

**2018 Legislative Session: 3rd Session, 41st Parliament**  
**THIRD READING**

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Certified correct as passed Third Reading on the 14th day of May, 2018  
Craig James, Clerk of the House

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**HONOURABLE SELINA ROBINSON**  
**MINISTER OF MUNICIPAL AFFAIRS AND HOUSING**

**BILL 18 – 2018**  
**LOCAL GOVERNMENT STATUTES**  
**(HOUSING NEEDS REPORTS) AMENDMENT ACT, 2018**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

**PART 1 – LOCAL GOVERNMENT**

***Local Government Act***

***1 Section 429 of the Local Government Act, S.B.C. 2015, c. 1, is amended by adding the following subsection:***

(2.1) Unless a board is exempted, or is in a class of local governments exempted, under section 585.11 *[application of this Division]*, the board must consider the most recent housing needs report the board received under section 585.31 *[when and how housing needs report must be received]*, and the housing information on which the report is based,

- (a) when developing a regional growth strategy,
- (b) when amending a regional growth strategy in relation to actions proposed under subsection (2) (c) (i) of this section, or
- (c) when considering a regional growth strategy under section 452 (2).

**2 Section 473 is amended by adding the following subsection:**

(2.1) Unless a local government is exempted, or is in a class of local governments exempted, under section 585.11 [*application of this Division*], the local government must consider the most recent housing needs report the local government received under section 585.31 [*when and how housing needs report must be received*], and the housing information on which the report is based,

- (a) when developing an official community plan,
- (b) when amending an official community plan in relation to statements and map designations under subsection (1) (a) of this section, or
- (c) when amending an official community plan in relation to housing policies under subsection (2) of this section.

**3 The following Division is added to Part 14:**

**Division 22 – Housing Needs Reports**

**Definitions for this Division**

**585.1** (1) In this Division:

**"applicable area"** means

- (a) in relation to a municipality, the area of the municipality,
- (b) in relation to a regional district, the electoral areas in the regional district other than an area within the trust area, and
- (c) in relation to the trust, the local trust areas;

**"local government"** includes a local trust committee.

(2) The definitions in section 1 of the *Islands Trust Act* apply for the purposes of this Division.

**Application of this Division**

**585.11** This Division applies to a local government unless the local government

- (a) is exempted by regulation, or
- (b) is in a class of local governments that is exempted by regulation.

**Housing needs reports**

**585.2** A local government must prepare housing needs reports in accordance with this Division.

### **Collection of housing information**

**585.21** (1) Subject to the regulations, a local government must collect information in relation to the demand for and supply of housing for the applicable area of the local government for the purpose of preparing a housing needs report.

(2) For the purpose of subsection (1), a local government must collect the following:

- (a) statistical information about current and projected population;
- (b) statistical information about household income;
- (c) information about significant economic sectors;
- (d) information about currently available housing units and housing units that are anticipated to be available, including information about types of housing units;
- (e) any other prescribed information.

### **Content of housing needs report**

**585.3** A housing needs report must

- (a) be in a format prescribed by regulation, if any,
- (b) be based on the information collected under section 585.21, and
- (c) include the following, subject to the regulations, in relation to the applicable area for the local government:
  - (i) for each type of housing unit, the number of housing units required to meet current housing needs;
  - (ii) for each type of housing unit, the number of housing units required to meet anticipated housing needs for at least the next 5 years;
  - (iii) any other prescribed information.

### **When and how housing needs report must be received**

**585.31** (1) A local government must, by resolution, receive housing needs reports in accordance with this section.

- (2) A local government must receive a housing needs report at a meeting that is open to the public.
- (3) A local government must receive
  - (a) the first housing needs report no later than 3 years after the date this section comes into force, and
  - (b) every subsequent housing needs report no later than 5 years after the date that the most recent housing needs report was received.

### **Publication of housing needs report**

- 585 . 4** As soon as practicable after a local government receives a housing needs report, the local government must publish the housing needs report on an internet site that is
- (a) maintained by the local government or authorized by the local government to be used for publishing the report, and
  - (b) publicly and freely accessible.

### **Regulation-making powers**

- 585 . 41** (1) In relation to this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*, including regulations respecting any matter for which regulations are contemplated by this Division.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) for the purposes of section 585.11 [*application of this Division*], exempting a local government or a class of local governments from this Division;
  - (b) respecting information that must be collected under section 585.21 [*collection of housing information*], including, without limitation, in relation to the nature, level of detail and type of information that must be collected and prescribing the periods of time for which the information must be collected;
  - (c) providing that information collected under section 585.21 may be collected only for parts of an applicable area and specifying those parts;
  - (d) prescribing types of housing units;

(e) providing that a housing needs report may include the matters described in section 585.3 (c) [*content of housing needs report*] only for parts of an applicable area and specifying those parts;

(f) prescribing the format of a housing needs report;

(g) prescribing when a housing needs report must be received by a local government if the local government was, but is no longer, exempt under section 585.11.

(3) In addition to any other variation authority that is specifically provided in this Act, a regulation that may be made by the Lieutenant Governor in Council under this section may

(a) establish different classes of local governments, parts of an applicable area, matters, circumstances or other things,

(b) make different provisions, including exceptions, for different classes referred to in paragraph (a), and

(c) make different provisions, including exceptions, for different local governments, parts of an applicable area, matters, circumstances or things.

**4 Section 1 of the Schedule is amended by adding the following definitions:**

**"housing information"** means the housing information collected under section 585.21 [*collection of housing information*];

**"housing needs report"** means a housing needs report within the meaning of Division 22 of Part 14; .

**Vancouver Charter**

**5 Section 2. of the Vancouver Charter, S.B.C. 1953, c. 55, is amended by adding the following definitions:**

**"housing information"** means the housing information collected under section 574.2 [*collection of housing information*];

**"housing needs report"** means a housing needs report within the meaning of Division (6) of Part XXVII; .

**6 The following heading is added before section 559.:**

**Division (1) – Interpretation .**

**7 The following heading is added before section 560.:**

## **Division (2) – Planning and Development .**

### **8 Section 561. is amended by adding the following subsection:**

(3.1) The Council must consider the most recent housing needs report received by the Council under section 574.4, and the housing information on which the report is based,

- (a) when developing a development plan, or
- (b) when amending a development plan in relation to housing policies under subsection (3).

### **9 The heading before section 565. is repealed and the following substituted:**

## **Division (3) – Zoning .**

### **10 The heading before section 572. is repealed and the following substituted:**

## **Division (4) – Board of Variance .**

### **11 The heading before section 574. is repealed and the following substituted:**

## **Division (5) – Advisory Planning Commission .**

### **12 The following Division is added:**

## **Division (6) – Housing Needs Reports**

### **Housing needs reports**

**574 . 1** The Council must prepare housing needs reports in accordance with this Division.

### **Collection of housing information**

**574 . 2** (1) Subject to the regulations, the Council must collect information in relation to the demand for and supply of housing for the city for the purpose of preparing a housing needs report.

- (2) For the purpose of subsection (1), the Council must collect
  - (a) statistical information about current and projected population;
  - (b) statistical information about household income;

- (c) information about significant economic sectors;
- (d) information about currently available housing units and housing units that are anticipated to be available, including information about types of housing units;
- (e) any other prescribed information.

### **Content of housing needs report**

#### **574.3** A housing needs report must

- (a) be in a format prescribed by regulation, if any,
- (b) be based on the information collected under section 574.2, and
- (c) include the following, subject to the regulations, in relation to the city:
  - (i) for each type of housing unit, the number of housing units required to meet current housing needs;
  - (ii) for each type of housing unit, the number of housing units required to meet anticipated housing needs for at least the next 5 years;
  - (iii) any other prescribed information.

### **When and how housing needs report must be received**

#### **574.4** (1) The Council must, by resolution, receive housing needs reports in accordance with this section.

(2) The Council must receive a housing needs report at a meeting that is open to the public.

(3) The Council must receive

- (a) the first housing needs report, subject to subsection (4), no later than 3 years after the date this section comes into force, and
- (b) every subsequent housing needs report no later than 5 years after the date that the most recent housing needs report was received.

(4) If,

- (a) within one year after this section comes into force, the Council
  - (i) submits a report to the minister that includes the information described in section 574.3 (c), and

(ii) applies in writing to the minister for a determination whether the report under paragraph (a) (i) of this subsection is an acceptable report, and

(b) the minister notifies the Council that the minister considers that the report submitted under paragraph (a) (i) of this subsection is an acceptable report,

that report is the first housing needs report for the purposes of subsection (3) (a) of this section.

### **Publication of housing needs report**

**574 . 5** As soon as practicable after the Council receives a housing needs report, the Council must publish the housing needs report on an internet site that is publicly and freely accessible.

### **Regulations**

**574 . 6** (1) In relation to this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*, including regulations respecting any matter for which regulations are contemplated by this Division.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

(a) respecting information that must be collected under section 574.2, including, without limitation, in relation to the nature, level of detail and type of information that must be collected and prescribing the periods of time for which the information must be collected;

(b) prescribing types of housing units;

(c) prescribing the format of a housing needs report.

## **PART 2 – TRANSITIONAL PROVISION**

### **Transition – local government housing needs reports**

**13** (1) In this section:

**"applicable area"** means an applicable area as defined in section 585.1, added to the *Local Government Act* by this Act;



**"housing needs report"** means a housing needs report as defined in section 1 of the Schedule to the *Local Government Act* as amended by this Act;

**"interim housing needs report"** means a report that sets out the following for an applicable area:

- (a) for each type of housing unit, the number of housing units required to meet current housing needs;
- (b) for each type of housing unit, the number of housing units required to meet anticipated housing needs for the next 5 years;
- (c) any other prescribed information;

**"local government"** includes a local trust committee as defined in section 1 of the *Islands Trust Act*;

**"publish"** means publish on an internet site that is

- (a) maintained by the local government or authorized by the local government to be used for this purpose, and
- (b) publicly and freely accessible.

(2) Section 585.31 (3) (a) [*when and how housing needs report must be received*], added to the *Local Government Act* by this Act, does not apply to a local government if one of the following applies:

- (a) on or after January 2, 2018 and before the date this section comes into force, the local government
  - (i) receives, by resolution, or adopts, by bylaw, at a meeting that is open to the public, an interim housing needs report, and
  - (ii) publishes the interim housing needs report;
- (b) the local government
  - (i) substantially starts an interim housing needs report before the date this section comes into force,
  - (ii) receives, by resolution, or adopts, by bylaw, at a meeting that is open to the public, the interim housing needs report no later than one year after the date this section comes into force, and
  - (ii) publishes the interim housing needs report no later than one year after the date this section comes into force;

- (c) within one year after this section comes into force, the local government
- (i) submits an interim housing needs report to the minister,
  - (ii) applies in writing to the minister for a determination whether the interim housing needs report is an accepted report, and
  - (iii) the minister notifies the local government that the minister considers that the interim housing needs report is an acceptable report.

(3) For purposes of section 585.31 (3) (a), added to the *Local Government Act* by this Act, an interim housing needs report of a local government in relation to which

- (a) the local government has taken the actions described in subsection (2) (a) or (b) of this section, or
- (b) the minister has provided notification under subsection (2) (c) of this section

is the first housing needs report.

(4) For the purposes of subsection (2) (b) of this section, the Lieutenant Governor in Council may prescribe criteria that a local government has to meet to establish that it has substantially started an interim report.

(5) The Lieutenant Governor in Council may make regulations for any matter for which regulations are contemplated by this section.

## Commencement

**14** The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 <b>Provisions of Act</b>	Column 2 <b>Commencement</b>
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 5	By regulation of the Lieutenant Governor in Council
3	Section 8	By regulation of the Lieutenant Governor in Council
4	Sections 12 and 13	By regulation of the Lieutenant Governor in Council

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