

Housing Statutes (Residential Development)
Amendment Act, 2023 – Bill 44

“Development Permit Areas”

Committee of the Whole - Tuesday February 13, 2024

Small-Scale Multi-Unit Housing (SSMUH)



Housing Statutes (Residential Development) Amendment Act, 2023 – Bill 44

- Adopted on November 30, 2023:
 - new housing needs reporting requirements;
 - Increases to residential densities;
 - requires OCPs be updated more frequently;
 - requires pre-zoning to accommodate a 20-year housing supply; and
 - changes to public hearing requirements.

Small-Scale Multi-Unit Housing (SSMUH)

Important Timelines

- Dec. 2023 – SSMUH policy manual and site standards released.
- Jan. 2024 – HNR instructions provided to local governments.
- Feb. 2024 – Details announced for \$51 million funding allocation.
- June 30/24 – Bylaws to be updated to accommodate SSMUH reqmts.
- July 2024 – OCP/zoning update instructions provided to municipalities.
- Dec. 31/24 – Interim HNR must be completed.
- Dec. 31/25 – OCPs and zoning bylaws updated based on interim HNR.

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Small-Scale Multi-Unit Housing

Proposed OCP & Zoning Bylaw Amendments

Small-Scale Multi-Unit Housing (SSMUH)

New BC Legislation Will Override Cities, Allow 6 Units Per Lot

Langley neighbourhood plans on hold in light of B.C.s new housing rules

Council may ditch plans for 3 communities as Bill 44 changes density rules

BC Is Allowing Up To Six Units Per Lot. Will They Actually Be Built?

Maple Ridge councillors concerned about housing rules

New laws will allow up to six units on a single family lot

Provincial housing bill to impact Merritt

Vaughn Palmer: End of the line for single-family neighbourhoods in most of B.C.

Opinion: B.C. NDP unapologetically introduces legislation to abolish "outdated zoning" that puts most housing "out of reach for many people and families"

Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Requirements :

- Bill 44 introduced the concept of a “restricted zone” into the *Local Government Act*.
- A “restricted zone” is one in which a local government has only allowed the following:
 - single family dwelling;
 - duplex;
 - secondary suite; or
 - accessory dwelling.




Small-Scale Multi-Unit Housing (SSMUH)

R1 – SINGLE FAMILY RESIDENTIAL

.1 Permitted Uses


The following uses and no others are permitted in the R1 zone:

- 
- .1 one single family dwelling;
 - .2 accessory buildings;
 - .3 church;
 - .4 home occupation;
 - .5 (Removed by Amendment Bylaw No. 1085.105)

R2 – SINGLE FAMILY RESIDENTIAL SMALL LOT

.1 Permitted Uses


The following uses and no others are permitted in the R2 zone:

- 
- .1 one single family dwelling;
 - .2 accessory buildings;
 - .3 church;
 - .4 home occupation;
 - .5 (Removed by Amendment Bylaw No. 1085.105)

R3 – LOW DENSITY RESIDENTIAL

.1 Permitted Uses

The following uses and no others are permitted in the R3 zone:

- 
- .1 one two family dwelling;
 - .2 one single family dwelling;
 - .3 church;
 - .4 home occupation;
 - .5 accessory buildings;
 - .6 (Removed by Amendment Bylaw No. 1085.105)

RSS – SINGLE-FAMILY RESIDENTIAL STRATA ZONE

.1 General Permitted Uses

The following uses and no others are permitted in the RSS zone:

- .1 single family dwelling
- .2 home occupation
- .3 accessory building

Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Requirements :

- If a local government has a “restricted zone” in its zoning bylaw the Act states that it **must**, by June 30, 2024, use its zoning powers to do one of the following:
 - allow 2 dwelling units per parcel; or
 - allow 3-4 dwelling units per parcel.



Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Requirements:

- requirement to allow 2 dwelling units per parcel applies to all communities within the province.
- requirement to allow 3-4 dwelling units per parcel applies to the following:
 - municipality with a population greater than 5,000;
 - lands within an RGS “urban containment boundary”; and
 - serviced by local government water and sewerage systems.

Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Requirements:

- Allowing 2 dwelling units per parcel can be in one of the following forms:
 - one (1) single detached dwelling and one (1) suite;
 - one (1) single detached dwelling and one (1) acc. dwelling; or
 - one duplex (which comprises 2 units).
- This is the form of density increase that will apply to a majority of the electoral areas.

Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Requirements:

- Allowing 3-4 dwelling units per parcel can be in one of the following forms:
 - apartment building (3-4 units);
 - townhouse (3-4 units);
 - duplex with secondary suites (2-4 units); or
 - single detached dwelling with a secondary suite and accessory dwelling (1-3 units).

Small-Scale Multi-Unit Housing (SSMUH)

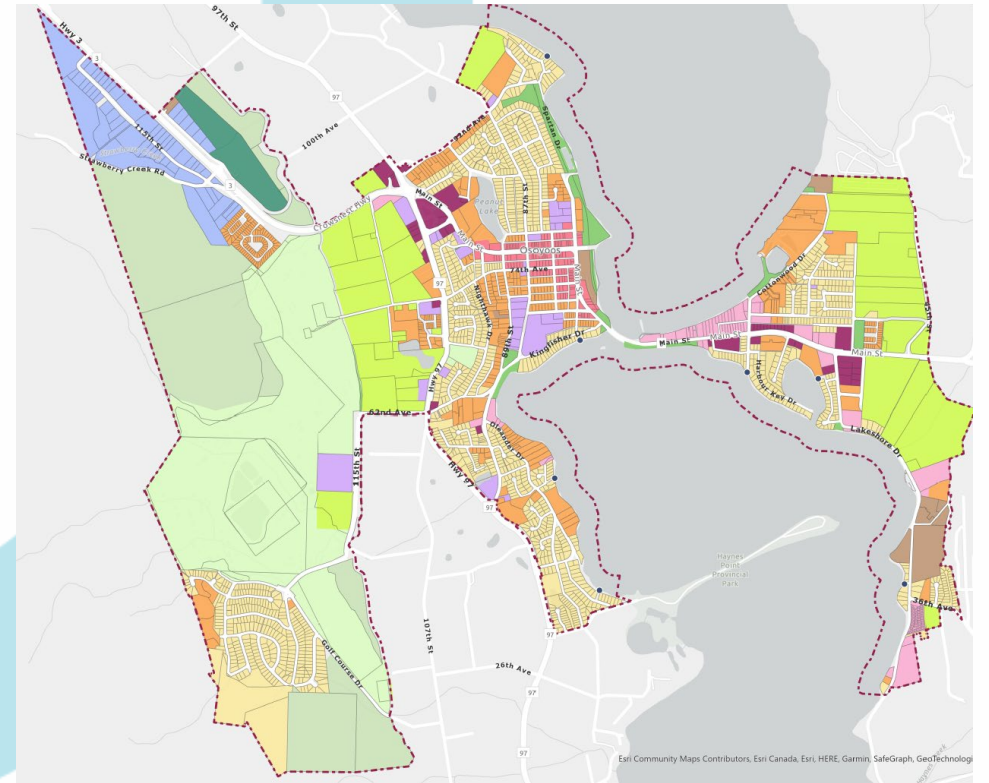
SSMUH Requirements:

- determining if a parcel is to be permitted 3 or 4 units is to be based on the following criteria:
 - Population (5,000), RGS boundary, infrastructure services (water and sewer); and
 - parcel size:
 - ❖ less than 280 m^2 = 3 units
 - ❖ greater than 280 m^2 = 4 units

Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Requirements:

- requirement to zone for 3-4 units is only seen to apply to almost all residential (“RS”) zones in Osoyoos.
- will affect parcels zoned R1, R2, R3, RSS, R5 & IRD.
- exception *may* be parcels recently incorporated within the Town’s boundary at 87th Street.



Small-Scale Multi-Unit Housing (SSMUH)

SSMUH Exemptions:

- A hazard report exists and concludes that.
 - increasing density would significantly increase the threat or risk from the hazard; and
 - the threat or risk from the hazard cannot be practically mitigated.

Small-Scale Multi-Unit Housing (SSMUH)

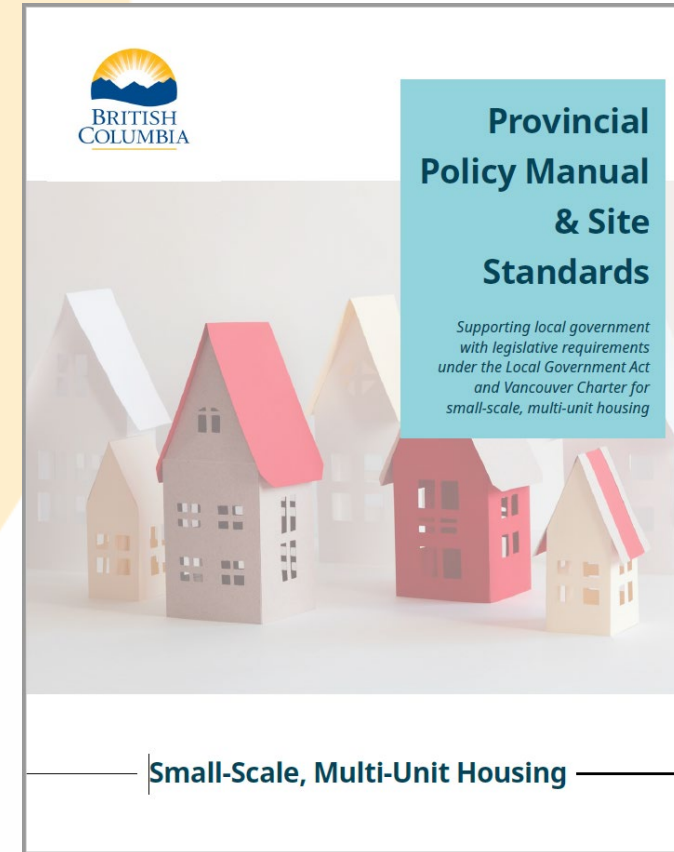
Miscellaneous SSMUH Items:

- 6 units must be permitted on parcels close to transit stops with frequent service – not applicable to electoral areas.
- A local government must not hold a public hearing on a zoning bylaw proposed for the sole purpose of complying with SSMUH requirements.
- The proposed amendments to the Town's zoning bylaws to ensure SSMUH compliance will not be subject to a PH*.
- No exemption to accommodate ALC conditions of approval.

Small-Scale Multi-Unit Housing (SSMUH)

Miscellaneous SSMUH Items:

- Council “must consider applicable guidelines” made by the Minister;
- the Manual includes recommended approaches to building types, density, setbacks, height, parcel coverage, vehicle parking requirements.
- Council should create “a favourable regulatory environment” for new building forms in areas traditionally reserved for detached single-family and duplex homes.



Small-Scale Multi-Unit Housing (SSMUH)

Overview of proposed
land use bylaw amendments

Proposed Zone “Flexibility”:

- Zoning of residential parcels must allow 3-4 units/parcel:

CURRENT “RS” ZONES	PROPOSED “RS” ZONES
Single Family Residential (R1)	Small-Scale Multi-Unit Residential (RS1)
Single Family Residential Small Lot (R2)	
Low Density Residential (R3)	
Single Family Residential Strata (RSS)	
Manufactured Home Strata Development (R5)	
Intensive Residential Development (IRD)	
Manufactured Home Park (R4)	Residential Manufactured Home Park (RSM)

Small-Scale Multi-Unit Housing (SSMUH)

Draft RS1 Zone – Permitted Uses:

Principal

- apartment building
- duplex dwelling;
- single detached dwelling;
- townhouse;

Accessory

- accessory buildings & structure;
- accessory dwelling;
- bed and breakfast operation;
- home occupation; and
- secondary suite.

Small-Scale Multi-Unit Housing (SSMUH)

Draft RS1 Zone – Permitted Density:

- a) For parcels less than 280 m² in area, the maximum number of principal and accessory dwelling units shall not exceed three (3);
- b) For parcels 280 m² and greater, the maximum number of principal and accessory dwelling units shall not exceed four (4);
- c) despite sub-sections (a) & (b), the maximum number of single detached dwellings on a parcel shall not exceed one (1).

Small-Scale Multi-Unit Housing (SSMUH)



Setbacks

Small-Scale Multi-Unit Housing (SSMUH)

Draft RS1 Zone - Parcel Line Setbacks (Principal):

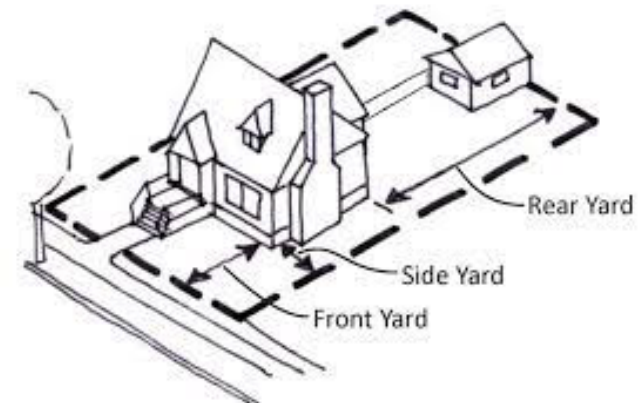
Current

- 3.5 – 6.0 metres (front)*
- 1.5 – 6.0 metres (rear)*
- 1.5 metres (side)
- 1.5 – 3.0 metres (ext. side)

Proposed (RS1)

- 2.0 metres (front)
- 1.5 metres (rear)
- 1.2 metres (side)
- 3.0 metres (exterior side)

* setbacks vary by zone



Small-Scale Multi-Unit Housing (SSMUH)

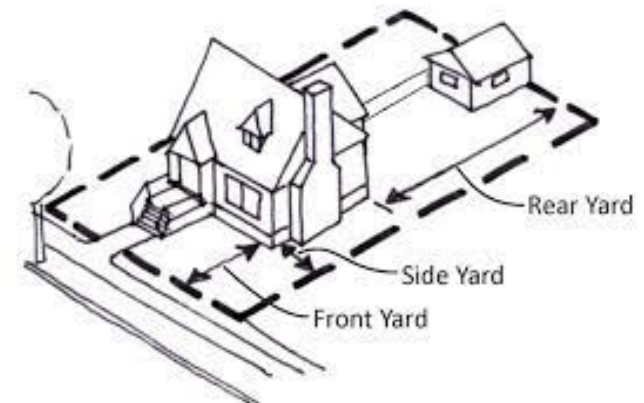
Draft RS1 Zone - Parcel Line Setbacks (Accessory):

Current

- [not allow in front yard]
- 1.2 metres (rear)
- 1.2 metres (side)
- 3.0 metres (exterior side)

Proposed (RS1)

- 2.0 metres (front)
- 1.5 metres (rear)
- 1.2 metres (side)
- 3.0 metres (exterior side)



Small-Scale Multi-Unit Housing (SSMUH)

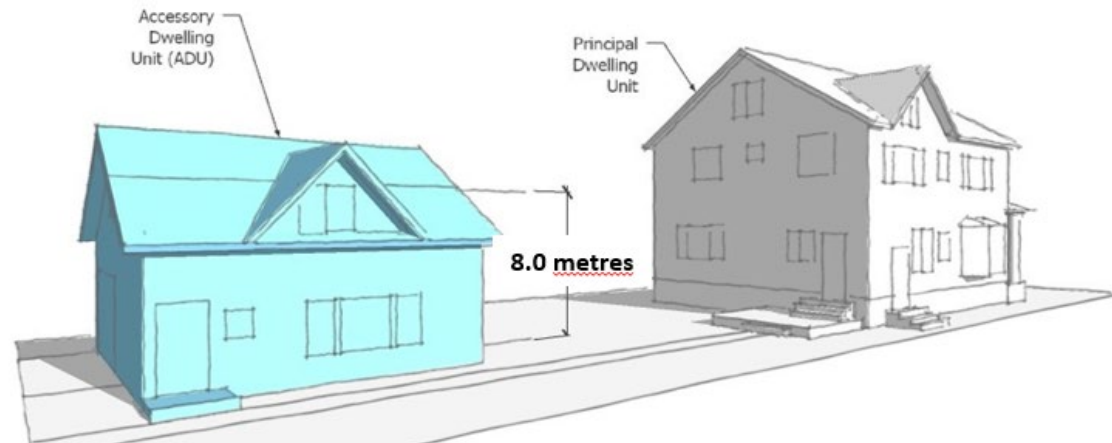
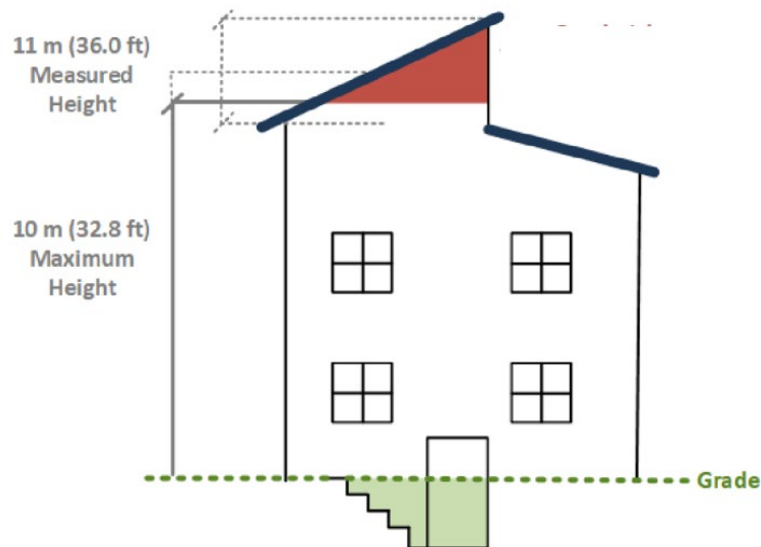
Draft RS1 Zone – Building Height:

Current

- 6.0-9.0 metres (principal)
- 4.5 metres (accessory)

Proposed

- 11.0 metres (principal)
- 4.5 metres (accessory)
- 8.0 metres (accessory dwelling)



Small-Scale Multi-Unit Housing (SSMUH)

RM1 Zone – Building Height:

Current

- 9.0-10.0 metres (principal)

Proposed

- 15.0 metres (principal)



4 storeys = 13-14 metres (approx.)

Small-Scale Multi-Unit Housing (SSMUH)

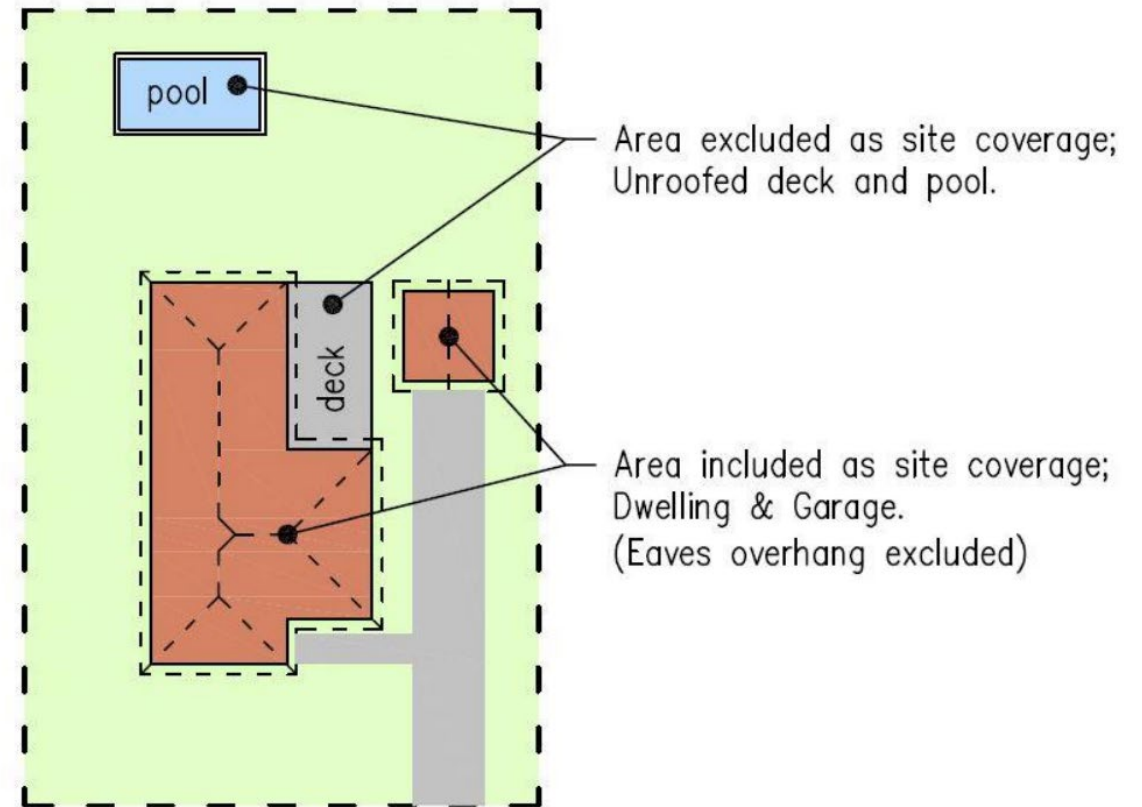
Draft RS1 Zone – Parcel Coverage:

Current

- Not specified

Proposed

- 45%



Small-Scale Multi-Unit Housing (SSMUH)

Draft RS1 Zone – Parcel Size for Subdivision:

Current

- 325 m² to 835 m²

Proposed

- 1,000 m²

“Land Assembly” is commonly used to increase the overall size of a project or to enhance the development potential (“density”) of a particular site.



Small-Scale Multi-Unit Housing (SSMUH)

Secondary Suite Floor Area:

Current

- 100 m²

Proposed

- No restriction



Up to
90 m²

Pre-2019 Suite Floor
Area Restriction: 90 m²
or 40% of principal
dwelling floor area.

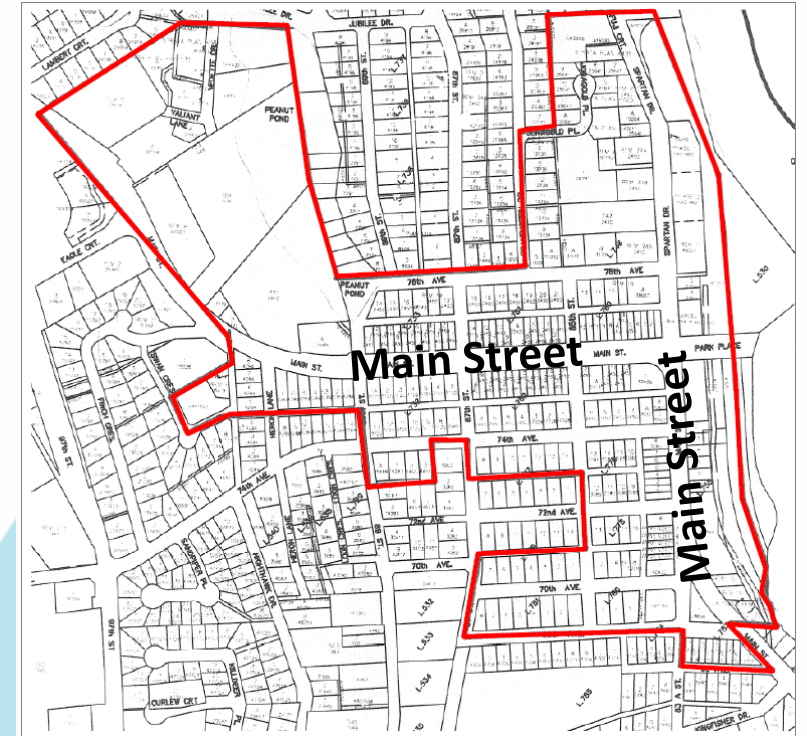
Small-Scale Multi-Unit Housing (SSMUH)

On-site Vehicle Parking Requirements:

Current

RESIDENTIAL

Single Family Dwelling	2 per dwelling unit
Two Family Dwelling	2 per dwelling unit
Multi-Family Dwelling	
non core area as defined in Figure 2.	1.75 per dwelling unit
core area as defined in Figure 2.	1 per dwelling unit
Secondary Dwelling	1 per dwelling unit
Bed and Breakfast	1 per bedroom
Home Occupation	see Section 4.6



Proposed

- 1 space per single family, duplex and accessory dwelling; and
- 1.5 spaces per apartment or townhouse unit outside “core area”

Small-Scale Multi-Unit Housing (SSMUH)

Implementation:

- amend the Town's current Zoning Bylaw; or
- introduce as part of the preparation of a new Zoning Bylaw for the Town.

Small-Scale Multi-Unit Housing (SSMUH)

Next Steps:

- Prepare amendment bylaw responding to SSMUH requirements under the Act by **June 30, 2024**;
- Prepare Interim Housing Report by **December 31, 2024**.
 - provincial funding announced in January; and
 - provincial criteria to be released in February.
- Prepare amendment bylaws responding to Interim HNR by **December 31, 2025**.



QUESTIONS?