

Making Sense of the Provincial Housing Legislation

Local Government Leadership Academy

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Three key aspects of the 2023 housing bills

1. Invigorating the official community plan
2. Dialing back on public hearings
3. Paying the costs of growth

Invigorating the official community plan

- OCPs mandatory for municipalities and designated regional districts
- OCP policies and map designations for residential development must address 20-year planning horizon (was 5-year)
- OCP policies must address all types of housing need identified in most recent housing needs report (including 2024 interim housing needs report)
- Municipal OCPs must include policies and map designations to meet 20-year housing demand identified in most recent housing needs report
- Municipal OCP housing policies must be updated promptly after each update of housing needs report

Dialing back on public hearings

- Option to proceed without public hearing for bylaw consistent with the OCP (2022 amendment of LGA)
- Public hearing not allowed for residential development consistent with the OCP or for SSMUH entitlements; other forms of public engagement still permitted
- Public hearing still permitted for development entitlements in transit-oriented areas (though government prefers that the areas be “pre-zoned”)
- Municipal zoning bylaws must pre-zone land for 20-year housing supply, eliminating site-by-site rezoning

Paying the costs of growth

- If leverage for CACs is lost because zoning bylaws pre-zone land for 20-year housing supply, who pays costs of residential growth?
- Expanded scope of DCC and DCL bylaws – police and fire protection facilities, solid waste and recycling facilities, shared-cost highways
- Amenity Cost Charge (ACC) bylaws
 - Bylaw must identify amenity projects being funded; reserve funds required
 - No inspector of Municipalities approval required but government can regulate setting of ACCs by regulation, including limiting ACC amounts
 - Public consultation required in bylaw development; government may regulate details
 - ACCs applicable to all types of development including SSMUH, transit-oriented development; local government may waive or reduce charges as for DCCs
 - Provincial regulations may exempt affordable housing projects from ACC bylaws

Questions?