



REGIONAL DISTRICT OF BULKLEY-NECHAKO
SUPPLEMENTARY AGENDA

THURSDAY, JULY 21, 2022

<u>PAGE NO.</u>	<u>DEVELOPMENT SERVICES</u>	<u>ACTION</u>
	<u>ALR Application</u>	
2-9	Maria Sandberg, Planning and Parks Coordinator - ALR Non-Farm Use Application No. 1247	Recommendation
	<u>Other</u>	
10-15	Provincial Response to June 1, 2022 Letter re: Step Code	Receive

NEW BUSINESS

ADJOURNMENT

To: Chair Thiessen and Board of Directors
From: Maria Sandberg, Planning and Parks Coordinator
Date: July 21, 2022
Subject: ALR Non-Farm Use Application No. 1247

RECOMMENDATION:

(all/directors/majority)

That Agricultural Land Reserve Application No. 1247 be recommended to the Agricultural Land Commission for approval.

EXECUTIVE SUMMARY

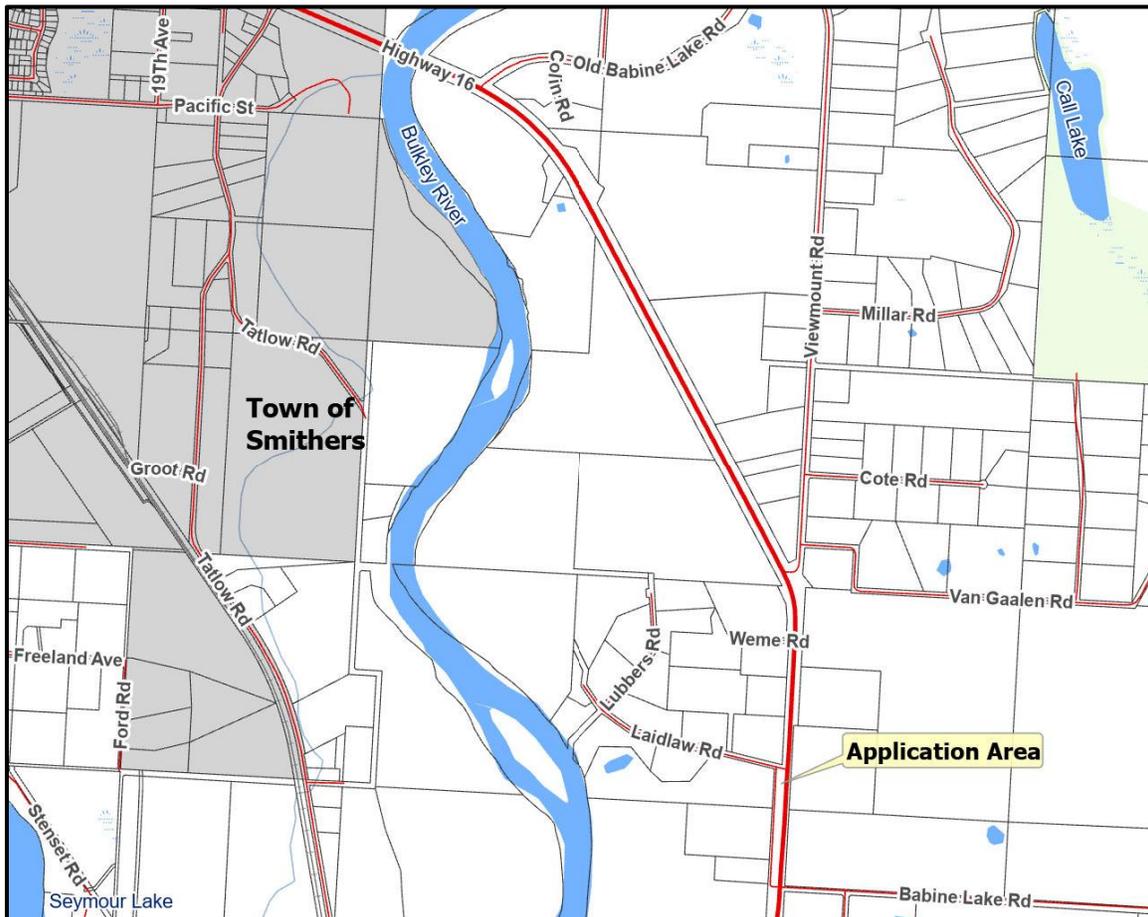
This application is requesting Agricultural Land Commission (ALC) approval to develop a rest stop with associated infrastructure such as an information kiosk and an underground water tank for firefighting purposes, between the Cycle16 trail and Laidlaw Frontage Rd. The non-farm use application area is 1,582 m² in size.

Staff support the application and recommend that the application be forwarded to the ALC with a recommendation to support.

APPLICATION SUMMARY

Name of Agent/Owner:	RDBN/Ministry of Transportation and Infrastructure
Electoral Area:	A
Subject Property:	Highway 16 right-of-way
Property Size:	n/a
OCP Designation:	Agricultural (AG) in "Regional District of Bulkley-Nechako Smithers Telkwa Rural OCP Bylaw No. 1704, 2014"
Zoning:	Agriculture (Ag1) in the "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020 (the Zoning Bylaw)"
Existing Land Use:	Bus stop/Highway right-of way
Location:	Laidlaw Frontage Rd, 2 km southeast of the Town of Smithers
Non-Farm Use Area:	1,582 m ²

Map



PROPOSAL

This application is requesting Agricultural Land Commission (ALC) approval of a rest stop with associated infrastructure such as an information kiosk, a bike rack, signage, bench and a picnic table as well as the installation of an underground 10,000-gallon water tank as part of Phase 1 of the Cycle 16 trail. The non-farm use application area is 1,582 m² in size.

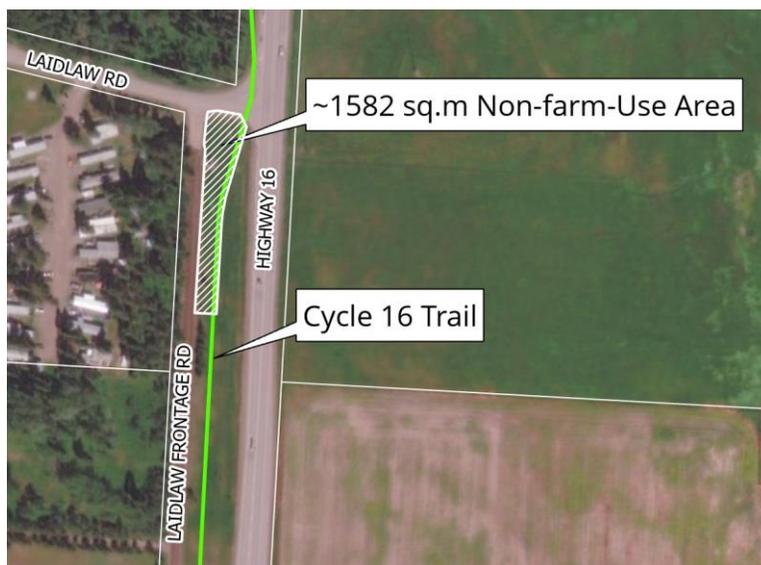
DISCUSSION

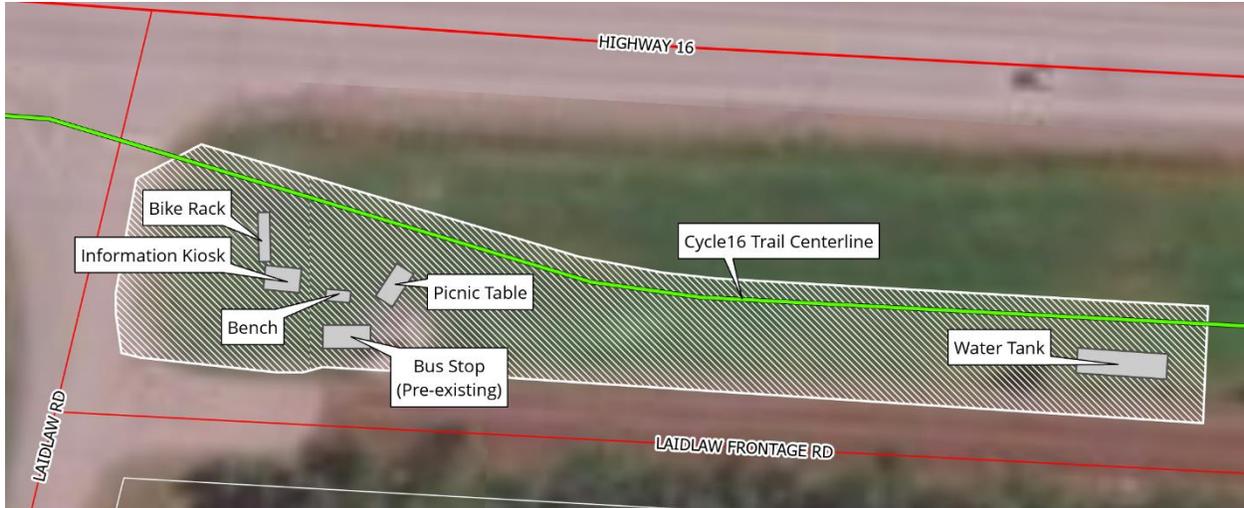
Construction of Phase 1 of the Cycle 16 trail was approved by the Agricultural Land Commission (ALC) through a Transportation, Utility, and Recreational Trail Use Application in March 2021. The trail is currently under construction.

A non-farm use application for a rest stop for the trail on a switchback beside the old Par 3 Golf Course was submitted to the ALC on June 1, 2022 and is awaiting an ALC decision.

Phase 1 trail development now also includes a proposed second rest stop with associated infrastructure including an information kiosk, a bike rack, signage, bench and a picnic table. The application also includes the installation of a water tank that will be used by the Smithers Volunteer Fire Department for rural firefighting purposes. The rest stop and water tank will be located at the southern end of Phase 1, between Highway 16 and Laidlaw Frontage Rd on the highway right-of-way, behind the existing transit bus shelter.

The ALC has confirmed that the rest stop and water tank require a non-farm use application, as the previous approval was only for the trail itself and the ALC did not consider any other additions or additional fill.





The application area is zoned Agricultural (Ag1) in the Zoning Bylaw. A bike trail is considered a Park use, which is a permitted principal use in all zones. The rest stop infrastructure is considered accessory to the Park use and is therefore permitted.

This application has not been sent out for referral.

Planning staff recommend support for the non-farm use application.

ATTACHMENTS:

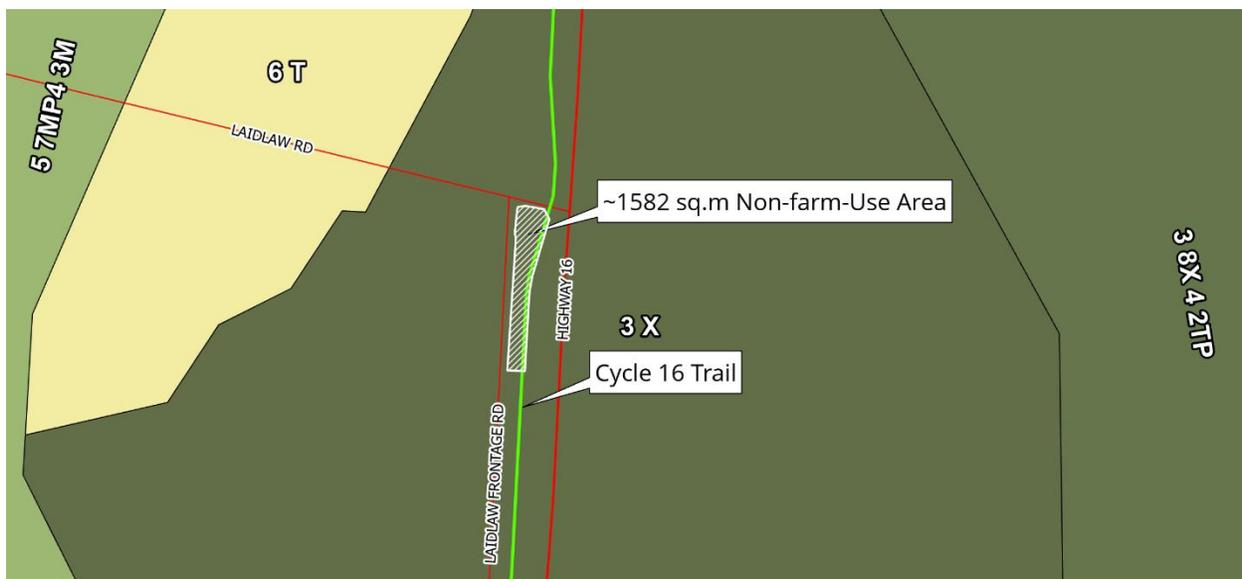
1. Appendix A – Agriculture Capability
2. Appendix B – Surrounding ALR applications
3. Appendix C - Concept Drawing

APPENDIX A**Agricultural Capability based on Canada Land Inventory Mapping**

100% of the subject property is

Class 3 land limited by cumulative effect of a combination of soil factors

CLASS 3 Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Agricultural Capability Map

APPENDIX B:**Surrounding Applications**

ALR Application	Legal Description	Summary	Staff Recommendation	Boad Recommendation	ALC Decision
76	Block 1, Plan 5806, Northeast 1/4, Section 17, Township 4, Range 5, C.D.	Application to subdivide an 11.0 acre parcel out of Block 1, Plan 5806 of NE 1/4 Section 17, Township 4, Range 5, Coast District (38.5±acres)	Approval	Denial	Denied
328	SE ¼, Section 17, Township 4, Range 5 Coast District except Plans 1299, 6996 and 7016	Application to subdivide a ±2 ha parcel of the subject property to be used for a veterinary clinic	Approval with conditions	Approval	Approved
358	NE 1/4, Section 16, Township 4, Range 5, Coast District	Application to subdivide the 47 ha parcel of land described as the Remainder of the NE 1/4, Section 16, Township 4, Range 5, Coast District into 22 lots of 2 ha	Denial	Denial	Denied
397	(1) Block A, Plan 6581, NE 1/4 Section 17, Township 4, Range 5, Coast District. (2) Block 4, Plan 5806, Section 18, Township 18, Range 5, Coast District.	Request to provide access to Lots 1&2 by creating a road along the north boundary of lot 2. Application for subdivision of property.	Approval	Approval	Approved
738	Lot A, Plan 10073, Section 17, Township 4, Range 5, Coast District	Application to construct a second dwelling on the subject property	Approval	Approval	Approved
914	Block C, Plan 6397, Section 16, Township 04, Range 5, Coast District Part S ½ , except plan 8749. The subject property is ±24.36 ha (±60.18 acres).	The owner is proposing to subdivide a 0.8 acre lot, containing one institutional building, from the remainder. The building was constructed in 1994 and formerly used for a residential attendance program for young offenders. The present owners have entered into an agreement to sell the proposed lot and building to the Bulkley Valley Child Development Centre (see attached information supplied by the applicant).	Approval	Approval	Approved
1082	Lot A, Plan 10073, Section 17, Township 4, Range 5 Coast District	Non-farm use in ALR	Approval	Approval	Approval
1226	Block C Section 16 Township 4 Range 5 Coast	This Non-Adhering Residential Use application is requesting that the ALC allow 18 dwellings on the subject properties which exist contrary	Approval	Approval	Pending



BRITISH
COLUMBIA

VIA EMAIL

July 18, 2022

Chair Gerry Thiessen
Regional District of Bulkley-Nechako
PO Box 820
Burns Lake BC V0J 1E0
Email: mayor@district.vanderhoof.ca

Dear Chair Thiessen:

Thank you for your June 1, 2022 letter, regarding the Regional District of Bulkley-Nechako's concerns about the impact that certain provincial programs are having on construction costs in northern British Columbia and cultural differences regarding housing types and owner-builders. As Attorney General and Minister Responsible for Housing, I am pleased to respond.

BC Energy Step Code

The Province has stated its intent to achieve 20 per cent better in 2022 via the BC Energy Step Code (Step Code). Given concerns about capacity and readiness, the ministry appreciates that certain communities could benefit from a prescriptive approach to energy efficiency requirements for buildings. The concerns expressed in your January 29, 2021 letter about a lack of energy advisors in northern British Columbia were shared with ministry staff who work with the Step Code.

In response, a new prescriptive alternative compliance path for Part 9 buildings has been developed for Step 3 only. Under this compliance option, better energy efficiency would be achieved through heat pumps or heat recovery systems, which are common in colder climates, and better performance of walls, windows, and roofs. Neither energy modeling nor airtightness testing would be required. As the energy efficiency of new construction moves toward the highest steps of the Step Code and the number of energy advisors in the province increases, this interim prescriptive option would be retired.

The prescriptive option will be presented as part of the upcoming public review of proposed changes to the 2018 BCBC. I would encourage you and other northern communities to provide your feedback on the proposed changes. During a recent presentation to the Energy Step Code Council regarding the alternative compliance path, it was noted that, without an increased demand for energy testing in remote and rural communities, there is little motivation for local professionals to pursue training to become energy advisors.

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Chair Gerry Thiessen

Page 2

You will be pleased to know that research is currently underway to assess how log homes could meet existing steps of the Step Code in all climate zones. Building on the findings in the 2021 Metrics Research Report, this research is also looking at the (potential) disproportionate incremental capital costs for small Part 9 residential buildings in colder climates to meet the Step Code. Based on this research, recommendations for how to appropriately address energy efficiency of these two building archetypes will be developed.

Incentives are available to help cover the estimated costs associated with the design and construction of more energy efficient buildings. The CleanBC Better Homes New Construction Program provides rebates for the construction of new, high-performance, electrically heated homes and features additional rebates for northern communities. The program is available to builders and developers constructing new single-family homes and other small residential buildings: <https://betterhomesbc.ca/rebates/cleanbc-new-construction/>

The Community Energy Association is a not-for-profit organization that raises local government awareness of energy efficiency and community energy planning. Building A Legacy North is a collaboration of the Community Energy Association and Canadian Home Builders Association of Northern BC to support implementation of the Step Code in Northern BC through training and support of the building industry and local governments and I encourage you to explore their resources: <https://www.communityenergy.ca/bal-north/>

Owner-Builder Authorizations

Unlike homeowners, who hire a licensed residential builder to construct their new home, owner builders and subsequent purchasers do not have a home warranty to rely on should construction defects occur. In keeping with the intent of the consumer protection provisions of the *Homeowner Protection Act*, owner builders must pass the Owner Builder Exam on home building basics as part of the application for an Owner Builder Authorization in British Columbia.

Currently, the passing rate for the owner builder exam is 83 per cent. The application fee for an Owner Builder Authorization is \$425 and the cost of administering the exam is covered by BC Housing. A free video on BC Housing's website covers the statutory responsibilities that are part of the exam and a free study guide describes the construction basics topics that will be tested: <https://www.bchousing.org/licensing-consumer-services/owner-builder/exam>

Chair Gerry Thiessen
Page 3

The Architects Act

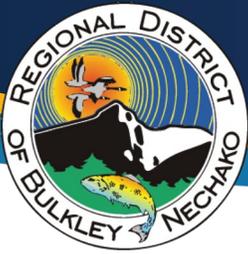
The *Architects Act* has not been substantially updated for over 50 years, and as such there may be some areas that appear outdated. The Office of the Superintendent of Professional Governance (OSPG) is the office tasked with administering the *Professional Governance Act* (PGA), a relatively new piece of legislation developed with professional reliance and professional regulation in mind. The Architectural Institute of BC (AIBC) and the regulation of the profession of architecture is planned to be transferred under the PGA in fall of 2022, at which point the *Architects Act* would be repealed.

As part of the transition of the architectural profession under the PGA, AIBC and OSPG are working to modernize the reserved practice of architecture and better align it with reliance requirements in the BC Building Code. This work has and will continue to be informed by stakeholders, including the Engineers and Geoscientists of BC, the Building Officials Association of BC, the Building and Safety Standards Branch in the Office of Housing and Construction Standards, and other professions that provide design services. Specific questions regarding the work to update the reserved practice of architecture can be directed to the OSPG at: OSPGenquiries@gov.bc.ca.

Yours truly,

A handwritten signature in black ink, appearing to be 'DEBY', written in a cursive style.

David Eby, QC
Attorney General and
Minister Responsible for Housing



June 1, 2022

Honourable David Eby, Attorney General and Minister Responsible for Housing
PO Box 9044, Stn Prov Govt
Victoria, BC V8W 9E2
Via email: AG.Minister@gov.bc.ca

Dear Minister Eby:

Re: Housing Construction Issues in Northern BC

As you are aware there is a housing crisis in BC. However, the crisis in northern BC is not related to unaffordable property values. The housing crisis in the north is a result of increasingly high construction costs in relation to property values. New house construction costs do not adequately exceed the resale value of that home once it is built. Therefore, there is limited new house construction in our region. Housing stock is not being adequately replaced and housing form is not being diversified to meet community need. This situation is impacting our ability to attract new residents and employees and diversify our economy. While the Province is making much effort to address affordability issues in southern BC, the housing crisis in northern BC is being made worse by Provincial Government initiatives which serve to increase the cost of house construction and further discourage new construction.

This is not the first time these issues have been raised by the RDBN. Unfortunately, there has been no apparent meaningful response to address how Province wide initiatives do not account for the unique social, economic, and demographic circumstances that exist in the north. Therefore, these issues are again raised in the hope that the Province will recognize that regulations developed to address issues in more populated areas of the province may have unintended negative impacts elsewhere.

Owner-Builder Authorizations

In 2016 new regulations were implemented that prohibited residents from building their own home without first passing an exam intended to test their knowledge of construction basics. This is in addition to the many other regulations that the Province has put in place to govern residential builders in BC. In the RDBN's opinion the owner-builder authorizations exam requirement has no positive impact on the quality of construction in our region. Owner-builders have not been building to a lesser standard than licensed builders. Owner-builders are building their own home with an intention of long-term occupation. They are well motivated to build with care, and the RDBN Building Inspectors work closely with owner-builders throughout the building process.

The northern lifestyle, and the character and experiences of many of our residents, does not predispose them to successfully pass written exams and this process is not an effective tool to determine a resident's capacity to oversee the building of their home. In many areas of the region there is a very limited supply of licensed builders and there are long waits for their services. Enticing a licensed builder to certain areas requires very high fees for their services. In some areas of our region, it is challenging to retain a licensed builder at any cost. This regulation is unnecessarily increasing the cost of construction for residents, discouraging the construction of new dwellings, and encouraging the construction of modular housing (which can be erected without the involvement of a licensed builder).

The owner-builder authorizations exam requirement should not exist in the RDBN, and owner-builders should be allowed to retain the services of a construction manager to assist them in the building process, without having to retain the services of a licensed builder.

BC Energy Step Code

The RDBN appreciates the intent behind the Energy Step Code; however, the anticipated impact may be counterproductive to the intent in northern BC as the increased costs associated with the Step Code may result in older less energy efficient homes not being replaced by new homes. The RDBN is specifically concerned about the requirement for on-site testing by Energy Advisers as part of the building process. Even with good success in developing professional capacity in the region, the cost to retain the services of the Energy Advisers, especially in rural and remote areas, may be high. In some areas it may be a challenge to retain the necessary on-site services at any cost.

As with the owner-builder regulations the Energy Step Code is expected to increase the cost of construction, discourage the construction of new dwellings, and encourage the construction of modular housing which is manufactured out of region (which can be erected without the involvement of an Energy Advisor). There is also concern that the BC Energy Step Code may not adequately accommodate the building of log homes, which are a traditional and popular form of building in our region.

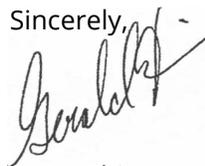
The Province is encouraged to work with northern local governments to identify a strategy that will work in the north and facilitate the building of the required new energy efficient housing. At a minimum the RDBN asks that the Province allow persons other than Energy Advisers to perform the required on-site air tightness testing. Allowing persons other than the Energy Advisers to undertake the on-site testing may serve to greatly expand the number of Energy Advisers willing to provide service to remote areas of the north, thereby reducing the potential negative impact.

The Architects Act

This issue is not a recent Provincial Government initiative; however, it has become increasingly prominent as the Architectural Institute of B.C. recently took legal action against a local government because it issued a building permit for a residential building containing five dwellings without an Architect's involvement. The *Architects Act* requirement that an Architect oversee the planning,

design, and building of small-scale residential buildings is increasing the cost of construction by tens of thousands of dollars. In our opinion it is not clear what health and safety benefits are gained from this additional oversight given the BC Building Code's health and safety related requirements. These costs are impacting our ability to increase housing diversity, and we ask that the Province review the requirement for an Architect's involvement in small multi-family developments.

The issues identified above increase the cost of construction. In higher density areas of the province where the market value of land well exceeds construction costs and professional services are more readily available the negative impacts may be negligible. However, in the north the costs are greater and are having a direct negative impact on our housing supply and our local economy. Also, it must be recognized that there are notable cultural differences across the province related to housing form (log construction and cabins), and owner-builders. These differences should be accommodated in regulation. We sincerely ask that you give these issues serious consideration.

Sincerely,


Gerry Thiessen
RDBN Board Chair

cc. Gaetane Carignan, Community Energy Association (gcarignan@communityenergy.bc.ca)
Honourable Nathan Cullen, Minister of Municipal Affairs (nathan.cullen.MLA@leg.bc.ca)
John Rustad, MLA Nechako Lakes (john.rustad.MLA@leg.bc.ca)
Shirley Bond, MLA Prince George-Valemount (shirley.bond.MLA@leg.bc.ca)