

February 29, 2024

Mayor Mike Hurley
City of Burnaby
4949 Canada Way
Burnaby, BC V5G 1M2

Dear Mayor Hurley:

Re: Provincial Response to 2023 Resolutions

UBCM has received the Province's response to your Council resolution(s) from 2023. Please find the enclosed resolution(s) and their provincial response(s).

All responses from the Province have been posted to the UBCM web site under Resolutions & Policy.

Please feel free to contact Jamee Justason, Resolutions and Policy Analyst, if you have any questions about this process.

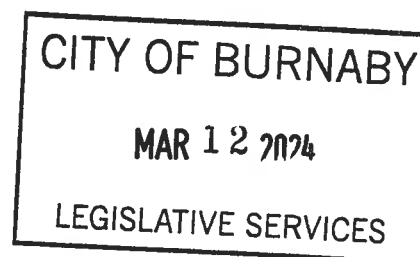
Tel: 604.270.8226 ext. 100 Email: jjustason@ubcm.ca

Sincerely,



Councillor Trish Mandewo
UBCM President

Enclosure



2023 EB13 Expanding Property Transfer Tax Exemptions

Burnaby

Whereas the high cost of land is one of the greatest barriers to non-market housing development in British Columbia;

And whereas municipalities have been asked by the Province to support the development of new non-market housing developments, including by forgoing market value of their own lands to provide to not-for-profit organizations at a nominal rate and for extended periods of time to facilitate the development of affordable housing;

And whereas municipalities view not-for-profit organizations as partners in non-market housing development, regardless of their registration status as a society or charity:

Therefore be it resolved that UBCM urge the provincial government to review the Property Transfer Tax and other provincial legislation to expand the exemption from payment of Property Transfer Tax to all not-for-profit societies, co-operatives or corporations incorporated and in good standing under the BC *Societies Act*, *Cooperative Association Act*, or the Canada *Not-for-profit Corporations Act* who are leasing municipal lands for the development of affordable housing from payment of Property Transfer Tax to eliminate this financial burden on the creation of non-market housing.

Convention Decision: **Endorsed**

Provincial Response

Ministry of Finance

The Property Transfer Tax Act was introduced in 1987. The purpose of the tax was to diversify the tax base, provide a fair return for the public on rising property values, and reduce reliance on other provincial taxes.

Currently, registered charities are exempt from property transfer tax (PTT) when they purchase or receive property that will be used for a charitable purpose. To be eligible for these exemptions, an organization must be registered as a charity with the Canada Revenue Agency. Provincial policy is to only provide the exemption to charitable organizations that meet the federal government's criteria.

Many non-profit societies cannot meet these requirements because they are not exclusively created for a charitable purpose. Further, non-profit societies may be organized for reasons other than charitable purposes, provided they do not operate to generate a profit. Providing an exemption to non-profit organizations/housing societies which have varied purposes would set a difficult precedent for government.

While not always practical due to third party financing and funding arrangements, leases under 30 years are exempt from PTT.

In Budget 2023, the province announced partial PTT exemption for new purpose-built rental buildings to further encourage construction of this type of housing to address housing affordability.

The Province appreciates the suggestion and will take it under advisement.

2023 EB14 Municipal Authority for Empty Homes Tax

Burnaby

Whereas encouraging unoccupied residential properties to become available for long-term occupancy represents an opportunity to increase the availability of housing in our communities;

And whereas the authority to adopt an Empty Homes Tax is not currently available to municipalities operating outside of the *Vancouver Charter*.

Therefore be it resolved that UBCM call upon the Province of British Columbia to amend the *Community Charter* to enable municipalities to administer a specific property tax on unoccupied Class 1 Residential properties, with net revenues to be used by the municipality towards affordable housing projects.

Convention Decision: Endorsed

Provincial Response

Ministry of Municipal Affairs, Ministry of Finance and Ministry of Housing

The Ministries of Municipal Affairs, Finance and Housing are committed to working with our local government partners to address affordable housing issues in BC.

The Speculation and Vacancy Tax was recently expanded to 13 new communities including Vernon, Coldstream, Penticton, Summerland, Lake Country, Peachland, Courtenay, Comox, Cumberland, Parksville, Qualicum Beach, Salmon Arm, and Kamloops. This tax is continuing to contribute to the ongoing moderation of BC's housing market and now applies beyond the initial large urban centres to address affordability in more communities.

This tax is designed to turn empty homes into housing for British Columbians. All revenue generated by the speculation and vacancy tax is required to go into the Housing Priority Initiatives Special Account, which supports affordable housing initiatives in the areas where the tax is collected. The province has committed to an investment of \$7 billion in housing affordability over 10 years. In 2023 the Growing Communities Fund provided an additional one-time total of \$1 billion in grants distributed among all of BC's local governments to support the delivery of infrastructure projects necessary to enable community growth.

Speculation and vacancy tax is just one initiative to support these significant housing investments. In 2023, the province passed legislation to reduce the number of short-term rentals, freeing up more properties for homes. The province also passed new housing legislation that aims to address persistent permitting and zoning challenges, speed up delivery and increase the supply of middle-income housing.

As local governments vary greatly in resources and needs, assessment of the impact of the measures in the Homes for People Plan and recent legislative initiatives is required before consideration of a local vacancy tax for other local governments similar to what was granted to the City of Vancouver in 2016.

Whereas systemic inequities are present in all municipalities and prevent all citizens from fully participating in civic life, but numerous municipalities across British Columbia and Canada have made progress towards becoming more equitable by committing to embed equity in all government action through the use of analytical processes for the assessment of systemic inequities (e.g. Gender-Based Analysis Plus);

And whereas the Province of British Columbia and the Government of Canada have adopted Gender-Based Analysis Plus to assess how diverse Canadians experience policies, programs, and government initiatives:

Therefore be it resolved that UBCM call upon the Province of British Columbia and the Government of Canada to provide resources and policy direction to enable local governments to implement analytical process for the assessment of systemic inequalities (i.e. Gender-Based Analysis Plus) across local government capital investments, operations and strategic initiatives to ensure all citizens can participate fully in civic life and to make measurable progress towards dismantling systemic inequality in our communities.

Convention Decision: Endorsed

Provincial Response

Ministry of Finance

The BC government agrees that it is important to ensure policies, programs and services work for all people and there is a need to better understand the different ways people experience the world. GBA+ is a tool that can help governments better understand how diverse groups of people experience public policy and identify where changes should be made.

We encourage all local governments to adopt GBA+.

Currently, there are resources and training available through the federal Ministry of Women and Gender Equality. The BC government is in the early stages of developing further training on GBA+ for provincial public servants, and we welcome the opportunity to share the training with local governments as new modules become available in the coming years.

In alignment with the UBCM Equitable Communities resolution, new provincial initiatives such as the Anti-Racism Data Act are also building BC's capacity to identify and reduce systemic inequities in provincial government services. The Province looks forward to sharing its learning with local governments as we move forward.

**2023 NR16 Supporting Non-Profit Ownership of Non-Market
Housing in Air Space Parcels**

Burnaby

Whereas municipalities have been asked by the Province to support the development of new non-market housing developments;

And whereas municipalities have adopted policies to encourage the inclusion of non-market housing owned and operated by a non-profit organization as part of market housing developments;

And whereas non-profit organizations are being denied mortgage financing to acquire non-market dwelling units due to lack of title or lease while the building is under construction:

Therefore be it resolved that UBCM request the provincial government to amend the *Land Title Act* to enable lot line adjustments for air space parcels, to allow non-profit organizations to obtain title and financing on a provisional air space parcel which may then be further subdivided prior to occupancy to align with the building's elevations as constructed.

Convention Decision: Endorsed

Provincial Response

Ministry of Forests

The Province will work with the Land Title and Survey Authority to determine what solutions are available to assist non-profit organizations in this manner.

2023 NR57 eGaming Revenue Distribution

Burnaby

Whereas eGaming revenue is increasing as a proportion of overall gaming revenue collected by the Province;

And whereas eGaming revenue is not currently shared with municipalities, unlike casino revenues which are shared with host cities for the purpose of public benefits:

Therefore be it resolved that UBCM call upon the Province of British Columbia to allocate a portion of BCLC's online revenues based on per capita or eGaming revenue earned from each municipal resident spend.

Convention Decision: Endorsed

Provincial Response

Crown Agencies Secretariat – Ministry of Finance

The Province uses gambling revenue generated by the BC Lottery Corporation (BCLC) to benefit British Columbians through investments in programs and services such as education and health care.

Every year, local governments and First Nations in BC that host a casino or community gaming centre typically receive a 10 per cent share of net gaming income generated by those facilities. Hosts can use the revenue for any purpose that benefits their local community and must report annually to the Province on the expenditure of these funds.

The Province also shares 7 per cent of BCLC's net income with First Nations through the BC First Nations Gaming Revenue Sharing Limited Partnership.

Additionally, the Province provides annual funding for eligible programs through the community gaming grants program to community groups anywhere in BC.

The Province is not contemplating a change to the distribution of online gaming revenue at this time.

2023 NR90 Exemptions for Elections Workers

Burnaby

Whereas there is no exemption under the *Employment Standards Act* for temporary municipal election workers hired to work on advance and general voting days;

And whereas the provincial government has an exemption from Part 4 of the *Employment Standards Act* relating to hours of work and overtime, and is therefore not required to meet these legislative requirements for temporary election workers:

Therefore be it resolved that UBCM request the provincial government to provide to local governments an exemption from Part 4 (Hours of Work and Overtime) of the *Employment Standards Act*, except Section 39 which refers to excessive hours of work, as it would relate to temporary election workers during the local government elections and by-elections.

Convention Decision: **Endorsed**

Provincial Response

Ministry of Labour

Section 35.1 of the Employment Standards Regulation exempts workers appointed under the BC Election Act from Part 4 of the Employment Standards Act, which deals with hours of work and overtime. However, they are not exempt from the provision prohibiting an employer from requiring a worker to work excessive hours (section 39 of Part 4).

The exemption was established in 2008 based on engagement and input from Elections BC, detailing the specific circumstances of workers appointed under the BC Election Act in relation to provincial elections.

The Ministry of Labour is open to considering requests made by the UBCM or its members to extend a similar exemption to specified municipal workers. Such requests should set out the rationale for the requested exemption, along with the scope, impacts and implications of providing the requested exemption.