

Attachment 1 – Summary of Housing Statutes Amendment Act, 2023
Bill 44 – Residential Development, Bill 46 – Development Financing,
Bill 47 – Transit-Oriented Areas

Housing Statutes (Residential Development) Amendment Act (Bill 44, 2023)

Small-Scale Multi-Unit Housing (SSMUH) and Housing Needs Reports

- Requires that zoning bylaws be updated by June 30, 2024 to permit small-scale, multi-unit housing on all lots currently zoned for detached single-family or duplex use.
 - Applicable only to lands within an urban containment boundary and for municipalities with populations greater than 5,000.
 - Exemptions exist for heritage lands, and lands not connected to a regional or municipal water/sewer system.
 - Allowable densities outlined as follows: three (3) units will be permitted as-of-right on lots smaller than 280 square metres; four (4) units will be permitted on larger lots; and six (6) units will be permitted on lots within a prescribed distance from frequent transit (further details expected through regulations).
- Requires that Housing Needs Reports (HNRs) be updated using a standard method (to be set out in the forthcoming regulations), for a more consistent, evidence-based understanding of local housing needs across the Province.
 - HNRs must now estimate housing needs for 20 years (rather than 5 years as previously required).
 - By December 31, 2024, all local governments will need to complete an *interim* Housing Needs Report that uses the new standardized methodology (to be provided in January 2024) and estimates housing needs for a 20-year timeframe.
- Needs identified in the updated Housing Needs Reports will become the basis for reviewing and updating each municipality's Official Community Plan (OCP) and Zoning Bylaws by December 31, 2025.
 - Municipalities will need to update OCPs every five years to reflect the most recent HNR.
 - Municipalities will also need to align their zoning bylaws with the OCP and HNR by pre-zoning for the 20-year total amount of housing units identified to meet housing needs.
 - Prohibits public hearings for proposed zoning bylaws for residential developments that are consistent with OCPs.

Housing Statutes (Development Financing) Amendment Act (Bill 46, 2023)

Amenity Cost Charges and Development Cost Charges and Amenity Cost Charges

- Adds fire protection, police and solid waste and recycling facilities to the list of purposes for which local governments may impose Development Cost Charges (DCCs).
- Introduces new legislative authority for Amenity Cost Charges (ACCs), a charge that can be imposed for the purpose of collecting funds to pay for capital costs relating to growth and the provision of amenities including community, youth or seniors' centres, recreational or athletic facilities, libraries, daycares, and public squares.
 - ACCs may vary by area, zone, use, or lot/development size, but must be a set charge based on a per lot, per unit, or per square metre basis.
 - Exemptions exist for places of public worship, social housing, classes of affordable housing to be prescribed by regulation, and projects where there is no increase in the population of residents or workers is expected to result from the development, or ACCs have previously been paid.

- Affordable housing is not defined as an amenity for the use of ACCs.
- To impose ACCs, a local government must adopt an ACC Bylaw, and in doing so, ensure opportunities for public consultation.
- ACCs (like DCCs) may be waived or reduced for non-profit rental housing and for-profit affordable rental housing.

Housing Statutes (Transit-Oriented Areas) Amendment Act (Bill 47, 2023)

Minimum height and densities in TOD areas and parking standards

- Requires that municipalities designate Transit Oriented Development Areas (TOD Areas) near transit hubs.
 - TOD Areas are defined as land within 800 metres of a rapid transit station (e.g., SkyTrain station) and within 400 metres of a bus exchange.
 - In TOD Areas, municipalities will be required to permit housing development that meets provincial standards for allowable height and density.
 - Allowable standards are based on Transit-Oriented Areas Types (see Figure 1).
 - Municipalities will also be required to remove parking minimums and allow parking to be determined by need and demand on a project-by-project basis in TOD Areas.

Figure 1: Transit-Oriented Areas Types

Transit Oriented Development Areas – Policy Framework					
TOA Type	Transit Hub Type	Prescribed Distance	Minimum Allowable Density (FAR)	Minimum Allowable Height (Storeys)	Type of Building
TOA Type 1 (Metro Vancouver)	1A) Rapid Transit	200m or less	Up to 5.0	Up to 20	Condo Tower
		201m – 400m	Up to 4.0	Up to 12	High Rise, Mid-rise
		401m – 800m	Up to 3.0	Up to 8	Mid-rise
	1B) Bus Exchange	200m or less	Up to 4.0	Up to 12	High Rise, Mid Rise
		201m – 400m	Up to 3.0	Up to 8	Low-rise, Townhouse
TOA Type 2 (Victoria/Kelowna/Other Medium-Sized Munis)	Bus Exchange	200m or less	Up to 3.5	Up to 10	Mid-rise
		201m – 400m	Up to 2.5	Up to 6	Low-rise/Townhouse
TOA Type 3 Other qualifying areas	Bus Exchange	200m or less	Up to 2.5	Up to 6	Low-rise
		201m – 400m	Up to 1.5	Up to 4	Townhouse

Timelines (pending release of new information from the Province)

Public hearing changes noted in Bill 44 will take effect with the passage of legislation, but interim timelines relating to OCP, zoning and Housing Needs Report (HNR) changes are as follows:

- **December 2023** – Release of Bill 44 regulations which set expectations for setbacks, height restrictions, parking and lot coverage.
- **January 2024** – HNR instructions to be provided to local governments.

- **June 30, 2024** – Bylaws need to accommodate SSMUH requirements and designate TOD areas.
- **June/July 2024** – OCP/zoning review/update instructions to be provided to municipalities.
- **December 31, 2024** (date subject to regulation) – Local governments must have completed their interim HNR.
- **December 31, 2025** (date subject to regulation) – Municipalities must have completed their first review and update of their OCPs and zoning bylaws (based on interim HNR and in compliance with Bill 47).

These timelines are based on information available at the time of writing and may be subject to change as new information is released.