

Provincial Housing Legislation Overview

2024-MAR-08 Mayor's Leaders' Table

NEW PROVINCIAL HOUSING LEGISLATION



Homes for People

An action plan to deliver more homes for people, faster

StrongerBC
FOR PEOPLE

Four housing related statutes – Enacted October/November 2023

- BILL 35 | SHORT-TERM RENTAL ACCOMMODATIONS ACT
- BILL 44 | RESIDENTIAL DEVELOPMENT
- BILL 46 | DEVELOPMENT FINANCING
- BILL 47 | TRANSIT ORIENTED AREAS

BILL 35 | SHORT-TERM RENTAL (STR) ACCOMMODATIONS

- Increasing fines for municipal infractions from \$1,000 to \$3,000 per day.
- Restrict to host's principle residence, and display business licence on STR platforms.
- STR platforms data sharing, Provincial registry, compliance and enforcement.

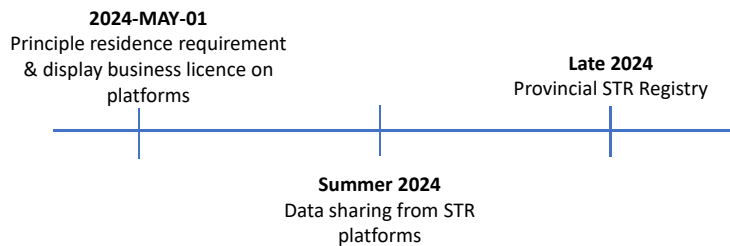


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BILL 35 | SHORT-TERM RENTAL ACCOMMODATIONS

IMPLICATIONS FOR NANAIMO

- City of Nanaimo adopted Short-Term Rental (STR) regulations in the Zoning Bylaw in February 2022.
- Staff will review Zoning Bylaw and Business Licence Bylaws for consistency with Bill 35.



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BILL 44 | RESIDENTIAL DEVELOPMENT

New zoning rules
will mean more
housing options



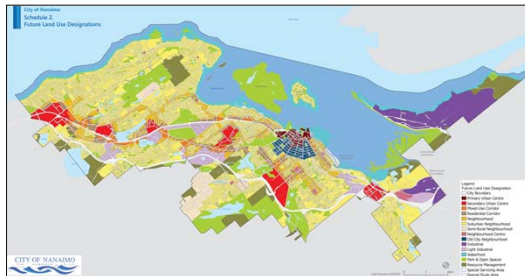
StrongerBC

Highlights include amendments to the *Local Government Act (LGA)* to:

- A. Require OCPs to plan for 20 years of housing supply, and be updated with housing needs and types every 5 years.
- B. Prohibit local governments from holding a Public Hearing on a zoning amendment bylaw for housing that is consistent with the OCP.
- C. Require local governments to permit additional dwelling units on land currently zoned for single-family or duplex uses.

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BILL 44 | RESIDENTIAL DEVELOPMENT



A. LONG RANGE PLANNING

- Consider most recent Housing Needs Report when developing or amending an OCP.
- An OCP and Zoning Bylaw must accommodate 20-year total number of residential units to meet housing needs and unit types by 2025-DEC-31.



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BILL 44 | RESIDENTIAL DEVELOPMENT



B. PUBLIC HEARINGS

- No Public Hearing required for a bylaw amendment that complies with prescribed residential densities in Bill 44.
- A local government must not hold a public hearing for a zoning bylaw that is consistent with the OCP and where the principal purpose of the bylaw is a residential development.
- Notice is required prior to first reading where a Public Hearing is not held.

BILL 44 | RESIDENTIAL DEVELOPMENT

C. SMALL-SCALE MULTI-UNIT HOUSING (SSMUH)

- Permitting three to four units on lots currently zoned for single-family or duplex use, depending on lot size.
- Permitting six units on larger lots in proximity to transit stops with frequent service.
- Removing minimum parking requirements for SSMUH lots that permit six units.
- Provincial policy guidelines have been provided for developing and adopting a zoning bylaw to comply with SSMUH.



Provincial Policy Manual & Site Standards

*Supporting local government
with legislative requirements
under the Local Government Act
and Vancouver Charter for
small-scale, multi-unit housing*

BILL 44 | RESIDENTIAL DEVELOPMENT

Housing Needs Report Summary



IMPLICATIONS FOR NANAIMO

- Review Public Hearing implications for compliance with Bill 44 and LGA.
- *Zoning Bylaw* and *Off-Street Parking Bylaw* to be revised to align with Bill 44 by 2024-JUN-30.
- Updated *Housing Needs Report* by end of 2024, with 20 year forecast.
- Review and update of *City Plan* and *Zoning Bylaw* required by end of 2025 to accommodate housing needs.

BILL 46 | DEVELOPMENT FINANCING



- Bill 46 creates an improved framework to pay for infrastructure and community amenities.
- Amenity Cost Charges (ACC) introduced with intent to pay for capital costs such as: community centres, recreation centres, and libraries.
- Development Cost Charges (DCC) expanded to include fire-protection facilities, police facilities, and solid-waste facilities.

BILL 46 | DEVELOPMENT FINANCING

IMPLICATIONS FOR NANAIMO

- Update of DCC Bylaw underway (last major update 2018), being reviewed in the context of Provincial housing legislation.
- ACC Bylaw expected to be prepared in 2024, along with review of the CAC Policy.

DEVELOPMENT COST CHARGES (DCCs)
EFFECTIVE 2022-DEC-07

DCCs ARE COLLECTED AT:

- Residential subdivisions at final approval
- Before home starts and contingents prior to building permit (for servicing) issue
- For completion of the addition to multi-family commercial, industrial or residential buildings prior to building permit issue
- For completion of existing buildings to a new and higher use category
- Where a minor renovation will not add to the City's capital cost burden

DCCs ARE NOT PAYABLE FOR THE FOLLOWING:

- Where the value of work authorized under the building permit totals \$50,000.00 or less
- Buildings for the purpose of worship
- Where a minor renovation will not add to the City's capital cost burden

Category	\$ per lot	\$ per sq. ft.	\$ per sq. ft. of DCC	\$ per sq. ft. of DCC	\$ per sq. ft. of DCC	\$ per unit	\$ per unit
Sanitary Sewer	\$1,787.04	\$1,250.93	\$2.00	\$10.77	\$10.22	\$3.91	\$1,008.29
Drainage	\$75.94	\$58.25	\$2.00	\$1.80	\$1.75	\$0.40	\$272.22
Water Distribution	\$305.34	\$214.44	\$1.80	\$1.80	\$2.14	\$0.40	\$48.36
Water Supply	\$5,818.60	\$3,933.69	\$3.80	\$3.14	\$3.20	\$3,433.69	\$678.94
Parks	\$1,240.32	\$874.02	\$7.50	\$20.09	\$33.31	\$6.49	\$3,519.34
Roads	\$5,024.44	\$4,076.96	\$89.10	\$77.42	\$79.79	\$8,128.79	\$2,397.79
City Total	\$14,882.27	\$10,448.84	\$89.10	\$77.42	\$81.84	\$11,723.79	\$3,681.83
BCN Summary	\$4,822.37	\$4,822.27	\$114.84	\$103.54	\$106.41	\$11,723.79	\$3,681.83

ADDITIONAL INFORMATION:

- Not all areas of Nanaimo are subject to all DCC categories. Please check with staff for specifics.
- Not for-profit rental housing is eligible for a 50% reduction in DCCs.
- BCN Summary Rates are set by BCN Bylaw 1542 - Southern Wastewater Treatment - for DCC rates exempt from these rates go to: <https://www.nanaimo.ca/files/assets/development/development-dccs>

Please consult with staff if you have any questions with regard to DCC rates and how they apply to your project.

BILL 47 | TRANSIT ORIENTED AREAS

- Designate TOAs as set distances from prescribed transit hubs (rapid transit stations, bus exchanges, etc.)
- Minimum allowable height and density within TOAs
- Remove minimum residential parking requirements (except for accessible spaces)

Provincial Policy Manual: Transit-Oriented Areas

Supporting Local Government Compliance with Legislative Requirements Under the Local Government Act and Vancouver Charter for Transit-Oriented Areas

Version 1.0
December 2023

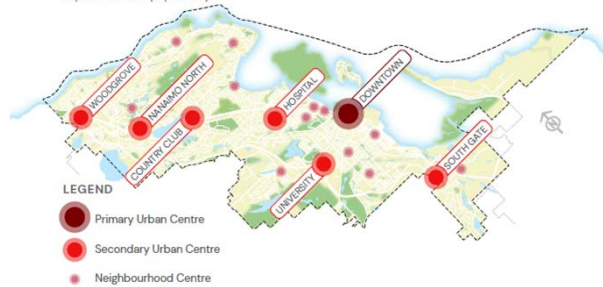


BILL 47 | TRANSIT ORIENTED AREAS

Bill 47 identified three Transit Oriented Areas (TOAs) in Nanaimo:

1. Woodgrove Exchange
2. Country Club Exchange
3. VIU Exchange

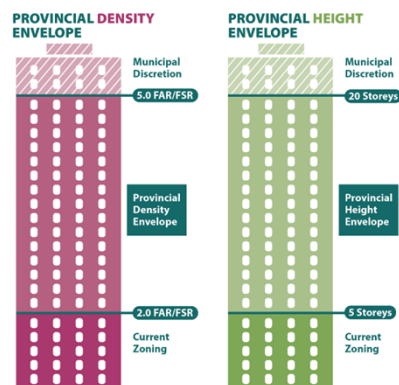
Figure 21: Locations of Centres
Map is for illustrative purposes only.



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BILL 47 | TRANSIT ORIENTED AREAS

THE ILLUSTRATIONS BELOW PROVIDE AN EXAMPLE OF HOW THE PROVINCIAL DENSITY WORKS IN RELATION TO LOCAL GOVERNMENT AUTHORITY:



- Rezoning application process still required, if a proposal is not consistent with the Zoning Bylaw.
- Rezoning in a TOA cannot be rejected based on the Bill 47 prescribed heights and densities.
- Local governments have authority to establish densities and height greater than prescribed minimum.

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BILL 47 | TRANSIT ORIENTED AREAS

IMPLICATIONS FOR NANAIMO

- A TOA Designation Bylaw is required to be adopted by 2024-JUN-30.
- City's Parking Bylaw to be reviewed and amended, as necessary.
- TOA Area Plans are encouraged by the Province.

Step-by-Step Guidance

Below is a step-by-step guide for local governments to appropriately designate TOAs and permit the minimum allowable densities prescribed in the regulations.



2024-2025 TIMELINE OVERVIEW

2024	
January to December	Bill 46 Development Cost Charge Bylaw and Amenity Cost Charge Bylaw projects
March	Staff present Bill 44 and LGA required changes to public hearing process
March GPC	Staff present Short Term Rental (STR) Review and Bill 35 STR details
April GPC	Staff present Bill 44 SSMUH and Bill 47 TOA details and required bylaw amendments
May 1	Bill 35 Provincial Short Term Rental Regulations in effect (stage one)
May 6	Staff present Bill 44 SSMUH and Bill 47 TOA bylaws to Council for 1 st , 2 nd , and 3 rd readings
June 17	Staff present Bill 44 SSMUH and Bill 47 TOA bylaws to Council (bylaw adoption)
June 30	Province requires City to have adopted Bill 44 SSMUH and Bill 47 TOA bylaws
July to November	Complete Housing Needs Report update as required by Bill 44
December	Present updated Housing Needs Report to Council
2025	
January	Updated Housing Needs Report required to be completed (Bill 44)
January to December	Update City Plan and Zoning Bylaw to accommodate housing needs as required by Bill 44 and Bill 47

Thank You