

EVOLVING PROVINCIAL LEGISLATIVE CONTEXT: SUMMARY OF IMPLICATIONS

The legislative framework that guides municipal land management tools has shifted significantly in recent months. The known changes have informed the approach and proposed direction for the OCP and zoning modernization. A summary of the relevant changes, as they are currently understood, and their impact on the approach is outlined in the table below.

Legislation	Summary	Alignment with and Impact to 10-year Update Process
<i>Housing Supply Act</i>	Enables the Minister to establish housing targets for local governments, and for the Province to investigate and issue directives to local governments where significant efforts are not being taken to achieve identified housing targets.	A ministerial order was issued for Victoria in September 2023 that requires the City to work toward the completion of 4,902 units by October 2028. These targets are aligned with the proposed OCP Goal Posts and informed the land use framework.
Small Scale Multi-unit Housing <i>Bill 44 - Housing Statutes (Residential Development) Amendment Act, 2023</i>	Municipalities of over 5,000 people required to permit on lots that are currently restricted to single-family and duplex uses: <ul style="list-style-type: none"> • at least 3-4 units on most residential lots (depending on lot size), and • at least 6 units on residential lots at least 281m² in size and within 400m of bus stops with frequent transit. 	Generally aligned with Victoria's current Missing Middle regulations and the proposed approach to zoning modernization. <i>Interim updates by June of 2024 will be required to align with regulations in advance of finalizing zoning modernization.</i>
OCP and Zoning Framework <i>Bill 44 - Housing Statutes (Residential Development) Amendment Act, 2023</i>	Requires standardized Housing Needs Report (HNR) for a 20-year planning horizon. Municipalities are required to comprehensively update HNRs to align with provincial guidance before the end of 2028. An interim HNR (update) is anticipated to be required by January 1, 2025. Regulations and guidance for standardized HNR methodology is not yet released; expected in early 2024.	Victoria's most recent HNR is from 2020 and has informed the update process. Technical work commissioned in 2023 to inform the OCP Update provides a 25-year planning horizon for population and housing needs and includes updated latent demand indicators (aligned with provincial methodology for Housing Targets, as understood). This work would likely align well with the required interim HNR.

Legislation	Summary	Alignment with and Impact to 10-year Update Process
	<p>Requires OCP <u>and</u> zoning bylaws to be updated every five years to provide housing capacity for 20-year needs.</p> <p>The first reviews of and updates to OCP <u>and</u> Zoning are required by December 31 of the year in which council receives the interim HNR.</p>	<p>Technical work includes an assessment of residential build-out capacity to understand potential paths toward meeting future need.</p> <p>Capacity for anticipated growth can be accommodated, but action and investment by other governments is required to catch-up with latent demand and to ensure housing across the continuum.</p> <p>The OCP Update process puts the City in a good position to meet the Provincial timelines.</p>
	<p>Requires OCPs to include housing policies respecting each class of housing need required per the most recent HNR.</p>	<p>Current and proposed OCP policy directions support key housing needs identified in 2020 HNR, provincial 5-year housing targets and technical work commissioned for this process, including for rental, below-market and family housing.</p>
<p>Transit Oriented Development Areas <i>Bill 47 - Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023</i></p>	<p>Identifies Transit-Oriented Development Areas (TODA) and establishes minimum heights and densities that local governments must not use zoning to restrict within 400 metres of these areas, as well as site planning standards, such as reduced off-street parking requirements.</p>	<p>A single TODA is identified for Victoria at the Legislature Exchange. The TODA is reflected in the proposed OCP policy directions.</p> <p><i>The City must designate the TODA by June 2024.</i></p>