plans;  |
|                                      | 8.1.8  | Post the Building Permit or a notice thereof in a conspicuous place on the property;  |
|                                      | 8.1.9  | Retain the approved plans and inspection records on the property in respect of which the <i>Permit</i> was issued;  |
|                                      | 8.1.10 | Post signage as required by the Traffic and Parking Bylaw or any other bylaw of the Municipality;   |
| Amendment<br>Bylaw No.<br>4729, 2013 | 8.1.11 | Post and maintain signage on the property during construction, specifying a responsible person and their contact information for the project;   |
|                                      | 8.1.12 | Provide toilet facilities on a <i>Construction</i> site where there are no facilities available;  |
|                                      | 8.1.13 | Secure the <i>Construction</i> site so that there is no danger to the public;   |
| Amendment<br>Bylaw No.<br>4698, 2011 | 8.1.14 | Erect and maintain a 1.8 metre metal fence around an excavation when within 3 metres of a property line. Fencing is to remain in place until the excavation has been backfilled;                                  |
|                                      | 8.1.15 | Submit to the <i>Building Inspector</i> a comprehensive list of all contractors and sub-contractors to include name, address and telephone numbers, prior to occupancy;   |
|                                      | 8.1.16 | Ensure that the emission of airborne dust from the property during demolition, excavation or construction is controlled from migrating to adjacent properties by the use of water or other dust control measures; |

Amendment Bylaw No. 4698, 2011	8.1.17	Ensure that debris, construction material, soil or water from the property during demolition, excavation or construction is contained within the property boundaries.
Amendment Bylaw No. 4720, 2012	8.1.18	Ensure that the details and conditions of the Traffic Management Plan are adhered to;
Amendment Bylaw No. 4720, 2012	8.1.19	Ensure the Traffic Management Plan is available on site during construction.

## Part 9 Building Permits

### 9.1 The *Permit* application shall include:

	9.1.1	A completed application form signed by the <i>Owner</i> or <i>Agent</i> to include location, description, <i>Construction Value</i> , use, <i>Owner</i> name, contractor and designer;
Amendment Bylaw No. 4720, 2012	9.1.2	Two collated sets of drawings for Part 9 buildings and four sets for Part 3 buildings. Drawings are to include architectural, structural, mechanical, and electrical plans;
	9.1.3	A title search;
Amendment Bylaw No. 4720, 2012	9.1.4	A BCLS legal survey showing all improvements on the lot, topographical information referenced to the geodetic datum, easements, rights of ways, creeks, adjacent roads and lane allowances, waterfront boundaries, accretions, trees, hedges and other structures on adjoining boulevards and rights of ways;
	9.1.5	Confirmation of contractor licencing and warranty coverage as required by the <i>Homeowner Protection Office</i> ;
	9.1.6	<i>Letters of Assurance</i> as required by the <i>Building Code</i> and other parts of this Bylaw;
Amendment Bylaw No. 4720, 2012	9.1.7	Declaration of liability insurance coverage for each <i>Registered Professional</i> with coverage and limits adequate to allow the District to recover costs related to professional liability or errors and omissions, as per Schedule C of this Bylaw;
Amendment Bylaw No. 4720, 2012	9.1.8	<i>Owners Acknowledgement</i> of responsibility for Part 3 <i>Buildings</i> as defined by the <i>Building Code</i> , as per Schedule B of this Bylaw;
	9.1.9	Offsite engineering design as may be required by the land development engineer or designate;

- Amendment  
Bylaw No.  
4720, 2012
- 9.1.10 The name and contact information of a responsible person who can be contacted during construction;
- 9.1.11 A traffic management plan for all *Major Construction Projects*;
- Amendment  
Bylaw No.  
4720, 2012
- 9.1.12 A storm water management plan prepared by a Professional Engineer;
- Amendment  
Bylaw No.  
4720, 2012
- 9.1.13 A plan and profile drawing for the driveway including dimensions and elevations;
- Amendment  
Bylaw No.  
4720, 2012
- 9.1.14 A landscape and grading plan showing details of any work proposed on District right of ways or lands or on the adjoining boulevard;
- 9.1.15 Site profile where required by Provincial Regulations;
- Amendment  
Bylaw No.  
4961, 2018
- 9.1.16 Sufficient documentation to demonstrate compliance with the Energy Step Code, defined by the *Building Code* and specified by S. 9.7 and S. 9.8 of this Bylaw, to the satisfaction of the *Building Inspector*;
- 9.1.17 Other information as determined by the *Building Inspector* which may be required in order to confirm that the work is in accordance with this Bylaw, other Municipal bylaws and Provincial enactments;
- 9.1.18 Submission of any of the above information is not required where it can be demonstrated to the *Building Inspector* that the information is not pertinent to the application;
- Amendment  
Bylaw No.  
4720, 2012
- 9.1.19 All fees and deposits as per the Fees and Charges Bylaw No. 4414, 2005 and as amended or re-enacted from time to time and applicable fees related to other bylaws of the Municipality.
- 9.2 Notwithstanding other provisions of this Bylaw, the *Owner* must provide *Professional Design* and field review including evidence of professional liability insurance for all *Registered Professionals* in respect of a *Permit* for:
- Amendment  
Bylaw No.  
4720, 2012
- 9.2.1 A Part 3 *Building* as defined by the *Building Code*;
- 9.2.2 Structural components of *Buildings* that fall within the scope of Part 4 of the *Building Code*;
- 9.2.3 Geotechnical components of all new Part 9 *Buildings* and additions greater than 55 sq. m. and excavations where the depth of excavation exceeds 1:1 slope to the property line;

Amendment  
Bylaw No.  
4729, 2013

- 9.2.4 A *Building* that requires the use of firewalls according to the *Building Code*;
- 9.2.5 Alterations to a *Building* or *Structure* falling under the circumstances set out in 9.2.1 above unless exempted by the *Building Inspector*;
- 9.2.6 A *Building* or *Structure* where the *Building Inspector* determines that site conditions, size or complexity so warrant;
- 9.2.7 All residential *Buildings* that contain more than two dwelling units, and all other *Buildings* whose *Building* envelopes do not comply with the prescriptive requirements of Part 9 of the *Building Code* or where no roof overhangs are provided unless waived by the *Building Inspector*;
- 9.2.8 A *Building* or *Structure* on a parcel the *Building Inspector* believes is subject to or is likely to be subject to flooding, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for *Professional Design* and a field review is in addition to a requirement under the *Community Charter* for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended and that the plans submitted with the application comply with the relevant provisions of the *Building Code* and applicable bylaws of the District;
- 9.2.9 Retaining walls where the wall is in excess of 1.22m in exposed height; the wall exceeds a slope of 2H to 1V; the wall is composed of two or more parallel walls located closer than 2H to 1V.
- 9.3 Where a *Registered Professional* provides *Letters of Assurance* in accordance with this Bylaw, the District will rely solely on the design and field reviews undertaken by the *Registered Professional* as assurance that the *Construction* substantially conforms to the approved plans, the *Building Code* and other Provincial regulations.
- 9.4 Inspections completed by the Municipality only apply to specific aspects of the work and in no way are intended to cover all aspects of the *Construction*. Ultimate responsibility for compliance with the *Building Code* and other Federal and Provincial enactments rests with the *Owner*.
- Amendment  
Bylaw No.  
4542, 2008
- 9.5 Where existing *Structures* have been damaged or demolished such that only 25% of the existing *Structure* remains above the foundations, the entire *Structure* shall be demolished.

9.6 All mechanical equipment to include fans, compressors, pumps, HVAC units etc. are subject to the noise limitations as stipulated in District bylaws and policies.

Amendment  
Bylaw No.  
4961, 2018

9.7 A new *Building* used for Residential Occupancies shall be designed to meet the specified requirements of the Energy Step Code defined by the *Building Code*:

9.7.1 Step 3 for a Part 9 *Building*;

9.7.2 Notwithstanding S. 9.7.1 of this Bylaw, Step 1 for a Detached secondary suite as defined by the *Zoning Bylaw*;

9.7.3 Step 2 for a Part 3 *Building*;

9.7.4 Notwithstanding S. 9.7.3. of this Bylaw and effective October 28, 2018, Step 3 for a Part 3 Dwelling, single family as defined by the *Zoning Bylaw*.

Amendment  
Bylaw No.  
4961, 2018

9.8 A new Part 3 *Building* used for Business and Personal Services or Mercantile Occupancies shall be designed to meet the requirements of Step 1 of the Energy Step Code defined by the *Building Code*.

Amendment  
Bylaw No.  
4729, 2013

## Part 10 Plumbing Permits

10.1 Mechanical Permits refer to plumbing, sprinkler, drainage and hot water heating permits.

10.2 The *Permit* application shall include:

10.2.1 Complete application detailing, the number and type of fixtures, heating capacity and/or the number of sprinkler heads;

10.2.2 Two sets of plans for commercial or multi-family installations;

10.2.3 A *Letter of Assurance* for Part 3 *Buildings* unless exempted by the *Building Inspector*;

10.2.4 A *Letter of Assurance* for all sprinkler installations;

10.2.5 Calculations and a Certificate of Design for all hot water heating installations. Design and installation to be in accordance with the

- current TECA (Thermal Environmental Comfort Association) standards;
- 10.2.6 Fees as per the Fees and Charges Bylaw No. 4414, 2005 and as amended or re-enacted from time to time;
  - 10.2.7 Evidence of trade qualification where required by Provincial legislation.
- 10.3 Rock pits for storm water management are to be designed and certified by a professional engineer. A Geotechnical Report is to be submitted to the Building Inspector prior to issuance and shall include an impact assessment on neighbouring properties.
  - 10.4 All utility services are to be connected to Municipal services where available unless exempted by the Director of Engineering and Transportation.
  - 10.5 All roof and paved areas are to drain to a storm water connection or where unavailable to an approved storm water disposal location.
  - 10.6 All storm drains are to discharge to the Municipal storm sewer or where unavailable to an approved storm water disposal location. Storm drains shall not be connected to the sanitary sewer system.
  - 10.7 Private sanitary sewage disposal systems are to be approved by the local health board where no sanitary connection is available.
  - 10.8 *Pool* drains are to be connected to the Municipal sanitary sewer.
  - 10.9 A Plumbing Permit may be issued to a homeowner for work on their own home provided proof of competency is demonstrated.
  - 10.10 A drainage permit is required for the installation and inspection of drain tile, foundation damproofing, building sanitary and storm sewers and on-site building water service lines.

## **Part 11 Electrical Permits**

- 11.1 Electrical Permits are issued to qualified persons in accordance with the provisions of the *Safety Standards Act* and associated regulations. Electrical Permits may also be issued to a homeowner for work on their own home as per Section 17 of the Electrical Safety Regulation.

- 11.2 All work is to be done in accordance with the *Canadian Electrical Code*, the *Safety Standards Act* and associated regulations.
- 11.3 The Manager of Permits and Inspections is deemed to be the Local Safety Manager and the Electrical Inspector is deemed to be the Local Safety Officer in accordance with the provisions of the *Safety Standards Act* and associated regulations.
- Amendment Bylaw No. 4720, 2012 11.4 *Permit* fees are payable in accordance with the Fees and Charges Bylaw No. 4414, 2005 and as amended or re-enacted from time to time;
- 11.5 Where there is a conflict between this Bylaw and the *Safety Standards Act* and associated regulations the latter governs.

## Part 12 General Permit Regulations

- 12.1 The application shall be void and the deposit forfeited if a *Permit* is not obtained within 6 months of the date of the application;
- Amendment Bylaw No. 4729, 2013 12.2 Where unauthorized works are started prior to the issuance of the *Permit* or when work is proceeding without required inspection approvals, or where work has proceeded beyond the scope of the approved *Building Permit* plans, or where a Stop Work Order is posted, a penalty of double the fees prescribed in the Fees and Charges Bylaw shall be paid to a maximum additional fee of \$2,000 with a minimum additional fee of \$300;
- 12.3 *Permits* are valid for a maximum period of 18 months except for a Demolition Permit which is valid for a period of 30 days;
- Amendment Bylaw No. 4698, 2011 12.4 The *Building Inspector* may authorize a 6 month extension to a *Permit* as follows:
- (a) For *Major construction projects*, the *Building Inspector* may authorize a single 6 month extension without charge where, in the opinion of the *Building Inspector*, work has proceeded in a timely manner and all other terms of this Bylaw and the *Permit* have been complied with;
- (b) In all other cases, upon written request of the *Owner*, and payment of applicable fees;
- Amendment Bylaw No. 4720, 2012 12.5 *Permits* are non-transferable. When a property changes ownership and has work, authorized by a *Permit*, which is not complete, it is the responsibility of the new owner to take out the necessary permits to complete the work. The fee for the new *Permit* to continue the work is based on the *Construction Value* to complete the work;

- 12.6 Permits shall be void if *Construction* has not begun within six months of the date of *Permit* issuance or where *Construction* is suspended for a period exceeding six months;
- 12.7 Upon written request from the *Owner*, 50% of the *Permit* fees may be refunded where the *Permit* is cancelled or voided, however no refunds shall be made where work has commenced;
- 12.8 The issuance of a *Permit* and the acceptance of drawings shall not prevent the *Building Inspector* from thereafter requiring the correction of any work which is in contravention of this Bylaw and the *Building Code* or other Municipal bylaw;
- 12.9 Plans and any supporting documentation submitted in support of a *Permit* shall become the property of the District;
- 12.10 It is a term and condition of every *Permit* that all construction-related bylaws of the Municipality shall be complied with, including, but not limited to, this Bylaw, the Blasting Bylaw No. 4024, 1996, the Noise Control Bylaw No. 4404, 2005, the Soil Removal and Deposit Regulation Bylaw No. 3786, 1992, and the Traffic and Parking Bylaw No. 4370, 2004, as amended from time to time.

### Part 13 Occupancy

- Amendment Bylaw No. 4729, 2013
- 13.1 No *Building* or *Structure*, or portion thereof, is to be occupied until approval to do so is granted by the Building Inspector and is subject to all *Permits* receiving final inspection approval;
- Amendment Bylaw No. 4729, 2013
- 13.2 A Certificate of Occupancy is only issued for the *Construction* of a new Building.

### Part 14 Climatic Data

- Amendment Bylaw No. 4720, 2012
- 14.1 Climatic Data has been consolidated from the Appendix to the *Building Code* and from Environment Canada and is appended for convenience as Schedule A.

### Part 15 Street Addressing

- 15.1 The *Building Inspector* may:
- 15.1.1 Assign new civic addresses to new *Buildings* and readdress existing *Buildings*;



Amendment  
Bylaw No.  
4720, 2012

- 15.1.2 An *Owner* may apply to the *Building Inspector* for a civic address subject to payment of the fees in the Fees and Charges Bylaw No. 4414, 2005 and as amended or re-enacted from time to time. The Inspector may waive the fee where it can be demonstrated that the existing address is not clear or provides for better property identification;
- 15.1.3 An *Owner* shall post the civic address in a conspicuous location so as to be clearly visible from the street. Letter size is to be a minimum of 100mm.

## Part 16 Awnings and Canopies

- 16.1 Any awning or canopy projecting over public property shall:
  - 16.1.1 Not have any supports extending to the street;
  - 16.1.2 Be at least 2.4m clear of the finished grade and at least 600mm clear of the curb line;
  - 16.1.3 Not be permitted over an opened lane;
  - 16.1.4 Not interfere with fire escapes, traffic, utilities, or Municipal works.
- 16.2 All canopies shall be adequately drained.
- 16.3 Awnings shall be supported by a metal framework, firmly secured to a *Building*, and the awning fabric shall be fire resistant.
- 16.4 Permanent or temporary outdoor heating appliances shall maintain a minimum clearance of 450mm to combustibles.
- 16.5 A Letter of Assurance from a registered Professional Engineer is required for all awnings or canopies erected on or over District property.

Amendment  
Bylaw No.  
4542, 2008

Amendment  
Bylaw No.  
4663, 2010

## Part 17 Secondary Suites

17.1 A secondary suite constructed after March 1, 2010 in a new or existing dwelling must comply with the requirements of the current edition of the British Columbia Building Code.

Amendment  
Bylaw No.  
4704, 2011

17.2 An existing secondary suite which has not made an application for a Business Licence prior to May 31, 2012 must comply with the requirements of the current edition of the British Columbia Building Code.

Amendment  
Bylaw No.  
4704, 2011

17.3 An existing secondary suite which has made an application for a Business Licence prior to May 31, 2012 shall comply with the following alternative life safety standards. The secondary suite shall have:

17.3.1 A hard wired combination smoke and carbon monoxide alarm interconnected with a similar type alarm in the dwelling unit;

17.3.2 A minimum headroom height of 2 metres;

17.3.3 A 5 lb ABC fire extinguisher;

17.3.4 An egress door or window in each bedroom. The window must be within 1.5 metres of the floor and have an unobstructed opening of not less than .35 m<sup>2</sup> in area with no dimension less than 380 mm. *The requirement of this subsection is waived if the entire building including the secondary suite is sprinklered;*

17.3.5 Access to the electrical panel serving the secondary suite;

17.3.6 A permanent heating source in every room of the suite;

17.3.7 Any additional life safety hazards corrected that are identified by the Bylaw Officer.

## Part 18 Pools

18.1 Every private swimming *Pool* shall be enclosed by a fence not less than 1067mm in height which shall enclose the *Pool* itself or the entire premises on which the *Pool* is situated. The fence shall be continuous except for points of access, which shall be equipped with gates and latches so designed to close automatically or by a manual actuated closing device. Openings through the fence shall be of a size as to prevent the passage of a spherical object having a diameter of 100mm.

Amendment  
Bylaw No.  
4729, 2013

18.2 The maximum distance between the pool water and the adjacent surface of a negative edge pool is 1070mm, provided the lower walkway is a

minimum 760 mm in width. All other drops around a pool or pool deck must comply with the *Building Code*.

## Part 19 Street Occupancy and Damage

- 19.1 All Construction which encroaches on Municipal property shall be approved by the District's Engineering Department. The *Owner* must obtain a Street Occupancy Permit and pay the applicable fee.
- 19.2 All damage to Municipal infrastructure is the responsibility of the *Owner*. Where there is the likelihood of damage to Municipal infrastructure a damage deposit and an administration fee as per the Fees and Charges Bylaw No. 4414, 2005 as amended or re-enacted from time to time is to be paid prior to the issuance of a *Permit*

Amendment  
Bylaw No.  
4720, 2012

## Part 20 Demolition Permits

Amendment  
Bylaw No.  
4798, 2014  
(Entire Part 20)

- 20.1 Every applicant for a demolition permit will:
- 20.1.1 comply with section 9.1.1, 9.1.3 and 9.1.4;
  - 20.1.2 pay the permit fee specified in the Fees and Charges bylaw;
  - 20.1.3 submit a completed application by the Owner or Agent;
  - 20.1.4 provide written authorization from all owner(s) to apply for and obtain a demolition permit; and
  - 20.1.5 provide a scope of work signed by the Owner or Agent and the demolition contractor.
- 20.2 Every Demolition Permit is issued with the terms and conditions that the Owner or Agent must:
- 20.2.1 immediately upon completion of demolition back fill the site and make the site level based on the grades indicated on topographical survey required pursuant to section 9.1.4;
  - 20.2.2 install erosion and sediment controls as approved by District's Director of Engineering or his or her designate (the "Municipal Engineer") within a time specified by the Municipal Engineer;
  - 20.2.3 remove all debris from the Site and lay sod or seed grass immediately after the backfilling;

- 20.2.4 ensure that all municipal services are capped and terminated at the property line in a District standard inspection chamber and valve arrangement;
  - 20.2.5 remove all gypsum board and other recyclable materials from the building, separate from other debris, dispose of it in accordance with the applicable provincial regulations;
  - 20.2.6 provide to the Building Inspector a declaration on a form prescribed by the Building Inspector declaring that the demolition debris has been disposed of in accordance with all applicable regulations.
- 20.3 The Building Inspector may waive one or more of the conditions set out in sections 20.2.1 to 20.2.3 provided that a building permit to construct a new building has been issued for the same property and the Building Inspector may relax the time for compliance with any of the conditions set out in section 20.2.
- 20.4 Every applicant for a demolition permit will deposit with the District cash or an irrevocable letter of credit in a form satisfactory to the District's Chief Financial Officer in the amount set out in section 21.1.5 as security for the repair, replacement, and clean up of any water and sewer works, roadways, curbs, gutters, sidewalks, boulevards and other public amenity areas damaged in the course of the work authorized by the permit, and for the clean-up of the land subject to the permit and or completion of the works required under section 20.2.

- 20.5 If the Building Inspector determines that the terms and conditions upon which a demolition permit is issued are not being complied with, the Building Inspector may deliver written notice requiring compliance within 24 hours, and if the Building Inspector determines that non-compliance continues after the 24 hour notice period, then the District may, but is not obligated to, enter on to the property to which the demolition permit relates and do or cause to be done through its servants, contractors or other, all such things as may be required to fulfil said conditions including without limitation completion of the demolition and securing of the site, and for such purpose may without notice or limitation deduct from the Security Deposit referred to in section 20.4 all costs and expenses incurred and payments and expenditures made by the District including the administration fee authorized under the Fees and Charges Bylaw.
  
- 20.6 The District will return to the payee the Security Deposit referred to in section 20.4, less all amounts deducted there from in accordance with section 20.5 upon completion of the demolition work contemplated in the permit and upon the Building Inspector being satisfied that all damage caused by the applicant described in section 21.2 & 21.3 has been repaired and all conditions upon which the permit was issued have been complied with and satisfied.
  
- 20.7 The Building Inspector shall not issue a demolition permit for a property listed on the District of West Vancouver Heritage Register until a building permit and any other necessary approvals have been issued with respect to the proposed alteration or redevelopment of the property.

Amendment  
Bylaw No.  
4970, 2018

## **Part 21 Performance of Works and Security for Damage to District Works and Property**

- 21.1 Prior to the issuance of a permit, the applicant will deposit with the District, a security or damage deposit in the form of cash or an irrevocable letter of credit in a form satisfactory to the District in the following amounts:
  - 21.1.1 \$2,500 or 0.75 percent of the Construction Value of the proposed work, whichever is greater, to a maximum of \$20,000 for each new single family residential dwelling authorized by the permit;
  
  - 21.1.2 \$500 or 0.75 percent of the Construction Value of the proposed work, whichever is greater, to a maximum of \$5,000 for each

Amendment  
Bylaw No.  
4798, 2014  
(Entire Part 21)

- permit for additions, renovations, alterations in a single family dwelling;
- 21.1.3 \$5,000 or 0.75 percent of the Construction Value of the proposed work, whichever is greater, to a maximum of \$20,000 for multifamily, commercial, industrial or institutional development authorized by the permit where the work being permitted is a new building or an addition to an existing building;
- 21.1.4 \$500 or 0.75 percent of the Construction Value of the proposed work, whichever is greater to a maximum of \$1000 for tenant improvements, renovations to existing commercial, industrial or institutional buildings;
- 21.1.5 \$25,000 for all demolition permits.
- 21.2 The Security and Damage Deposit may be applied by the District as payment against any costs or expenses incurred by the District including, but not limited to costs and expenses to:
- 21.2.1 maintain, repair, restore or replace any District property or any other public property or public land which is destroyed, damaged or otherwise impaired in carry out the work referred to in the permit;
- 21.2.2 clear any debris, material, dirt, chattels, or equipment, which have accumulated on any street, road, avenue, alley, sidewalk, boulevard, or any path of a road allowance or any other public place, as a result of work carried out in connection with a permit;
- 21.2.3 back fill the site and make site level based on the grades indicated on topographical survey required pursuant to section 9.1.4;
- 21.2.4 install erosion & sediment controls and install sod or sow seed;
- 21.2.5 make a site which is subject to a permit safe if the Permit Holder abandons the site; and
- 21.2.6 administrative costs including but not limited to those incurred in investigating expired building permits and other permits, to renew existing building permits, re-inspection fees, legal costs or Land Title Office registration costs for notices filed against the title.
- 21.3 If the Municipal Engineer determines that any repairs, replacement or clean up referred to in section 21.2 is required, the Municipal Engineer may deliver written notice requiring the repairs, replacement and clean up

- to be completed within a time specified by the Municipal Engineer, and if the Municipal Engineer determines that the said repairs, replacement or clean-up is not completed within the specified time, then the District may, but is not obligated to do or cause to be done through its servants, contractors or other, all such things as may be required to undertake and complete the repairs, replacement or clean up, and for such purpose may without notice or limitation deduct from the Security and Damage Deposit all costs and expenses incurred and payments and expenditures made by the District including the administration fee authorized under the Fees and Charges Bylaw.
- 21.4 If the Building Inspector determines that any of the matters referred to in section 21.2.2 to 21.2.5 are not being complied with, the Building Inspector may deliver written notice requiring compliance within 24 hours and if the Building Inspector determines that non-compliance continues after the 24 hour notice period, then the District may, but is not obligated to, enter on to the property to which the permit relates and do or cause to be done through its servants, contractors or other, all such things as may be required to effect compliance, and for such purpose may without notice or limitation deduct from the Security and Damage Deposit all costs and expenses incurred and payments and expenditures made by the District including the administration fee authorized under the Fees and Charges Bylaw.
- 21.5 Where, during the course of construction, the Municipal Engineer or Building Inspector determines that any street, road, avenue, alley, sidewalk, boulevard, or any part of a road allowance or other public place is being obstructed or fouled by debris, material, dirt, chattels, equipment or other thing associated with work under a permit, the Municipal Engineer or the Building Inspector may deliver written notice to the Permit Holder requiring removal of the debris, material, dirt, chattels, equipment or other thing and the cleaning up of the affected land within a time specified by the Municipal Engineer, and if the Municipal Engineer determines that the required work is not completed within the time specified, then the District may, but is not obligated to, do or cause to be done through its servants, contractors or other, all such things as may be required to complete the required work, and for such purpose may without notice or limitation deduct from the Security and Damage Deposit all costs and expenses

- incurred and payments and expenditures made by the District including the administration fee authorized under the Fees and Charges Bylaw.
- 21.6 The Security and Damage Deposit less all amounts deducted under sections 21.3, 21.4 and 21.5 will be returned to the payee upon the Municipal Engineer being satisfied;
- 21.6.1 that all required repairs, replacement and clean-up has been completed; and
- 21.6.2 that no further damage to public works or public lands will occur.
- 21.7 No interest shall be paid to the applicant on the Security and Damage Deposit held by the District.
- 21.8 No Security and Damage Deposit shall be refunded for a building permit that expired before final inspection or occupancy permit issuance.
- 21.9 If corrective work required under this Bylaw exceeds the amount of the Security and Damage Deposit, the excess must be paid by Permit Holder or the Owner.

## Part 22 Offence and Penalty

- 22.1 Every person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects or refrains from doing anything required by a provision of this Bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$5,000, and is guilty of a separate offence each day that a violation continues or exists.

Amendment  
Bylaw No.  
4798, 2014  
(Entire Part 22)

## Schedules

Amendment  
Bylaw No.  
4933, 2017

- Schedule A – Climatic Data (2017)  
Schedule B – *Owner's Acknowledgement*  
Schedule C – Declaration of Insurance Coverage for *Registered Professionals*



READ A FIRST TIME on November 29, 2004

READ A SECOND TIME on November 29, 2004

READ A THIRD TIME on December 13, 2004

ADOPTED by the Council on December 15, 2004.

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Mayor

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Municipal Clerk

### Schedule A – Climatic Data (2017)

Elev. (m)	Design Temperature				15 Min. Rain (mm)	One Day Rain 1/50 (mm)	Ann. Rain (mm)	Moist Index	Ann. Total Ppn. (mm)	Driving Rain Pressure (Pa), 1/5	Hourly Wind Pressures (kPa)		Seismic Data				
	January		July 2.5%								1/10	1/50	S <sub>a</sub> (0.2)	S <sub>a</sub> (0.5)	S <sub>a</sub> (1.0)	S <sub>a</sub> (2.0)	PGA
	2.5% C°	1% C°	Dry C°	Wet C°													
45	-7	-9	28	19	12	150	1600	1.69	1700	160	0.37	0.48	0.88	0.62	0.33	0.17	0.43

Ground Snow Load					HDD below 18C°
Elevation (m)	Ss (kPa)	Sr (kPa)	Ss (psf)	Sr (psf)	
0 - 50	2.37	.3	50	6	2950
>50 - 100	2.65	.3	55	6	
>100 - 150	2.92	.4	61	8	
>150 - 200	3.20	.4	67	8	
>200 - 240	3.42	.5	71	10	
>240 - 280	3.64	.5	76	10	
>280 - 320	4.89	.6	102	13	3070
>320 - 360	6.24	.6	130	13	3450

Ground Snow Load Calculations over 360 metres:

- Ss (kPa) = -5.86 + (0.0336 x Elevation in metres)
- Sr (kPa) = 0.22 + (0.0011 x Elevation in metres)

Data is collated from the appendix of the 2012 British Columbia Building Code and Environment and Climate Change Canada.

## Schedule B – Owner’s Acknowledgement

Building Bylaw No. 4400, 2004

### OWNER’S ACKNOWLEDGEMENT

Re: Building Permit No.: \_\_\_\_\_

Description: \_\_\_\_\_

Address: \_\_\_\_\_

#### To: The District of West Vancouver:

By signing below I acknowledge that the District of West Vancouver will not perform inspections related to the *Construction* of a *Building* at the above address. I understand that the Municipality’s role is restricted to monitoring the process only and that sole responsibility for *Construction* and compliance with Provincial and Municipal regulations rest exclusively with the *Owner*, the builder, and with their respective professional consultants. I further acknowledge that I have advised my builder and my professional consultants of their respective responsibilities.

Owner’s Name: (*Print*) \_\_\_\_\_ Tel: \_\_\_\_\_

Agent Name: (*Print*) \_\_\_\_\_ Tel: \_\_\_\_\_  
(*must be a signing officer of a company*)

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## Schedule C – Declaration of Insurance Coverage for Registered Professionals

Building Bylaw No. 4400, 2004, Amendment Bylaw No. 4729, 2013

### DECLARATION OF INSURANCE COVERAGE FOR REGISTERED PROFESSIONALS

Building Permit # \_\_\_\_\_

Re: Construction/Alteration \_\_\_\_\_

Civic Address \_\_\_\_\_

I \_\_\_\_\_ P.Eng/MAIBC and  
a member of the firm \_\_\_\_\_ declare that I am  
covered for professional errors and omissions insurance in accordance with policy  
# \_\_\_\_\_ issued by \_\_\_\_\_ in the amount of  
not less than \$1,000,000.

I confirm that those items identified on the *Letters of Assurance* submitted in support  
of the Building Permit are covered by the above policy.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Signature: \_\_\_\_\_