



**REPORT TO THE ELECTORAL AREA SERVICES COMMITTEE
MEETING OF 02 MARCH 2011**

SUBJECT: Bylaw No. 3741 “Building Regulation Bylaw No. 5, 2010” Review and Amendments

ISSUE:

Amendments to Building Regulation Bylaw No. 2990 were introduced in Bylaw No. 3741 and further amendments are being made as directed by the Committee in response to public input prior to recommending adoption of the Bylaw.

BACKGROUND:

Proposed amendments to the Building Regulation Bylaw have been under consideration for some time given a number of recent changes to the BC Building Code. Section 694(1) of the *Local Government Act* and Section 53 of the *Community Charter* make it necessary to provide for the administration of the BC Building Code. Bylaw No. 3741 was introduced and given first, second and third readings by the CRD Board on October 13, 2010. Subsequent to the introduction of the bylaw, a public engagement process was undertaken including advertising and email correspondence informing the public and stakeholders of the opportunity to comment on the bylaw. In addition, three public consultation workshops were held on Salt Spring Island, Pender Island and Galiano Island.

Following the public consultation, staff provided a verbal update to the Electoral Area Services Committee on February 2, 2011 at which time staff was directed to make further amendments to Bylaw No. 3741. The revisions, as directed by the Committee, are included as highlighted in the revised version of Bylaw No. 3741 attached.

ALTERNATIVES:

1. That third reading of Bylaw No. 3741 “Building Regulation Bylaw No. 5, 2010” be rescinded and that Bylaw No. 3741 be amended, and read a third time and be adopted as amended.
2. Refer the Bylaw back to staff with direction to make further amendments.

FINANCIAL IMPLICATIONS/LIABILITIES:

Building Inspection division operates in four separate offices to enable inspections across the Capital Region to allow property owners, contractors, real estate agents and a variety of professionals to have reasonable access to information.


The proposed increase in building permits fees and amendments to the building regulation are necessary to increase the recovery rate for Building Inspection division.

The BC Building Code related amendments in Section 694(1) of the *Local Government Act* and Section 53 of the *Community Charter* make it necessary to provide proper administration and reduce legal liabilities.

RECOMMENDATION

The Electoral Area Services Committee recommends to the Capital Regional District Board:

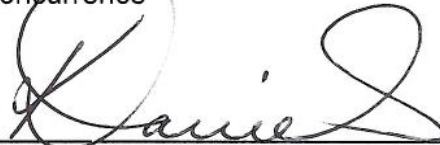
1. That third reading of Bylaw No. 3741 "Building Regulation Bylaw No. 5, 2010" be rescinded.
2. That Bylaw No. 3741 "Building Regulation Bylaw No. 5, 2010" be amended as outlined in Attachment No. 1.
3. That Bylaw No. 3741 "Building Regulation Bylaw No. 5, 2010" be read a third time as amended and be adopted.



Robert Gutierrez
Manager Building Inspection



Robert Lapham, MCIP
General Manager Planning & Protective Services
Concurrence



Kelly Daniels
Chief Administrative Officer
Concurrence

Attachment: 1