

Does Your Project Need An Architect?

As a means to protect public health, safety and welfare, the *Architects Act* defines architecture and sets out which buildings in British Columbia require an architect by law.

It is the *Architects Act* – not the BC Building Code – that is the primary source for establishing when an architect must be hired. While the Building Code is an important document, (particularly at the building permit stage which calls for an architect or engineer to provide letters of assurance on certain projects), the Code does not establish or limit which buildings require architects nor the stage at which such services must be retained.

Under the Act, an architect must be retained any time architectural services are being provided on a building requiring an architect. As soon as building planning and design begins, an architect is required, however conceptual or schematic the services may be.

In terms of applications to authorities having jurisdiction (local governments, regional districts, etc.) the legal requirement begins with (re)zoning and development permit applications where such applications include one or more buildings requiring the services of an architect. Authorities having jurisdiction must also comply with this provincial law, which means not processing applications for buildings requiring an architect until an architect has been retained. Such compliance with the law does not constitute 'enforcement' of the *Act*, which is the AIBC's sole responsibility.

The AIBC works regularly with architects, engineers, planners, building officials, designers and owners to assist in determining whether a particular project – or project stage, such as formal application to a local government – must have an architect on the job.

Not every building or application requires an architect. The *Architects Act* includes a number of "exceptions" by which certain building types and sizes are exempted from the general requirement for architects or by which certain persons (for example, designated government or armed forces personnel, or employees of architects) may be permitted to practice architecture.

The *Architects Act* also establishes legal liability for those who misrepresent themselves as architects, or who practice architecture or enable the practice of architecture by non-architects. This liability extends to authorities having jurisdiction who elect to process applications in contravention of the *Act*.

When in doubt, or to resolve disputes over the application of the *Architects Act*, applicants, municipal officials and others should contact the AIBC without hesitation. We commit to responding promptly to help ensure all parties understand and comply with the legal requirements.

For further information, consult one of the AIBC Bulletins linked below or contact an AIBC staff member directly.