Small-Scale Multi-Unit Housing (SSMUH) Zoning Bylaw Amendments - Revisions

Committee of the Whole - Tuesday May 28, 2024



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.

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.

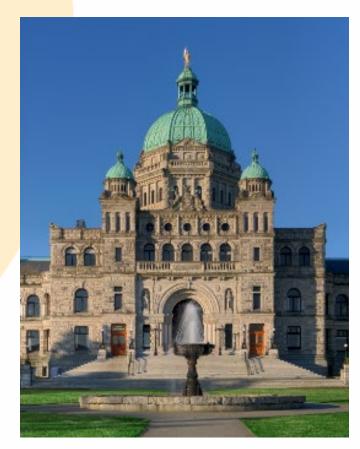
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Small-Scale Multi-Unit Housing

Proposed OCP & Zoning Bylaw Amendments

- 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.



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;
- **5**→
- .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

- If a local government has a "restricted zone" in its zoning bylaw the Act states that it <u>must</u>, 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.

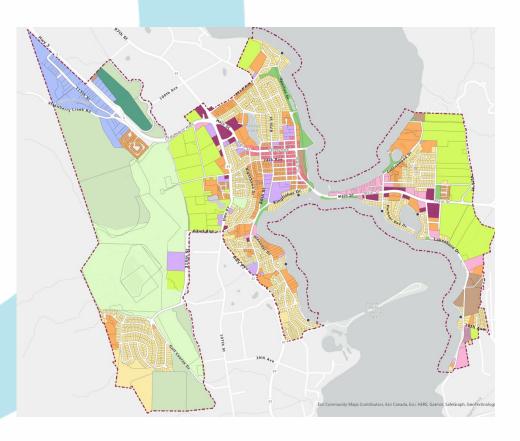


- requirement to allow 2 dwelling units per parcel applies to <u>all</u>
 communities within the province.
- requirement to allow 3-4 dwelling units per parcel applies to the following:
 - > municipality with a population greater than 5,000;
 - > lands within an RGS "urban containment boundary"; and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

- 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 m² = 3 units
 - ❖ greater than 280 m² = 4 units

- 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).

- 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.



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.

SSMUH Implementation Extension Option:

- February 16, 2024, a "time-based extension" to SSMUH Implementation is announced.
 - basis for Extension request is infrastructure servicing issues;
 - > local governments to submit request to the province prior to June 1, 2024;
 - > Province may grant an extension to December 30, 2030;
 - > Provincial decision is to be provided prior to June 30, 2024.

Overview of proposed land use bylaw amendments

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).

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.

11.0 LOW DENSITY RESIDENTIAL ZONES

11.1 SMALL-SCALE MULIT-UNIT RESIDENTIAL (RS1) ZONE

11.1.1 Permitted Uses:

Principal Uses:

- a) apartment building;
- b) child care facility, subject to Section 7.4;
- c) duplex dwelling;
- d) single detached dwelling;
- e) townhouse;

Accessory Uses:

- f) accessory building or structure, subject to Section 7.1;
- g) accessory dwelling, subject to Section 7.2;
- h) bed and breakfast operation, subject to Section 7.3;
- i) home occupation, subject to Section 7.5; and
- j) <u>secondary</u> suite.

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- g) accessory dwelling, subject to Section 7.2;
- bed and breakfast operation, subject to Section 7.3;
- i) home occupation, subject to Section 7.5; and
- j) secondary suite.

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) For parcels less than 280 m² in area, the maximum number of principal and accessory dwelling units shall not exceed three (3);
- For parcels 280 m² and greater, the maximum number of principal and accessory dwelling units shall not exceed four (4);
- c) despite sub-section 16.2.4(a) & (b), the maximum number of single detached dwellings on a parcel shall not exceed one (1).

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) the total maximum number of principal and accessory dwelling units on a parcel is two (2); and
- b) the maximum number of single detached dwellings on a parcel is one (1).

Draft RS1 Zone:

- Still proposed to consolidate zones and implement new building envelopes (e.g. setbacks, height etc.).
- Will result in density changes for zones that currently allow one (1) dwelling unit (e.g. R1, R2, R5 & RSS).

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)

Implementation:

- Finalize a version of the Draft Zoning Bylaw that is SSMUH Compliant (i.e. permitting 3-4 units/parcel in res. Zones).
- Release SSMUH Compliant version of bylaw for agency and public comment with note regarding Extension request.
- Review Draft Zoning Bylaw based on Provincial decision on SSMUH Extension Request (by June 30, 2024):
 - > if denied; retain 3-4 unit allowance in RS1 Zone; or
 - > if approved; amend RS1 Zone to 2 unit allowance.

Next Steps:

- Present Draft Zoning Bylaw No. 1395 at COTW meeting on June 11, 2024;
- Undertake Agency Referrals, public notification etc.
- Schedule Council consideration of 1st reading of Draft Zoning Bylaw at a forthcoming meeting (i.e. tentatively set for July 16, 2024*).

QUESTIONS?