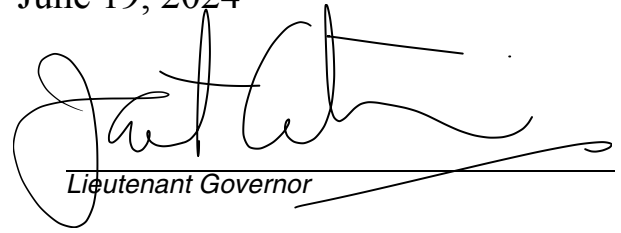


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 355

, Approved and Ordered June 19, 2024



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 the attached Prescribed Classes of Affordable Housing (*Local Government Act*) Regulation is made.



Minister of 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, ss. 570.4 (5) and 783

Other:

R10755211

PRESCRIBED CLASSES OF AFFORDABLE HOUSING (LOCAL GOVERNMENT ACT) REGULATION

Definitions

1 In this regulation:

“**applicable entity**” means the following:

- (a) the government or an agent of the government;
- (b) the government of Canada or an agent of the government of Canada;
- (c) a municipality;
- (d) a regional district;
- (e) a corporation incorporated by, or in which shares have been acquired by, a municipality or regional district for a purpose that includes providing affordable housing;
- (f) a First Nation;
- (g) an applicable recipient, if the applicable recipient has received funding from one or more of the entities in paragraphs (a) to (f) for the purpose of building affordable housing;
- (h) an applicable recipient, if the applicable recipient
 - (i) has entered into an agreement referred to in section 483 of the *Local Government Act*, or
 - (ii) has, as covenantor, agreed to a provision described in section 219 (2) (a) or (b) of the *Land Title Act* the effect of which provision is to limit the use of the applicable land to that of affordable housing;

“**applicable recipient**” means the following:

- (a) a society as defined in section 1 of the *Societies Act*, other than a member-funded society as defined in section 190 of that Act;
- (b) a board as defined in section 1 of the *Health Authorities Act*;
- (c) a registered charity as defined in section 248 (1) of the *Income Tax Act* (Canada);
- (d) a corporation as defined in section 2 (1) of the *Canada Not-for-profit Corporations Act*;

“**federal non-profit cooperative**” means a cooperative as defined in section 2 (1) of the *Canada Cooperatives Act*, if Part 20 of that Act applies to the cooperative;

“**First Nation**” means the following:

- (a) a band as defined in section 2 (1) of the *Indian Act* (Canada);
- (b) the Nisga’a Nation;
- (c) a Nisga’a Village;
- (d) the shíshálh Nation continued under the *shíshálh Nation Self-Government Act* (Canada);
- (e) the shíshálh Nation Government District continued under the *shíshálh Nation Self-Government Act* (Canada);

- (f) a treaty first nation;
- (g) the Westbank First Nation as defined in the agreement approved under the *Westbank First Nation Self-Government Act* (Canada);

“**housing cooperative**” means a housing cooperative within the meaning of the *Cooperative Association Act*, if section 173 of that Act applies to the housing cooperative;

“**rental unit**” has the same meaning as in section 1 of the *Residential Tenancy Act*.

Prescribed classes of affordable housing

2 The following classes of affordable housing are prescribed for the purposes of section 570.4 (5) of the *Local Government Act*:

- (a) rental units that will be
 - (i) owned or leased by an applicable entity, and
 - (ii) operated by an applicable entity, which entity need not be the same as the applicable entity under subparagraph (i);
- (b) supportive housing units, which are units of residential accommodation that will be
 - (i) owned or leased by an applicable entity,
 - (ii) operated by an applicable entity, which entity need not be the same as the applicable entity under subparagraph (i), and
 - (iii) provided to seniors, persons with disabilities, persons experiencing or at risk of experiencing homelessness, or other individuals who, based on criteria set by the applicable entity that operates the units, will benefit from on-site supports and services;
- (c) cooperative housing, which is housing that will be provided to members of a housing cooperative;
- (d) housing that will be provided to members of a federal non-profit cooperative;
- (e) transitional housing, which is living accommodation that will be provided
 - (i) on a temporary basis,
 - (ii) by a person that receives funding from the government, the government of Canada, a municipality or a regional district for the purpose of providing the accommodation, and
 - (iii) as part of a program intended to assist individuals to become better able to live independently;
- (f) emergency shelter, which is living accommodation that will be
 - (i) provided by a person that receives funding from the government, the government of Canada, a municipality or a regional district for the purpose of providing the accommodation, and
 - (ii) used to provide temporary accommodation, without charge, to individuals who are in need of such accommodation.