



Planning Committee

**Anderson Room, City Hall
6911 No. 3 Road**

**Tuesday, February 16, 2016
4:00 p.m.**

Pg. # ITEM

MINUTES

PLN-3

*Motion to adopt the **minutes** of the meeting of the Planning Committee held on February 2, 2016.*



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)

PLN-14

See Page PLN-14 for full report

Designated Speaker: Alan Hill

STAFF RECOMMENDATION

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



Pg. # ITEM

PLANNING AND DEVELOPMENT DIVISION

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

PLN-29

See Page PLN-29 for full report

Designated Speaker: Wayne Craig

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.

3. **PROVINCIAL GOVERNMENT LEGISLATION OF THE BUILDING ACT**
(File Ref. No.) (REDMS No. 4913560)

PLN-53

See Page PLN-53 for full report

Designated Speaker: Gavin Woo

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.

4. **MANAGER’S REPORT**

ADJOURNMENT



Planning Committee

Date: Tuesday, February 2, 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 January 19, 2016, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

February 16, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

DELEGATION

1. (1) Daylene Marshall and De Whalen, Richmond Community Services Advisory Committee (RCSAC), briefed Committee on the report prepared by the Richmond Poverty Response Committee regarding municipal responses to child and youth poverty, highlighting the following:

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- the municipal response focused on Metro Vancouver municipalities and a comparative study of municipal responses to subsidies, housing, childcare, food security, health, transportation and recreation;
- some municipalities in the study have adopted a coordinated approach to address child and youth poverty;
- approximately 22% of Richmond's population is considered to be living in poverty;
- the report includes recommendations for the City to address issues related to child and youth poverty; and
- the Province has not implemented a poverty reduction plan.

In reply to queries from Committee Ms. Marshall noted that (i) Richmond's poverty rate was calculated using Richmond's population, (ii) the BC Integrated Youth Services Initiative receives funding from the Province, and (iii) Richmond School District No. 38 is a member of RCSAC and that RCSAC encourages more involvement from the District.

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

It was moved and seconded

That the report on Municipal Responses to Child and Youth Poverty, from the Richmond Community Services Advisory Committee, be received for information and be referred to staff for comment and report back.

The question on the referral was not called as discussion ensued with respect to the Provincial response on the matter.

The Chair noted that since 2004, the Union of British Columbia Municipalities (UBCM) has passed seven resolutions related to poverty reduction.

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

Claire Smyth, 4500 Westwater Drive, and Jenny Tune, 11291 7th Avenue, spoke on child and youth poverty and read from a submission from Fran Mitchell, Canadian Federation of University Women - Richmond President (copy on file, City Clerk's Office).

Trish Garner, Community Organizer, BC Poverty Reduction Coalition, spoke on the RCSAC Report on Municipal Responses to Child and Youth Poverty and read from her submission (attached to and forming part of these minutes as Schedule 1).

In reply to queries from Committee, Cathryn Volkering Carlile, General Manager, Community Services noted that staff can provide an update on programs available for transit assistance for low income individuals.

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Deanna Ogle, First Call Child and Youth Advocacy Coalition, commented on child and youth poverty in the city, noting of the importance of advocating to senior levels of government on matters related to poverty reduction. Also, she was of the opinion that the City can take steps to address poverty by (i) committing to become a living wage employer, (ii) continuing programs supporting non-profit childcare providers, and (iii) expanding recreation services subsidies for low income families.

- (2) Ms. Marshall and Ms. Whalen spoke on the BC Rent Supplement Survey for Richmond residents, noting that (i) the criteria to qualify for rental assistance is narrow, (ii) rent receipts are required to apply for rental assistance, (iii) raising income ceilings and ability to combine subsidies will aid low income individuals with housing, and (iv) the RCSAC is recommending that the letter and report be sent to the Honourable Linda Reid, MLA Richmond East and the Honourable Premier Christy Clark.

In reply to queries from Committee, Ms. Carlile advised that there have been submissions to UBCM on the matter.

In reply to queries from Committee, Ms. Whalen noted that landlords are required to issue rent receipts. She added that secondary suites and laneway housing are considered market housing and tenants of those housing types could apply for rental assistance.

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

It was moved and seconded

That the report on the BC Rent Supplement Survey for Richmond Residents, from the Richmond Community Services Advisory Committee, be received for information and be referred to staff for comment and report back.

The question on the referral was not called as discussion ensued with regard to advocating to senior levels of government.

It was encouraged that the RCSAC continue their advocacy efforts to senior levels of government on the issue of rental assistance.

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

James Caspersen, representing the Richmond Drop in Centre, spoke on rental housing and read from his submission (attached to and forming part of these minutes as Schedule 2).

COMMUNITY SERVICES DIVISION

2. CHILD CARE DEVELOPMENT ADVISORY COMMITTEE 2015 ANNUAL REPORT AND 2016 WORK PROGRAM

(File Ref. No. 07-3070-01) (REDMS No. 4873846 v. 5)

It was moved and seconded

That the Child Care Development Advisory Committee's 2015 Annual Report and 2016 Work Program be approved.

CARRIED

3. RICHMOND SENIORS ADVISORY COMMITTEE 2015 ANNUAL REPORT AND 2016 WORK PROGRAM

(File Ref. No. 07-3400-01) (REDMS No. 4879276 v. 3)

Sean Davies, Acting Community Facilities Coordinator, advised that the Newcomers Guide is available in English and four additional languages.

It was moved and seconded

That the Richmond Seniors Advisory Committee 2015 Annual Report and 2016 Work Program be approved.

CARRIED

PLANNING AND DEVELOPMENT DIVISION

4. PROPOSED AMENDMENTS TO THE DOWNTOWN COMMERCIAL (CDT1) ZONE

(File Ref. No. 08-4430-01; 12-8060-20-009284) (REDMS No. 4762142 v. 7)

Wayne Craig, Director, Development spoke on the proposed amendments to the downtown commercial zoning, noting that (i) approximately 111 sites are zoned CDT1, (ii) development of CDT1 may occur through a development permit, and (iii) proposed amendments will clarify density calculations and enhance the ability for the City to secure required road dedication on sites that do not require rezoning.

In reply to queries from Committee, Mr. Craig noted that (i) only some sites may proceed to develop through the rezoning process, (ii) CDT1 zone was amended previously to provide a density bonus to secure affordable housing, and (iii) securing road dedication provides more long-term benefits for the City compared to securing roads and lanes via a statutory right-of-way.

In reply to queries from Committee, Joe Erceg, General Manager, Planning and Development, noted that only a development permit is required to develop pre-zoned sites and that the approval of a development permit is subject to compliance with the City's development permit guidelines.

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Discussion ensued with regard to the affordable housing threshold requirements in relation to the number of units in new developments. Mr. Craig advised that staff will examine thresholds for affordable housing as part of the Affordable Housing Strategy update.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9284 to amend the "Downtown Commercial (CDTI) Zone" be introduced and given first reading.

CARRIED

5. **PROPOSED ZONING BYLAW HOUSEKEEPING AMENDMENTS**

(File Ref. No. 08-4430-01; 12-8060-20-009488/9490) (REDMS No. 4745861 v. 12)

Tina Atva, Development Coordinator, spoke on the proposed Zoning Bylaw Housekeeping Amendments, noting that the bylaws are grouped into four categories and the amendments will make the Bylaw easier to understand by users.

In reply to queries from Committee, Mr. Craig noted that the changes to single-family zoning updated in the past year are included in the housekeeping amendments so the same regulations apply to all site specific single-family zoning districts.

It was moved and seconded

(1) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9490 to make housekeeping amendments be introduced and given first reading; and*

(2) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9488 to amend the height regulations for site-specific single family residential zones be introduced and given first reading.*

The question on the motion was not called as discussion ensued with respect to the proposed Zoning Bylaw Housekeeping Amendments.

Linda Terborg, 5860 Sandpiper Court, expressed concern with regard to the language used in the proposed Zoning Bylaw Housekeeping Amendments and was of the opinion that the proposed amendments will create confusion.

Kathryn McCreary, 7560 Glacier Crescent, expressed concern that allowances noted in the proposed Zoning Bylaw Housekeeping Amendments may differ from the allowances provided for special zones in the city.

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In reply to queries from Committee, Mr. Craig advised that the proposed Zoning Bylaw Housekeeping Amendments would take the bylaw changes Council adopted in 2015 related to single-family development and apply those amendments to all the site-specific single-family zones. He added that should the proposed amendments proceed to Public Hearing in March 2016, notification would be done through newspaper advertisements and the City's website.

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

6. **APPLICATION BY SKYHIGH CONSTRUCTION LTD. FOR REZONING AT 4211 AND 4231 PENDLEBURY ROAD FROM "TWO-UNIT DWELLING (RD1)" TO "SINGLE DETACHED (RS2/B)"**

(File Ref. No. RZ 14-663202; 12-8060-20-009285) (REDMS No. 4675946)

Mr. Craig briefed Committee on the proposed application, noting that the applicant has undertaken extensive measures to retain a mature tree on-site.

In reply to queries from Committee, Mr. Craig noted that the site currently has a duplex and the proposed application will permit the property to be subdivided into two single-family lots.

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9285, for the rezoning of 4211 and 4231 Pendlebury Road from "Two-Unit Dwelling (RD1)" to "Single Detached (RS2/B)," be introduced and given first reading.

CARRIED

7. **APPLICATION BY JASPREET CHUNG TO DISCHARGE THE LAND USE CONTRACT AT 9420 PARKSVILLE DRIVE**

(File Ref. No. LU 15-717343; 12-8060-20-009517) (REDMS No. 4885911)

It was moved and seconded

That Richmond Land Use Contract 009 Discharge Bylaw No. 9517, to discharge "Land Use Contract 009" from the title of 9420 Parksville Drive, be introduced and given first reading.

CARRIED

8. **APPLICATION BY HARDEEP BHULLAR FOR REZONING AT 11971 DEWSBURY DRIVE FROM SINGLE DETACHED (RS1/E) TO COMPACT SINGLE DETACHED (RC2)**

(File Ref. No. RZ 15-705925; 12-8060-20-009515/9525) (REDMS No. 4877664)

It was moved and seconded

(1) That Official Community Plan Bylaw 9000, Amendment Bylaw 9525, proposing a text amendment to Section 3.6.3, Objective 4, B. Aircraft Noise Sensitive Areas, be introduced and given first reading;

6.

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- (2) *That Official Community Plan Bylaw 9000, Amendment Bylaw 9525, having been considered in conjunction with:*
- (a) *the City's Financial Plan and Capital Program; and*
 - (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;*
- is hereby found to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act;*
- (3) *That Bylaw 9525, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, be referred to the Vancouver International Airport Authority after first bylaw reading, for formal comment before the Public Hearing on March 21, 2016; and*
- (4) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9515, for the rezoning of 11971 Dewsbury Drive from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.*

CARRIED

9. **MANAGER'S REPORT**

(i) *No. 5 Road Backlands Information Meeting*

Terry Crowe, Manager, Policy Planning, briefed Committee on a No. 5 Road Backlands Information meeting hosted by the City on January 27, 2016, noting that (i) approximately 50 people attended, (ii) the City emphasized that no land will be expropriated, (iii) interest was expressed by some property owners for the option to have the City farm their portion of the Backlands, and (iv) should the proposed policy proceed, staff will provide a memorandum to Council on the matter prior to the Public Hearing.

Discussion ensued with regard to (i) alternative options to use less land to develop the proposed farm access road along the Backlands, (ii) the effect of the proposed George Massey Tunnel Replacement (GMTR) Project and expansion of Highway 99 on the No. 5 Road Backlands, (iii) providing opportunities for property owners to farm the Backlands, and (iv) expanding Highway 99 along its east-side.

In reply to queries from Committee, Mr. Erceg noted that the City can explore compensation options for farm management of the Backlands and discuss farm road options with property owners.

Discussion then ensued with respect to the role of property owners to farm the Backlands and support from the Agricultural Land Commission (ALC) on the matter.

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(ii) Application by Onni Development (Imperial Landing) Corp.

Mr. Craig advised that Onni will be undertaking public consultation on the proposed rezoning application for the Bayview Street site. He added that Onni will host four information sessions on February 18, 20, 25 and 27, 2016 and that City staff will receive a summary of the consultation process. Also, he noted that Onni will be advertising the information session through mail and newspaper advertisements.

Discussion ensued with regard to (i) reviewing the proposed amenity package, (ii) the proposed mix of retail space, office space, and Maritime Mixed Use on the site, and (iii) Onni's independent consultation process.

In reply to queries from Committee, Mr. Erceg noted that staff will not be present at Onni's information sessions.

As a result of the discussion, staff were directed to provide Council with information summarizing the proposed application by Onni on the Bayview Street site.

(iii) Landsdowne Development

In reply to queries from Committee regarding the proposed Landsdowne development, Mr. Craig noted that staff are reviewing a proposed rezoning application for a site opposite Landsdowne Mall, along No. 3 Road. He added that for the Landsdowne site itself, there is currently no rezoning application, however, the applicant has submitted an Official Community Plan (OCP) amendment application to develop a master plan consistent with the City Centre Area Plan, and that master plan would be presented to Council in the future.

In reply to queries from Committee, Mr. Erceg advised that staff can provide information on proposed Landsdowne master plan initiatives.

(iv) Soil Fill Activities in East Richmond

In reply to queries from Committee, Mr. Erceg noted that Community Bylaws staff can provide an update on the on-going soil fill activities in east Richmond.

(v) Vacant Homes

In reply to queries from Committee, Ms. Carlile noted that staff are arranging for a presentation by Chimo Community Services on their work with vacant homes in the city.

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ADJOURNMENT

It was moved and seconded
That the meeting adjourn (5:32 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 2, 2016.

Councillor Linda McPhail
Chair

Evangel Biason
Legislative Services Coordinator

Schedule 1 to the Minutes of the Planning Committee meeting of Richmond City Council held on Tuesday, February 2, 2015.

**Presentation in Support of
RCSAC Report on Municipal Responses to Child/Youth Poverty**

Trish Garner, BC Poverty Reduction Coalition
February 2, 2016

I'm Trish Garner, Community Organizer with the BC Poverty Reduction Coalition, of which the Richmond Poverty Response Committee is an active member. Thank you for the opportunity to speak in support of this critical report. It speaks to the Council's commitment that they commissioned the report, and I want to recognize the comprehensive work of the Richmond Poverty Response Committee in reviewing existing programs and providing strong recommendations.

Canada, and by implication, all jurisdictions within it, has signed on to the International Covenant on Social, Economic and Cultural Rights, which promise "an adequate standard of living for all, including adequate food, clothing and shelter."

Last year, I was running a workshop in Richmond and met Clay Tang with Chimo. He told me about taking a teenager to the food bank for the first time, and that the boy had been most excited about taking back to his Mom, not food, but toilet paper.

Clearly, we're not fulfilling our human rights commitments, but this path outlined here continues the journey in the right direction. A human rights perspective to anti-poverty work is critical because it puts the dignity of all people at the heart.

I wholeheartedly support the recommendations within this report. First, I have an overall comment and then some more targeted notes. The significant feature of these recommendations is that they have two areas of focus: what the City can do; and the role of the City in advocating to senior levels of government. The second is critical given that, while the issues are felt within the community, the higher levels of government have the real means to make systemic change in tackling root causes; and this is highlighted within the report.

In relation to targeted comments, I will focus on transit because, as you read within the report, no other Metro Vancouver municipality has any programs in relation to transit so there is a leadership role for Richmond to play in providing a low income transit program. Cranbrook is the only city in BC to provide such a program but there are examples in Seattle and Calgary.

A low income transit program could also be connected to existing leisure access services so that there are less barriers for low-income people in accessing these programs. Calgary has taken this approach to provide one point of access for all their low-income services and programs. (In relation to the Councillor's earlier question about involving the School Board, there is also an opportunity here to connect these programs to a school activity fee waiver program. These fees impact low-income families and, despite saying on forms that families can opt out if they disclose their low-income status, we know that families often don't because of shame.)

In conclusion, there are human rights arguments for this approach, moral arguments that this is the right thing to do, but also very strong economic arguments that this saves money in the long run. Thank you.

Schedule 2 to the Minutes of the
Planning Committee meeting of
Richmond City Council held on
Tuesday, February 2, 2015.

TO: MAYOR & EACH
COUNCILLOR
FROM: CITY CLERK'S OFFICE

Speaker: James Caspersen

Organization: Richmond Drop in Centre

To Feb 2, 2016 Planning
Item # 1.

Home Address: #310 1965 W 8th ave, Vancouver Contact: jamesc@stalbansrichmond.org

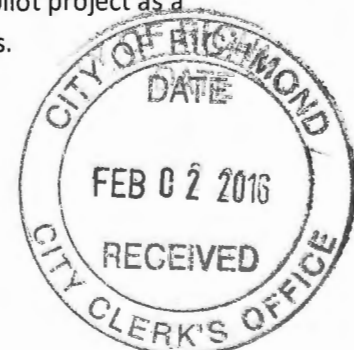
Through a year and a half with the Richmond Drop in Centre, I have encountered dozens of individuals seeking housing in the Richmond private rental market. For a typical individual on Income Assistance of \$610 a month, \$375 of which is intended for rent, this greatly limits the number and types of units available. No clients in my experience have been able to secure a place on their own, which most report preferring. Instead, they have to live with roommates. This inherently denies them of the freedom of choice in where and how to live, and makes further treatment of any underlying physical or mental health issues difficult.

There are limited subsidies available through Vancouver Coastal Health via the Mental Health Team, the Homeless Prevention Program, through higher income assistance programs, such as the Persons with Disabilities benefit, and through BC housing, such as SAFER. However, the eligibility criteria, limited time of the subsidies, and low availability of some subsidies keep them out of reach of most clients, and are further limited by programs like SAFER excluding those who collect income assistance. For those who are fortunate enough to receive a VCH or Homeless Prevention Program subsidy, the time is usually limited to 6 months to a year, which is not enough time to make significant changes to help these clients not need the subsidy in the future, and can put them at risk of becoming homeless again.

There are also unluckier clients, such as a middle aged female who does not present with mental health challenges severe enough to warrant a VCH subsidy, and does not fall into the HPP criteria of fleeing violence, being a youth transitioning from foster care, being discharged from an institution, or aboriginal. Her age and physical health also mean she cannot collect SAFER or Persons with Disabilities benefits. She is currently homeless, and any housing searches she attempts are a constant decision making process about which of the things she wants in a home she is willing to live without, which does not provide a supportive environment for making any other changes in her life. As of last week, we count 53 clients in this situation of not meeting criteria.

I am hoping the planning committee will be encouraged to explore options for subsidies to be made available for Richmond residents in this situation. There is good evidence that supports the use of subsidies for individuals like this, if they are made available broadly and have a longer time period of up to three years. The evidence also shows that these are a cost effective option when compared to the cost of an individual experiencing chronic homelessness on the health, justice, and social services systems. This is also a key recommendation made by Dena Kae Beno through the report titled "Examining Emergency Shelter and Transitional Housing Options" presented to this committee in May of last year, which identifies the potential development of a Cooperation Agreement for a pilot project as a way to make these subsidies available to vulnerable Richmond residents for up to 3 years.

Thank you for your attention to this important issue.





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 Planning and Development Division

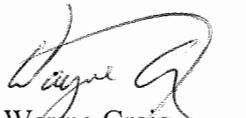
To: Planning Committee
From: Wayne Craig
Director of Development

Date: January 27, 2016
File: 10-6350-00

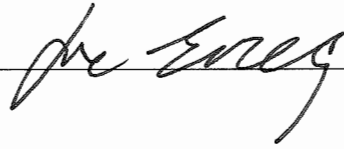
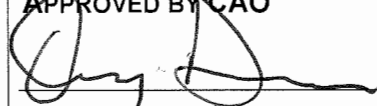
Re: Arterial Road Policy Updates

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.

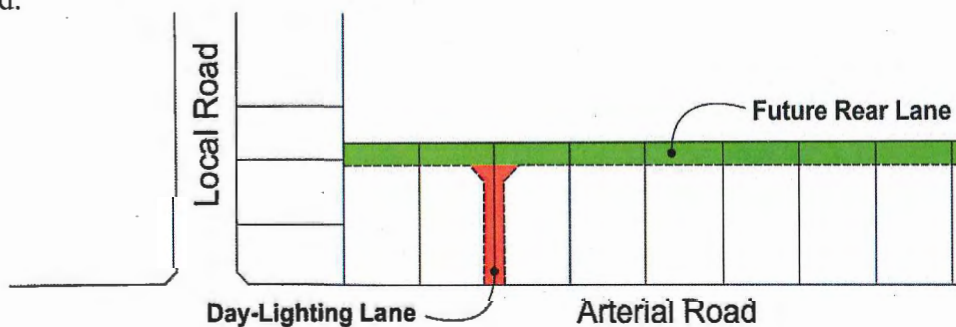
Arterial Road Compact Lots

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

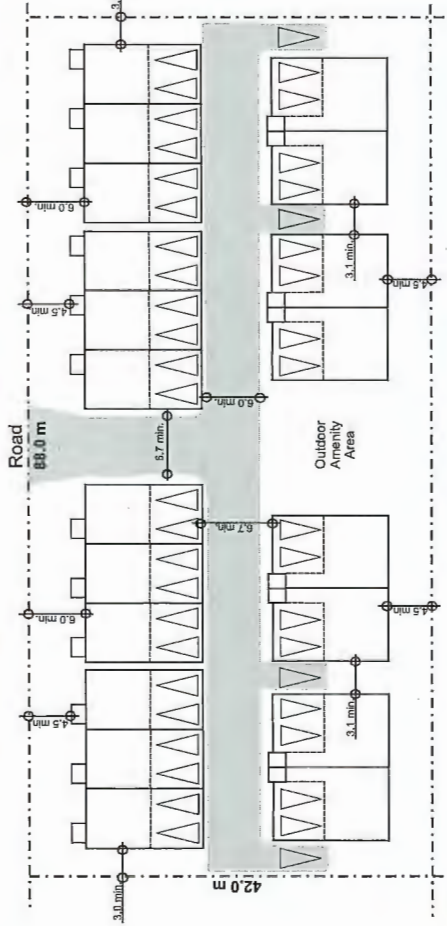
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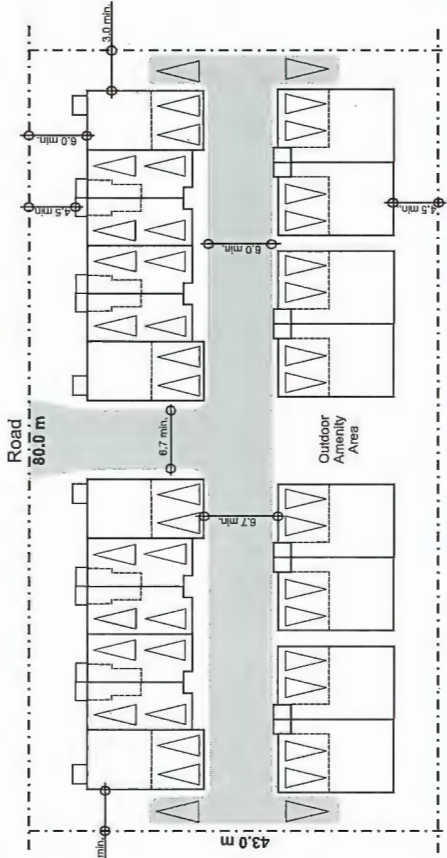
- Att. 1: Arterial Road Townhouse Development
- Att. 2: Arterial Road Compact Lot Development
- Att. 3: Arterial Road Duplex/Triplex Development
- Att. 4: Proposed Arterial Road Development Map
- Att. 5: Proposed Arterial Road Lane Network
- Att. 6: Proposed Compact Lot & Row House Development Map
- 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

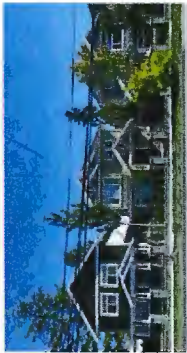


PLN - 43

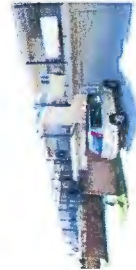
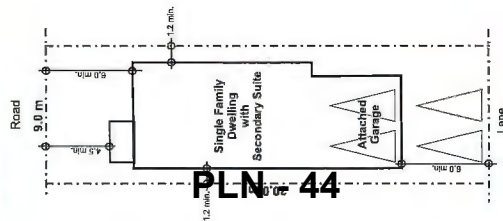


Arterial Road Compact Lot Development

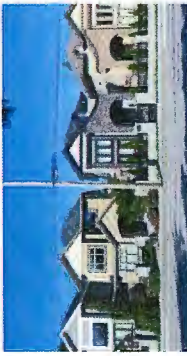
Arterial Road Compact Lot Single Detached



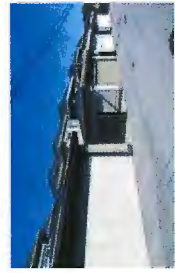
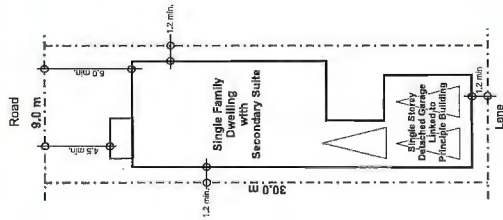
Type I — Single Detached Dwelling with Attached Garage



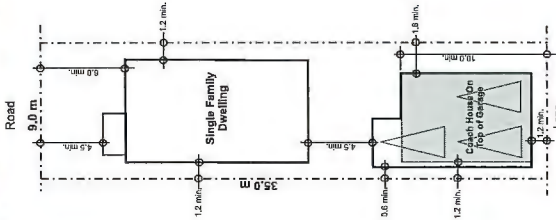
Arterial Road Compact Lot Single Detached



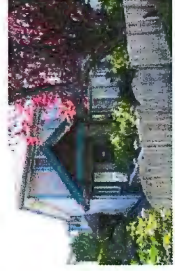
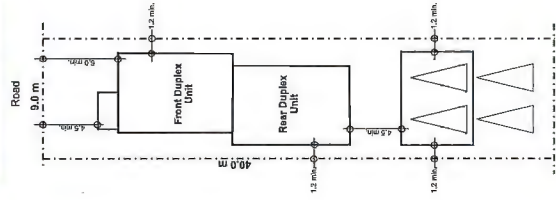
Type II — Single Detached Dwelling with Garage Linked to the Principal Building



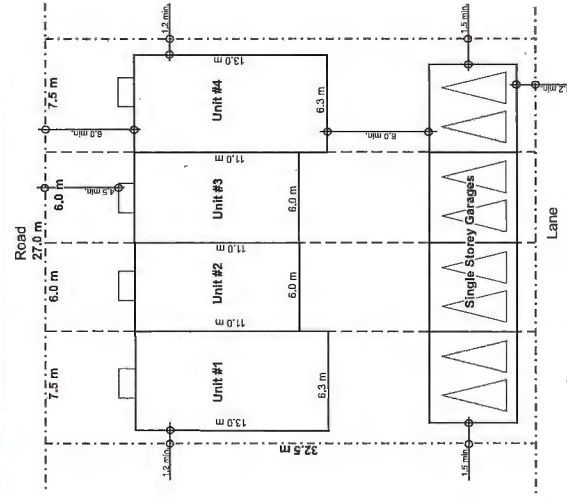
Arterial Road Compact Lot Coach House



Arterial Road Compact Lot Duplex

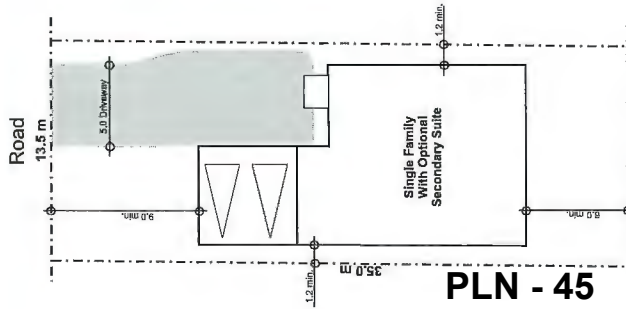


Arterial Road Row House

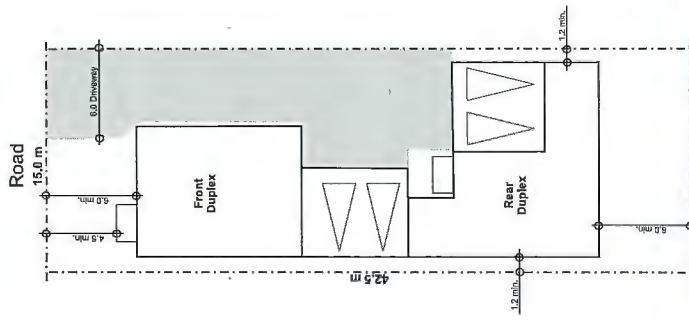


Arterial Road Duplex/Triplex Development

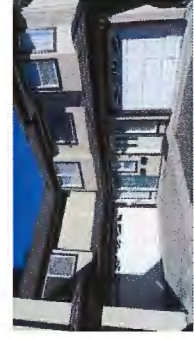
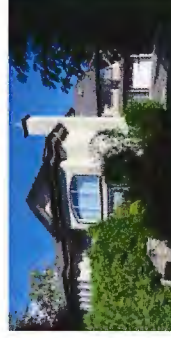
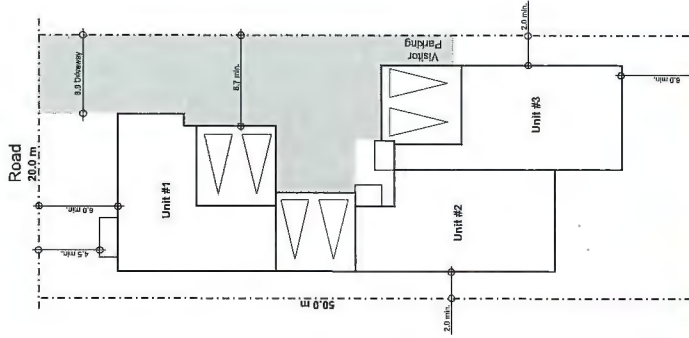
Arterial Road Single Detached



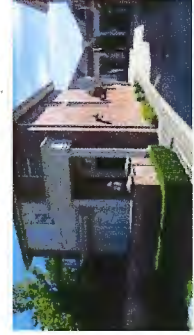
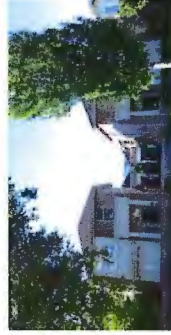
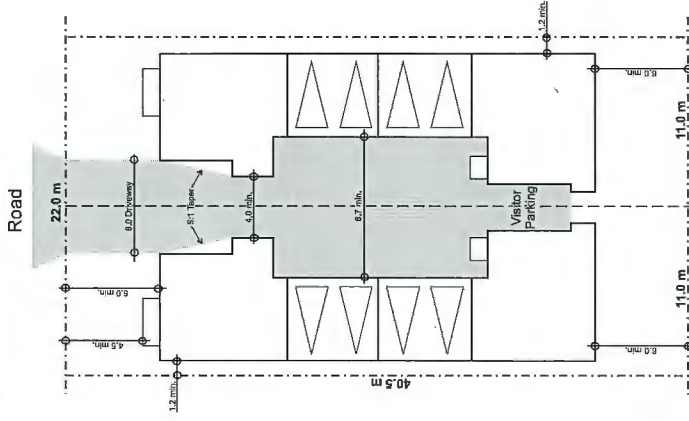
Arterial Road Duplex



Arterial Road Triplex

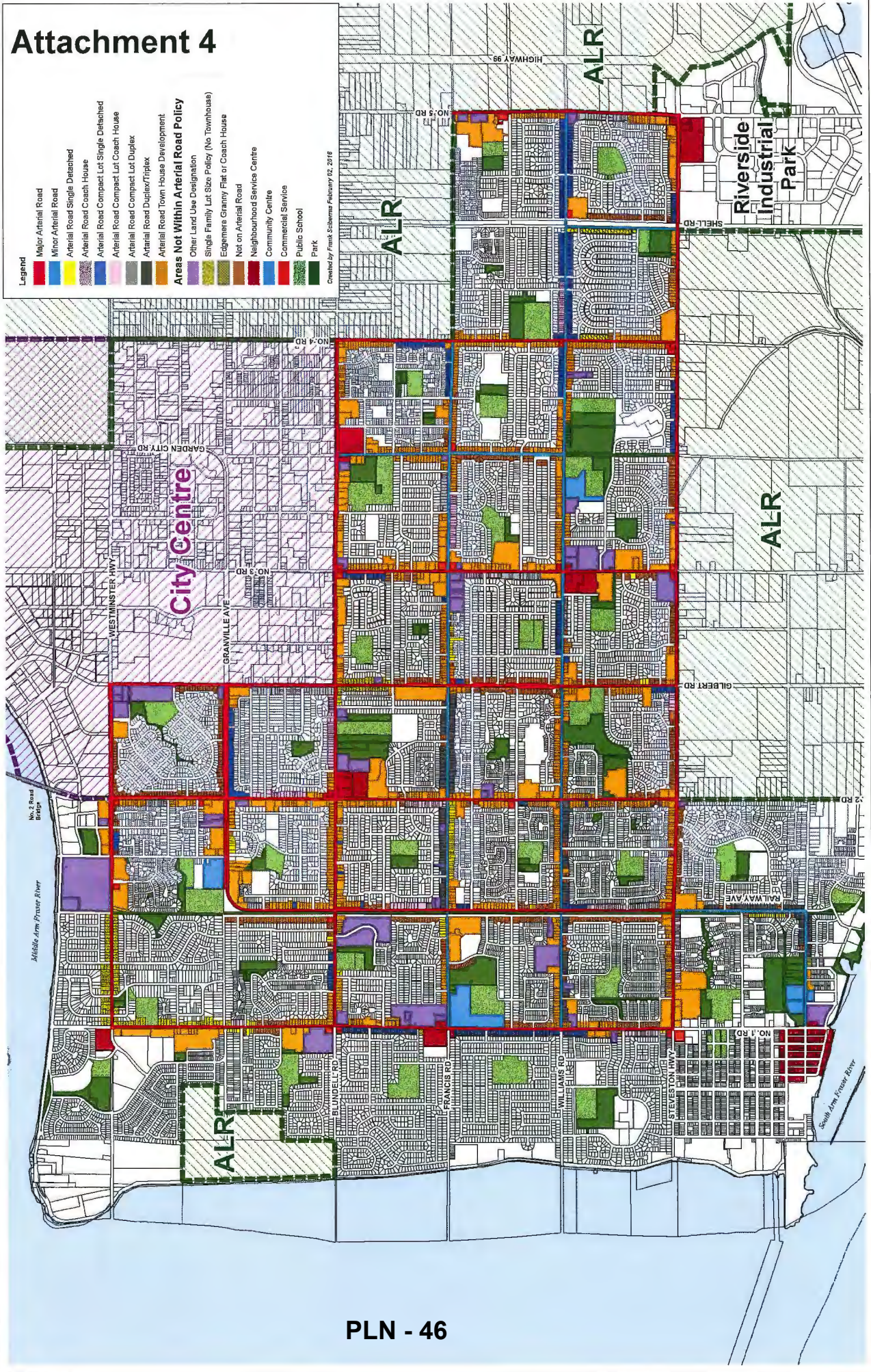


Arterial Road Duplex Lots with Shared Driveway

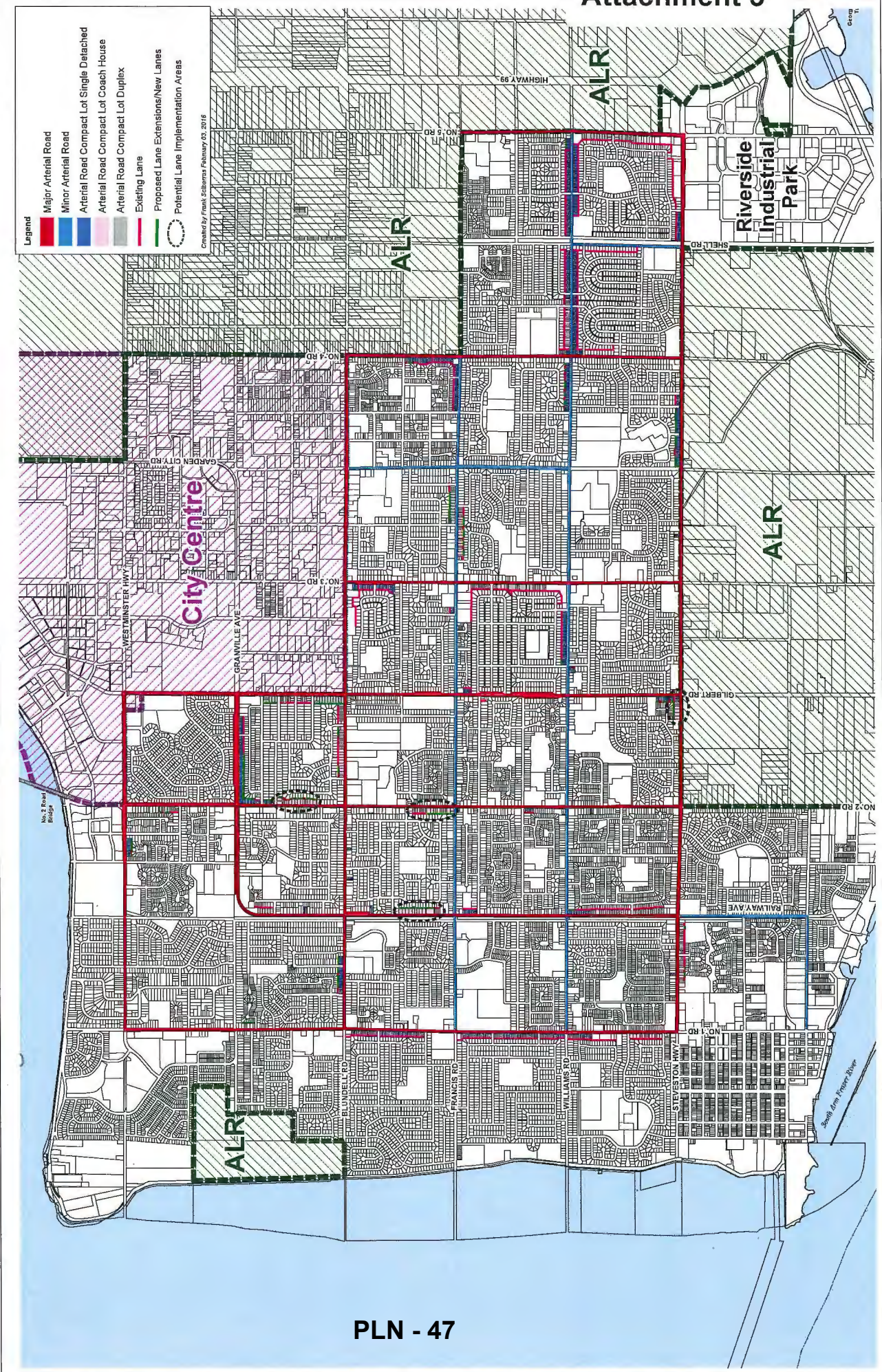


Arterial Road Policy Update - Arterial Road Development

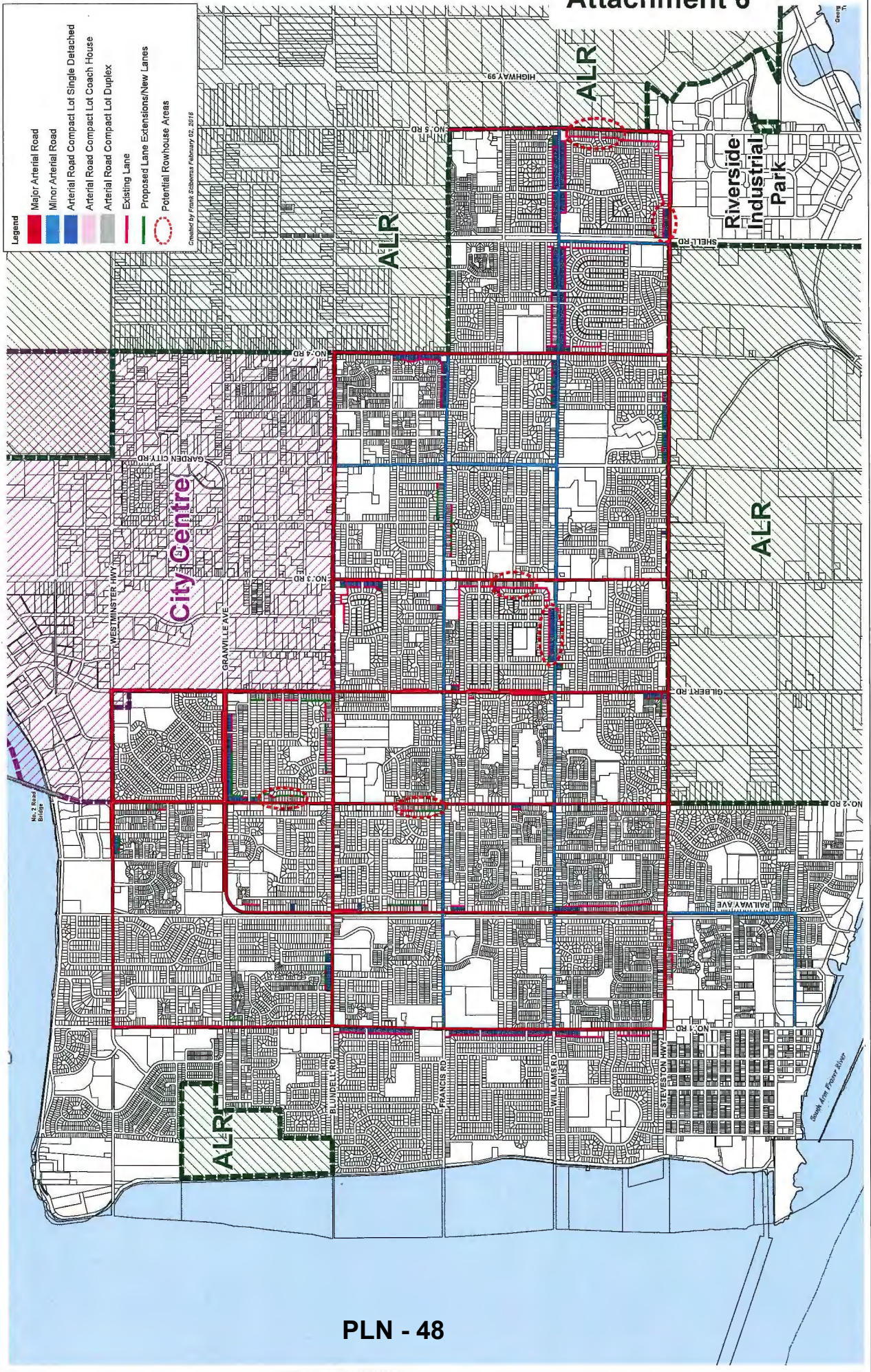
Attachment 4



Arterial Road Policy Update - Lane Network



Arterial Road Policy Update - Compact Lot & Row House Development



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 Sabornie February 02, 2018

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



To: Planning Committee **Date:** January 20, 2016
From: Gavin Woo, P. Eng. **File:**
Senior Manager, Building Approvals
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 Development Applications	<input checked="" type="checkbox"/> <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.

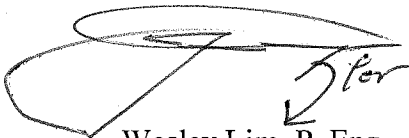
Individual applicants are also permitted to write to the Province to request building regulation variations for specific projects. While the City currently has procedures in place for applicants to apply for Alternative Solutions for non-Code conforming items, we anticipate the provisions of the Act 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

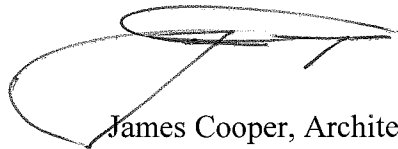
None.

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.



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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.