

Project Charter

Project Service Area:	Planning
Department Name / Division Name:	Planning & Building Services
Budget / Account Code:	
File No.:	N:_6400 - 6999 Planning and Development\6430 Planning Projects\03 Special Projects\Provincial Housing Legislation 2023-2025\Provincial Housing Legislation Summary Report January 2024
Prepared By / Date:	Kerri Clark, December 12, 2023

Background

The Provincial Housing Legislation Project will address the changes to legislation and recommendations to municipalities to increase the supply and affordability of housing in British Columbia municipalities. This project will include the legislative changes relating to the Ministry of Municipal Affairs Development Approvals Process Review (2019) and the significant housing legislation (Bills 35, 43, 44, 46, and Bill 47) that have received Royal Assent (December 1, 2023) which propose substantive changes to the *Local Government Act*. This requires all municipalities to play a part in both expediting the development approvals process and increasing the opportunity for more housing options, particularly small scale, multi-unit (SSMU) housing also known as “missing middle”.

The District’s Strategic Priority 2024 – 2027 aims to address the lack of available housing and diversity in housing supply. The Strategic Plan goals align with the intent of the Provincial Housing Legislation to strengthen availability of housing in the District include to adapt and respond to emerging legislation that seek to remove barriers and to incentivize a broader range of housing options as well as to support and encourage development proposals that expand housing diversity, including purpose built rental and legal suites.

The changes to the provincial legislation mean that planning departments and municipal Councils need to be prepared to take action to amend current bylaws and policies over the next two years. The District of Central Saanich has adopted a new Official Community Plan (OCP) in April of 2023, completed the Residential Infill Intensification Project in 2020, and amended the Land Use Bylaw to include the RM-6 Zone to allow up to 8 units on one parcel where supported by the OCP, and has recently adopted other changes to allow secondary suites on more types of lots and exclude basements and a portion of garages from density calculations. Although, the District is well aligned with the Provincial legislation, the District can take more steps to further expedite development approvals through delegation of authority, housing priority policy, and other ways to streamline the application approval process. The District will also be expected to align with the Provincial legislation by meeting targeted timelines to

support SSMU housing options in the community. Further changes to the *Local Government Act* to support development financing and transit-oriented development introduced by the Province will have implications for municipalities.

The District has applied for the Housing Accelerator Fund (HAF) (CMHC) to increase the supply and diversity of housing in the District. Qualifying for the funding relies on an expedited approvals process to speed up approvals and to get housing constructed in a three-year timeline.

The Planning Department has identified the following tasks to improve the development application approval process, expedite development approvals, and to meet the expectations for the new Provincial Housing Legislation:

- Update the Development Applications Procedures Bylaw to align with current legislation,
- Develop a policy that supports priority for affordable housing proposals,
- Update the Delegation Bylaw to delegate authority of minor Development Permits and Development Variance Permits, and
- Plan to undertake a Housing Needs Report, amendments to the Land Use Bylaw and Official Community Plan, and prepare an Amenity Cost Charges Bylaw within the timeframe presented by the Province.

Purpose

To improve the District's Development Approvals Process and to align the District's bylaws and policies with the amended *Local Government Act* with respect to enabling more SSMU housing (Bill 44) and the Ministry of Municipal Affairs DAPR to expedite development approvals. Bills 35 and 43 do not apply to this project charter. Bill 46 is included in this project; however, it is expected that further information will be provided by the Province with regards to details and timelines. Bill 47 will not apply to the District of Central Saanich which has not been identified for TOD and therefore is not included in this project.

Project Overview

The Provincial Housing Legislation Project will address the recommendations of the Ministry of Municipal Affairs Development Approvals Process Review (DAPR) and the changes to the Local Government Act as a result of Bill 44 and 46 (Bill 47 – Transit Oriented Development does not apply to the District of Central Saanich at this time). A background report will be provided to Council to provide a summary of the Provincial housing changes to the LGA and recommendations to expedite development approvals.

Development Application Process and Efficiency Review

Staff will prepare a report to provide recommendation with respect to the DAPR to expedite the development approvals process. This project will include changes to the Council procedures and process, development application procedures, public notification requirements and recommends an opportunity for delegation of authority and a policy to prioritize certain types of housing applications that address core housing need, affordability, and other specific criteria.

Council Procedures and Development Approvals Process

The LGA eliminates the requirements for Public Hearings where a proposal is consistent with the OCP. Staff will outline the bylaw approval process with proposed updates to the Development Applications Procedures Bylaw and propose a new Public Notice Bylaw.

Delegation of Authority

Staff will prepare a report to provide Council with the option to delegate the authority to approve Development Permits for cottages located in the Urban Containment Boundary. This will include proposed amendments to the District's Delegation Bylaw.

Staff will investigate delegation of minor Development Variance Permits (DVPs) and supporting guidelines. The purpose is to reduce the development processing times for cottages and carriage houses through a delegated approval process to allow residents to apply for Provincial funding to construct legal suites, as well as to reduce processing times for variances that are minor in nature. The process timeline for a delegated development permit is 30 days, whereas a Development Permit with Variances is often four or six months and currently requires two meetings of Council and consideration by APC (typically).

Priority Housing Application Policy

Staff will prepare a draft policy to prioritize affordable housing proposals over other planning department applications will expedite proposals that increase missing middle housing, address target demographics identified in the Housing Needs Assessment, or consider rents that align with the Housing Income Levels, for example.

Provincial Housing Legislation

Staff will provide a summary report on the Provincial Housing Legislation to provide Council a general overview of the changes and timelines to align the District with the recent legislative changes (Bills 44, 46 and 47) with respect to the *Local Government Act*. The changes imposed by the Province require amendments to the District's bylaws and policies. The following outlines the key changes that the Planning Department will be required to undertake on a set timeline determined by the Province:

- Secondary Suites, Accessory Dwelling Units, and 3 to 4 units on residential lots as per the SSMUH policy to amend the Land Use Bylaw by June 30, 2024. Work related to more units on an ALR parcel is underway and a survey was completed in December 2023.
- Updated Housing Needs Report to be adopted by January 1, 2025;
- An Official Community Plan update, and Land Use Bylaw update by December 31, 2025; and
- Development Cost Charges and Amenity Cost Charges (more information to be released).

Project Scope

In scope	Out of scope
<ul style="list-style-type: none"> Reporting and preparation of policies and bylaws related to expediting the Development Approvals Process in alignment with the Ministry of Municipal Affairs Development Approval Process Review Recommendations. Delegation of Authority for Development Permits for cottages and minor Development Variance Permits with guidelines. Housing Priority Policy 	<ul style="list-style-type: none">
<ul style="list-style-type: none"> Reporting and timelines to uptake Provincial Housing Legislation (Bills 44, 46 and 47) 	<ul style="list-style-type: none">
<ul style="list-style-type: none"> Amendment of District's administrative policies and bylaws to align the District with the new legislation 	<ul style="list-style-type: none">
<ul style="list-style-type: none"> Bill 44 - Land Use Bylaw amendments for June 30, 2024 	<ul style="list-style-type: none"> Consultant support for Land Use Bylaw amendments (analysis based recommendations)
<ul style="list-style-type: none"> Bill 44 - Housing Needs Report adopted by Jan 1, 2025 	<ul style="list-style-type: none"> CRD support for joint Housing Needs Report (consultant may be required)
<ul style="list-style-type: none"> Bill 44 - Land Use Bylaw and Official Community Plan amendments adopted by Dec 31, 2025 	<ul style="list-style-type: none"> Consultant support for Land Use Bylaw and Official Community Plan amendments
<ul style="list-style-type: none"> Bill 46 – Bylaws for Development Cost Charges and Amenity Cost Charges (no date determined) 	<ul style="list-style-type: none"> Consultant support for Development Cost Charges and Amenity Contribution Charges

Project Team

Role	Team Member	Department	Timeframe	Hours (level of effort)
Project Manager	Jarret Matanowitsch	Planning & Building Services	Jan 2024 – Dec 2025	5hrs/week
Project Lead – Policy/Zoning	Andrea Pickard	Planning & Building Services	Jan 2023 – Dec 2025	15hrs/week
Project Lead – Development	Kerri Clark	Planning & Building Services	Dec 2023 – Mar 2024 Mar – Jun 2024	10hrs/week 2hr/week

Provincial Housing Legislation Project

Project Resource / Back-up Lead	Ivo Van Der Kamp	Planning & Building Services	Jan 2024-Dec 2025	2hrs/week
Project Resource	Kristina Demedeiros	Planning & Building	Jan 2024 – Dec 2025	1hr/week
Project Sponsor	Christine Culham	CAO	Jan 2024 – Dec 2025	
Budget Manager	Jarret Matanowitsch	Planning & Building	Jan 2024 – Dec 2025	
Legal Counsel	As required	Planning & Building	Jan 2024 – Dec 2025	Project based

Key Partners

Partner	Partner's interest in project	Internal/External	Role of Involvement in Decision-making*
Finance	Development Cost Charges and Amenity Cost Charges, project budgeting, procurement	Internal	PD/A
Engineering & Public Works	Engineering Standards, Development Cost Charges	Internal	PD/A
Corporate Services	Bylaw and Policy Review	Internal	PD/A
Community Services	Communications & Engagement, Amenity Cost Charges	Internal	I/C
Parks Department	Development Cost Charges and Amenity Cost Charges	Internal	PD/A
Fire Department	Development Cost Charges	Internal	PD/A
Police Department	Development Cost Charges	Internal	PD/A
Capital Regional District	Housing, Development Cost Charges	External	PD/A

*Legend

NI = no involvement
 I = information only
 C = consulted
 PD = planning and decision making
 A = approval rights to say "Yes" or "No" to a decision

Project Budget

Cost Explanation	Amount (\$)	Level of Accuracy	Funding Source
Staff Time	Wages	Low	Province (\$51M)*
Consultant – LUB/OCP	\$30,000	Low	Province (\$51M) *
Consultant – DCC/ACC	\$50,000	Low	TBD
CRD Consultant – Housing Needs Report	\$50,000	Low	TBD

*Province is to announce \$51M to municipalities to support implementation of Housing Legislation in Jan/Feb 2024. The District is earmarked to receive \$233,695 at the end of January from the Province to support implementation of the housing legislation.

Notes: The District has applied for HAF funding and has not received confirmation of this at this time, but this could support staffing and resources to complete the tasks.

Change Management Considerations

Please answer the questions applicable to your project to help determine the level of change management required. It could range from very little to requiring a change-management plan/focus.

What are the changes?	Update the Districts Bylaws and Policies to support an expedited development approvals process and to increase potential for growth in the OCP through the Housing Needs Report and Land Use Bylaw.
Why is this change being made?	Provincial Housing Legislation (Bill 43, 44, 46 and 47)
What would happen if no change were made?	The District would not align with the updated Local Government Act and Provincial mandates to address the housing-crisis.
Who is impacted (list departments or roles, impact on other projects, budgeting, etc)?	All departments will be impacted to a degree to support
How will work processes change?	Work processes will change as the Province releases more information and provides clarity around expectations to support housing approvals.
How will our customers experience change?	Customers may see slower development approvals while staff time is applied to this work. Ultimately, this work will speed up the development process once completed and provide clarity to developers.
How long will it take to implement this change?	The Development Approvals Improvement Project should be completed by June 30, 2024. The Provincial Housing Legislation provides expected times to December 31, 2025 for completion.

What barriers or obstacles do you foresee?	Availability of staff resources, availability of consultants (all municipalities will carrying out the same work), public pushback to provincial legislation requirements – Public Hearings, prioritization of project by other internal departments. Depending on the Provincial changes, scope creep could be likely if other bylaws and policies need to be addressed.
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Risk Identification

No.	Risk identification	(Low, Medium, High Risk)
1	Staffing resources due to volume of work (may apply to all departments involved)	High
2	Project prioritization as this is not in the strategic plan or workforce planning	High
3	Not meeting Provincial timelines	Low
4	Scope creep to address unintended consequences of the Provincial Changes	High
5	Public perception of the Provincial Legislation (lack of ability to hold PH)	Low - High

Project Process

	Objectives	Activities	
Phase 1-Development Approvals Improvements	Improve Council Approval Timelines	<ul style="list-style-type: none">• New Public Notice Bylaw• Amendments to Development Application Procedures Bylaw• Options for Advisory Planning Commission with Expedited Bylaw Readings	Dec 2023-Jun 2024
	Delegation of Authority	<ul style="list-style-type: none">• To Director for approval of Development Permits for Cottages• To Director for minor Development Variance Permits with Guidelines• To Approving Officer 10% of frontage Exemption required in Land Use Bylaw and LGA	
	Housing Priority Policy	<ul style="list-style-type: none">• Determine guidelines to prioritize development applications that increase missing middle housing, address target demographics, or consider rents that align with Housing Income Levels.	
	Deliverables	Reports with bylaws and policies for Council to consider.	

	Objectives	Activities	
Phase 2 - Bill 44 (Residential Housing)	Summary Report for Council	Council workshop on legislation and directives to implement SSMUH.	Jan 2024 – June 2024
	Land Use Bylaw Amendments	Amend the land use bylaw by June 30, 2024 to enable up to 4 units on residential lots and parking standards, and lot size.	
	Deliverables	Amended Land Use Bylaw with SSMUH June 30, 2024	

	Objectives	Activities	
Phase 3 and 4-Bill 44 (Residential Housing)	Housing Needs Report	Prepare a new Housing Needs Assessment with a 20 year projection with CRD. This report must be completed by January 1, 2025. (Information to be provided by the Province in July 2024)	Jan 2024 – Dec 2025
	Official Community Plan and Land Use Bylaw Amendments	Amend the Official Community Plan and Land Use Bylaw to provide opportunities for growth and address housing needs as per the Housing Needs Report. These bylaws must be amended by December 31, 2025 (Information to be provided by the Province in July 2024)	
	Deliverables	Housing Needs Report (January 1, 2025), Amended Official Community Plan and Land Use Bylaw (December 31, 2025)	

Phase 5-Bill 46 (Development Financing)	Amend Development Cost Charges Bylaw	Include Police, Fire, and Solid Waste/Recycling to DCCs. Will require CS Police and Fire to determine needs. CRD will need to provide the District with details around solid waste and recycling.	TBD – 2025+
	Create an Amenity Cost Charge Bylaw	ACC to include community centres, recreational facilities, library, day care facility, public square and associated capital costs.	
	Deliverables	New DCC and ACC Bylaws.	

Project Consultation and Communications

Provincial Housing Legislation Project

A Communications plan will be required for any engagement associated with amending the Land Use Bylaw, the Official Community Plan, the DCCs and ACC bylaws and will be prepared as part of the kickoff of these projects.

Ongoing communications with the community regarding the Provincial Housing Legislation is included in the District's quarterly newsletter and on the website: <https://www.centrialsaanich.ca/our-community/housing>

Privacy Considerations

It is not expected that this project will generate privacy concerns that are in excess compared to other planning projects. It is expected that this project may generate privacy concerns with respect to public input in person at Council or via letters and emails as a result of amending the Land Use Bylaw and the Official Community Plan (from time to time).

Signoff

Role	Name/Title	Signature	Date
Project Sponsor	Christine Culham/CAO		
Budget Manager	Troy Ziegler/CFO		
Department Director	Jarret Matanowitsch / Director of Planning & Building		
Project Manager	Kerri Clark / Manager of Development Services		
Communications/Engagement Manager	Britt Burnham		
Privacy Officer	Emilie Gorman		