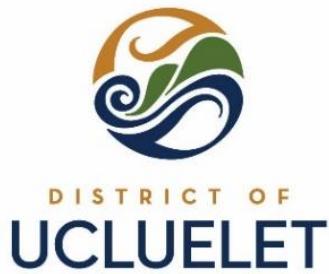


Applying for a building permit in areas that may subject to natural hazards



Before planning a new build, contact the District of Ucluelet's Building Official to find out if your property may be subject to hazardous conditions.

If you are applying for a building permit in an area suspected to be subject to hazards such as steep slopes, subsidence due to liquifiable soils or flooding due to proximity to the coastal flood plain, the District Building Official will require a geotechnical hazard assessment in accordance with Section 56 of the Community Charter. The assessment will likely contain conditions for the safe use of the land and will need to be registered on title attached to a covenant pursuant to Section 219 of the Land Titles Act. **Covenant registration must be complete before the District can issue the building permit.**

Section 56 of the Community Charter is a tool that enables local governments to issue building permits in areas with known or suspected hazards. The recommendations and conditions for safe use of the land contained in the assessment will increase safety for buildings and occupants. The associated covenant typically applies to the entire property and any future construction on the property would be subject to the conditions therein. The covenant would not apply to buildings constructed prior to the hazard assessment. It also "runs with the land" meaning all future owners of the property must abide by the conditions contained in the covenant. The covenant also serves to indemnify the District against all liability from any breach of the conditions of the covenant or the occurrence of any hazard.

Step by Step Process for Registering a Hazard Covenant:

1. The applicant engages a professional geotechnical engineer or geoscientist to conduct the hazard assessment. A survey of your property to establish ground elevations and topography will be required. As recommendations in the hazard assessment may significantly impact building, it is best conducted prior to finalizing building design and location.
2. **Provide the hazard assessment and applicable EGBC Statement(s) of Assurance to the building official as part of the complete building permit application.** The building official will review the hazard assessment to ensure it satisfies the intent of Section 56 of the Community Charter with respect to building and occupant safety.
3. Once the building official accepts the hazard assessment, the District will provide a draft covenant for the applicant's review. Any legal fees the District incurs may be charged back to the applicant.
Note that if there is an existing covenant on title that is contrary to the new covenant, the old covenant will also need to be discharged by Council, and fees for discharging the covenant must be paid by applicant.
4. Submit the complete covenant package to the District by email. Only complete submissions will be reviewed and signed and consist of a single attachment or document package including:
 - Form C signed by the property owner(s) and witness, with two signature lines for the District. The District will only sign once the applicant has first signed.
 - Completed Terms of Instrument, dated for reference and filled out to the satisfaction of the Building Official.
 - Priority Agreement must accompany the covenant if there is a mortgage or other financial charges registered on title. The Priority Agreement must be signed by the financial institution holding the charge.
 - Geotechnical hazard assessment and EGBC Statement(s) of Assurance attached as schedule "A" to the covenant.
5. The District-signed version will be emailed to the applicant for registration at the Land Title Survey Authority by the applicant's lawyer or notary.
6. The applicant must provide a title search showing the covenant has been fully registered. Only after registration is complete can the Building Official issue a building permit, providing all other requirements of the application process have been met.