



## RESORT MUNICIPALITY OF WHISTLER

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## TERMS OF REFERENCE

## Building Bylaw Working Group

### PURPOSE

The purpose of the [Building Bylaw working group] ([BBWG]) is to provide a forum for the Resort Municipality of Whistler (RMOW) to seek specific feedback and input on certain bylaw items from the Building Bylaw working group. This will allow the RMOW to propose changes, updates or additions to the Building Bylaw for legal review that are aligned with the needs of the industry and the community.

To address some of the specific challenges faced in the Whistler community the following sections (approximately 20 per cent of the bylaw) will be considered for edits. These are the only areas where Whistler may seek feedback from the Building Bylaw working group:

1. Fees, including all associated permit fees, damage deposits and enforcement.
2. Unrestricted matters, which are matters regulated in the BC Building Code (or other provincial building regulations) for which local government will have authority to set their own technical building requirements in bylaws. There are three reasons for unrestricted matters outlined in the Building Act general regulation:
  - a. Local circumstance: The matter is best regulated by the local government because it relates to a specific location or circumstance.
  - b. Non-building code objectives: The local government has the authority to achieve non-building code objectives, and the technical building requirement is incidental to that objective.
  - c. Temporary unrestricted: The matter could be the subject of new or revised building code requirements, or a local authority variation request.

Whistler can determine which (if any) of the following unrestricted matters are applicable and should be included in the building bylaw.

Unrestricted matters:

- Fire access route design
- Parking spaces for use by persons with disabilities
- District energy systems and connections

- Protection of designated heritage properties
- Testing of backflow prevention device
- Electric vehicle charging stations/plug-ins
- Screening of equipment on roofs or other structures

Temporary unrestricted matters

- Transmission of sound into a building from external sources (i.e. noise mitigation)
- In-building radio repeaters
- Wildfire hazard requirements
- Firefighting water supply requirements
- Fire sprinkler suppression
- Accessibility requirements above Code
- Adaptable design requirements

3. Part 9: Professional Plan Certification – Certified Professionals Program: A Certified Professionals (CP) program helps with issuing building permits for new or existing buildings by allowing certified professionals to take on the full review and inspection role on behalf of the Authority Having Jurisdiction (AHJ), which in this case is the municipality.

## KEY ACTIVITIES

Key activities of the working group include:

- Review the draft Building Bylaw sections where input is available.
- Attend meetings to discuss and workshop key areas listed in purpose above.

## MEMBERSHIP

The [BBWG] will include [15] members:

- Chairs: Building Department Manager & General Manager of CAPD (staff)
- RMOW Building Official – Plan Examiner (staff)
- RMOW Building Official – Inspector (staff)
- RMOW Development Planner (staff)
- RMOW Engineering services (staff)
- RMOW Fire Chief (staff)
- RMOW Building Bylaw Inspector (staff)
- RMOW Environment (staff)
- External Representative from the CHBA (Canadian Home Builders Association)
- External Representative – certified professional such as Architect, Engineer, Surveyor
- External Representative – registered home builder - contractor
- External Representative – non-certified design professional e.g. Architectural Designer / Interior Designer
- External Representative – renovator non-registered home builder – contractor
- External Representative – Developer
- External Representative – Real Estate

\*\* External Representatives can only be associated to one group, not aligned with multiple groups.

### **Invited Guests**

Guests such as RMOW staff or other representatives may be invited to attend meetings to share updates or information, seek feedback, or provide knowledge, expertise, or a diversified perspective to the discussion. Invited guests are invited to meetings at the request of the Chair.

### **APPOINTMENTS**

Members are recruited and selected by the Chair and the General Manager, Climate Action, Planning and Development. Appointments will reflect the diversity and knowledge, skills, and experience of candidates. Members are not required to reside in Whistler.

Unless appointed by the organization as part of their staff role, members must not be employees or elected officials of the RMOW.

Working group members shall serve only for the limited term of this specific Working Group. Vacancies occurring before a term's expiration shall be filled for the remainder of the unexpired term. Committee members that are RMOW staff members do not have term limits as membership is a requirement of their staff role.

The Chair and General Manager, Climate Action, Planning and Development reserve the right to dissolve the working group should organizational priorities of the RMOW change.

### **REMUNERATION**

Working group members shall serve without financial remuneration.

### **STRUCTURE**

As the purpose of the [BBWG] is to provide consultation rather than direction, the working group does not need to reach final agreement. Rather, staff will take all feedback (even divergent feedback) and determine how to incorporate it (as necessary) into plans and projects. While the group will aim to move towards consensus, it is not required.

### **MEETING SCHEDULE**

The working group will meet a minimum of 4 times during the term of this working group. This cadence will be flexible and contingent to having content and agenda items. Meetings may be added if there are time sensitive or significant items to review or canceled if there are few or no agenda items. The decision to schedule an additional meeting or cancel a meeting will be made by the Chair and General Manager, Climate Action, Planning and Building based on the current workload and the necessity for collective discussion.

### **MEETING FORMAT**

Regular working group meetings will be held in a hybrid format on a timeline determined and struck at the first meeting of the working group for the limited term of this engagement. A minimum of 4 meetings should be expected. Advance notice will be given regarding the format of each meeting, ensuring that all members can participate according to their accessibility needs and preferences.

### **REPORTING OUT**

Each January, one Committee of the Whole meeting will be dedicated to RMOW working group updates. At this meeting, the Chair on behalf of the working group, will present an update to Council that includes:

- a) the name of the working group
- b) the working group purpose and composition
- c) highlights of working group work and accomplishments
- d) any trends, issues of concern, or recommendations which the working group thinks that Council should be aware of
- e) any data or stories you think Council would take interest in

Occasionally, feedback from the [BBWG] may be incorporated into staff reports to Council when it pertains to a topic under consideration by Council.

### **CONFIDENTIALITY**

Working group members agree to maintain confidentiality, refraining from disclosing or using any confidential information shared within the working group. This extends to discussions, documents, and any proprietary data, ensuring the protection of sensitive information and fostering an environment of trust and privacy among members.

### **CONFLICT OF INTEREST**

Members must disclose any potential conflicts of interest that may compromise objectivity or fairness to the Chair. The working group members will need to leave the meeting for the period during which the topic is under consideration and not attempt in any way, whether before, during or after the meeting, to influence the feedback provided by the working group.

### **RESPECTFUL CONDUCT**

Members commit to fostering a respectful and inclusive environment. Conduct should be free from discrimination, harassment, or offensive behavior. All working group members must adhere to the RMOW's Administrative Procedures F-13: Respectful Workplace and F-5: Prevention of Workplace Harassment.

### **CODE OF CONDUCT**

Working Group members are required to comply with the RMOW Code of Conduct Bylaw No. 2397, 2023 (Code of Conduct) (as amended).

### **REMOVAL OF MEMBERS**

In the unlikely event of a working group member does not adhere to the confidentiality, conflict of interest, respectful conduct, and code of conduct expectations, including RMOW Administrative Procedures F-13 and F-5 and the Code of Conduct, the CAO reserves the right to require the member to step down and the RMOW will recruit a new person.

### **ROLES OF WORKING GROUP MEMBERS**

#### **All Working Group Members**

Responsibilities include:

- Share insights and expertise gained from professional and lived experience.
- Commit time to:

- a minimum of 4 meetings over the limited duration of this Working Group and meetings will be not less than 90 minutes and not more than 120 minutes.
- review of meeting materials distributed before the meeting.
- Occasionally respond to emails from the Chair for topics or matters that cannot wait until the next meeting; given the short duration of this working group, email communication with required responses should occur within 24 hours of receipt of email.
- Adhere to [BBWG] “how we’ll work together” agreements as determined collaboratively by the working group at the first meeting.
- Notify the Recording Secretary in advance if unable to attend a meeting.
- Attend at least three of the four meetings.

### **Working Group Chair**

The Chair is an RMOW staff member; working group membership is a requirement of their staff role. Responsibilities include:

- determining if changes to the meeting schedule are needed (i.e. if a meeting will go ahead as scheduled, if an additional meeting is needed, or a meeting is not needed and will be canceled)
- in coordination with the Recording Secretary, provide input into the agenda and meeting materials for each meeting.
- providing overall leadership for the working group including chairing meetings, facilitating discussion (including speaking up if conversation gets stuck, encouraging multiple perspectives, etc.) and ensuring meetings achieve their objectives.
- serving as a bridge between the working group and RMOW staff. Work with staff to ensure engagement initiatives that meet the criteria for working group feedback are added to the agenda.
- contributing to [BBWG] member management—including addressing member concerns outside of meetings or learning more about members’ roles and experiences to help inform strategies.

### **Recording Secretary**

The Recording Secretary is an RMOW staff member; working group membership is a requirement of their staff role. Responsibilities include:

- with input from the Chair, preparing agenda packages and meeting materials and distributing them to working group members ahead of each meeting.
- organizing and supporting the logistical aspects of meetings including:
  - meeting invitations
  - logistical aspects of meetings (i.e. meeting room bookings, zoom links, etc.)
  - advising and managing any changes to the meeting schedule and dates
- acting as point of contact for [BBWG] members.

### **SELF-EVALUATION**

In support of continuous improvement, working group members will participate in a self-evaluation process to reflect on their collective performance, identify areas for improvement, and take proactive steps to enhance the working group’s effectiveness and impact.