

LONDON PACIFIC - POLICY DEBRIEF

Commercial Real Estate Redefined

January 2024



POLICY DEBRIEF

A DEBRIEF OF CURRENT PUBLIC POLICY OR LEGISLATION INTENDED TO ADDRESS HOUSING AND DEVELOPMENT.

Introduction

This Policy Debrief will shed some light on the provincial legislation introduced by Housing Statutes **Bill 44 (Residential Development)**, **Bill 46 (Development Financing)** and **Bill 47 (Transit Oriented Areas)**. The intent of this new legislation is to remove barriers at the local government level with the end goal of delivering more homes to people faster.

BILL 44 RESIDENTIAL DEVELOPMENT

Proposed Changes by Bill 44

- Increase small-scale and multi-unit housing (SSMUH) = rowhomes, townhomes, triplexes.
- Permit Secondary suites / additional dwelling units
- Permit 3 or 4 units (depending on lot size) on traditional single family lots and duplex lots in most B.C. communities
- Permit 6 units on traditional single-family lots and duplex lots near frequent transit
- More proactive community planning and zoning
- Comprehensive Housing Needs Reports
- Updated Official Community Plans to better address housing
- More efficient upfront zoning
- Reduce one off Public Hearings for Rezoning that already fit within the community plan
- \$51 million will be given to local governments to implement zoning changes.

Update December 7th, 2023

The Small-Scale Multi-Unit Housing Provincial Policy Manual was released and presented to local governments to assist their collaboration with homebuilders to move forward with viable housing projects. Municipalities are required by legislation to consider this manual when developing local zoning bylaws and policies.

The Policy Manual covers all of the new requirements and considerations for implementing SSMUH along with building guidelines and “site standards” for developers including density, setbacks, height, lot coverage and parking requirements for 2 unit developments, 3 or 4 unit developments, minimum 4 units or a minimum 6 unit development.

Read the full policy manual here:

https://news.gov.bc.ca/files/SSMUH_Provincial_Policy_Manual_with_Alt_Text.pdf

BILL 46 DEVELOPMENT FINANCING

Details on Bill 46

The Province has introduced legislation that will substantially change the framework used by local governments to pay for infrastructure and community amenities related to new development by expanding development cost charges (DCCs) and creating a legislative framework for community amenity contributions (CACs) where none existed before.

The legislation provides high-growth communities with a development-finance tool called an **amenity cost charge (ACC)**, which replaces the community amenity contribution, and will give a more transparent initial understanding of housing project costs for builders. Local governments can also exempt types of affordable housing from amenity cost charges.

The expanded DCC categories to include:

- solid waste and recycling facilities.
- fire protection services and police facilities.
- It also allows local governments to collect DCCs for provincial highway infrastructure projects.

The provincial government will provide guidance to support local governments in implementing the proposed changes and will monitor that intended outcomes are met.

References:

<https://news.gov.bc.ca/releases/2023HOUS0171-001945>

<https://news.gov.bc.ca/releases/2023PREM0062-001706#:~:text=The%20Province%20is%20introducing%20new,help%20build%20more%20homes%20faster.>

BILL 47 TRANSIT ORIENTED AREA

Proposed Changes by Bill 47

Restrictive zoning bylaws and parking requirements, along with delayed development approvals, continue to slow down the delivery of homes and services near transit hubs. Through regulations, transit-oriented development (TOD) areas have now been defined for the facilitation of higher-density neighbourhoods. “The regulations will prescribe 104 TOD Areas in 31 municipalities throughout B.C. within the first year of the legislation coming into effect”.

Update December 7, 2023

The province issued The Provincial Policy Guidance Manual: “Transit-Oriented Areas” as a resource to support local governments with the implementation of provincial Transit Oriented Area (TOA) requirements. The manual defines transit-oriented areas, prescribes minimum allowable densities and restricts local governments’ ability to mandate residential parking.

The regulations define TOAs as geographic areas within a prescribed distance from a transit station. TOAs encompass either a 400 metre (m) or 800m radius around a transit station. Each prescribed area is broken into Tiers.



The province developed the Minimum Allowable Density Framework (MD Framework). This framework prescribes the densities which local governments must allow when exercising zoning powers.

The MD Framework works as follows:

Existing Allowable Density (current zoning)	Maximum density and building height allowed under existing zoning by the local government prior to the MD Framework
MD Framework Density (Provincial Density Envelope)	The required increase in allowable density prescribed through the regulations that must be allowed by the local government when exercising zoning authority in relation to rezoning applications or amendments to zoning bylaws
Discretionary Additional Increase in Density (Municipal Discretion)	Any increase in allowable density above the prescribed densities as authorized by the local government

Read the full policy manual here:

https://news.gov.bc.ca/files/SSMUH_Provincial_Policy_Manual_with_Alt_Text.pdf

References:

<https://news.gov.bc.ca/releases/2023HOUS0171-001945>

<https://www.ubcm.ca/about-ubcm/latest-news/new-legislation-development-finance>

<https://news.gov.bc.ca/files/TOAProvincialPolicyManual.pdf>

BILL 44/47 TIMELINE

2023

December 7, 2023

regulations for Bill 35, 44, 47 deposited; Province designates interim TOD Areas and policy manual released; and small-scale, multi-unit housing policy manual provided to local governments.

2024

WE ARE HERE

Early 2024:

Housing Needs Report guidance provided to local governments.

January 2024

\$51 million distributed to local governments to help meet new requirements that promote the Province's housing-density initiatives.

June/July 2024:

guidance provided to municipalities to update Official Community Plans and zoning bylaws.

June 30, 2024:

local governments must have designated TOD Areas bylaw and removed minimum residential-parking requirements; and local governments must have updated their zoning bylaw to accommodate small-scale, multi-unit housing requirements (except in areas where they have applied for an extension).

2025

Jan. 1, 2025:

local governments must have completed their interim Housing Needs Report.

Dec. 31, 2025:

municipalities update of their Official Community Plans and zoning bylaws (based on the interim Housing Needs Report).

References:

https://news.gov.bc.ca/files/Housing_Tech_Brief_Nov_01_2023.pdf

<https://news.gov.bc.ca/releases/2023HOUS0063-001737>

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