

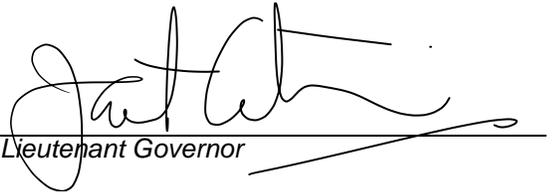
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 205

, Approved and Ordered

April 16, 2019



Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) sections 1 to 4 and 13 of the *Local Government Statutes (Housing Needs Reports) Amendment Act, 2018*, S.B.C. 2018, c. 20, are brought into force, and
- (b) the attached Housing Needs Report Regulation is made.



Minister of Municipal Affairs and Housing



Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Local Government Act*, R.S.B.C. 2015, c. 1, s. 585.41; *Local Government Statutes (Housing Needs Reports) Amendment Act, 2018*, S.B.C. 2018, c. 20, s. 14

Other:

R20288133

# HOUSING NEEDS REPORT REGULATION

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## SCHEDULE

### Definitions

- 1 (1) In this regulation:
  - “**Act**” means the *Local Government Act*;
  - “**adequate**”, in relation to housing, means that, according to the residents in the housing, no major repairs are required to the housing;
  - “**BC Assessment**” means the British Columbia Assessment Authority continued under the *Assessment Authority Act*;
  - “**census**” means a census of population undertaken under the *Statistics Act* (Canada);
  - “**census division**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;
  - “**census report**” means the information contained in a return of a census;
  - “**census subdivision**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;
  - “**core housing need**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;
  - “**dwelling structural type**” means the structural characteristics or dwelling configuration of a housing unit, such as, but not limited to, the housing unit being a single-detached house, a semi-detached house, a row house, an apartment in a duplex or in a building that has a certain number of storeys, or a mobile home;
  - “**extreme core housing need**” has the same meaning as core housing need except that the household has shelter costs for housing that are more than 50% of total before-tax household income;
  - “**form of tenure**” has the same meaning as in section 455 of the Act;
  - “**household**” means a person or a group of persons who occupy the same housing unit;
  - “**housing suitability**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;

- “**migrant**” means a migrant within the meaning of the Mobility and Migration Reference Guide, published by Statistics Canada for the 2016 census;
- “**mobility status**” means a mobility status within the meaning of the Mobility and Migration Reference Guide, published by Statistics Canada for the 2016 census;
- “**NAICS**” means the North American Industry Classification System (NAICS) Canada 2012, published by Statistics Canada;
- “**NAICS sector**” means a sector established by the NAICS;
- “**non-migrant**” means a non-migrant within the meaning of the Mobility and Migration Reference Guide, published by Statistics Canada for the 2016 census;
- “**non-mover**” means a non-mover within the meaning of the Mobility and Migration Reference Guide, published by Statistics Canada for the 2016 census;
- “**owner household**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;
- “**participation rate**” means the total labour force in a geographic area, expressed as a percentage of the total population of the geographic area;
- “**population**”,
- (a) in relation to an applicable area, means the population for the applicable area determined by the most recent census,
  - (b) in relation to an electoral area, means the population for the electoral area determined by the most recent census, and
  - (c) in relation to a local trust area, means the population for the local trust area determined by the most recent census;
- “**primary rental market**” means a market for rental housing units in apartment structures containing at least 3 rental housing units that were purpose-built as rental housing;
- “**renter household**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;
- “**secondary rental market**” means a market for rental housing units that were not purpose-built as rental housing;
- “**shelter cost**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada;
- “**short-term rental**” means the rental of a housing unit, or any part of it, for a period of less than 30 days;
- “**subsidized housing**” has the same meaning as in the Dictionary, Census of Population, 2016, published by Statistics Canada.
- (2) If a definition in subsection (1) refers to a meaning in the Dictionary, Census of Population, 2016, published by Statistics Canada, the meaning must be applied with the necessary changes.

#### **Prescribed types of housing units**

- 2 For the purposes of section 585.41 (2) (d) [*prescribing types of housing units*] of the Act, the following types of housing units are prescribed:

- (a) housing with no bedrooms;
- (b) housing with one bedroom;
- (c) housing with 2 bedrooms;
- (d) housing with 3 or more bedrooms.

**Statistical information about population**

- 3** (1) For the purposes of section 585.21 (2) (a) [*collection of statistical information about current population*] of the Act, a local government must collect the following statistical information about the current population of the applicable area of the local government, and in the case of a regional district, about the current population of each electoral area:
- (a) the following information in each of the 3 most recent census reports:
    - (i) the population;
    - (ii) the average age of the population;
    - (iii) the median age of the population;
    - (iv) the population, expressed as a number and as a percentage, in each of the following age groups:
      - (A) under 14 years of age;
      - (B) 15 to 19 years of age;
      - (C) 20 to 24 years of age;
      - (D) 25 to 64 years of age;
      - (E) 65 to 84 years of age;
      - (F) 85 years of age or older;
    - (v) the number of households;
    - (vi) the average number of persons in a household;
    - (vii) the number and percentage of households of 1-person households, 2-person households, 3-person households, 4-person households and households with 5 or more persons;
    - (viii) the number and percentage of households for each form of tenure;
    - (ix) the number and percentage of renter households in subsidized housing;
    - (x) the number of persons in the applicable area who had the following mobility statuses:
      - (A) migrant;
      - (B) non-migrant;
      - (C) non-mover;
  - (b) the population growth, expressed as a number and as a percentage, over the period of time that is covered in each of the 3 most recent census reports;
  - (c) if applicable, the number of students enrolled in post-secondary institutions located in the applicable area or electoral area;
  - (d) if available, the number of individuals experiencing homelessness.

- (2) For the purposes of section 585.21 (2) (a) [*collection of statistical information about projected population*] of the Act, a local government must collect the following statistical information for at least the next 5 years about the projected population of the applicable area of the local government, and in the case of a regional district, about the projected population of each electoral area:
- (a) the anticipated population;
  - (b) the anticipated population growth, expressed as a number and as a percentage;
  - (c) the average age of the anticipated population;
  - (d) the median age of the anticipated population;
  - (e) the anticipated population, expressed as a number and as a percentage, in each of the following age groups:
    - (i) under 14 years of age;
    - (ii) 15 to 19 years of age;
    - (iii) 20 to 24 years of age;
    - (iv) 25 to 64 years of age;
    - (v) 65 to 84 years of age;
    - (vi) 85 years of age or older;
  - (f) the anticipated number of households;
  - (g) the anticipated average number of persons in a household.

**Statistical information about household income**

- 4** For the purposes of section 585.21 (2) (b) [*statistical information about household income*] of the Act, a local government must collect the following statistical information in each of the 3 most recent census reports about before-tax household income, if available, in the applicable area of the local government, and in the case of a regional district, about the household income in each electoral area:
- (a) the average household income;
  - (b) the median household income;
  - (c) the number and percentage of households in the following household income brackets:
    - (i) \$0 – \$4 999;
    - (ii) \$5 000 – \$9 999;
    - (iii) \$10 000 – \$14 999;
    - (iv) \$15 000 – \$19 999;
    - (v) \$20 000 – \$24 999;
    - (vi) \$25 000 – \$29 999;
    - (vii) \$30 000 – \$34 999;
    - (viii) \$35 000 – \$39 999;
    - (ix) \$40 000 – \$44 999;
    - (x) \$45 000 – \$49 999;
    - (xi) \$50 000 – \$59 999;

- (xii) \$60 000 – \$69 999;
- (xiii) \$70 000 – \$79 999;
- (xiv) \$80 000 – \$89 999;
- (xv) \$90 000 – \$99 999;
- (xvi) \$100 000 – \$124 999;
- (xvii) \$125 000 – \$149 999;
- (xviii) \$150 000 – \$199 999;
- (xix) \$200 000 and over;
- (d) the number and percentage of renter households in each of the income brackets described in paragraph (c);
- (e) the number and percentage of owner households in each of the income brackets described in paragraph (c);
- (f) the average and median household income of renter households;
- (g) the average and median household income of owner households.

**Information about significant economic sectors**

**5** For the purposes of section 585.21 (2) (c) [*collection of information about significant economic sectors*] of the Act, a local government must collect the following information in each of the 3 most recent census reports about significant economic sectors in the applicable area of the local government:

- (a) the number of workers in the labour force;
- (b) the number and percentage of workers working in each NAICS sector.

**Information about housing units**

**6** (1) For the purposes of section 585.21 (2) (d) [*collection of information about housing units*] of the Act, a local government must collect the following information about currently available housing units in the applicable area of the local government, and in the case of a regional district, about currently available housing units in each electoral area:

- (a) the number of housing units;
- (b) the number and percentage of housing units of each dwelling structural type;
- (c) the number of housing units of each type prescribed under section 2;
- (d) the number and percentage of housing units built in the following periods:
  - (i) in 1960 or before;
  - (ii) 1961–1980;
  - (iii) 1981–1990;
  - (iv) 1991–2000;
  - (v) 2001–2010;
  - (vi) 2011–2016;
  - (vii) if available, 2017 onwards;
- (e) the number of housing units that are subsidized housing;

- (f) subject to subsection (2), in relation to values of housing units,
  - (i) the average and median housing values determined by BC Assessment,
  - (ii) the average and median housing value determined by BC Assessment for each dwelling structural type, and
  - (iii) the average and median housing value determined by BC Assessment for housing units of each type of housing unit prescribed under section 2;
- (g) subject to subsection (2), in relation to the sale prices of housing units,
  - (i) the average and median sale prices determined by BC Assessment,
  - (ii) the average and median sale price of housing units determined by BC Assessment for each dwelling structural type, and
  - (iii) the average and median sale price for housing units determined by BC Assessment for housing of each type of housing unit prescribed under section 2;
- (h) subject to subsection (2), in relation to rental prices of housing units, if available,
  - (i) the average and median monthly rent, and
  - (ii) the average and median monthly rent for housing units of each type of housing unit prescribed under section 2;
- (i) if available, the current rental vacancy rate;
- (j) if available, the rental vacancy rate for housing units of each type of housing unit prescribed under section 2;
- (k) in relation to the rental of housing units, if available,
  - (i) the number of housing units in the primary rental market,
  - (ii) the number of housing units in the secondary rental market, and
  - (iii) the number of short-term rental units;
- (l) if applicable, the number of housing units in a housing cooperative;
- (m) in relation to the demolition, in whole, of housing units, the following information for each year of the past 10 years, if available:
  - (i) the number of housing units demolished;
  - (ii) the number of housing units of each dwelling structural type demolished;
  - (iii) the number of housing units of each form of tenure demolished;
  - (iv) the number of housing units of each type of housing unit prescribed under section 2 demolished;
- (n) in relation to the completion of housing units, the following information for each year of the past 10 years, if available:
  - (i) the number of housing units substantially completed;
  - (ii) the number of housing units of each dwelling structural type substantially completed;

- (iii) the number of housing units of each form of tenure substantially completed;
    - (iv) the number of housing units of each type of housing unit prescribed under section 2 substantially completed;
  - (o) if applicable, the number of beds provided for students by post-secondary institutions located in the applicable area or electoral area;
  - (p) if applicable, the number of beds provided by shelters for individuals experiencing homelessness and the number of housing units provided for individuals at risk of experiencing homelessness.
- (2) A local government must collect the information described in subsection (1) (f), (g) and (h)
- (a) in relation to the first housing needs report of the local government, from 2005 onwards, and
  - (b) in relation to each subsequent housing needs report of the local government, for the past 10 years.
- (3) For the purposes of section 585.21 (2) (d) of the Act, a local government must collect the following information in relation to new homes registered under the *Homeowner Protection Act* from 2016 onwards in the applicable area of the local government, and in the case of a regional district, in each electoral area:
- (a) the number of new homes registered;
  - (b) the number of new homes registered of each dwelling structural type;
  - (c) the number of new homes registered that were purpose-built as rental housing.

**Additional information**

- 7 For the purposes of section 585.21 (2) (e) [*collection of other information*] of the Act, a local government must collect the following information for the applicable area of the local government, and in the case of a regional district, for each electoral area:
- (a) if available, the following information in relation to core housing need in each of the 3 most recent census reports:
    - (i) the number and percentage of households in housing that is not affordable;
    - (ii) the number and percentage of households in housing that is not affordable by form of tenure;
    - (iii) the number and percentage of households in housing that is not adequate;
    - (iv) the number and percentage of households in housing that is not adequate by form of tenure;
    - (v) the number and percentage of households in housing that does not meet housing suitability;
    - (vi) the number and percentage of households in housing that does not meet housing suitability by form of tenure;
  - (b) the unemployment rate;

- (c) the participation rate;
- (d) the number and percentage of employees in the labour force who commute within a census subdivision;
- (e) the number and percentage of employees in the labour force who commute to a different census subdivision within a census division;
- (f) the number and percentage of employees in the labour force who commute to a different census division within British Columbia;
- (g) the number and percentage of employees in the labour force who commute to another province or territory.

**Content of housing needs report**

- 8** (1) For the purposes of section 585.3 (c) (iii) [*any other prescribed information*] of the Act, a local government must include in a housing needs report, in relation to the applicable area of the local government, all of the following:
- (a) if available, the following information in each of the 3 most recent census reports:
    - (i) the number and percentage of households in core housing need;
    - (ii) the number and percentage of households in core housing need by form of tenure;
    - (iii) the number and percentage of households in extreme core housing need;
    - (iv) the number and percentage of households in extreme core housing need by form of tenure;
  - (b) a statement about current needs and anticipated needs for each of the following:
    - (i) affordable housing;
    - (ii) rental housing;
    - (iii) special needs housing;
    - (iv) housing for seniors;
    - (v) housing for families;
    - (vi) the number of beds in shelters for individuals experiencing homelessness and the number of housing units for individuals at risk of experiencing homelessness;
  - (c) a summary in the form set out in the Schedule to this regulation.
- (2) Subject to this regulation, a regional district must provide a housing needs report that sets out the required information under the Act and this regulation for each electoral area.
- (3) A local trust committee must provide a housing needs report for the local trust area for which it is the local trust committee.

**Electoral areas with population of less than 100**

- 9** (1) Electoral areas with a population of less than 100, as set out in the most recent census report, is a prescribed class.

- (2) As an exception to sections 585.21 [*collection of housing information*] and 585.3 (b) and (c) [*content of housing need report*] of the Act, a regional district need not collect information described in section 585.21 of the Act or include information described in section 585.3 (c) of the Act in a housing needs report for an electoral area in the class prescribed under subsection (1) of this section.

#### **Local trust area**

- 10** (1) The information required to be collected under section 585.21 of the Act need not be collected for the Ballenas-Winchelsea Local Trust Area.
- (2) A housing needs report need not include the matters described in section 585.3 (c) of the Act for the Ballenas-Winchelsea Local Trust Area.

#### **Indigenous land**

- 11** (1) In this section, “**Indigenous land**” means the following:
- (a) treaty lands of a Treaty First Nation;
  - (b) Nisga’a Lands;
  - (c) Nisga’a Fee Simple Lands as defined in the Definitions Chapter of the Nisga’a Final Agreement;
  - (d) Sechelt lands, as defined in section 2 (1) of the *Sechelt Indian Band Self-Government Act* (Canada);
  - (e) a reserve, as defined in section 2 (1) [*definitions*] of the *Indian Act* (Canada);
  - (f) other Maa-nulth First Nation Lands as defined in the Definitions Chapter of the *Maa-nulth First Nations Final Agreement*;
  - (g) other Tla’amin Lands as defined in the Definitions Chapter of the Tla’amin Final Agreement;
  - (h) other Tsawwassen Lands as defined in the Definitions Chapter of the *Tsawwassen First Nation Final Agreement*.
- (2) The information required to be collected under section 585.21 of the Act need not be collected for Indigenous land in an applicable area.
- (3) A housing needs report need not include the matters described in section 585.3 (c) of the Act for Indigenous land in an applicable area.

# SCHEDULE

[section 8 (1) (c)]

## Housing Needs Report – Summary Form

MUNICIPALITY/ELECTORAL AREA/LOCAL TRUST AREA: \_\_\_\_\_

REGIONAL DISTRICT: \_\_\_\_\_

DATE OF REPORT COMPLETION: \_\_\_\_\_ (MONTH/YYYY)

### PART 1: KEY INDICATORS & INFORMATION

*Instructions: please complete the fields below with the most recent data, as available.*

<b>LOCATION</b>	Neighbouring municipalities and electoral areas:
	Adjacent Indigenous lands:

<b>POPULATION</b>	Population:		Change since <year>:	%	
	Projected population in 5 years:		Projected change:	%	
	Number of households:		Change since <year>:	%	
	Projected number of households in 5 years:		Projected change:	%	
	Average household size:				
	Projected average household size in 5 years:				
	Median age (local):		Median age (RD):	Median age (BC):	
	Projected median age in 5 years:				
	Seniors 65+ (local):	%	Seniors 65+ (RD):	%	
	Projected seniors 65+ in 5 years in the applicable areas:		%		
	Owner households:		%	Renter households:	%
	Renter households in subsidized housing:				%

<b>INCOME</b>	Median household income	Local	Regional District	BC
	All households	\$	\$	\$
	Renter households	\$	\$	\$
	Owner households	\$	\$	\$

<b>ECONOMY</b>	Participation rate: _____ %	Unemployment rate: _____ %
	Major local industries: _____	

<b>HOUSING</b>	Median assessed housing values: \$ _____	Median housing sale price: \$ _____
	Median monthly rent: \$ _____	Rental vacancy rate: _____ %
	Housing units – total: _____	Housing units – subsidized: _____
	Annual registered new homes – total: _____	Annual registered new homes – rental: _____
	Households below <i>affordability</i> standards (spending 30%+ of income on shelter): _____	_____ %
	Households below <i>adequacy</i> standards (in dwellings requiring major repairs): _____	_____ %
	Households below <i>suitability</i> standards (in overcrowded dwellings): _____	_____ %

Briefly summarize the following:

1. Housing policies in local official community plans and regional growth strategies (if applicable): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
2. Any community consultation undertaken during development of the housing needs report: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
3. Any consultation undertaken with persons, organizations and authorities (e.g. local governments, health authorities, and the provincial and federal governments and their agencies).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
4. Any consultation undertaken with First Nations: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**PART 2: KEY FINDINGS**

**Table 1: Estimated number of units needed, by type (# of bedrooms)**

	Currently	Anticipated (5 years)
0 bedrooms		
1 bedroom		
2 bedrooms		
3+ bedrooms		
<b>Total</b>		

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Table 2: Households in Core Housing Need**

	2006		2011		2016	
	#	%	#	%	#	%
<i>All households in planning area</i>		100		100		100
<b>Of which are in core housing need</b>						
Of which are owner households						
Of which are renter households						

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Table 3: Households in Extreme Core Housing Need**

	2006		2011		2016	
	#	%	#	%	#	%
<i>All households in planning area</i>		100		100		100
<b>Of which are in extreme core housing need</b>						
Of which are owner households						
Of which are renter households						

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Briefly summarize current and anticipated needs for each of the following:**

1. Affordable housing: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Rental housing: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Special needs housing: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Housing for seniors: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Housing for families: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Shelters for people experiencing homelessness and housing for people at risk of homelessness: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Any other population groups with specific housing needs identified in the report: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Were there any other key issues identified through the process of developing your housing needs report?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_