



City Council

**Council Chambers, City Hall
6911 No. 3 Road**

**Monday, February 22, 2016
7:00 p.m.**

Pg. # ITEM

MINUTES

1. *Motion to:*

- (1) *adopt the minutes of the Regular Council meeting held on February 9, 2016 (distributed previously); and*
- (2) *adopt the **minutes** of the Regular Council meeting for Public Hearings held on February 15, 2016.*

CNCL-11



AGENDA ADDITIONS & DELETIONS

COMMITTEE OF THE WHOLE

2. *Motion to resolve into Committee of the Whole to hear delegations on agenda items.*



3. Delegations from the floor on Agenda items.

(PLEASE NOTE THAT FOR LEGAL REASONS, DELEGATIONS ARE NOT PERMITTED ON ZONING OR OCP AMENDMENT BYLAWS WHICH ARE TO BE ADOPTED; OR ON DEVELOPMENT PERMITS/DEVELOPMENT VARIANCE PERMITS - ITEM NO. 19.)

4. *Motion to rise and report.*



RATIFICATION OF COMMITTEE ACTION

CONSENT AGENDA

(PLEASE NOTE THAT ITEMS APPEARING ON THE CONSENT AGENDA WHICH PRESENT A CONFLICT OF INTEREST FOR COUNCIL MEMBERS MUST BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.)

CONSENT AGENDA HIGHLIGHTS

- Receipt of Committee minutes
- Naloxone Protocols
- Emergency Management Provincial Legislation Consultation
- Richmond Hospital Foundation
- George Massey Tunnel Replacement Project
- Steveston Historic Sites Building Committee Terms of Reference 2016
- Appointment of Acting Corporate Officer
- Richmond Intercultural Advisory Committee 2015 Annual Report and 2016 Work Program
- Provincial Government Legislation of the Building Act
- City of Richmond - Translink Travelsmart Partnership - Update
- Sewer Heat Recovery in Richmond Update

5. *Motion to adopt Items No. 6 through No. 16 by general consent.*



6. COMMITTEE MINUTES

That the minutes of:

- CNCL-25 (1) the **Community Safety Committee** meeting held on February 10, 2016;
- CNCL-31 (2) the **General Purposes Committee** meeting held on February 15, 2016;
- CNCL-37 (3) the **Planning Committee** meeting held on February 16, 2016;

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- CNCL-43 (4) *the **Public Works and Transportation Committee** meeting held on February 17, 2016;*
be received for information.

☐

Consent
Agenda
Item

7. **NALOXONE PROTOCOLS**
(File Ref. No.) (REDMS No. 4891882 v. 3)

CNCL-48

See Page CNCL-48 for full report

COMMUNITY SAFETY COMMITTEE RECOMMENDATION

That Council request BC Emergency Health Services (BCEHS) approve the addition of Naloxone protocols to Richmond's Medical First Responder Program.

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Consent
Agenda
Item

8. **EMERGENCY MANAGEMENT PROVINCIAL LEGISLATION CONSULTATION**
(File Ref. No. 09-5125-02-02) (REDMS No. 4884891 v. 5)

CNCL-51

See Page CNCL-51 for full report

COMMUNITY SAFETY COMMITTEE RECOMMENDATION

That a copy of the report titled "Emergency Management Provincial Legislation Consultation" from the City Solicitor be forwarded to the Minister of State for Emergency Preparedness in response to her request for stakeholder input by February 19, 2015 with a copy to Richmond MLAs Linda Reid, John Yap and Teresa Wat, for information.

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Consent
Agenda
Item

9. **RICHMOND HOSPITAL FOUNDATION**
(File Ref. No. <#>) (REDMS No. <#>)

CNCL-83

See Page CNCL-83 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

- (1) *That letters be sent to the Premier, Minister of Health, Richmond Members of the Legislative Assembly, the Chair of Vancouver Coastal Health and the President of Vancouver Coastal Health, requesting an immediate commitment from the Province to build a new Richmond Hospital Acute Care Tower for completion within five years; and*
- (2) *That a letter be sent to Richmond Members of the Legislative Assembly requesting that they provide written confirmation of their support for a new Richmond Hospital Acute Care Tower.*



Consent
Agenda
Item

10. **GEORGE MASSEY TUNNEL REPLACEMENT PROJECT**
(File Ref. No. 10-6350-05-08) (REDMS No. 4915030 v. 2)

CNCL-92

See Page CNCL-92 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

- (1) *That the City of Richmond request that the Provincial Government provide copies of all reports and studies - including but not limited to business plans, feasibility studies, technical studies, seismic studies, and/or environmental impact studies - that relate to the original plan to twin the George Massey Tunnel and/or provide Rapid Bus service that were considered during the period from 2006 to 2008; and that if necessary, that the foregoing request be made as an official Freedom of Information request; and*
- (2) *That a letter be sent to the Auditor General requesting comments on the process leading up to the decision related to the George Massey Tunnel Replacement Project.*



Consent
Agenda
Item

11. **STEVESTON HISTORIC SITES BUILDING COMMITTEE TERMS OF REFERENCE 2016**

(File Ref. No. 06-2350-01) (REDMS No. 4892948 v. 5)

CNCL-111

See Page CNCL-111 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

That the Steveston Historic Sites Building Committee Terms of Reference as detailed in the staff report titled “Steveston Historic Sites Building Committee Terms of Reference 2016,” dated January 29, 2016, from the Senior Manager, Parks, be approved.



Consent
Agenda
Item

12. **APPOINTMENT OF ACTING CORPORATE OFFICER**

(File Ref. No. 05-1400-01) (REDMS No. 4910068)

CNCL-118

See Page CNCL-118 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

That Dovel Buie, Acting Manager, Legislative Services, be appointed as an Acting Corporate Officer for the purposes of carrying out statutory duties prescribed in section 148 of the Community Charter in the absence of, or as directed by, David Weber, Director, City Clerk’s Office (Corporate Officer).



Consent
Agenda
Item

13. **RICHMOND INTERCULTURAL ADVISORY COMMITTEE 2015 ANNUAL REPORT AND 2016 WORK PROGRAM**

(File Ref. No. 07-3300-01) (REDMS No. 4873965 v. 4)

CNCL-120

See Page CNCL-120 for full report

PLANNING COMMITTEE RECOMMENDATION

That the Richmond Intercultural Advisory Committee (RIAC) 2015 Annual Report and 2016 Work Program be approved.



Consent
Agenda
Item

14. **PROVINCIAL GOVERNMENT LEGISLATION OF THE BUILDING ACT**

(File Ref. No.) (REDMS No. 4913560)

CNCL-135

See Page CNCL-135 for full report

PLANNING COMMITTEE RECOMMENDATION

- (1) *That the staff report titled “Provincial Government Legislation of the Building Act,” dated January 20, 2016, from the Senior Manager, Building Approvals, be received for information;*
- (2) *That a letter be written to the Honourable Rich Coleman, Deputy Premier and Minister Responsible for Housing, with copies to Richmond Members of the Legislative Assembly, expressing Richmond City Council’s concerns in relation to the recently enacted Building Act, in particular, that:*
 - (a) *the new Building Act interferes with Council directives expressed as Building regulations within City Bylaws that may be affected by the Building Act; and*
 - (b) *the legislation lacks flexibility in addressing methods to certify and train municipal building officials; and*
- (3) *That the City request additional information on the above matters from the Ministry, including the administrative rules that will be in place to administer the Act and that the Ministry provide opportunities to meet with the City in relation to the issues and concerns raised.*



Consent
Agenda
Item

15. **CITY OF RICHMOND - TRANSLINK TRAVELSMART PARTNERSHIP - UPDATE**

(File Ref. No. 01-0154-04) (REDMS No. 4793601 v. 4)

CNCL-168

See Page CNCL-168 for full report

PUBLIC WORKS AND TRANSPORTATION COMMITTEE RECOMMENDATION

- (1) *That staff continue to monitor the TransLink TravelSmart pilot program and relevant activities, as described in the staff report titled “City of Richmond-TransLink TravelSmart Partnership – Update,” dated January 25, 2016, from the Director, Transportation, and report back on the results following their completion; and*

- (2) *That a copy of the above report be forwarded to the Richmond Council-School Board Liaison Committee for information.*



Consent
Agenda
Item

16. **SEWER HEAT RECOVERY IN RICHMOND UPDATE**

(File Ref. No.) (REDMS No. 4912811 v. 2)

CNCL-173

See Page CNCL-173 for full report

PUBLIC WORKS AND TRANSPORTATION COMMITTEE
RECOMMENDATION

- (1) *That the staff report titled "Sewer Heat Recovery in Richmond Update," dated January 18, 2016, from the Director, Engineering, be received for information;*
- (2) *That the scope of work and budget for a Micro-Sewer Heat Recovery Study identified in the "Sewer Heat Recovery in Richmond Update," dated January 18, 2016, from the Director, Engineering, be approved with funding from the Carbon Tax Provision and included as an amendment to the Five Year Financial Plan (2016-2020) Bylaw;*
- (3) *That the application to the Federation of Canadian Municipalities, for up to 50 percent of eligible costs to complete Micro-Sewer Heat Recovery Study, be endorsed; and*
- (4) *That should the funding application be successful, the Chief Administrative Officer and the General Manager, Engineering and Public Works, be authorized to execute the agreement with the Federation of Canadian Municipalities on behalf of the City.*



CONSIDERATION OF MATTERS REMOVED FROM THE
CONSENT AGENDA

NON-CONSENT AGENDA ITEMS

PLANNING COMMITTEE

Councillor Linda McPhail, Chair

Pg. # ITEM

17. **ARTERIAL ROAD POLICY UPDATES**
(File Ref. No. 10-6350-00) (REDMS No. 4880858 v. 6)

CNCL-178

See Page CNCL-178 for full report

PLANNING COMMITTEE RECOMMENDATION

Opposed: Cllr. Day

That the proposed amendments to the Arterial Road Policy as provided in the January 27, 2016 staff report titled “Arterial Road Policy Updates,” be approved to proceed to public and stakeholder consultation.



PUBLIC WORKS AND TRANSPORTATION COMMITTEE

Councillor Chak Au, Chair

18. **BYLAW AMENDMENTS TO IMPLEMENT REQUIREMENTS FOR RECYCLING FROM SINGLE-FAMILY HOME DEMOLITIONS**
(File Ref. No. 10-6370-01; 12-8060-20-009516/009522/009523) (REDMS No. 4893304)

CNCL-202

See Page CNCL-202 for full report

PUBLIC WORKS AND TRANSPORTATION COMMITTEE
RECOMMENDATION

Opposed: Cllr. Steves

That:

- (1) *Demolition Waste and Recyclable Materials Bylaw No. 9516;*
- (2) *Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9522; and*
- (3) *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9523;*

each be introduced and given first, second and third readings.



PUBLIC ANNOUNCEMENTS AND EVENTS

NEW BUSINESS

BYLAWS FOR ADOPTION

- | | | |
|-----------------|--|--------------------------|
| CNCL-226 | Donation Bin Regulation Bylaw No. 9502
Opposed at 1 st /2 nd /3 rd Readings – None. | <input type="checkbox"/> |
| CNCL-239 | Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9513
Opposed at 1 st /2 nd /3 rd Readings – None. | <input type="checkbox"/> |
| CNCL-241 | Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9514
Opposed at 1 st /2 nd /3 rd Readings – None. | <input type="checkbox"/> |
| CNCL-245 | Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9186
(6500 Granville Avenue, RZ 14-668415)
Opposed at 1 st Reading – None.
Opposed at 2 nd /3 rd Readings – None. | <input type="checkbox"/> |

DEVELOPMENT PERMIT PANEL

19. RECOMMENDATION

See DPP Plan Package (distributed separately) for full hardcopy plans

- | | |
|-----------------|--|
| CNCL-247 | (1) <i>That the minutes of the Development Permit Panel meeting held on February 10, 2016, and the Chair's report for the Development Permit Panel meetings held on February 25, 2015, January 27, 2016, and February 10, 2016, be received for information; and</i> |
| CNCL-251 | (2) <i>That the recommendations of the Panel to authorize the issuance of:</i>
(a) <i>a Development Permit (DP 13-645286) for the property at 8151 Anderson Road; and</i> |

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(b) a Development Variance Permit (DV 15-708883) for the property at 12208, 12222 and 12228 Trites Road; be endorsed, and the Permits so issued.

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ADJOURNMENT

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**Regular Council meeting for Public Hearings
Monday, February 15, 2016**

Place: Council Chambers
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

David Weber, Corporate Officer

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

**1. OFFICIAL COMMUNITY PLAN BYLAW 9000, AMENDMENT
BYLAW 9506**

(Location: 8020, 8040, 8100, 8140, 8160, 8200, 8240, 8280, 8320, 8480, 8580, 8600, 8720, 8760, 8840, 9220, 9360, 9500, 9560, 10060, 10160, 10180, 10220, 10260, 10320, 10780, 10820, and 10880 No. 5 Road, 12011, 12100, 12180, 12200, 12260, 12280, and 12300 Blundell Road, and 12339 and 12733 Steveston Highway; Applicant: City of Richmond)

Applicant's Comments:

Terry Crowe, Manager, Policy Planning Department provided the following update on the application:

- the Agricultural Land Commission (ALC) has indicated that the proposed amendment is acceptable as it is consistent with the ALC's long-standing support for the agricultural use of the Backlands;
- Townline Gardens Inc. has requested that the four properties at the south end of the Policy Area be removed from the bylaw amendment as they are outside of the Agricultural Land Reserve (ALR);



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Tuesday, February 15, 2016

- the ALC has not received a formal application from the Ministry of Transportation and Infrastructure (MOTI) with respect to the widening of the highway to accommodate the George Massey Bridge Project; and
- the widening of the highway on the west side of No. 5 Road is an option that could be explored when an application is received from the MOTI.

Written Submissions:

- (a) Eileen Wu, 8240 No. 5 Road (Schedule 1)
- (b) Colin Fry, Agricultural Land Commission (Schedule 2)

Submissions from the floor:

Marni Adrian, Richmond Christian School Association, 10260 No. 5 Road, requested that the City postpone the implementation of the bylaw amendment, until there is certainty regarding whether additional agricultural land will be required for the construction of the George Massey Bridge. The MOTI has not yet indicated the amount of agricultural land that would be required to be taken from the school's property.

Discussion ensued regarding the requirement for the City to be informed when an application from the MOTI is received by the ALC. If adopted, the Backlands Strategy OCP Amendment could be implemented with each development, and at the earliest, over the next year. Hence, if there is a conflict presented by the expropriation by the Province, the Backlands Strategy could be amended to address the conflict. Council confirmed its intention to defer construction of the farm access road until there is certainty around the George Massey Bridge land requirements.

Bill Zylmans, 17771 Westminster Highway, spoke to Council as an individual who farms 35 acres of the land in question. There is a problem with drainage and irrigation on the land, but road access to the Backlands has not been an issue. Mr. Zylmans requested that Council postpone the decision on the Backlands Strategy, noting that additional property expropriation will further limit the type of crops that can be grown on the land. Staff responded to a question from Mr. Zylman by advising that a developer would be required to provide the property that would be needed for the Backlands access road as well as provide a right-of way, as part of a development application process.

Shaheen Rashid, Shia Muslim Society, 8580 No. 5 Road, expressed his opinion that the bylaw amendment is not urgent and questioned how the



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amendment to the OCP would affect the Shia Muslim Society, who do not have a rezoning application in progress. Staff confirmed that the status quo would continue and there would be no impact on the current agreement that allows the land to be utilized as a school playground. Staff further confirmed that the right-of-way for the farm road access would be required to be given to the City without cost.

In response to a question from Council, the Mr. Rashid advised that he has not been party to the discussion with the Province regarding the amount of land required from the Society for the George Massey Bridge.

Council provided the following comments:

- the Backlands Strategy demonstrates the importance of protecting farmland, irrespective of the scale of the farming activity involved and the variability in the use of the land for raising animals or crops; and
- the situation on No. 5 Road is a long-standing arrangement between the City and the ALC to allow religious institutions to front No. 5 Road on the condition that they farm the Backlands and the suggestion that the Backlands not be farmed would be contrary to the agreement.

Staff confirmed that the City has not invested any taxpayer resources to the farm the Backlands to date.

PH16/2-1

It was moved and seconded

That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9506 be amended to include the revised No. 5 Road Backlands Policy Area Map which removes the properties at 12733, 10780, 10820 and 12339 Steveston Highway and 10880 No. 5 Road from the No. 5 Road Backlands Policy area (attached to and forming part of these Minutes as Schedule 3).

CARRIED

Opposed: Cllr. Loo

PH16/2-2

It was moved and seconded

That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9506 be given second as amended and third reading.

CARRIED

Opposed: Cllr. Loo



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PH16/2-3

It was moved and seconded

That Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9506 be adopted.

CARRIED

Opposed: Cllr. Loo

**2. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9507
(ZT 15-708370)**

(Location: 8477 Bridgeport Road; Applicant: GBL Architects Inc.)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None

Submissions from the floor:

None

PH16/2-4

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9507 be given second and third readings.

CARRIED

**3. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 9511
(RZ 15-692244)**

(Location: 7400/7420 Schaefer Avenue; Applicant: Chi Kuen Yeung and Cardison Chun Kik Yeung)

Applicant's Comments:

The applicant was available to respond to queries.

Written Submissions:

None

Submissions from the floor:

None

In response to a question from Council, staff confirmed that the provision of parking, in accordance with the bylaw, would be adequate.



Regular Council meeting for Public Hearings
Tuesday, February 15, 2016

PH16/2-5

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9511 be given second and third readings.

CARRIED

ADJOURNMENT

PH16/2-6

It was moved and seconded

That the meeting adjourn (7:52 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the Regular meeting for Public Hearings of the City of Richmond held on Monday, February 15, 2016.

Mayor (Malcolm D. Brodie)

Corporate Officer
(David Weber)

MayorandCouncillors

Schedule 1 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Monday, February 15, 2016.

From: Webgraphics
Sent: Monday, 15 February 2016 12:51 PM
To: MayorandCouncillors
Subject: Send a Submission Online (response #914)

To Public Hearing
Date: <u>Feb 15, 2016</u>
Item # <u>1</u>
Re: <u>DCP Bylaw 7000,</u> <u>Amendment Bylaw</u> <u>9506</u>

Send a Submission Online (response #914)

Survey Information

Site:	City Website
Page Title:	Send a Submission Online
URL:	http://cms.richmond.ca/Page1793.aspx
Submission Time/Date:	2/15/2016 12:50:15 PM

Survey Response

Your Name	Eileen Wu
Your Address	8240 No.5 Road, Richmond, BC V6Y 2V4
Subject Property Address OR Bylaw Number	8240 No.5 Road, Richmond, BC V6Y 2V4
Comments	Property Owner Name: Dharma Drum Mountain Buddhist Association /Phone Number: 604-277- 1357 Ext.106 /Email Address: info@ddmba.ca /Current Use of Land: Assembly & blueberries, fruit orchard, vegetables and greenhouse /Comments: We would like to continue farming our backlands. Regarding both leasing the land and granting right- of-way access, our main concerns are (1) possibility of causing disruption of our year-round meditation retreat programs, which require silence and calm environment (2) safety (the monastery is home to several resident nuns) (3) air pollution and increasing noise generated from increased traffic or unclean farming methods using pesticide or insecticide.

Comment Sheet
No. 5 Road Backlands Policy

To: Director, City Clerk's Office **Fax: 604-278-5139**
From: Dharma Drum Mountain Buddhist Association
Date: February 15, 2016
RE: Property Address – 8240 No. 5 Road, Richmond, BC V6Y 2V4

Comment Sheet Completed by: Eileen Wu
Phone Number: 604-277-1357 Ext.106
Email Address: Info@ddmba.ca

Current Use of Land: Assembly & blueberries, fruit orchard, vegetables and greenhouse

Comments: We would like to continue farming our backlands.

Regarding both leasing the land and granting right-of-way access, our main concerns are (1) possibility of causing disruption of our year-round meditation retreat programs, which require silence and calm environment (2) safety (the monastery is home to several resident nuns) (3) air pollution and increasing noise generated from increased traffic or unclean farming methods using pesticide or insecticide.

Schedule 2 to the Minutes of the
Public Hearing meeting of
Richmond City Council held on
Monday, February 15, 2016.

Buie,Dovelle

To Public Hearing
Date: <u>Feb 15, 2016</u>
Item # <u>1</u>
Re: <u>Official Community</u> <u>Plan Bylaw 9000,</u> <u>Amendment Bylaw 9506</u>

From: Fry, Colin ALC:EX <Colin.Fry@gov.bc.ca>
Sent: Monday, 15 February 2016 12:18 PM
To: Crowe,Terry
Cc: Weber,David; Buie,Dovelle; Park,Minhee; Watson, Eamonn ALC:EX; Pellett, Tony ALC:EX
Subject: RE: Proposed OCP No.5 Road Backlands Policy Report

Hello Terry, this is further to your information provided below and our telephone conversation earlier this morning. As we discussed the information includes:

1. Information regarding a new non-farm use application involving the property at 8100 No. 5 Road;
2. Information regarding the George Massey Bridge Project;
3. Proposed Richmond 2041 Official Community Plan Bylaw 9000, Amendment Bylaw 9506; and
4. A request to the City of Richmond from Townline Gardens Inc. to remove the properties at the south end of the Policy Area from the Policy Area. The properties are located outside the ALR.

To Point 1 - I can confirm that the Commission is in receipt of a non-farm use application from the Arul Migu Thurkadevi Society of BC. As the application has not yet been placed before the South Coast Panel for adjudication and determination, it would be inappropriate to offer any comments in this regard.

To Point 2 – It is the Commission's understanding that the Ministry of Transportation and Infrastructure is in the process of preparing an application for submission to the Commission. As the application has not yet been received by the Commission, it would be inappropriate to offer any comments in this regard.

To Point 3 – I have read the proposed Amendment Bylaw 9506 regarding the City's Backlands Policy Area. As the amendment appears to facilitate greater opportunities for the City to encourage the development of agricultural pursuits on the Backlands, the amendment is consistent with the Commission's long standing support for the agricultural use of the Backlands.

To Point 4 – No objections.

I trust you find this response satisfactory.

Sincerely,

Colin J. Fry
Chief Tribunal Officer
Agricultural Land Commission
Telephone: Office (604) 660-7000
Telephone: Direct (604) 660-7006

From: Crowe,Terry [<mailto:TCrowe@richmond.ca>]
Sent: Monday, February 15, 2016 9:59 AM
To: Fry, Colin ALC:EX
Cc: Weber,David; Buie,Dovelle; Park,Minhee

Subject: Proposed OCP No.5 Road Backlands Policy Report

Importance: High

Heather while the City sent proposed OCP No 5 Road Backlands Policy to the ALC, can you please resend it to Colin Fry of the ALC ASAP so that he may provide their comments to Council for Monday's Public Hearing.

Thanks

Terry Crowe, RPP, MCIP,
Manager, Policy Planning Department (PPD)

City of Richmond,

Richmond , BC V6Y 2C1

Office Tel: (604) 276-4139

Office Fax: (605) 276 4052

Office Cell: (788) 228 -2433.



**Richmond Official Community Plan Bylaw 9000
Amendment Bylaw 9506
(No. 5 Road Backlands Policy)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Official Community Plan Bylaw 9000 is amended by adding the following text to Section 7.0 Agriculture and Food:

“7.3. No. 5 Road Backlands Policy

OVERVIEW:

Since 1990, the City and the Agricultural Land Commission (ALC) have agreed that, within the Agricultural Land Reserve (ALR), there shall be a unique area called “No. 5 Road Backlands Policy Area” as shown on the attached No. 5 Road Backlands Policy Area Map.

The purpose of the Policy is to allow Community Institutional uses on the westerly 110m (“Frontlands”) of the properties located on the east side of No. 5 Road between Blundell Road and Steveston Highway (the area outlined in bold lines on the No. 5 Road Backlands Policy Area Map), if the remaining portions (“Backlands”) are actively farmed.

OBJECTIVE:

Community Institutional uses may be permitted in the Frontlands if the Backlands are actively farmed.

POLICIES:

- a) The types of uses which may be considered in the Frontlands are those consistent with the Community Institutional land use definition contained in the 2041 Official Community Plan (the “OCP”) to be considered and approved by the City and the Agricultural Land Commission through the necessary land use approval process.
- b) In the Frontlands, clearly ancillary uses (e.g., dormitory) to the principal Community Institutional uses are allowed, but principal residential uses (e.g., congregate housing, community care facility, multi-family housing) are not allowed.
- c) Property owners who do not intend to farm the Backlands themselves are encouraged to, either lease them to a farmer, dedicate their Backlands to the City or enter into legal agreements with the City to allow the City or the City’s designate to access and farm the Backlands.

- d) The City will continue to strive for a partnership approach with property owners to achieve farming of the Backlands (e.g., based on the approved farm plans).
- e) In the Backlands, a limited infrastructure component (e.g., little or no regional and on-site drainage, irrigation or farm access roads) could be allowed, where a full infrastructure component is not practical.
- f) In the Frontlands, satisfactory sanitary sewage disposal is required as a condition of non-farm use or rezoning approval.
- g) Applicants shall submit the necessary reports to the City to achieve farming with all costs to implement works associated with an approved farm plan to be paid by the applicant.

Development Application Procedure and Requirements

- a) All proposals for Community Institutional development are subject to City and ALC approval through the necessary development application process to be reviewed on a case-by-case basis and in accordance with the OCP.
- b) Consideration of Community Institutional development in the Frontlands is generally subject to:
 - i. Submission and approval of an ALR Non-Farm Use application that is required to be endorsed by the City prior to being considered by the ALC. If the City endorses the ALR Non-Farm Use application, it will be forwarded to the ALC for consideration.
 - ii. Pending the outcome of the ALR Non-Farm Use application, a rezoning application will also be required and subject to the required statutory process.
 - iii. Other Development Applications (i.e., Environmentally Sensitive Area Development Permit, Development Variance Permit) may also be required based on the proposal or site context.
- c) In certain cases, a rezoning application will not be required following approval of an ALR Non-Farm Use application. Under these circumstances, any specific requirements to be secured through the ALR non-farm use application are to be confirmed through the necessary resolution of Council upon consideration of the application.
- d) In considering development proposals (i.e., ALR Non-Farm Use applications or rezoning application) in the No. 5 Road Backlands Policy area, the City requires the applicants to:
 - i. Prepare farm plans with access;
 - ii. Explore farm consolidation;
 - iii. Commit to do any necessary on-site infrastructure improvements;
 - iv. Co-operate as necessary to remove constraints (e.g., required infrastructure) to farming the Backlands, in partnership with others;

- v. Commit to legal requirements as may be stipulated by Council to achieve acceptable land uses (e.g., farming the Backlands);
- vi. Provide financial security to ensure the approved farm plan is implemented;
- vii. Undertake active farming of the Backlands;
- viii. Register a statutory right-of-way on title for a future farm access road along the eastern edge of the property along the Backlands, to the satisfaction of the Director of Development; and
- ix. Comply with such other considerations or requirements by Council.

Reporting requirements

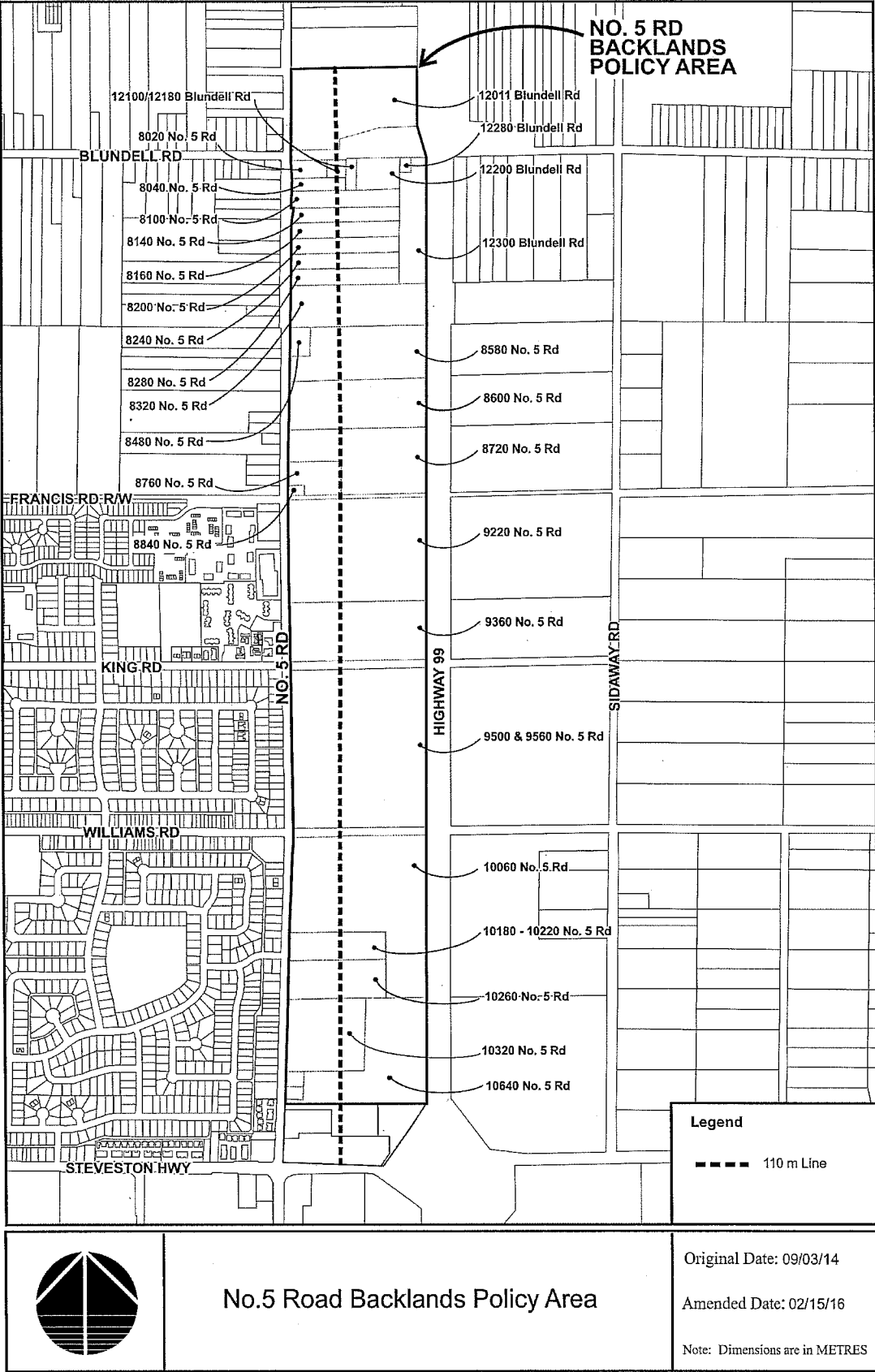
- a) All property owners who are required to farm the Backlands must, in a form acceptable to the City, report to the City on a yearly basis regarding the current status of the farm by providing clear evidence (e.g., detailed description of the farming activities conducted in the Backlands, photos, farm tax records) that the Backlands are actively being farmed in accordance with the approved farm plans, to Council and the ALC's satisfaction.

Amendments to the above policies

- a) Amendments to these policies in the 2041 OCP is subject to the required statutory process, which will include consultation between the City, ALC and other stakeholders as deemed necessary.

Co-ordination of review process

- a) The City and the ALC will co-ordinate efforts when reviewing applications for ALR non-farm use and subsequent rezoning applications, in order to ensure that the interests of each party are addressed. This co-ordinated effort will be done prior to granting any approvals.



2. This Bylaw may be cited as **“Richmond Official Community Plan Bylaw 9000, Amendment Bylaw 9506”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by <i>[Signature]</i>
APPROVED by Manager or Solicitor <i>[Signature]</i>

MAYOR

CORPORATE OFFICER



Community Safety Committee

Date: Wednesday, February 10, 2016

Place: Anderson Room
Richmond City Hall

Present: Councillor Bill McNulty, Chair
Councillor Derek Dang
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Linda McPhail

Also Present: Councillor Carol Day

Call to Order: The Chair called the meeting to order at 4:00 p.m.

AGENDA ADDITION

It was moved and seconded

That E-Comm be added to the agenda as Item No. 6A, Emergency Programs be added to the agenda as Item No. 6B, and Block Watch be added to the agenda as Item No. 6C.

CARRIED

MINUTES

It was moved and seconded

That the minutes of the meeting of the Community Safety Committee held on January 12, 2016, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

March 15, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

Community Safety Committee
Wednesday, February 10, 2016

LAW AND COMMUNITY SAFETY DIVISION

1. COMMUNITY BYLAWS MONTHLY ACTIVITY REPORT – DECEMBER 2015

(File Ref. No. 12-8060-01) (REDMS No. 4881753 v. 3)

In reply to queries from Committee, Michelle Orsetti, Assistant Manager, Operations (Bylaws), noted that (i) one Animal Control Officer will be designated in March, (ii) Bylaws staff are patrolling parks and responding to animal calls, (iii) Richmond RCMP or Richmond Animal Protection Society (RAPS) officers are able to respond to animal calls on the weekends, (iv) a Bylaws Officer is available on Sundays and statutory holidays to respond to construction and noise complaints, and (v) City Parking Officers are able to respond to construction and noise complaints on Saturdays.

The Chair requested that the City place more emphasis on animal control and increase the number of licensed dogs in the city.

Discussion ensued with regard to vacant property in the city and Ms. Orsetti advised that Chimo Community Services are preparing a presentation to Council regarding their work with vacant homes in the city.

It was moved and seconded

That the staff report titled "Community Bylaws Monthly Activity Report – December 2015," dated January 15, 2016 from the General Manager, Law & Community Safety, be received for information.

CARRIED

2. RICHMOND FIRE-RESCUE MONTHLY ACTIVITY REPORT - DECEMBER 2015

(File Ref. No. 09-5000-01) (REDMS No. 4849266)

Acting Fire Chief Tim Wilkinson wished to thank Council for their support of Richmond Fire Rescue's (RFR) Fire Safety Trailer and education efforts. He noted that RFR's goal is to present to all schools in Richmond School District No. 38.

In reply to queries from Committee, Acting Fire Chief Wilkinson noted that (i) RFR members play a role in community education, (ii) costs associated with community education can be provided to Council, (iii) RFR help facilitate solutions to utilize vacant homes for affordable housing, and (iv) RFR do warn residents who may be unaware of open burning regulations.

It was moved and seconded

That the staff report titled "Richmond Fire-Rescue Monthly Activity Report - December 2015," dated January 18, 2016 from the Acting Fire Chief, Richmond Fire-Rescue, be received for information.

CARRIED

Community Safety Committee
Wednesday, February 10, 2016

3. NALOXONE PROTOCOLS

(File Ref. No.) (REDMS No. 4891882 v. 3)

Acting Fire Chief Wilkinson briefed Committee on the proposed addition of Naloxone Protocols to Richmond's Medical First Responder Program, noting that RFR is seeking Council's support on the matter.

In reply to queries from Committee, Acting Fire Chief Wilkinson noted that RFR has a group of first responder instructors who will be able to train all emergency response staff in the administration of Naloxone.

It was moved and seconded

That Council request BC Emergency Health Services (BCEHS) approve the addition of Naloxone protocols to Richmond's Medical First Responder Program.

CARRIED

ENGINEERING AND PUBLIC WORKS DIVISION

4. COMMUNITY SAFETY BUILDINGS REPLACEMENT AND IMPROVEMENTS

(File Ref. No. 06-2045-01) (REDMS No. 4810256 v. 5)

In reply to queries from Committee, Jim Young, Senior Manager Capital Buildings Project Development, noted that all Firehalls were designed to be earthquake resistant.

It was moved and seconded

That the staff report titled, "Community Safety Buildings Replacement and Improvements," from the Director, Engineering, be received for information.

CARRIED

LAW AND COMMUNITY SAFETY DIVISION

5. EMERGENCY MANAGEMENT PROVINCIAL LEGISLATION CONSULTATION

(File Ref. No. 09-5125-02-02) (REDMS No. 4884891 v. 5)

In reply to queries from Committee regarding proposed changes to the *Emergency Program Act*, Doug Long, City Solicitor, noted that the Province has sent letters to stakeholders advising of the proposed changes to the Act and that the public can provide input online.

Community Safety Committee
Wednesday, February 10, 2016

Discussion ensued with regard to the process to declare local states of emergency and Mr. Long advised that in the event that a local state of emergency is declared, the City will be able to exercise additional powers and work beyond the budget. He added that it is the City's position that local government officials are in the best position to decide whether to declare a state of emergency.

In reply to queries from Committee, Mr. Long anticipates that the Province will provide a response to the consultation by the end of March 2016.

It was moved and seconded

That a copy of the report titled "Emergency Management Provincial Legislation Consultation" from the City Solicitor be forwarded to the Minister of State for Emergency Preparedness in response to her request for stakeholder input by February 19, 2015 with a copy to Richmond MLAs Linda Reid, John Yap and Teresa Wat, for information.

CARRIED

6. RCMP'S MONTHLY REPORT - DECEMBER 2015 ACTIVITIES

(File Ref. No. 09-5000-01) (REDMS No. 4874424 v. 2)

Superintendent Renny Nasset, Officer in Charge, Richmond RCMP, briefed Committee on the Richmond RCMP's December 2015 Activities, noting that (i) there have been a decrease in the number of residential break and enter incidents in the city, (ii) incidents of fraud and automotive thefts have increased in the city, and (iii) fraud activity may go unreported.

Discussion ensued with regard to the Richmond RCMP's clearance rate for crime.

As a result of the discussion, staff were directed to provide Council with statistics related to the Richmond RCMP's clearance rate for crime and report back.

It was moved and seconded

That the report titled "RCMP's Monthly Report – December Activities 2015," dated January 21, 2016 from the Officer in Charge, Richmond RCMP, be received for information.

CARRIED

Committee requested that E-Comm, Emergency Services, and Block Watch be added as standing items to the Community Safety Committee agenda.

Community Safety Committee
Wednesday, February 10, 2016

6A. E-COMM
(File Ref. No.)

The Chair updated Committee on E-Comm, noting that (i) Richmond is E-Comm's second largest contributor, (ii) E-Comm has a new Chair, and (iii) E-Comm is operating in 80% of the province.

Discussion ensued with respect to municipal contributions to E-Comm.

Discussion then took place with regard to Council members scheduling a tour of E-Comm and BC Ambulance facilities.

6B. EMERGENCY SERVICES
(File Ref. No.)

In reply to queries from Committee, Phyllis Carlyle, General Manager, Law and Community Safety, noted staff can provide a monthly report on the City's emergency response programs.

6C. BLOCK WATCH
(File Ref. No.)

Discussion ensued with respect to (i) community interest in Block Watch, (ii) areas in the city where there is no Block Watch participation, (iii) expansion of the Block Watch program, and (iv) increase Block Watch signage.

Supt. Nessel commented on the Block Watch program in the city, noting that the Richmond RCMP has been conducting a review of the program and feedback from participants was being received through a survey. He added that staff can report back to Council regarding the review by April 2016.

Discussion then ensued regarding (i) ways to increase Block Watch participation, (ii) Block Watch program complementing the Richmond RCMP in crime prevention, and (iii) using smartphone applications and social media as communication tools in the Block Watch program.

7. RCMP/OIC BRIEFING
(Verbal Report)

(i) Community Response Team

Supt. Nessel briefed Committee on a new volunteer-based Richmond RCMP initiative for crime reduction, noting that volunteers would target crime activity hotspots and provide residents of the area with crime prevention information. He added that the Richmond RCMP is in the process of implementing the program and no formal start date is available.

Community Safety Committee
Wednesday, February 10, 2016

(ii) Online Crime Reporting

Edward Warzel, Manager, RCMP Administration, spoke on the Online Crime Reporting Program, noting that there was a 56% increase of incidents reported online last year compared to the same period during the launch year. Inspector Konrad Goldbeck added that there have been successful cases where stolen property that was reported online was recovered.

In reply to queries from Committee, Supt. Nessel noted that the online crime reporting is only for non-emergency crime. Mr. Warzel added that staff are examining ways to expand public awareness of the Program and noted that there are Program links on the City's website.

8. FIRE CHIEF BRIEFING

(Verbal Report)

Spring Cleaning/Clocks Changing/Smoke Alarm Safety Messages

Acting Fire Chief Wilkinson wished to remind residents that the upcoming time change would be an ideal time to test smoke alarms. He added that smoke alarms typically last approximately 10 years and that residents should consider a dual purpose alarm that can monitor carbon monoxide levels.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:49 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Community Safety Committee of the Council of the City of Richmond held on Wednesday, February 10, 2016.

Councillor Bill McNulty
Chair

Evangel Bason
Legislative Services Coordinator



General Purposes Committee

Date: Monday, February 15, 2016

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on February 1, 2016, be adopted as circulated.

CARRIED

DELEGATIONS

1. (1) With the aid of a PowerPoint presentation (copy on file, City Clerk's Office), Richmond Hospital Foundation represented by Kyle Shury, Board Chair, Chad Pederson, Chair Stakeholder Relations, and Natalie Meixner, President and CEO, spoke on the need for a new acute care tower for Richmond Hospital, noting that:
 - the Foundation is seeking support from the City in their advocating efforts to build a new acute care tower for Richmond Hospital;

General Purposes Committee

Monday, February 15, 2016

- the original building is structurally deficient and would sustain damage in a moderate earthquake;
- the number of available hospital beds has not kept pace with the population of Richmond;
- Richmond has a significant senior population that require specialized services;
- Richmond Hospital has reached capacity, however patients are not turned away;
- a survey commissioned by the Foundation shows there is support for a new acute care tower from Richmond residents;
- Vancouver Coastal Health (VCH) has placed Richmond Hospital as the second priority behind proposed expansion of Lions Gate Hospital;
- other communities are vocal in their advocacy for improving health care facilities in their region;
- The Foundation is committed to raising \$40 million, but will need a Provincial commitment;
- a new acute care tower will take approximately five to seven years to design and build; and
- the Foundation has met with local Members of the Legislative Assembly (MLAs) on the matter.

Discussion ensued with regard to (i) the timeline to construct the acute care tower, (ii) patients from outside Richmond using the hospital, (iii) discussing the proposed hospital improvements with local MLAs and the Minister of Health, and (iv) the need to prioritize the proposed hospital improvements.

In reply to queries from Committee, Ms. Meixner, noted that (i) some patients require specialized care outside of Richmond, (ii) the Foundation is active in community engagement and will lead efforts to fundraise for the proposed acute care tower, and (iii) Provincial support for the proposed acute care tower is required in addition to funds raised by the Foundation.

Discussion then ensued with respect to (i) advocating for the proposed acute care tower in advance of the upcoming Provincial election, (ii) support expressed by VCH on the proposed acute care tower, and (iii) working conditions of Richmond Hospital staff.

In reply to queries from Committee, Ms. Meixner advised that the Foundation is a charitable organization and is detached from VCH. She added that the Foundation will require partnerships with VCH and the Province to complete the proposed project.

General Purposes Committee

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Discussion ensued regarding (i) the deficiencies in the current building, (ii) the capacity required to address the care needs of an ageing population, and (iii) the additional resources required for modern medical care.

In reply to queries from Committee, Ms. Meixner noted that the Foundation is active in community engagement and that support from the City and community stakeholders will encourage Provincial support of the proposed hospital improvements.

It was moved and seconded

- (1) *That letters be sent to the Premier, Minister of Health, Richmond Members of the Legislative Assembly, the Chair of Vancouver Coastal Health and the President of Vancouver Coastal Health, requesting an immediate commitment from the Province to build a new Richmond Hospital Acute Care Tower for completion within five years; and*
- (2) *That a letter be sent to Richmond Members of the Legislative Assembly requesting that they provide written confirmation of their support for a new Richmond Hospital Acute Care Tower.*

CARRIED

- (2) Debbie Tablotney, Board Chair, Donna Sargent, Board Vice-Chair, Sherry Elwood, Superintendent of Schools, and Mark De Mello, Secretary Treasurer, School District No. 38 (Richmond), briefed Committee on the District's long term facilities plans and school closure process, noting that:
 - the District has completed the public engagement phase consisting of online surveys and open houses;
 - through public engagement, background information on issues affecting the District was provided;
 - District staff are now in the process of applying the school closure policy to identify four to five schools for potential closure;
 - the District will keep Council informed on the school closure process; and
 - the District staff will continue to work with the City to identify possible uses for closed and surplus sites.

General Purposes Committee

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In reply to queries from Committee, Mr. De Mello noted that the District's target of four to five school closures was partly determined by enrollment efficiency rates, which the Province uses to prioritize schools for seismic remediation. He added that schools would require an enrollment efficiency rate of 90-95% in order to be considered for seismic remediation and that potential schools considered for closure would be small to medium sized.

Discussion ensued with respect to (i) prioritizing seismic upgrades in schools, (ii) the enrollment efficiency rate set by the Province, and (iii) future capacity needs of schools in the city.

In reply to queries from Committee, Ms. Sargent noted that the community needs differ and may not reflect the standardized enrollment efficiency rate mandated by the Province for seismic remediation.

Discussion took place regarding (i) the portion of funds kept by the District when school sites are closed or sold, (ii) the ownership of school land, and (iii) the projected increase in residential development and the future need for schools.

In reply to queries from Committee, Ms. Tablotney noted that the District monitors city development to anticipate future demand for schools.

Discussion then ensued regarding (i) the potential impact of a younger enrollment age for kindergarten, (ii) the varying capacity of schools in the city, (iii) historical acquisition of land for school expansion in the city, and (iv) alternative options to liquidating District sites such as land swaps, repurposing buildings and leasing.

COUNCILLOR HAROLD STEVES

2. **GEORGE MASSEY TUNNEL REPLACEMENT PROJECT**

(File Ref. No. 10-6350-05-08) (REDMS No. 4915030 v. 2)

Discussion ensued with regard to (i) how the proposed George Massey Tunnel Replacement (GMTR) project has evolved from the previous six-lane proposal to the current bridge proposal, (ii) stakeholder proposals to consider future shipping terminals and dredging along the Fraser River, (iii) options proposed by stakeholders for the removal of the tunnel or constructing a deeper tunnel, and (iv) the potential impact of the GMTR project on surrounding municipalities.

As a result of the discussion, the following **motion** was introduced:

General Purposes Committee
Monday, February 15, 2016

It was moved and seconded

- (1) *That the City of Richmond request that the Provincial Government provide copies of all reports and studies - including but not limited to business plans, feasibility studies, technical studies, seismic studies, and/or environmental impact studies - that relate to the original plan to twin the George Massey Tunnel and/or provide Rapid Bus service that were considered during the period from 2006 to 2008; and that if necessary, that the foregoing request be made as an official Freedom of Information request; and*
- (2) *That a letter be sent to the Auditor General requesting comments on the process leading up to the decision related to the George Massey Tunnel Replacement Project.*

CARRIED

COMMUNITY SERVICES DIVISION

3. STEVESTON HISTORIC SITES BUILDING COMMITTEE TERMS OF REFERENCE 2016

(File Ref. No. 06-2350-01) (REDMS No. 4892948 v. 5)

It was moved and seconded

That the Steveston Historic Sites Building Committee Terms of Reference as detailed in the staff report titled "Steveston Historic Sites Building Committee Terms of Reference 2016," dated January 29, 2016, from the Senior Manager, Parks, be approved.

CARRIED

FINANCE AND CORPORATE SERVICES DIVISION

4. APPOINTMENT OF ACTING CORPORATE OFFICER

(File Ref. No. 05-1400-01) (REDMS No. 4910068)

It was moved and seconded

That Dovel Buie, Acting Manager, Legislative Services, be appointed as an Acting Corporate Officer for the purposes of carrying out statutory duties prescribed in section 148 of the Community Charter in the absence of, or as directed by, David Weber, Director, City Clerk's Office (Corporate Officer).

CARRIED

General Purposes Committee
Monday, February 15, 2016

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:05 p.m.).

CARRIED

Certified a true and correct copy of the
Minutes of the meeting of the General
Purposes Committee of the Council of the
City of Richmond held on February 15,
2016.

Mayor Malcolm D. Brodie
Chair

Evangel Biason
Legislative Services Coordinator



Planning Committee

Date: Tuesday, February 16, 2016

Place: Anderson Room
Richmond City Hall

Present: Councillor Linda McPhail, Chair
Councillor Bill McNulty
Councillor Chak Au
Councillor Carol Day
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Planning Committee held on February 2, 2016, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

March 8, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

COMMUNITY SERVICES DIVISION

1. **RICHMOND INTERCULTURAL ADVISORY COMMITTEE 2015
ANNUAL REPORT AND 2016 WORK PROGRAM**

(File Ref. No. 07-3300-01) (REDMS No. 4873965 v. 4)

Committee wished to thank the Richmond Intercultural Advisory Committee for their work.

Planning Committee
Tuesday, February 16, 2016

It was moved and seconded

That the Richmond Intercultural Advisory Committee (RIAC) 2015 Annual Report and 2016 Work Program be approved.

CARRIED

PLANNING AND DEVELOPMENT DIVISION

2. ARTERIAL ROAD POLICY UPDATES

(File Ref. No. 10-6350-00) (REDMS No. 4880858 v. 6)

Wayne Craig, Director, Development, briefed Committee of the proposed amendments to the City's Arterial Road Policy, noting that:

- the proposed amendments will provide clarity and specificity to the existing Policy;
- the proposed amendments will provide opportunities to introduce new housing forms such as duplexes, triplexes and row houses in addition to the traditional housing forms such as townhouses and single-family homes along arterial roads;
- in addition to the new housing forms, staff are recommending changes to Development Permit guidelines for traditional townhouse forms along arterial roads related to orphan lots, rear yard setbacks and duplex building types adjacent to single-family homes;
- the proposed amendments will identify areas where duplexes and triplexes are suitable;
- staff have identified areas in the city where exclusive lane-access housing is appropriate;
- the proposed amendments have identified four areas where mid-block lane connections to the arterial road may be needed and as part of the implementation strategy, staff will be recommending a funding approach that will allow for the equitable development of mid-block connections for lane-access housing;
- areas of future study include provisions for double fronting lots along arterial roads and opportunities to increase density along the Railway Avenue corridor; and
- should the proposed amendments advance, consultation with stakeholders, Richmond School District No. 38, and the public will proceed.

Planning Committee

Tuesday, February 16, 2016

In reply to queries from Committee, Mr. Craig noted that (i) the population projections in the report are in keeping with the Official Community Plan (OCP) for residential growth outside the city centre, (ii) the proposed amendments would allow for on-site vehicle maneuvering space in duplex and triplex sites, (iii) up to six vehicle parking spaces along with one visitor parking space would be required in a triplex site, and (iv) row houses differ from townhouses in that row houses do not have a strata and row house owners own their specific lot title.

In response to queries from Committee regarding density, Mr. Craig noted that staff are recommending a density of 0.6 FAR for arterial road duplexes and triplexes, which will facilitate appropriate dwelling sizes. He added that the recommended density is consistent with allowances for compact lot and coach house sites and should integrate well into the surrounding context.

Discussion ensued with respect to the rental vacancy rates in the city and surrounding municipalities.

As a result of the discussion, staff were directed to continue processing all in-stream development applications during the consultation process and advise the public that in-stream applications will be processed during the consultation process on the City's website.

Discussion then took place with regard to increasing density along the Railway Avenue corridor.

In reply to queries from Committee regarding front-back duplexes accessed from a rear lane, Mr. Craig noted that vehicle parking will feature a driveway and a garage with two parking spaces in a tandem arrangement.

Amar Sandhu, 11020 No. 5 Road, expressed concern with regard to the potential increase of time required to process rezoning applications and was of the opinion that development applications should proceed straight to the Development Permit process.

In reply to queries from Committee, Mr. Craig noted that pre-zoning sites is not advised and that the rezoning process allows the City to secure amenities such as affordable housing and infrastructure.

Discussion ensued regarding the time required to process development applications, and in reply to queries from Committee, Joe Erceg, General Manager, Planning and Development, advised that application time is partly dependent on the response of applicants and the City's application processing time compares favorably to other municipalities.

Discussion then ensued with respect to significantly increasing density along the Railway Avenue corridor and its possible effect on neighbourhood character.

Planning Committee
Tuesday, February 16, 2016

In reply to queries from Committee, Mr. Craig noted that the proposed public consultation is consistent with the public consultation followed on previous revisions of the Arterial Road Policy; however, staff can amend the proposed public consultation at Council's direction.

Discussion ensued with regard to the proposed public consultation, and it was suggested that newspaper advertisements be used to advise the public of the planned open houses for the proposed amendments.

In reply to queries from the Committee, Mr. Craig noted that staff can provide information on the number of properties that will be potentially affected by the proposed amendments.

It was moved and seconded

That the proposed amendments to the Arterial Road Policy as provided in the January 27, 2016 staff report titled "Arterial Road Policy Updates," be approved to proceed to public and stakeholder consultation.

CARRIED

Opposed: Cllr. Day

3. PROVINCIAL GOVERNMENT LEGISLATION OF THE BUILDING ACT

(File Ref. No.) (REDMS No. 4913560)

James Cooper, Manager, Plan Review, briefed Committee on the Province enacting the *Building Act* (the Act), noting that:

- the legislation's objectives will be to improve consistency in the implementation of building regulations province-wide and will respond to innovative advancements in building methods;
- the Act will centralize building regulation authority at the Provincial level;
- the Act may affect City policy objectives by conflicting with building regulations in City bylaws;
- the Act will standardize qualification requirements for building officials and City Building Approvals staff will require certification to Provincial standards; and
- staff will review bylaws and advise Council of any potential areas of conflict.

In reply to queries from Committee, Mr. Cooper advised that implementation of the Act is done in phases and many administrative rules are still not in place.

Planning Committee

Tuesday, February 16, 2016

Discussion ensued with respect to the potential impact of the Act, and in reply to queries from Committee, Mr. Erceg noted that requirements that are applied at time of rezoning, such as servicing and affordable housing agreements, should not be impacted. He added that requirements that are in a bylaw and outside of the rezoning process, may be affected by the Act. He further noted that staff will examine options to preserve all City requirements that may be affected by the Act.

Discussion then took place regarding the Province's potential influence on development in the city and the benefits that come from rezoning.

In reply to queries from Committee, Mr. Erceg advised that the City has highly trained Building Approvals staff and that Provincial requirements are rigid with respect to the testing and certifying of building officers.

In reply to queries from Committee, Mr. Cooper noted that the Act was introduced to address inconsistencies in building regulations between municipalities which potentially affected developers building across multiple municipalities, trade agreements and certification of materials and methods. He added that the Act will permit innovation and will supersede municipal authority; however, Provincial review of non-traditional developments may take a longer time compared to the current municipal process.

Discussion then ensued with respect to the historical development approval policies in the Province and the City and the high building standards of the City.

It was moved and seconded

- (1) *That the staff report titled "Provincial Government Legislation of the Building Act," dated January 20, 2016, from the Senior Manager, Building Approvals, be received for information;*
- (2) *That a letter be written to the Honourable Rich Coleman, Deputy Premier and Minister Responsible for Housing, with copies to Richmond Members of the Legislative Assembly, expressing Richmond City Council's concerns in relation to the recently enacted Building Act, in particular, that:*
 - (a) *the new Building Act interferes with Council directives expressed as Building regulations within City Bylaws that may be affected by the Building Act; and*
 - (b) *the legislation lacks flexibility in addressing methods to certify and train municipal building officials; and*

Planning Committee
Tuesday, February 16, 2016

- (3) *That the City request additional information on the above matters from the Ministry, including the administrative rules that will be in place to administer the Act and that the Ministry provide opportunities to meet with the City in relation to the issues and concerns raised.*

The question on the motion was not called as discussion ensued with regard to feedback on the Act provided by the building industry.

The question on the motion was then called and it was **CARRIED**.

4. **MANAGER'S REPORT**

None.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:02 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, February 16, 2016.

Councillor Linda McPhail
Chair

Evangel Biason
Legislative Services Coordinator



Public Works and Transportation Committee

Date: Wednesday, February 17, 2016

Place: Anderson Room
Richmond City Hall

Present: Councillor Chak Au, Chair
Councillor Harold Steves
Councillor Derek Dang
Councillor Ken Johnston
Councillor Alexa Loo

Also Present: Councillor Carol Day

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Public Works and Transportation Committee held on January 20, 2016, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

March 23, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

Public Works & Transportation Committee
Wednesday, February 17, 2016

PLANNING AND DEVELOPMENT DIVISION

1. CITY OF RICHMOND - TRANSLINK TRAVELSMART PARTNERSHIP - UPDATE

(File Ref. No. 01-0154-04) (REDMS No. 4793601 v. 4)

It was moved and seconded

- (1) That staff continue to monitor the TransLink TravelSmart pilot program and relevant activities, as described in the staff report titled "City of Richmond-TransLink TravelSmart Partnership – Update," dated January 25, 2016, from the Director, Transportation, and report back on the results following their completion; and*
- (2) That a copy of the above report be forwarded to the Richmond Council-School Board Liaison Committee for information.*

CARRIED

2. TRANSLINK SOUTHWEST AREA TRANSPORT PLAN – UPDATE ON ADVISORY COMMITTEES

(File Ref. No. 01-0154-04) (REDMS No. 4902112)

It was moved and seconded

That the staff report providing an update on TransLink's Southwest Area Transport Plan, dated January 27, 2016, from the Director, Transportation, be received for information.

CARRIED

ENGINEERING AND PUBLIC WORKS DIVISION

3. BYLAW AMENDMENTS TO IMPLEMENT REQUIREMENTS FOR RECYCLING FROM SINGLE-FAMILY HOME DEMOLITIONS

(File Ref. No. 10-6370-01; 12-8060-20-009516/009522/009523) (REDMS No. 4893304)

In response to queries from the Committee, Suzanne Bycraft, Manager, Fleet and Environmental Programs and Gavin Woo, Senior Manager, Building Approvals, provided the following information:

- the process to be followed if a homeowner elected to reuse, rather than recycle, all the materials from a home;
- in the event that a home were to be relocated, a demolition permit would be required for the foundation and the concrete must be recycled;
- WorkSafe BC has jurisdiction over the removal of hazardous materials, such as asbestos, from materials to be recycled; and

Public Works & Transportation Committee

Wednesday, February 17, 2016

- WorkSafe BC would issue documentation to the contractor certifying that the material to be recycled does not contain hazardous substances.

The Committee noted that the bylaw does not promote the preservation of a home. Staff suggested that applications for demolition permits could be posted on the City website to inform contractors of opportunities to negotiate with homeowners to acquire the structures for relocation and reuse.

The Committee questioned the experience of other municipalities with respect to the success of similar bylaws in encouraging the recycling and reuse of materials from single-family home demolitions.

The Committee suggested that a third option allowing for repurposing or recycling through the relocation of the entire structure, be added to the Waste Disposal and Recycling Services Plan. Staff noted that the reuse of all or a portion of the house is provided for under the "re-use of recyclable materials" option.

In response to a question from the Committee, Victor Wei, Director, Transportation, advised that the cost, lane closure and traffic control required to relocate a house varies, depending upon the situation.

Staff advised that during consultation, industry stakeholders reported that a range of 50% to 90% of materials is currently recycled when a home is demolished. The industry is in its infancy and it is anticipated that the levels of recycled material will increase as the industry matures and experience is gained.

It was moved and seconded

That:

- (1) *Demolition Waste and Recyclable Materials Bylaw No. 9516;*
- (2) *Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9522; and*
- (3) *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9523;*

each be introduced and given first, second and third readings.

Councillor Steves spoke against the motion, noting that the incentives to relocate and repurpose, rather than demolish, homes are insufficient.

CARRIED

Opposed: Cllr. Steves

4. SEWER HEAT RECOVERY IN RICHMOND UPDATE

(File Ref. No.) (REDMS No. 4912811 v. 2)

Peter Russell, Senior Manager, Sustainability and District Energy, responded to a question from the Committee regarding the cost competitiveness of sewer heat, given the high capital cost of the infrastructure required.

3.

Public Works & Transportation Committee
Wednesday, February 17, 2016

John Irving, Director, Engineering advised that the payback period of district energy systems are generally in the range of 15 to 20 years.

It was moved and seconded

- (1) *That the staff report titled "Sewer Heat Recovery in Richmond Update," dated January 18, 2016, from the Director, Engineering, be received for information;*
- (2) *That the scope of work and budget for a Micro-Sewer Heat Recovery Study identified in the "Sewer Heat Recovery in Richmond Update," dated January 18, 2016, from the Director, Engineering, be approved with funding from the Carbon Tax Provision and included as an amendment to the Five Year Financial Plan (2016-2020) Bylaw;*
- (3) *That the application to the Federation of Canadian Municipalities, for up to 50 percent of eligible costs to complete Micro-Sewer Heat Recovery Study, be endorsed; and*
- (4) *That should the funding application be successful, the Chief Administrative Officer and the General Manager, Engineering and Public Works, be authorized to execute the agreement with the Federation of Canadian Municipalities on behalf of the City.*

CARRIED

5. SOLAR FRIENDLY RICHMOND FRAMEWORK

(File Ref. No. 10-6125-07-02) (REDMS No. 4869774 v. 4)

The Committee suggested that staff contact UBC Professor Dr. Stephen Sheppard and Robert McCullough from Oregon State regarding their research on the comparison of the cost effectiveness of solar power with the hydro-electric power that would be generated from the Site C Dam.

It was moved and seconded

That the staff report titled "Solar Friendly Richmond Framework," dated January 28, 2016, from the Director, Engineering, be received for information.

CARRIED

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:31 p.m.).

CARRIED

Public Works & Transportation Committee
Wednesday, February 17, 2016

Certified a true and correct copy of the Minutes of the meeting of the Public Works and Transportation Committee of the Council of the City of Richmond held on February 17, 2016.

Councillor Chak Au
Chair

Carol Lee
Recording Secretary



City of Richmond

Report to Committee

To: Community Safety Committee

Date: January 29, 2016

From: Tim Wilkinson
Acting Fire Chief

File: 99-Fire Rescue/2016-
Vol 01

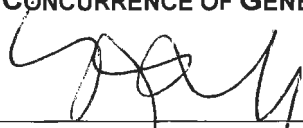


Re: Naloxone Protocols

Staff Recommendation

That Council request BC Emergency Health Services (BCEHS) approve the addition of Naloxone protocols to Richmond's Medical First Responder Program.



Tim Wilkinson
Acting Fire Chief
(604-303-2701)

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 
APPROVED BY CAO 	

Staff Report

Origin

This report supports Council's 2014-2018 Term Goal #1 A Safe Community:

Maintain emphasis on community safety to ensure Richmond continues to be a safe community.

- 1.1. Policy and service models that reflect Richmond-specific needs.*
- 1.2. Program and service enhancements that improve community safety services in the City.*
- 1.3. Improved perception of Richmond as a safe community.*
- 1.4. Effective interagency relationships and partnerships.*

Background

Drug overdoses stemming from opioid drugs have been a significant issue in the Province of British Columbia in past years. More recently, Fentanyl (a synthetic opioid drug) overdose cases across the country have increased at an alarming rate. In 2015, 3,000 overdoses and approximately 400 deaths were reported in British Columbia due to opioid drug usage. Ninety percent of the province's overdoses are in Surrey and Vancouver combined, with no deaths attributed to Fentanyl overdoses in Richmond between 2012 and 2015. In recognition of this public health crisis, Health Canada has proposed changes to the prescription status of Naloxone (a drug that temporarily reverses opioid drug overdoses) to make the drug more widely available to address the growing number of opioid overdoses, this includes proposed changes specifically for emergency use of Naloxone for opioid overdose outside of hospital settings.

Drug overdoses can be reversed through the early administration of Naloxone or Narcan. The BC Centre for Disease Control (BCCDC) and many hospitals in BC introduced the "Take Home Naloxone" program in 2012. The program provides Naloxone kits to individuals as a harm reduction measure and to save lives. In BC over 5,000 lay people have been trained by the BCCDC and those individuals were able to reverse 370 overdoses. While this is an excellent program more help is required.

Analysis

On January 28, 2016, Health Minister Terry Lake introduced a new program that is the result of collaboration between the Ministry of Health, Provincial Health Services Authority (PHSA), BC Emergency Health Services (BCEHS), BC Centre for Disease Control (BCCDC), Fraser Health and municipal authorities to respond to the rising number of drug overdose cases in B.C. Through this work, the emergency medical assistants' regulation was amended to permit licensed fire rescue first responders to administer naloxone.

The program is patient centric and intended to have the closest resource available administer lifesaving drugs at earliest possible moment. When someone overdoses on opioids, including heroin, oxycodone, fentanyl and methadone, their breathing can either slow down or stop

completely and can eventually lead to severe brain damage or death. The ministerial order will allow first responders, who often arrive before the ambulance, to administer Naloxone or Narcan. When Naloxone is administered to a person who has overdosed quickly enough, through an injection in the arm, thigh or buttocks, it can reverse the effects. Within about five minutes after a dose, the person should begin to breathe more normally and it will become easier to wake them.

The initial rollout of the program will likely be in the cities that are most impacted and implemented through their fire departments. This initiative can be replicated with appropriate medical oversight and training by BCEHS. Any municipalities who would like to participate with their fire services administering Naloxone can join the program after signing an agreement with BCEHS, which provides clinical and quality oversight of the program. Firefighters must take special BCEHS training to administer the medication, as well as provide BCEHS and BCCDC with Ministry of Health BC Emergency Health Services Provincial Health patient care information that will be used to track patient outcomes. In the future, the program may also be considered for police officers.

The training required to license a First Responder to administer Naloxone/Narcan takes approximately 20 minutes per person. Richmond Fire-Rescue has a cadre of First Responder instructors who would be able to distribute the training across all emergency response staff.

Financial Impact

The cost to train RFR staff would be minimal as BCEHS would train RFR medical instructors who would in turn train the remainder of staff.

Naloxone/Narcan (in ampoules) is distributed using hypodermic needles and each dose of Naloxone/Narcan costs \$3.00. A person requires one dose to recover from an overdose. Richmond Fire-Rescue would carry two doses in each of the emergency response vehicles totalling 20 doses with an additional 10 doses being kept as a reserve supply. RFR anticipates a total financial impact of being under \$2,000 a year. This cost could be accommodated within current operational budgets.

Conclusion

Deaths from opioid overdoses are preventable.

Richmond Fire-Rescue, as a Medical First Responder Department, is a significant contributor to the pre-hospital care system. Richmond Fire-Rescue is uniquely situated within the City to allow for rapid intervention into overdose situations.

RFR staff is well trained, dedicated and ready to deploy one more lifesaving protocol.



Tim Wilkinson
Acting Fire Chief
(604-303-2701)

TW:tw



City of Richmond

Report to Committee

To: Community Safety Committee

Date: January 25, 2016

From: Doug Long
City Solicitor

File: 09-5125-02-02/Vol 01

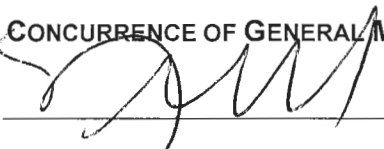


Re: Emergency Management Provincial Legislation Consultation

Staff Recommendation

That a copy of the staff report titled "Emergency Management Provincial Legislation Consultation" from the City Solicitor be forwarded to the Minister of State for Emergency Preparedness in response to her request for stakeholder input by February 19, 2015 with a copy to Richmond MLAs Linda Reid, John Yap and Teresa Wat, for information.

Doug Long
City Solicitor
(604-276-4339)

Att. 1

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
REVIEWED BY STAFF REPORT AGENDA REVIEW SUBCOMMITTEE 	INITIALS: DW
APPROVED BY CAO 	INITIALS:

Staff Report

Origin

The *Emergency Program Act* (the Act) was introduced in 1993 to establish a framework for local authorities and the B.C. provincial government to prepare for, respond to and recover from emergencies and disasters. While emergency management has evolved in the intervening years, the Act has only had minor amendments and has never undergone a comprehensive review. On January 11, 2016, Naomi Yamamoto, Minister of State for Emergency Preparedness announced the release of “Prepared and Resilient: A discussion paper on the legislative framework for emergency management in British Columbia” (the Discussion Paper – a copy of which is Attachment 1). The Discussion Paper sets out proposed changes to the Act and seeks stakeholder input by February 19, 2016. This report considers the proposed changes to the Act described in the Discussion Paper and recommends the City’s response position in respect to such changes.

This report supports Council’s 2014-2018 Term Goal #1 A Safe Community:

Maintain emphasis on community safety to ensure Richmond continues to be a safe community.

Background

The Discussion Paper’s proposed changes to the Act and the recommended City response are as follows:

1. The phases of emergency management

(1) **Proposal:** *Renaming the Act to the Emergency Management Act.*

City Response: Agree.

(2) **Proposal:** *Restructuring the Act so that it contains parts reflecting the phases of emergency management (i.e. part dedicated to prevention, to preparedness, to response and to recovery etc)*

City’s Response: Agree.

(3) **Proposal:** *Removing the term “emergency program” and references to “program” or “programs” throughout.*

City’s Response: Agree.

(4) **Proposal:** *Defining an “emergency plan” as a plan under the Act to prepare for, prevent, mitigate against, respond to and recover from an emergency and its effects*

City’s Response: Agree. The City’s existing emergency plan will have to be expanded to include prevention, mitigation, preparedness and recovery.

2. Definition of “emergency”

- (1) **Proposal:** Consider removing the potential causes in the definition of ‘emergency’ and clarify that an emergency includes a disaster.

City’s Response: Agree.

- (2) **Proposal:** Consider including damage to the environment in the definition of emergency.

City’s Response: Agree. Environmental emergencies can impact people and property.

3. Definition of “local authority”

- (1) **Proposal:** Consider changing the definition of ‘local authority’ to include Treaty First Nations, including the Nisga’a Lisims Government

- Consider the impact of this proposal in relation to all provisions in the Act that are applied to local authorities
- This proposal is subject to provincial government consultation with the Treaty First Nations and the Nisga’a Lisims Government in accordance with treaty obligations

City’s Response: Agree.

4. Emergency Management BC

- (1) **Proposal:** Establish Emergency Management BC in legislation and remove references to the Provincial Emergency Program.

City’s Response: Agree.

- (2) **Proposal:** Clarify the responsibilities of the director of EMBC to include the following:

- Lead the coordination of all provincial government emergency management activities,
- Provide advice and assistance to other authorities – provincial and local authorities – in their emergency management responsibilities,
- Establish and maintain a provincial emergency management system to standardize provincial emergency response activities, and
- Reduce risk by promoting and supporting emergency preparedness, prevention and mitigation, response and recovery initiatives

City’s Response: Agree.

5. Assigning provincial emergency planning, response, and recovery responsibilities

- (1) **Proposal:** Consider removing the current scheme from the Act whereby the Lieutenant Governor in Council (LGIC) assigns emergency planning, response and recovery duties by regulation and provide for the following in the Act:

- An authority for the minister responsible for the Act to require other ministers, after consulting with them, to prepare emergency plans in relation to specified hazards
- An authority for the Minister responsible for the Act to require, after consultation, that a minister, government corporation, or other prescribed public bodies

prepare emergency plans in relation to carrying out specific emergency response and recovery duties

City's Response: Agree.

(2) **Proposal:** *In order to support the proposed changes outlined above, other amendments would be required, including the following:*

- *Define 'hazard' as something that may cause, or contribute substantially to the cause of, an emergency*
- *Move the existing requirements in section 3 of the Emergency Program Management Regulation respecting emergency planning to the Act*
- *Provide an LGIC regulation creating the authority to prescribe public bodies for the purposes of the Act*

City's Response: Agree.

6. Ministerial authority to direct emergency planning

(1) **Proposal:** *Consider the addition of authority to provide that the Minister responsible for the Act may make an order requiring a local authority to change its local emergency plan where the minister has reviewed the plan and recommended modifications*

- *The authority should only be available to the Minister after the Minister has recommended modifications to an emergency plan and this authority should parallel the authority of the Minister to require revisions/changes to provincial emergency plans established by other ministries, government corporations and other agencies*

City's Response: Disagree. Given that the Discussion Paper proposes that the scope of an emergency plan be increased to include prevention, mitigation and recovery, a Ministerial order requiring change to an emergency plan could have a significant cost to a local government. Further, the current Act states "*a local authority is at all times responsible for the direction and control of the local authority's emergency response.*"

7. Private sector and non-government agencies

(1) **Proposal:** *Consider changes to the Emergency Program Act similar to Manitoba's to define "critical services" and require providers of these services to undertake business continuity planning as prescribed by regulation*

- *Manitoba's Act requires that critical service providers submit business continuity plans to the co-ordinator of the province's Emergency Measures Organization for review and approval*

City's Response: Agree. Critical infrastructure providers should have robust, up to date business continuity plans, trained staff and the plans exercised regularly.

(2) **Proposal:** *Consider an authority to require owners of critical infrastructure assets to provide information about these assets as prescribed by regulation for the purposes of supporting efficient and effective emergency planning, prevention/mitigation, response and recovery*

- Any change to the legislation in this regard would need to be supported by a definition of “critical infrastructure assets”; outline how such information would be provided; and provide for the confidentiality of the information
- Henry Renteria referred to “critical infrastructure” as “those physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security, or economic well-being of Canadians or the effective functioning of governments in Canada” (p 26)

City’s Response: Agree. Provided the Province obtains and maintains the data, with access provided to each local government.

8. *Shared responsibility for emergency response*

(1) **Proposal:** Consider the addition of provisions in the Act that set out the following in respect of local authorities:

- Establish that a local authority is responsible for:
 - Assessing the threat to health, safety, or welfare of people or damage to property and the environment posed by an emergency;
 - Assessing the resources required to respond to and recover from the emergency; and
 - Implementing its local emergency plan and using local authority resources to respond to and recover from the emergency
- Provide that a local authority may implement one or more provisions of its local emergency plan in relation to responding to and recovering from an emergency if:
 - If the local authority is of the opinion that an emergency exists or is imminent in the local authority’s jurisdictional area; the local authority has declared a state of emergency; or a provincial state of emergency has been declared

City’s Response: Agree.

(2) **Proposal:** Consider the addition of provisions in the Act that set out the following in respect of the provincial government:

- A Minister (or designate) is responsible for implementing one or more provisions of the Minister’s provincial emergency plan to provide provincial assistance and support to a local authority’s response to and recovery from an emergency if the following occur:
 - The scale of the emergency exceeds the response and recovery resources of the local authority and/or
 - The Minister is required under provincial law to provide provincial resources for emergency response and recovery
- Emergency Management BC is responsible for:
 - Communicating with a local authority in relation to an emergency within the jurisdictional area of the local authority, which includes:
 - Monitoring the needs of a local authority in responding to and recovering from emergencies;

- *Providing advice when necessary to local authorities responding to and recovering from emergencies; and*
- *Communicating and providing advice when necessary to a Minister in relation to an emergency in the jurisdictional area of a local authority*

City's Response: Agree. The City recommends that Emergency Management BC also be responsible for coordinating the Provincial response to assist and support a local authority.

9. *State of emergency*

(1) **Proposal:** *Consider the addition of criteria or a test to guide local authorities or the provincial government in the declaration of a state of emergency and the making of orders during a declared emergency*

- *For example, criteria could include that a head of a local authority or the Minister responsible for the Act must believe that the declaration of a state of emergency is required because the use of one or more emergency powers under the Act is necessary and essential to protect the health, safety or welfare of persons or to limit damage to property*

City's Response: Disagree. Local government officials are in the best position to decide whether or not to declare a state of emergency.

(2) **Proposal:** *Consider the addition of emergency powers not currently provided under section 10 of the Emergency Program Act. Some additional emergency powers that should be considered are as follows:*

- *Authority to collect, use or disclose information during a state of emergency that could not otherwise be collected, used or disclosed under any enactment*
 - *Consideration must be given to including limits on any additional power respecting the collection, use and disclosure of information during an emergency. For example, in Ontario the information must only be collected, used or disclosed for the purpose of preventing, responding to or alleviating the effects of an emergency and for no other purpose*
- *Authority to fast track the accreditation of medical or other essential personnel from other Canadian jurisdictions who may arrive to provide assistance during a state of emergency*
- *A further potential emergency power to be considered is the authority for a local authority or the province to vary a licence, permit or other authorization the local authority or province, as applicable, has issued under an enactment*

City's Response: Agree.

10. *Evacuation orders*

(1) **Proposal:** *Consider adding authority for police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety similar to sections 18.1 to 18.3 of the Manitoba Emergency Measures Act.*

- *As part of this proposal, also consider the following supporting provisions:*
 - *Providing police with a right of entry and use of reasonable force to enforce an evacuation order;*

- *Limiting the period of apprehension to be no longer than reasonably required to take a person to a place of safety; and*
- *Authority for the province (in a state of provincial emergency) or a local authority (in a state of local emergency) to order a person who was apprehended to pay the costs incurred by police in taking the action to enforce the evacuation order*

City's Response: Agree.

11. Employment protection

(1) **Proposal:** *Consider whether employment protection should be limited only to the duration of a state of emergency or whether the protection should extend to cover, for example, travel to and from the emergency or a time period after an emergency if the person is still required to provide assistance*

- *A further consideration here could include situations where a person is recovering from illness or injury as a result of providing assistance during an emergency*
- *Consideration should also be given to whether volunteers or other persons who assist in responding to and recovering from an emergency or disaster are entitled to employment protection in circumstances where they have not been ordered to provide assistance*

City's Response: Agree. Employment protection should extend to travel to and from emergencies, recovery from illness or injury but restricted to persons who have been ordered to provide assistance.

(2) **Proposal:** *Consider expanding the protection against loss of employment in section 25 of the Act to include the same protections as those provided for a person on jury duty under section 56 of the Employment Standards Act*

- *This would add protection for employment benefits and benefits based on seniority, as well as provide that a person who is providing assistance is deemed to be on leave and must not be terminated as a result of being required to provide assistance or because the person is absent or unable to perform employment duties while on deemed leave*

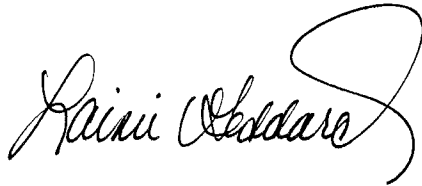
City's Response: Agree provided that person has been ordered to provide assistance.

Financial Impact

None at this time

Conclusion

The Discussion Paper proposes significant changes to the Act. Staff have considered these changes and recommend most. However, as set out in this report, there are a number that require further consideration on the Province's part.



Lainie Goddard
Manager, Emergency Programs
(604-244-1211)



Doug Long
City Solicitor
(604-276-4339)

DP:dp

Att. 1: Prepared and Resilient: A discussion paper on the legislative framework for emergency management in British Columbia



BRITISH
COLUMBIA

Prepared and Resilient

*A discussion paper on the legislative framework for
emergency management in British Columbia*

JANUARY 2016



CNCL - 59

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Message from the Minister

As Minister of State for Emergency Preparedness, I am pleased to announce the release of *Prepared and Resilient: A Discussion Paper on the Legislative Framework for Emergency Management in British Columbia*. This document is intended to support a consultation that will engage stakeholders in a dialogue about emergency management legislation in British Columbia.

When we think about being prepared for an emergency or disaster I think it is fair to say that legislation is not top of mind. Nevertheless, we must recognize that the coordination and synergies of emergency management experts in this province—whether at the local or provincial level—starts with understanding and fulfilling key emergency management responsibilities and having the appropriate authority to take the right actions at the right time when faced with an emergency or disaster. That's where legislation comes in: to establish the legal framework for a prepared and resilient British Columbia.

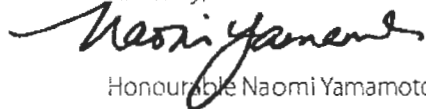
The *Emergency Program Act* is the key piece of legislation for emergency management in British Columbia. The Act, which was introduced in 1993, sets out roles and responsibilities for local authorities and the provincial government in preparing for, responding to and recovering from emergencies and disasters. The Act also sets out the authority for local government or the province to declare a state of emergency and to use emergency powers to protect the health, safety or welfare of people and to limit damage to property.

A key challenge with the Act and its regulations— and a principal reason for this consultation and engagement—is that while best practices in the field of emergency management in B.C. and elsewhere have evolved significantly over the past two decades, the *Emergency Program Act* has remained largely unchanged since its introduction and has never been the subject of a full and open review as proposed herein. The time has therefore come for us to examine the Act to ensure it provides the solid legal foundation we need here in B.C. to meet whatever challenges may come our way, be they small scale emergencies contained at the local level or catastrophic events affecting a region or even possibly the entire province.

This consultation acknowledges recent changes some other Canadian jurisdictions have made to modernize their emergency management laws. The engagement has also been shaped by findings and recommendations of the 2014 earthquake preparedness reports of the Auditor General and Henry Renteria, the former head of California's Office of Emergency Services who consulted with stakeholders on earthquake preparedness issues and priorities.

Ultimately, though, it is the input and feedback that we receive from interested British Columbians on the challenges and proposals outlined herein that will best inform the development of any changes to the law. It is my hope that this consultation will engage British Columbians in a dialogue so that together we can create legislation that supports a prepared and resilient B.C.

Sincerely,



Honourable Naomi Yamamoto
Minister of State for Emergency Preparedness

Executive Summary

The Premier's mandate letter to Minister of State for Emergency Preparedness Naomi Yamamoto directs the Minister to lead a review of the *Emergency Program Act* (Act) to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia, providing a report back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016.

This engagement is intended to be a key component of the review of the legislation. It highlights several key challenges in the Act and seeks input from stakeholders on proposals for possible legislative changes so that government may better understand what improvements if any may be needed to ensure the Act is up to date and effective.

The specific examples of challenges presented in this consultation fall into one of the following three discussion areas, with each including proposals for possible changes to the Act for consideration and input of stakeholders:

A. Modernizing fundamental concepts and structure of the Act:

1. Phases of emergency management (prevention, preparedness, response and recovery);
2. Definition of emergency and disaster; and
3. Definition of local authority.

B. Clarifying roles and responsibilities:

4. Emergency Management BC;
5. Provincial emergency planning, response and recovery responsibilities;
6. Ministerial authority to direct emergency planning; and
7. Provincial authority for private sector and non-government agencies.

C. Supporting emergency response and recovery:

8. Shared responsibilities for emergency response;
9. State of Emergency;
10. Evacuation orders; and
11. Employment protection.

Stakeholder input on the identified challenges and discussion questions may be submitted to citizenengagement@gov.bc.ca by Feb. 19, 2016. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who Minister Yamamoto invited to provide input may be posted to Emergency Management BC's website. Submissions from members of the public posted to the website forum will be reviewed and incorporated into the review process along with the other stakeholder submissions.

Context of a Review of the *Emergency Program Act*

OVERVIEW OF THE LEGISLATIVE FRAMEWORK

The *Emergency Program Act* provides the legislative framework for the management of disasters and emergencies within British Columbia. This framework defines responsibilities of local authorities, provincial ministries and crown corporations along with the responsibility for the Province's emergency management program. It requires local authorities, ministries, crown corporations, and government agencies to develop plans and programs to prepare and respond to emergencies and disasters in the Province. It also provides local authorities, the Minister responsible for the Act, and the Lieutenant Governor in Council, with the ability to declare a state of emergency in order to access the extraordinary powers required to co-ordinate emergency responses.

Supporting the *Emergency Program Act* are three regulations made under the authority of the statute:

- ▶ *Emergency Program Management Regulation* identifies duties and responsibilities of provincial ministries and government corporations in relation to specific hazards and generally in the event of an emergency;
- ▶ *Local Authority Emergency Management Regulation* outlines roles and responsibilities of Local Authorities; and
- ▶ *Compensation and Disaster Financial Assistance Regulation* establishes the framework for the provisions of disaster financial assistance.

WHY REVIEW THE ACT?

The time is ripe to review the *Emergency Program Act* to ensure it is effective in supporting the management of emergencies in British Columbia. The current iteration of the *Emergency Program Act* dates back to 1993 and has been subject to a small number of limited amendments since then. Over the last two decades various events and operational responses have prompted the provincial government and other partners in emergency management to consider and revise operational practices and procedures.

A further factor contributing factor are the 2014 reports of the Office of the Auditor General and Henry Renteria on earthquake preparedness. These reports further highlighted where changes may be necessary to improve the preparedness of British Columbians in relation to the possible occurrence of a catastrophic event.

Finally, the Premier's July 30, 2015 mandate letter to Minister Yamamoto directs the Minister to lead a review of the Act to ensure the legislation is up to date and effective in managing the impacts of emergencies in British Columbia and reporting back to Cabinet Committee on Secure Tomorrow on or before March 31, 2016. This consultation is intended as a key step in achieving a review as envisioned in the mandate letter by engaging stakeholders in a discussion about what improvements if any may be needed to ensure the Act is up to date and effective.

SCOPE OF REVIEW

This engagement identifies 3 main challenges in the Act and broken out into the following discussion areas:

- A. Modernizing fundamental concepts and structure of the Act**
- B. Clarifying roles and responsibilities**
- C. Supporting emergency response and recovery**

The list of challenges and examples presented for discussion and consideration are focussed on the Act and not the regulations. However, this does not preclude comments and input on any of the regulations as potential changes to the Act could also have implications for matters set out under the regulations.

Finally, the discussions presented here are not intended to be an exhaustive list. It is hoped that the items raised here will generate thought and discussion that will result in a broad range of items for government to consider.

OVERVIEW OF REVIEW PROCESS

Minister Yamamoto sent letters to key stakeholders on the release date of this engagement to invite them to provide submissions on the challenges and proposals outlined herein. In order to promote the transparency of the review and engagement process, submissions received from stakeholders who received invitations may be posted to Emergency Management BC's website. A list of these stakeholders is also provided on the website.

Other interested stakeholders, including members of the public, may also make submissions.

Any submissions received from individuals or organizations who did not receive invitation letters from Minister Yamamoto will also be reviewed and incorporated into the review process; these submissions will be collected via the EMBC website forum.

Submissions will be received up to Feb. 19, 2016, at 4 p.m. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Challenges and Proposals

Discussion Area A:

Modernizing fundamental concepts and structure of the Act

Discussion 1:

The phases of emergency management

Background:

Emergency management is a universal term for the systems and processes used for preventing or reducing the impacts of disasters on communities. Emergency management is conceptualized in four phases: prevention/mitigation, preparedness, response and recovery.

This phased approach is an internationally recognized standard for defining and understanding different aspects of emergency management and is integral to the systems and processes in BC that local authorities and government use to minimize vulnerability to hazards and for coping with disasters. For example, over the last two decades local authority and government emergency plans, which are a central feature of the *Emergency Program Act*, have come to be understood as plans related to preparedness for, prevention and mitigation of, response to and recovery from an emergency and its effects.

Challenge in the current legislative framework:

While the *Emergency Program Act* references aspects of the phased approach to emergency management, it is important that the terms prevention, preparedness, response and recovery are used consistently throughout the legislation. Consideration should be given to structuring the Act

to reflect the distinct subject matter of the phases whereby separate parts are established for each phase, with powers and duties for local authorities and the provincial government set out in each part.

The Act's current name should also better reflect the emergency management focus of the act. The current name reflects the role of the Provincial Emergency Program, which has been superseded by Emergency Management BC. See Discussion Area B, Discussion 4. As well, "emergency program" is not defined and, while the term "program" is used in numerous sections in the Act, it may be unclear in some sections as to what this term means in relation to the phases of emergency management.

A further consideration is the definition of "local authority emergency plan" and "provincial emergency plan". These definitions do not currently emphasize that emergency planning involves all phases of emergency management.

Relevant sections in the legislation:

- ▶ Title of the Act
- ▶ Part 1—Definitions and Application
- ▶ Part 2—Administration
- ▶ Part 3—Emergencies, Disasters and Declared Emergencies

Proposal:

Consideration should be given to the following potential changes to the Act:

1. Renaming it the *Emergency Management Act*.
2. Restructuring the Act so that it contains parts reflecting the phases of emergency management (i.e. a part dedicated to preparedness, a part dedicated to response etc.)
3. Removing the term “emergency program” and references to “program” or “programs” throughout.
4. Defining an “emergency plan” as a plan under the Act to prepare for, prevent, mitigate against, respond to and recover from an emergency and its effects.

**Discussion 2:
Definition of “emergency”****Background:**

A definition of an “emergency” is essential to emergency management legislation. In the *Emergency Program Act*, the term “emergency” gives meaning to other important concepts such as emergency plans, emergency programs, emergency measures, and states of emergency.

The current definition of emergency in the Act provides that it is a “present or imminent event or circumstance that is caused by accident, fire, explosion, technical failure or the forces of nature ...”. A “disaster”, on the other hand, is a subset of an emergency. The Act defines a disaster as a calamity that is caused by accident, fire, explosion or technical failure or by the forces of nature and has resulted in serious harm to people or widespread damage to property.

**Challenge in the current
legislative framework:**

BC’s legislation limits the definition of an emergency to a specific set of causes, which raises a question as to whether some events or circumstances may fall outside the scope of the Act. Similar legislation in other provincial jurisdictions generally uses broader language that puts an emphasis on defining an emergency based on what could or does result from an event, situation, or condition. Many other jurisdictions have also included damage to the environment in the definition of emergency.

Relevant sections in the legislation:

- Section 1 of the *Emergency Program Act*

Proposal:

1. Consider removing the potential causes in the definition of 'emergency' and clarify that an emergency includes a disaster. The following definitions from other Canadian jurisdictions may be a helpful guide in revising the definition of 'emergency' in BC:
 - Manitoba's *Emergency Measures Act* defines 'emergency' as follows:
"a present or imminent situation or condition that requires prompt action to prevent or limit (a) the loss of life; or (b) harm or damage to the safety, health or welfare of people; or (c) damage to property or the environment"
 - Alberta's *Emergency Management Act* defines 'emergency' as follows:
"an event that requires prompt co-ordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property"
 - Ontario's *Emergency Management and Civil Protection Act* defines emergency as follows:
"a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise"
2. Consider including damage to the environment in the definition of emergency.

Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/e080e.php>
- ▶ Alberta's *Emergency Management Act*:
<http://www.qp.alberta.ca/documents/Acts/E06P8.pdf>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:
<http://www.ontario.ca/laws/statute/90e09>
- ▶ Nova Scotia's *Emergency Management Act*:
<http://nslegislature.ca/legc/>

Discussion 3: Definition of “local authority”

Background:

Four treaties have been ratified to date under the BC Treaty Process with the Maa-Nulth First Nations, Tsawwassen First Nation, Tla’amin Nation, and Yale First Nation. In addition, a treaty was implemented outside of the treaty process with the Nisga’a in 2000.

All of the modern treaties implemented or ratified provide that Treaty First Nations and the Nisga’a Lisims Government have the “rights, powers, duties and obligations of a local authority under federal and provincial law in respect of emergency preparedness and emergency measures” on Treaty Lands. This includes specific law making authority in relation to emergency preparedness and emergency measures, as well as authority to declare a state of local emergency and exercise the powers of a local authority in accordance with federal and provincial laws in respect of emergency measures.

Challenge in the current legislative framework:

The *Emergency Program Act* defines a ‘local authority’ as one of the following:

- A municipality
- Regional district
- National park subject to an agreement between the province and the government of Canada

The definition does not currently include Treaty First Nations or the Nisga’a Lisims Government. As the Treaty First Nations have the status of local authorities for the purposes of the *Emergency Program Act*, consideration needs to be given to modernizing the definition of ‘local authority’ in the Act to ensure proper alignment with the provisions

of the treaties. This change will further reinforce the continued coordination of activities and shared responsibilities between the provincial government, Treaty First Nation governments, local governments, and other institutions to work together to mitigate, prepare for, respond to and recover from disasters.

Relevant sections in the legislation:

- Sections 1, 5, 6, 8, 10, 12, 13, 14, 15, 18, 19 of the *Emergency Program Act*
- Local Authority Emergency Management Regulation
- Compensation and Disaster Financial Assistance Regulation

Proposal:

1. Consider changing the definition of ‘local authority’ to include Treaty First Nations, including the Nisga’a Lisims Government.
 - Consider the impact of this proposal in relation to all provisions in the Act that are applied to local authorities.
 - This proposal is subject to provincial government consultation with the Treaty First Nations and the Nisga’a Lisims Government in accordance with treaty obligations.

Additional information for consideration:

BC Treaties:

- Under the BC Treaty Process:
<http://www.bctreaty.net/files/treaties-and-agreements-in-principle.php>
- Nisga’a Final Agreement:
<http://www.nnkn.ca/files/u28/nis-eng.pdf>

Discussion Area B:**Clarifying roles and responsibilities****Discussion 4:****Emergency Management BC****Background:**

Emergency management requires cross-agency, cross-government and inter-jurisdictional coordination and integration to ensure effective delivery of emergency management services.

Emergency Management British Columbia (EMBC) was established in 2006 to take on the responsibilities of its predecessor, the Provincial Emergency Program (PEP), and to take on the role as the lead coordinating agency in the provincial government for all emergency management activities.

EMBC provides executive coordination, strategic planning, and multi-agency facilitation and strives to develop effective working relationships in an increasingly complex emergency management environment. EMBC works with local governments, First Nations, federal departments, industry, non-government organizations and volunteers to support the emergency management phases of mitigation/ prevention, preparedness, response and recovery. Additionally, EMBC engages provincial, national and international partners to enhance collective emergency preparedness.

Challenge in the current legislative framework:

The *Emergency Program Act* does not currently reference Emergency Management BC. Instead, the Act continues to reference the Provincial Emergency Program.

Relevant sections in the legislation:

- ▶ Section 2 of the *Emergency Program Act*
- ▶ Section 2 of the *Emergency Program Management Regulation*

Proposal:

1. Establish Emergency Management BC in legislation and remove references to the Provincial Emergency Program.
2. Clarify the responsibilities of the director of EMBC to include the following:
 - Lead the coordination of all provincial government emergency management activities,
 - Provide advice and assistance to other authorities—provincial and local authorities—in their emergency management responsibilities,
 - Establish and maintain a provincial emergency management system to standardize provincial emergency response activities, and
 - Reduce risk by promoting and supporting emergency preparedness, prevention and mitigation, response and recovery initiatives.

Additional information for consideration:

- ▶ EMBC website:
<http://www.embc.gov.bc.ca/index.htm>
- ▶ EMBC's strategic plan:
<http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/embc-strategic-plan.pdf>

Discussion 5: Assigning provincial emergency planning, response, and recovery responsibilities

Background:

Under section 4(1) of the *Emergency Program Act*, the Minister responsible for the Act is required to prepare provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters.

The Act also provides authority under section 28(2) (a) for the Lieutenant Governor in Council (LGIC) to assign responsibilities to ministries, boards, commissions or government corporations or agencies for the preparation and implementation of emergency plans, including arrangements to deal with emergencies and disasters.

The Emergency Program Management Regulation contains requirements for ministers and government corporations to develop emergency plans. The responsibility for ministers to make provincial emergency plans for specific hazards is assigned in Schedule 1 of the Regulation. Schedule 2 of the regulation sets out duties of ministers and government corporations in the event of an emergency.

Challenge in the current legislative framework:

The Ministerial responsibility under the Act for preparing provincial emergency plans and the LGIC authority to assign responsibility for provincial emergency plans requires clarification. The Minister responsible for the Act does not prepare all provincial emergency plans respecting preparation for, response to and recovery from emergencies and disasters. This responsibility is distributed across government ministries and agencies, a process that

is more accurately reflected in schedule 1 of the EPM Regulation.

However, the feasibility of assigning emergency planning and other duties by way of regulation is questionable. Emergency management practices have evolved considerably over the last two decades and will continue to do so. The process of updating and changing provincial emergency responsibilities through amendments to a regulation can be cumbersome and not well suited to responding to changes in the dynamic emergency management environment.

A further matter in the context of provincial emergency management responsibilities is the extent to which the legislative framework should capture public organizations such as school boards and health authorities, which do not fall under the definition of Government Corporation. Henry Renteria acknowledged concerns of many stakeholders respecting emergency management plans and capacities across specific sectors (p. 19). While other public bodies with various degrees of independence from government engage with government ministries in emergency planning processes, the question of government's responsibility to ensure coordination of planning, response and recovery duties when and where necessary should be considered.

Relevant sections in the legislation:

- Sections 4 and 28 of the *Emergency Program Act*
- See the *Emergency Program Management Regulation*



Proposal:

1. Consider removing the current scheme from the Act whereby the Lieutenant Governor in Council (LGIC) assigns emergency planning, response and recovery duties by regulation and provide for the following in the Act:
 - An authority for the minister responsible for the Act to require other ministers, after consulting with them, to prepare emergency plans in relation to specified hazards.
 - An authority for the Minister responsible for the Act to require, after consultation, that a minister, government corporation, or other prescribed public bodies prepare emergency plans in relation to carrying out specific emergency response and recovery duties.
2. In order to support the proposed changes outlined above, other amendments would be required, including the following:
 - Define 'hazard' as something that may cause, or contribute substantially to the cause of, an emergency.
 - Move the existing requirements in section 3 of the Emergency Program Management Regulation respecting emergency planning to the Act.
 - Provide an LGIC regulation creating the authority to prescribe public bodies for the purposes of the Act.

Additional information for consideration:

- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf

Discussion 6:**Ministerial authority to direct
emergency planning****Background:**

Effective emergency planning is essential to emergency management. In B.C., local governments lead the initial response to emergencies and disasters in their communities and, as required under the Act, they prepare emergency plans and maintain an emergency management organization to ensure the safety of citizens when a situation escalates beyond the first responder level.

Under section 4(2)(f) of the Act, the Minister has the authority to review and recommend changes to a local emergency plan. Currently, Emergency Management BC works with its partners in local governments to provide advice and guidance on the development of local emergency plans.

**Challenge in the current
legislative framework:**

While the Minister has authority under the Act to review and recommend changes to a local emergency plan, the minister does not have authority to require that a local authority make changes to their plans in situations where a cooperative approach has not been productive to address a significant issue with a plan.

Most other jurisdictions in Canada provide the Minister responsible with authority to review and, if necessary, require changes to emergency plans. Manitoba has a clear and comprehensive scheme

under section 8 of that province's Act for the Minister to require revisions to local authority emergency plans as well as those across the provincial government. Ontario's Act provides authority for the Minister to set standards for plans under section 14 of that province's Act. Section 9 of Alberta's Act provides that the Minister responsible may "review and approve or require the modification of provincial and emergency plans and programs".

Henry Renteria referenced the expectation many stakeholders in British Columbia have with respect to provincial government leadership in setting standards respecting emergency plans and programs. Specifically, he stated that Emergency Management BC must "provide more clarity regarding the expectations of local authorities in the area of emergency management" in support of his recommendation that EMBC's authority be augmented to set minimum standards for emergency management programs.

Relevant sections in the legislation:

- Section 4 of the *Emergency Program Act*

Proposal:

1. Consider the addition of authority to provide that the Minister responsible for the Act may make an order requiring a local authority to change its local emergency plan where the minister has reviewed the plan and recommended modifications.
 - The authority should only be available to the Minister after the Minister has recommended modifications to an emergency plan and this authority should parallel the authority of the Minister to require revisions/changes to provincial emergency plans established by other ministries, government corporations and other agencies.

Additional information for consideration:

- ▶ Alberta's *Emergency Management Act*:
<http://www.qp.alberta.ca/documents/Acts/Eo6P8.pdf>
- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>
- ▶ Ontario's *Emergency Management and Civil Protection Act*:
<http://www.ontario.ca/laws/statute/90e09>
- ▶ Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf

Discussion 7:

Private sector and non-government agencies

Background:

It is vital that critical infrastructure function through an emergency—a community's ability to respond and recover from a disaster requires restoration of and access to water, food, electricity, communications and other critical infrastructure.

In his 2014 *British Columbia Earthquake Preparedness: Consultation Report*, Henry Renteria wrote that entities such as private sector organizations and NGOs have a responsibility to those that depend on their services, particularly those organizations that provide critical goods and services, which, if disrupted or destroyed, would have a serious impact on the health, safety, security or economic well-being of citizens.

While Renteria's report acknowledges the efforts to date of Emergency Management BC to work with critical infrastructure (CI) partners through the establishment of a cross sector CI Steering Committee, he recommended the following key action to enhance the engagement of private sector and non-government organizations in emergency management as well support province-wide risk analysis:

"As a backdrop to voluntary engagement, the provincial and federal government must mandate appropriate private sector preparedness, including sharing of CI information and engagement in joint planning with emergency management organizations" (p. 28).

Private sector and non-governmental emergency management responsibilities is an emergent topic in other provincial jurisdictions. For example, in 2013, Manitoba introduced changes to its *Emergency Measures Act* to require private sector critical service

providers to prepare business continuity plans, as well as authority for the minister responsible to order these providers to take required measures during a state of emergency, including the implementation of any part of a business continuity plan.

Challenge in the current legislative framework:

In BC, the *Emergency Program Act* provides some specific powers during a state of emergency to local authorities and government in relation to the restoration of essential facilities and the distribution of essential supplies.

However, the Act does not set out responsibilities of private sector and non-government organizations respecting planning for and the prevention/mitigation of emergencies, nor any requirements for owners of critical infrastructure assets to provide information about their assets or their emergency plans regarding those assets.

Relevant sections in the legislation:

- Sections 5, 10 and 13 of the *Emergency Program Act*

Proposal:

1. Consider changes to the *Emergency Program Act* similar to Manitoba's to define "critical services" and require providers of these services to undertake business continuity planning as prescribed by regulation.
 - Manitoba's Act requires that critical service providers submit business continuity plans to the co-ordinator of the province's Emergency Measures Organization for review and approval.

2. Consider an authority to require owners of critical infrastructure assets to provide information about these assets as prescribed by regulation for the purposes of supporting efficient and effective emergency planning, prevention/mitigation, response and recovery.
 - Any change to the legislation in this regard would need to be supported by a definition of "critical infrastructure assets"; outline how such information would be provided; and provide for the confidentiality of the information.
 - Henry Renteria referred to "critical infrastructure" as "those physical and information technology facilities, networks, services and assets, which, if disrupted or destroyed, would have a serious impact on the health, safety, security, or economic well-being of Canadians or the effective functioning of governments in Canada" (p. 26).

Additional information for consideration:

- Henry Renteria's 2014 report on B.C. Earthquake Preparedness:
http://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/emergency-preparedness-response-recovery/embc/renteria_eq_consultation_report_2014.pdf
- Manitoba's *Emergency Measures Act*:
<http://web2.gov.mb.ca/laws/statutes/ccsm/eo802.php>

Discussion Area C:**Supporting emergency response and recovery****Discussion 8:****Shared responsibility for emergency response****Background:**

The *Emergency Program Act* provides that local authorities and the provincial government are to prepare emergency plans and implement them when “an emergency exists or appears imminent or a disaster has occurred or threatens.”

Section 7 of the Act provides that the Minister or designated person in a provincial emergency plan may cause the plan to be implemented if, in the opinion of the Minister or the designated person, an emergency exists or appears imminent. Section 8 provides that a local authority or a person designated in the local authority’s local emergency plan may cause the plan to be implemented if, in the opinion of the local authority or the designated person, an emergency exists or appears to exist.

The *Emergency Program Management Regulation* sets out that provincial emergency plans may include plans and procedures to assist local authorities with response and recovery from emergencies that “are of such magnitude that the local authorities are incapable of effectively responding to and recovering from them.”

Challenge in the current legislative framework:

A key aspect of emergency management is the sharing of responsibilities between local authorities and the province. In general, provincial government policy is that a local authority is responsible for planning for and responding to any emergency in its jurisdictional area with local resources and resources available to them through mutual aid/assistance agreements. This approach acknowledges that a

local authority’s knowledge about its community—its people, history, risks, vulnerabilities, operational requirements and services—is critical to planning for, responding to and recovering from emergencies.

The province provides advice and support to the local authority responding to an emergency. Where the scope of an emergency exceeds a local authority’s resources, the province coordinates the provision of provincial resources to assist the local authority. In some cases, the provincial government has statutory obligations with respect to emergencies. For example, when it comes to wildfires under the *Wildfire Act* that do not affect developed areas, the provincial government responds, not local authorities.

While this ‘shared responsibility’ framework to emergency response is generally understood and accepted by stakeholders, it is not reflected in the Act. One consequence of this, in combination with the current scheme in the legislative framework for assigning provincial emergency responsibilities, is that from time to time confusion may result as to whether a local authority or the province should be implementing emergency plans in certain circumstances. Such confusion can undermine the coordinated and collaborative approaches essential for effective emergency management.

Relevant sections in the legislation:

- Sections 7 and 8 of the *Emergency Program Act*
- Section 3 of the *Emergency Program Management Regulation*



Proposal:

1. Consider the addition of provisions in the Act that set out the following in respect of local authorities:
 - Establish that a local authority is responsible for:
 - Assessing the threat to health, safety, or welfare of people or damage to property and the environment posed by an emergency;
 - Assessing the resources required to respond to and recover from the emergency; and
 - Implementing its local emergency plan and using local authority resources to respond to and recover from the emergency.
 - Provide that a local authority may implement one or more provisions of its local emergency plan in relation to responding to and recovering from an emergency if:
 - If the local authority is of the opinion that an emergency exists or is imminent in the local authority's jurisdictional area; the local authority has declared a state of emergency; or a provincial state of emergency has been declared.
2. Consider the addition of provisions in the Act that set out the following in respect of the provincial government:
 - A Minister (or designate) is responsible for implementing one or more provisions of the Minister's provincial emergency plan to provide provincial assistance and support to a local authority's response to and recovery from an emergency if the following occur:
 - The scale of the emergency exceeds the response and recovery resources of the local authority and/or
 - The Minister is required under provincial law to provide provincial resources for emergency response and recovery.
 - Emergency Management BC is responsible for:
 - Communicating with a local authority in relation to an emergency within the jurisdictional area of the local authority, which includes:
 - Monitoring the needs of a local authority in responding to and recovering from emergencies;
 - Providing advice when necessary to local authorities responding to and recovering from emergencies; and
 - Communicating and providing advice when necessary to a Minister in relation to an emergency in the jurisdictional area of a local authority.

Discussion 9:

State of emergency

Background:

The *Emergency Program Act* authorizes both local authorities and the province to declare a state of emergency. Once a state of emergency is declared, the level of government making the declaration may do “all acts and implement all procedures” that it considers necessary to prevent, respond to or alleviate the effects of an emergency or disaster, including one or more of the following:

- ▶ Acquire or use any land or personal property considered necessary;
- ▶ Authorize or require any person to render assistance of type the person is qualified to provide or that otherwise is or may be required;
- ▶ Authorize the entry into any building or on any land, without warrant;
- ▶ Cause the demolition or removal of any trees, structures or crops if the demolition or removal is considered necessary; and
- ▶ Procure, fix prices for or ration food, clothing, fuel, equipment, medical supplies, or other essential supplies.

Challenge in the current legislative framework:

The authority for a local government or the province to undertake “all acts and implement all procedures” it considers necessary to address an emergency or disaster is a very broad and sweeping power. While legislation in most other Canadian jurisdictions provides a similar approach to the declaration of emergencies and the exercise of emergency powers as BC’s Act, Ontario’s Emergency Management and Civil Protection Act notably establishes criteria to guide when a state of emergency should be

declared, as well as criteria for the making of orders during declared emergencies.

The emergency powers in the *Emergency Program Act* are generally consistent with those powers provided in similar legislation in other Canadian jurisdictions; however, some jurisdictions have recently included additional powers. Ontario’s legislation provides authority to require a person to collect, use or disclose information and this authority is contingent on the information collected only being used for the purpose of preventing, responding to or alleviating the effects of an emergency. Other BC legislation aimed at addressing specific emergency situations, such as the Public Health Act, also contains a similar general emergency power to collect, use and disclose information.

Relevant sections in the legislation:

- ▶ Sections, 9 to 15 of the *Emergency Program Act*

Proposal:

1. Consider the addition of criteria or a test to guide local authorities or the provincial government in the declaration of a state of emergency and the making of orders during a declared emergency.
 - For example, criteria could include that a head of a local authority or the Minister responsible for the Act must believe that the declaration of a state of emergency is required because the use of one or more emergency powers under the Act is necessary and essential to protect the health, safety or welfare of persons or to limit damage to property.

2. Consider the addition of emergency powers not currently provided under section 10 of the *Emergency Program Act*. Some additional emergency powers that should be considered are as follows:
- Authority to collect, use or disclose information during a state of emergency that could not otherwise be collected, used or disclosed under any enactment.
 - Consideration must be given to including limits on any additional power respecting the collection, use and disclosure of information during an emergency. For example, in Ontario the information must only be collected, used or disclosed for the purpose of preventing, responding to or alleviating the effects of an emergency and for no other purpose.
 - Authority to fast track the accreditation of medical or other essential personnel from other Canadian jurisdictions who may arrive to provide assistance during a state of emergency.
 - A further potential emergency power to be considered is the authority for a local authority or the province to vary a licence, permit or other authorization the local authority or province, as applicable, has issued under an enactment.

Additional information for consideration:

- ▶ Ontario's *Emergency Management and Civil Protection Act*: <http://www.ontario.ca/laws/statute/90e09>
- ▶ BC's *Public Health Act*: http://www.bclaws.ca/civix/document/id/complete/statreg/08028_01

**Discussion 10:
Evacuation orders****Background:**

The current Act provides authority for local authorities or the government to declare a state of emergency. A 'state of emergency', once declared, authorizes the local or authority or the Minister to undertake acts and procedures to prevent, respond to or alleviate the effects of an emergency or a disaster, which includes ordering the evacuation of persons from an area that may be affected by the emergency or disaster.

**Challenge in the current
legislative framework:**

While the Act provides authority for local governments or the Minister to make an evacuation order and "cause the evacuation" of people from an affected area, it says little of anything about how such an order is to be understood and carried out to ensure people are out of harm's way. There is currently no authority under the Act or in other legislation to compel competent adults to leave their private property after an evacuation order is made—emergency responders warn people of the imminent risks of remaining in an area subject to evacuation, but ultimately rely on people to voluntarily evacuate.

While leaving one's property in a very short period of time leading up to or following an emergency or disaster is extremely difficult to do, it is important to understand that an individual's decision not to heed an evacuation order can have serious implications not only for themselves, but also other people in the affected area. There have been numerous instances in Canadian jurisdictions and elsewhere where persons who refuse to evacuate require subsequent rescue, creating additional and unnecessary risk to themselves and emergency response personnel,

who are extremely burdened in times of crisis providing round-the-clock assistance to ensure the safety of the public.

The issue of enforcing evacuation orders has emerged as a recent topic of discussion in numerous Canadian jurisdictions. Manitoba became the first jurisdiction in Canada to address the issue in legislation, with amendments to its *Emergency Measures Act* in 2013. The changes provide authority to the police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety, as well as an ability to recover the costs of relocating the person.

As evacuation orders are rare and, when they do occur, are followed by the vast majority of people in an affected area, changes such as those introduced in Manitoba are intended to provide further support to voluntary evacuations by encouraging people to recognize the serious and grave nature of an evacuation order and to voluntarily comply with directions to leave their property without delay.

Relevant sections in the legislation:

- ▶ Sections 9, 10, 12 and 13 of the *Emergency Program Act*

Proposal:

1. Consider adding authority for police to apprehend any person who refuses to comply with an evacuation order issued under a declared state of emergency for the purpose of taking the person to a place of safety similar to sections 18.1 to 18.3 of the Manitoba *Emergency Measures Act*.
 - As part of this proposal, also consider the following supporting provisions:
 - Providing police with a right of entry and use of reasonable force to enforce an evacuation order;
 - Limiting the period of apprehension to be no longer than reasonably required to take a person to a place of safety; and
 - Authority for the province (in a state of provincial emergency) or a local authority (in a state of local emergency) to order a person who was apprehended to pay the costs incurred by police in taking the action to enforce the evacuation order.

Additional information for consideration:

- ▶ Manitoba's *Emergency Measures Act*:
<https://web2.gov.mb.ca/laws/statutes/ccsm/eo8oe.php>

Discussion 11: Employment protection

Background:

The *Emergency Program Act* provides authority in a state of emergency for a local authority or the provincial government to require a person to provide emergency assistance that the person is qualified to provide or may be required in order to prevent, respond to or alleviate the effects of an emergency or disaster.

The Act also provides (under section 25) that where a person is ordered to provide assistance under a state of emergency, that person's employment may not be terminated because of their being required to provide assistance.

Challenge in the current legislative framework:

A person who is ordered to provide assistance under a state of emergency is providing a civic service similar to jury duty; however, the Act currently does not provide a similar level of employment protection.

The scope of protection under s. 25 of the Act also appears to be specifically limited to a person who has been the subject of an order requiring the person to provide assistance in a declared state of emergency and, as such, does not appear to apply to a person who acts voluntarily (i.e. not under an order) or who acts in an emergency for which no state of emergency or local emergency has been declared.

Relevant sections in the legislation:

- ▶ Section 10(1)(e) and section 25 of the *Emergency Program Act*

Proposal:

1. Consider whether employment protection should be limited only to the duration of a state of emergency or whether the protection should extend to cover, for example, travel to and from the emergency or a time period after an emergency if the person is still required to provide assistance.
 - A further consideration here could include situations where a person is recovering from illness or injury as a result of providing assistance during an emergency.
 - Consideration should also be given to whether volunteers or other persons who assist in responding to and recovering from an emergency or disaster are entitled to employment protection in circumstances where they have not been ordered to provide assistance.
2. Consider expanding the protection against loss of employment in section 25 of the Act to include the same protections as those provided for a person on jury duty under section 56 of the *Employment Standards Act*.
 - This would add protection for employment benefits and benefits based on seniority, as well as provide that a person who is providing assistance is deemed to be on leave and must not be terminated as a result of being required to provide assistance or because the person is absent or unable to perform employment duties while on deemed leave.

Additional information for consideration:

- ▶ BC's *Employment Standards Act*:
http://www.bclaws.ca/civix/document/id/complete/statreg/96113_01

Conclusion

In order to solidify and maintain cooperative and effective approaches to emergency management in British Columbia, partners across the emergency management spectrum in British Columbia and the citizens of this province must engage in thoughtful and meaningful discussions so that we are ready when challenged by known and emergent threats to public safety. This consultation and engagement is but one of many steps we are taking together to ensure we are prepared and resilient.

Submissions may be made on the contents herein on or before Feb. 19, 2016. At the closing of the consultation period, all submissions will be reviewed and analyzed for themes and suggestions that can be compiled and presented by Minister Yamamoto to the Cabinet Committee on Secure Tomorrow on or before March 31, 2016, in accordance with the Minister's mandate letter.

Thank you to all who took time to consider this document's contents and submit feedback.



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**RICHMOND HOSPITAL
FOUNDATION**

列治文醫院基金會

7000 Westminster Highway, Richmond BC V6X 1A2

T 604.244.5252 F 604.244.5547

www.richmondhospitalfoundation.com

City Clerk, Richmond City Council
6911 No. 3 Road
Richmond, British Columbia
V6Y 2C1

RE: Delegation Request

Dear Sir/Madam;

On behalf of Richmond Hospital Foundation, I am submitting this delegation request for the General Purpose meeting on February 15, 2016. Our purpose is to present to the Mayor and Council on the need for the City of Richmond to act as a champion with Provincial government and the Vancouver Coastal Health Authority with respect to the need for the replacement of the original, 50 year-old North Tower at Richmond Hospital.

Presenting on behalf of the Foundation; Kyle Shury, Chair of the Board of Directors, Chad Pederson, Chair Stakeholder Relations, and Natalie Meixner, President & CEO.

We will be asking the Mayor and Council to write, on behalf of the citizens of Richmond, to the Premier, the Minister of Health, all local MLA's, and the Board Chair as well as the President & CEO of Vancouver Coastal Health to commit to a new acute care tower for Richmond.

Thank you for the opportunity to raise this significant matter that affects all of the citizens of Richmond, the thousands of people who earn their livelihood in our city each day, and the 20 million passengers who travel into, out of and through YVR each year.

Sincerely,

Natalie D. Meixner
President & CEO
Richmond Hospital Foundation



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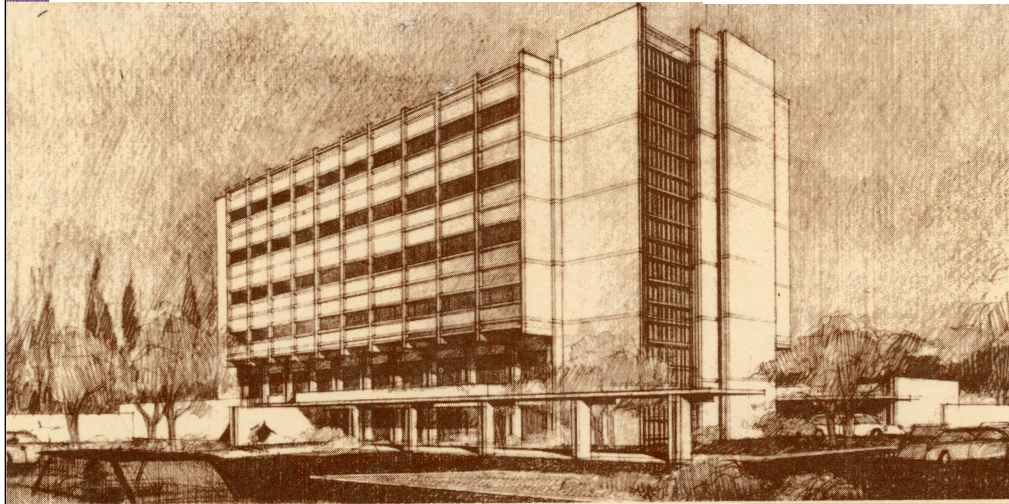
**Jennifer MacKenzie – Director
(Ex-Officio)**
Chief Operating Officer
Vancouver Coastal Health -
Richmond



RICHMOND HOSPITAL
FOUNDATION
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Caring Together for Your Health



A tipping point at 50 years



- Thank you for the opportunity to present to you today. We would like to thank the Mayor and Councillors for their longstanding personal and professional support of the hospital over many years.
- We come to you today as Richmond Hospital Foundation, representing donors and serving as a community champion whose mandate it is to raise important philanthropic funds to improve health care in Richmond.
- As you know, health care services in Richmond are delivered by Vancouver Coastal Health Authority.
- The most pressing issue Richmond's Acute Care system needs to address is providing adequate inpatient acute care beds and mitigating seismic risk.
- While health care is clearly a provincial responsibility, it's important for all of us in the community to speak with a united voice.
- We are here today to ask for the City of Richmond's help to join us in asking the Provincial Government for a commitment to build a new Acute Care Tower within the next five to seven years.

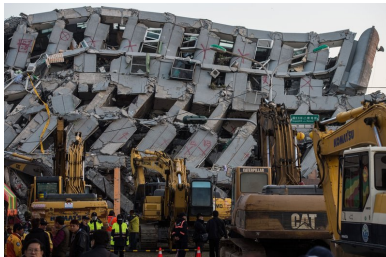
50-year-old tower: unsafe & obsolete



Japan 2011



Chile 2015



Taiwan 2016

- Vancouver Coastal Health Authority has commissioned studies showing the original hospital building is severely deficient and would sustain major structural damage with possible localized or complete collapse in a moderate to strong earthquake, with or without liquefaction.
- A moderate earthquake on the Richter scale is 5 to 5.9 and as we all know on Dec. 30, 2015 we were reminded by a 4.7 magnitude earthquake that Richmond is at risk.
- After 50 years, the North Tower is also obsolete, having been rated as 66% deficient.

Our dramatic growth



- In 1966, when the hospital was first opened, Richmond had 50,000 residents and had 132 beds.
- Today, 50 years later, we have 213,000 residents and YVR has 20 million passengers per year and we have 223 funded beds.
- Our population has more than quadrupled but the number of beds has not even doubled.
- As you all know, the projection for growth in Richmond for five years from now includes another 20,000 people. By 2030, Richmond is expected to surpass 250,000 people.

Our aging population



- Important to health care, while Richmond is growing, it is also aging.
- We would like to share some unique characteristics of Richmond's aging population
- Richmond has the fastest growing seniors population in the whole of British Columbia.
- In 2014 the total number of people over 65 years was 31,000
- In five years from now, that will jump by a whopping 44% to 45,000.
- By 2030, the number of seniors will be a staggering 65,000.
- In addition, Richmond's seniors have the longest life expectancy in Canada, at 84.9 years.
- As you can imagine, this will place extreme pressure on our hospital's ability to provide acute care services

Source:

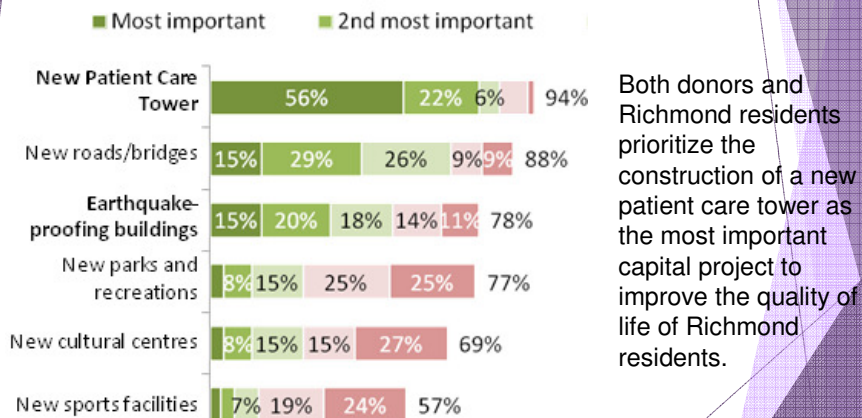
<http://www.bcstats.gov.bc.ca/StatisticsBySubject/Demography/PopulationProjections.aspx>

We have reached a tipping point



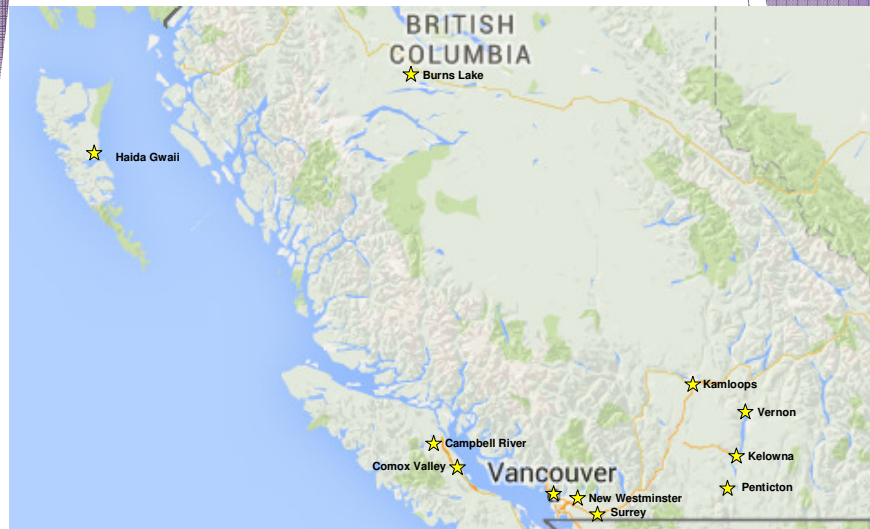
- We have reached a tipping point
- Richmond's growth has outpaced Richmond Hospital's capacity
- No other hospital in BC has fewer acute care beds per capita than Richmond
- Richmond Hospital is already recognized as being the most efficient given its population and number of beds. Richmond has the:
 - Lowest number of beds per capita in BC
 - The highest efficiency rate in hospital beds in BC and one of the highest in Canada (which is known in health care as the lowest acute care bed utilization rate, meaning that all beds are effectively utilized for the population)
- There is no room for more patients yet no one will be turned away
- Many of the recently approved hospitals in BC have twice as many beds per capita as Richmond. Our doctors and health care staff know this and many are joining our call for a new acute care tower.

Our concerns are broadly shared



- In 2015 Richmond Hospital Foundation commissioned an independent public opinion poll to better understand what citizens of Richmond felt was the most important infrastructure needs for them and their families.
- Both donors and Richmond residents prioritize the construction of a new patient care tower as the most important capital project to improve the quality of life of Richmond residents.

Status of replacement tower



- Many other communities across BC have received government approval for new hospital facilities over the past few years alone:
- Kamloops, Penticton, Kelowna, Vernon, Surrey, Courtenay, Campbell River, Burns Lake, Haida Gwaii, New Westminster and Vancouver with the St. Paul's replacement.
- In the Vancouver Coastal Health Region, there has been a commitment made to expanding Lions Gate Hospital in North & West Vancouver.
- In 2014, a new acute care tower for Richmond Hospital was tied with Lions Gate for first place as the most urgent need in our health region. Vancouver Coastal Health decided that there could be only one top priority. We've dropped to second place with no indication of when our plans will be even considered or approved.
- We believe Richmond's needs are equally as strong, if not stronger, and we need the Province to make a commitment to building a new acute care tower in our city.
- But we're not alone. Today, we see other communities demanding improvements as well, such as Burnaby Hospital.

We Need the Province's Commitment Now

**SAY YES TO
RICHMOND HOSPITAL!**



- The Foundation and our donors are willing to do their part and raise \$40 million, but this won't move without a provincial funding commitment.
- Even with approval today, it could take anywhere from five to seven years to design and construct a new patient tower.
- In five years from now, Richmond will grow more than 20,000 people.
- It's time to champion the replacement of a building that has reached the end of its 50-year life-cycle.
- We've met with our local MLAs regularly and kept our needs on the front burner, but it's not moving quickly enough.
- We need provincial government commitment **now**, before an earthquake strikes and before our population outstrips our capacity.
- And we need your voice to help us advance this cause – a cause that we've shown through our research will unite Richmondites.
- Today, we're asking for the City to pass a resolution asking the Province to commit now to a new acute tower for Richmond in the next 5-7 years.



To: Mayor and Councillors

Date: February 10, 2016

From: Harold Steves
Councillor

File: 10-6350-05-08

Re: George Massey Tunnel Replacement Project

Richmond Council is concerned about the abrupt change in direction from upgrading the George Massey Tunnel to building a bridge. Richmond Council was fully consulted on the publicly announced plan to twin the tunnel. Richmond Council was not consulted on the decision to change the plan to building a bridge.

The following attachments show how the project changed abruptly from a tunnel to a bridge:

1. July 15, 2004 Massey Tunnel seismic upgrade. Province to spend \$22.2 million on seismic upgrade for the Massey Tunnel.
2. Feb. 16, 2006 Twinned tunnel part of Victoria's long term plan, "expanding Highway 99 on both sides of the tunnel from four lanes to six." "The project is on the back burner in part because it would put pressure on traffic bottlenecks to the north requiring expansion of the Oak Street and Knight Street bridges into Vancouver or a new bridge into Burnaby.
3. Feb. 18, 2006 Massey Tunnel to be twinned and "widened from four lanes to six once the provinces more pressing transportation projects are complete." "Twinning the tunnel would also require improvements to other crossings over the North Arm of the Fraser, such as Oak Street and Knight Street bridges, or a new crossing to connect with growing central Burnaby."
4. Dec 11, 2008 Bus lane will speed transit commute along Highway 99 with " high quality, point to point service ... between White Rock and Richmond. A "\$4.7 million contract" was awarded "to build the four metre wide shoulder bus lane.
5. Feb. 2, 2012 "BC Government meets with Port Metro Vancouver, Surrey Fraser Docks and Engineers to plan George Massey Tunnel Replacement Bridge"
6. Nov. 19, 2012 "Clearances for potential new river crossing" "We should consider future terminals. For example liquid bulk tankers, with large air draft requirements (e.g. LNG)" "We need to consider future terminals such as VAFFC, Lehigh, and possible terminal at our Richmond properties."

7. Dec. 4, 2012 "Tunnel: Depth required is 15.5 metres below geodetic datum for 50 year life expectancy and 18.5 metres below for 100 year life expectancy."
8. March 19, 2015 The 14 billion transit plan the BC Liberals conveniently forgot.
9. Nov. 5, 2015 Stone insists Massey bridge process is proper.

The Province spent \$22.2 million on a seismic upgrade on the Massey Tunnel in 2004, announced the tunnel would be twinned in 2006, and announced rapid bus in 2008. Studies were done that justified twinning the tunnel and improving public transit. It was noted that the carrying capacity of the Oak Street Bridge and other bridges was limited and therefore the tunnel should only be six lanes. Rapid Bus would reduce traffic and reduce GHG's. Richmond Council was opposed to both a No. 8 Road Bridge to Delta and a bridge to Boundary Road in Burnaby because it would do irreparable damage to Richmond East farmland. The Rapid Bus system resolved that problem.

What caused the province to suddenly change from a tunnel with public transit to a bridge without it?

The FOI information from Doug Massey shows a concerted effort was made in 2012 by Fraser Surrey Docks and Port Metro Vancouver and others to have the tunnel removed to accommodate deep draft Panamex supertankers. The BC Government met with them to discuss tunnel removal on Feb 2, 2012, future terminals at VAFFC, Lehigh and a new one in Richmond, including liquid bulk tankers (e.g. LNG); and the need to dredge the river to 15.5 metres on Dec. 4, 2012.

Secondly the more conservative members in the Liberal Caucus appear to have gained control in the 2013 election.

On Nov 5, 2015 Todd Stone admitted that they did not yet have a business case for a bridge, Now the reason is clear. It appears that the province changed their plans to permit the industrialization of the Fraser River by Port Metro Vancouver. They did not have a business plan for a bridge because the business case was for twinning the tunnel and providing Rapid Bus.

Recommendation:

That the City of Richmond request that the Provincial Government provide copies of all reports and studies - including but not limited to business plans, feasibility studies, technical studies, seismic studies, and/or environmental impact studies - that relate to the original plan to twin the George Massey Tunnel and/or provide Rapid Bus service that were considered during the period from 2006 to 2008; and that if necessary, that the foregoing request be made as an official Freedom of Information request.

Harold Steves
Councillor
Att. 9

Attachment 1

Massey Tunnel Seismic Upgrade Review – News briefs July 15, 2004

Province to spend millions on seismic upgrade for the Massey Tunnel

Work will begin next month on ensuring the George Massey Tunnel doesn't collapse in the event of an earthquake.

Kenaidan Contracting has been awarded the \$22.2 million contract to improve the tunnel's safety, reinforcing the structure in order to avoid a collapse and reduce structural damage should the big one hit the West Coast. The project is expected to wrap up in March 2006.

"These improvements are designed to make the tunnel safer in the event of a major earthquake," Transportation Minister Kevin Falcon said.

The upgrading work will include the tunnel's pumping system, pipes and emergency power supply, which is designed to remove large volumes of water in the event of flooding inside the tunnel.

The scope of the work also includes Rice Mill Road Bridge, which will have its concrete surfaces repaired and cleaned, while deck joints will be retrofitted.

New lights will also be installed in the tunnel.

Source:

<https://www.yourlibrary.ca/community/richmondreview/archive/RR20040715/newssum.html>

Attachment 2

Twinned tunnel part of Victoria's long-term plan

The provincial government's long-term road-building plans include a second mega-project on the scale of the \$3-billion Gateway Program, studies done for the Gateway plan show.

BY THE VANCOUVER SUN FEBRUARY 16, 2006

The provincial government's long-term road-building plans include a second mega-project on the scale of the \$3-billion Gateway Program, studies done for the Gateway plan show.

The second project would include twinning the George Massey Tunnel under the south arm of the Fraser River between Richmond and Delta, expanding Highway 99 on both sides of the tunnel from four lanes to six, and building a new four-lane expressway to connect Highway 99 with the Trans-Canada Highway.

However, there are no immediate plans to build it.

The Gateway Program calls for the Port Mann Bridge over the Fraser to be twinned, widening of the Trans-Canada Highway on both sides of the bridge and building new truck routes on both shores of the river.

The longer-term plan -- dubbed "the H99 project" by British transportation consultants Steer Davies Gleave, who did the major studies for the Gateway plan -- "is still in the early stages of development for possible future long-term implementation," their report notes.

The report -- not yet public but obtained by The Vancouver Sun -- says the H99 project is similar to the Gateway plan "in that it assumes a widening of both the Fraser River crossing, in this case the new bore next to the existing George Massey (Deas) Tunnel, and widening of a length of the existing highway to both the north and south of the crossing."

The project is on the back burner in part because it would put pressure on traffic bottlenecks to the north, requiring expansion of the Oak Street and Knight Street bridges into Vancouver or a new bridge into Burnaby.

Gateway Program executive director Mike Proudfoot said Wednesday the Highway 99 plan is one of many proposals for the region.

"That would be part of our longer-term strategy," he said. "The Gateway Program corridors are the priority ones."

The Steer Davies Gleave report is one of several "companion documents" to the Gateway plan. It is the only major document not yet posted on the Gateway Program's website, Proudfoot said.

In the report, the consultants envision a much more extensive tolling system than the one announced at the end of January by Transportation Minister Kevin Falcon.

Falcon's plan calls for a \$2.50 one-way toll to cross the twinned Port Mann Bridge, but no other tolls.

Most of the traffic models studied by the consultants included a lower toll on the Port Mann plus "distance tolls" on the expanded section of the Trans-Canada Highway and on the new South Fraser Perimeter Road.

The consultants' "preferred scenario" included a \$1 toll on the Port Mann for cars, plus distance tolls of 10 cents per kilometre on the expanded section of the Trans-Canada and on the South Fraser road.

Light trucks would pay 1 1/2 times as much as cars, and heavy trucks twice as much. The tolls would be collected electronically and vehicles would not have to stop to pay. They would rise with inflation.

The consultants envisioned similar tolls on the Highway 99 project: \$1 to use the Massey Tunnel and distance tolls on an expanded Highway 99 and the Highway 99-Trans-Canada connector.

The tolls could fluctuate with time of day or with the level of traffic congestion, and other "road-pricing" measures could include allowing single-occupant vehicles to use priority lanes if they pay an additional toll.

The Gateway project definition report, released earlier by Falcon, says a toll on the South Fraser road was rejected because it would encourage some drivers to find alternate routes through the local road network in Delta and Surrey.

"We have no intention of tolling the South Fraser Perimeter Road, period," Proudfoot said, describing the consultants' report as "one of many pieces of technical information."

However, it is the only one of the newly posted reports that includes detailed traffic forecasts based on various tolling scenarios. But those scenarios do not include the one announced by Falcon: the \$2.50 toll on the Port Mann and no distance tolls.

Falcon said earlier that without tolls, the new road capacity created by the Gateway project would be filled up and current congestion levels would return in five to 10 years after the project is built.

With the Port Mann toll, Falcon said the project will serve the region's needs to 2031 "and beyond."

But the documents do not include a specific study to support that claim.

"There isn't such a thing at this point, I think," NDP transportation critic David Chudnovsky said.

Chudnovsky said Falcon had assured him last fall such information would be posted. "Well, it's not there."

Falcon could not be reached Wednesday.

Chudnovsky said he also looked in vain for studies on the project's effects on air quality, workable public transit options, and a long-term strategy for regional transportation demand management.

"There's nothing on transportation demand management, there's nothing on the environment, and there's nothing on public transit except vague references to 'somewhere down the line,' " he said.

Proudfoot said the tolling plan for the Gateway Program was based on "analysis in that over-all report and additional technical work that we have done," including forecasts of traffic volumes, population and employment growth and working with municipal governments.

The government rejected tolls on the North Fraser perimeter road and on the new Pitt River bridge because TransLink's Golden Ears Bridge across the Fraser will be tolled, and provincial policy requires there be a "reasonable" free alternative before a route can be tolled.

The nearest free alternative to the Trans-Canada-Port Mann route is the Pattullo Bridge between New Westminster and Surrey, but it is old, narrow and seriously congested at peak times. The consultants said that in the case of the Pattullo option, "the definition of reasonable is subjective."

The report points out the province's tolling policy is in conflict with TransLink's transportation strategy, which calls for tolls and other "road pricing" measures to manage transportation demand, while the ministry sees tolls principally as revenue generators to help pay for projects.

The consultants said an extensive system of road pricing and region-wide tolling in Greater Vancouver "is only likely in the medium to long term."

The Gateway plan does include measures the government says will help control traffic demand, such as new HOV (high occupancy vehicle) lanes that will be shared by transit buses, and "ramp metering" at interchanges to limit the number of vehicles that can enter the highway, depending on traffic conditions.

The interchanges will have "truck friendly geometry" to allow big trucks to merge with highway traffic, and queue jumpers -- bypass lanes -- that can be used to give transit, commercial vehicles and high-occupancy vehicles priority over other traffic.

The consultants advised the government that regional tolling can be sold to the public if it is clearly seen as a way to manage traffic and control congestion, rather than as just another set of taxes.

"Road pricing aims to reduce congestion, improve environmental conditions, generate revenues and provide a system of fairer taxation," they said, "whilst tolling is generally regarded as a revenue-generating tool to finance the construction and maintenance of new or enhanced infrastructure."

bboei@png.canwest.com

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Tunnel will be twinned

Matthew Hoekstra, Staff Reporter

The George Massey tunnel will be twinned and both Highway 99 approaches widened from four lanes to six once the province's more pressing transportation projects are complete, Transportation Minister Kevin Falcon said Thursday.

Ministry officials considered adding the massive project to its recently announced \$3-billion Gateway Program, but left out upgrades to the 47-year-old link—for now.

"What we have done is noted that that is part of our longer range plan. So post-Gateway, the next project that would come onto the radar screen would be the Massey Tunnel," Falcon said.

The Gateway Program includes the twinning of the Port Mann Bridge, the widening of the Trans-Canada Highway on each side of the Fraser, building new perimeter roads on both sides of the river and erecting a new Pitt River Bridge.

Falcon said the twinning the tunnel isn't an immediate priority of government since tunnel bottlenecks occur only during the morning and afternoon commutes.

"The latest numbers show us that that's not the crisis point. In fact when we go ahead with the Gateway Program, especially the new South Fraser Perimeter Road, we believe we will see increased flows of traffic through the Massey Tunnel because of traffic diversion."

The Gateway Program definition report says twinning the tunnel would also require improvements to other crossings over the North Arm of the Fraser, such as the Oak Street and Knight Street bridges, or a new crossing to connect with growing central Burnaby.

Falcon said the plan is to twin the tunnel—and pay for it in part through tolls—after the Gateway project and other major infrastructure projects, such as the Sea-to-Sky Highway widening and Golden Ears Bridge, are complete. That puts tunnel upgrades at least 15 years away.

But veteran Richmond Coun. Harold Steves said the time to move on the tunnel expansion is now.

"I wanted Richmond council to get involved a year ago and insist that they should twin the tunnel. Instead we end up with a motion of council that we tabled saying we should twin the Port Mann Bridge," he said, referring to a Jan. 15, 2005 motion supporting the bridge project.

"Why are we worried about the Port Mann when we've got an opportunity of twinning the tunnel?"

Steves said he discovered two years ago the Transportation Ministry was considering twinning the tunnel, largely due to the impact of the Vancouver Port expansion at Roberts Bank, which would add a third berth to the existing two-berth Deltaport terminal, in addition to a new three-berth terminal.

Steves said a tunnel expansion wouldn't impact farmland as another idea floated years ago would—a bridge connecting with No. 8 Road. And now that it's part of the province's long-term plans, the city should go "full out" in trying to secure the project, including expanding and elevating Highway 99, which could also act as a mid-island dyke.

A twinned tunnel could also incorporate light rail transit, said Steves, and ultimately connect with the Richmond's future Canada Line.

"I don't think it's a matter of the money or when to do it, because they're looking to do it with tolls."

To solve the problem of getting traffic out of Richmond, Steves suggested the idea he floated last year—a ferry terminal at Iona Island. That would put less traffic on the highways, and a new bridge connecting Iona with Vancouver would alleviate stress on other links, he said. Otherwise a new bridge to Burnaby could be built.

"The sad part of the Gateway Project was it's been so secret," he said. "On the Gateway Project we've had no role on it, and I think it's time we did."

Falcon said he's willing to sit down with Richmond council and discuss the timing of the tunnel project. But he cautioned the province can only take on so many projects at one time or risk straining the workforce and drive up prices.

Mayor Malcolm Brodie said any step to create more capacity over the Middle Arm of the Fraser is "important." He said twinning the tunnel is the logical solution, but might not be the only one—although he ruled out a new bridge that would drive highways through farmland.

"To me, the biggest need in terms of decongesting that corridor is in relation to the movement of goods, because we have the land in the Fraser Port in the southeast corner of Richmond, and we're hoping as part of any kind of major improvement that they would put in a Blundell interchange. That will enable the land to be fully developed."

Progress on a new Highway 99 interchange at Blundell Road has stalled, as a provincial feasibility report is already a year behind schedule.

Brodie fears provincial transportation planners might wait until the tunnel is twinned before building the Blundell interchange.

Public works and transportation committee chair Coun. Linda Barnes said she's skeptical of massive road improvement plans. She said a balance needs to be struck between new roads and bridges with rapid transit and dedicated truck lanes for goods movement.

"I'm not sure at this point that just simply twinning is going to make a difference, whether it's twinning the Port Mann, or twinning the tunnel."

Source:

<https://www.yourlibrary.ca/community/richmondreview/archive/RR20060218/news.html>

NEWS RELEASE

For Immediate Release
2008TRAN0097-001880
Dec. 11, 2008

Ministry of Transportation and Infrastructure

BUS LANE WILL SPEED TRANSIT COMMUTE ALONG HIGHWAY 99

RICHMOND – Transportation and Infrastructure Minister Kevin Falcon, along with Richmond East MLA Linda Reid, officially broke ground today on the shoulder bus lane project along Highway 99 in Richmond, which will eventually carry transit commuters from White Rock to the Canada Line.

“This dedicated bus lane will move transit riders past rush-hour congestion on one of the busiest stretches of Highway 99 northbound,” said Falcon. “When we provide transit options like this that are quicker and more convenient than the single-occupant vehicle, we’ll get people out of their cars and reduce greenhouse gas emissions.”

“Transportation infrastructure projects like this bus-only lane will give commuters more reasons to take transit,” said Reid. “With this new bus lane, and the Canada Line’s estimated 100,000 riders daily, improved transit connections to and through Richmond will provide tremendous benefits to our local economy.”

The shoulder of Highway 99 northbound from Westminster Highway to Bridgeport Road, a distance of 2.8 km, will be widened to create a bus-only lane. Warning signals at on-ramps along the route will be automatically activated to provide priority for bus transit. The lane will be used by current northbound transit service, and will also be used by RapidBus BC service, once in operation, to carry commuters to the Canada Line’s Bridgeport Station.

“The new bus lane will offer superior travel time reliability for south of Fraser commuters connecting to the Canada Line and we appreciate the province's initiative to move quickly on this project,” said Tom Prendergast, CEO of TransLink. “There's no doubt that motorists will notice how well the bus-only lanes help our highway coaches avoid the heavy traffic line-ups and we expect this is going to entice quite a few more Vancouver-bound commuters onto transit.”

RapidBus BC is a key pillar of the Provincial Transit Plan. Commuters riding RapidBus BC will get high quality, point-to-point service with minimal stops along a number of high-profile corridors in the Lower Mainland, including Highway 99 in both directions between White Rock and Richmond.

-more-

- 2 -

Jacob Bros. Construction Ltd. of Surrey was awarded a \$4.7-million contract to build the four-metre-wide shoulder bus lane, which will be complete in summer 2009.

-30-

Media Jeff Knight
contact: Public Affairs Bureau
 Ministry of Transportation and
 Infrastructure
 250 356-7707

For more information on government services or to subscribe to the Province's news feeds using RSS, visit the Province's website at www.gov.bc.ca.

Christy Clark announces Massey Tunnel to be replaced by bridge

By JEFF LEE, DERRICK PENNER AND BRIAN MORTON, The Vancouver Sun September 21, 2013

<http://www.vtace.org/content/pdf/VFPA%20Massey%20Tunnel%20Plan%201.pdf>

B.C. Government meets with Port Metro Vancouver, Surrey Fraser Docks and Engineers to plan George Massey Tunnel Replacement Bridge (GMT) – February 2, 2012

Jurgen Franke: Director, Engineering and Maintenance at Surrey Fraser Docks

Jeff Scott: President and CEO of Surrey Fraser Docks

Patrick Livolsi: Assistant Deputy Minister, Ministry of Transportation and Infrastructure, Infrastructure Division, Government of B.C.

Lina Halwani: Regional Manager Engineering, Ministry of Transportation and Infrastructure, Infrastructure Division, Government of B.C.

Hisham Ibrahim: Vice-President, Technical Director, Buckland and Taylor Ltd., Bridge Engineer

CCIP Project Team: Container Capacity Improvement Program – Port Metro Vancouver's long term strategy

Curtis Cloutier: Project Engineer, Port Metro Vancouver

Page 1/72 on scrolled numbering

Petruk, Wendy

Subject: FW: GMT meeting with Jurgen Franke
Location: Patrick's office - 7818 6th St, Burnaby - 3rd floor

Start: Thu 2/2/2012 2:00 PM
End: Thu 2/2/2012 3:30 PM

Feb 2, 2012

Recurrence: (none)

Organizer: Livolsi, Patrick C TRAN:EX

Meeting with MoT to discuss navigational channel options at the GM tunnel.

-----Original Appointment-----

From: Livolsi, Patrick C TRAN:EX [mailto:Patrick.Livolsi@gov.bc.ca]

Sent: January-19-12 8:34 AM

To: Halwani, Lina TRAN:EX; Hisham Ibrahim; CCIP Project Team; Curtis Cloutier; Jurgen Franke; Jeff Scott; Livolsi, Patrick C TRAN:EX

Subject: GMT meeting with Jurgen Franke

When: February-02-12 2:00 PM-3:30 PM (UTC-08:00) Pacific Time (US & Canada).

Where: Patrick's office - 7818 6th St, Burnaby - 3rd floor

Meeting to discuss options and considerations surrounding the George Massey Tunnel and a sustainable navigational channel.

Lina please have info on the tunnel prepared for the meeting.

CNCL - 102

expired

From: Natland, Jennifer
Sent: Monday, November 19, 2012 03:42 PM
To: Hart, Dave
Cc: Wellstood, Chris; Leclerc, Yoss
Subject: RE: Clearances for potential new river crossing

Attachment 6 and 7

Thanks Dave. Much appreciated. You're quite right we should consider future terminals. For example, liquid bulk tanks with larger air draft requirements (e.g. LNG) should be considered.

Jennifer

AGE 47/72

Jennifer,

Got your messages.

I should be able to provide you with some clearance information but it might take a couple days.

I understand FSD has been working with the Port on possible future vessels and I need some confirmation from those working with FSD about vessel sizes being considered. Also, I heard the Auto terminals are considering larger vessels. In addition to the current terminals, we need to consider future terminals such as VAPFC, which and possible terminal at our Richmond Properties.

Regards,

Dave Hart

From: Hart, Dave
Sent: December-04-12 9:58 AM
To: Natland, Jennifer
Cc: Wellstood, Chris; Leclerc, Yoss
Subject: Re: Clearances for potential new river crossing

Jennifer,

I haven't had a chance to discuss with Yoss and Chris yet.

However, based on what I've heard I think a reasonable starting point for discussion at this time is as follows:

Short Version:

- 1). Tunnel - 15.5 to 18.5m deep (invert of tunnel including ballast and/or protection rock).
- 2). Bridge - 322m wide x 65m high (sloped navigation envelope - see more detail below)

Slightly longer version:

1). Tunnel: Depth required is 15.5m below Geodetic datum for 50 year life expectancy and 18.5m below for a 100 year life expectancy.

2). Bridge:

a). Width - no in river piers is preferred...primarily due to concerns of changes to local river hydraulics. If piers are necessary, then a minimum width of 322m between piers (200m navigation channel with 61m safety zone on both the North and South sides) is required. A detailed hydraulic study including 3D modeling will be required and a commitment from the bridge owner to implement, fund and administer a robust on-going river survey program and responsive annual mitigation program to address any in fill as a result of the piers. Also, real time water level and velocity

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The \$14 billion transit plan the B.C. Liberals conveniently forgot

BY KENNETH CHAN

11:55 AM PST, THU MARCH 19, 2015

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Image: Bombardier / TransLink

Seven years ago, the governing B.C. Liberals unveiled an ambitious \$14 billion public transit plan for the province, with the bulk of the new infrastructure slated for the Metro Vancouver region.

Gordon Campbell and Kevin Falcon, then-Premier and then-Transportation Minister, announced the sweeping plan during a press conference on January 14, 2008 as a key initiative to achieve the provincial government's greenhouse gas reduction targets.

The so-called "Provincial Transit Plan" outlined a \$10.3 billion strategy to build three new rapid transit lines in Metro Vancouver – the \$1.4-billion SkyTrain extension to Coquitlam (Evergreen Line), \$2.8 billion to extend the Millennium Line to UBC under Broadway, a reaffirmation of the \$2 billion Canada Line being built, and \$3.1 billion to double the capacity of the Expo Line, including station and control system upgrades, platform extensions to accommodate six-car trains, and a six kilometre extension in Surrey.

"One new transit line was committed to in each of the previous three decades," said Falcon in 2008. "This plan delivers three lines in the next decade."

The \$14 billion transit plan the BC Liberals conveniently forgot



Another \$1 billion was highlighted for hundreds of new SkyTrain cars to provide greater capacity and replace aging rolling stock.

The plan also included communities outside of the Metro Vancouver region. It proposed an investment of \$1.6 billion to purchase 1,500 new, clean energy buses for use in the Metro Vancouver TransLink network and province-wide B.C. Transit system.

The government at the time earmarked an additional \$1.2 billion for nine high capacity rapid bus routes across the province, including a route in Kelowna (Westbank to UBC-Okanagan campus) and Victoria (Downtown Victoria to Langford).

The remaining seven rapid bus routes would have been located in Metro Vancouver, along Highway 1 across the new Port Mann Bridge, Hastings Street from downtown Vancouver to SFU, 41st Avenue from Joyce Station to UBC, Highway 99 from White Rock to Bridgeport Station, King George Highway from Surrey City Centre to White Rock, Fraser Highway between Langley and the Expo Line in Surrey, and Highway 7 from Coquitlam Central Station across the new Golden Ears Bridge.



All of the projects would have been completed over a 12-year period for a completion by 2020. With the full implementation of the plan's components in Metro Vancouver, it was envisioned that regional transit usage would increase from 12 per cent in 2008 to 17 per cent in 2020 and 22 per cent by 2030.

Of course, the big question everyone had then was how the mega project was to be funded.

Campbell said his government was willing to contribute \$4.75 billion towards building the new infrastructure, including \$435 million that was already dedicated for the Canada Line.

The \$14 billion transit plan the BC Liberals conveniently forgot

The remaining gap in funding would be covered by the federal government, TransLink and municipal governments, pending negotiations after the Olympics.

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As we enter further into 2015, only a few elements of Campbell's much-touted Transit Plan have been achieved – a rapid bus service that runs across the Port Mann Bridge opened in 2012, Surrey's first B-Line rapid bus service kicked off the following year, and the 11-kilometre long SkyTrain Evergreen Line is now 60 per cent complete and steering towards a fall 2016 completion.

As one would expect from a complete change in government leadership and cabinet, policies often shift drastically as they did with the B.C. Liberals' continued governance under Christy Clark's premiership.

In 2013, she made an election campaign promise to determine a solution for Metro Vancouver's public transit funding woes through a regional public vote – a decision that angered regional mayors as the vote was originally scheduled to coincide with the 2014 municipal election.

The vote was ultimately delayed until after the municipal elections, but the region's Mayors' Council was given a June 30, 2014 ultimatum to finalize a detailed, fully costed vision of what the transportation improvements would entail.

The outcome, the **\$7.5 billion Mayors' Plan**, consists of major elements from the B.C. Liberals' transit plan from just six years before, which includes fragments of long-term visions already drafted by TransLink.

If the transit plebiscite receives a 'Yes' majority, it will provide the provincial government with the mandate to move forward with legislation to implement the 0.5 per cent transit tax.

But the transit tax will only partially fund the full cost of the \$7.5 billion Mayors' Plan. The tax will raise \$250 million in new revenue on annual basis totalling \$2.5 billion over 10 years.

Another \$5 billion will need to be raised if the projects are to be built within the short term: there is a need for the provincial and federal governments to become key partners and fill the funding gap.

On Wednesday, Stone announced that Victoria would commit one-third of the costs to fund the projects, provided the investments are supported by a business case. Another one-third could arrive from the federal government's \$75 billion infrastructure fund over the next 10 years.

Without funding commitments from senior government, only a few minor elements of the Mayors' Council plans can be delivered without delay despite the need to have all the projects built today.

Major capital projects in B.C. have normally been delivered with the help of the provincial government and in many cases these projects were spearheaded by the Premier's Office.

For instance, the last B.C. NDP government initiated the construction of the SkyTrain Millennium Line in the late-1990s, which became TransLink's first major infrastructural project.

In 2003 and 2004, Falcon pushed TransLink's elected panel of local politicians to approve the Canada Line (RAV). The issue of building the line to Richmond and the airport was divisive: there were squabbles between board members over the cost of the project, "inflated" ridership projections, and the prioritization of the project with some believing the Evergreen Line should come ahead of RAV.

Senior governments became major funding partners for the Canada Line, with the province committing \$435 million and Ottawa with \$450 million of the \$2.05 billion needed.

Campbell's provincial government also revived the Evergreen Line in 2008 by cancelling light rail technology in favour of an extension of the SkyTrain Millennium Line infrastructure. A

The \$14 billion transit plan the BC Liberals conveniently forgot

business case report conducted by the government revealed SkyTrain would cost \$1.4 billion, just \$150 million more than the locally-preferred light rail option while also providing a far greater capacity, higher service frequency, lower operational costs, and a convenient transferless "one-train ride" to Vancouver.

The province is contributing \$583 million towards the Evergreen Line while Ottawa will contribute \$417 million and TransLink with the remaining balance.

Aside from major transportation infrastructure projects, senior governments were responsible for other capital projects such as the Vancouver Convention Centre expansion, the sports venues for the 2010 Olympic Winter Games, the Sea to Sky Highway and the Gateway Program, with the largest components of the project being the new Port Mann Bridge, Highway 1 widening and new South Fraser Perimeter Road.

Local agencies and municipal governments do not have the financial capacity to proceed with mega projects on their own. In addition, some of the most challenging barriers proposals face is when municipal politicians are more concerned about the short-term costs projects bring on the micro (local) level rather than the benefits within the macro (regional and provincial) point of view.

It was last June that 20 of the 21 mayors of Metro Vancouver's municipalities agreed to a thoughtful, comprehensive transportation strategy – an exceptionally rare cohesive moment of progressive, long-term thinking for the region's economic, health and environmental well-being.

If Metro Vancouver residents want better transit, the solution might not be a 'Yes' vote in the transit plebiscite but rather a new provincial government that cares about Metro Vancouver and its transit network aspirations.

The B.C. Liberals lost five key ridings in Metro Vancouver after the 2013 provincial election, including the much-coveted Vancouver-Point Grey riding. Campbell first won the riding in 1996 when he was the Leader of the Opposition for the B.C. Liberals, and he secured it again in subsequent general elections in 2001, 2005 and 2009.

Clark also won Point Grey's 2011 by-election following Campbell's resignation, but she was unable to reclaim the seat during the 2013 election, forcing her to seek a seat in Kelowna through a by-election.

Ever since the B.C. Liberals lost their footing in some of the most urbanized areas of Metro Vancouver, their policies have shifted towards being more rural focused (George Massey Tunnel replacement to serve B.C. Liberal ridings in the south of Fraser) and they have kept their distance from TransLink, even though the regional transportation authority is an entity of the provincial government.

Both Clark and Transportation Minister Todd Stone have also been relatively silent in public on their "support" for the 'Yes' side: their response to the Mayors' Council request for necessary supplemental provincial funding can be described as cold and indifferent.

Even if the transit plebiscite receives its 50 per cent plus one 'Yes' result, popular projects like the SkyTrain Millennium Line extension under Broadway and rail rapid transit in Surrey could still be many years away.

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Stone insists Massey Bridge process is proper



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by Jeff Nagel - BC Local News

posted Nov 5, 2015 at 2:00 PM — updated Nov 5, 2015 at 3:01 PM

Transportation Minister Todd Stone is defending the province's method of planning major projects like the Massey Bridge, saying it is standard procedure to announce the government's intent to proceed before a business plan is fleshed out.

The government has been under fire after information requests failed to turn up any preliminary rationale to justify Premier Christy Clark's announcements in 2012 and 2013 that the George Massey Tunnel would be replaced with a new bridge.

"It always starts with a statement of political intent," Stone said, referring to the premier's announcement. "You put your marker down. You establish your political intent. You then engage the public and the stakeholders extensively, refine the scope. Then build your business case from there. You release all that and you then get on with building the project."

RELATED:

[Province accused of hiding Massey Bridge documents](#)

Independent MLA Vicki Huntington [argued](#) it defies logic that the government could embark on a \$3-billion project without any supporting reports or analysis.

Asked if that type of material exists, Stone said there would be cabinet advice documents.



Stone said hundreds of pages of documents have been posted to the [project website](#) as part of two rounds of consultation on



whether a replacement was needed and then what configuration it should take.

He said it would be "simply wrong" to proceed in reverse order with a business case first because that would mean announcing "fully baked projects" without any chance for the public or stakeholders

to shape the outcome.

There is still [no business case](#) for the project, but Stone said that will be released "very soon" as part of a project definition report that will also spell out a price tag, the size of the bridge and whether it will be tolled.

The province is aiming for a 2017 construction start and 2022 completion date for the Massey Bridge

The provincial budget included \$53 million in planning work on the Massey project this year and next year but indicated the project remains subject to Treasury Board approval of the business case and funding strategy.

Stone said the government will soon make a final "go or no go decision" that will be the last of multiple stages of approval. "Once that decision is made then construction will begin."

The ministry says \$30 million has been spent so far.

NDP MLA George Heyman pointed to a 2012 memo from then-Finance Minister Kevin Falcon that cautioned his cabinet colleagues against major spending announcements without a business plan being vetted and approved by Treasury Board.

"We didn't have a business case in 2012. We didn't have one in 2013. We were promised one in 2014. It's now 2015 and we still don't have it," Heyman said.

"The transportation minister's definition of due diligence is that after the premier makes an announcement that she scribbled on the back of a napkin, salute it and go out and try to sell it and then create a business case to support it later."

B.C. Auditor General Carol Bellringer has taken an interest in the process, announcing an audit to evaluate the quality of evidence to support the decision to replace the tunnel.

Canadian Taxpayers Federation B.C. director Jordan Bateman said it's "troubling" that the business case is taking so long and that the province failed to publicly release the basis for Clark's announcement when it was made.

"If she was floating an idea that a Massey Bridge would be good and 'We're going to look into it' – if that was the statement, that's one thing. But she very clearly made the commitment," Bateman said.

"It flies in the face of what the BC Liberals practised when they first came to power, which was trying to make business-style decisions."

He said the province should have developed some sort of preliminary business case to determine the project appeared viable and then announce a process to explore the options to replace or rehabilitate the tunnel rather than firmly declaring from the outset it would be replaced.

He noted some material was prepared before Clark's announcement – artist's renderings of what the new bridge might look like, backdrops for the premier to stand in front of and promotional signs on Highway 99. "There has to be paperwork somewhere."

Bateman said he is not yet convinced the bridge is needed, since the Pattullo Bridge will be replaced first and it's not yet clear how that and the South Fraser Perimeter Road will alter future traffic patterns.

"I want to see evidence that this expenditure is absolutely necessary before it proceeds."

Stone said he's "very disappointed" Huntington created a public impression that she'd been kept in the dark on the project.

He said ministry staff have met with her repeatedly and provided her office access to much detail on the project.

"It reflects a significant degree of confusion on her part or at worse a sense of misrepresenting the facts, which I think is irresponsible."



City of Richmond

Report to Committee

To: General Purposes Committee

Date: January 29, 2016

From: Mike Redpath
Senior Manager, Parks

File: 06-2350-01/2016-Vol
01

Re: Steveston Historic Sites Building Committee Terms of Reference 2016

Staff Recommendation

That the Steveston Historic Sites Building Committee Terms of Reference as detailed in the staff report, "Steveston Historic Sites Building Committee Terms of Reference 2016," dated January 29, 2016, from the Senior Manager, Parks be approved.

Mike Redpath
Senior Manager, Parks
(604-247-4942)

Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Arts, Culture & Heritage	<input checked="" type="checkbox"/>	
Facilities Management	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO

Staff Report

Origin

At the December 16, 2015, Parks, Recreation and Cultural Services Committee, staff received the following referral:

... staff to develop or amend the terms of reference for a joint Building Committee regarding the Britannia Shipyard Phoenix Seine Net Loft, Phoenix Gill Net Loft, and the Interurban Tram.

The purpose of this report is in response to the above referral and to present a revised terms of reference for the existing Council approved Britannia Heritage Shipyard Building Committee (Attachment 1).

This report supports Council's 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond's demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.

2.3. Outstanding places, programs and services that support active living, wellness and a sense of belonging.

This report supports Council's 2014-2018 Term Goal #9 A Well-Informed Citizenry:

Continue to develop and provide programs and services that ensure the Richmond community is well-informed and engaged on City business and decision making.

9.2. Effective engagement strategies and tools.

Analysis

Current Britannia Heritage Shipyard Building Committee

At the June 11, 2012, Council meeting, the following resolution was approved:

(1) That the Terms of Reference for a Britannia Heritage Shipyard Building Committee, as outlined in the report dated May 3, 2012 from the Director, Arts, Culture and Heritage Services, be endorsed;

(2) That a Britannia Heritage Shipyard Building Committee be established as per the Terms of Reference; and

(3) That Councillor Bill McNulty and Councillor Harold Steves be appointed to the Britannia Heritage Shipyard Building Committee.

Attachment 1 details the current Council approved terms of reference for the Britannia Building Committee.

Since June 2012, the Britannia Heritage Shipyard Building Committee has been active and oversaw the construction and opening of the Seine Net Loft Restoration. Community participation of the Committee has been valued and informative.

The focus of the Britannia Heritage Shipyard Building Committee currently provides input to staff regarding:

- The installation of the artefact displays to complete the Seine Net Loft interior;
- Ongoing planning for additional washroom facilities at Britannia;
- The First Nations Bunkhouse planning; and
- Future planning for the completion of the Japanese Duplex building.

2016 Amended Terms of Reference – Steveston Historic Sites Building Committee

In addition to the ongoing work of the Britannia Heritage Shipyard Building Committee described above, this report proposes including, within the Committee's scope, the restoration of the Phoenix Net Loft Building as well as providing oversight for the restoration of the Interurban Tram.

Given the proposed scope change of the Britannia Heritage Shipyard Building Committee staff are recommending that the Committee's name also be changed to the Steveston Historic Sites Building Committee. Attachment 2 details the proposed Steveston Historic Sites Building Committee terms of reference.

The following amendments are proposed:

- Expand the current Committee scope to include the Phoenix Cannery Net Loft restoration planning and the restoration of the Interurban Tram;
- Reduce the Britannia Heritage Shipyard Society representatives on the Committee from 3 voting community members to 1; and
- Include 1 voting representative from the Steveston Historical Society.

The inclusion of community organizations such as the Britannia Heritage Shipyards Society and the Steveston Historical Society in ongoing planning and as dedicated resources will continue to add value to the planning, design and construction of some of Richmond's most significant heritage assets. Recommendations from the Building Committee will continue to come to Council through staff reports.

January 29, 2016

- 4 -

Financial Impact

None.

Conclusion

This report is in response to a request from Parks, Recreation and Cultural Services Committee to amend the terms of reference of the existing Council approved Britannia Heritage Shipyard Building Committee to include the Phoenix Net Loft as well as the restoration of the Interurban Tram. The re-structured committee is recommended to be titled the Steveston Historic Sites Building Committee.

A handwritten signature in black ink, appearing to read 'M. Redpath', with a long horizontal stroke extending to the right.

Mike Redpath
Senior Manager, Parks
(604-247-4942)

- Att. 1: Existing Council approved Terms of Reference – Britannia Heritage Shipyard Building Committee
- 2: Proposed Terms of Reference – Steveston Historic Sites Building Committee.

May 3, 2012

**Britannia Heritage Shipyard Building Committee
Terms of Reference**

1. Purpose:

The Britannia Heritage Shipyard Building Committee will:

- a) Advise and provide input into the development of the program for the Seine Net Loft facility and the stories to be told in the exhibits; and,
- b) Guide the focus of the development of the program of the restoration and future use of the remaining two buildings: Japanese Duplex and the First Nations Building.

2. Composition:

- a) The Building Committee will consist of 7 members:
 - Two members of Council
 - Three members from the Britannia Heritage Shipyard Society
 - The Britannia Site Supervisor
 - Project Manager, Project Development
- b) The members of the Building Committee will designate the Chair and Vice Chair.
- c) Meetings will be scheduled by the Building Committee Chair, based on the program of work to be undertaken.
- d) A quorum will be 50 % + 1 of the committee members.

3. Terms

The Term for the Building Committee shall be for the duration of each restoration project.

4. Procedures

- a) Decision process is to be consensus based.
- b) The Committee will receive staff support from the City for the preparation of agendas and recording of meetings.
- c) The Chair, in conjunction with City staff, will prepare the agenda. Agendas will be distributed to committee members in advance of the meeting.

January 13, 2016

**Steveston Historic Sites - Building Committee
(the "Building Committee")
Terms of Reference**

1. Purpose:

The Steveston Historic Site Building Committee will:

- a) Advise and provide input into the development of the program for the Seine Net Loft facility and the stories to be told in the exhibits; and
- b) Guide the focus of the development of the program of the restoration and future use of:
 - i. the Japanese Duplex;
 - ii. the First Nations Bunkhouse;
 - iii. the Phoenix Gill Net Loft; and
 - iv. the Interurban Tram.

2. Composition:

- a) The Building Committee will consist of **[Four (4)]** members:
 - Two (2) members of City Council, City of Richmond;
 - One (1) member of the Britannia Heritage Shipyard Society;
 - One (1) member of the Steveston Historical Society.
- b) The Building Committee will be supported through the Senior Manager, Parks with additional non-voting staff support from the following:
 - Britannia Site Supervisor, City of Richmond;
 - Project Manager, Project Development, City of Richmond; and
 - Curator of Collections, Museum & Heritage Services, City of Richmond.
- c) The members of the Building Committee will choose a Chair and Vice Chair of the Building Committee.
- d) The Chair will schedule the meetings based on the program of work to be undertaken.
- e) A quorum will be a majority of members appointed.

3. Terms

The Term for the Building Committee shall be for the duration of each restoration project.

4. Procedures

- a) A simple majority of votes cast at a meeting/unanimous consent of the Building Committee will be required to pass a decision/recommendation.
- b) Decisions/recommendations of the Building Committee will be forwarded to Council through appropriate staff reports following Council procedures as required.

January 13, 2016

- c) The Britannia Heritage Shipyards Society and the Steveston Historical Society will identify one alternate member of their respective society to the Building Committee.
- d) The City of Richmond will provide the Building Committee with staff support for the preparation of agendas and recording of meetings.
- e) The Chair, in conjunction with the Senior Manager, Parks, will prepare the meeting agenda. Agendas will be distributed to the Building Committee members in advance of the meeting.

DRAFT



City of Richmond

Report to Committee

To: General Purposes Committee

Date: February 1, 2016

From: David Weber
Director City Clerk's Office

File: 05-1400-01/2016-Vol
01

Re: Appointment of Acting Corporate Officer

Staff Recommendation

That Dovel Buie, Acting Manager, Legislative Services, be appointed as an Acting Corporate Officer for the purposes of carrying out statutory duties prescribed in section 148 of the Community Charter in the absence of, or as directed by, David Weber, Director, City Clerk's Office (Corporate Officer).

David Weber
Director City Clerk's Office
(604-276-4098)

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW
APPROVED BY CAO 	

Staff Report

Origin

Recently, the position of Manager, Legislative Services became vacant in the City Clerk's Office. Traditionally, the Manager, Legislative Services has also been appointed as an Acting Corporate Officer for the City of Richmond in order to ensure appropriate continuity of City business, maintain customer service and to provide proper coverage in the City Clerk's Office in the absence of, or as directed by, the Corporate Officer / Director, City Clerk's Office.

The appointment of an Acting Corporate Officer, which is a common practice in municipalities, facilitates a more efficient approach to a variety of required administrative work including the execution of agreements, contracts and land title documents, the acceptance of notices served on the City as required by statute, the certification of bylaws, meeting minutes and other City records.

During the current recruitment process for the Manager, Legislative Services position, the appointment of an Acting Corporate Officer should be considered in order to maintain appropriate service levels. Dovel Buie has been an employee of the City of Richmond in the City Clerk's Office for 18 years, most recently in the position of Manager, Records and Information. Ms. Buie has stepped in to temporarily cover the administrative duties of the Manager, Legislative Services position on an acting basis while the recruitment process for the position is underway.

Financial Impact

None.

Conclusion

The appointment of Ms. Buie as an Acting Corporate Officer will provide the City Clerk's Office with an appropriate level of coverage and ensure continuity of key business processes during the recruitment process for a new Manager, Legislative Services.



David Weber
Director City Clerk's Office
(604-276-4098)



City of Richmond

Report to Committee

To: Planning Committee **Date:** January 26, 2016
From: Cathryn Volkering Carlile **File:** 07-3300-01/2016-Vol
General Manager, Community Services 01
Re: **Richmond Intercultural Advisory Committee 2015 Annual Report and 2016
Work Program**

Staff Recommendation

That the Richmond Intercultural Advisory Committee (RIAC) 2015 Annual Report and 2016 Work Program be approved.

Cathryn Volkering Carlile
General Manager, Community Services
(604-276-4068)

Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Communications Administration & Compliance	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO

Staff Report

Origin

The mandate of the Richmond Intercultural Advisory Committee (RIAC), as outlined in its terms of reference, is to “enhance intercultural harmony and strengthen intercultural co-operation in Richmond”. The City supports RIAC by providing an annual operating budget, a Council liaison and a Staff liaison.

This report presents the RIAC 2015 Annual Report to Council, describing RIAC activities and accomplishments for the year 2015 (Attachment 1). This report also presents the proposed RIAC 2016 Work Program (Attachment 2).

This report supports Council’s 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond’s demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.

Analysis

The mission of RIAC is to achieve its mandate through several interrelated functions including providing information, options and recommendations to City Council and community stakeholders regarding intercultural issues and opportunities, and responding to Council’s requests as they arise.

2015 Annual Report

Highlights of RIAC’s activities for 2015, as summarized in the Annual Report (Attachment 1) include:

- The update and launch of the third English edition and third Chinese edition of the City of Richmond Newcomers Guide and the securing of funds for the development of a second Tagalog edition.
- Supporting City of Richmond’s Use of Language on Signage and Community Harmony pilot project and outreach.
- Provision of formal feedback on the update of the City of Richmond’s Seniors Service Plan.
- Development of an orientation manual for new RIAC members.
- Provision of input into the development and planning of the first City of Richmond Diversity Symposium (held on January 30, 2015).
- The development of a planning process and an initial planning session to update the RIAC Intercultural Strategic Plan 2012-2015; as well as coordinating the document and the actions outlined in the City of Richmond’s Social Development Strategy.

- The development of a partnership with the Canadian Race Relations Foundation (CRRF) and planning of a public forum on cultural harmony (to be held January 21, 2016).

2016 Work Program

RIAC has identified four strategic directions from the “2012-2015 Richmond Intercultural Strategic Plan and Work Program” as well as specific initiatives pertaining to each direction to implement in 2016. Proposed actions include:

- Update of the Richmond Newcomers Guide and assistance with the identification of future funding sources.
- Continue to work with City staff to assist with the planning and implementation of the City of Richmond Diversity Symposium project (to be held September 21, 2016).
- Through the partnership with the Canadian Race Relations Foundation (CRRF), continue to promote civic engagement with new immigrant groups and build intercultural understanding.
- Continue to assist with implementation and feedback on the City of Richmond Social Development Strategy, where appropriate.
- Update the Intercultural Strategic Plan and present the draft document to City Council for approval.

In addition, RIAC will continue its primary function of serving as a resource to City Council on intercultural matters, providing information and advice as required and responding to Council requests as they arise.

Financial Impact

The RIAC operating budget of \$2,500 for 2016 reflects the existing funding plan, as budgeted.

Conclusion

RIAC's 2016 Work Program presents steps to further achieve the Council approved vision for intercultural life in the City: “for Richmond to be the most welcoming, inclusive and harmonious community in Canada”. RIAC will continue to execute its mandate and mission as a resource for Council and respond to intercultural issues as they arise.

Alan Hill
Cultural Diversity Coordinator
(604-276-4391)



Att. 1: RIAC 2015 Annual Report
2: RIAC 2016 Work Program

Richmond Intercultural Advisory Committee

2015 Annual Report

1. INTRODUCTION

Richmond City Council established the Richmond Intercultural Advisory Committee (RIAC) in February 2002 to assist the City in working towards its Corporate Vision of making Richmond the “most appealing, liveable, and well-managed community in Canada”. The mandate of RIAC, as outlined in its Terms of Reference, is to “enhance intercultural harmony and strengthen intercultural co-operation in Richmond”. In 2015, RIAC continued to achieve its goals as laid out in the 2012 - 2015 Richmond Intercultural Strategic Plan and Work Program.

Throughout 2015, the Committee invited guest speakers to present on current intercultural issues in our city as well as organized events and activities with the aim of assisting diverse cultures in integrating and assisting communication between communities and City of Richmond staff and elected officials.

Newly appointed members, who replaced the outgoing members, were welcomed and the collaboration between the new and the continuing members made 2015 a successful year.

2015 Budget Expenditure:

Committee Meeting Expenses	\$1,850
Public Forum Expenses	\$375
Stationary and other supplies	\$300
Total:	\$2,525

2. RIAC's 2015 ACTIVITIES

2.1 Guest Speakers

2.1.1 January Guest Speaker - Cecilia Achiam- COR, Director, Administration and Compliance.

Cecilia Achiam introduced the work that her division is involved in to educate, inform and hear feedback on the issues of language and signage in Richmond. She informed RIAC on her team's work and let them know more about the current City of Richmond signage bylaw. She also explored with RIAC some of the deeper issues around community cohesion that may lie below the issue of signage. RIAC was formally requested to assist with a public forum on signage, in terms of helping to promote the event to all sections of the community and provide logistical support.

2.1.2 May Guest Speakers - Byron Buie, Jack Tang and Rick Easthom- Fraser Squadron

Members of Fraser Squadron informed RIAC about their organization and shared their innovative, cross cultural and award winning work in promoting boating safety through outreach

with the Chinese communities in Richmond and overseas. The Fraser Squadron shared their best practice on community outreach and received feedback from RIAC. Frazer Squadron is part of the Canadian Power and Sail Squadron and is one of twenty-two squadrons that make up the Pacific Mainland District. The Canadian Power and Sail Squadron (CPS) is a nationwide volunteer organization dedicated to promoting safe enjoyable boating in Canada. At the squadron level they administer training courses, plan squadron cruises, hold social outings, and other events in the Richmond/North Delta/Tsawwassen area.

2.1.3 September Guest Speaker -Amir Javid, Program Facilitator at Touchstone Family Association

Mr. Javid introduced and explained the complex intercultural nature of gang violence in Richmond and innovative approaches to extricating young people from these gangs. Mr Javid is a specialist worker that helps young people extricate themselves from gangs. This is one of the few positions in Metro Vancouver of this nature. Mr Javid explained that gang violence is underreported in Richmond. Many of the most sophisticated gangs operate from Richmond and actually carry out their operations in other communities. Many gangs have connections to Triads in Hong-Kong, although many others are extremely multicultural with membership being based on long term friendships and cross cultural associations rather than ethnic background. Mr. Javid answered questions from the group and added that he hoped the City would continue to support his work.

2.1.4 October Guest Speakers – Canadian Race Relations Foundation (CRRF)

Suren Nathan, Cheryl May and Anita Bromberg teleconferenced into the meeting from Toronto.

The Canadian Race Relations Foundation (CRRF) introduced their organization and their work and explained that they have approached the City of Richmond with a request to partner on their project entitled “Canadian Values In Context: Multiculturalism in the City of Richmond”. This project supports the City’s ongoing efforts to promote community harmony. The project consists of three distinct components based on similar programs run by CRRF across Canada that have been tweaked to fit the Richmond context. It was requested that RIAC formally assist by taking on the role of a local advisory body for the project, and after some discussion that was agreed upon.

2.2 Major Projects for 2015

2.2.1 Newcomers Guide

A third edition of the English language version of the Newcomers Guide was produced with sponsorship secured from Western Union Canada. A new edition of the Chinese version of the Guide was also produced. Sponsorship for this version was secured from Aspac Developments. Sponsorship was also secured from Western Union for a third Tagalog version of the Newcomers Guide and work on this version began at the end of 2015 .

2.2.2 City Of Richmond Diversity Symposium

RIAC helped plan and provide strategic direction for the first City of Richmond Diversity Symposium, which was held in January 2015 at Richmond City Hall. The symposium took the form of a series of talks and workshops aimed at sharing municipal level initiatives that are aimed at community building. Over 100 municipal workers, community partners and community leaders attended. The event is planned to be repeated in fall 2016. The event was informed by the City of Richmond’s intercultural vision.

2.2.3 City of Richmond Signage Forum and Consultation

In March, RIAC gave advice on the structure and content of a public consultation session on signage held by the City of Richmond at the UBC Boathouse. Workshop participants heard about Richmond's efforts to promote and strengthen community harmony, explored the topics of language on signs and community harmony and shared their own perspectives on the topic. The RIAC Chair gave a presentation to the workshop on the role and mandate of RIAC and explained the City of Richmond's "Intercultural Vision" and how this links to the signage consultation initiative.

2.2.4 Collaboration with the Canadian Race Relations Foundation (CRRF)

In October, 2015 RIAC started to work with the Canadian Race Relations Foundation (CRRF) to support a major workshop that is to be held in January 2016. RIAC has been acting as an advisory body on this project. The CRRF Conference is expected to have 100-150 attendees (City staff, non-profit staff, community leaders, politicians). It is a dialogue aimed at cross community knowledge sharing devoted to developing a greater understanding of Canadian values within Richmond's multicultural context.

2.2.5- RIAC Orientation Manual

RIAC members have been in the process of developing an extensive orientation manual for all (particularly new) RIAC members. The manual will help to quickly orientate new members to the aims, objective and mandate of RIAC, and share key RIAC achievements and future work priorities. The manual will also help new members fully utilise and apply their skills and experiences in the most appropriate and effective ways.

2.2.6- Seniors Service Plan Update- Formal Feedback

RIAC discussed and formally submitted feedback on the update of the City of Richmond's Seniors Service Plan. The Seniors Service Plan aims to assist the City and its partners provide appropriate services, coordination, support, monitoring and evaluation from 2015-2020. RIAC input will help to ensure a proper diversity lens is applied and to help ensure that the needs of immigrant and diverse seniors are met.

2.2.7- Updating the Intercultural Strategic Plan 2012-2015

In November, RIAC began the process of updating and renewing the Intercultural Strategic Plan. A workshop was held to revisit priorities and identify key actions to be part of any updated document. The workshop aimed to closely tie the key actions and timelines to those in the City of Richmond's Social Development Strategy. The process will continue into early 2016, to encourage new members of the committee to share their views and to receive input of other stakeholders.

3. RIAC SUB-COMMITTEES

The following sub-committees were actively working on issues pertaining to their areas (please see sub-committee reports below):

- Newcomers Guide

- Civic Engagement
- Intercultural Vision and Outreach
- Youth Integration

4. ACKNOWLEDGEMENTS

I would like to take this opportunity to thank all RIAC members who have worked so diligently with great enthusiasm throughout the year, Mayor and Councillors for their ongoing support and Councillor Derek Dang (RIAC Council Liaison) for attending the meetings and supporting us. I would also like to extend our greatest appreciation to Alan Hill, Staff Liaison, for undertaking extensive work to ensure that committee needs are met and its goals reached.

Prepared by: Diane Bissenden
Chair, Richmond Intercultural Advisory Committee
December 2015

RIAC 2015 Membership

Citizen Appointees

Joe Greenholtz
Shawkat Hasan
Diane Jubinville
Lawrence Lim
Philip He
James Hsieh
Mohinder Grewal
Joan Verwoord

Organizational Representatives

Diane Bissenden, Vancouver Coastal Health- Richmond
Shashi Assanand, Ministry of Children & Family Development
David Purghart, RCMP Richmond Detachment
Connie Clark, Richmond Community Services Advisory Committee
Nick Chopra, Richmond Community Services Advisory Committee
Parm Grewal, Richmond Community Services Advisory Committee
Phyllis Chan, Richmond Community Services Advisory Committee
Aileen Cormack, Richmond Seniors Advisory Committee
Viet Vu, Richmond Centre for Disability
Diane Tijman, School District #38

Councillor Derek Dang- Council Liaison

Alan Hill – Staff Liaison

RIAC 2015 SUBCOMMITTEE REPORTS

RIAC - Newcomer's Guide Sub-Committee

In 2015 the Newcomers Guide Sub- Committee found sponsorship for and produced both new English Language versions and also Chinese versions of the Guide. This sponsorship came from Western Union and ASPAC developments respectively. Later in the year Western Union also agreed to pay for the updating and printing of a new Tagalog version of the Guide and work will begin on this in early 2016.

Lawrence Lim,
Chair, Newcomers Guide Sub Committee

Youth Integration

2015 was a quiet year, although the September meeting saw an extensive discussion on Richmond based gang violence and the multicultural nature of this. It is hoped this will influence discussions and work planning for 2016.

Diane Tijman,
Chair, Youth Integration Subcommittee

Civic Engagement

This year saw the continuation of planning for the 'Hi Neighbour' Project. A project overview/concept paper is being developed which will be finished in early 2016. In September the whole of RIAC took part in a team planning exercise to identify key themes for the project that could be incorporated.

Shawkat Hasan,
Chair, Civic Engagement

Intercultural Vision and Outreach

The first part of the year was quite quiet although in the fall/winter the committee became involved in helping to oversee a Canadian Race Relations Foundation event which is to take place in January 2016. This event explores issues around community harmony and fits well with the mandate of the Intercultural Vision subgroup.

Joan Verwoord,
Chair, Intercultural Vision and Outreach

RIAC 2015 SUBCOMMITTEES

Committee/RIAC Actions	Members
<p>Civic Engagement</p> <p><i>Participation in governance:</i></p> <ul style="list-style-type: none"> - Advise RIAC re: research and information - Advise RIAC re: research initiatives - Advise Council as appropriate - Investigate community building initiatives <p><i>Information re: rights and responsibilities:</i></p> <ul style="list-style-type: none"> - Advise RIAC and community partners re: existing awareness materials and information campaigns - Advise Council as appropriate 	<ul style="list-style-type: none"> • Shawkat Hasan* • Aileen Cormack • David Purghart • Connie Clark • James Hsieh
<p>Intercultural Vision and Outreach</p> <ul style="list-style-type: none"> - Expand on civic engagement exercise in partnership with community civic groups - Annual meeting with Richmond newcomers - Annual meeting with help providers for newcomers in need in Richmond. Better statistical and evaluation processes will be encouraged - Promote a more "open door" policy among community religious and ethnic groups - Direct community feedback to Council, recommendations as appropriate 	<ul style="list-style-type: none"> • Joan Verwoord * • Joe Greenholtz • Shashi Assanand • James Hsieh • Parm Grewal • Nick Chopra
<p>Newcomer's Guide</p> <ul style="list-style-type: none"> - Continue updating the Newcomers Guide - Seek corporate sponsorship and governmental support for translation (e.g., Punjabi, Tagalog) - Oversee the development of 2nd editions of English and Chinese versions and seek corporate sponsorship for updates to Punjabi, Russian and Tagalog editions - Explore possible role for Volunteer Richmond Information Services (VRIS) and advise Council 	<ul style="list-style-type: none"> • Lawrence Lim* • Nick Chopra • Mohinder Grewal • Diane Bissenden • Diane Jubinville
<p>Youth Integration</p> <ul style="list-style-type: none"> - Continue to explore opportunities for youth to participate in open and respectful dialogue in a variety of venues - Support and promote access to information that addresses the understanding of intercultural issues in the community - Encourage access to cultural events for youth and their families - Advise Council as appropriate 	<ul style="list-style-type: none"> • Diane Tijman * • Philip He

*Sub Committee Chairs

Richmond Intercultural Advisory Committee (RIAC) 2016 Work Program

Council Term Goals 2014-2018

This Work Program supports the mandate of RIAC as outlined in its terms of reference, is to “enhance intercultural harmony and strengthen intercultural co-operation in Richmond”.

The Work Program supports the following Council Term Goal (2014-2018), which RIAC will give priority to providing Council with advice regarding the following Council Goal in 2016:

Goal: 2 A Vibrant, Active and Connected City

Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond’s demographics, rich heritage, diverse needs, and unique opportunities that facilitate active, caring, and connected communities.

This Work Program also supports the City of Richmond Social Development Strategy – Goal 2: Engaging our Citizens, and Strategic Direction 5: Build on Richmond’s Cultural Diversity. The Work Program directly relates to recommended Action 15 of Strategic Direction 5: “Implement Monitor and Update the Intercultural Strategic Plan and Work Program”.

The 2016 work program will have as its central pillar, an extensive evaluation and review of the 2012-2015 RIAC Intercultural plan that was adopted by Council in February 2012. The main focus areas of this new plan are civic engagement and fulfilment of the RIAC intercultural vision and these priorities are reflected in the 2016 Work program.

RIAC 2016 Proposed Budget

RIAC is requesting an operating budget of \$2,500 for 2016. This will cover costs incurred by meetings, forums, interpretation/translation of materials and consultant fees (should these be required) associated with the implementation of the 2016 Work Program.

Committee Meeting Expenses	\$1,800
Public Forum Expenses	\$400
Stationary and Workshop Supplies	\$300
Total	\$2,500

RIAC 2016 Work Program					
Strategy/Initiative	RIAC Actions/Steps	Expected Outcome of RIAC Actions	Indicator of RIAC Success	RIAC Lead/ Sub-cte	Partners
1. Address language and information and cultural barriers					
1. Continue to host guest speakers who work on intercultural issues as a way to better equip RIAC members with knowledge on intercultural initiatives.	Identify key guest speakers for RIAC meetings for 2016 and plan an appropriate itinerary.	RIAC members better informed on Intercultural issues and equipped to share this information with Council, as and when directed	Guest speaker series for 2016 devised and implemented	Intercultural Vision	RCSAC, Immigrant Serving Agencies, Civic Education Groups.
1. Address language and information and cultural barriers (continued)					
1. Continue to advise with the development of the Richmond Newcomers Guides.	Update a second version of a Tagalog Newcomers Guide. Continue to seek corporate sponsorship and update Guides accordingly	Public empowered and able to make more informed choices concerning their settlement in Richmond	Newcomers Guides updated and new versions identified and funded if and as required.	Newcomers	Corporate partners/ Immigrant serving agencies.
2. Encourage civic involvement by actively exploring community understanding of Remembrance Day and shared cultural heritage around war remembrance.	Meet with immigrant groups to discuss strategies and educational opportunities to create shared understanding of Canadian war remembrance and 'Remembrance Day'	Greater community connection and awareness around shared Canadian values	Increased turn out at Remembrance Day events – shared protocols observed.	Intercultural Vision	Royal Canadian Legion/ Immigrant Serving Agencies

RIAC 2016 Work Program					
Strategy/Initiative	RIAC Actions/Steps	Expected Outcome of RIAC Actions	Indicator of RIAC Success	RIAC Lead/ Sub-cte	Partners
2. Address racism and misconceptions					
1. Research the "Hi Neighbour" project concept - a project to connect and build shared community between neighbours.	Research opportunities for a 'Hi Neighbour' project- discuss with relevant stakeholders.	Neighbours connected- newcomers and more established Richmond residents connected around common goals	Research completed/ opportunities identified.	Civic Engagement	Immigrant serving agencies RCSAC/ City of Richmond Community Services.
2. Share information about RIAC mandate and plans with relevant stakeholders	Intercultural Strategic Plan and 2016 Work Plan distributed to all relevant stakeholders	Intercultural vision and mandate understand and incorporated by relevant stakeholders	Intercultural Work plans distributed to all relevant stakeholders.	Civic Engagement	City of Richmond- various departments
3. Ensure that City & other governmental and stakeholder systems, policies and planning processes are aligned with the Intercultural Vision					
1. Assist with the implementing of actions related to the City of Richmond's Social Development Strategy.	Assist and advise on implementation as required.	Actions identified and advise given to assist City of Richmond staff and community partners with the implement of the Social Development Strategy	Practical actions identified and implemented and advice given as and when requested.	Civic Engagement	City of Richmond – Community Social Development and others
2. Communicate with Council appointed intercultural advisory committees from other municipalities- understand best practices used elsewhere.	Contact and liaise communication and information sharing -to share work and knowledge on intercultural work. .	RIAC members informed and educated on the work of other municipalities and best practice shared	Contact initiated, lines of communication initiated, best practices shared	Civic Engagement	Metro Vancouver wide Municipalities'

RIAC 2016 Work Program

Strategy/Initiative	RIAC Actions/Steps	Expected Outcome of RIAC Actions	Indicator of RIAC Success	RIAC Lead/ Sub-cte	Partners
3. Respond in a timely and thorough manner to requests from City Council, as and when required	<i>Assist and advise City Council as and when requested</i>	<i>Requests responded to in a manner that meet Council needs</i>	<i>Number of Council referrals and requests responded to.</i>	<i>Intercultural Vision</i>	<i>City of Richmond- various departments.</i>
4. Work with community stakeholders to actively encourage intercultural education and cultural harmony.	<i>Assist with planning of the City of Richmond Diversity Symposium 2016 and ensure the City of Richmond Intercultural Vision is incorporated into the event.</i>	<i>Attendees actively more aware, understanding and supportive of the City of Richmond Intercultural Vision.</i>	<i>Practical actions identified and implemented to encourage intercultural education, planning and programming</i>	<i>Intercultural Vision</i>	<i>City of Richmond Community Social Development</i>
5. Intercultural education and encouragement/ and endorsement of cultural programs to celebrate diversity.	<i>If and or when requested- advise Community Service programmers on cultural programming.</i>	<i>City programmers designing and delivering programs that informed by the incorporate the City's Intercultural Vision.</i>	<i>Arts and Cultural programmers invited to address a RIAC Committee meeting.</i>	<i>Civic Engagement</i>	<i>City of Richmond Community Services</i>
4. To support the development and integration of Richmond's immigrants while doing this in a way that respects family and cultural traditions					
1. Support the Canadian Race Relations Foundation to hold a major conference on community harmony and belonging	<i>Act as a support /project planning aid to the Canadian Race Relations Foundation (CRRF) for a major conference to be held in January 2016</i>	<i>Community more connected and informed. Cultural harmony increased</i>	<i>Conference conducted and good community feedback received</i>	<i>Intercultural Vision</i>	<i>Canadian Race Relations Foundation, City of Richmond Administration and Compliance.</i>

RIAC 2016 Work Program

Strategy/Initiative	RIAC Actions/Steps	Expected Outcome of RIAC Actions	Indicator of RIAC Success	RIAC Lead/ Sub-cte	Partners
2. Encourage cross cultural bridging and understanding through celebrations and events.	Work to support and offer advice to City staff on the development of the Richmond World Festival 2016.	Broaden community awareness of, and support for interculturalism.	RIAC presence at cultural events.	Civic Engagement	City of Richmond Community Services



City of Richmond

Report to Committee

To: Planning Committee

Date: January 20, 2016

From: Gavin Woo, P. Eng.
Senior Manager, Building Approvals

File:

Re: Provincial Government Legislation of the Building Act

Staff Recommendation

That the staff report titled "Provincial Government Legislation of the Building Act" (dated January 20, 2016, from the Senior Manager, Building Approvals) be received for information.

Gavin Woo, P. Eng.
Senior Manager, Building Approvals
(604-276-4113)

Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Policy Planning	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO

Staff Report

Origin

The Provincial Government has enacted the Building Act (the “Act”) for the intended purpose of unifying building regulations and their implementation throughout British Columbia.

Background

Over the previous 25 years, the Province has conducted a number of reviews of the building regulatory system, each time pursuing incremental changes. In 2004, a “modernization strategy” was established but was not implemented, as government priorities shifted to focus on the “greening” of the BC Building Code during 2006.

In 2010, the Province reintroduced the modernization strategy initiative and announced potential regulatory changes requiring mandatory certification of building officials. At that time, staff was concerned with the impact of this requirement and the lack of consultation. As a result, a meeting with Mr. Jeff Vasey, Executive Director of the Building Policy Branch of the Provincial Government was convened in Victoria to express these concerns. During that meeting, our input was acknowledged with a commitment for consideration in future Provincial Government proposals.

Again in 2012, the Province issued an industry White Paper entitled “A Modern Building Regulatory System”, presenting two broad initiatives:

1. Firstly, a system for mandatory certification of building officials including continuing professional development.
2. Secondly, to remove any existing local bylaws regulating building standards beyond the BC Building Code.

Realizing the operational complexities that these initiatives present to municipal operations and policies, staff along with representatives from other municipal governments met with the Province to voice concerns and petition for clarification of the proposals. Local governments requested that the Province clarify comments received by the Branch prior to advancing legislative changes.

Based on past processes involving the BC Building Code, there have been five similar reviews undertaken since 1994, with very few proposals advancing to the implementation stage. However, despite previous staff comments from the City of Richmond and other local governments, the Provincial government introduced and brought into force the Act in 2015 with the following broad initiatives:

1. Removal of all building regulations imposed by municipalities extraneous to the BC Building Code in order to achieve consistent implementation of building regulations throughout the province. The Province is the sole authority to adopt building standards, requiring existing bylaws established by local governments to conform with provincial regulations.

2. Providing a process where innovative building measures currently outside the scope of the BC Building Code may be evaluated and applied as a Provincial regulation.
3. Requiring a minimum level of certification for those interpreting building regulations and acting as building officials.

Despite enactment, the Act's administrative rules have not been established and will necessarily become defined over a period of phased implementation for the various components. City staff are actively engaging the Province in discussion and written communication at this time to offer feedback and participate in further consultation. In particular, joint efforts with other municipalities such as City of North Vancouver and City of Surrey, have been designed to solicit clarifications from the Province on precisely the criteria to determine if local regulations stemming from OCP requirements, rezoning, sustainability initiatives, building bylaw and other City policies are in conflict with provisions of the Building Act.

Analysis

Consistency of Building Regulations

Section 5 of the Building Act states that municipal building requirements are not applicable when the matter is already subject to provincial building regulations as described in the Building Code. A two-year transition period is given to provide sufficient time for local governments to rescind or address through building regulation variance any bylaws conflicting with provincial building regulations.

As mentioned above, it is incumbent on the Provincial Government to explain clearly through its Administrative Rules how it intends to determine whether a municipal building regulation is in conflict. To date, the City has received no written response to requests for clarification and to meet for formal discussion in the intervening years after the industry White Paper or presently after the enactment. However, we have been in discussion with officials at the Buildings Standards Branch since the enactment and may report the following.

The Act is designed to remove local building regulations established by municipal government bylaws that are beyond the BC Building Code. Examples would likely include measures for "sustainable" building features which exceed Code requirements or residential sprinkler systems. City staff are currently reviewing Richmond's Bylaws, development approval processes and permits to determine what if any conflicts may arise from current local building regulations.

At this time, Bylaws that may likely be impacted by the Act include the following:

- Green Roofs & Other Options Involving Industrial & Office Buildings Outside the City Centre – Bylaw 8385 (2008)
- The Zoning Bylaw's requirement for additional handicap accessible parking may likely be impacted by the Act, as it mandates more handicap accessible parking than required by the BC Building Code.

Others items less likely to be impacted by the Act include:

- Those secured by Council through the discretionary rezoning approval process, including negotiated provisions such as increased sustainability or energy efficiency features, sound attenuation measures to address aircraft noise and accessible housing features. It should be noted, however, that restricting the City's ability to secure these items to the discretionary rezoning approval process, may have a significant impact on the City's initiatives and policies contained in the Official Community Plan.

It is unclear the Act's ramifications on incentive systems that municipalities may use for securing developmental features outside requirements for discretionary rezoning. The City has a history of using a density bonusing approach for securing certain items in consultation with the development community. This approach has been successfully used as it provides a win-win as demonstrated by the provision of Basic Universal Housing Unit requirements in the Zoning Bylaw. The density bonus approach has provided a voluntarily incentive for developers to increase accessible housing in the City. The Act brings into question whether this density bonusing approach to secure voluntary provision of items beyond BC Building Code requirements will be acceptable moving forward.

Staff will be reviewing the City's bylaws further and seek greater clarity from the Province with regards to how the Act will impact other building, planning, zoning, fire and business licensing regulations within the City. In the event that current requirements contained in a bylaw or development approval process are impacted by the Act, staff will investigate alternative approaches that may be available to ensure the overall intent of the building requirement is not lost. There may be financial considerations involved in the cost to review the City's existing bylaws and apply for the necessary variances in order to preserve any affected City building regulations. The cost of these variances will likely be determined based on their complexity and will be set out by the province.

All pertinent information will be provided to Council immediately upon results of continued consultation with the provincial government.

Qualification of Officials

Prior to the Act, there have been no formal qualification requirements for building officials. The intent is to improve quality of service and technical competency of building officials province-wide through standardized qualifications, requiring work only within achieved qualification levels, and registration provincially. These sections of the Act will be brought into force according to the following schedule. Building officials will have six months to join the Building Officials' Association of B.C. and start the qualification process with three and a half years to meet the exam requirements.

The City currently has requirements for professional skill and expertise along with a program of continuing education that ensures a more than adequate standard of service from our entire building official staff. This is also acknowledged by the Provincial Ministry in previous consultations that make it clear that proposed qualification requirements are intended to address issues in smaller, more remote communities where it is more difficult to recruit or retain qualified staff rather in larger city centres with a larger pool of qualified staff.

It is our intention to have all City building officials meet the appropriate qualification level for their job description within the four year legislative transition period. However, we share the concern with other municipalities that competent current building officials may not be capable of passing the required examinations despite having exemplary work and technical records.

Since 2007, senior Building Approvals staff have been formally lobbying the Ministry for a “grandfathering” or alternative certification process involving a combination of continuing education and examination based on field review and conditions. This is a view shared by our colleagues in other municipalities facing the prospect of losing the services senior technical staff. Despite a previous face to face meeting with Ministry officials in Victoria and requests for updated information, no communications have been received regarding the prospects of an alternative certification process leveraging the experience of senior staff while fulfilling the intention of the Act.

Once in force, building officials will be required to either be exempt building professionals (Professional Engineer or Architect) or meet the qualifications set out in the Act for their level of work. In order to be qualified as a building official, non-exempt personnel will be required to pass qualifying exams, satisfy continuing professional development requirements set out by the province, be a member of a prescribed professional association, satisfy any other requirements as set out by regulation, and be entered on the provincial register as a qualified building official.

The Building Approvals department staff comprises of 35 building officials, of whom four are professionals (Engineer or Architect), three are Registered Building Officials (RBO) with the Building Officials Association of BC (BOABC). The remaining staff members have varying levels of certification with either the BOABC or the Plumbing Officials Association of BC (POABC), or are licensed plumbers.

Longer term cost implications of the Act will involve the qualification of all building officials, once that section of the Act is in effect. Building Approvals staff are currently at varying levels of qualification, but it would be beneficial for the City to train all staff to the highest, appropriate level of qualification. We estimate the cost of training current full time staff to the highest level of qualification to be approximately \$35,000, in addition to remuneration for time spent in class and in writing exams. There will be an associated cost for registration of qualified building officials and maintenance of certifications. Those costs have not yet been determined.

Innovative Proposals

Despite mandating a level of consistency in the application of building regulations, the Act does allow for municipality-specific variations in building regulation. Local governments must apply for this variation and should the minister determine it is acceptable, the variation is written as a Provincial regulation applicable to that specific municipality or area of that municipality.

Examples of innovation include new materials and techniques currently not included or described in the BC Building Code. Presently there are proposals for timber buildings using new manufacturing materials and techniques that vastly exceed the height and encompass uses currently not considerable under the BC Building Code. The Innovation component would allow

the Province to develop specific regulation amending the code provisions to permit such construction.

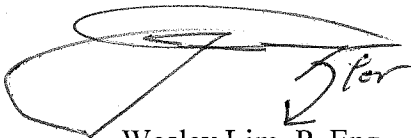
Individual applicants are also permitted to write to the Province to request building regulation variations for specific projects. While the City currently has procedures in place for applicants to apply for Alternative Solutions for non-Code conforming items, we anticipate the provisions of the Act will allow applicants to apply directly to the province for matters that are out of the scope of any applicable building regulation. This provision of the Act has not yet come into force.

Financial Impact

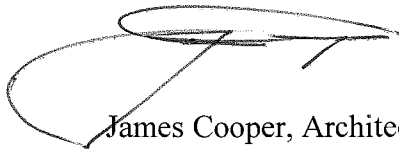
None.

Conclusion

The Act has been enacted with partial implementation. Full implementation gradually over a transition period will allow the City to adapt local bylaws in response. The particular sections of the Act that will have the most significant effect involve those that require qualification and additional training of City Staff and potential removal of building regulations specified in some City bylaw. Staff will continue to review existing bylaws and engage Provincial officials in the coming months to ensure that the City will have all pertinent information critical for an effective response.



Wesley Lim, P. Eng.
Code Engineer
(604-204-8515)



James Cooper, Architect AIBC
Manager, Plan Review
(604-247-4606)

Att. 1: Building Act



HONOURABLE RICH COLEMAN
MINISTER OF NATURAL GAS DEVELOPMENT
AND MINISTER RESPONSIBLE FOR HOUSING
AND DEPUTY PREMIER

BILL 3 – 2015

BUILDING ACT

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Part 1 – Interpretation and Application

Definitions

1 In this Act:

"administrative agreement" means an agreement under section 14 [administrative agreement];

"administrative authority" means the person with whom the minister enters into an administrative agreement;

"appeal board" means the Building Code Appeal Board continued under section 19 [Building Code Appeal Board];

"building activity" means

- (a) the construction of new buildings, or
- (b) the alteration, repair or demolition of existing buildings;

"building regulation" means a regulation under section 3 (1) (a), (b) or (c) [building regulations];

"extraprovincial building credential" means an official recognition, conferred by another jurisdiction in Canada, that attests to an individual being qualified or authorized to perform in that jurisdiction work that is the same as or is substantially similar to the work of a qualified building official;

"local authority" means any of the following:

- (a) a municipality;
- (b) a regional district;
- (c) the Nisga'a Lisims Government;
- (d) a treaty first nation;
- (e) the board of governors of the University of British Columbia;
- (f) any other authority prescribed by regulation of the Lieutenant Governor in Council;

"qualified building official" means a person who is qualified as a building official under section 11 [qualification as building official];

"register" means the register established under section 12 [register of qualified building officials];

"registrar" means the registrar designated under section 12.

Application of Act

2 This Act does not apply to the following:

- (a) the City of Vancouver;

(b) buildings in, on or about a mine, within the meaning of the Mines Act, other than bunkhouses, cook houses and related residential facilities.

Part 2 – Building Regulations

Building regulations

3 (1) The minister may make regulations as follows:

- (a) establishing one or more building codes;
- (b) regulating building generally for matters not included in a building code;
- (c) providing in respect of a matter or class of matters referred to in subsection (2) (f) that all or part of a building regulation
 - (i) does not apply, or
 - (ii) applies with modifications or additions.

(2) A regulation under subsection (1) may do one or more of the following:

- (a) prescribe requirements in respect of building activities;
- (b) prescribe requirements for the reduction of safety risks on sites where building activities occur;
- (c) prescribe requirements in respect of one or more of the following:
 - (i) the design of buildings or planning of building activities;
 - (ii) the inspection of buildings or building activities;
 - (iii) the designs, plans, notices, reports or other records relating to an activity referred to in subparagraph (i) or (ii);
 - (iv) the preparation, retention or inspection of records;
 - (v) any other matter that the minister considers necessary or advisable;
- (d) require that building activities, or activities referred to in paragraph (c) (i) or (ii), be performed by, or records referred to in paragraph (c) (iii) be prepared by, persons in specified classes of persons;
- (e) adopt by reference, in whole or in part and with any changes the minister considers necessary, any code or standard set by a provincial, national or international body or any other code or standard

making body, as the code or standard stands at a specific date, as it stands at the time of adoption or as amended from time to time;

(f) provide differently for different buildings, materials, geographic areas, local authorities, circumstances or other matters, or classes of buildings, materials, geographic areas, local authorities, circumstances or other matters;

(g) establish classes of persons, buildings, materials, geographic areas, local authorities, circumstances or other matters;

(h) specify circumstances or conditions under which all or part of the regulation applies;

(i) authorize a specified local authority to provide, in a particular case, that requirements in a building regulation to provide for the future installation of a solar domestic hot water system do not apply in relation to a building to be newly constructed in the jurisdiction of the local authority if the local authority is satisfied that the site where the building will be constructed does not permit effective use of solar domestic hot water systems.

Enforcement of building regulations by local authorities

4 A building regulation has the same force and effect as the following:

- (a) a bylaw, rule, law or prescribed instrument that is validly enacted by a local authority;
- (b) a bylaw that is validly enacted under the University Endowment Land Act.

Restrictions on local authority jurisdiction

5 (1) In this section, "local building requirement" means a requirement in respect of building activities that is enacted by a local authority other than a treaty first nation or the Nisga'a Lisims Government.

(2) This section applies despite any of the following:

- (a) the Community Charter;
- (b) the Fire Services Act;
- (c) the Islands Trust Act;
- (d) the Local Government Act;
- (e) the University Act;
- (f) any other Act prescribed by regulation of the Lieutenant Governor in Council.

(3) Subject to subsection (4), a local building requirement has no effect to the extent that it relates to a matter that is

(a) subject to a requirement, in respect of building activities, of a building regulation, or

(b) prescribed by regulation as a restricted matter.

(4) Subsection (3) does not apply in relation to a matter that is prescribed by regulation as an unrestricted matter.

Regulation of building by treaty first nations

6 If, under the final agreement of a treaty first nation, the government is required to negotiate and attempt to reach agreement with the treaty first nation enabling the treaty first nation to establish standards, for buildings or structures to which a building regulation applies, that are different from or in addition to the standards established by the building regulation, the minister, on behalf of the government, may enter into an agreement reached in the negotiation.

Request by local authority for variation

7 (1) One or more local authorities may make a written request to the minister that the minister make a building regulation in respect of the local authority or local authorities, as applicable.

(2) The request under subsection (1) must

(a) be made in a form and manner acceptable to the minister, and

(b) be accompanied by any prescribed fee.

Request by person for variation

8 (1) Subject to any applicable regulations, a person may make a written request to the minister that the minister make a building regulation in respect of

(a) a building, or

(b) multiple buildings on a single site.

(2) The request under subsection (1) must

(a) be made in a form and manner acceptable to the minister, and

(b) be accompanied by any prescribed fee.

Power to engage or retain consultants or specialists

9 (1) For the purposes of reviewing a request under section 7 or 8, the minister may engage or retain consultants or specialists the minister considers necessary and may determine their remuneration.

(2) The Public Service Act does not apply to a person engaged or retained under subsection (1).

Local authority building decisions

10 (1) In this section, "exempt building professional" means

(a) a member of a prescribed professional association, or

(b) a person in a prescribed class of persons.

(2) A local authority must not allow or require a person to decide on behalf of the local authority whether a matter conforms to a building regulation, unless

(a) the person is a qualified building official and the matter is within the person's current scope of practice as listed in the register, or

(b) the person is an exempt building professional.

(3) A person must not decide on behalf of a local authority whether a matter conforms to a building regulation, unless

(a) the person is a qualified building official and the matter is within the person's current scope of practice as listed in the register, or

(b) the person is an exempt building professional.

Part 3 – Building Officials

Division 1 – Building Officials

Qualification as building official

11 (1) In order to be qualified as a building official, a person must

(a) meet the following qualification requirements:

(i) pass one or more qualifying exams specified by the minister;

(ii) satisfy requirements, specified by the minister, respecting continuing professional development;

(iii) be a member in good standing of a prescribed professional association;

(iv) any additional qualification requirements prescribed by regulation,

(b) be entered in the register as a qualified building official, and

(c) not be suspended under Part 5 [Administrative Penalties].

(2) For the purposes of this section, the minister may, by regulation,

(a) establish different scopes of practice and different classes of building officials by scope of practice, and

(b) provide for the recognition of extraprovincial building credentials and the classification of holders of extraprovincial building credentials into the different classes of building officials.

(3) For the purposes of this section, the minister may

(a) specify different qualifying exams under subsection (1) (a) (i), held by the minister or any other person,

(i) for different scopes of practice, and

(ii) for persons in different classes of building officials who hold different extraprovincial building credentials,

(b) specify different requirements under subsection (1) (a) (ii) for different classes of building officials, including, without limitation, by reference to materials or training provided by the minister or any other person,

(c) hold qualifying exams referred to in subsection (1) (a) (i), and

(d) provide materials or training for continuing professional development referred to in subsection (1) (a) (ii).

(4) A person must pay the following fee to take a qualifying exam held under subsection (3) (c):

(a) to the minister, if the power to hold qualifying exams under subsection (3) (c) is not delegated under section 15 [power to delegate administration], a prescribed fee, if any;

(b) to the administrative authority, if the power to hold qualifying exams under subsection (3) (c) is delegated under section 15, a fee, if any, set by the administrative authority in accordance with section 17 [power of administrative authority to set fees for matters under its administration].

(5) A person must pay the following fee to receive materials or training provided under subsection (3) (d):

- (a) to the minister, if the power to provide materials or training under subsection (3) (d) is not delegated under section 15, the prescribed fee, if any;
- (b) to the administrative authority, if the power to provide materials or training under subsection (3) (d) is delegated under section 15, the fee, if any, set by the administrative authority in accordance with section 17.

Register of qualified building officials

- 12 (1) The minister must designate, in writing, an individual as the registrar.
- (2) The Public Service Act and the Public Service Labour Relations Act do not, by virtue of a designation under subsection (1), apply to the individual designated under that subsection.
- (3) The registrar must establish and maintain a register of persons who are qualified building officials that includes the following information about each person:
 - (a) the name of the person;
 - (b) the current scope of practice of the person and the date on which the person qualified for that scope of practice;
 - (c) if applicable, each previous scope of practice of the person and the dates on which the person was qualified for that scope of practice;
 - (d) any other information prescribed by regulation.
- (4) The registrar must enter a person in the register if the person
 - (a) applies in writing in the form required by the registrar,
 - (b) pays the following annual fees, as applicable:
 - (i) to the minister, if the administration of some or all of the provisions referred to in section 15 (1) [power to delegate administration] is not delegated under that section, the annual fee prescribed for the purposes of section 13 (b) (i) [annual report and annual fees];
 - (ii) to the administrative authority, if the administration of some or all of the provisions referred to in section 15 (1) is delegated under that section, the annual fee set by the administrative authority for the purposes of section 13 (b) (ii), and
 - (c) satisfies the registrar that the person meets the qualification requirements under section 11 (1) (a) [qualification as building official].
- (5) The registrar must remove a person from the register if the person

- (a) fails to meet a qualification requirement under section 11 (1) (a),
 - (b) fails to make an annual report in accordance with section 13 (a),
 - (c) fails to pay an annual fee required under section 13 (b), or
 - (d) requests to be removed from the register.
- (6) A person entered in the register who ceases to be a member in good standing of a professional association referred to in section 11 (1) (a) (iii) must promptly notify the registrar in writing.
- (7) For the purposes of this section,
- (a) the registrar may require a professional association referred to in section 11 (1) (a) (iii) to advise the registrar of whether a person is a member in good standing of the professional association, and
 - (b) if required under paragraph (a) to advise the registrar of whether a person is a member in good standing, a professional association must do so.
- (8) The registrar must retain, for the prescribed number of years, a record of the information referred to in subsection (3) for each person who is removed from the register.
- (9) The registrar must make the register, and the records required to be retained under subsection (8), available to the public by one or both of the following means:
- (a) posting the register and records on a publicly accessible website maintained by or on behalf of the government;
 - (b) having the register and records available for public inspection in the office of the registrar during regular office hours.

Annual report and annual fees

13 A person entered in the register must, annually, in accordance with the regulations,

- (a) make an annual report to the registrar declaring whether the person
 - (i) is a member in good standing of the professional association referred to in section 11 (1) (a) (iii) [qualification as building official], and
 - (ii) has completed any applicable continuing professional development requirements referred to in section 11 (1) (a) (ii), and
- (b) pay the following annual fees, as applicable:

(i) to the minister, if the administration of some or all of the provisions referred to in section 15 (1) [power to delegate administration] is not delegated under that section, the annual fee prescribed in respect of that administration;

(ii) to the administrative authority, if the administration of some or all of the provisions referred to in section 15 (1) is delegated under that section, the annual fee set by the administrative authority in accordance with section 17 [power of administrative authority to set fees for matters under its administration] in respect of that administration.

Division 2 – Administration

Administrative agreement

14 (1) Subject to the approval of the Lieutenant Governor in Council unless that approval is not required by subsection (2), the minister may enter into an agreement with a person respecting the administration by the person of some or all of the provisions of Division 1 [Building Officials], Part 5 [Administrative Penalties] and the regulations contemplated by Division 1 or Part 5.

(2) Approval of the Lieutenant Governor in Council is not required in the case of an administrative agreement that

(a) is entered into by the minister with a person

(i) with whom the minister has previously entered into an administrative agreement that is in effect, and

(ii) to whom a delegation under section 15 [power to delegate administration] has been made that is in effect, and

(b) does not contemplate a further delegation, or a rescission of a delegation, under section 15.

(3) An administrative agreement must include provisions that specify all of the following:

(a) the services to be delivered by the administrative authority;

(b) the performance objectives of the administrative authority;

(c) the terms of the financial arrangement between the administrative authority and the government, including the collection and payment of fees due to the administrative authority or the government and any other financial transitional matters;

(d) the right of access of the administrative authority to records created by the government and the right of access of the government to records created by the administrative authority;

(e) the requirements for records management by the administrative authority;

- (f) the requirement that the administrative authority report to the government any matters in respect of the operation of powers administered by the administrative authority under this Act;
- (g) a requirement that the administrative authority carry adequate insurance;
- (h) provisions of indemnification between the administrative authority and the government;
- (i) the obligations of the parties if the agreement is terminated;
- (j) the time period of the agreement or the procedure for the review of the agreement by the administrative authority and the government;
- (k) procedures for the settlement of disputes;
- (l) a specification of the liability of the administrative authority arising out of the administrative authority carrying out its administration of this Act and the regulations;
- (m) any other matter prescribed by regulation of the Lieutenant Governor in Council.

(4) The administrative authority must comply with the terms of the administrative agreement, and may not carry out the administration referred to in subsection (1) except in accordance with that agreement.

(5) Subject to the approval of the Lieutenant Governor in Council, the minister may amend or revoke the administrative agreement without the consent of the administrative authority if the minister gives the administrative authority prior written notice.

Power to delegate administration

15 (1) If the minister enters into an administrative agreement with a person, the Lieutenant Governor in Council may, by regulation, delegate to the person the administration of some or all of the provisions of Division 1 [Building Officials], Part 5 [Administrative Penalties] and the regulations contemplated by Division 1 or Part 5, including any power, function or duty of the minister, except a power to make regulations.

(2) If an amendment to a delegation regulation could substantively affect an administrative agreement, the minister must give reasonable notice to the administrative authority of the proposed amendment and must consult on it with the administrative authority.

(3) If the Lieutenant Governor in Council repeals a regulation under subsection (1), the administrative agreement is terminated.

Delegation does not make person an agent of government

16 A person to whom a delegation under section 15 [power to delegate administration] is made is not an agent of the government for the purposes of the delegation.

Power of administrative authority to set fees
for matters under its administration

17 (1) Despite any power of the Lieutenant Governor in Council or the minister to prescribe fees for matters under the administration of the government, the administrative authority may set fees in accordance with a fee-setting process established by the administrative authority for any matter required under the administrative authority's administration.

(2) The fee-setting process established under subsection (1) must be in accordance with criteria that are established by regulation.

Power to order audit

18 The Lieutenant Governor in Council may direct a person to conduct an audit of the person to whom administration is delegated under section 15 [power to delegate administration].

Part 4 – Building Code Appeal Board

Building Code Appeal Board

19 (1) The Building Code Appeal Board is continued, consisting of the following members appointed by the minister after a merit-based process:

- (a) one member designated as the chair;
- (b) one member designated as the vice chair;
- (c) other members appointed after consultation with the chair.

(2) If the appeal board sits as a tribunal under section 26 (3) of the Administrative Tribunals Act, a majority of the appeal board is a quorum.

(3) The following sections of the Administrative Tribunals Act apply to the appeal board:

- (a) sections 1 to 8, 10, 11, 13, 18, 26, 27, 32, 36, 39, 44, 46.3, 51, 56 and 58;
- (b) section 9.

Appeals

20 (1) The following persons may, by filing an application with the appeal board in accordance with this section, appeal a decision of a local authority on whether a matter conforms to a building regulation:

- (a) the owner of the building to which the decision relates;

(b) a person, other than an employee, retained under contract or subcontract by the person referred to in paragraph (a) to provide services in respect of the design, construction, alteration, repair or demolition of the building.

(2) An application under subsection (1) must

(a) be in writing or in another form authorized by the rules of the appeal board,

(b) include any information prescribed by regulation,

(c) be signed by the applicant or the applicant's counsel or agent, and

(d) be accompanied by any applicable application fee prescribed by regulation.

Appeal board decisions

21 (1) The appeal board may confirm, vary or reverse a decision under appeal.

(2) The decision of the appeal board is final and binding and not open to review in any court.

Part 5 – Administrative Penalties

Definition

22 In this Part, "Safety Standards Appeal Board" means the Safety Standards Appeal Board established under the Safety Standards Act.

Administrative penalties

23 (1) The registrar may impose an administrative penalty on a person if the registrar is satisfied on a balance of probabilities that the person has contravened

(a) section 10 (2) or (3) [local authority building decisions], or

(b) subsection (2) of this section.

(2) A person must not knowingly give false or misleading information to the registrar

(a) in an application under section 12 (4) [register of qualified building officials], or

(b) in a report under section 13 (a) [annual report and annual fees].

(3) Before the registrar imposes an administrative penalty on a person, the registrar must consider the following:

- (a) previous enforcement actions for contraventions of a similar nature by the person;
 - (b) the gravity and magnitude of the contravention;
 - (c) whether the contravention was repeated or continuous;
 - (d) whether the contravention was deliberate;
 - (e) any economic benefit derived by the person from the contravention;
 - (f) the person's efforts to correct the contravention.
- (4) The registrar may not impose an administrative penalty on a person if the person demonstrates to the satisfaction of the registrar that the person exercised due diligence to prevent the contravention.

Available administrative penalties

24 (1) A local authority on whom an administrative penalty is imposed is liable to a monetary penalty of not more than the amount prescribed by regulation of the Lieutenant Governor in Council.

(2) An individual on whom an administrative penalty is imposed is liable to one or more of the following administrative penalties:

- (a) a monetary penalty of not more than the amount prescribed by regulation of the Lieutenant Governor in Council;
- (b) a suspension, for a period of time the registrar considers appropriate, of the individual's status as a qualified building official;
- (c) removal from the register, if applicable, and a permanent ban on being entered in the register.

Notice of administrative penalty

25 If the registrar imposes an administrative penalty on a person, the registrar must serve on the person a notice imposing the administrative penalty that specifies the following:

- (a) the contravention;
- (b) the administrative penalty imposed;
- (c) if a monetary penalty is imposed,
 - (i) the amount of the monetary penalty, and
 - (ii) the date by which the monetary penalty must be paid;

- (d) if a suspension is imposed, the period of time during which the suspension has effect;
- (e) if a ban is imposed, the date on which the ban takes effect;
- (f) the right of the person to request a reconsideration under section 29.

Due date of monetary penalty

26 A person on whom a monetary penalty is imposed must pay the monetary penalty to the Minister of Finance within 30 days after the latest of the following dates, as applicable:

- (a) the date on which the notice under section 25 is served on the person;
- (b) if the person requests a reconsideration under section 29, the date on which the notice referred to in section 29 (4) (b) is served on the person, unless the monetary penalty is rescinded under section 29 (4) (a);
- (c) if the person commences an appeal under section 30, the date on which the decision of the Safety Standards Appeal Board is served on the person, unless the decision appealed is reversed by the Safety Standards Appeal Board.

Enforcement of monetary penalty

27 (1) On the date that a monetary penalty is payable under section 26, the penalty constitutes a debt payable to the Minister of Finance by the person on whom the penalty is imposed.

(2) If a person fails to pay a monetary penalty as required under section 26, the Minister of Finance may file with the Provincial Court a certified copy of the notice imposing the monetary penalty and, on being filed, the notice has the same force and effect, and all proceedings may be taken on the notice, as if it were a judgment of that court.

(3) If an individual who is a qualified building official fails to pay a monetary penalty as required under section 26, the registrar may suspend the individual's status as a qualified building official until the penalty is paid.

(4) For the purposes of section 11 (1) (c) [qualification as building official], if the registrar suspends an individual's status as a qualified building official under subsection (3) or section 23 [administrative penalties], the registrar must indicate in the register that the individual's status is suspended.

Limitation period

28 (1) The time limit for giving a notice imposing an administrative penalty is 2 years after the date on which the act or omission alleged to constitute the contravention first came to the attention of the registrar.

(2) A certificate purporting to have been issued by the registrar and certifying the date referred to in subsection (1) is proof of that date.

Reconsiderations

29 (1) A person who receives notice under section 25 of an administrative penalty may, within 30 days after the notice is served on the person, request the registrar to reconsider the administrative penalty.

(2) A request under subsection (1) must be in writing and must identify the error the person believes was made or the other grounds on which a reconsideration is requested.

(3) On receipt by the registrar of a request under subsection (1), the administrative penalty to be reconsidered as a result of the request

(a) is stayed, if the administrative penalty is a monetary penalty, and

(b) is not stayed, if the administrative penalty is not a monetary penalty, unless the registrar orders that the administrative penalty is stayed.

(4) As soon as practicable after receiving a request under subsection (1), the registrar must

(a) confirm, vary or rescind the administrative penalty, and

(b) serve on the person a notice of the following:

(i) the decision of the registrar;

(ii) the reasons for the decision;

(iii) the right of the person to appeal the decision under section 30.

(5) The registrar may conduct a written, electronic or oral reconsideration, or any combination of them, as the registrar, in his or her sole discretion, considers appropriate.

Appeals

30 (1) A person who receives notice under section 29 (4) (b) of a decision of the registrar may, within 30 days after the notice is served on the person, appeal the decision to the Safety Standards Appeal Board.

(2) Subject to subsection (3), the commencement of an appeal does not operate as a stay of the decision being appealed, unless the Safety Standards Appeal Board orders otherwise.

(3) The commencement of an appeal with respect to an administrative penalty that is a monetary penalty operates as a stay of the decision under section 29 (4) (a) that did not rescind the administrative penalty.

(4) Sections 45, 52 (2), 53, 59 and 60 of the Safety Standards Act apply to an appeal under this Part.

(5) Sections 1, 11 to 22, 24, 28, 29, 31 (1) (a) to (e), (2) and (3), 32, 34 (3) and (4), 35 to 42, 44, 46.3, 47 (1) (c) and (2), 50 to 58, 60 and 61 of the Administrative Tribunals Act apply to an appeal under this Part.

Part 6 – Cost-Recovery

Division 1 – Requests for Variations

Definitions

31 In this Division:

"calculated amount", in respect of a request under section 7 or 8, means the amount calculated under section 34 (3) (a) [reconciliation of recoverable costs];

"received amount", in respect of a request under section 7 or 8, means the amount referred to in section 34 (1) (b);

"recoverable cost" means a cost that is recoverable according to section 32;

"responsible person", in respect of a request under section 7 or 8, means the local authority or person who made the request;

"specified minimum amount" means an amount prescribed for the purposes of section 34 (3) (b) (ii) and (c).

Costs that may be recovered

32 (1) Subject to subsection (2), the following costs to the government arising from a request under section 7 or 8 are recoverable under this Division:

(a) the reasonable costs of an employee of the government participating in the determination of the request, calculated on an hourly basis in accordance with the prescribed rate;

(b) the reasonable costs to engage or retain a consultant or specialist under section 9 in relation to the request.

(2) A cost is not recoverable under this Division if the service to which the cost relates is performed before the responsible person pays an amount to the minister in response to a notice under section 33 (1) (b).

Request in respect of recoverable costs

- 33 (1) The minister may, after conducting a preliminary review of a request under section 7 or 8,
- (a) estimate the recoverable costs to determine the request,
 - (b) serve on the responsible person written notice of
 - (i) the amount estimated under paragraph (a),
 - (ii) the date by which the minister requires that amount to be paid, and
 - (iii) the liability that the responsible person may incur under section 34 if the responsible person pays an amount in response to the notice, and
 - (c) dismiss the request if the responsible person fails to pay the amount estimated under paragraph (a) by the date specified in the notice.
- (2) An estimate under subsection (1) (a) must be made in accordance with the regulations.
- (3) An amount received by the minister in response to a notice under subsection (1) (b) is conclusively deemed not to be trust funds within the meaning of the Financial Administration Act and must be paid into the consolidated revenue fund.

Reconciliation of recoverable costs

- 34 (1) This section does not apply in relation to a request under section 7 or 8, unless
- (a) notice is served under section 33 (1) (b) in respect of the request, and
 - (b) the responsible person pays an amount to the minister in response to that notice.
- (2) If the minister considers, at any time before a request under section 7 or 8 is determined or withdrawn, that the recoverable costs to determine the request are likely to exceed the amount estimated under section 33 (1) (a), the minister must promptly serve on the responsible person written notice of the amount by which the minister estimates those recoverable costs will exceed the amount estimated under section 33 (1) (a).
- (3) Within the prescribed number of days after a request under section 7 or 8 is determined or withdrawn, the minister must
- (a) calculate the recoverable costs arising from the request,
 - (b) serve on the responsible person written notice that

- (i) states the calculated amount and the difference between the calculated amount and the received amount, and
 - (ii) if the calculated amount exceeds the received amount by at least the specified minimum amount, requires the responsible person to pay the difference between those amounts within 30 days after the notice is served on the responsible person, and
 - (c) if the received amount exceeds the calculated amount by at least the specified minimum amount, refund to the responsible person from the consolidated revenue fund the difference between those amounts.
- (4) A calculation under subsection (3) (a) must be made in accordance with the regulations.
- (5) A responsible person who is required by a notice under subsection (3) (b) to pay an amount must do so within 30 days after the notice is served on the responsible person.
- (6) On the date that an amount is payable under subsection (5), the amount constitutes a debt payable to the government by the responsible person.
- (7) If the responsible person fails to pay an amount as required under subsection (5), the minister may file with the Supreme Court or the Provincial Court a certified copy of the notice under subsection (3) (b) and, on being filed, the notice has the same force and effect, and all proceedings may be taken on the notice, as if it were a judgment of that court.

Division 2 – Applications to Appeal Board

Definitions

35 In this Division:

"calculated amount", in respect of an application under section 20 [appeals], means the amount calculated under section 38 (3) (a) [reconciliation of recoverable costs];

"received amount", in respect of an application under section 20, means the amount referred to in section 38 (1) (b);

"recoverable cost" means a cost that is recoverable according to section 36;

"specified minimum amount" means an amount prescribed for the purposes of section 38 (3) (b) (ii) and (c).

Costs that may be recovered

36 (1) Subject to subsection (2), the following costs to the government arising from an application under section 20 are recoverable under this Division:

(a) the reasonable costs of a member of the appeal board participating in the determination of the application, calculated on a daily basis in accordance with the prescribed rate;

(b) the reasonable costs to engage or retain a person under section 27 (2) of the Administrative Tribunals Act in relation to the application.

(2) A cost is not recoverable under this Division if the service to which the cost relates is performed before the applicant pays an amount to the minister in response to a notice under section 37 (1) (b).

Request in respect of recoverable costs

37 (1) The minister may, after conducting a preliminary review of an application under section 20,

(a) estimate the recoverable costs to determine the application,

(b) serve on the applicant written notice of

(i) the amount estimated under paragraph (a),

(ii) the date by which the minister requires that amount to be paid, and

(iii) the liability that the applicant may incur under section 38 if the applicant pays an amount in response to the notice, and

(c) dismiss the application if the applicant fails to pay the amount estimated under paragraph (a) by the date specified in the notice.

(2) An estimate under subsection (1) (a) must be made in accordance with the regulations.

(3) An amount received by the minister in response to a notice under subsection (1) (b) is conclusively deemed not to be trust funds within the meaning of the Financial Administration Act and must be paid into the consolidated revenue fund.

Reconciliation of recoverable costs

38 (1) This section does not apply in relation to an application under section 20, unless

(a) notice is served under section 37 (1) (b) in respect of the application, and

(b) the applicant pays an amount to the minister in response to that notice.

(2) If the minister considers, at any time before an application under section 20 is determined or withdrawn, that the recoverable costs to determine the application are likely to exceed the amount estimated under section 37 (1) (a), the minister must promptly serve on the applicant written notice of the amount by which the minister estimates those recoverable costs will exceed the amount estimated under section 37 (1) (a).

(3) Within the prescribed number of days after an application under section 20 is determined or withdrawn, the minister must

(a) calculate the recoverable costs arising from the application,

(b) serve on the applicant written notice that

(i) states the calculated amount and the difference between the calculated amount and the received amount, and

(ii) if the calculated amount exceeds the received amount by at least the specified minimum amount, requires the applicant to pay the difference between those amounts within 30 days after the notice is served on the applicant, and

(c) if the received amount exceeds the calculated amount by at least the specified minimum amount, refund to the applicant from the consolidated revenue fund the difference between those amounts.

(4) A calculation under subsection (3) (a) must be made in accordance with the regulations.

(5) An applicant who is required by a notice under subsection (3) (b) to pay an amount must do so within 30 days after the notice is served on the applicant.

(6) On the date that an amount is payable under subsection (5), the amount constitutes a debt payable to the government by the applicant.

(7) If the applicant fails to pay an amount as required under subsection (5), the minister may file with the Supreme Court or the Provincial Court a certified copy of the notice under subsection (3) (b) and, on being filed, the notice has the same force and effect, and all proceedings may be taken on the notice, as if it were a judgment of that court.

Part 7 – General

How to serve notices

39 (1) All notices required under this Act to be served on a person

(a) must be served in a manner prescribed by regulation of the Lieutenant Governor in Council, and

(b) if served in a manner referred to in paragraph (a), are deemed to be received by the person at the time prescribed for the manner by regulation of the Lieutenant Governor in Council.

(2) On application by any person, the Supreme Court may, for the purposes of this Act,

(a) give directions on how to serve a notice on a person, or

(b) dispense with service of a notice if the court is satisfied that the person already has actual notice of the contents of the notice and is avoiding service.

(3) If the court makes an order dispensing with service of a notice, the notice takes effect without being served.

(4) This section does not apply to a notice or other document of

(a) the appeal board, or

(b) the Safety Standards Appeal Board under Part 5 [Administrative Penalties].

Offence Act

40 Section 5 of the Offence Act does not apply to this Act or the regulations.

Regulations of minister

41 (1) The minister may make regulations referred to in section 41 of the Interpretation Act.

(2) Without limiting any other provision of this Act, the minister may make regulations as follows:

(a) respecting any matter for which regulations are contemplated by this Act, other than matters for which regulations are expressly contemplated to be made by the Lieutenant Governor in Council;

(b) prescribing matters as restricted for the purposes of section 5 (3) (b) [restrictions on local authority jurisdiction] or unrestricted for the purposes of section 5 (4);

(c) for the purposes of section 7 (2) (b) [request by local authority for variation] or 8 (2) (b) [request by person for variation], establishing classes of requests and prescribing different fees for those different classes;

(d) specifying matters in relation to which a person may, or may not, make a request under section 8 (1);

(e) establishing classes of persons for the purposes of section 10 (1) (b) [local authority building decisions];

(f) for the purposes of section 11 (4) (a) or (5) (a) [qualification as building official], prescribing different fees by reference to different scopes of practice or different classes of building officials;

(g) prescribing an annual fee for the purposes of sections 12 (4) (b) (i) [register of qualified building officials] and 13 (b) (i) [annual report and annual fees];

(h) for the purposes of section 13, respecting the form and manner in which, and the time when, an annual report must be made and the time when the annual fee must be paid;

(i) for the purposes of section 20 (2) (b) or (d) [appeals], establishing classes of applications and providing differently for those different classes;

(j) respecting estimations and calculations of recoverable costs for the purposes of Part 6 [Cost-Recovery];

(k) defining a word or expression used but not defined in this Act.

(3) Section 3 (2) (f) to (h) applies in relation to regulations under subsection (2) (b) of this section.

Regulations of Lieutenant Governor in Council

42 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the Interpretation Act.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations respecting any matter for which regulations are expressly contemplated by this Act to be made by the Lieutenant Governor in Council.

Part 8 – Transitional Provisions and Consequential and Related Amendments

Transitional Provisions

Transition – restrictions on local authority jurisdiction

43 Section 5 [restrictions on local authority jurisdiction] does not apply in relation to a local authority until the date that is 2 years after the date the section comes into force.

Transition – local authority building decisions

44 (1) In this section:

"first cutoff date" means the date that is 6 months after the date section 10 comes into force;

"second cutoff date" means the date that is 4 years after the date section 10 comes into force.

(2) Section 10 [local authority building decisions] does not apply,

(a) before the first cutoff date, in relation to a person, and

(b) on any date that is after the first cutoff date and before the second cutoff date, in relation to a person who is a member in good standing of a professional association referred to in section 11 (1)

(a) (iii) [qualification as building official].

Transition – Building Code Appeal Board

45 Despite section 19 [Building Code Appeal Board], the appeal board continued by that section consists of the chair of the appeal board and the members of the appeal board until a vice chair of the appeal board is appointed under that section.

Consequential and Related Amendments

Building Officials' Association Act

46 Section 1 of the Building Officials' Association Act, S.B.C. 1997, c. 16, is amended by repealing the definition of "building regulations" and substituting the following:

"building regulations" has the same meaning as "building regulation" in the Building Act; .

Community Charter

47 Section 9 (1) (d) of the Community Charter, S.B.C. 2003, c. 26, is repealed.

48 Section 55 (2) (a) is amended by striking out "Provincial building code" and substituting "Provincial building regulations".

49 Section 63 (b) and (f) is repealed and the following substituted:

(b) smoke alarms;

(f) rental units and residential property, as those are defined in the Residential Tenancy Act, that are subject to a tenancy agreement, as defined in that Act.

50 Section 1 of the Schedule is amended by repealing the definitions of "Provincial building code" and "Provincial building regulations" and substituting the following:

"Provincial building regulations" has the same meaning as "building regulation" in the Building Act; .

Homeowner Protection Act

51 Section 12 (a) of the Homeowner Protection Act, S.B.C. 1998, c. 31, is amended by striking out "British Columbia Building Code;" and substituting "building regulations within the meaning of the Building Act;".

Local Government Act

52 Section 289 (a) of the Local Government Act, R.S.B.C. 1996, c. 323, is repealed and the following substituted:

(a) the Provincial building regulations, .

53 Section 290 is amended

(a) in subsections (1) and (3) by striking out "Provincial building code" and substituting "Provincial building regulations", and

(b) in subsection (1) (a) by striking out "then current building code" and substituting "then current Provincial building regulations".

54 Section 692 is repealed.

55 Section 693 is repealed.

56 Section 693.1 (2) is repealed.

57 Section 694 (1) (l), (n) and (n.1) is repealed and the following substituted:

(l) require the installation of smoke alarms in existing buildings and other structures and, in relation to this, establish standards and specifications for required smoke alarms and their installation;

(n) require the maintenance of "rental units" and "residential property", as defined in the Residential Tenancy Act, that are subject to a "tenancy agreement" as defined in that Act, in accordance with the standards specified in the bylaw;

(n.1) require the maintenance of "manufactured homes", "manufactured home sites" and "manufactured home parks", as defined in the Manufactured Home Park Tenancy Act, that are subject to a "tenancy agreement" as defined in that Act, in accordance with the standards specified in the bylaw.

Public Sector Employers Act

58 The Schedule to the Public Sector Employers Act, R.S.B.C. 1996, c. 384, is amended by striking out "Building Code Appeal Board (Local Government Act)" and substituting "Building Code Appeal Board (Building Act)".

Strata Property Act

59 Section 70 (2) (a) of the Strata Property Act, S.B.C. 1998, c. 43, is amended

(a) by repealing subparagraph (i) and substituting the following:

(i) a building regulation within the meaning of the Building Act, , and

(b) in subparagraph (iv) by striking out "section 692 (5) of the Local Government Act," and substituting "section 6 of the Building Act,".

60 Section 242 (5) (c) is repealed and the following substituted:

(c) the building regulations within the meaning of the Building Act, except, in relation to a treaty first nation that has entered into an agreement described in section 6 of that Act, to the extent that the agreement enables the treaty first nation to establish standards that are different from those established by the building regulations.

University Endowment Land Act

61 Section 12 (1) (b) of the University Endowment Land Act, R.S.B.C. 1996, c. 469, is amended by striking out "sections 692 to 698" and substituting "sections 694 to 698".

Wood First Act

62 Sections 2 and 3 (a) of the Wood First Act, S.B.C. 2009, c. 18, are amended by striking out "British Columbia Building Code" and substituting "building regulations within the meaning of the Building Act".

Commencement

63 This Act comes into force by regulation of the Lieutenant Governor in Council.



City of Richmond

Report to Committee

To: Public Works and Transportation Committee

Date: January 25, 2016

From: Victor Wei, P. Eng.
Director, Transportation

File: 01-0154-04/2016-Vol
01

Re: City of Richmond-TransLink TravelSmart Partnership - Update

Staff Recommendation

1. That staff continue to monitor the TransLink TravelSmart pilot program and relevant activities, as described in the staff report titled "City of Richmond-TransLink TravelSmart Partnership – Update", dated January 25, 2016, from the Director, Transportation and report back on the results following their completion.
2. That a copy of the above report be forwarded to the Richmond Council-School Board Liaison Committee for information.

Victor Wei, P. Eng.
Director, Transportation
(604-276-4131)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Economic Development	<input checked="" type="checkbox"/>	
Community Social Development	<input checked="" type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	
Recreation	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

At its October 27, 2014 meeting, Council endorsed the City's partnership with TravelSmart, TransLink's branded transportation demand management (TDM) program, to help advance the City's goals to increase sustainable transportation choices for the community. This report provides an update on the joint activities undertaken over the past year.

This report supports Council's 2014-2018 Term Goal #5 Partnerships and Collaboration:

Continue development and utilization of collaborative approaches and partnerships with intergovernmental and other agencies to help meet the needs of the Richmond community.

Analysis

Following Council endorsement of the partnership, the City and TravelSmart executed a Memorandum of Understanding in December 2014 with the objective of implementing TDM strategies that foster behaviour changes that lead to increased use of transit, carpooling, car-sharing, cycling, and walking as viable alternatives to a single occupant vehicle. The next sections below highlight the key initiatives currently underway.

School Travel Planning: Pilot Project at Three Elementary Schools

The ultimate goal of a School Travel Plan (STP) is to create an environment that encourages healthy and active transportation to and from school, improves the journey for those who use vehicles or take school busses, and improves transportation safety for everyone. The benefits of an STP include:

- improved physical health due to increased activity,
- improved student focus (studies indicate that physical activity is linked to improved academic performance),
- environmental benefits due to reduced vehicle emissions and improved air quality, and
- improved community and traffic safety for students and the neighbourhood.

TravelSmart contracts HASTe (Hub for Active School Travel) to facilitate and deliver the STP program in the Greater Vancouver area. To date, HASTe has worked with school and municipal staff to develop STPs in the following cities: Vancouver, Surrey, New Westminster, Coquitlam, and District of North Vancouver.

For Richmond's pilot program, City staff are working closely with the Richmond School District, TravelSmart and HASTe to develop customized STPs at three elementary schools: Garden City, AB Dixon and Walter Lee.¹ The process was initiated in Fall 2015 and typically takes 18 months to progress through the five phases of:

- (1) Set-up: choose schools and establish stakeholder and school STP committees.

¹ The three schools were identified by Richmond School District based on demonstrated interest from principals.

- (2) *Baseline Data Collection*: classroom and family surveys, walkabout and observations.
- (3) *Action Plan Development*: identify education and active travel strategies as well as infrastructure planning if needed.
- (4) *Action Plan Implementation*: produce and distribute “best routes to school” maps, stage contests and events, and undertake the TravelSmart for Elementary Schools Leadership program whereby a TravelSmart facilitator educates students about the impacts of transportation on their health and environment, and works with student leaders to develop student-led projects that are performed and displayed at a Spring assembly of the entire school.
- (5) *Evaluation*: follow-up classroom and family surveys, STP updates as necessary and policy development to ensure program sustainability at the school.

Table 1 outlines the planned schedule. To date, Phase 1 has been completed and actions started within Phase 2. Surveys have been distributed and walkabouts at all three schools with the participation of City and School District staff have occurred to observe on-site conditions, particularly during the start or end of the school day.

Table 1: Planned STP Schedule

Phase	Action	Timeline
1	Set-up	Oct-Nov 2015
2	Baseline Data Collection	Nov 2015-Jan 2016
3	Action Plan Development	Jan-Feb 2016
4	Action Plan Implementation	Mar-Oct 2016
5	Evaluation	Sep-Oct 2016

A multi-agency stakeholder workshop to inform participants about the importance of active and safe routes initiatives and build the capacity of community stakeholders to contribute to and support school travel planning work in Richmond is scheduled for February 24, 2016. The workshop will bring together representatives from Richmond RCMP, ICBC, Vancouver Coastal Health, Richmond School District, Parent Advisory Committees, City of Richmond (Transportation, Community Bylaws, Community Social Development), TransLink, and HUB Cycling.

As part of the City-TravelSmart partnership, TransLink is fully funding the STP process for the three schools for this first year. Should this pilot program prove successful, Richmond School District and the City would explore jointly funding the expansion of the STP program to additional elementary schools in the future.

Business Retention Initiative: Employee Transportation at Riverside Business Park

A high priority action item in the Richmond Resilient Economy Strategy is to retain and support businesses already in Richmond. Data collected through the City’s Business Development Program has shown that employee transportation is the number one barrier to workforce attraction and business retention. This issue is most pronounced in the City’s business parks, such as the Riverside Business Park (500+ businesses with 6,000+ employees) located off No. 5 Road to the south of Steveston Highway. To address the challenge, City staff are exploring the development of transportation solutions for employees at this site, including improvements to existing transit service, car-sharing, carpooling, cycling, teleworking, hours of work, private shuttle service, and fleet management. Under the MOU, the City has partnered with TravelSmart to deliver relevant aspects of this initiative, including implementation of an employee survey and exploration of transit, walking and cycling options.

Primary market research in the form of an employee survey was conducted in the summer of 2015 to determine the potential demand for alternative transportation services. A total of 1,035 valid responses were received from employees of 23 companies. The survey sought information regarding employees' current commuting patterns, mode choices, hours of work, and which potential solutions they would consider using if available.

When asked what could motivate employees to reduce their reliance on a single occupancy vehicle as the preferred mode of commuting to work, the top five answers were:

- Better access to transit (20%)
- A direct shuttle from a transit exchange/station (14%)
- The availability of car-share vehicles (11%)
- A rewards program for using a sustainable mode (11%); and
- Help with finding carpool participants (8%).

The responses informed the development of potential customized commuting travel options from TravelSmart and the private sector. The City shared this information with a group of representatives from several key businesses within Riverside Industrial Park in late December 2015. Carpooling and a private business park shuttle emerged as the two feasible options of interest to business.

As a next step, staff will continue to facilitate discussions with business stakeholders in Riverside Industrial Park to explore and pursue workable solutions to meet their employee transportation needs. Pending successful uptake of these solutions, this business retention initiative may be introduced to other business parks in Richmond.

Community Outreach

TravelSmart staff participated in City events to promote and raise awareness in the community of sustainable travel modes including:

- March 2015: Activate! Wellness Fair at the Minoru Place Activity Centre.
- May 2015: Public Works Open House at the Works Yard.
- June 2015: Island City by Bike Tour at South Arm Community Centre. TravelSmart generously donated five raffle prizes for the City's 2015 Island City, by Bike Tour with each prize comprising a bike seat cover, bike light and bell, reflective strap, regional cycling map, and Bike Sense manual.
- December 2015: TravelSmart provided an information session on the new Compass Card at an event organized by the Transportation Sub-Committee of the Richmond Seniors Advisory Committee and the Minoru Seniors Society.

Potential Future Initiatives

Staff are working with TravelSmart to identify potential initiatives for 2016 including:

- City events in that TravelSmart may attend to provide information and awareness,
- further school- and business-focussed outreach efforts,

- public education sessions such as transit training sessions for seniors and recent immigrants, and
- support for the update and publication of a new edition of the City's cycling and trails map.

Financial Impact

None. The identified activities are funded by TravelSmart.

Conclusion

Following the launch of the City-TravelSmart partnership in December 2014, staff from different departments are working with TravelSmart to collectively improve the community's awareness and understanding of transportation options and build positive attitudes about sustainable transportation choices. A pilot project with three elementary schools has been initiated with the aim of achieving tangible behaviour changes. In turn, this project would help the City progress towards its targets to reduce greenhouse gas emissions and increase the mode share of active transportation as well as improve personal health and enhance community safety. TravelSmart has also been integrated in one of the City's ongoing business retention programs by delivering relevant expertise to the Riverside Business Park employee transportation initiative. Staff will report back on the final outcomes of these initiatives, which are also anticipated to help inform the development of TransLink's Southwest Area Transport Plan that will include the identification of opportunities for TravelSmart programming.



Joan Caravan
Transportation Planner
(604-276-4035)

JC:jc



City of Richmond

Report to Committee

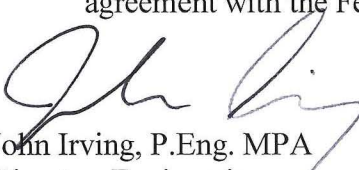
To: Public Works and Transportation Committee
From: John Irving, P.Eng. MPA
Director, Engineering
Re: Sewer Heat Recovery in Richmond Update

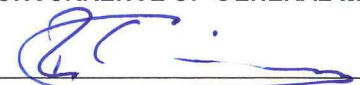
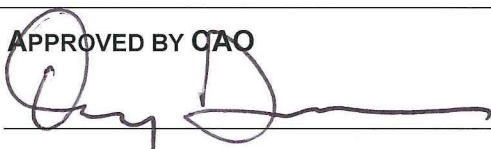
Date: January 18, 2016
File: 10-6600-10-02/2016-
Vol 01

Staff Recommendation

That:

1. The staff report titled "Sewer Heat Recovery in Richmond Update" from the Director, Engineering, dated January 18, 2016, be received for information;
2. The scope of work and budget for a Micro-Sewer Heat Recovery Study identified in the "Sewer Heat Recovery in Richmond Update" from the Director, Engineering, dated January 18, 2016, be approved with funding from the Carbon Tax Provision and included as an amendment to the Five Year Financial Plan (2016-2020) Bylaw;
3. The application to the Federation of Canadian Municipalities for up to 50 percent of eligible costs to complete Micro-Sewer Heat Recovery Study, be endorsed; and
4. Should the funding application be successful, the Chief Administrative Officer and the General Manager of Engineering and Public Works be authorized to execute the agreement with the Federation of Canadian Municipalities on behalf of the City.


John Irving, P.Eng. MPA
Director, Engineering
(604-276-4140)

REPORT CONCURRENCE		
ROUTED TO: Finance Department	CONCURRENCE <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER 
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

This report responds to a referral from the September 23, 2015 Public Works and Transportation Committee meeting, in which it was requested:

“that staff report back on the potential to recover heat from the Gilbert Trunk sewer line.”

This report includes a recommendation to complete a new study to assess further opportunities in Richmond to recover renewable energy from the City’s sanitary sewer system.

This report supports Council’s 2014-2018 Term Goal #4 Leadership in Sustainability:

Continue advancement of the City’s sustainability framework and initiatives to improve the short and long term livability of our City, and that maintain Richmond’s position as a leader in sustainable programs, practices and innovations.

4.1. Continued implementation of the sustainability framework.

4.2. Innovative projects and initiatives to advance sustainability.

Background

In 2010, Council adopted targets in Richmond’s Official Community Plan to reduce community greenhouse gas (GHG) emissions 33% below 2007 levels by 2020, and 80% below 2007 levels by 2050. The 2041 Official Community Plan also includes a target to reduce energy use 10% by 2020 below 2007 levels. Richmond’s 2014 Community Energy and Emissions Plan (CEEP) outlines an array of strategies and actions for the City to meet these targets. Many of these strategies and actions relate to renewable energy, including:

Strategy 10: Utilize Local Energy Sources

- **Action 26:** Promote building scale renewable energy - explore opportunities to implement education, incentives and requirements.

Strategy 13: “Lead by example” with City Operations Energy Management

With respect to renewable sewer heat, the City has engaged in multiple studies and initiatives which have explored the potential of sewer heat recovery (SHR) as an energy source within the City of Richmond. Below is a list highlighting several of these projects:

1. Gilbert Trunk Sewer Main and Oval Village District Energy Utility

In 2012, the City and Metro Vancouver retained a consultant to assess the feasibility of recovering sewer heat from the new Gilbert Road Trunk Sewer Main in the Oval Village area in order to service the demands of upcoming development within the Oval Village

District Energy Utility (OVDEU) Service Area. The study indicated that the new Gilbert Trunk Sewer Main system could provide the desired 4 megawatt (MW) of renewable power from sewage heat. Integrating this energy source is in the current OVDEU business plan and it will be integrated after a critical mass of buildings has been connected.

2. Gateway Theatre

At the Gateway Theatre, the City and its partners successfully integrated a sewage heat recovery system into the building's heating system. The location of a sewer wet well under the theatre proved to be an ideal location to install the heat recovery system due to the limited infrastructure required to connect the building to the sewage heat source. The system has been successfully operating since April 2013, with an estimated displacement of over 900 gigajoules (GJ) of natural gas annually, a 35% reduction, and an estimated reduction in greenhouse gas emissions of over 45 tonnes annually, also a 35% reduction. The City continues to monitor and analyze the performance of this system.

3. Lulu Island Waste Water Treatment Plant – Energy Provision for Richmond City Centre

A study of effluent heat recovery potential at the Lulu Island Wastewater Treatment Plant (LIWWTP) has been completed. The study analyzed the feasibility of using heat energy generated by sewage at the LIWWTP to service a District Energy Utility in the Richmond City Centre area. A review of the potential energy loads that could be served by the LIWWTP and analysis of the feasibility of installing distribution piping alongside the planned sewer main upgrades in Gilbert Road was conducted. The studies illustrated that there is potential for the effluent heat source to service the projected energy demands of the development within the City Centre area. The analysis showed favourable results for the feasibility of this concept. However, further detailed analysis and planning is required prior to any additional action. The City will continue to work with Metro Vancouver to explore this as a potential renewable energy source.

4. Vancouver Sewerage Area - Integrated Resource Recovery Study

Metro Vancouver's Integrated Resource Recovery (IRR) Study for the Vancouver Sewerage Area (VSA) was a multi-phase project that involved evaluating potential resource recovery opportunities associated with the liquid and solid waste streams originating within the VSA. As part of this study, the Iona Island Waste Water Treatment Plant was identified as a high potential source of sewer heat energy. However, the location is not considered ideal due to the distance from the City of Richmond's potential energy loads and the poor geotechnical conditions on site.

5. Lulu Island Sewerage Area - Integrated Resource Recovery Study

Similar to the VSA IRR Study above, this initiative was just launched and will look to create an overall strategy for developing opportunities for the recovery of energy, reclaimed water, and other materials in the Lulu Island Sewerage Area. This includes

opportunities for sewer heat recovery from the Lulu Island Wastewater Treatment Plant. This study is in its early stages and will be continuing throughout 2016.

6. Kwantlen Polytechnic University Micro-Sewer Heat Recovery Study

Based on a request from Kwantlen Polytechnic University (KPU), the City completed a feasibility study for the utilization of recovered sewage heat energy from its Alderbridge Sanitary Pump Station (ASPS) on Kwantlen St. to potentially service a new facility at KPU. The study included analyzing the potential energy generation at this pump station, the energy demands of the new facility and estimates of implementation costs for a micro-scaled sewer heat recovery system similar to the Gateway project. The study showed promising results for a system of this kind.

Analysis

Metro Vancouver's sewer network and waste water treatment plants within Richmond appear to be able to provide energy for a large scale energy system. To date, the focus of the analysis of sewer heat recovery options in the City of Richmond has mainly been on larger projects and opportunities. Staff remain engaged on all the opportunities outlined above and will bring forward discrete opportunities for Council's consideration as they arise. In the case of the OVDEU, the proximity of the new Gilbert Road Trunk Sewer Main creates a scenario which is feasible for a direct connection to Metro Vancouver's sewer network. Staff will continue to work with stakeholders to explore these projects as a potential renewable energy source.

The above projects have focused mainly on larger scale projects, with the exception of the Gateway project and KPU study. Given the promising results that these projects two have shown, it is worth considering similar opportunities across the City. The sewer heat energy that is available within the City of Richmond's own sewer pipe network is unknown however. For this reason, there is value in assessing available energy within the City's own sewer network with the intent of identifying the potential for smaller scale projects that maximize heat recovery in Richmond. The network comprises pump stations, forcemains and gravity collectors; pump stations and larger forcemains have the highest potential for economic sewer heat recovery.

In this context, it is proposed to conduct a study to assess micro-Sewer Heat Recovery (mSHR) opportunities across all urban areas of Richmond. An mSHR system is envisioned to be defined by a series of mSHR energy plants which will provide thermal energy to either public or private buildings, as seen at the City's current demonstration project at the Gateway Theatre.

Traditional, larger scale SHR systems require significant capital investment to develop the energy plant. The density of energy demand in the Richmond's City Centre area will support these types of investments. mSHR is anticipated to carry lower capital costs however and as a result has potential for application in other areas of the community. The proposed study will investigate the feasibility of using standalone micro sewer heat recovery plants that will be housed in new developments or within existing pump stations. The study will firstly assess and identify recoverable heat in the City's sanitary sewer network, focusing on forcemains and pump stations. This work will build on the study that examined sewer heat in Metro Vancouver's

sewer forcemains. This information will then be compared against current and future land use identified in the Official Community Plan for the whole city in an effort to identify potential candidate locations that mSHR could be feasibly employed. With a shortlist of candidate areas identified, conceptual design and costing would be completed to better understand how the service can be delivered most effectively. This will include an estimation of costs, financing strategies and revenues for the City's district energy company, the Lulu Island Energy Company.

The KPU study showed promise for harvesting sewer heat at this scale. Applying this approach more broadly across the City is expected to reveal opportunities in other areas of the community for sewer heat recovery. In the KPU study, it was estimated that greenhouse gas (GHG) emission reductions would range from ~3.9 to 5 tonnes per annum for the one connected building. On the surface and with these possible outcomes, staff consider that sewer heat recovery of this scale has potential for connecting buildings to renewable energy sources throughout all parts of the community. If the study identifies that mSHR is technically feasible in any specific area, staff will bring information to Council identifying this feasibility, the catchment area and potential mechanisms available to the City for pursuing the establishment of a mSHR system based on both the technical feasibility and the viability of a business case analysis. For the reasons identified above, a recommendation is included to approve the general scope and budget for the study. To offset costs, staff have initiated an application for the Federation of Canadian Municipalities' Green Municipal Fund, which provides up to 50% of eligible costs to a maximum contribution of \$175,000 for feasibility studies.

Financial Impact

The anticipated cost of the proposed study is \$170,000 with a potential grant contribution from the Federation of Canadian Municipalities (FCM) of up to 50%. As this grant also accepts in-kind contributions as project cost, the FCM grant for this proposed study could be up to \$100,000. If the grant is successful, the City's total contribution will be no more than \$70,000. Funds are currently available for the study in the Carbon Tax Provision account. All FCM reimbursements would be returned to this account. An amendment to the City's 5 Year Financial Plan (2016-2020) will be required based on approval of this request.

Conclusion

The City remains engaged in multiple studies and initiatives which have explored the potential of using recovered sewer heat as an energy source for heating buildings in Richmond. With the focus of many of the previous investigations being on larger scale SHR systems, the feasibility of implementing smaller, decentralized systems is unknown. It is proposed to look further in to micro-Sewer Heat Recovery (MSHR) across all urban areas of Richmond by conducting a study to identify and analyze potential MSHR opportunities.



Kevin Roberts
Project Engineer, District Energy
(604-204-8512)



City of Richmond


Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director of Development
Re: Arterial Road Policy Updates

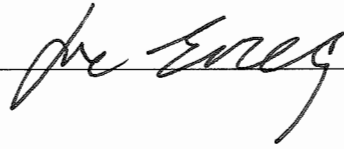
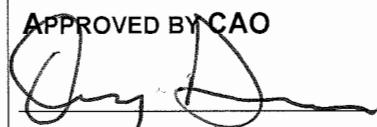
Date: January 27, 2016
File: 10-6350-00

Staff Recommendation

That the proposed amendments to the Arterial Road Policy as provided in the January 27, 2016 staff report titled "Arterial Road Policy Updates," be approved to proceed to public and stakeholder consultation.


Wayne Craig
Director of Development

WC:el
Att. 8

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing Engineering Policy Planning Transportation	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

The City has encouraged residential densification along arterial roads through the existing Arterial Road Policy since the 1999 Official Community Plan (OCP) was adopted. This includes specific policies to support compact lots (e.g., 9 m or 30 ft. wide single detached and coach house) development with a rear lane access, as well as townhouse developments. The Arterial Road Policy directs these forms of development to areas with access to transit service; and generally in locations away from the single-family neighbourhoods. The City has reviewed and refined this Policy over the years, with the most recent revision completed as part of the OCP Update (Bylaw 9000) in 2012.

The following referral motion was passed by Planning Committee on January 6, 2015:

“That staff review zoning provisions and policies regarding duplexes and triplexes in the City with the objective of increasing the provision of these housing forms on large lots and report back.”

The purpose of this report is to respond to this referral, and to specifically:

- Provide more specificity and clarity to the Arterial Road Policy.
- Introduce additional housing types that may be considered on arterial roads.
- Identify specific areas suitable for front-back duplex development with driveway access to and from a rear lane.
- Identify specific areas suitable for front-back duplex and/or triplex developments with driveway access to and from the fronting arterial road.
- Identify specific areas suitable for row house developments with driveway access to and from a rear lane.

The following referral motion was passed by Planning Committee on July 15, 2015:

“That staff investigate the potential for small lot subdivision in the city and report back.”

Staff note that this report does not include options for small lot subdivision or duplex and triplex development within existing established single-family neighbourhoods in internal subdivisions, as this is beyond the scope of this Arterial Road Policy update. This will require considerable additional research to review this potential, and a separate report will be presented to the Planning Committee at a later date.

Housing Types

The current Arterial Road Policy encourages two (2) types of housing on arterial roads: Arterial Road Townhouse and Arterial Road Compact Lots. In response to Planning Committee's referral motions regarding duplexes and triplexes in the City, staff are recommending two (2) new housing types on arterial roads – Arterial Road Compact Lot Duplex and Arterial Road Duplex/Triplex. While row house developments are permitted under the OCP, this housing type is not currently included in the Arterial Road Policy. Staff are recommending a set of development criteria to guide Arterial Row House developments. In addition to providing more specificity and clarity to the Arterial Road Policy, staff are recommending a number of minor amendments to the policy related to Arterial Road Townhouse and Arterial Road Compact Lot developments.

Arterial Road Townhouses

Since the Arterial Road Policy was adopted in 2001, approximately 750 townhouse units on properties along arterial roads were approved. The height of these townhouses ranges from two (2) to three (3) storeys; and the density of these townhouse sites ranges from 0.55 to 0.7 FAR. Attachment 1 presents a sample of typical site plans and elevations of approved arterial road townhouse developments in the City.

Arterial Road Development Map

The current Arterial Road Policy (Section 3.6.1) of OCP Bylaw 9000 includes an Arterial Road Development Map identifying specific sites for townhouse developments. The policy also permits additional townhouse developments on arterial roads to be considered through a rezoning application where the proposed development sites meet the following set of location criteria:

- 800 m (2,625 ft. or 10 minute walk) of a Neighbourhood Centre (e.g., Broadmoor, Blundell, Garden City, Seafair, Terra Nova or Ironwood Shopping Centres); or
- 800 m (2,625 ft. or 10 minute walk) of a City Community Centre (e.g., South Arm, Thompson, West Richmond or Steveston Community Centres); or
- 400 m (1,312 ft. or 5 minute walk) of a Commercial Service use (e.g., store, shopping plaza or gas/service station with a retail sales area); or
- 400 m (1,312 ft. or 5 minute walk) of a Public School (e.g., elementary or secondary school); or
- 400 m (1,312 ft. or 5 minute walk) of a Park on City or School Board lands (e.g., playing field or open space).

Proposed Amendment

In order to provide greater clarity on which properties have potential for townhouse developments, staff recommend removal of the location criteria provision from the policy and specifically identified areas to be considered for townhouse developments on the Arterial Road Development Map (Attachment 4). Townhouse areas identified on the map are based on a review of the location criteria, area context, and existing Lot Size Policies which prohibit townhouse development, etc. with an intention to maintain the established streetscape, form and character, as well as the massing and scale of each block of arterial road.

Site Assembly Size Requirement

The current Arterial Road Policy includes a set of Townhouse Development Requirements to determine whether a site may be redeveloped, and how the site should be redeveloped. Minimum land assembly size and minimum residual site size requirements are established in the Townhouse Development Requirements. The policy also recognizes that developing townhouses on lots with a new house and with narrow frontages will be more difficult, especially for land assembly purposes. Where townhouse development is permitted as per the Arterial Road Development Map (Attachment 4), but the site does not meet the minimum land assembly or residual sites requirements, a townhouse proposal should still be considered on its own merit.

Proposed Amendment

Staff propose to amend the “New Homes or Narrow Lots” section under the Townhouse Development Requirements to provide clarity that new townhouse developments which do not meet the minimum land assembly requirement may be considered, provided that:

- An existing lot/site is isolated (orphaned) and is not able to consolidate with adjacent properties (i.e., surrounding lots recently redeveloped).
- It can be demonstrated development can be achieved in full compliance with the objectives of the Arterial Road Policy, Development Permit Guidelines, all other Townhouse Development Requirements, and the provisions of the Zoning Bylaw.
- The form and character of the development, including massing and building height, are respectful of the adjacent existing developments (i.e., reduced permitted density and/or reduced building heights may be required to achieve an appropriate interface).
- The proposed development provides a recognizable benefit to the area, such as tree retention and high quality pedestrian environment along the fronting streets.

Design Guidelines for Arterial Road Townhouses

The current Arterial Road Guidelines for Townhouses in Section 14.4.13 of OCP Bylaw 9000 apply to all new townhouse developments along arterial roads. The intent of the design guidelines is to provide adequate and appropriate articulation and character to the building form, and ensure that on-site landscaping is provided.

Proposed Amendment

Based on the feedback from the public on recent townhouse development projects, staff recommend the following amendments to the Arterial Road Guidelines for Townhouses:

a. Rear Yard – Building Heights and Form

Staff recommends an amendment to the Arterial Road Guidelines for Townhouses to limit the height of buildings to a maximum of two (2) storeys along the rear yard interface with adjacent single-family lots. The current design guidelines allow two-storey to 2½ storey townhouse units along the rear yard interface with single-family housing. Due to the minimum flood construction level requirements of the Flood Plain Designation and Protection Bylaw 8204, the slab of the new townhouse developments may be constructed at a higher elevation than the adjacent properties. Due to the potential impacts of a 2½ storey townhouse adjacent to the rear yard of an existing single-family lot, staff are recommending all units adjacent to the rear yard of existing single-family dwelling be two- storeys.

b. Rear Yard – Setbacks

The current design guidelines require a 6.0 m rear yard setback along the rear yard interface with single-family housing where deemed necessary; and single storey projections into the rear yard setback for a distance of up to 1.5 m are permitted subject to appropriate opportunities for tree planting and the provision of appropriate private outdoor space. Concerns raised by residents of single-family homes adjacent to townhouse sites indicate that residents would prefer a townhouse rear yard setback requirement and projection allowances equivalent to those for single-family homes. Staff recommend the following amendments to this sub-section of the Arterial Road Guidelines for Townhouses:

- Remove the term “where deemed necessary” and clarify that a 6.0 m rear yard setback is required along the rear yard interface with single-family housing.
- Clarify that a 4.5 m rear yard setback to the ground floor only may be considered subject to appropriate opportunities for tree planting and the provision of appropriate landscaping and private outdoor space within the rear yards.

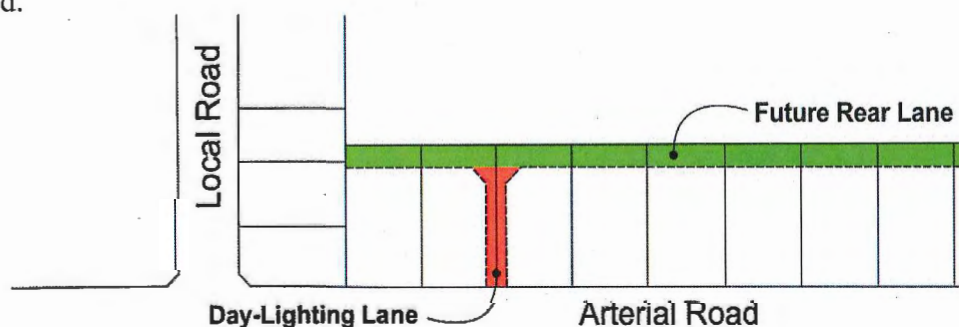
Arterial Road Compact Lots

Since the Arterial Road Policy was adopted in 2001, approximately 420 compact lots (e.g., minimum 9 m wide lots) along arterial roads have been created, of which 310 properties are zoned for Arterial Road Compact Lot Single Detached (i.e., RC1 & RC2 zones) and 110 properties are zoned for Arterial Road Compact Lot Coach House (i.e., RCH & RCH1 zones). The proposed policy update will continue to recommend compact lot developments on certain arterial roads where there is an existing operational municipal lane or where a fully operational lane can be constructed:

- Minimum lot width at 9.0 m.
- Single Detached developments will be permitted on all compact lots.
- Coach House developments will be encouraged on lots having a lot depth greater than 35 m and a lot area greater than 315 m² (3,390 ft²); these requirements are based on the current Coach House (RCH1) zone, which ensures the developments will have appropriate outdoor spaces on the lots.

Lane Establishment/Extension for Compact Lot Developments

To facilitate compact lot developments, the proposed policy update will identify areas where lane establishment and/or extension are possible. Attachment 5 shows the proposed location for lane extensions and establishment. Where rear lane establishment started on a compact lot development block but there is limited opportunity for the existing lane to be extended to a local road, a day-lighting lane to provide access from the arterial road to the rear lane system may be considered.



Staff have identified four (4) blocks where rear lane establishment started on a compact lot development block but there is limited opportunity for the existing lane to be extended to a local road:

- 8300 to 8400 block of Railway Avenue (east side only)
- 7300 to 7500 block of No. 2 Road (east side only)
- 8500 to 8700 block of No. 2 Road (west side only)
- 6600 to 6700 block of Steveston Highway (north side only)

For these four (4) blocks (also mapped on Attachment 5), a day-lighting lane to provide access from the arterial road to the rear lane system may be considered.

Proposed Amendment

Where a new day-lighting lane is required to provide access from the arterial road to the future rear lane system, the City may establish a lane implementation strategy for the block. The intent of this implementation strategy is to ensure properties where the new day-lighting lanes are to be located would not bear an inordinate burden for the lane establishment costs, which may prevent them from redeveloping in a timely manner. The proposed Arterial Road Policy update will include an implementation strategy, as follows:

- The location of the day-lighting lane will be determined at the time of a development application based on the overall access need for the entire block, location of the access, and type of traffic movements permitted, etc.; if the first development proposal for the block does not provide a suitable access arrangement for the entire catchment area, the application may not be considered until an appropriate 'day-light' connection for the entire block has been established;
- Only one (1) additional lane entrance/exit off an arterial road per block will be considered;
- At the time of the development, as a condition to Rezoning, the first developer will dedicate and build the day-lighting lane; the first developer would be reimbursed for the costs of land and construction, by later benefiting developers when they redevelop in the future;
- Developments on the benefiting properties will be required to contribute financially to the day-lighting lane on a proportional basis (i.e., based on their development site area);
- Frontage improvements and/or dedications & construction of the rear lane remain the responsibility of each individual development, and are not subject to the formula described above;
- Development Applications, Engineering Planning, and Transportation staff will review each application and determine the location and configuration of the day-lighting lane as well as the lane implementation strategy, including the extents of the benefiting area on each block;
- Engineering Planning staff will administer the program once an implementation strategy has been established.

Arterial Road Compact Lot Duplex

In response to Planning Committee's referral motions regarding duplexes and triplexes in the City, staff explored the opportunity for these uses on arterial roads based on the following guiding principles:

- Densification along major arterial roads should minimize traffic disruption by eliminating driveways along arterial roads.
- Densification along minor arterial roads should result in no net increase in the number of driveways to maintain existing traffic flow.
- Duplex and triple developments should not be considered on arterial road properties where townhouse developments are identified in the Arterial Road Policy.

Staff have reviewed various potential forms of duplex and triplex developments, as well as the existing sizes and configuration of lots along arterial roads. Based on this analysis, two (2) new types of housing are proposed - Arterial Road Compact Lot Duplex, and Arterial Road Duplex/Triplex.

On arterial roads, where there is an existing operational municipal lane, or where a fully operational lane can be constructed, staff recommends a front and back duplex typology with driveway access to and from a rear lane only. The minimum width of the lots for this use will be 9.0 m; permitted density will be at a maximum of 0.6 FAR; and vehicle access will be limited to the rear lane. The character, massing and scale of the front and back duplex developments will be similar to those of the existing compact lot single detached and coach house developments (see Attachment 2).

Proposed Amendment

The proposed Arterial Road Policy update will include location criteria and development requirements for Arterial Road Compact Lot Duplex developments, as follows:

- Maximum permitted density at 0.6 FAR applies to the entire lot area.
- Minimum lot width of 9.0 m; minimum lot depth of 40.0 m; minimum lot area of 360 m² (3,875 ft²); these requirements will ensure that the duplex units would have a minimum average unit size of 108 m² (1,160 ft²) at 0.6 FAR, as well as adequate private outdoor spaces and sufficient parking areas on the lot.
- Duplex development may also be considered on corner lots where significant road dedication and frontage improvements are required (i.e., lane dedication and construction, plus frontage improvements on two (2) frontages).
- No secondary suites will be allowed in duplex developments.
- A Development Permit will be required for all duplex developments, and an OCP Amendment will be required to designate all new duplex sites along arterial road Development Permit Area.
- A set of draft design guidelines is provided in Attachment 7.

The potential locations for Arterial Road Compact Lot Single Detached, Arterial Road Compact Lot Coach House, and Arterial Road Compact Lot Duplex are identified on the Proposed Arterial Road Development Map (Attachment 4). A set of sample site plan and building elevations is also presented on Attachment 2.

Arterial Road Duplex/Triplex

Using the same guiding principles mentioned in the last section, staff have identified potential for a front and back duplex and triplex typology, with driveway access to and from a minor arterial road where there is no opportunity for lane establishment. The character, massing and scale of the street fronting units will be controlled to resemble that of a single-family home. Access to each property will be from a minor arterial road to minimize traffic impacts, and a shared driveway will be required at subdivision.

Proposed Amendment

The proposed Arterial Road Policy update will include location criteria and development requirements for Arterial Road Duplex/Triplex, as follows:

- Maximum permitted density at 0.6 FAR applies to the entire lot area.
- Minimum lot width of 13.5 m.
- The minimum lot width may be reduced to 10.35 m for a subdivision with a shared vehicle access; this would facilitate a two (2) lot subdivision on larger lots and a development of a duplex or a triplex on each of the new lots.
- Lots with a lot size equal to or greater than 464.5 m² (5,000 ft²) may be redeveloped with a front and back duplex; this will ensure that the development to create dwelling units with a minimum average unit size of 139.3 m² (1,500 ft²), as well as adequate private outdoor spaces and sufficient parking areas on the lot.
- Lots with a lot size equal to or greater than 743 m² (8,000 ft²) may be redeveloped with a triplex; this will ensure that the development to create dwelling units with a minimum average unit size of 148.5 m² (1,600 ft²), as well as adequate private outdoor spaces and sufficient parking areas on the lot.
- Internal drive aisles may be designed as vehicle courtyards to accommodate a turnaround area for residents; vehicles will not be allowed to reverse out of the site onto a public road.
- On-site visitor parking will be required on development proposals consist of three (3) or more units.
- Rezoning and Development Permit applications for duplexes, triplexes, coach houses, or granny flats may also be considered on isolated sites that do not have potential for Arterial Townhouse or Arterial Road Compact Lot developments.
- No secondary suites will be allowed in duplex and triplex developments.
- A Development Permit will be required for all duplex and triplex developments, and an OCP Amendment will be required to designate all new duplex and triplex sites along arterial road Development Permit Area.
- A set of draft design guidelines is provided in Attachment 7.

All arterial road properties meeting the location criteria for duplex and triplex developments are identified on the Proposed Arterial Road Development Map (Attachment 4). Conceptual site plans and building elevations for various forms of duplex and triplex developments are provided on Attachment 3.

It is noted that lot access currently serving one (1) single-family dwelling will have increased utility and traffic as a result of potentially up to six (6) dwelling units to be developed on-site under the proposed policy changes. To address the increased traffic impacts at the development application stage, the access arrangement will be reviewed with the objective of decreasing the overall number of access points. In addition, off-site improvements, such as highlighting the access points with contrasting decorative surface and pavement treatment, may be required as part of the frontage upgrades for the development.

Arterial Road Row House

The Official Community Plan (Bylaw 9000) adopted on November 19, 2012 establishes a policy under Section 3.3 Diverse Range of Housing Types, Tenure and Affordability that encourages fee simple row houses where there is lane access on a development site with at least 30 m lot depth, and located within walking distance (i.e., 800 m) of a Neighbourhood Service Centre.

Based on the location criteria defined in the OCP, Attachment 6 shows possible locations for row house developments. While the form of row housing is similar to townhouses, row house developments will only be permitted where there is an existing operational municipal lane or where a fully operational lane can be constructed, but not on sites identified for Arterial Road Townhouse developments. Row house developments can be considered on sites identified for Arterial Road Compact Lot Single Detached, Arterial Road Compact Lot Coach House, and Arterial Road Compact Lot Duplex.

Proposed Amendment

The proposed policy update will include a set of development criteria for Row Houses, as follows:

- Maximum density of 0.6 FAR; maximum lot coverage for buildings of 50%; minimum front yard setback at 6.0 m; and maximum building height of 2½ storeys; these development requirements are consistent with those for compact lot developments.
- Row house lots shall comply with the following subdivision requirements:

	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Approximate Unit Size
Internal Lot	180 m ²	6.0 m	30.0 m	108.0 m ² (1,163 ft ²)
End Lot	216 m ²	7.2 m	30.0 m	129.6 m ² (1,395 ft ²)
Corner Lot	270 m ²	9.0 m	30.0 m	162.0 m ² (1,744 ft ²)

- Each row house development should consist of at least three (3) side-by-side dwelling units; which share a party wall with an adjoining dwelling unit, and each unit is located on its own fee simple lot which abuts a street and a dedicated rear lane.

- No secondary suite will be permitted in row house unit smaller than 123.0 m² (1,324 ft²) in order to ensure the principal dwelling unit is at least 90.0 m² (969 ft²) and the secondary suite is at least 33.0 m² (355 ft²).
- Design guidelines will be developed and a Development Permit will be required for all row house developments; an OCP Amendment will be required to designate all new row house sites along arterial roads as a Development Permit Area.

Staff Comments

Affordable Housing

At this time, there is no policy or contribution rate for duplexes, triplex, or row houses identified in the Affordable Housing Strategy. However, staff recommend that a cash-in-lieu contribution option at the townhouse rate (i.e., at \$4.00 per buildable square foot) be considered for duplex, triplex, and row house developments as these housing types and townhouses are in similar built forms (i.e., building forms share a party wall). Should the duplex/triplex/row house framework proposed in this report be endorsed, it is recommended that the Affordable Housing Strategy be updated to include a contribution rate for these housing forms.

Sustainability Initiatives

To support City of Richmond's sustainability objectives, the following will be required for all duplex, triplex and row house developments.

- Dwelling design must meet the Energy Star for New Homes Standard.
- Development should incorporate sustainable design elements acceptable to the City into site and building design and construction, and exhibit design excellence through such means as:
 - Natural filtration of rainwater.
 - Solar power technology as an energy source; where it is not possible to incorporate renewable energy, ensure that the building is designed to allow on-site energy production in the future, for example, by including "solar ready" piping.
 - Energy star appliances and low water plumbing fixtures.
 - Provide for adequate energy supply and infrastructure to enable future installation of electric vehicle charging system.
 - Green technology building products.

Accessible Housing

To ensure that the design of a development enables all people, including people with disabilities, to have full and unrestricted access to every part of a project, the following will be required for all duplex, triplex and row house developments.

- Aging in place features must be provided in all units (e.g., inclusion of blocking to bathrooms for installation of grab-bars, provision of blocking to stair walls to accommodate lift installation at a future date, and provision of lever door handles).
- Convertible units are highly recommended. One (1) convertible unit should be provided in each development proposal consisting of four (4) or more units.

Population Projection

Based on the proposed Arterial Road Development Map (Attachment 4), approximately 1,620 arterial road properties have redevelopment potential. Taking the subdivision and development requirements of the various housing types permitted on arterial roads into account, staff estimate that approximately 6,115 new dwelling units could be created (see Attachment 8 for details). This is an addition of approximately 4,495 ground oriented housing units outside City Centre, which is approximately 47% of the estimated number of new ground oriented housing units outside City Centre between 2011 and 2041 envisioned in the OCP.

The new ground oriented housing units could house approximately 17,600 residents (see Attachment 8 for details). This is an approximately 12,200 increase in population, which is approximately 40% of the expected population growth outside City Centre between 2011 and 2041 envisioned in the OCP.

Future Studies

While the intent of this Arterial Road Policy Update is to recommend duplex and triplex developments on arterial road in response to Planning Committee's referral motions, and to provide more clarity on where each type of arterial road residential developments can be considered, staff also recommend future studies on two (2) areas to provide additional development potential along arterial roads. Staff have already added these items to the policy planning work program and separate reports will be presented to the Planning Committee at a later date. These studies may also be undertaken on a specific timeline as directed by Council.

Double Fronting Lots Along Arterial Roads

Double fronting lots along arterial road are currently excluded from the Arterial Road Policy. To provide additional development opportunities and create a high quality pedestrian environment along all arterial roads, double fronting lots on arterial road may be considered for redevelopment. Most of the double fronting lots in the City have vehicle access from a local road and are typically fronting onto the local road, and have a back yard abutting the arterial road with a tall line of fence and/or a row of hedge. To increase development opportunity of ground-oriented housing along arterial road, the following types of development may be explored:

- Front and back duplex with vehicle access from local street.
- Low density townhouse development with vehicle access from arterial road, and detached or duplex units fronting local road.

Staff believe this warrants future study as developments of the arterial road double fronting lots may improve arterial road streetscape and increase population to support higher quality transit services outside of the city centre.

Densification Along the East Side of Railway Avenue

With the completion of the Railway Greenway, properties along Railway Avenue may be considered for densification. The current Arterial Road Policy permits townhouse and compact lot developments on various blocks of Railway Avenue. Existing density on compact lots and townhouse sites along Railway Avenue is in the range of 0.55 to 0.6 FAR. Townhouse developments at a density up to 0.7 FAR may be considered depending on the size and configuration of a proposed townhouse site.

Properties along Railway Avenue, between Granville Avenue and Steveston Highway, may accommodate townhouse developments at a density up to 0.7 FAR, as these blocks of Railway Avenue (i.e., properties on the east side of the road) are located within 400 m walking distance of the Railway Greenway (located on the west side of the road). However, to support townhouse developments on a block where compact lot developments with an operational back lane exist, the following should be considered:

- Design of the townhouse development must be respectful of the existing adjacent single-family developments;
- Townhouse developments will not deter alternate access (i.e., lane) implementation; and
- Provision of affordable housing in keeping with other city's initiatives (i.e., a minimum of 5% of the total residential floor space is provided as built Affordable Housing units, with a minimum of an additional 7.5% of residential space being provided in the form of purpose built modest market rental housing units, and a minimum of 2.5% residential floor space as built market rental housing and secured as rental in perpetuity).

For those properties along Railway Avenue, between Granville Avenue and Steveston Highway, high density townhouse developments (i.e., 3-4 storey high stack townhouses) or low rise apartments may also be explored. Staff acknowledge that this would be a departure from the established character of the area, but will explore options if so directed by Council.

Consultation

It is recommended that staff be authorized to consult with the development community and residents prior to Council considering the proposed amendments.

Industry Consultation

Staff will discuss the proposed changes to the Arterial Road Policy with the Urban Development Institute (UDI) at the next available regular meeting, as well as the Greater Vancouver Home Builders Association (GVHBA) and the Richmond Small Home Builders Group at a special meeting organized by staff. Feedback from these groups will be considered during refinement of the proposed amendments.

Public Consultation

Staff propose to host five (5) Open Houses on the proposed changes to the Arterial Road Policy at four (4) community centres located within the Arterial Road Policy Area (i.e., South Arm, Steveston, Thompson and West Richmond) and at the City Hall. Invitations to the Open Houses will be placed in local newspaper and posted on the City's website two (2) weeks prior to the Open Houses. Feedback from the public will be considered during refinement of the proposed amendments. The public will have a further opportunity to comment on the proposed amendments at the Public Hearing should Council support the proposed amendments.

School District

The proposed changes to the Arterial Road Policy will be referred to School District No. 38 (Richmond) under OCP Bylaw Preparation Consultation Policy 5043. According to this Policy, OCP amendments involving residential developments which would have the potential to generate 50 or more school aged children are to be referred to the Board of Education (e.g., typically around 295 multiple-family housing units). Staff will update school board staff throughout the consultation process.

Implementation Strategy

Subject to the outcome of public consultation, staff will prepare the updated Arterial Road Policy along with an implementation strategy. The strategy will include:

- Amendments to area plans and introduction of new standard zones to facilitate various types of arterial road developments in accordance to the Proposed Arterial Road Development Map (Attachment 4), including the recommended duplex, triplex and row house developments;
- Designation of development permit areas and preparation of design guidelines for all new arterial road duplex, triplex and row house developments;
- Establishment of lane implementation strategies, where required, to facilitate lane extensions and compact lot developments; which will include who, how, and when the day-lighting lane should be provided; when the land and construction costs should be reimbursed; whether the reimbursed amount will be indexed; and whether a termination clause will be included;
- Establishment of a community amenity contributions policy for land uses that are not subject to Development Cost Charges (DCCs) to facilitate infrastructure and/or community amenity developments required to accommodate the additional residential density on arterial roads.

Financial Impact or Economic Impact

None.

Conclusion

Staff have undertaken a review on the Arterial Road Policy in the OCP and recommend new housing types on arterial roads in response to Planning Committee's referral on duplexes and triplexes in the City, with the objective of increasing the provision of these housing forms on large lots. Staff are recommending:

- two (2) new housing types, including Arterial Road Compact Lot Duplex and Arterial Road Duplex/Triplex;
- development criteria to guide row house developments on arterial road; and
- a series of minor amendments to the Arterial Road Policy and an updated Arterial Road Development Map in order to provide more specificity and clarity to the policy.

It is recommended that staff be authorized to consult with the Urban Development Institute (UDI), Greater Vancouver Home Builders Association (GVHBA), Richmond Small Home Builders Group, and the general public, prior to Council considering the proposed changes to the Arterial Road Policy.



Edwin Lee
Planner 1

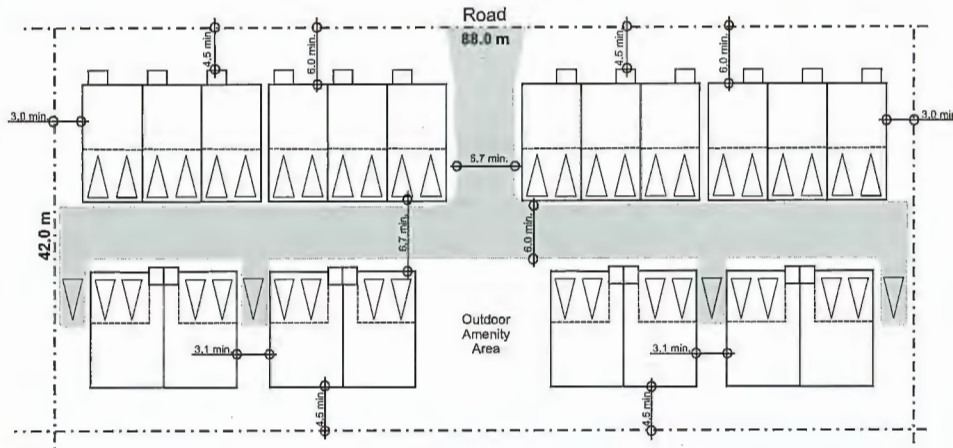
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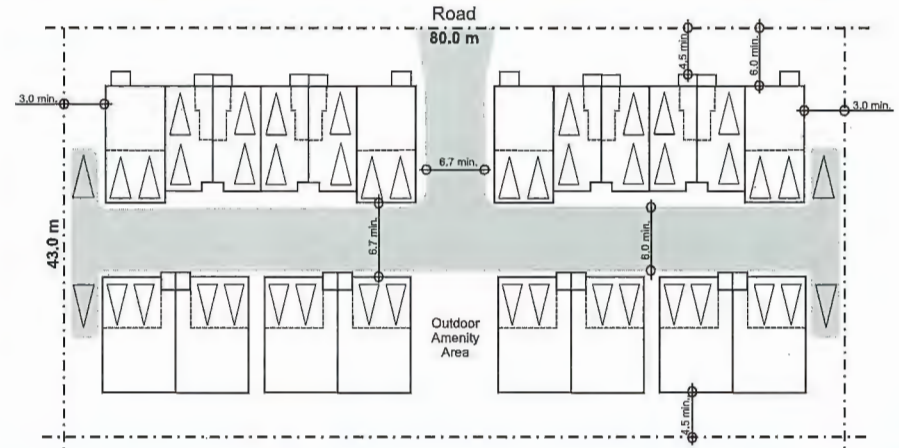
- Att. 1: Arterial Road Townhouse Development
- Att. 2: Arterial Road Compact Lot Development
- Att. 3: Arterial Road Duplex/Triplex Development
- Att. 4: Proposed Arterial Road Development Map
- Att. 5: Proposed Arterial Road Lane Network
- Att. 6: Proposed Compact Lot & Row House Development Map
- Att. 7: Proposed Arterial Road Guidelines for Duplexes/Triplexes
- Att. 8: Population Projection

Arterial Road Townhouse Development

Townhouse Development with 2-Storey Units



Townhouse Development with 3-Storey Units Along Arterial Road

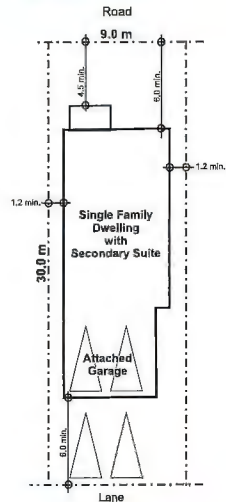


Arterial Road Compact Lot Development

Arterial Road Compact Lot Single Detached



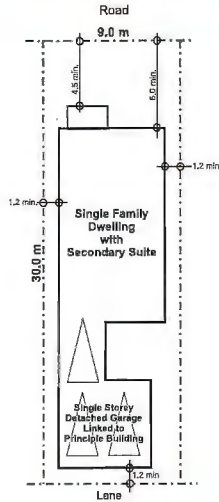
Type I — Single Detached Dwelling with Attached Garage



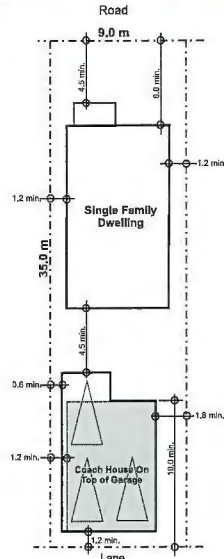
Arterial Road Compact Lot Single Detached



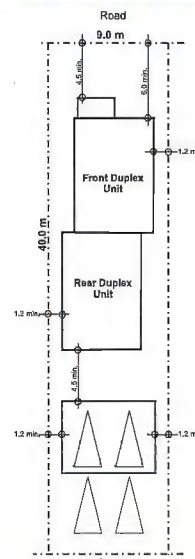
Type II — Single Detached Dwelling with Garage Linked to the Principal Building



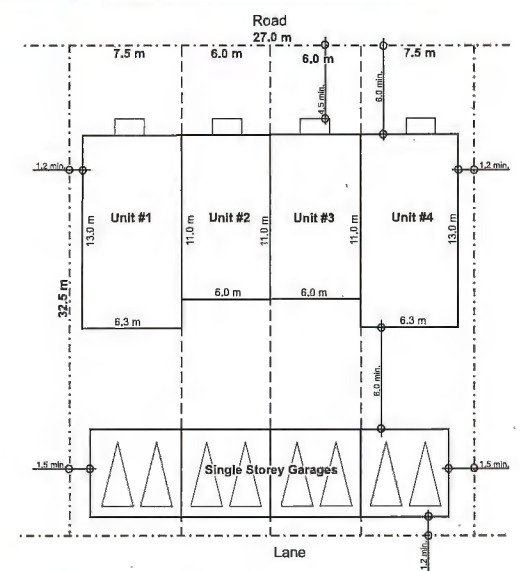
Arterial Road Compact Lot Coach House



Arterial Road Compact Lot Duplex

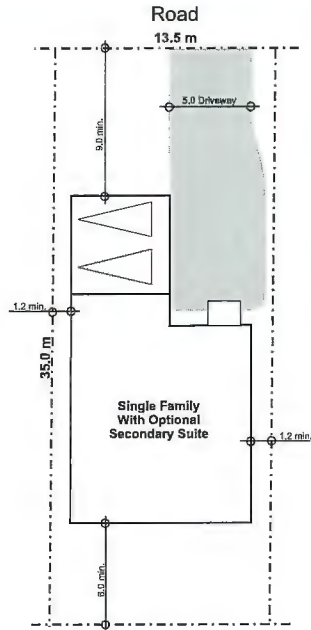


Arterial Road Row House

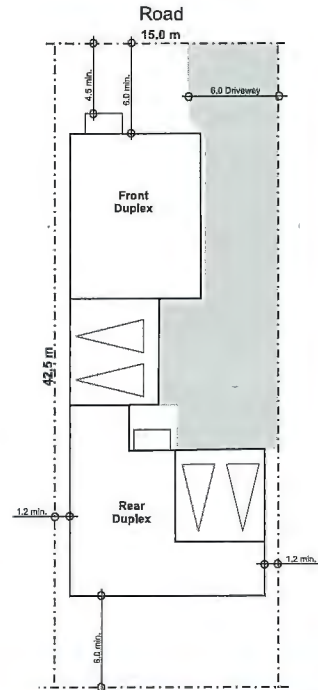


Arterial Road Duplex/Triplex Development

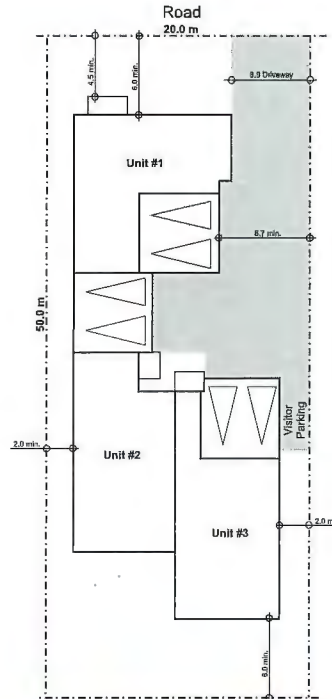
Arterial Road Single Detached



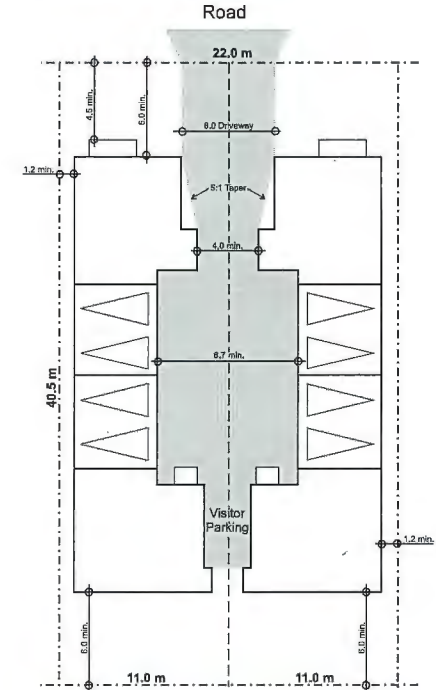
Arterial Road Duplex



Arterial Road Triplex

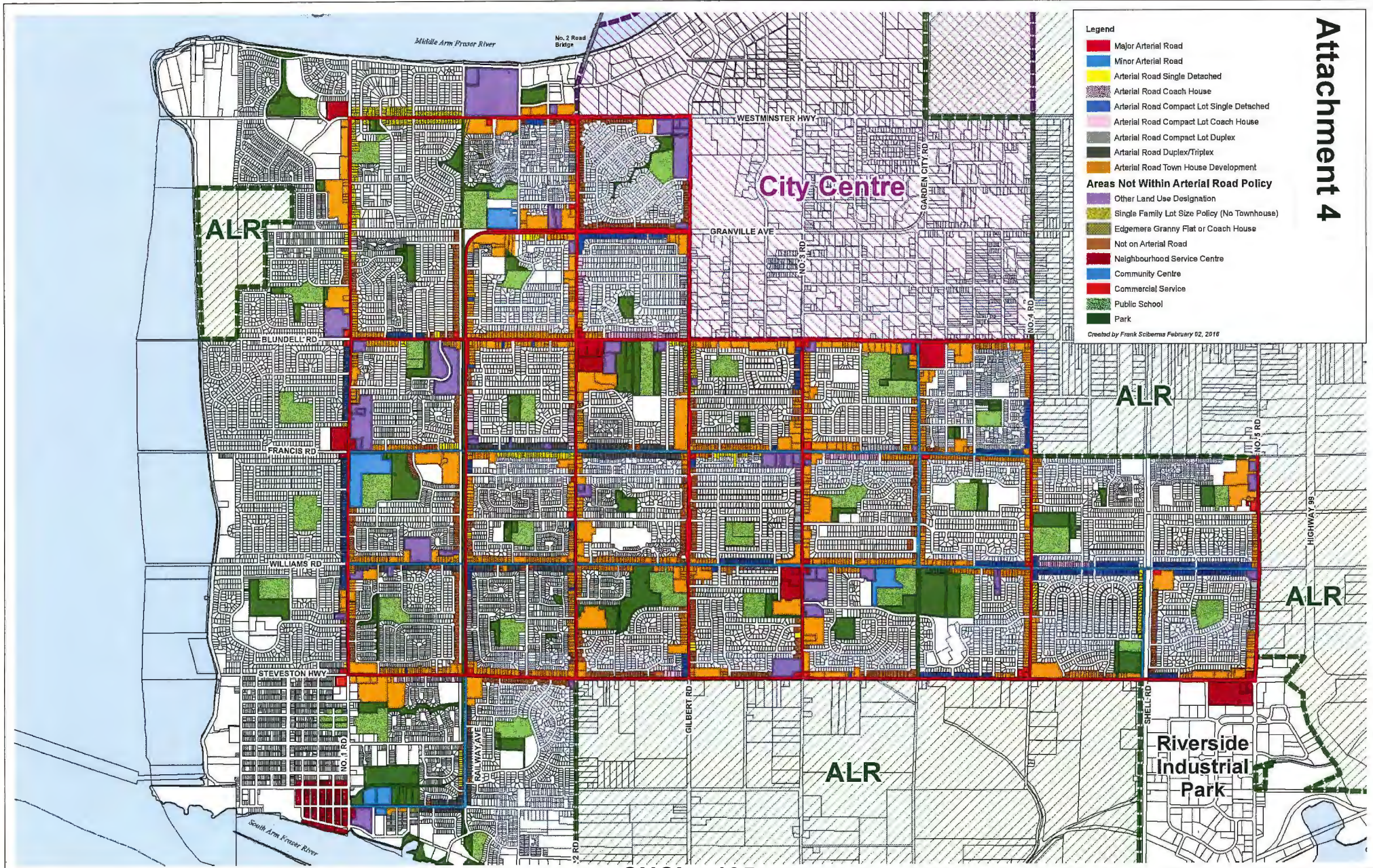


Arterial Road Duplex Lots with Shared Driveway

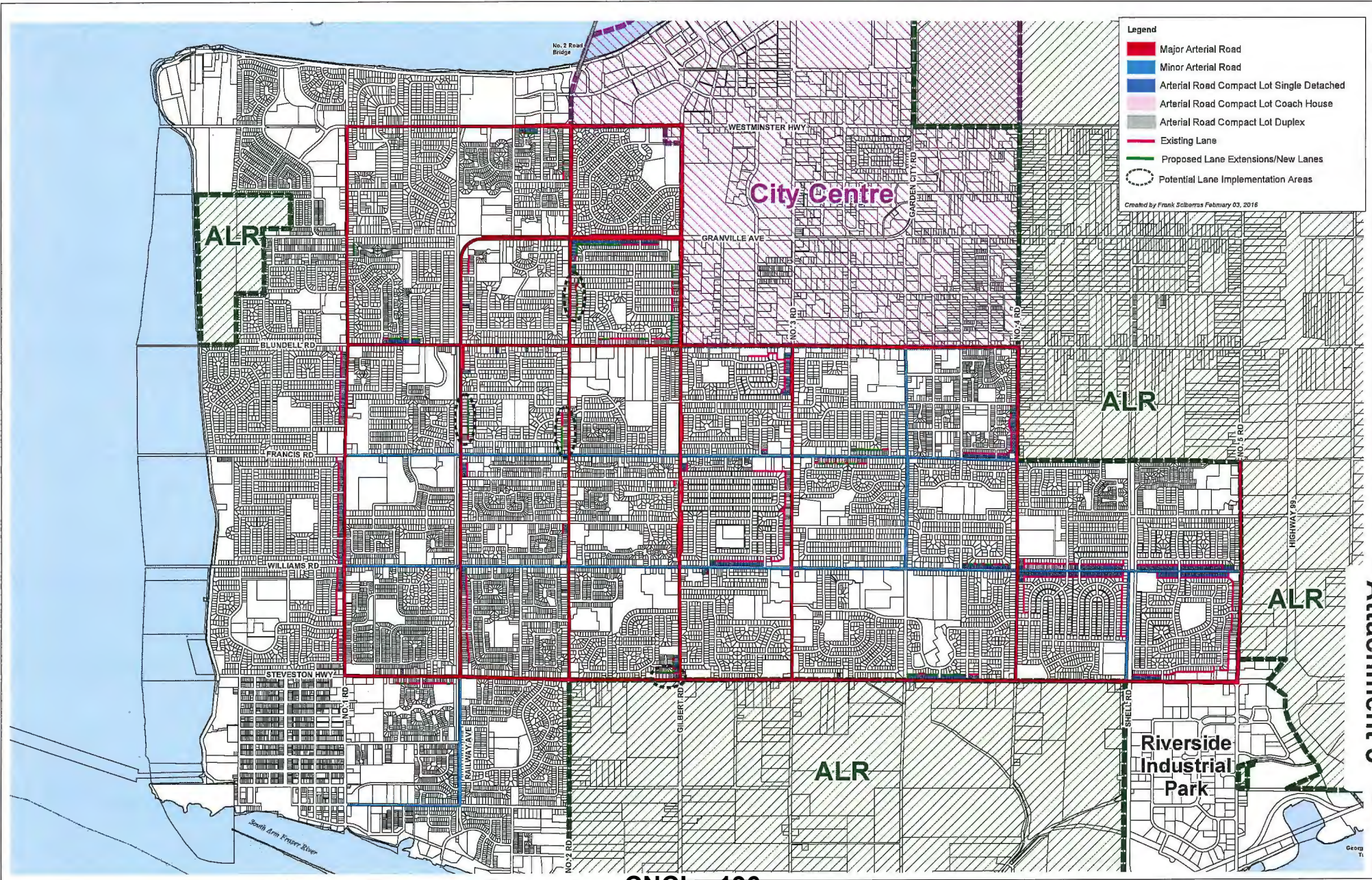


Arterial Road Policy Update - Arterial Road Development

Attachment 4



Arterial Road Policy Update - Lane Network



Legend

- Major Arterial Road
- Minor Arterial Road
- Arterial Road Compact Lot Single Detached
- Arterial Road Compact Lot Coach House
- Arterial Road Compact Lot Duplex
- Existing Lane
- Proposed Lane Extensions/New Lanes
- Potential Rowhouse Areas

Created by Frank Solberas February 02, 2016

City Centre

ALR

Riverside Industrial Park

Westminster Hwy

Granville Ave

Blundell Rd

Francis Rd

Williams Rd

Steveston Hwy

Highway 195

South Arm River

Arterial Road Guidelines for Duplexes/Triplexes

Neighbourhood Character

The intent is to achieve variety and have this new form of housing fit into the neighbourhood.

- a) The form character, scale and siting of new buildings should be compatible with the predominant character and scale of the surrounding single-family neighbourhood.
- b) The exterior materials and colours of duplexes/triplexes should
 - i. Complement the overall character of the existing neighbourhood;
 - ii. Complement, but not replicate, the character of the neighbouring developments;
 - iii. Have a high quality of architectural design and detailing.

Variety in Design

- c) Variations in design should be encouraged so as not to repeat the same architectural appearance, building form and elevations in a row on neighbouring developments.
- d) Small variations in setbacks, height, and roof lines should be encouraged between duplex clusters to provide visual diversity on the same block; however, overall expression should be a cohesive urban form and unity of architectural expression.

Building Form

The intent is to ensure that duplexes/triplexes are attractive and do not adversely impact adjacent homes.

Privacy of Neighbours

- a) Duplexes/triplexes should be
 - i. Oriented and sited to protect the privacy and minimize the overlook and shadowing of adjacent properties; and
 - ii. Screened from neighbouring yards by suitable landscaping.
- b) Consideration should be given to greater setbacks above the ground floor, special landscaping measures and/or orienting living areas away from neighbours.

Scale and Massing

- c) The design of duplexes/triplexes should contribute to the positive characteristic of the street frontage, and should include sloped roofs, landscaped front yards, predominant front doors and ample internal space between buildings within each duplex cluster.
- d) Roof forms should be sloped and carefully detailed, or partially flat roofs or decks should be landscaped.

Building Façade

- e) The primary façade of duplex unit facing the street must be articulated to create depth and architectural interest.
- f) Entrances to each unit should be clearly defined, numbered and visible from the street.
- g) On corner lots, buildings should be designed such that the main entries to the two dwellings each face a street.
- h) The primary façade of duplex unit facing the internal drive aisle should be visually broken into smaller components or sections to discourage wide, flat and unbroken facades.

- i) In order to minimize the apparent bulk of a building, recessed and partly recessed balconies are preferred to projecting balconies.
- j) Windows should be oriented and designed to maximize light penetration into the unit while mitigating overlook onto the adjacent unit and adjacent properties.
- k) Protect visual privacy for neighbouring buildings by offsetting windows on adjacent facades. Reflected window plans should be included submissions to ensure that this is achieved.
- l) Windows and their treatment should contribute to the architectural character of the building and the streetscape. Windows should have residential character and detailing.
- m) Side yard windows should be modest in size and be recessed in that section of the building façade.
- n) Building faces and dormers should not be windowless, and sidelight windows should be incorporated into bay projections.

Exterior Materials Textures and Colour

- o) Materials to convey an image of quality, durability and a high level of craftsmanship.
- p) Buildings and roofing materials should reflect the heritage and climate of Richmond.
- q) Stucco is acceptable when used in combination with other exterior finishing materials.
- r) Cedar shingles or a similar type of roofing (in terms of colour and texture), or high profile asphalt shingles are preferred to accentuate a single family character.

Site Planning

The intent is to provide direction on the location of the duplex clusters, services and parking.

- a) Each development should have adequate, well-defined circulation, parking and access.
- b) Access driveways to/from an arterial road should be limited to 6.0 m in width, and should be combined wherever possible.
- c) Front yards and flanking side yards must not be used for parking.
- d) Resident parking should be covered and screened from the street.
- e) For duplex/triplex developments along arterial roads, internal drive aisles that provide access to garages should be designed as vehicle courtyards to accommodate a turnaround area allowing for a three-point turn of passenger vehicles. Vehicles will not be allowed to reverse onto a public road.
- f) Fire access, garbage and recycling facilities, mail and deliveries should be provided for, to the satisfaction of the relevant authorities.
- g) Each dwelling unit should have a private patio or balcony and well-defined, safe semi-private space. Where the only private open space of a unit is provided on the yard facing an arterial road, a balcony or deck space facing the interior side yard or back yard should be provided.

Landscaping

The intent is that landscaping be lush and that fences or gate be attractive, particularly along any street frontages or common area.

Trees Retention and Replacement

- a) Existing natural landscaping, including significant trees, should be retained and incorporated into site development plans when feasible.
- b) Landscaping for duplex developments shall:

- i. meet the City's 2:1 replacement policy where existing trees are being removed;
- ii. comply with the minimum planting sizes specified in the City's Tree Protection Bylaw where replacement trees are being planted, unless approved otherwise by the Director of Development or designate;
- iii. include an appropriate mixture of deciduous and coniferous trees, with the coniferous being sized and spaced appropriately and to address Crime Prevention Through Environmental Design (CPTED) principles.

Landscaping

- c) Landscaping should be residential in character and should pay special attention to front yard quality, including presentation of mature trees. Low-maintenance, native plant materials are preferred.
- d) The grade between the City's sidewalk and the landscaping along the front property line should be the same.
- e) Wherever possible, a grassed strip with at least one deciduous tree (minimum 6 cm calliper) per lot should be installed along the front property line.
- f) In addition to the aforesaid landscaping along the front property line, one deciduous tree (minimum 6 cm calliper) or one coniferous tree (minimum height 3.5 m) is to be planted on each lot in the front yard.
- g) All front yard areas and front property lines must be planted with a combination of lawn, flower beds, flowering shrubs and ground cover to provide seasonal interest and water permeability.
- h) If individual shrubs are planted in the front yard, they must be of a low height that will not exceed 1.2 m (4 ft.) and must be located behind any fencing on the front property line.
- i) Continuous hedges are not permitted in the front yard.
- j) Walkways/pathways from the arterial road to the entrance of the duplex units are not to consist of asphalt materials (e.g., should be aggregate concrete, stamped concrete, paving stones, pervious paving or other acceptable material to the City).
- k) Permeable material is strongly encouraged for use in unenclosed surface parking areas and carports as well as paths.
- l) Provide adequate lighting to enhance security and visibility. Exterior lighting should be designed to avoid "light-spill" onto adjoining properties.

Fences and Gates

- m) If fences are unavoidable, provide metal transparent fences and brick or stone pilasters (in combination with landscaping). In some cases, wooden picket, lattice, three board fences or similar is acceptable. Solid panel should be avoided.
- n) Fences within the front yard should be no higher than 1.2 m (3.94 ft.) and should be placed a minimum of 0.50 m (1.64 ft.) from the internal edge of the sidewalk. Trellises and arbours should be placed a minimum of 2.0 m (1.64 ft.) from the front property line.
- o) Fencing should incorporate flower beds, flowering shrubs and other low lying landscaping to provide improved articulation.
- p) Vehicle gates at duplex site entrances are discouraged. To define the boundary between private and public space, provide:
 - i. pavement in contrasting colour and texture across driveway entrances;
 - ii. minor architectural elements;
 - iii. appropriate landscaping.

Population Projection

Housing Type	Number of Properties Available for Redevelopment	Number of New Lots may be Created	Number of Units may be Created	Average Number of Persons Per Household*	Projected Population
Compact Lot Single Detached	161 properties have subdivision potential	322	322 Single Detached Units and permitted Secondary Suites	3.3 (including secondary suites)	1063
Compact Lot Coach House	72 properties have subdivision potential	144	144 Principal Units and 144 Coach House Units	3.3 (including coach house units)	475
Compact Lot Duplex	58 properties have subdivision potential +	116	232 Duplex Units	3.0	696
	67 properties have no subdivision potential	0	134 Duplex Units	3.0	402
Arterial Road Duplex	49 properties have subdivision potential +	98	196 Duplex Units	3.0	588
	131 properties have no subdivision potential	0	262 Duplex Units	3.0	786
Arterial Road Triplex	3 properties have subdivision potential +	6	18 Triplex Units	3.0	54
	53 properties have no subdivision potential	0	159 Triplex Units	3.0	477
Arterial Road Townhouse	1,032 properties		4343 Townhouse Units @ 21 unit/acre	3.0	13,029
Total	1,626 properties		6,115 units		17,570 residents

* Based on 2011 Census Release



City of Richmond

Report to Committee

To: Public Works and Transportation Committee
From: Tom Stewart, ASCT.
Director, Public Works Operations
Date: February 5, 2016
File: 10-6370-01/2016-Vol
01
Re: **Bylaw Amendments to Implement Requirements for Recycling from Single-Family Home Demolitions**

Staff Recommendation

That:

- a. Demolition Waste and Recyclable Materials Bylaw No. 9516,
- b. Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9522, and
- c. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9523

each be introduced and given first, second and third readings.

Tom Stewart, ASCT.
Director, Public Works Operations
(604-233-3301)

Att. 3

REPORT CONCURRENCE		
ROUTED TO: Law	CONCURRENCE <input checked="checked" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO

Staff Report

Origin

At their October 26, 2015 meeting, Council adopted the following resolution:

1. That staff prepare a Demolition Waste and Recyclable Materials Bylaw, which establishes the following requirements for management of waste from single-family home demolitions:
 - (a) achieve a minimum of 70% diversion of demolition waste;
 - (b) establish a \$250 non-refundable fee assessed as part of the demolition permit application process;
 - (c) establish a \$2/square foot refundable fee, based on demolition waste recycling performance; and
 - (d) require that demolition contractors/builders submit a Waste Disposal and Recycling Services Plan as part of their demolition permit application, and a Compliance Report at the conclusion of the demolition process;
2. That a new Building Inspector 1 position be approved and a position complement control number assigned;
3. That this program be considered as part of the 2016 Operating Budget process;
4. That staff examine incentives for house preservation, including a fee structure; and
5. That the management of waste from single-family home demolitions be reviewed one year after its implementation.

This report presents the new bylaw and amendment bylaws necessary to enact the requirements outlined in Item 1, above.

This report supports Council's 2014 – 2018 Term Goal #4 Leadership in Sustainability:

Continue advancement of the City's sustainability framework and initiatives to improve the short and long term livability of our City, and that maintain Richmond's position as a leader in sustainable programs, practices and innovations.

4.2. Innovative projects and initiatives to advance sustainability.

Analysis

The City has introduced various residential initiatives designed to increase recycling as part of working toward achieving the regional target of 80% waste diversion by 2020. As part of

advancing waste diversion in the construction/demolition sector, the City consulted with the Richmond Small Builders Group during 2014 and 2015 to provide input. This included undertaking a pilot project to test different recycling approaches and diversion levels associated with single-family home demolitions. The recommended approach for the proposed new Demolition Waste and Recyclable Materials Bylaw 9516 reflects input from this consultation process.

Demolition Waste and Recyclable Materials Bylaw No 9516

This proposed new bylaw sets out the requirements as outlined in Item 1 (above) of the Council resolution. In addition, Bylaw 9516 establishes additional provisions including:

- Exceptions, at the building inspector's discretion, to waive the bylaw requirements. This would be used in situations where the demolition must take place in an expedited manner due to health and safety, or emergency considerations (e.g. damage from fire, etc.)
- Applies to single-family and duplex homes.
- Requirements that demolition materials be taken to licensed recycling and/or waste facilities or reused in accordance with the approved Waste Disposal and Recycling Services Plan.
- Lays out the application, compliance reporting and record keeping requirements that demolition contractors must follow.
- Provides that if 70% or greater diversion of demolition waste is achieved, the refundable fee is fully refunded, and that the refund decreases on a sliding scale based on the percentage of demolition waste diverted.
- Makes the permit holder responsible for meeting the requirements of the bylaw.
- To provide a notice period for builders/demolition contractors, it is recommended that this bylaw become effective April 1, 2016.

In accordance with Council's direction, staff will establish a method to track builder and demolition contractor performance under the bylaw and report back in approximately one year. At that time, the established waste diversion target of 70% can be reviewed to determine the impact on recycling rates, how it contributes to broader regional goals, and whether industry practices have matured to the point where this target could be increased to advance recycling and waste diversion to even higher levels.

Consolidated Fees Bylaw No. 8636

The Consolidated Fees Bylaw No. 8636, also presented with this report, establishes the fees payable under the bylaw, including the \$250 non-refundable fee to fund the administration and resource requirements necessary to support the bylaw. In addition, the \$2/square foot refundable fee is established under this bylaw. This fee was established through the consultation process

and at an amount designed to provide an incentive for permit holders to comply. It represents approximately thirty percent of estimated current practice demolition costs. This corresponds with the estimated additional costs expected to be incurred by the City to cover the added resource requirements needed for compliance follow up and enforcement activities.

Notice of Bylaw Violation Dispute Adjudication Bylaw 9523

The Notice of Bylaw Violation Dispute Adjudication Bylaw 9523, also presented with this report, establishes fines for failure to comply with key provisions of Bylaw 9516, including:

- Failure to submit a Waste Disposal and Recycling Services Plan;
- Commencement of work without a plan;
- Removing waste other than to a licensed disposal facility; and
- Removing recyclable materials other than to a licensed recycling facility or as set out in the approved Waste Disposal and Recycling Services Plan (i.e. reuse).

Resource Funding Requirements

A new Building Inspector 1 position was approved to support the additional workload as a result of this program.

Incentives for House Preservation

In relation to the Council resolution for examination of incentives for house preservation, including a fee structure, staff note that the Community Charter provides the authority in which Municipalities can impose fees payable in respect of a service of the municipality. A fee for local government services must be related to the cost of providing those services. As such, a higher fee above the cost-recovery model cannot be imposed on the demolition fees that are punitive in nature in an effort to discourage demolition activities.

The Provincial government initiative to “Green” the Building Code has created drastic changes to the Building Code in recent years. Recent code changes such as requiring more insulation, thicker walls, higher thermal resistance of windows and doors, high efficient heating and ventilation system and new seismic requirements have an overall impact on the demand of existing older homes being relocated. These new code requirements would likely serve to be cost prohibitive, for example, if house moves were to be encouraged as part of the preservation strategy.

Therefore, the recycling and waste diversion strategy, as proposed in this report, is considered the most effective approach in promoting the reuse and recycling of demolition materials.

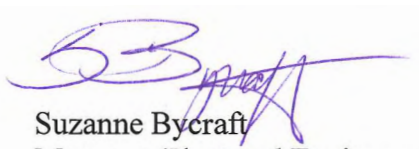
Financial Impact

Funding in the amount of \$115,220 has been included in approved 2016 operating budget for the new Building Inspector 1 position. This funding is fully offset by projected revenues from the non-refundable \$250 fee, to be collected at issuance of the demolition permit. Therefore, there is

no net operating budget impact resulting from the introduction of the new bylaw and associated resource requirements.

Conclusion

Demolition Waste and Recyclable Materials Bylaw No. 9516 establishes a standard to require recycling of waste from single-family and duplex home demolitions, including a permit fee plus a refundable fee based on square footage, where it is fully refundable if 70% waste diversion is achieved. The bylaw will be administered by the Building Approvals Department. In accordance with Council's direction, staff will report back in approximately one year after implementation of the bylaw.



Suzanne Bycraft
Manager, Fleet and Environmental Programs
(604-233-3338)



Gavin Woo, P. Eng.
Senior Manager, Building Approvals
(604-276-4113)

SJB:

- Att. 1: Demolition Waste and Recyclable Materials Bylaw No. 9516
2: Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9522
3: Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9523



City of
Richmond

Bylaw 9516

Demolition Waste and Recyclable Materials Bylaw No. 9516

WHEREAS Part 2, Division 1, Section 8 of the *Community Charter* confers upon the **City** authority to, by bylaw, regulate, prohibit, and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to refuse, garbage or other material that is noxious, offensive or unwholesome, and in relation to the use of waste disposal and recycling services;

AND WHEREAS Part 7, Division 2, Section 194 of the *Community Charter* confers upon the **City** authority to, by bylaw, impose a fee in respect of the exercise of authority to regulate, prohibit or impose requirements;

AND WHEREAS the Greater Vancouver Sewerage and Drainage District, Greater Vancouver Regional District, and their respective member municipalities, including the **City**, have set a target in the Integrated Solid Waste and Resource Management Plan of 70% diversion of municipal solid waste from disposal by 2015;

AND WHEREAS it is deemed desirable to regulate, prohibit, and impose requirements with respect to the use of waste disposal and recycling services to ensure that waste and recyclable materials resulting from demolition work are managed in a manner that enhances and protects the well-being of the community and the target diversion rate is achieved,

NOW THEREFORE, the Council of the City of Richmond enacts as follows:

PART ONE: APPLICATION AND AGREEMENT

- 1.1 No person shall commence or continue, or cause or allow the commencement or continuation of, any **work** except in accordance with the provisions of this Bylaw.
- 1.2 The **building inspector** may, in cases where this Bylaw would otherwise apply, approve **work**, in writing, and deem it exempt from application of this Bylaw in circumstances where such **work** is required to be carried out in the interests of public health and safety or to be carried out immediately in the case of emergency.
- 1.3 Nothing in this Bylaw precludes or relieves a person from complying with any provision of the **Building Bylaw**, other bylaws of the **City**, or any federal, provincial, or local government laws or regulations applicable to **work**.
- 1.4 Neither the review nor acceptance of a **waste disposal and recycling services plan**, or **compliance report** constitutes a representation, warranty, assurance or statement by the

City that the **owner** has complied with the **Building Bylaw**, this Bylaw, or any other applicable enactment, law, or regulation respecting safety.

PART TWO: MANDATORY RECYCLING

- 2.1 At the time of submitting an application for a **building permit** for **work**, a properly completed **waste disposal and recycling services plan** regarding the management of **waste** and **recyclable material** must be signed by the **owner** or **agent** and submitted to the **building inspector**.
- 2.2 No person shall commence or continue, or cause or allow the commencement or continuation of, any **work** unless the **building inspector** has approved a **waste disposal and recycling services plan** for that **work**.
- 2.3 If **recyclable material** is removed from a **site**, the **recyclable material** must be removed:
- (a) to a **recycling facility**; or
 - (b) in accordance with an approved **waste disposal and recycling services plan**, including **reuse** by the **owner** or **agent**, removal to a **recycling facility**, or as otherwise set out therein.
- 2.4 If **waste**, other than **recyclable material**, is removed from a **site**, the **waste** must be removed to a **disposal facility**.

PART THREE: COMPLIANCE REPORTING AND RECORD KEEPING

- 3.1 To ensure compliance with this Bylaw, the **owner** or **agent** must keep records of the surveying, removal, handling, management, and **disposal** of **waste** and **recyclable material**, including:
- (a) payment receipts, donation receipts, weigh bills, inspection reports, clearance letters, sampling reports, waste transport manifests, and recycling verification letters from mixed load **recycling facilities** detailing the percentage of **waste** recycled, **reused** or **disposed**;
 - (b) photographs, if applicable, recording the removal of **recyclable material** from the **site** as specified in an approved **waste disposal and recycling services plan**; and
 - (c) any other records that the **building inspector** specifies, at the time of application for a **building permit** for **work**, must be kept.
- 3.2 Within ninety (90) days after **project completion**, the **owner** or **agent** must submit the following to the **building inspector**:
- (a) a properly completed **compliance report**; and

- (b) originals of the records required to be kept under section 3.1 above.

PART FOUR: FEES

- 4.1 Every person who performs, or causes or allows the performance of **work**, must pay the non-refundable **application fee** and the **waste disposal and recycling services fee** at the time of submitting the **waste disposal and recycling services plan**.
- 4.2 The holder of the **building permit** for the **work** is eligible for a **fee refund**, as calculated in accordance with Schedule "B" attached to this Bylaw, if the following have also been completed to the satisfaction of the **building inspector**:
 - (a) a **waste disposal and recycling services plan**;
 - (b) within ninety (90) days after **project completion**,
 - (i) a **compliance report**;
 - (ii) submission of the originals of the records required to be kept under section 3.1 above; and
 - (iii) an application to the **building inspector** for the **fee refund**;
 - (e) within seven (7) days of being requested to do so, submission to the **building inspector** of any of the records required to be kept under this Bylaw, in addition to those submitted under 4.2(b)(ii) above, in order to evaluate eligibility for the **fee refund**.

PART FIVE: OFFENCES, PENALTIES AND ENFORCEMENT

- 5.1 (a) A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended and replaced from time to time; and
- (b) A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended and replaced from time to time, in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*, as amended and replaced from time to time.
- 5.2 Any person who gives false information required under this Bylaw is deemed to have committed an infraction of, or an offence against, this Bylaw, and is liable on summary conviction to a penalty of not more than \$2,000 in addition to the costs of the

prosecution, and each day that such violation is caused or allowed to continue constitutes a separate offence.

- 5.3 Any person who contravenes or violates any provision of this Bylaw, or any **building permit** for **work** issued in connection with this Bylaw, or who suffers or allows any act or thing to be done in contravention or violation of this Bylaw, or any **building permit** for **work** issued in connection with this Bylaw, or who fails or neglects to do anything required to be done under this Bylaw, or any **building permit** for **work** issued in connection with this Bylaw, commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

PART SIX: INTERPRETATION

- 6.1 In this bylaw, unless the context requires otherwise:

AGENT	means a person authorized in writing to act on behalf of the owner in connection with a building permit , including a hired tradesman or contractor.
APPLICATION FEE	means the fee set-out in the City's Consolidated Fees Bylaw No. 8636, as amended from time to time.
BUILDING BYLAW	means the City's Building Regulation Bylaw No. 7230, as amended or replaced from time to time.
BUILDING INSPECTOR	means the Manager, Building Approvals Department or those positions or persons designated by Council to act under this bylaw in the place of the manager.
BUILDING PERMIT	has the same meaning defined in the Building Bylaw .
CITY	means the City of Richmond.
COMMUNITY CHARTER	means <i>Community Charter</i> , SBC 2003, c. 26, as amended or replaced from time to time.
COUNCIL	means the Council of the City .
COMPLIANCE REPORT	means a report substantially in the form attached to this Bylaw as Schedule "B", as modified from time to time by the building inspector .
CORPORATE OFFICER	means the person appointed by Council pursuant to section 148 of the <i>Community Charter</i> as the Corporate Officer of the City , or his or her designate.

DISPOSAL

means:

- (a) the abandonment, discard, or destruction of any materials, substances, or objects; and
- (b) the application, release, or incorporation of materials, substances or objects in or to land.

DISPOSAL FACILITYmeans a **facility** that:

- (a) has a valid and subsisting permit, licence, or operational certificate issued under **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw** for the operation of a disposal facility regulated under that bylaw;
- (b) is approved as a disposal facility under the **Integrated Solid Waste and Resource Management Plan**; or
- (c) destroys or landfills **waste** in the course of conducting an industry, trade, or business.

FACILITY

means any land, building, site, or structure.

FEE REFUND

means the refund of a **waste disposal and recycling services fee** paid in respect of a **waste disposal and recycling services plan** as calculated in accordance with Schedule "B" attached to this Bylaw.

GVS&DD

means the Greater Vancouver Sewerage and Drainage District.

HAZARDOUS MATERIALS

means any material, product, or substance regulated as a controlled product or hazardous waste under the *B.C. Workers Compensation Act* and *B.C. Environmental Management Act*, respectively, that is present on a **site** or is produced, originates, or results from **work**.

INTEGRATED SOLID WASTE AND RESOURCE MANAGEMENT PLAN

means **GVS&DD's** approved Integrated Solid Waste and Resource Management Plan.

MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIAL REGULATORY BYLAW

means the **GVS&DD's** Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996, as amended or replaced from time to time.

ONE-FAMILY DWELLING

has the same meaning defined in the **Building Bylaw**.

OWNER

means the registered owner of an estate in fee simple, the registered owner of a leasehold estate and also includes:

- (a) the tenant for life under a registered life estate;
- (b) the registered holder of the last registered agreement for sale;
- (c) an Indian who is an **owner** under the letters patent of a municipality, incorporated under Section 9 of the *Local Government Act*;
- (d) a lessee or licensee with authority to build on land;
- (e) an occupier, tenant or holder of an interest in respect of the surface of water;
- (f) the Province or Canada, or a crown corporation or agency of either of them, if the government, corporation or agency applies for a **building permit**, a **gas permit**, or a **plumbing permit** under this bylaw, in respect of **parcel** in which it holds an interest; and
- (g) an **agent**.

PROJECT COMPLETION

means the date of completion and final approval of **work** as determined in accordance with the **Building Bylaw**.

RECYCLABLE MATERIAL

means a material, substance, or object that is produced, originates or results from **work** and satisfies at least one of the following:

- (a) is organic material and is capable of being composted;
- (b) is managed as a marketable commodity with an established market by the **owner** or operator of a **recycling facility**;
- (c) is being used in the manufacture of a new product that has an established market or is being

processed as an intermediate stage of an existing manufacturing process;

- (d) is being **reused** by the **owner**, or the **agent** on or off the **site** for **construction**; or
- (e) is a material, product or substance prescribed in Schedule "C" attached to this Bylaw as a **recyclable material**,

but excluding **hazardous materials**.

RECYCLING FACILITY

means a **facility** or licensed business, other than a **disposal facility** or an incinerator facility, and that:

- (a) has a valid and subsisting permit, licence, or operational certificate issued under the **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw**;
- (b) is required to provide information on quantities of received and transferred material to the **GVS&DD** through the **GVS&DD's Municipal Solid Waste and Recyclable Material Regulatory Bylaw**;
- (c) is approved as (i) a new organics processing facility; or (ii) a publicly-owned transfer station or landfill, under the Integrated Solid Waste and Resource Management Plan for purposes other than **disposal**;
- (d) is a drop off depot which is owned or operated by a charitable organization registered under the *Income Tax Act* (Canada) or a non-profit organization to which section 149 of the *Income Tax Act* applies;
- (e) is a **facility** where the owner or operator purchases or otherwise pays valuable consideration for all **recyclable material** received, cleaned, sorted, baled or packaged at the **facility**;
- (f) accepts only asphalt and concrete for the purposes of reprocessing, resale and **reuse**; or

(g) builds products using recycled or **reused** buildings materials or resells salvaged building materials under a valid business license.

REUSE	means further or repeated use of building materials.
SITE	means any land, building, structure, or improvements where work is or is intended to be performed.
TWO-FAMILY DWELLING	has the same meaning defined in the Building Bylaw .
WASTE	means any discarded or abandoned material, substance, or object that is produced, originates, or results from work , and any other prescribed material, substance or object, but excluding hazardous materials .
WASTE DISPOSAL AND RECYCLING SERVICES FEE	means the fee set-out in the City's Consolidated Fees Bylaw No. 8636, as amended from time to time.
WASTE DISPOSAL AND RECYCLING SERVICES PLAN	means the form of plan attached to this Bylaw as Schedule "A".
WORK	means the demolition, deconstruction, or systematic disassembly of a one-family dwelling or a two-family dwelling , and any accessory buildings on the same site , regulated by the Building Bylaw .

- 6.2 References in this Bylaw to enactments, bylaws of the City, or the bylaws or plans of **GVS&DD**, include those enactments, bylaws, and plans as they may be amended or replaced from time to time.
- 6.3 Unless otherwise defined herein, all words or expressions used in this Bylaw have the same meaning as the same or like words or expressions used in the **Building Bylaw**.

PART SEVEN: SEVERABILITY AND CITATION

- 7.1 If any section, subsection, paragraph, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 7.2 This Bylaw is cited as "**Demolitions Waste and Recyclable Materials Bylaw No. 9516**", and is effective April 1, 2016.

PART EIGHT: FEES BYLAW

8.1 The *Consolidated Fees Bylaw No. 8636*, as may be amended from time to time, applies to this bylaw.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating dept. <i>[Signature]</i>
APPROVED for legality by Solicitor <i>[Signature]</i>

Schedule "A"
Waste Disposal and Recycling Services Plan
 (Single Family/Duplex - Residential)

Date _____

Demolition Project Site Address _____

Demolition Type ☐ Residential Building ☐ Other _____

Project Floor Space [square feet] _____ Estimated Total Waste and Recyclable Material Generation = _____ tonnes (from Table 1)

Main Floor Space [square feet] _____

Total Floor Space [square feet] _____

Estimated Waste and Recyclable Material Generation (from Table 1)

Walls and flooring = _____ kg (for complete demolition, or for walls and flooring calculated separately)

Roofing = _____ kg

Foundations and footings = _____ kg

Other material = _____ kg

Total = (Walls/Flooring _____ + Roofing _____ + Foundations _____ + Other _____) ÷ 1000 = _____ tonnes

Type of Structure (Wood frame, Concrete, Steel, etc) _____

Expected Project Completion Date (DD/MM/YYYY) ____/____/____

Name of Permit Applicant: _____ (please print)

Signature of Permit Applicant _____ Date _____

NOTE TO APPLICANT: Please complete the other side of the form

CITY STAFF USE ONLY	
Building Permit No. (demolition): _____	
Waste Disposal and Recycling Services Package	<input type="checkbox"/> Form 1 – Project information and checklist received from permit applicant
<input type="checkbox"/> Application Fee Received <input type="checkbox"/> Fee Received Waste Disposal and Recycling Services Fee Amount \$ _____	
Calculation of Fees: Fees set-out in the <i>Consolidated Fees Bylaw No 8636</i> .	
Waste Disposal and Recycling Services that will be required: <input type="checkbox"/> Removal of all recyclable materials to an authorized recycling facility or to a disposal facility for a purpose other than disposal <input type="checkbox"/> Re-use of recyclable materials as proposed in this Waste Disposal and Recycling Services Plan or in another acceptable manner	
Signature of Application Reviewer: _____	
Keep a copy of this page and Form 2 in file	

TABLE 1

Planning how you will manage the recyclable materials generated at your site will help you meet the recycling requirements. **Please complete the following checklist of the types of recyclable materials that your project is expected to generate and submit as part of Form 1.** Use this checklist for discussion with waste collection, recycling and disposal companies. A list of recycling facilities is available from the Permits Department or <http://www.metrovancouver.org/services/permits/Permits%20%20Regulations/ActiveSolidWasteLicenceList.pdf>

You must keep track of all materials generated over the duration of the project by keeping receipts from all recycling and disposal facilities or signed forms from all salvagers for material re-use (Form 3 –compliance report).

[illegible]

Estimate of Total Waste (incl. Recyclable Material) Generated from Demolition (kg):

*Note: Do not include **Hazardous Materials** in this Form. All hazardous wastes must be disposed of according to Work Safe BC and BC Ministry of Environment requirements, as well as any additional requirements imposed by the disposal facility.*

Schedule "B"

Compliance Report

Submit this form following the completion of project and attach documentation (copies of receipts, weigh bills, etc.)

Demolition Type:	<input type="checkbox"/> Residential Building	<input type="checkbox"/> Other _____	
Building Type:	<input type="checkbox"/> Wood frame	<input type="checkbox"/> Concrete	<input type="checkbox"/> Other _____
Project Site Address: _____			
Building Permit No. (demolition): _____		Name of permit holder: _____	
Project Floor Space [square feet]: _____ (Main floor) _____ (Total)			
Project Start Date (DD/MM/YYYY): ____/____/____		Project Completion Date (DD/MM/YYYY): ____/____/____	

Waste Disposal and Recycling Services Plan Compliance

☐ Diversion Form and documentation (i.e., receipts and weigh bills) attached

Tonnes recyclable material managed as authorized (i.e. non-hazardous material removed to a **Recycling Facility** or as approved in **Waste Disposal and Recycling Services Plan**) = _____ = "A"

Tonnes disposed (i.e. non-hazardous waste removed to a **Disposal Facility**) = _____ = "B"

Total non-hazardous tonnages of waste from demolition = _____ = A+B = Total

Level of Compliance = $(A \div \text{Total}) \times 100 =$ _____ % = "C" (use for refund calculation)

Waste Disposal and Recycling Services Fee Refund Calculation

Waste Disposal and Recycling Services Fee paid (from Form 1) \$ _____ = "D" (use for refund calculation)

Refund calculated as follows:

If C is 70% or greater, then D = Refund = \$ _____

If C is less than 70%, then $(C \div 70) \times (D) =$ Refund = \$ _____

CITY STAFF USE ONLY

Compliance Report	Amount of Waste Disposal and Recycling Services Fee paid (Form 1) = \$ _____
<input type="checkbox"/> Complete	Amount of fee refunded = \$ _____
<input type="checkbox"/> Approved	

Compliance with Waste Disposal and Recycling Services requirements	<input type="checkbox"/> Yes	<input type="checkbox"/> Partial	<input type="checkbox"/> No
--	------------------------------	----------------------------------	-----------------------------

Signature of Permit Holder

Signature of Compliance Report Reviewer

DATE: _____

DATE: _____

Diversion Form Example

Project Site Address _____			Building Permit No. (demolition) _____	
Calculate your achieved recycling rate as described below. Use recycling facility and disposal facility receipts to fill out the information below. Ask your hauler, recycler or site cleanup vendor to assist you. A volume to weight conversion table, if required, is on the next page.				
COMPLETE AND RETURN WITH RECEIPTS WITHIN 90 DAYS OF PROJECT COMPLETION Note: Each receipt must show the type and quantity of materials received and permit #				
Material Type	A		B	
	Tonnes Reused or taken to Recycling Facility	Reuse or Recycling Facility used for purposes other than Disposal (name, location)	Tonnes taken to Disposal Facility	Disposal Facility Used (name, location)
Asphalt				
Cardboard				
Cement and concrete				
Uncontaminated excavated soil and rocks				
Drywall / Gypsum		DRAFT		
Green waste (incl. trees/shrubs)		SAMPLE		
Glass				
Metal				
Plastic – rigid (no PVC)				
Plastic wrapping and bags				
Roofing – asphalt shingles				
Wood - Clean				
Wood - Roofing				
Other recycled/reused materials (Please list)				
Mixed materials (excluding hazardous materials)				
TOTAL non-hazardous MATERIALS	A = _____		B = _____	
Column Totals A _____ / (A _____ + B _____) X 100 = _____ % Materials managed as authorized				

* The building inspector will compare the total quantity of materials from columns A and B with the amount of waste expected from the project, based on estimates in Table 1 of Schedule C.

TABLE 1 - ESTIMATING WASTE GENERATION

Material type	Quantity	Lbs	Kg
Demolition			
Wood – floor (without conc. topping)	1 sq ft	10	4.5
Wood – floor (with conc. topping)	1 sq ft	20	9
Wood – wall (exterior)	1 lin ft	25	11.4
Wood – wall (interior)	1 lin ft	20	9
Wood – roof	1 sq ft	5	2.2
Concrete slab (4" thick)	1 sq ft	50	22.7
Asphalt	1 sq ft	50	22.7
Brick/masonry	1 sq ft	50	22.7
Spread footing (20" wide)	1 lin ft	265	120.5

TABLE 2 - VOLUME TO WEIGHT CONVERSION

Mixed C&D	Quantity	Lbs	Kg
Mixed C&D (structural)	1 cu yd	500	227.3
Mixed inerts (concrete, brick, dirt, asphalt)	1 cu yd	2000	909.1
Separated inerts	1 cu yd	2000	909.1
Wood	1 cu yd	375	170.5
Metals	1 cu yd	906	411.8
Roofing Materials			
Asphalt shingles/Composition	1 cu yd	419	190.5
Asphalt shingles/Composition	1 sq ft	3	1.4
Asphalt Tar Roofing	1 cu yd	2919	1326.8
Wood Shake/Shingle Roofing	1 cu yd	435	197.7
Wood Shake/Shingle Roofing	1 sq ft	2	0.9
Tiles (concrete roofing)	1 cu yd	10	4.5
Tiles (concrete roofing)	1 sq ft	2900	1318.2
Yard Waste			
Green waste (shrubs, turf, etc.)	1 cu yd	500	227.3
Yard trimmings	1 cu yd	108	49.1

Source: City of Santa Monica and Foster City Building Inspection Division (CA)

Schedule "C"
Recyclable Material

Recyclable Material List:

1. Appliances
2. Architectural detail elements (decorative trim, finials, railings, etc.)
Asphalt
3. Asphalt roofing shingles
4. Bricks, blocks, ceramic tile
5. Cabinetry
6. Cardboard
7. Concrete
8. Doors
9. Drywall
10. Fixtures and hardware (lighting, plumbing, bathtubs, sinks, doorknobs, etc.)
11. Glass
12. Glass windows in frames
13. Green waste (shrubs, trees, sod, etc.)
14. Metal (steel, aluminum, coppers, brass, etc.)
15. Metal – cable and wiring
16. Metal – window frames
17. Paper
18. Plastic – ridged (buckets, pails, etc.)
19. Plastic – soft (wrapping, bags, etc.)
20. Wood – structural (including pallets)
21. Wood – plywood, particle board, OSB, etc.
22. Wood – shingles/siding (shakes, etc.)
23. Wood – flooring



City of
Richmond

Bylaw 9522

**CONSOLIDATED FEES BYLAW NO. 8636,
AMENDMENT BYLAW NO. 9522**

The Council of the City of Richmond enacts as follows:

1. The **Consolidated Fees Bylaw No. 8636**, as amended, is further amended by adding Schedule A attached to and forming part of this bylaw as a schedule to Consolidated Fees Bylaw No. 8636, in alphabetical order.
2. This Bylaw is cited as "**Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9522**", and is effective April 1, 2016.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER

SCHEDULE – Demolition Waste and Recyclable Materials**Demolition Waste and Recyclable Materials Bylaw No. 9516**
Section 4.1

Description	Fee
Application Fee	\$250.00 per waste disposal and recycling services plan submission
Waste Disposal and Recycling Service Fee	\$2.00 per square foot of structure to be demolished



City of
Richmond

Bylaw 9523

Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9523

The Council of the City of Richmond enacts as follows:

1. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended at Part One – Application by adding the following after section 1.1(o):

“(p) Demolition Waste and Recyclable Materials Bylaw No. 9516,”
2. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended by adding to the end of the table in Schedule A of Bylaw No. 8122 the content of the table in Schedule A attached to and forming part of this bylaw.
3. This Bylaw is cited as “**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9523**” and is effective April 1, 2016.

FIRST READING


SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Division 
APPROVED for legality by Solicitor 

SCHEDULE A to BYLAW NO. 9523**SCHEDULE A to BYLAW NO. 8122****Designated Bylaw Contraventions and Corresponding Penalties**

A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
	Period of Time from Receipt (inclusive)		n/a	29 to 60 days	1 to 28 days	61 days or more	n/a
Demolition Waste and Recyclable Materials Bylaw No. 9516	Failure to submit a completed waste disposal and recycling services plan with an application for a building permit for demolition	2.1	No	\$ 475.00	\$ 450.00	\$ 500.00	n/a
	Commencing, continuing, causing or allowing the commencement or continuation of demolition work without an approved waste disposal and recycling services plan	2.2	No	\$ 475.00	\$ 450.00	\$ 500.00	n/a
	Removing recyclable material from a site to a location other than a recycling facility or as otherwise set out in an approved waste disposal and recycling services plan	2.3	No	\$ 475.00	\$ 450.00	\$ 500.00	n/a
	Removing waste (other than recyclable materials) from a site to a location other than a disposal facility	2.4	No	\$ 475.00	\$ 450.00	\$ 500.00	n/a



CITY OF RICHMOND

DONATION BIN REGULATION

BYLAW NO. 9502

EFFECTIVE DATE – July 1, 2016



Donation Bin Regulation Bylaw No. 9502

The Council of the City of Richmond enacts as follows:

PART ONE: GENERAL PROVISIONS

1.1 Authorizations

- 1.1.1 The **General Manager Engineering & Public Works** is authorized to establish **donation bins locations** on **City land** pursuant to the provisions of this bylaw and to issue **permits** and establish a proposed fee structure for the placement and use of **donation bins** on **City land**.
- 1.1.2 The **General Manager Engineering & Public Works** may designate particular portions of **City land** as **donation bin locations**, in accordance with the following:
- (a) will not impede traffic flow or access to highways, roads, lanes, sidewalks, or pedestrian pathways within the **City**;
 - (b) not within the sightline triangle of any street intersection;
 - (c) not in contravention of any of the **City's** bylaws applicable to traffic, including but not limited to the **City's Traffic Control and Regulation Bylaw No. 5870**, as amended or replaced from time to time;
 - (d) will not cause health or safety risks to 'residents' of the **City**; and
 - (e) may include portions of **City** roads, sidewalks, parking lots, community centres and/or unused park land.

1.2 Prohibitions

- 1.2.1 No person shall place, install or maintain a **donation bin**, for the collection of any type of donations, on any portion of **City land**, except in accordance with this bylaw and a **permit** issued pursuant this bylaw.

PART TWO: PERMITS

2.1 Permit Application & Issuance

- 2.1.1 Every **applicant** for a **permit** to place a **donation bin** on **City land** must:

- a) be a **charity**;
- b) provide to the **General Manager Engineering & Public Works**:
 - i) a completed application in the form, and containing such information as, required by the **General Manager Engineering & Public Works** from time to time, including but not limited to:
 - a. the **applicant's** charitable registration number;
 - b. if the **applicant's donation bin(s)** are owned and/or operated by an **agent bin operator**, the name and contact information for said **agent bin operator**; and
 - c. a photograph or pictorial depiction and written description of the **donation bin**,

which application shall be signed by the **applicant** or by an individual who has legal authority to bind the **applicant**;

- ii) a signed letter or statement with respect to the **applicant's** registered charitable status, the **applicant's** charitable work conducted within the **City** and/or for the benefit of the 'residents' of the **City**, and the **applicant's** ability to operate and maintain the **donation bins** to the standard set out in this bylaw, and containing a representation that the **applicant** gains ownership of all items donated through the **donation bins** it owns, operates and/or receive the benefit from, and receives at least 50% of the net proceeds from such donations;
- iii) certificate of insurance, in a form and on terms acceptable to the **City's** Risk Manager, to provide \$5,000,000 general liability insurance and naming the **City** as an additional insured; and
- iv) a release and indemnity by the **applicant** in favour of the **City**, in a form and on terms acceptable to the **City's** Risk Manager, and if applicable, a release and indemnity by the **applicant's agent bin operator** in favour of the **City**, in a form and on terms acceptable to the **City's** Risk Manager.

2.1.2 The **General Manager Engineering & Public Works** may issue a **permit** to an **applicant** for all or some of the **applicant's** existing and proposed locations for **donation bins**, provided the **applicant**:

- a) has complied with the requirements set-out in section 2.1.1 of this bylaw;

- b) is not in breach of any term or condition of this bylaw or any current or previous **permit** issued to the **applicant** by the **City**; and
- c) has paid to the **City** the fees set-out in section 2.1.3 of this bylaw.

The allocation of locations for each **permit** shall comply with Section 2.1.7 of this bylaw. A **permit** may contain such additional terms and conditions deemed advisable by the **General Manager Engineering & Public Works**.

- 2.1.3 Upon approval of an application for a **permit** by the **General Manager Engineering & Public Works**, the **applicant** will pay to the **City** the applicable annual **permit** fees set-out in the *Consolidated Fees Bylaw No 8636*, and security by way of a **damage deposit** in the amount set-out in the *Consolidated Fees Bylaw No 8636*. For applications approved on or after July 1 of a calendar year, the **permittee** will pay 50% of the applicable annual **permit** fees, and will pay the full amount of the **damage deposit** each as set-out in the *Consolidated Fees Bylaw No 8636*.
- 2.1.4 A **permit** issued pursuant to section 2.1.2 of this bylaw is valid from the date of issue to December 31 of the calendar year for which the **permit** is issued.
- 2.1.5 Neither the temporary nor permanent removal nor relocation of a **donation bin** by the **General Manager Engineering & Public Works** pursuant to this bylaw nor the revocation or surrender of a **permit** entitles the **permittee** to a refund of any portion of any annual **permit** fee paid pursuant to section 2.1.3 of this bylaw.
- 2.1.6 A **permit** is considered in good standing if:
 - a) all annual **permit** fees, as outlined in section 2.1.3 are fully paid;
 - b) the **permittee** is a **charity**;
 - c) business licence fees payable under the **City's Business Licence Bylaw No. 7360**, as amended or replaced from time to time, are fully paid; and
 - d) an **identification decal** has been affixed to each **donation bin** covered by the **permit**, in accordance with any instructions provided by the **City**.
- 2.1.7 The **General Manager Engineering & Public Works** will determine where to locate **donation bins** on **City land**, **donation bin locations**, and may prohibit or limit the number of **donation bins** or **bin operators** in any portion of **City land** or **donation bin location**. The general allocation of **donation bins locations** will be based on the following:
 - a) **donation bins locations** will be allocated to the interested **applicants** by way of a lottery draw and/or a committee established by the **General Manager Engineering & Public Works**, on the basis of rules the **General Manager**

Engineering & Public Works considers just and equitable in the circumstances; and

- b) in the allocation of **donation bin locations**, preference will be given to having one **bin operator** per **donation bin location**, however the **General Manager Engineering & Public Works** may allocate **donation bin locations** to one or more **bin operators** within a single portion of **City land** in accordance with the provisions of this bylaw and the **permits** granted hereunder.

2.2 General Permit Conditions

- 2.2.1 Subject to the terms and conditions of this bylaw, a **permit** that is in good standing in accordance with Section 2.1.6 of this bylaw gives the **permittee** the non-exclusive licence to place, or cause to be placed, one or more **donation bins** on the **donation bin location** specified in the **permit**, in accordance with the provisions of this bylaw and the **permit**.
- 2.2.2 A **permit** does not vest any ownership or other interest in land to the **permittee**.
- 2.2.3 A **permittee** must not dispose, assign or sub-licence a **permit**, or any of the **permittee's** rights or obligations under the **permit**, to another person, without the **City's** prior written approval.
- 2.2.4 A **permittee** must ensure that each of the **donation bins** it owns, operates, and/or receives the benefit from:
 - a) are not placed outside of the boundaries of the applicable **donation bin location** as specified in their **permit**;
 - b) are not chained or fastened to any utility apparatus, including any traffic signal, traffic control device, street light, hydro or telephone pole or signpost, fire hydrant, parking meter, bus shelter, telephone booth, post box, benches or trees;
 - c) display clear identification information with the **permittee's** name, contact information, charity status, and registered charity number, in lettering no smaller than 100 millimetres x 75 millimetres and of a contrasting colour to the colour of the **donation bin**;
 - d) display an **identification decal** in accordance with any instructions provided by the **City**;
 - e) display a written or pictorial list of items that can be donated by members of the public in the **donation bin**;
 - f) display a clear written or pictorial notice that all donation articles must fit into the **donation bin**, prohibiting any items to be left outside or around the **donation**

bin on or near the **donation bin location**, and prohibiting the donation of items that may create a safety hazard, including but not limited to paint, garbage, soiled rags, propane or any other like items;

- g) display the telephone number for a 365 day a year, manned 24-hour on-call line for use by the **City** and the public to report to the **permittee** and, if applicable, the **permittee's agent bin operator**, any issues with the **donation bin**, including but not limited to the dumping of items and/or debris outside the **donation bin** or damage to the **donation bin**;
- h) display a donation pick up schedule for the **donation bin**;
- i) display "No Dumping" signage;
- j) display a brief written message identifying the **permittee's** charitable works benefiting the 'residents' of the **City**, which were set out the **permittee's** application letter submitted pursuant to Section 2.1(b)(ii) of this bylaw;
- k) do not display any third party advertising. For the purposes of this bylaw, if the **permittee's donation bin** is owned or operated by an **agent bin operator**, any information or imagery on the **donation bin** regarding or related to the **permittee** shall not constitute third party advertising;
- l) are not placed such as to obstruct clear sight triangles, circulation, setbacks, parking and driveways;
- m) are not placed within the sightline triangle of a street intersection, as outlined in the visibility clearance provision set-out in section 5.1 of the **City's Traffic Bylaw No. 5870**, as amended or replaced from time to time;
- n) are not placed so as to create safety hazards or to restrict accessibility for pedestrians, motorists and the public accessing the **donation bin**;
- o) do not exceed the following dimensions:
 - Width – 1.2 metres
 - Depth – 1.3 metres
 - Height – 1.9 meters;
- p) are professional in appearance and construction; and
- q) comply with all applicable provisions of this bylaw and the permit applicable to the **donation bin**.

2.2.5 A **permittee**, throughout the term of the **permit**, must comply with the following:

- a) the **permittee** must continue to be a **charity**;
 - b) maintain commercial general liability insurance coverage, naming the **City** as an additional insured entitled to full coverage, in the amount of Five Million Dollars (\$5,000,000) per occurrence, protecting the **City** against all claims for personal injury, death, bodily injury or property damage arising out of the occupying, servicing or operation or the actions of the **permittee** or any agent of the **permittee**, including but not limited to any **agent bin operator**. The **permittee** will be responsible for any and all deductible amounts including any claim expenses incurred and policy premium payments. Such insurance shall include on an occurrence basis with respect to third party liability claims for bodily injury, property damage, and personal injury.
 - c) maintain insurance, or cause insurance to be maintained, for the vehicles used in servicing, maintaining, and picking-up from the **donation bin(s)** permitted under said **permit**;
 - d) maintain with the **City**, and provide to the **City** on request, an up-to-date list of the specific locations of all **donation bin(s)** owned and/or operated by the **permittee**, and, if applicable, owned and/or operated by the **permittee's agent bin operator**, on **City lands**;
 - e) remove, or cause to be removed, all rubbish or other accumulated materials within five (5) metres of the **donation bin(s)** permitted under said **permit** in all directions, within twenty four (24) hours of the **City** or the public reporting such circumstances to the **permittee** or, if applicable, the **permittee's agent bin operator**; and
 - f) upon request by the **City**, provide to the **General Manager Engineering & Public Works** an updated signed letter or statement containing the same information outlined in section 2.1.1(b)(ii) .
- 2.2.6 A **permittee** must maintain, or cause to be maintained, the **donation bins** it owns, operates and/or receives the benefit from, in accordance with the following:
- a) with regular maintenance and painting, in a good state of repair, in good working order and free of graffiti, to the satisfaction of the **General Manager Engineering & Public Works**;
 - b) in a clean and tidy condition, free of the overflow of items and litter from the **donation bins**, and free of items and litter left outside the **donation bins** within a five (5) metre radius of the **donation bins**, with all items and litter disposed of using the **permittee's** own resources and at the **permittee's** cost and expense; and

- c) the **permittee** will conduct, or will cause to be conducted, regular scheduled pick-up of donated items and emptying of the **donation bins**, using the **permittee's** own resources and at the **permittee's** cost and expense, and in accordance with the schedule displayed on the **donation bin** pursuant to 2.2.4(h) above. Such regular pick-up by the **permittee** or the **permittee's agent bin operator** will occur between 9 a.m. and 9 p.m.. Upon the request of the **City**, the **permittee** will conduct, or will cause to be conducted, additional pick-ups of donated items and emptying of the **donation bins**, using the **permittee's** own resources and at the **permittee's** cost and expense.

2.2.7 If the **permittee** fails to comply with sections 2.2.5(e) and/or 2.2.6(b), the **City** is authorized to complete any work not carried out by the **permittee** and the clean-up fee, as set out in the **City's Consolidated Fees Bylaw No 8636**, plus labour costs incurred by the **City**, will become immediately due and owing by the **permittee**. At the discretion of the **General Manager Engineering & Public Works**, the **City** may draw on the **permittee's damage deposit** to pay such fees and costs. Within thirty (30) days of receipt of written notification from the **City** of the draw from the **damage deposit**, the **permittee** shall provide the **City** with additional funds such that the **permittee's damage deposit** is returned to its previous amount.

2.2.8 In addition to the provisions of this bylaw, every **Permittee** must comply with all other **City** bylaws applicable to its business and operation.

2.3 Permit Revocation

2.3.1 Any **permit** issued pursuant to the this bylaw may be revoked by the **City's General Manager Engineering & Public Works**, without notice, if

- a) the application submitted by the **permittee** pursuant to section 2.1.1(a) of this bylaw contains false or misleading information, and the **permittee** does not correct such information to the satisfaction of the **General Manager Engineering & Public Works**;
- b) the **permittee's** certificate of insurance, provided to the **City** pursuant to section 2.1.1(iii) of this bylaw, is void or cancelled by the insurer and the **permittee** does not promptly provide proof of replacement insurance, to the satisfaction of the **City's Risk Manager**; or
- c) the **permittee** is in contravention of or fails to comply with any of the provisions of this bylaw or the **permit**.

2.3.2 Any **permit** issued pursuant to this bylaw may be revoked by the **General Manager Engineering & Public Works** for any reason, without cause, by providing thirty (30) days prior written notice to the **permittee**.

2.3.3 For the purposes of this Section 2.3.2, written notice will be deemed to have been given four (4) days following mailing of the notice, if sent by ordinary prepaid mail,

to the **permittee's** address as set out in the application for the **permit** or the most recent address provided by the **permittee** to the **City**, and the next business day if sent via facsimile or e-mail.

2.4 Donation Bin Removal or Relocation

2.4.1 The **General Manager Engineering & Public Works** may order, at any time and without notice, the temporary or permanent removal or relocation of any **donation bin**, without compensation to the **permittee** or, if applicable, the **permittee's agent bin operator**, for the loss of use of a **donation bin**:

- a) which or who the **General Manager Engineering & Public Works** considers creates a safety hazard;
- b) due to a special event;
- c) due to **City** work on utilities, streets, sidewalks, bus or transit stops or shelters, or any other structures or improvements, or any other construction;
- d) which do not comply with any provisions of this bylaw or the **permit** applicable to the **permittee**; or
- e) for any reason, without cause, at the discretion of the **General Manager Engineering & Public Works**.

2.4.2 The **permittee** will permanently remove, or cause to be removed, the **donation bin** subject to its **permit**, the **donation bin** contents, and any related installations, from a **donation bin location** and restore the portion of **City land** used by the **permittee** to its former condition, within twenty-four (24) hours, of:

- a) the expiry of a **permit** applicable to the **donation bin location** if a new **permit** is not issued by the **City** to the **permittee** for the same **donation bin location**; or
- b) revocation of a **permit** applicable to the **donation bin location**, in accordance with section 2.3.1 or 2.3.2 of this bylaw.

- 2.4.3 (a) Upon the adoption of this bylaw by the **City**, all **bin operators** not satisfying the requirements of Section 2.1.1 and not being a **permittee's agent bin operator**, will permanently remove their **donation bins** from **City land** and restore the portion of **City land** used to its former condition.
- (b) If a **bin operator** refuses or fails to remove or relocate a **donation bin** pursuant section 2.4.3(a) of this bylaw, the **General Manager Engineering & Public Works** is authorized, without further notice to the **bin operator**, to remove the **donation bin**.

- 2.4.4 The **permittee** will restore the portion of **City land** used by the **permittee** to its former condition upon any removal or relocation of a **donation bin** ordered by the **General Manager Engineering & Public Works** pursuant to section 2.4.1 of this bylaw.
- 2.4.5 If a **permittee** or **bin operator** fails to comply with section 2.4.2, 2.4.3(a) or 2.4.4 of this bylaw, the **City** is authorized to complete any work not carried out by the **permittee** or **bin operator** and any fees in relation to such work, including but not limited to the removal fee, storage fee and/or disposal fee, as set out in the **City's Consolidated Fees Bylaw No 8636** will become immediately due and owing by the **permittee** or **bin operator**, and any costs or expenses incurred by the **City**, in excess of the applicable fees, will become a debt immediately due and owing by the **permittee** or **bin operator**, as applicable. In the case of **permittee's**, the **City** may draw on the **permittee's damage deposit** to pay such fees, costs and expenses, at the discretion of the **General Manager Engineering & Public Works**. Within seven (7) days of such draw on the **damage deposit** by the **City**, the **permittee** shall provide the **City** with additional funds such that the **permittee's damage deposit** is returned to its previous amount.
- 2.4.6 If the **permittee** refuses or fails to remove or relocate a **donation bin** as directed by the **General Manager Engineering & Public Works** pursuant to section 2.4.1, or as set out in section 2.4.2 of this bylaw, the **General Manager Engineering & Public Works** is authorized, without further notice to the **permittee** or, if applicable, to the **permittee's agent bin operator**, to remove the **donation bin**.
- 2.4.7 **Donation bins** removed by the **City** pursuant to sections 2.4.6 or 2.4.3(b) of this bylaw will be stored by the **City** for thirty (30) days and may be picked up by the **permittee**, the **permittee's agent bin operator**, or **bin operator**, as applicable, upon payment of the removal fee and the storage fee set-out in the *Consolidated Fees Bylaw No 8636*, plus recovery and labour costs incurred by the **City**.
- 2.4.8 Any **donation bin**, including its contents, removed by the **City** pursuant to sections 2.4.6 or 2.4.3(b) of this bylaw and left unclaimed by the **permittee**, the **permittee's agent bin operator**, or **bin operator**, as applicable, for a period in excess of thirty (30) days become the property of the **City** and may be disposed by the **City**, in its discretion, without compensation to the **permittee**, the **permittee's agent bin operator**, or **bin operator**, as applicable, and the removal fee, the storage fee, and the disposal fee set-out in the *Consolidated Fees Bylaw No 8636*, plus recovery and labour costs incurred by the **City**, will become immediately due and payable by the **permittee** or **bin operator**, as applicable.
- 2.4.9 Notwithstanding, sections 2.4.1 and 2.4.6, the **City** reserves right to temporarily remove and relocate **donation bins** if the **City** needs to do work in, on, under, over, or adjacent to the applicable **donation bin location**, without compensation to the **permittee** or, if applicable, the **permittee's agent bin operator**.

2.5 Damage Deposit

2.5.1 The **General Manager Engineering & Public Works** will, within sixty (60) days of the expiration, or earlier revocation or termination, of a **permit**, return to the **permittee** any unused portion of the **permittee's damage deposit**.

2.5.2 If, at the expiry of its existing **permit**, a **permittee** is applying for a new **permit**, the **permittee** may request that the unused portion of the existing **damage deposit** be applied against the required **damage deposit** for the new **permit**.

PART THREE: VIOLATIONS AND PENALTIES

- 3.1 (a) A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended and replaced from time to time; and
- (b) A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended and replaced from time to time, in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*, as amended and replaced from time to time.
- 3.2 Any person who contravenes or violates any provision of this bylaw, or any **permit** issued under this bylaw, or who suffers or allows any act or thing to be done in contravention or violation of this bylaw, or any **permit** issued under this bylaw, or who fails or neglects to do anything required to be done under this bylaw, or any **permit** issued under this bylaw, commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

PART FOUR: INTERPRETATION

- 4.1 In this bylaw, the following words have the following meanings:

AGENT BIN OPERATOR

means a **bin operator** who owns the **donation bins** operated by an **applicant** or **permittee**, who operates **donation bins** in the name of and for the benefit of an **applicant** or **permittee** where such **donation bins** are owned by the **applicant** or **permittee**, or who owns and operates **donation bins** in the name of and for the benefit of an **applicant** or **permittee**.

APPLICANT	means a person applying for a permit to place a donation bin on City land pursuant to this bylaw.
BIN OPERATOR	means the person, charity , corporation, trust, or partnership or organization that owns and/or operates a donation bin .
CITY	means the City of Richmond.
CITY LAND	means land for which the City is the registered owner in fee simple or leasehold, and all roads, highways, lanes, sidewalks, boulevards or other public rights-of-way held by and/or registered in favour of the City , including, but not limited to, all statutory rights-of-way over privately owned land for the purposes of vehicular or pedestrian purposes.
CHARITY	means a registered charity, as defined in subsection 248(1) of the <i>Income Tax Act</i> , R.S.C 1985 (5 th Supp) or successor legislation, that has been issued a charitable registration number by the Canadian Revenue Agency, or successor agency.
COUNCIL	means the Council of the City .
DAMAGE DEPOSIT	means security paid by an applicant to the City , in the form of a cash deposit, an irrevocable letter of credit, or a certified cheque payable to the City .
DONATION BIN	means any receptacle used for the purpose of collecting clothing and other small reusable item donations from the public.
DONATION BIN LOCATION	means the precise location on City land where that donation bins may be placed, as designated by the General Manager Engineering & Public Works .
GENERAL MANAGER ENGINEERING & PUBLIC WORKS	means the person appointed by Council to the position of General Manager of Engineering and Public Works or those positions or persons designated by Council to act under this bylaw in the place of the general manager.
IDENTIFICATION DECAL	means a decal, in the form required by the City from time to time, containing the following information in clear and legible writing:

- (a) the **permit** reference number and calendar year for which the **permit** is issued; and
- (b) the current contact name, address and telephone number for the **permittee** responsible for emptying and maintaining the **donation bin**.

PERMIT

means a permit issued by the **General Manger Engineering & Public Works** pursuant to section 2.1.2 of this bylaw.

PERMITTEE

means a person who has been issued a **permit**.

PART FIVE: SEVERABILITY AND BYLAW CITATION

- 5.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 5.2 This bylaw is cited as "**Donation Bin Regulation Bylaw No. 9502**" and is effective July 1, 2016.

PART SIX: FEES BYLAW

- 6.1 The *Consolidated Fees Bylaw No. 8636*, as may be amended from time to time, applies to this bylaw.

FIRST READING

JAN 25 2016

SECOND READING

FEB 09 2016

THIRD READING

FEB 09 2016

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
JKW
APPROVED for legality by Solicitor
MA

MAYOR_____
CORPORATE OFFICER



City of
Richmond

Bylaw 9513

**CONSOLIDATED FEES BYLAW NO. 8636,
AMENDMENT BYLAW NO. 9513**

The Council of the City of Richmond enacts as follows:

1. The **Consolidated Fees Bylaw No. 8636**, as amended, is further amended by adding Schedule A attached to and forming part of this bylaw as a schedule to Consolidated Fees Bylaw No. 8636, in alphabetical order.
2. This Bylaw is cited as "**Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9513**", and is effective July 1, 2016.

FIRST READING

JAN 25 2016

SECOND READING

JAN 25 2016

THIRD READING

JAN 25 2016

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>SKM</i>
APPROVED for legality by Solicitor <i>JIA</i>

MAYOR

CORPORATE OFFICER

SCHEDULE – DONATION BIN REGULATION**Donation Bin Regulation Bylaw No. 9502****Section 2.1**

Description	Fee
Annual Permit Fee	\$100.00 per donation bin
Damage Deposit Fee	\$1,000 per donation bin location to a maximum of \$3,000 per permittee

Donation Bin Regulation Bylaw No. 9502**Section 2.2.7**

Description	Fee
Clean-up Fee	Actual Cost

Donation Bin Regulation Bylaw No. 9502**Section 2.4**

Description	Fee
Bin Removal Fee	\$100 per donation bin
Bin Retrieval Fee	\$200 per donation bin
Storage Fee	\$15 per day per donation bin
Disposal Fee	\$80 per donation bin disposal



**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122,
Amendment Bylaw No. 9514**

The Council of the City of Richmond enacts as follows:

1. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended at Part One – Application by adding the following after section 1.1(n):

“(o) Donation Bin Regulation Bylaw No. 9502,”
2. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended by adding to the end of the table in Schedule A of Bylaw No. 8122 the content of the table in Schedule A attached to and forming part of this bylaw.
3. This Bylaw is cited as “**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 9514**” and is effective July 1, 2016.

FIRST READING

JAN 25 2016

SECOND READING

JAN 25 2016

THIRD READING

JAN 25 2016

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating Division SKV
APPROVED for legality by Solicitor JH

MAYOR

CORPORATE OFFICER

SCHEDULE A to BYLAW NO. 9514**SCHEDULE A to BYLAW NO. 8122****Designated Bylaw Contraventions and Corresponding Penalties**

A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
	Period of Time from Receipt (inclusive)		n/a	29 to 60 days	1 to 28 days	61 days or more	n/a
Donation Bin Regulation Bylaw No. 9502	Placing or maintaining a donation bin on City land without a permit	1.2.1	No	\$ 475.00	\$ 450.00	\$ 500.00	n/a
	Placing a donation bin on a donation bin site outside the designated donation bin location	2.2.4(a)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Securing donation bin to unauthorized structure	2.2.4(b)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display identification information regarding the permittee	2.2.4(c)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display identification decal on donation bin	2.2.4(d)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display a written or pictorial list of items that can be in the donation bin	2.2.4(e)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display notice that all donation articles must fit into the donation bin, prohibiting any items to be left outside or around the donation bin on or near the donation bin site, and prohibiting the donation of items that may create a safety hazard	2.2.4(f)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a

A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
Donation Bin Regulation Bylaw No. 9502	Failure to display the telephone number for a manned 24-hour on-call line for use by the City and the public to report issues with the donation bin	2.2.4(g)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to cause telephone number displayed on donation bin to be manned 24-hour per day	2.2.4(g)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display a donation pick up schedule for the donation bin	2.2.4(h)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display "No Dumping" signage on donation bin	2.2.4(i)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to display a brief written message on donation bin identifying the permittee's charitable works benefiting the residents of the City	2.2.4(j)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Displaying third party advertising on donation bin	2.2.4(k)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Placing donation bin within traffic sightline	2.2.4(l) and (m)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Placing donation bin so as to create a safety hazard or restrict accessibility	2.2.4(n)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Exceeding permitted dimensions of donation bin	2.2.4 (o)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a

A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
Donation Bin Regulation Bylaw No. 9502	Failure for donation bin to be professional in appearance and construction	2.2.4(p)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to comply with term or condition of permit	2.2.4(q)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to maintain required commercial general liability insurance coverage	2.2.5(b)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to maintain insurance for the vehicles used in servicing, maintaining, and picking-up from the donation bin(s)	2.2.5(c)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to provide the City with an up-to-date list of the specific locations of all donation bins	2.2.5(d)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to remove rubbish and other materials within 5 m of donation bins within 24 hours	2.2.5(e)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a
	Failure to provide an updated charitable statement upon request	2.2.5(f)	No	\$ 150.00	\$ 125.00	\$ 175.00	n/a



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9186 (RZ 14-668415)
6500 Granville Avenue**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"COMPACT SINGLE DETACHED (RC2)"**.

P.I.D. 009-748-598

Lot 19 Except: Part Subdivided by Plan 81420, Section 18 Block 4 North Range 6 West
New Westminster District Plan 12891

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9186"**.

FIRST READING

DEC 17 2014

A PUBLIC HEARING WAS HELD ON

JAN 19 2015

SECOND READING

JAN 19 2015

THIRD READING

JAN 19 2015

OTHER CONDITIONS SATISFIED

FEB 17 2016

ADOPTED

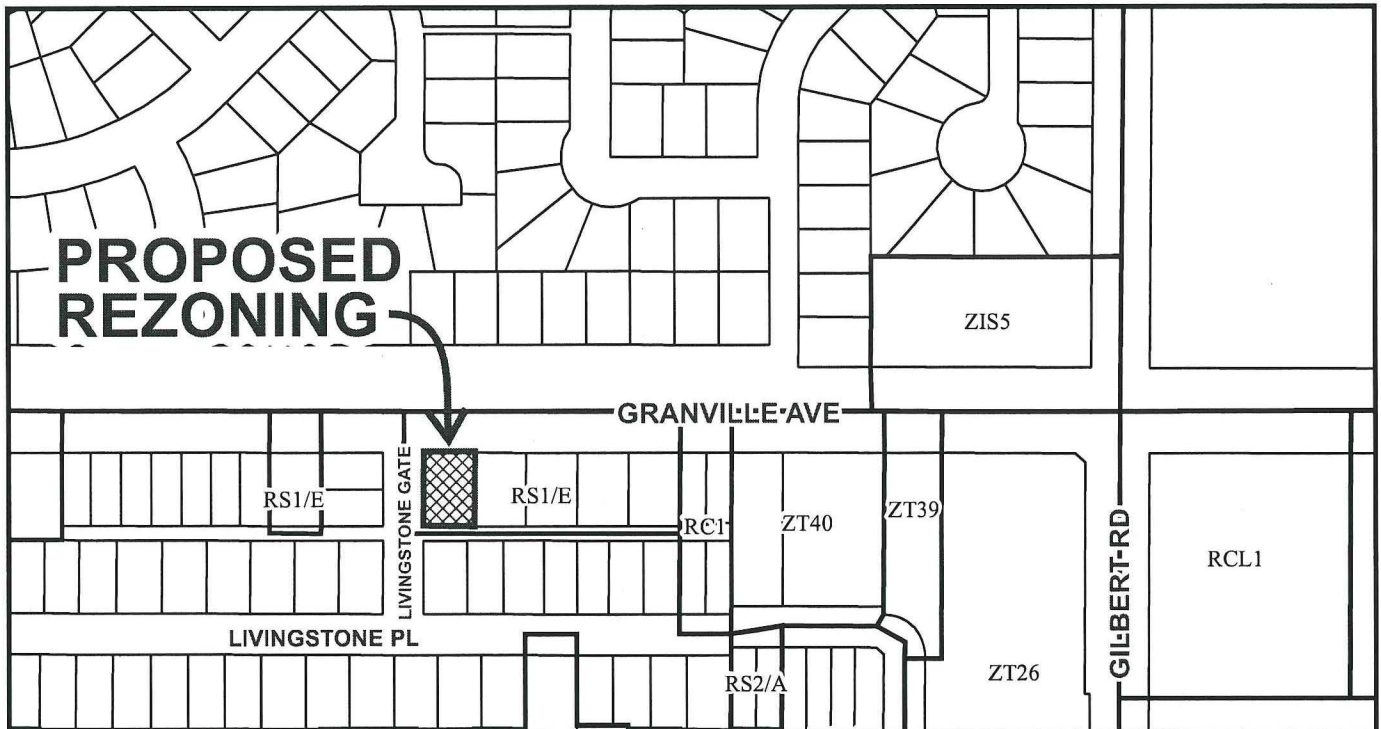
MAYOR

CORPORATE OFFICER





City of Richmond



20	6351	20	6371	6391	6411	6431	6451	6471	6491	6511	6531	6551	65
	30.48		18.29	18.29	18.29	18.29	18.29	18.29	18.29	18.29	18.29	18.29	21.3

GRANVILLE AVE

12.20	12.19	21.34	25.68	21.34	21.34	21.34	21.34	10.67	10.67	
6400	6420	6440	6460	6500	6520	6540	6560	6580	6600	6688
		30.53	15.27	30.53	30.53	30.53	30.53	30.52	29.77	29.02
			25.68							
			7031							
12.20	12.19	21.34	25.68	21.34	21.34	21.32	21.34	10.70	10.70	
										63.70
18.29	18.29	18.29	18.29	18.29	15.24	16.76	13.72	13.41	14.01	15.24
30.54	30.54	30.54	30.54	30.54	30.54	30.54	30.54	30.54	30.54	10.67
										10.67
										673



RZ 14-668415

Original Date: 08/27/14

Revision Date:

Note: Dimensions are in METRES



**Development Permit Panel
Wednesday, February 10, 2016**

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Victor Wei, Chair
Cathryn Volkering Carlile, General Manager, Community Services
Cecilia Achiam, Director, Administration and Compliance

The meeting was called to order at 3:30 p.m.

Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on January 27, 2016, be adopted.

CARRIED

1. Development Variance 15-708883
(File Ref. No.: DV15-708883) (REDMS No. 4909687)

APPLICANT: 0983101 BC Ltd.

PROPERTY LOCATION: 12208, 12222 and 12228 Trites Road

INTENT OF PERMIT:

Vary sections 4.12A.2. and 8.1.7.1. of Richmond Zoning Bylaw 8500 to permit the following projections above the residential vertical lot width envelope and the residential vertical lot depth envelope:

1. At 12208 Trites Road:
 - a) a 1.8 m ridge line for two (2) north side roof dormers to project above the residential vertical lot width envelope and into the exterior side yard;
 - b) the south edge of the second floor and associated sloping roof to project 1.3 m above the residential vertical lot width envelope; and

1.

Development Permit Panel

Wednesday, February 10, 2016

- c) the west edge of the second floor and associated sloping roof to project 1 m above the residential vertical lot depth envelope; and
- 2. At 12222 and 12228 Trites Road:
 - a) the north edge of the second floor and associated sloping roof to project 1.2 m above the residential vertical lot width envelope; and
 - b) the south edge of the second floor and associated sloping roof to project 0.4 m above the residential vertical lot width envelope;in order to allow construction of new single detached houses at 12208, 12222 and 12228 Trites Road on sites zoned "Single Detached (RS2/A)".

Applicant's Comments

Rod Lynde, Lynde Designs Ltd., confirmed that revisions had been made to the previously submitted designs to reduce the building heights and roof massing, noting that changes included using shallower roof pitches and lowering the building's interior ceiling heights. He added that variances were still required to accommodate some minor projections into the residential vertical envelopes but these projections provide visual interest and building articulation that improve the house design.

Staff Comments

Wayne Craig, Director, Development, recognized the applicant's response to the Development Permit Panel's January 27, 2016 directions, noting that the revised building designs comply with the maximum building height requirements and the projections into the building envelopes added visual interest and character.

Panel Discussion

In reply to queries from the Panel, Mr. Lynde confirmed that eliminating the gables from the revised designs would flatten the roofs and that the revised designs of all three buildings now complied with building height requirements.

Johnny Zhang, Maruyama and Associates, Landscape Architects, confirmed that the landscape design followed design guidelines, which supported a Japanese garden theme. He added that changing a small tree on the corner lot to a larger variety tree could be considered.

Correspondence

None.

Gallery Comments

Lee Folks, 12260 Trites Road, queried whether positioning the sidewalk immediately beside the property line was typical and whether the bus stop would return when the development was completed.

Development Permit Panel

Wednesday, February 10, 2016

Staff Comments

In reply to queries from the Panel, Mr. Craig confirmed that the typical design standard for new developments includes a sidewalk at the property line with a grass and tree boulevard separating the sidewalk from the road. He added that the City will maintain the sidewalk and the owner will maintain the adjacent boulevard. Also, he advised that Mr. Folks is welcome to review site Servicing Agreement drawings with staff, which indicated the bus stop, tree, and driveway locations.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued which would vary sections 4.12A.2. and 8.1.7.1. of Richmond Zoning Bylaw 8500 to permit the following projections above the residential vertical lot width envelope and the residential vertical lot depth envelope:

1. At 12208 Trites Road:

- (a) a 1.8 m ridge line for two (2) north side roof dormers to project above the residential vertical lot width envelope and into the exterior side yard;*
- (b) the south edge of the second floor and associated sloping roof to project 1.3 m above the residential vertical lot width envelope; and*
- (c) the west edge of the second floor and associated sloping roof to project 1 m above the residential vertical lot depth envelope; and*

2. At 12222 and 12228 Trites Road:

- (a) the north edge of the second floor and associated sloping roof to project 1.2 m above the residential vertical lot width envelope; and*
- (b) the south edge of the second floor and associated sloping roof to project 0.4 m above the residential vertical lot width envelope;*

in order to allow construction of new single detached houses at 12208, 12222 and 12228 Trites Road on sites zoned "Single Detached (RS2/A)."

CARRIED

2. New Business

3. Date of Next Meeting: February 24, 2016

Development Permit Panel
Wednesday, February 10, 2016

4. Adjournment

It was moved and seconded

That the meeting be adjourned at 3:45 p.m.

CARRIED

Certified a true and correct copy of the
Minutes of the meeting of the
Development Permit Panel of the Council
of the City of Richmond held on
Wednesday, February 10, 2016.

Victor Wei
Chair

Carrie Peacock
Recording Secretary



City of Richmond

Report to Council

To: Richmond City Council

Date: February 16, 2016

From: Joe Erceg
Chair, Development Permit Panel

File: 01-0100-20-DPER1-
01/2016-Vol 01

Re: **Development Permit Panel Meeting Held on February 25, 2015**

Staff Recommendation

That the recommendation of the Panel to authorize the issuance of:

1. A Development Permit (DP 13-645286) for the property at 8151 Anderson Road;
be endorsed, and the Permit so issued.


Joe Erceg
Chair, Development Permit Panel

SB:blg

Panel Report

The Development Permit Panel considered the following item at its meeting held on February 25, 2015.

DP 13-645286 – ANDREW CHEUNG ARCHITECTS INC. ON BEHALF OF
684267 B.C. LTD. – 8151 ANDERSON ROAD
(February 25, 2015)

The Panel considered a Development Permit application to permit the construction of a 15-storey high-rise building and a 6-storey mid-rise building with approximately 111 dwelling units and ground level commercial space on a site zoned “Downtown Commercial (CDT1)”. A variance is included in the proposal to use the reduced City Centre Zone 1 residential parking rate.

Architect, Kassra Tavakoli, of Andrew Chung Architects Inc., and Landscape Architect, Alain Lamontagne, of Durante Kruek Ltd., provided a brief presentation regarding the proposal.

- A double row of street trees will be planted within the boulevard and within the property.
- Common amenities will be fully accessible and located on the main podium level, including children play areas, outdoor living spaces, a dining area, a kitchen and lounge area.

In response to Panel queries, Mr. Tavakoli and Mr. Lamontagne:

- The parking podium would be screened with a Public Art component barcode pattern façade that allows for ventilation.
- There will be access to water in the kitchen amenity area on the podium and that there are no planned dedicated gardening areas for residents.
- Hose bibs will be available in the garage area. Dog washing sinks are not available in the garage area; however, the applicant can examine options to add the feature.
- Commercial tenant signage will be allocated to an area above the doors, underneath the glass canopy, and sign guidelines for commercial tenants will be introduced.

Staff spoke of the proposed development and noted the following:

- The site will be serviced by a private geothermal utility for heating and cooling.
- 47 basic universal housing units are included.
- Eight (8) affordable housing units are included and secured through a Housing Agreement.
- The proposed development will meet the City’s aircraft noise mitigation standards.
- Frontage improvements are included along Anderson Road, Buswell Street and a rear lane.
- There will be an inaccessible green roof on the lower portion of the building.
- The comprehensive transportation demand package includes contributions towards future upgrades to traffic signals and crosswalks in the area as well as sidewalk weatherproofing.
- Seven (7) pedestrian benches will be included in front of the site.

In response to Panel queries, staff advised that: (i) a bus mall adjacent to the Brighthouse Station is planned and it is anticipated that buses will be routed to that location; (ii) the affordable housing units meet all City requirements and will be distributed through three (3) floors in the building; (iii) the proposed parking exceeds the City Centre Zone 1 requirements; and (iv) if the site was to proceed through a rezoning, the City Centre Zone 1 parking rates would apply.

Correspondence was submitted to the Panel expressing concern regarding the application.

In response to Panel queries, staff advised that the building height meets existing zoning.

The Panel recommends that the Permit be issued.



City of Richmond

Report to Council

To: Richmond City Council

Date: February 16, 2016

From: Victor Wei
Chair, Development Permit Panel

File: 01-0100-20-DPER1-
01/2016-Vol 01


Re: Development Permit Panel Meetings Held on January 27, 2016 and
February 10, 2016

Staff Recommendation

That the recommendation of the Panel to authorize the issuance of:

1. A Development Variance Permit (DV 15-708883) for the property at 12208, 12222 and 12228 Trites Road;

be endorsed, and the Permit so issued.



Victor Wei
Chair, Development Permit Panel

SB:blg

Panel Report

The Development Permit Panel considered the following item at its meetings held on January 27, 2016 and February 10, 2016.

DV 15-708883 – 0983101 BC LTD. – 12208, 12222 AND 12228 TRITES ROAD
(January 27, 2016 and February 10, 2016)

The Panel considered a Development Variance Permit application to vary the provisions of Richmond Zoning Bylaw 8500 to permit minor projections on all three (3) sites above the residential vertical lot envelopes on sites zoned "Single Detached (RS2/A)".

The application was reviewed at the January 27, 2016 and February 10, 2016 Panel meetings.

At the January 27, 2016 meeting, the applicant requested a variance to permit maximum building height "residential vertical lot width envelope" and "residential vertical lot depth envelope" to be measured from the required Flood Construction Level (2.9 m GSC).

Rod Lynde, of Lynde Designs Ltd., provided a brief presentation on the proposal, noting that:

- (i) the site was previously rezoned and subdivided into three (3) single-family lots;
- (ii) the variance to measure building height from the flood construction level, rather than finished site grade, would allow greater design flexibility related overall building height and roof forms;
- and (iii) without the variance, the proposed two-storey homes would need significant changes (i.e. to inset second floor).

In response to Panel queries, Mr. Lynde advised:

- Without the variance, the second floor would be reduced in area.
- In the site specific zoning of the property to the east, building height is measured from the flood construction level.
- The design of the homes is the same as shown at rezoning (form, character, height and elevation remain the same).
- A retaining wall on the south property line will accommodate a grade change of 0.9 m, and a fence will be installed on the retaining wall.

In response to Panel queries, staff noted that the adjacent existing homes were built prior to the new flood construction elevation levels, and that new homes in the neighbourhood will rebuild at a higher level (measured from the averaged finished site grade and meeting the 2.9 m flood construction level requirements). Options to adjust the building heights could be considered; including reduced roof pitch, and lowering the 10 ft. ceiling height on the first floor.

No correspondence was submitted to the Development Permit Panel regarding the application.

A neighbour, Brittany Folks, addressed the Panel, asking whether the height variance would negatively impact the privacy of her home and yard.

The Chair noted that some adjustments could be considered to reduce the variance with respect to lower ceilings and different rooflines, and that he was unwilling to support the application as presented, given some anomalies in the information provided.

The Panel referred the application back to staff to:

- “1. work with the applicant to reconcile anomalies in their information and clarify details related to the application;*
- 2. examine the feasibility of minimizing the variance without completely changing the design (i.e. adjusting the roof lines of the homes); and*
- 3. report back to the February 10, 2016 Development Permit Panel meeting.”*

At the February 10, 2016 meeting, the applicant requested reduced variances to permit projections on all three (3) sites above the residential vertical lot envelopes with a lower overall building height that complies with the maximum 9 m building height requirement measured from finished site grade.

Mr. Lynde confirmed that revisions had been made to the proposal to reduce the building heights and roof massing, noting that changes included using shallower roof pitches and lowering the building's interior ceiling heights. He added that variances were still required to accommodate some minor projections into the residential vertical envelopes, but these projections provide visual interest and building articulation that improve the house design.

Staff recognized the applicant's response to the Panel referral, noting that the revised building designs comply with the 9 m maximum building height requirement measured from finished site grade and the projections above the building envelopes added visual interest and character.

In reply to Panel queries, Mr. Lynde and Mr. Zhang advised that:

- Eliminating the roof gables would flatten the roofs.
- The revised proposal complied with the 9 m building height requirement.
- The landscape design followed the requirement for a Japanese garden theme.
- Changing a small tree on the corner lot to a larger size tree could be considered.

No correspondence was submitted to the Development Permit Panel regarding the application.

A neighbour, Lee Folks, addressed the Panel and asked whether a sidewalk at the property line was typical and whether the bus stop would return when construction was completed.

In response to Panel queries, staff advised that: (i) the typical design standard includes a sidewalk at the property line with a grass and tree boulevard; (ii) the City will maintain the sidewalk and the owners will maintain the boulevard; and (iii) Mr. Folks was welcome to review the Servicing Agreement drawings with staff; which include the bus stop, trees and driveways.

Subsequent to the Panel meeting, the applicant increased the caliper size of three (3) Japanese Maple trees on the corner lot from 6 cm to 10 cm, enhancing the required Japanese theme along Moncton Street.