



LEGISLATIVE ASSEMBLY  
of BRITISH COLUMBIA

Hansard Blues

## Committee of the Whole – Section A

Draft Report of Debates

THE HONOURABLE RAJ CHOUHAN, SPEAKER

---

4th Session, 42nd  
Parliament

Monday, November 20,  
2023

Afternoon Sitting

---

### PROCEEDINGS IN THE DOUGLAS FIR ROOM

#### Committee of the Whole House

BILL 44 — HOUSING STATUTES  
(RESIDENTIAL DEVELOPMENT)  
AMENDMENT ACT, 2023

The House in Committee of the Whole (Section A) on Bill 44; R. Leonard in the chair.

The committee met at 3:22 p.m.

On clause 1.

**The Chair:** I call Committee of the Whole on Bill 44, the Housing Statutes (Residential Development) Amendment Act, 2023 to order.

**A. Olsen:** Just a question to the minister. Is adequate housing a human right?

**Hon. R. Kahlon:** I know that we're going to be speaking about this in another bill as well. I do believe that people have the right to housing. I've said that many times. The member will continue to ask that question, and I'll continue to give him the same answer.

**A. Olsen:** I appreciate the response. I think the last time that I asked the minister, he said shelter was a human right. I think that there is a distinction between providing someone adequate shelter and providing a person adequate housing.

The United Nations is very clear. Is the minister familiar with the United Nations definition of adequate housing? And does the minister agree with the international human rights definition of adequate housing as a human right?

**Hon. R. Kahlon:** I always appreciate the questions from the member across the way. We do have a bill coming on this topic, and I would appreciate if we talked about that bill at that time and focused on this piece of legislation at this time. I fully respect the member's need to ask questions, but it does not really relate to the legislation we have here.

[3:25 p.m.]

**A. Olsen:** I think that, as I've stated publicly, the way that the government has brought forward these bills, multiple bills on housing, the plan on housing, I guess, has been fragmented into three different pieces of legislation related to housing. Two pieces of legislation with housing-related elements are being taken care of by the Attorney General.

I appreciate the minister's wish to distinguish. However, when establishing a kind of base, the baseline for which the minister is operating, I want to ensure that we're having the same conversation: that we're operating from the same basis; that the right to adequate housing is a human right; that the minister agrees with the international, broadly accepted United Nations definition of "adequate housing;" and that the minister agrees with the federal government's assertion that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities.

That's in the national housing strategy. Does the minister agree with that definition as well?

**Hon. R. Kahlon:** I think what the member was really getting at is that the AG has that bill, and there are some specific questions the member wants to ask me about that next bill. What I'll say to the member is that when that bill comes forward and these items come up, I will stand up and respond to that bill for the member. But I would like to focus on this piece of legislation, if we can.

**A. Olsen:** Does the minister agree that this bill is about housing?

**Hon. R. Kahlon:** Yes, I do agree this is about housing.

**A. Olsen:** I mean, I think that it's important for us to establish a baseline in the discussion. We have a scenario here where the minister is making one of the most

substantive changes that we've seen to zoning, to the powers of local government, to the real estate industry and the real estate market, to the value of everybody's investments and also to people who have not been able to invest. The minister is also making some changes that are changing their lives remarkably and their chances at life remarkably.

I've gotten three questions in, and we've already identified part of the problem with the approach that's been taken with these bills. We're not having a conversation about housing; we're having multiple fragmented conversations about housing. When you take people's investments and you take people's future life and you fragment it that way, and then when the people in this House are trying to establish some baselines to understand, to make sure that we are working from the same framework, that we're working from the same definitions and understandings, you say: "Well, that's a part of a different bill."

This is all part of the ability for people to live and work and create security and comfort in our communities. So when I ask whether or not the minister agrees those questions about the right to adequate housing.... Those questions are based on the ability for people to be able to operate in the framework that this minister is changing and is making changes with very little public consultation and, in fact, as we get into this further, removing significant powers for public consultation and replacing it with this process.

This forum is the public consultation, because there has been no public consultation. People may agree that the public hearing process is arduous. It is that because we formerly believed, in this province, that people should have a say in their communities. This bill is removing that. This bill is moving that to a completely different process.

**[3:30 p.m.]**

It's important that if this is going to be the public hearing, if this is going to be the place where there are questions to be asked about this bill and perhaps how it relates to the other bills, if this is going to be the culture here where it's, "Well, that's not part of this bill. That's part of another bill. Come back later," then it is as I suspected, and that is that these bills, these policy areas, have been fragmented so that we're not having a coherent discussion about housing.

We're having a series of conversations and a series of questions about specific housing policies in the way that the government decided to formulate these bills and to formulate this process. In the briefing, I was told that this process was formulated this way as a way to make it easier for the public to understand what's going on. But I can tell you that there's a bill that's coming about the way that municipalities are going to be able to recoup some of the money that's needed in order to support the infrastructure for these — a different conversation.

If we ask anything about that, I'm assuming what I'm going to hear is that that's a

different bill in another time. We can't link these, then, which makes this a very disingenuous and a very troubling scenario for the people trying to figure out exactly what this means, whether you're a councillor at the council tables that we sat at; local government, whose responsibility it is to understand how communities are developed; whether you're a community member who has been a lifelong renter with the hopes and dreams of being able to buy one of these units, as to whether or not you're going to be able to afford it; whether you're a property owner and you're understanding what's going to happen with the various pieces of legislation and how they apply.

These are important questions to be asked in this bill, and perhaps even to be asking the minister, the Attorney General, some of these questions as well. This is a housing bill, as the minister said. I'm asking questions related to housing, to the philosophy of this government, and, in particular, the government's Housing Minister.

None of the questions that I've been asking are about the football game this weekend or the transportation network, which is also about housing and connecting communities. The questions that I've been asking are about housing, and I think that they're applicable and they should be responded to.

Does the minister believe that his overall approach has been centred on housing and protecting the inherent dignity and well-being of people, as is outlined in the Canadian housing strategy?

**Hon. R. Kahlon:** Again, my understanding of this House is that in this committee process, we talk about the legislation at hand. The Chair can advise me if that's not the case. But if there are questions related to the legislation, I'm happy to answer them.

The member mentioned many things, so I'll try to address a few of them. I've said that I believe housing is a right. I've said many times, on the record, that we're not removing people's right to have a public hearing. We're saying you can have an engagement. You can engage in your plan, have it in the community planning stage in the official OCP, and do it on the front end.

If there's a plan already in place in the community, and the community has already agreed on the community plan, then that community plan should be the plan for the community, so that we can have a plan and work the plan.

There were multiple things raised, but I guess the member's core question is: do I believe housing is a right? And I'm saying to the member: yes, I believe housing is a right.

**A. Olsen:** Does the minister believe in the inherent dignity and well-being of the person as is outlined in the Canadian housing strategy?

**Hon. R. Kahlon:** With all respect, we're debating provincial legislation. I don't have the Canadian definition of what the member is referring to.

**A. Olsen:** Does the minister believe in the ability of somebody in their community to have a dignified place to go to the bathroom?

**Hon. R. Kahlon:** Yes, with housing. As we're proceeding to allow housing to be built in this province, I do think that all the housing that we build should have a washroom.

**A. Olsen:** Has the ministry modelled and estimated the wealth that's going to be created by this bill?

[3:35 p.m.]

**Hon. R. Kahlon:** The modelling does not look at the wealth that's generated. The modelling does look at the viability of housing. We referred to some numbers that we had. In a few weeks, we will be making an economic study public, but it does not capture, I think, what the member is referring to.

**A. Olsen:** We're proceeding with Bill 44 to rezone massive swaths of land without an economic study, then, from the minister's last response?

**Hon. R. Kahlon:** Again, I think the member is mischaracterizing what I said. I said we did a study that looks at the viability. It looks at the amount of units that will be able to be created, the homes we will be able to create throughout the province, and that work is done. I don't agree with the member's characterization of it.

**A. Olsen:** When you take a property that currently has one single-family home built on it and you overlay the official community plans which exist in a vast majority, if not all, of the communities that this bill will apply to — communities over 5,000 people, communities that have done any kind of official community planning.... It's a basic requirement of communities to have that plan.

Understanding, then, by layering that in, the number of units, economic units, that might be able to be produced in this. when you take that single-family property owner and you multiply either by three, four or six times, you start to get the number and understanding of how much wealth this bill is creating for people who currently own properties.

The ministry doesn't have.... I realize I might be framing it differently than the way that the ministry might have looked at this. The question that I'm wondering is: how much new wealth is being created by turning single-family-home zones in communities over 5,000 people, either three, four or six times multiplied...?

**Hon. R. Kahlon:** I appreciate the member rephrasing his question. We refer to it as land lift or the value increase on properties. The research that we've seen shows that if you rezone a small area in the community, or, say, one parcel, there is a significant

land lift that comes with that. But when you do it in a large area, such as we are, which is across the province, in most of the province, the land lift is not very high.

**A. Olsen:** So is the minister then suggesting that these single-family-zoned properties will be sold for the same amount as the single-family home that's on there now, or that there's no increase to the property value, or it's marginal? Has there been any modelling to determine what kind of value property owners can expect from this?

[3:40 p.m.]

**Hon. R. Kahlon:** Again, thanks to the member for the question.

It will be dependent on location. It will be dependent on a whole host of factors. What we know from pretty widespread research is that when you allow for more than one home, multiple units, to be built on that site, those units become more affordable to many people across British Columbia. There's research from all over the world, where jurisdictions have gone in this direction, that has shown that.

**A. Olsen:** Is that, basically, more supply equals more affordability?

**Hon. R. Kahlon:** We believe this will increase the availability of housing at lower price points for folks within British Columbia. In addition to multifamily homes having a lower cost of land per unit than single-family properties, economic modelling projects that these changes could reduce housing prices by 7 to 14 percent over five years because of the added supply.

**A. Olsen:** Has that been the experience of British Columbia over the past 20 years, where we've been increasing supply every year in most urban communities, most communities in the province? Have we then, therefore, have seen a decrease — a percentage, let's say...? I don't have the exact percentage. Have we seen that an increasing supply over the last 15 to 20 years in this province has equalled to more housing affordability?

**Hon. R. Kahlon:** I think maybe an alternative framing, and maybe a question with a question, would be: if we hadn't built the housing that we did over the last few years, would that have meant the prices would have come down?

Yes, we need housing supply. We've had a significant population increase. We need more housing in British Columbia. What we're doing with this legislation is creating the space for more housing units to be built across the province.

**A. Olsen:** Well, perhaps my question and the minister's question might be inappropriate both ways. I'll ask the question this way. What is the underlying philosophy that this minister operates from in writing this bill?

[3:45 p.m.]

**Hon. R. Kahlon:** This bill fits in the context of all the bills that we've brought forward — which is needing to get more housing built — but it's not without the context of investing in more affordable not-for-profit housing and investing in co-op housing.

We believe that the private sector has an important role to play in addressing our housing challenges, but they don't have the only role to play. Not-for-profits have a critically important role. Governments investing in affordable housing has a role to play.

I assume that's where the member is going with this question. If not, I apologize.

**A. Olsen:** No, the minister is right. That's where I'm going with it. We've seen a situation where there are hundreds of units of affordable housing, non-market housing, being built, and this bill creates thousands of market housing units. It's about scale and context, scale and scope.

With the swipe of a pen later, or the nod of Her Honour, we're going to have a situation where people who own property in this province — whether immediately or over a long period of time, depending on which perspective you take — are going to see a tremendous increase in their personal wealth. People who happened to get into the housing market or who happened to be born at the right time are going to see a massive increase in their personal wealth. Those who are outside the housing market are not going to enjoy that benefit, and the scale and context of it are completely misaligned.

In Bill 44, we are turning the vast majority of the homes to the housing market, which in whole or in part — we can have a philosophical debate about it — created the problem that we face. The solution is the non-market, outside-the-market houses that need to be built, something that the governing party, prior to their being in government, I think, would have had the proper scale and scope on.

What we see here is that the vast majority of the homes that are going to be created through this are going to just be for sale on the market. They're just going to be market homes, yet the non-market solutions are just much fewer and farther between.

Indeed, in the second reading speech, the minister stated that for the houses that have a big enough piece of property and are located close enough to a bus stop or a bus depot, the owner could consider building an affordable unit. There are no measures within this bill, from what I can see — maybe the minister can point them out to me — that require a measure of affordability in this.

So this bill creates huge amounts of wealth for people who have generated huge amounts of wealth from being born at the right time, and separates and creates a massive, much larger gap between those who were not born at the right time and who did not get into the housing market, the real estate market, at the right time.

Has the minister taken a look at the impact that this will have in widening the socioeconomic gap between those who own property and those who don't?



**Hon. R. Kahlon:** We could probably have this good conversation for hours, and we may even have it for hours.

I think the first point would be: the member makes an assumption that this legislation is just about market housing. Not-for-profits could, under these rules, be building as well. Not-for-profits, I believe, will look for opportunities to build four units at a time. I have heard from some Indigenous partners who believe this might be an opportunity for, instead of building an expensive single home, building four units and having the family structure so that people can live closer together.

I appreciate where the member is going, but fundamentally — I'll reemphasize my point — this is one piece. This is not the only piece. We've got transit-oriented development. We've got over \$7 billion of investments in building deeply affordable housing across British Columbia. It's going to require all those pieces to address the challenge.

[3:50 p.m.]

If the member is asking me, "Do you believe that just non-market housing alone, and only building that, is going to solve the challenge we have, alone, by itself," I don't believe we can solve that challenge just by itself. We're going to need both. We're going to need everybody to be part of that solution.

I'll give the member another example. As we go into higher densities, definitely there are opportunities for some form of inclusionary policies, some form of policies ensuring that there's a level of deeper affordable units in that site. What we've seen in the three- to four-unit space is that there's not much space, not much room there for projects to be viable.

So this is the challenge. We saw that, in fact, in Victoria. When Victoria passed their missing-middle policy, the reason why they didn't have a pickup was because they put in a lot of requirements that made the projects not viable.

That's a long way of saying I understand and appreciate where the member is going. But fundamentally, it is our view that we need the private sector playing a role and need the not-for-profit sector or the non-market sector to play a role.

I can share with the member, also, that this recent information that came out of Auckland, following their introduction of upzoning policy, shows that the policy change can achieve a 50 percent increase in housing permits in less than a decade and successfully softening housing costs.

So this is a piece of all the pieces that we're advancing.

**A. Olsen:** If we had the time to look at Auckland, I think both of us, actually, could construct an argument around Auckland's experience, and I think we could both be correct in using Auckland as a way to promote creating a large amount of supply with one action. It would also be, I think, a warning for doing it.

There are positives and consequences to doing this. I think that this is part of the reason why this government needs to move slowly and needs to think about what it is



that's happening here.

The unintended consequences that the minister hasn't responded to yet, which are: what is the gap that's being created between those who own the property...? It doesn't matter if it's an Indigenous housing provider that wants to build four units. I can come up with edge cases as well. But the vast majority of those properties — and let's be honest — are not going to be an Indigenous housing provider building four units.

We have seen a situation where.... To suggest that Victoria's missing middle failed for one reason or another, I think, is a bit rich as well. I mean, the reality of it is that in a market housing environment, housing gets built when it's profitable.

The point I'm making is that we are creating a huge amount of space for market housing. The minister can say: "Well, there are probably non-profits that are going to build on it too." Fine. But the reality is without putting any of that regulation in place, without putting any controls in place, all we're doing is ramping up more of what we already have, which is a housing market that extracts as much value out of the people as it can possibly get. If you can't get it, they hold it until they can. There's a lot of evidence of that as well.

From the studies that this government has done, has there been any analysis of how this bill impacts the stratification and widening the gap, the socioeconomic gap, between those who own a single-family home right now and now may own six and those who don't — largely by the nature of either they're seniors on a fixed income or they were just born in the wrong generation?

[3:55 p.m.]

**Hon. R. Kahlon:** You know, we're having a bit of a philosophical conversation about housing. In an ideal world, we'd have a lot of this being built by not-for-profits and a lot of it being non-market. But we're trying to address the housing crisis in the environment that we're in right now.

I think the member is getting to another point, which is the need to de-commodify our housing. The steps we took with short-term-rentals legislation, which was saying we need this housing for people and not for investors, I think is one of those important steps. But fundamentally, what we're talking about here is when a single-family home comes down, and we make it very easy for a single-family home to be built but nothing else, then we're actually excluding a lot of people from being able to get into the idea of owning a home.

What we're saying is that now you can have three, maybe four, units, depending on the size of the lot, which means that those units are more affordable for a lot more people in British Columbia. Surely the members have heard that from housing advocates who understand, who agree that this is one way for people to get into home ownership. Again, it's not the one thing that will solve the entire housing crisis. I think that's important to highlight.

Yes, I would agree with the member that more non-market housing is needed.

That's why we've been investing so much, and I think more needs to be invested. I'm hoping that tomorrow, with the fiscal update, we get a sense of that. But we need to have all of the pieces moving forward if we really, truly want to address the challenge ahead of us.

**A. Olsen:** I think that maybe we'll get to a point about the socioeconomic system that's producing this issue that's not being dealt with in this bill. In fact, what this bill is doing is playing more into the socioeconomic system that produced this problem than it is moving away from it.

The minister talks about a housing crisis. Does the minister believe that we have a housing crisis or a housing affordability crisis?

**Hon. R. Kahlon:** I think the member's question was: do we have a housing crisis or an affordability crisis? I would say to the member: both. That demand is only going to continue to increase. We are welcoming people at a record-level pace. We need people. We have an aging population, and we need to have immigration. But with that, it means we have both.

**A. Olsen:** I appreciate that, and I appreciate the minister drawing that distinction and highlighting, as I was joking about earlier, the unlimited supply of demand, if we want to play with economics 101, which is what we have — an unlimited supply of demand coming into our communities from around the world and from across Canada.

Acknowledging that and acknowledging that this bill has been framed and that all of the rhetoric around this bill has been framed to address it, has the ministry done the analysis as to how many houses need to be built to catch up to where we're at today?

[4:00 p.m.]

How many houses need to be built to keep up with the demand that continues to increase, and has that been laid out in a plan over the next ten, 15 years, or is all we're doing just building economic units?

**Hon. R. Kahlon:** Thanks to the member for the question.

CMHC predicts that we need 610,000 new housing units by 2030 in order to get to 2005 affordability levels. So this is what CMHC has put forward. I can share with the member that part of our economic analysis that showed that the increase in secondary market rental and ownership stocks would positively impact renters broadly, particularly renters who are single mothers, women living alone or visible minorities.

**A. Olsen:** Are those 610,000 just market units?

**Hon. R. Kahlon:** I'm not aware of the definition of the 610,000, how much is non-market in CMHC's calculation.

I will share that research has also shown that when new market units are built, it

does free up opportunities for others. When folks move out of their unit and move to a new market, it does create opportunities for others.

[4:05 p.m.]

**A. Olsen:** What kind of analysis has been done here with respect to buildings that currently exist? There was just an article. I think Hartland Landfill or CRD talked about how they're not accepting building waste. What kind of analysis has been done here?

We've got housing stock that is aging, housing stock that should be replaced and housing stock that won't.... The speculation that could exist where you take a perfectly good home, you bulldoze it and build four or three or six more. What kind of analysis has been done about the potential waste that will be created in that?

**Hon. R. Kahlon:** Well, right now homes are being torn down, and only mansions or large single-family homes are being built on them. In fact, I know of a couple of communities that still have people buying two homes, tearing them down and building one, going the other way.

I'll give the member an example. I heard recently.... Portland shared their example, with their small-scale, multi-unit changes. I believe they said just under 700 units over the last two years were built there, and they're a population of 700,000. The reason why I share that — obviously, our modelling is a little different — is that we don't expect there to be every house in every neighbourhood being torn down because they want to build three units or four units. In some cases, people have two units and may want to add a third unit to the back.

It's not necessarily about new units being created by people tearing their houses down. There's also the opportunity for people to add an accessory dwelling unit onto their backyard, because now they're allowed.

**A. Olsen:** I think that perhaps the minister didn't get the point of the question.

The point of the question is that I understand that people tear down houses and build new houses. The fact of the matter is that by making these broad, sweeping changes here at the provincial level that impact the form and character of communities, that impact communities.... By making this available, we have to be able to understand the impact that we're having. Clearly, the impact of that hasn't been analyzed, because basically, the question was sidestepped. But the reality is.... I mean, again, we can pull edge cases out.

The question is: what kind of analysis has been done to the potential impact now that we are granting these powers across vast swaths of British Columbia? In the past, there were restrictions against it. And yes, one or two people would tear down a house or tear down two houses, consolidate the lots and build them. That's not what I'm talking about. I'm talking about the supercharging of the other behaviour.

[4:10 p.m.]

Anyway, Ricardo Tranjan, a political economist and commenter from the University of Waterloo, argued recently in a Walrus article that there is no housing crisis. This goes back to the question that I asked the minister, about whether there was a housing affordability crisis or a housing crisis. He shows the narrative, or he argues, anyway, that the narrative around housing affordability has been written for decades.

My mom, Dr. Sylvia Olsen, specializes in housing on Indian reserves in this country. The housing narrative that she talks about is one that has been the line between where you can build houses and create wealth, and then, on the other side, where I grew up, where you can build houses and not create wealth — deliberate. The federal government created that policy a long time ago.

So wealth.... All of these questions that I've been asking about creating wealth through property have been something that I've sat and looked across the street and seen happen. A \$100,000 home that was built in Brentwood when I was a kid, a long time ago now.... It was sold for 100 grand, built on top of strawberry fields and on top of creeks,. It was cheap housing. It was urban sprawl. It was cheap, 100 grand. Families.... The schools were full. It was amazing. A great community to grow up in. So \$1 million, \$1 million, \$1 million.... We've been building neighborhoods like that for decades in this province.

Those are the questions that I've been asking the minister about, whether or not building more units creates more affordability in a housing market that is about generating wealth. Let's be honest about it. That's its design, to generate wealth, not as a public service. Our housing market isn't a public service. You have to intentionally build the public service. You have to intentionally restrict the ability to generate wealth in our real estate market in order for there to be real affordability.

All the houses across the street from my house are around, you know, between \$700,000 and \$1 million in that neighbourhood, where it was \$100,000 when I was growing up. Now the sprawl isn't happening on the Saanich Peninsula. That happened. Now it's happening in the West Shore.

Now all the low-value, the more affordable, units, let's call them, are happening in the West Shore because they're building volume out there. But what's happening out there? The prices of housing are increasing out there as well, because it's market housing. We're pretending like we have a market housing system that's going to donate stuff to people, just big donations.

But we've studied it. We've seen what happens when you create a system that's designed to generate wealth. It does what? It generates wealth.

Tranjan argues against this idea that there's a housing crisis. There's a housing affordability crisis. Tranjan states: "In contrast, Canada's housing crisis is a permanent state of affairs that harms people in, or in need of, rental housing, roughly one-third of the country's households." One-third of British Columbians. "The other two-thirds own homes whose values rise much faster than those other investment options. New

homeowners may face high housing costs, but mortgage payments are accompanied by long-term growth in their personal wealth."

I think that's pretty fair. That's exactly what we've seen, right?

"Landlords, real estate investment firms and developers operate in a stable, lucrative business environment. Even 2020, the first year of the pandemic, when entire sectors of the economy were shut down, was a good year for the industry. Banks and other mortgage providers create money, lend it and charge interest on it. If that wasn't already a sweet deal, the federal government assumes a share of the risk of the mortgages so that banks can make easy money worry-free."

I think that's a fair assessment of the housing market, that we're going to.... It's going to hand a bunch of donations over to everybody.

Continuing: "A housing system that serves all but one group is not in a state of crisis. It's based on structural inequality and exploitation." Does the minister agree with that statement?

[4:15 p.m.]

**Hon. R. Kahlon:** I apologize for the delay. I was re-reading the article the member had referred to. There are a couple of things there.

I think everyone can acknowledge the history of zoning and understand that zoning was created to keep certain communities out and to ensure that some communities could get in. I would agree with the member that these policies have created wealth for some communities and left other communities out. That's why, by taking this step, some communities that have purposely kept people out will now need to get the people back in. I think we're aligned on that piece.

One of the other arguments that Mr. Tranjan makes, I believe, is the need for us to move more housing into the non-market space. I think the member will understand that with the rental protection fund, that's exactly what we're trying to do. He refers to that in his article as well: if there are buildings available in the private sector, you provide the not-for-profit sector, the non-market-housing sector, with the ability to acquire it, to protect the renters but to grow the non-market housing. We are doing that.

I don't think we are philosophically too far off, other than, I would say, that I'm trying to address the housing crisis, as is my responsibility in the crisis, with the systems that we have. But we are reforming the systems as we move, as well.

**A. Olsen:** I appreciate the minister's answer, but I think it's a matter of scale and scope again, as I mentioned earlier. We are flooding the market with market product, and we are dripping into the market.

[4:20 p.m.]

I mean, we're talking about a matter of billions and billions and billions. Whether the minister thinks it's going to be built all tomorrow or next week or next year or over the next decade, we are putting billions of dollars of wealth into the real estate market,

into the hands of the people who own the real estate — billions and billions, countless billions.

The ministry can't put a number on it because the number is astronomical. I'd love to know the number, because I think if the minister could come up with the number, and he uttered it in this room, and British Columbians understood what level of value was being created out of nothing here, in this bill.... And then putting beside it the \$500 million rental rescue fund, the rental fund that was put out.... Great initiative. Love it. But if there was context around this....

There's no context around this discussion. We're talking about hundreds of billions — billions and billions — of dollars' worth of wealth being handed to those who have it, and a \$500 million fund as a rescue, so an ocean's worth of wealth being created for a small bucket or drips into a bucket of units here and there.

Put this in the context of a conversation that happened in the chamber the other day, where the minister was rattling off, you know, 20 units here, 30 units there, 30 units there. The members on the other side were like: "Boy, look at all these houses that are being built." So 20 here, 20 there.... It was a total of about 80 units that the minister mentioned as a way to try to paint a picture of all the work that's being done — 80, 100 units.

And I'm sure that what will come back, as well, is that the member for Saanich North and the Islands doesn't appreciate the 80 or the 100 units. That's not the point of me raising it. The point of me raising it is to put it into context. This is the reason why I asked the minister: how much wealth is he generating here? How much wealth is he creating with this bill? How much wealth are all of the members that are going to be asked to stand up in support of this bill, to hand to the people who already own property...? How much wealth is being created?

When it's put in context with the response that the minister just gave me, I think we will see the complete inequity that's being created here or that's being furthered. It's uncomfortable to think about that context. We're being asked, in this bill, to hand and to create an unimaginable amount of wealth for people that already have it.

I asked: what is the gap? Can't answer that question. I asked: how much wealth is being created? Can't answer that question. I asked: how much further behind are the people that are renting? How much further are they going to be behind because they don't have access to the capital to do the projects?

This is about access to capital, as was pointed out in here. And the reality of it is that the people who are renting right now don't have access to the capital that the people who own the property do.

Maybe the minister wants to provide an answer. Since they just talked about the \$500 million rental protection fund, let's put it into context. How many billions of dollars of wealth is being generated by this bill? It's so that we can put into context the response that he just gave for the last answer.



**Hon. R. Kahlon:** I really appreciate the conversation. Again, I believe 24 units were opened in his community the other day — the local nation. I'm sure the member knows that. It might not sound like a big number, but it's important for the community whenever these numbers are used. I hope he's not trivializing the number of units that these communities are having, as many of them haven't had an investment for decades.

[4:25 p.m.]

I was with Seabird Island Band. They haven't had an investment there since CMHC invested in housing there 60-something years ago. I appreciate that it doesn't solve all the problems, but I still think it's important to know that it means a lot to some individuals.

Now, I totally appreciate this conversation in the context. The member is thinking about this utopia. We're going to have all of this solved because the government is just going to build every single unit. We're just going to build every single unit, and we're not going to have the private sector do anything because somebody's going to make money off of it. I mean, that's great. I think you can have that view.

We have people right now that are struggling for housing. I shared with the member that what we project over the ten years is the reduction of home prices by 7 to 14 percent, from the data.

We've seen, in Auckland, that rents decreased for the most marginalized people when these actions were taken. I'm not entirely sure what the member is suggesting, this utopia of how this will be solved without anyone in the private sector being involved, without anyone in the private sector making some level of profit.

[M. Dykeman in the chair.]

I can agree with the member that we greatly need to scale up the non-market housing. That's why we're making the investments we're making.

Right now if a single-family home gets torn down and a single-family home gets built, that's still wealth being created, but it's being created for one person, one family. When you tear one home down and you allow it to be four units and four different families, you're providing an opportunity for more people to get in. Not only that, when you have a greater, increased amount of supply, that will that help right now with rents for those that are renting.

Again, this one initiative by itself doesn't solve the entire housing crisis. What we're trying to do with a whole host of initiatives is to get at it together. So yes, investments in non-market housing — we need to do that. Yes, rental protection fund to try to get more of the housing stock back — important. Yes, finding ways for the private sector to build some more housing for people.

We're trying to do it with all the pieces moving together. We can't do it with just



one sector alone. We're going to need everybody to be part of it.

**A. Olsen:** Well, I think the minister's answer just identified one of the key issues that I raised. That was that we're trying to solve the housing affordability issue in a fragmented, disjointed, disconnected kind of way. We are unable to see the full picture because the minister, either through the answers or through the way that these bills have come forward, is not allowing us to see the full picture.

Housing systems and communities are interconnected. You can't solve this by throwing one policy here and one policy there and then cutting a ribbon and taking a victory lap. Politically, that works.

But from a community development and building a resilient, interconnected, vibrant community, that's the opposite approach to what you need. You need a coherent, well-thought-out, well-planned, well-supported, with the infrastructure, program. That's not what's being developed here.

The minister is hearing things that I'm not saying. I'm not suggesting that there's no role for the market. I'm not suggesting that there's no role for private industry. I'm not suggesting that there isn't a role for the Urban Development Institute. They have a role.

What I'm trying to do is put into context the actions that this bill is having in comparison to, actually, the initiative that the minister pointed out. What this whole line of questioning is about is identifying the context problem that's happening here.

I even predicted in my last question.... I said: "I know that they're going to hear back that I'm not supportive of the 24 units here and the 36 units there." So I insulated my question with the response that I recognize that those marginal investments and those marginal announcements are welcome in the communities.

I can't wait for the 28 units to finally be done on Salt Spring. I celebrated those with the minister and the minister's B.C. Housing team when they were announced two years ago. They're not done yet, but I celebrated that.

**[4:30 p.m.]**

What I'm pointing out in this line of questioning is the context. We have an unnamed number, an amount of wealth that's been generated by this bill. We don't know how much it is. But we've been given the context that there's a \$500 million rental fund.

What I'm trying to point out is that in the act of passing this bill, we are creating an unimaginable amount of wealth. When Her Honour comes in and gives us the nod, we are turning wealth that people have been benefiting from and we're multiplying it by three, by four or by six. Whenever it happens, that's what's happening.

What I'm trying to do is put into context here the actions of this government in announcing 20 units, 20 units, 20 units — or, in one of my neighborhoods, in one of my communities, hundreds of units — all at once, which is what's being done here.

On one hand, the minister can talk about the number of units — in the context, a

very small number of units in comparison to the hundreds and thousands of units of non-controlled market housing that are going to be created in this. What I'm trying to get is an understanding of the scale and scope, the context between the two initiatives. How much wealth is being generated for those who have, and what is the gap that's being created for those who are not fortunate to own property and have the ability to access capital?

**Hon. R. Kahlon:** Let me counter the member's phrasing of this by saying that by not legalizing housing, by not allowing more units to be built, you're actually creating wealth. What happens is that you have more people, and you're not allowing more units to be built, so wealth is growing. If you're only allowing single-family homes to be built, wealth is growing. It only is available to those who have deep pockets.

Although I understand philosophically and appreciate the member's points — perhaps he's looking for a reason not to vote for this, and that's fine, too — but to the core...

Interjection.

**Hon. R. Kahlon:** ...the policies we have now, which allow zoning not to happen and make people go through major barriers to have the housing built, with years in waiting, are actually creating wealth. It's creating wealth for those who actually get an opportunity to zone their property up, while everybody else doesn't have the opportunity to do it.

We can debate this all day long. But that is creating wealth as well.

**A. Olsen:** I'm not ignorant to that. I'm not naive to that. That was the premise of a question that I asked several questions ago.

I'm not naive to the fact that the minister actually just answered a question in a more direct way than what the response was previously: that the current situation, where we have been building units, has also been creating a huge amount of wealth through real estate. It has been widening the gap between those who are able to access it and those who aren't. This is a housing system that's built on generating wealth. That's what the housing market is.

Here I'll tie it all together. When you have a part of the system that you're now putting a huge number of units into and that is entirely based on wealth generation, you can expect that behaviour to continue, because you're not putting any controls in it.

Did the minister ever consider when saying, "We're going to do three, four or six," requiring a certain number of those units to be rate-controlled? The economists are talking about the way that you actually decrease the amount of rent somebody is paying, or the amount that somebody is paying on their lease or on their mortgage, is by having a sufficient number of rate-controlled, out-of-market units that are being put

into the system.

[4:35 p.m.]

**Hon. R. Kahlon:** As I shared earlier with the member, the analysis we have is that putting too many restrictions in the three- or four-unit space would not make these homes to be built viable. So we'd have a policy change, but we wouldn't actually see housing come online.

I know the member said earlier that that wasn't the only challenge with Victoria's Missing Middle policy. That was a big part of it. That's why, in fact — credit to the city council — they changed that piece. They realized that that was a barrier to that being built.

What we know from economists, through the analysis we've done but also externally, is that when you allow for three or four units to be built, you actually bring the unit prices down — I shared that number already — by 7 to 14 percent.

Again, I'm actually sympathetic to some points that the member is making. In an ideal world, we would have a much.... In fact, I would say some jurisdictions around the world that have healthier housing markets have a significantly higher percentage of non-market housing as part of the mix.

I fully can agree with that, and the data shows it. But what we're seeing now in British Columbia is that by limiting zoning, by making people go through a lot of barriers to get a couple of units extra being built, we're actually creating wealth only for those that already have and not creating opportunities for others.

**K. Kirkpatrick:** The minister will be relieved that I don't have a question on clause 1, but I do think it's the appropriate time for me just to give some opening remarks. I would first like to thank the staff. I know it is a lot of work getting prepared for these. Based on the number of paper clips that the minister has in his binder, I see that a lot of work has been done by his team.

We need housing. It's a housing crisis. In the spirit of this bill and the need for us to increase density, it makes sense. The mechanics of this bill are very concerning to us, and as we move forward, we will have the opportunity to ask some very specific questions about the intent of this.

It's unfortunate that one of the overriding issues with this bill is that a lot of the really important pieces that matter to communities and to people are going to be in regulation. So there is a level of — and I will use the words of the member for Saanich North and the Islands — chaos, with people not understanding or knowing what is going to be happening.

I will also agree with the member in the conversation about the way in which this legislation is being presented to us, to the media and to British Columbians. It's very hard to understand when you have at least three pieces of legislation which could be one piece of legislation and which do relate to one another.

The inability to be able to cross-reference pieces of it during committee stage, I think, was an ineffective — if I can use that word, as opposed to other words — way of bringing this legislation forward. There seems to be a lack of data. Their reference to Auckland... I feel we use a lot of anecdotal information with the last few bills that we've seen. I'm hoping that as we progress through this and we have an opportunity to ask more questions, we can get quite specific responses in terms of the outcome of these changed policies in different communities.

I also warn against using examples such as Auckland. We've heard it with this government, and the STR legislation recently is looking at Toronto and other places. Unless this legislation is exactly the same, a hypothetical or an anecdotal comparison to another community is misleading.

When I was younger, I used to play this game called *SimCity*. I'm not sure who is aware of that pretty cool game. What would happen is that if you over-densified in one area but then you put the bus stop in the wrong place, everything would blow up, and it would be on to the next player's time to do this. It was my first exposure to smart city planning. There is a lot information out there about smart city planning and connected communities.

**[4:40 p.m.]**

We appreciate that there is a housing crisis right now. Much of what we need to understand in communities is what those regulations look like and what kind of flexibility there will be. We need communities that are vibrant. That's why people love British Columbia. We need to make sure we have theatres, that we have restaurants, that we have those ma-and-pa shops where you can go and buy your flowers, and you've got your dry cleaners.

If we just look at this as a numbers game, I have a real, significant concern — and I believe many communities in British Columbia do — that that feeling of community will be impacted. I think it's naive to say: "Well, housing is the most important thing, and we've got to create housing." We have to create livable communities and livable cities, and if we are just hell-bent on creating density, then we may really impact some of those very important things for our mental health and our communities and our children, as I'm sure the minister and his team appreciate.

When I was with the real estate foundation, we did a lot of investment in community planning. Yes, there was increased density. That was part of it. But the uniqueness of each and every community has to be taken into consideration. What is going to work along a transit zone in a small community somewhere in the Interior, what it's going to look like in North Vancouver, what it's going to look like somewhere else are different. And the concern with this piece of legislation is that it appears to be a one-size-fits-all.

Again, I can be corrected as we go through it with the minister. And what I'm going to anticipate is said is, "Oh. Well, we're dealing with that in regulation. We're

going to allow the flexibility in regulation," but we don't know that, and the public doesn't know that as we go through this.

So not a question on this clause but just a thank-you for the minister's time and for the staff's time. I look forward to going in more detail with this.

**Hon. R. Kahlon:** Thank you to the member for the question and acknowledging this amazing team that I have here. They have been doing some amazing work, and thanks for the nudge. I do thank them all the time, but thanks for reminding me to do that on the record again. I won't embarrass them. Sometimes I have a tendency to say things here, but I won't do that here.

I appreciate the member's opening comments. The member and I always have thoughtful exchanges — and the same with the House Leader of the Third Party. We, too, want the same thing as the member. We, too, want vibrant communities. We want healthy communities. We want fire halls and police stations. We want to see all those things. We want to see theatre. We want to see young families back in neighbourhoods.

I think we all want the same thing. This legislation isn't taking that away. Some people are worried about kids coming to the neighbourhood. Some people are worried about different types of families. What we're saying is that when you have young families, having the ability to move into a community is a good thing.

The member's community of West Vancouver — an amazing community. People love it. I believe I saw a staff report that 90 percent of the staff have to drive in, because they can't....

Interjection.

**Hon. R. Kahlon:** Seventy? Still significant, 70 percent, that people can't afford to come and live in that community. They would love to, I'm sure, because it's an amazing community. So when we create different housing options, it creates the opportunity for that healthy, vibrant community that those people bring.

We also want to see housing built where housing is already being built. This legislation, along with all of our legislation, does not encourage sprawl. It says that where there's infrastructure, let's build housing there. Now, what I would add to that is that.... The member said we want good community planning — the good work the member did at the real estate foundation. We want to see that too.

That's why part of this legislation is saying to communities: "Let's find a standardized way of doing housing needs reports so you know what your community needs. Go and engage your community. Have that discussion about where the housing is going to be built. Plan where you think things should go." But when the community has made a plan, then let's create that certainty for housing to be built. That's what we're fundamentally saying with this legislation.

[4:45 p.m.]

I appreciate the description of a beautiful community, as the member has shared. We have the same desires on this side. I think we're all trying to get to the same goal.

I'll just add one more thing. We had a woman named Kathleen Higgins in my community, who five or six years ago was able to build four units on her single-family lot. We applauded it. Everybody was really happy. It was on the front page of the paper. I know people laugh at me about that being on the front page, but it was a big deal, because it was a multigenerational home.

The kids had grown up in that home. They tore it down, they built four units on it, and now Kathleen and her partner are in one unit, and the kids are in the separate units. The entire family gets to stay on that one piece of land, where otherwise the kids might not have had a space.

We celebrated, and I remember saying to my mayor at the time: "If this is so amazing for that family, why can't we make it amazing for others?" That's what we're trying to do here. We're trying to allow different types of options.

We're not saying single-family homes shouldn't be built. In fact, I've heard that many people that are building homes still want to build single-family homes in some areas in the community, because they believe that's what people want. We're not saying that they can't. What we're saying is that if people want to have options of building other types of housing, they should have that, and they shouldn't have to go through additional hoops in order to have that right.

I appreciate the opening comments from the member, and I look forward to the rest of the clauses.

**A. Olsen:** I just have a few questions here around First Nations and Indigenous consultation.

As I've highlighted, I grew up on an Indian reserve in this country. I'm very much understanding the two systems that were created — a wealth-generating system and a poverty-generating system. I've tried to live around that, to an extent, my whole life. As I said in my speech, when my parents brought me home, they brought me home to a double-wide trailer. My parents needed 100 percent of the capital to get that trailer because of the rules that were created on this.

I've seen what happens when housing systems start to create poverty. This is the reason why I'm asking these questions about what happens when you create wealth and you don't have an understanding of how much you're creating, who you're giving it to, you don't have an understanding of what happens if it's just speculative or if it's real, when you don't have any measures that require people to build or not build, when you don't have any scale or scope about what it is that they're building.

This is just an economic unit we're talking about in this conversation. We're not talking about homes yet. We're not talking about things that we need in our community. We're just talking about convertible economic units; that's it. That's why I was focused on the wealth. It's because right now we have no idea. Someone could build nothing.



They could just take the property, get the zoning, and flip it for the new value.

In fact, when I was a municipal councillor, I saw a lot of that. They'd bring it in, they'd get it rezoned, they'd flip it, and then a new developer would build the thing. That happens all the time in our communities. There's nothing, from what I can see in this bill, that stops that from happening, and maybe we can talk about that.

I do want to talk about the comments that this government has made, over the last seven years, about Indigenous sovereignty and rights and title, and how they're directly implicated in this bill.

I'm reading a book right now called *To Share, Not Surrender*. I'm just working my way through it in bits and pieces. It's about the territory where I grew up here in WSÁNEĆ, in the territory here in the capital regional district, all this land around us. That's what it's talking about.

It really struck me, in that conversation, that the European ships kind of floated by here, and the Crown granted title to Vancouver Island to the HBC, to the chief factor at the time — a guy by the name of James Douglas; you can drive on his street just out here — one title for all of Vancouver Island, granted to a corporation, a company.

[4:50 p.m.]

The chief factor of that company, a corporate man, James Douglas, became the first governor of this newly titled area, Vancouver Island. The main job of that company was to settle the land. So what we see after that, in the earliest phases of this government, was that they sent their surveyors out. They started to cut our territory up into ever-smaller chunks of title, and they started giving them out to people who were displaced from their territory, to the thousands of people that we were talking about who were scheduled to come here. Very similar scenario.

The Hudson's Bay Company knew that those settlers were coming. The Indigenous people that were here — they had no clue that those people were coming. That's what I referenced in my second reading speech about this: that the Indigenous people here were creating a peace treaty because of the inequity in the number of people that were here — there were many more First Nations than there were settlers — but it was one title.

The reason why there's context here is because that original act is the same as what we're doing as a province here right now with Bill 44. It's the same. We're floating through neighbourhoods, and we are creating title where it didn't exist. We're creating property. The chunk of land was there, but there was only one. Now there are multiple.

I'm just wondering what level of consultation the minister engaged in with First Nations, who.... His former boss, the former Premier, regularly talked about Indigenous sovereignty, regularly talked about Aboriginal rights and title. What level of consultation was done over these unceded and unsurrendered territories that...?

In 1875, there was a packet of documents called the "Indian Land Question." What level of completion are we at with that? Have we answered that question, and now



we're confident that we can just go ahead and create all this value? How are Indigenous people benefiting from this wealth generation over their territories that we, in this province, spend a great deal of time acknowledging? Before we open events, before we open this Legislature, before some people speak, they acknowledge the territory they're from. How are we honouring that?

[4:55 p.m.]

**Hon. R. Kahlon:** I appreciate the member's question. It's a really deep question.

I think that the question of title — obviously, lots of discussions and negotiations that are still happening with many nations, with MIRR. Those discussions are well ongoing.

I can share with the member that we did extensive consultation at the policy development stage, at the legislation stage. Any nation that wanted to have one-on-one conversations, we engaged. Generally, what we heard in the consultations was that First Nations expressed support for the proposed approach overall, enthusiasm for co-planning and developing official community plans for local communities.

We understand that there's a great deal of interest in this area of work. We talked to First Nations, in particular with those that own their own land code who have advised that they're watching closely what the province is doing with great interest and who may want to consider changes in their own communities.

If the member would like more of a list, a longer list, of all the communities we engage with, I can share that with the member.

**A. Olsen:** By proceeding with this, then, am I taking it a step too far to state that the minister is unconcerned about the remaining land question, the court decisions that identify Indigenous rights and title even over — this part hasn't been challenged in court — a private property?

We've got this central lie that we've been operating from in this House that all of the land question has been solved. We continue to add layers of legislation over top of it, insulating ourselves in this place.

But are we operating from the premise that the land question has been solved and that we're just going to continue to do what was done that very first act when that boat rolled by here or floated by here and gave title to land that wasn't theirs to give title to, to settle?

Does the minister not see that this is an extension of that colonial act — what we're doing here today?

**Hon. R. Kahlon:** I think there's a lot of work to do still in that space.

With that framing of the question, any house that gets built would be in violation of that. Whether we're building housing near transit, we'd have the same question. So there's a lot of work still to do in this space. I acknowledge that.

**A. Olsen:** I agree with the minister's characterization that we're not creating a new problem. I'm simply suggesting that we're ignoring the old problem, like every other person that's been elected to this place has ignored the old problem. We're just doing it more. We're just doing more of ignoring the old problem, hoping that somehow it just disappears on its own, perhaps.

However, part of the issue and the reason why I'm going to raise this point here, and I did raise this point here, is because currently every municipality has its own rezoning process, and every municipality undertakes its own public hearings.

[5:00 p.m.]

Right now for First Nations in this province, it makes it very difficult — as has been the plan, to make it very difficult for First Nations — to be able to assert their rights and title. It ends up being a court case, and then it goes to the B.C. Supreme Court. We hear about how we shouldn't deserve anything, and then we win. Then it gets sent to the Supreme Court, one way or another, where we end up hearing: "You were right all along. The province was just arguing to delay this." That's been our experience over and over and over again.

What's different here is that the province has decided that we're going to mass rezone the province. This is a point that I think, at this moment, is the moment in which Indigenous nations in this province should be very interested, because the minister has said: "Look...."

This is the reason I drew the connection to the first boat that floated by here. It's quite similar. It's an act over a wide, wide swath of territory, and it makes it very, very difficult. My family, my sister.... I think about her every day, as she sits at the table with multiple teams from multiple ministers, trying to coordinate for our nation, a wall of bureaucrats that she's trying to coordinate against, bureaucrats who've got one little, small section. Then she goes off to the next minister to meet that wall of bureaucrats that are going to drive her into oblivion.

What's different about the characterization that the minister just raised is that this is the moment in which we are doing a mass rezoning. This is the minute in which the provincial government is taking a very similar act to our colonial ancestors and saying, "Colonize this," without answering the question.

Is the minister taking the position today that he feels sufficiently confident that we've answered the land question across the province, that we can mass rezone lands that are unceded and unsurrendered across the province, and do essentially what was done back in the mid- and early 1800s? That's to hand title over without sorting out the original ownership issue.

**Hon. R. Kahlon:** I acknowledge that there's a lot of work to do in this space. But I have to say to the member....

The premise of the question here would be if a local government creates a new community plan or approves a house from one being torn down to build down. Should

that not happen because the consultation needs to happen? Some would argue yes, and some would argue that we need the housing.

At the core of what I'd say to the member here is that there's a lot of work to be done with First Nations. There are some in treaty, but with others, we still have work to do. That's work that MIRR does, conversations that MIRR has.

I can share with the member what we did with this legislation — that we engaged nations on it — and I can share with the member what we heard back. But I won't be able to answer the question as the member has presented it at this point.

**A. Olsen:** Does the minister understand the context of the problem that exists today and the one that exists the minute that this bill receives support? See, the analogy and the connection back to when that first boat came through our territory here is an important one, because at that moment, there was one new, created title that we could negotiate with and talk with.

My ancestors did. My ancestors agreed to a peace treaty, the Douglas treaties. They did honour those new people that were coming. They negotiated with them and had the conversation with them.

We can't have that conversation now. There's not one title owner. In a neighbourhood where there were ten title owners, now there are potentially up to 40 or 60 title owners. So basically what's happened here is that this minister has gone and created....

[5:05 p.m.]

By passing this bill and putting it forward the way it is, it has created an even greater unmanageable level of conversations and of interventions that Indigenous people have to take.

He's not making the landscape more simple for MIRR in this. We're making the landscape more complex for MIRR, because a whole bunch more potential, even if it's just speculative wealth.... Let's just pretend it's all approved but none of it is built. It's just speculative wealth that people are going to defend. That's what we as Indigenous people are contesting with every single day.

Has there been an analysis as to the potential liability that is being created in the province by passing this bill without having the work that the Minister of Indigenous Relations and Reconciliation is doing, at whatever pace they're doing it at, in a different office somewhere else? Has there been an analysis of the liability that we carry by passing this bill?

**Hon. R. Kahlon:** Again, the premise of the question would be similar to transit-oriented development, building housing near SkyTrain investment, near bus investment, which I think the member would support. We'll find out. I shouldn't presume. Those are the similar challenges that you'd be dealing with in that situation.

The member also knows that nations are not having these conversations with the

individual property owners. Nations are having it with other nations, the province and Canada, and those conversations are happening. They're ongoing. So whether you have one person owning a home or three, those conversations are still happening nation to nation, not with individual property owners.

**A. Olsen:** That's true. But what happened in estimates last year illustrates the point that I'm trying to make. See, I was proposing — and I've proposed to this government a number of different ways — an elegant solution to the problem that I'm raising. I'm not just trying to create havoc or chaos in this place.

I proposed a solution to address the title question that remains hanging over this, which everybody here would wish to just go. Nobody wants this issue that I'm raising right now. This issue sucks for British Columbia because we didn't do our business, historically.

Why I'm raising it is because we can choose to do our business in the way that we are rhetorically saying that we're doing our business, or we can continue to do our business the way that those legislative ancestors, which we look down our noses on, did the business. That's the choice that we have here.

I've offered it to the former Minister of Finance; to the former, former Minister of Finance; to the former Minister of Indigenous Relations and Reconciliation; to the current Minister of Indigenous Reconciliation. What's frustrating about it is.... I agree with the minister that we do, and we are supposed to.... First Nations and Crowns, government to government — that's the way that it should be.

However, when I raised this elegant solution that I had, which is that Indigenous people should be able to see some value from the trading of land that is within their territory that is unceded and unsurrendered — something which this Crown government extracts from people every time a piece of property is created and switches hands — the response that I got from the Minister of Indigenous Relations and Reconciliation in this very room was: "You're not talking about private property rights, are you? You're not threatening people's private property rights, are you?"

It, of course, is a nice way to insulate the minister from having to feel that they have to answer the question. As long as they can put the private property rights of individuals, which is a sacred thing in our society, in between the government, the nation, and the First Nations — the nation — we're not having a nation-to-nation conversation about this. We're going to kick it down the road, because it's too uncomfortable to have this conversation.

**[5:10 p.m.]**

Even when proposing an elegant solution that would generate revenue for Indigenous nations to then become part of the economy that the minister is talking about — to become investors in housing in the community, to have access to capital in ways that First Nations have never had access to capital, unfettered from governments handing it out to them — the private property owners are being put in as a way to

create insulation.

Now, what I hear from this minister is: "Don't worry. It's nation to nation. We're having those conversations." But we're not having those conversations. We're not. So has there been an analysis because of the Yahey decision?

Let's take the Yahey decision for an example. The Yahey decision was based on the fact that the Blueberry couldn't go 250 metres without running into industrial development. As I said, in my territory, WSÁNEĆ — the people that I represent, WSÁNEĆ; the territory that I represent, WSÁNEĆ — you can't go one metre, one foot, can't go six inches out of my Indian reserve lands and not run into residential, commercial, industrial development. There is no fish for us to harvest, a treaty-protected right. There is no elk for us. They're extirpated from our territory. Not when my grandfather was a little boy. You can't go six inches off our territory.... As soon as you step foot off our territory, you are now in the district of Central Saanich.

Whether we want to agree to it in this room or not, when we pass this bill, there is a liability. It pains me to hear that there hasn't been.... It's: "Oh, another ministry is doing it somewhere else." But just based on the Yahey decision, where you can't go 250 metres or 500 metres in their territory without running into the cumulative impacts of development, what does that look like in WSÁNEĆ?

When you analyze the WSÁNEĆ Douglas treaty against the treaties for our relatives up north, you'll find exactly the same language. So there is a liability issue here that the minister has to consider. Whether the leaders in my nation raised it or not, whether the leaders of the Indigenous governing bodies around the province did or not, all of the cumulative decisions that were made about the oil and gas industry were made with exactly the same assumption that we're making today, and that is that no one's going to ask. "No one cares. We have the right to make this decision, so we're going to do it."

I'm not sitting at the cabinet table, and I'm not sitting in the Minister of Finance's office, but I can tell you that there is some liability that was created from all of those individual decisions that were made — one transit-oriented development after another, one road after another, one neighbourhood on top of our fish-bearing creek after another.

So whether we want to agree that there's a liability or not, there is a liability, because the Yahey decision is a multi-hundred-million-dollar settlement decision impacting the development of oil and gas across their territory that threatened every single decision that was being made about oil and gas in the northeast. Even nations that are nowhere near Blueberry are now.... Their rights and title are being impacted by that decision.

Is this not something that we need to be taking more seriously than what is being done here in this discussion?

**Hon. R. Kahlon:** I'll start by saying that I've never suggested the member is

creating havoc in this place. I always appreciate the thoughtful exchange that we have. I also appreciate that he's proposing an idea. I hadn't heard that idea. Perhaps he shared it with different ministers. All I can share with the member is what I've already shared with the member, which is yes, there's work to do nation to nation. Yes, we have a lot of work still ahead of us.

I've shared with the member the engagement we've done following DRIPA — what engagement we've done with the nations, what issues they've raised. But I do appreciate the member raising what he believes is another, different issue. I can share with him again what I have multiple times — the steps that we have taken before this piece of legislation came forward.

[5:15 p.m.]

**A. Olsen:** In WSÁNEĆ, we have a treaty that protects our right to hunt and fish as formerly. The Saanichton Bay Marina case was, I think, pretty clear in that there is some expectation that we should be able to continue to hunt and fish as formerly, which is protected in that. The decisions that we're engaged in today are the same decisions that have completely and entirely limited my ability to hunt on territories where we hunted.

Different Crown government decisions have completely extracted us from our fishery, made it illegal for us to engage in the economic development activity of our fishery. There are no more fish for us to catch. There are no more trees for us to harvest in our territory. So we can't do a forestry-related agreement with the minister. There are no minerals in our territory. There's some limited agricultural land in our territory.

The agreement that we had was that we were going to be able to continue to engage in our economic development, which was food production. In our history, families generated huge wealth from harvesting food — fish, primarily, but also land-based.

The fact that that is completely unavailable to us, as a result of the cumulative impacts of those surveyor chains cutting our territory.... There's a map that exists with no lines on it. We can go back to the very first day that this exercise of zoning and rezoning started to cut our territory and create wealth in it that we were excluded from.

Is the minister operating from the premise that there's no legal responsibility, no liability that this government carries to the WSÁNEĆ people for cutting their territory up into ever-diminishing chunks, keeping us from the economy that was developed on top of lands that are protected by treaty, activities that were protected, which our ancestors agreed to? When I say, "our ancestors," they're my ancestors, my ancestors' ancestors and our ancestors, the legislative ancestors.

Is this an activity that we should be continuing without having those land questions answered?

**Hon. R. Kahlon:** Again, I've shared answers with the member. I will say that,



regardless, if there's a building with ten units in it with ten different owners, whether there are 20, or whether there are 30, the dialogue, the nation-to-nation conversation, is what matters most.

With this legislation, what we are encouraging is housing to be built where housing already exists. We're not encouraging sprawl. We're not encouraging pressure for folks to build onto ALR land. We're not encouraging the housing to spread further outside of where the communities exist. Now, local governments are having their own conversations about what their OCPs look like, looking for greenfield sites and doing all that, but that's not what we're trying to do here.

What we're trying to say with this legislation is that when you have a home already there, you can create additional units on that home. You may have somebody right now, in fact, that's legalizing a basement suite, creating an additional unit.

This is happening. We're just doing this across a larger area — again, where the infrastructure already exists, where the housing already exists. We're not encouraging it to go further. Now, regardless of if there are ten, 20 or 30 units on one parcel of land, the negotiations — the discussions, the nation-to-nation conversations — will still need to happen.

[5:20 p.m.]

**A. Olsen:** I think the problem still is similar to the issue that I raised previously, which is context. I'll just come back and ask a few questions about our favourite conversation, Salt Spring, so if there's a binder for Salt Spring, you might want to pull it out.

I'll just end it with this. I recognize that the question that I'm asking is challenging, unlikely to be thought of in the context of this debate. I raise it simply because the places where the minister is approving more housing to be built weren't agreed to either. Every advance that we've made to try to find an elegant solution to this has been seen as a loss to the Crown, so it goes nowhere.

The only people that continue to be expected to lose in this province consistently.... I hear it all the time about the level of bureaucratic insulation that's created in these conversations — one or two of my relatives sitting with panel after panel, ministry after ministry, with the same two staff trying to figure out how to navigate and negotiate all the government bureaucracy.

Despite the comfort that the minister may take in the fact that we're just doing more of what's already there on the land, that still doesn't deal with it having been done on the land without any honour in the Crown. This was one of the last colonies of the British Empire, like they were exhausted and had got to the point where it just didn't matter anymore: "Did we get the land question right?" There's actually a bunch of documents called the "Indian Land Question" from 1875. Our legislative ancestors knew that this was a problem.

The reason I'm raising it in this context is not because I believe that the minister



was going to, all of a sudden, go: "Oh, you're right. We shouldn't do this anymore in this province." I suspected that the answer was going to be: "Well, we do what we do in this province. We put our head down, and we force the Indigenous people to take us to court and fight us for it."

It is almost a certainty that 99.9 percent of those court cases are never going to happen, because it's still people like my sister, alone, who have to do the work for the court case, one homeowner at a time, one transit-oriented development at a time.

If that's the way we're going to approach it, that's why I'm pleading for an intervention here, where we're doing a mass rezoning. We can interject some of that humanity into this process so that my sister and the people like my sister don't have to do one transit-oriented zoning after another to have the question that is on top of that land and that we all agree when we do the territorial acknowledgments in this place — that there's honour in this Crown, government.

In proceeding like it doesn't exist and just saying, "Well, throw it over to the Minister of Indigenous Relations," who then insulates his responses with, "Well, don't threaten private property rights," there's no place to have this conversation here. This institution has so well insulated itself that there's no good place to have this conversation.

Of course, our relatives aren't going to fight every single rezoning at every single public hearing. Could you imagine what kind of pariah they would be in their local neighbourhood? Could you imagine living in that neighbourhood? It would be terrible. It would be more terrible than it is, for a lot of people.

It's comfortable and safe for us to say: "Oh. Well, it's just the same as.... It's not sprawl. We're not building on agricultural land. We're only building on land that's already built on." It's convenient for us to forget about the fact that there's a question on this land, on most of it. Only a very small amount of it, a couple of little chunks across the province, have been sorted out by treaty.

**[5:25 p.m.]**

It's convenient for us to just shift it off and say: "Well, we're only doing what we've always done. We'll just leave it up to the Minister of Indigenous Relations and Reconciliation to throw the ball back into our court after this debate is over."

I don't agree with the premise that it's okay for us to mass-rezone huge amounts of land on land that's already developed because it has already been developed and it has already been done. That doesn't exonerate us for the fact that it was wrong in the first place. It's wrong to supercharge it. It's wrong to add a whole bunch of value that people are going to fight even more ferociously to protect — speculative land value, unrealized wealth. They're going to fight like heck to keep that wealth.

That's what we create with this. That's the whole line of questioning this afternoon: we're creating speculative wealth on this land, and then when it comes to the Indigenous land question in this province, we're not going to have it.

**The Chair:** Okay, thank you, Members. We're going to take a ten-minute break, a ten-minute recess. We'll return here at 5:40. We're in recess till 5:40.

The committee recessed from 5:26 p.m. to 5:38 p.m.

[M. Dykeman in the chair.]

**The Chair:** All right. I will call the committee on Bill 44 back to order, and we will go back to the House Leader of the Third Party on clause 1.

**A. Olsen:** I'm not going to.... I gave a very long preamble with no questions so that everyone could use the....

I'm just going to ask. Does the minister agree that Indigenous people should be able to benefit economically from their territory?

**Hon. R. Kahlon:** Yeah, I do believe that.

**A. Olsen:** Does the minister agree that when elegant solutions are proposed that allow for us to not have these challenges of threatening people's livelihoods, the equity that they've built, the government should explore those options if it means allowing for Indigenous people to extract resources from their territory?

**Hon. R. Kahlon:** I know where my friend is going. I'll just say that this is beyond the scope of my ministry. Generally, I believe that Indigenous peoples should have a benefit from their territories. But the member is walking me to: do I support this specific proposal he has, or this type of thing? So my view is that, again, I've only heard his proposal, now, for the first time.

[5:40 p.m.]

That being said, I do want to circle back to the answer I gave to the member earlier, which was whether there are ten units or 20 units, the negotiations, the conversations still have to happen nation to nation, and not with individual unit owners.

**A. Olsen:** This is precisely the reason why these questions are coming up to the Minister of Housing in a government that's responsible for those Crown pieces.

I'm not trying to walk the minister into anything. I'm just trying to simply offer, as an elegant solution, that the provincial government could set aside funds in the transfer of real estate, which is ultimately what we're talking about in this bill — why it's being raised here, and I'll continue to raise it everywhere.... We can solve this problem or part of this problem by allowing Indigenous nations to access some of the revenue the province takes from land that's questionable. Then these uncomfortable conversations around this can go away — or can be muted out, we'll say — so Indigenous nations can be generating....

And investors. Indeed, it would create one of the greatest investment vehicles in all of our communities across the province to have Indigenous nations that are not, as I characterized it in my second reading speech, managing poverty intentionally but managing wealth without having to be leashed to a provincial government to control every single bit of wealth that they're able to generate, which is the experience that we have.

So I wasn't trying to back the minister into a corner. I was just trying to offer, again, for the multiple times.... This is not a loss for this province. This is a benefit for everybody in the province.

Okay. Shifting gears.

We've heard what the province is not doing for the community on Salt Spring. The short-term vacation rentals didn't automatically apply to Salt Spring. This housing bill doesn't apply to Salt Spring. The infrastructure bill — perhaps one of the two fragmented governance structures on Salt Spring that deliver the services, the CRD, could put that amenities bill in play.

We know that it's been a terribly long time to get nowhere when it comes to providing a small number, a fraction of the number of supported housing units that are needed on Salt Spring. We know that none of these bills apply to Salt Spring. It has 12,000 residents. It's, like, the 25th-largest community in the province. It's not a small, rural island. It is a vibrant, medium-sized community, one of the larger communities in the province when it comes to the.... One of the larger medium-sized communities. It's the same size as Sidney and North Saanich.

What plans does the minister have? Since this bill, in particular, and none of the other bills do fit, how does the minister see the provincial government supporting Salt Spring Island and the unique needs that they have?

[5:45 p.m.]

**Hon. R. Kahlon:** I know the member knows the unique mandate, the preserve-and-protect mandate that applies to that area. That's why it's not included in this part.

I certainly hope that by the way the member framed the question, he's acknowledging that the legislation overall will help housing in other communities and wondering why it's not helping Salt Spring Island. I hope that's what he's implying.

But that being said, there are things.... The member knows there are some initiatives to try to get more housing on Salt Spring Island. There are unique challenges. I've spoken to the member many times about the unique challenges that are faced on Salt Spring Island. I think the regional district should consider passing a motion to opt in when it comes to short-term rentals. We know that will have an immediate impact in the community.

I'm open always, as the member knows, to try to find ways with him to help better his community, help create more housing opportunities. The challenges exist on Salt Spring Island, and he's made that clear to me many times.

**A. Olsen:** I thought if the framing of that question was particularly generous, then perhaps the answer would have been very generous as well. And it was close. It was close.

There's no question that the layers of governance with the Islands Trust and with the CRD, in particular, the CRD.... Because of its urban nature, the way the provincial government relates to the CRD is unique to even how it would relate if Salt Spring, for example, was part of the CVRD. It would be different.

Salt Spring is, as I said in my speech, rural when it needs to be considered urban, and it's urban when it needs to be considered rural. Everybody says, "Okay, we're done here," and it's all good except for the fact that we've got workforce housing.... We've got working professionals living in their van. We've got desperate people who are needing housing solutions, yet the response that we get.... The response that I got from the Minister of Municipal Affairs was that their job is to help the Minister of Housing get housing.

It's not just the preserve-and-protect mandate. It's also the availability of services, the availability of water. It's an island, but it's a 12,000-person community. It's a robust community, and it has these layers of governance.

**[5:50 p.m.]**

However, the people that lead that community on the ground, the locally elected people in that community, are exasperated. I know the minister knows that. I have to keep mentioning this because it doesn't help to acknowledge that there are barriers. What helps is if we are working to remove those barriers.

I've been coming to this government now for several years to say that we need to get to what measures are we going to take. There have been letters, requests for the speculation and vacancy tax, for example....

[The bells were rung.]

**Hon. R. Kahlon:** I move the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:51 p.m.

**NOTICE:** This is a DRAFT transcript of debate in one sitting of the Legislative Assembly of British Columbia. This transcript is subject to corrections and will be replaced by the final, official Hansard report. Use of this transcript, other than in the legislative precinct, is not protected by parliamentary privilege, and public attribution of any of the debate as transcribed here could entail legal liability.

