

**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 4538**

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**A Bylaw to Amend Building Regulation Bylaw No. 5, 2010 (Bylaw No. 3741)  
A Bylaw to Regulate the Construction, Alteration, Repair or Demolition of  
Buildings and Structures in the Electoral Areas of the Capital Regional District**

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**WHEREAS:**

- A. Under Bylaw No. 3741, "Building Regulation Bylaw No. 5, 2010", the Regional Board established a Bylaw to Regulate the Construction, Alteration, Repair or Demolition of Buildings and Structures in the Electoral Areas of the Capital Regional District;
- B. Revisions to the British Columbia Building Code effective May 1, 2023, introduce mandatory requirements to meet Step 3 of the Energy Step Code or better, and require the review and guidance of a registered energy advisor, unless modifications are made to a local authority's building bylaw to permit a prescriptive path for compliance;
- C. The Board is concerned with a lack of energy advisors in the region, and desires to permit applicants to follow the prescriptive path for compliance;
- D. The Board desires to permit Building Officials to extend permit expiry dates in the event of hardship;
- E. The Board desires to allow Building Officials more flexibility in scheduling inspections;
- F. The Board desires to adjust various fees that are currently payable under the Bylaw;
- G. The Board wishes to amend Bylaw No. 3741 to allow for the prescriptive path for compliance with Step 3 of the Energy Step Code, to permit Building Officials to extend permit expiry dates in the event of hardship, and to allow Building Officials more flexibility in scheduling inspections;

**NOW THEREFORE**, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 3741, "Building Regulation Bylaw No. 5, 2010", is hereby amended as follows:
  - (a) By replacing section 2.3.7(3) in its entirety with the following:

(3) When a Permit is issued in accordance with Section 2.3.4 of this Bylaw, the Permit fee shall be reduced by 10% of the fees payable pursuant to Appendix B to this Bylaw, up to a maximum reduction of \$1000 (one thousand dollars).
  - (b) By inserting the following as section 2.3.7(4):

(4) When a Permit is issued for a Simple Building and a Building Official has required one or more letters of assurance under section 3.4.1 of this Bylaw, the Permit fee shall be reduced by 5%, of the fees payable pursuant to Appendix B to this Bylaw, up to a maximum reduction of \$500 (five hundred dollars).

(c) By inserting the following as section 2.3.8:

**2.3.8 Prescriptive Path Permitted**

(1) In relation to the conservation of energy, construction on or after May 1, 2023 may meet the prescriptive requirements of s. 9.36.2 to 9.36.4 of Division B of the Building Code;

(d) By replacing section 2.5.3(1) in its entirety with the following:

(1) Except as provided in 2.5.9 and 2.5.10, where a permit expires under section 2.5.2 the owner must apply for a new permit in order to complete the work.

(e) By replacing section 2.5.3(3)(b) with the following:

(b) will in no event be greater than the original Permit fee.

(f) By inserting the following as section 2.5.10:

**2.5.10 Extension of a Permit**

(1) In addition to a renewal under section 2.5.9, a Building Official may extend the period of time set out under section 2.5.2 where construction has not commenced, or has been discontinued, due to adverse weather, strikes, or material or labour shortages. The maximum period of an extension is 12 months.

(g) By renumbering section 3.5.5 as section 3.5.6.

(h) By adding the following as section 3.5.5:

3.5.5 A Building Official shall attempt to accommodate the requested inspection date and time for any inspection requested under section 3.5.4. If the Building Official is unable to attend at the requested date and time due to travel distance or time constraints, the inspection shall occur as soon as reasonably practicable thereafter.

2. This Bylaw may be cited for all purposes as Bylaw No. 4538, "Building Regulation Bylaw No. 5, 2010, Amendment Bylaw No. 5, 2023".

READ A FIRST TIME THIS	14 <sup>th</sup>	day of	June,	2023
READ A SECOND TIME THIS	14 <sup>th</sup>	day of	June,	2023
READ A THIRD TIME THIS	14 <sup>th</sup>	day of	June,	2023
ADOPTED THIS	14 <sup>th</sup>	day of	June,	2023

  
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CHAIR

  
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CORPORATE OFFICER