

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

POLICY

**POLICY NO:**

**P3740-00.02**

**Page 1 of 2**

**SUBJECT:**

**BUILDING PERMIT ISSUANCE WEST BENCH, SAGE MESA,  
HUSULA HIGHLANDS, WEST BENCH ESTATES AREA**

**Effective Date**  
October, 1992

**Amendment**

**Board Resolution**

**Administered By**

November, 1992  
April, 1993

B547/92  
B592/92, B593/92  
B272/93, B273/93

Director of Planning & Bldg.

The following Building Permit Policy applies to zones 1, 2, 3, 4, and 5 as described in the Klohn Leonoff Report:

1. Upon receipt of a building permit application for construction in the West Bench, Sage Mesa, Husula Highlands, West Bench Estates area, the Building Inspector will provide the applicant with access to a copy of the Klohn Leonoff report and advise that he requires a report certified by a professional engineer with experience in geotechnical engineering on the proposed development. The professional engineer will be required to prepare a detailed report to determine and certify that the land may be used safely for the uses intended and to assess the impacts of the proposed development on adjacent and downstream lands.
  - a) If the engineering report certifies that the development site, adjacent lands and down stream lands will be safe in the event of development subject to conditions set out by the engineer, the Building Inspector may issue a building permit on the condition that the owner of the land covenants with the Regional District to use the land only in the manner as may be determined and certified by the engineer as enabling the safe development of the land, adjacent land and downstream lands for the use intended.

**SUBJECT: BUILDING PERMIT ISSUANCE WEST BENCH, SAGE MESA,  
HUSULA HIGHLANDS, WEST BENCH ESTATES AREA**

---

1. Continued

- b) Upon receipt of a professional engineer's report, which determines that the land may not be used safely for the use intended or that adjacent and downstream lands may be rendered unsafe by the development, the Building Inspector shall refuse to issue a building permit and will advise the applicant in writing as to the reasons for the refusal. The Building Inspector will advise the applicant of the right to apply to the Regional Board for issuance of the permit.
  
- c) Upon receipt of an application, the Board will review the application and may approve or refuse issuance of the permit, taking into account the Klohn Leonoff report and the specific geotechnical report on the proposed development. The Board will require that any conditions specified by the geotechnical engineer be satisfied and may require registration of a covenant under Section 215 of the Land Title Act in favour of the Regional District. The covenant may require the owner to indemnify the Regional District against any damage arising as a result of the development.

2. For the purpose of this policy

- a) "construction" shall mean:  
new construction of a building or the structural alteration or addition to an existing building, but does not include the repair or reconstruction of an existing building or structure or the construction of a deck, balcony, shed, carport or garage that does not contain any plumbing fixtures.

3. Regardless of the provisions noted within this policy, where the Building Inspector considers that construction may be subject to hazards not referred to within the Klohn Leonoff report, he may require the owner of land to provide him with a report as outlined in Section 734(2) of the Municipal Act.