

# **Small-Scale Multi-Unit Housing (SSMUH) Implementation**

Planning and Development Committee

Thursday January 9, 2025

# Background

# SSMUH Implementation

## 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.



# SSMUH Implementation

## 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.



# SSMUH Implementation

## Provincial Policy Manual:

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



# SSMUH Implementation

## Provincial Policy Manual:

*We will be undertaking a comprehensive evaluation of the implementation of the legislation by local governments, including consideration of how recommended provincial standards have been applied [emphasis added], to ensure it is effective at creating the conditions across BC to get more housing built and does not deter building much needed homes for people.*

Minister of Housing (July 24, 2024)

# SSMUH Implementation

## **Board Consideration (summary):**

- February 22, 2024, land use bylaw amendments to implement SSMUH are initiated by P&D Committee of the Board.
- June 13, 2024: first and second reading of various land use amendment bylaws is approved.
- July 4, 2024: a public hearing in relation to OCP Amendment Bylaw Nos. 3062, is held.
- August 15, 2024: land use bylaw amendments are rescinded and abandoned.

# SSMUH Implementation

## **Provincial Notice to RDOS:**

*... the compliance deadline for implementing small-scale multi-unit housing (SSMUH) legislative requirements has passed, and the Ministry of Housing has not yet received notification of the Regional District of Okanagan-Similkameen (RDOS) adopting a SSMUH zoning bylaw ... Should the Board choose not to adopt the required bylaw amendments, RDOS may be subject to compliance measures.*

Ministry of Housing and Municipal Affairs (December 6, 2024)



# Previously proposed land use bylaw amendments

# SSMUH Implementation

## **Proposed Zoning Changes (summary):**

- Zone “Flexibility” (e.g. combine 6 residential zones into 1);
- Increase range of permitted dwelling types (e.g. duplexes);
- Revised setbacks (principal and accessory structures);
- Increased building heights (RS, SH and RM zones);
- Removal of secondary suite floor area restriction;
- Removal of minimum building width requirement;
- Increase density in “rural” zones (suites do not count against accessory dwelling densities).

# SSMUH Implementation

## **Proposed OCP Changes (summary):**

- Revised density allowances in Low Density Residential (LR) Designation (e.g. 44 units/ha);
- Revised density allowances in Medium Density Residential (MR) Designation (e.g. 75 units/ha);
- Repeal of the Multi-Family (“D”) and Protection of Farming (“C”) DP Areas; and
- Revision of the OK Falls Town Centre (“D”) and Naramata Village Area (“E”) DP Area designations.

# SSMUH Implementation

## “Housing Options”

P&D Committee - March 2, 2023

# SSMUH Implementation

## Background:

- Directors Motion (Feb. 2021):  
*THAT staff prepare a discussion paper to identify key considerations for regulating sleeping accommodations in accessory buildings and in vehicles (i.e. bunkies, mobile tiny homes and RVs).*
- Housing Needs Assessment (April 2021):  
Housing is not being provided at a level to meet current as well as anticipated future needs.

# SSMUH Implementation

## STRATEGIC PRIORITIES DASHBOARD 2023 – 2026

### BOARD 'ACTION' PRIORITIES

#### NOW

1. **HOUSING OPTIONS:** Board Direction – Mar.
2. **EMERGENCY PROGRAM REVIEW: Report** – Apr.
3. **COMPOST FACILITY LOCATION OPTIONS** - Apr
4. **REGIONAL GROWTH STRATEGY: Public Feedback** – Apr.
5. **ASSET MANAGEMENT: Policy** – June

#### NEXT (Pending)

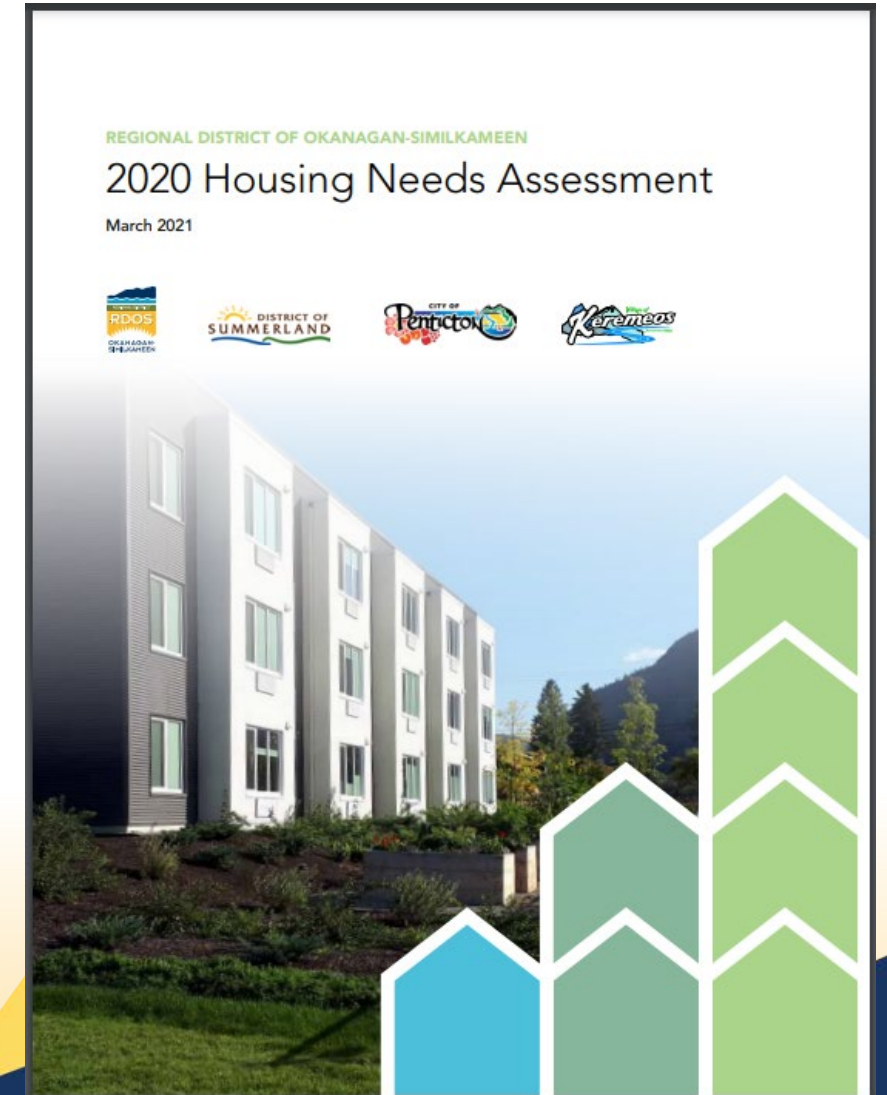
- **HOUSING STRATEGY DISCUSSION: Scope**
- **TRANSIT SERVICE: New Service Establishment**
- **REVENUE MANAGEMENT POLICY: Review**
- **VACATION RENTAL: Policy Review**
- **WATER METERS: Feasibility**
- **AREA E OCP: Completion**

# SSMUH Implementation

## Update Housing Needs Assessment:

Updating in 2024 would allow for the HNR to be better integrated with other processes:

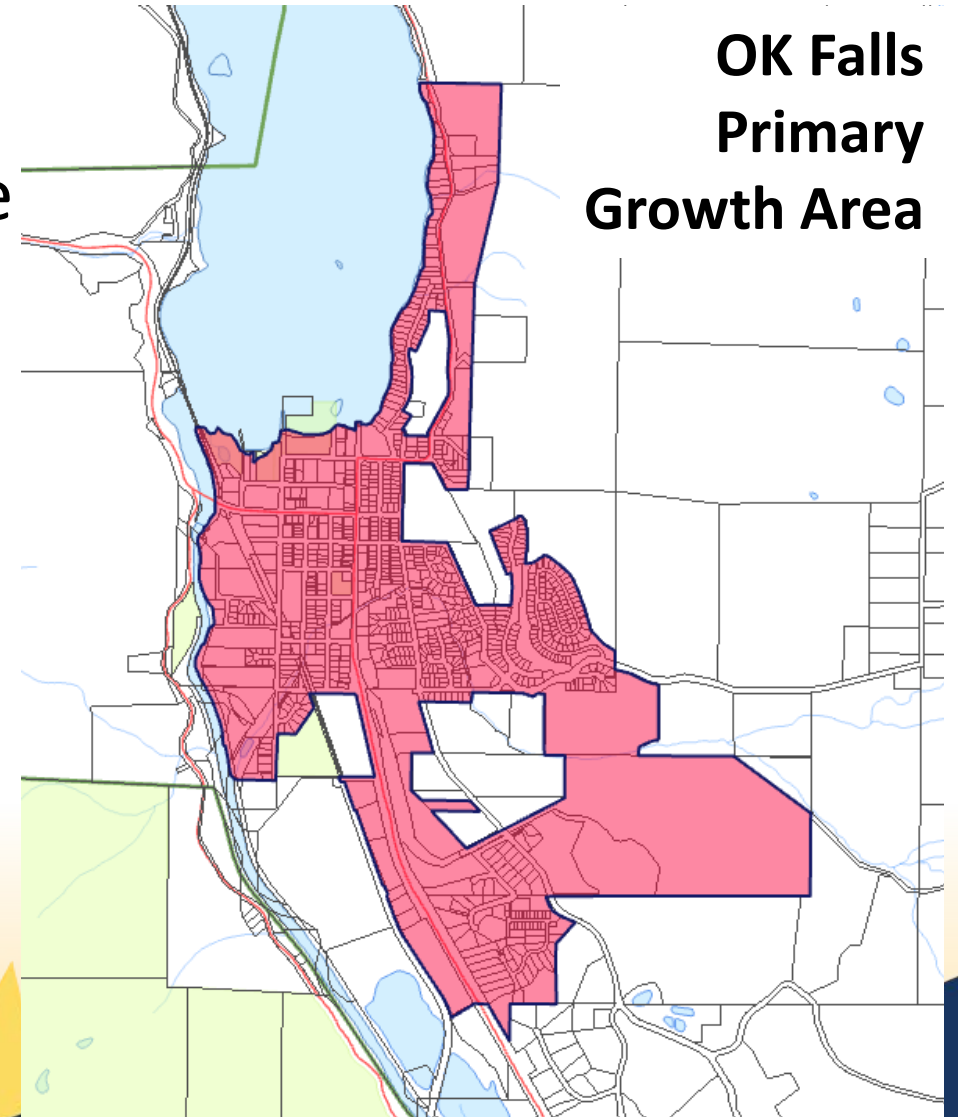
- Census data released every 5 years;
- LGA requirement that HNRs be updated every 5 years;
- RGS Review every 5 years;
- OCP Bylaws reviewed every 5 years.\*



# SSMUH Implementation

## Replace Single Family Zoning:

- Current “RS” zoning only permits “single detached dwellings” as principal uses.
- Current “RD” (Duplex) zoning permits “single detached” & “duplex” dwellings.
- In “Primary Growth Areas” designated under the RGS replace “RS” with “RD” zoning, subject to servicing.
- Reduces a regulatory burden, introduces smaller parcel size, etc.

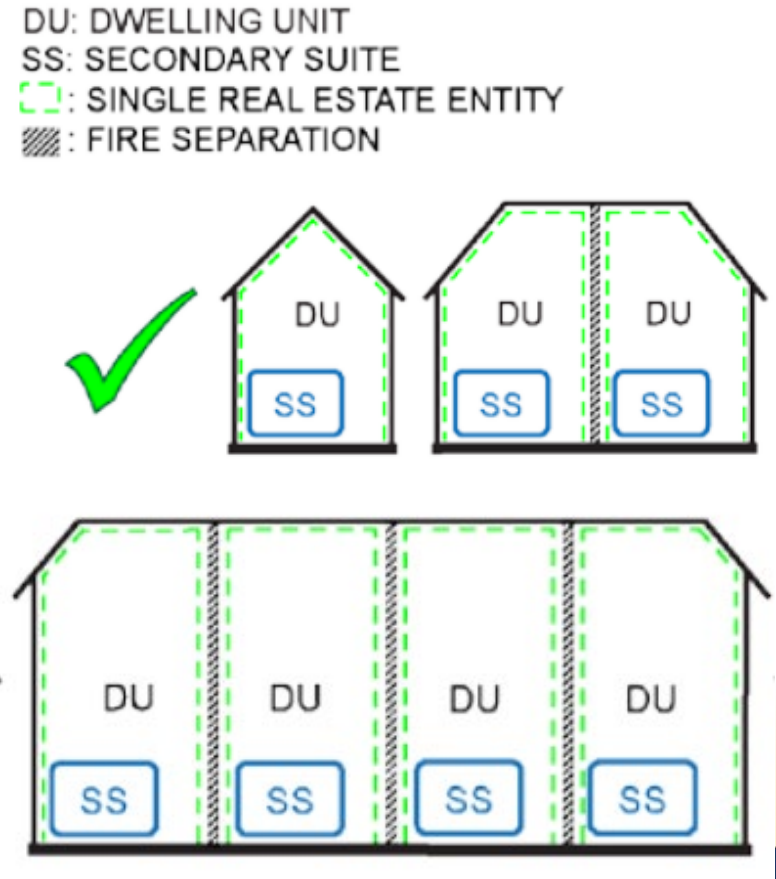




# SSMUH Implementation

## Allow Suites in More Dwelling Types:

- “Secondary Suites” are currently only permitted in “single detached dwellings” by the zoning bylaws.
- The Building Code was amended in 2019 to allow suites in a wide variety of dwelling types (e.g. duplex and townhouse).
- Zoning Bylaws could be amended to allow suites in duplexes and townhouses.



# SSMUH Implementation

## Increase Density of Accessory Dwellings:

- In 2019, the zoning bylaw was updated to allow one (1) secondary suite or accessory dwelling on a property, subject to servicing.
- This could be further amended to allow one (1) secondary suite and accessory dwelling on a property, subject to servicing (e.g. “1.0 ha Policy” considerations).

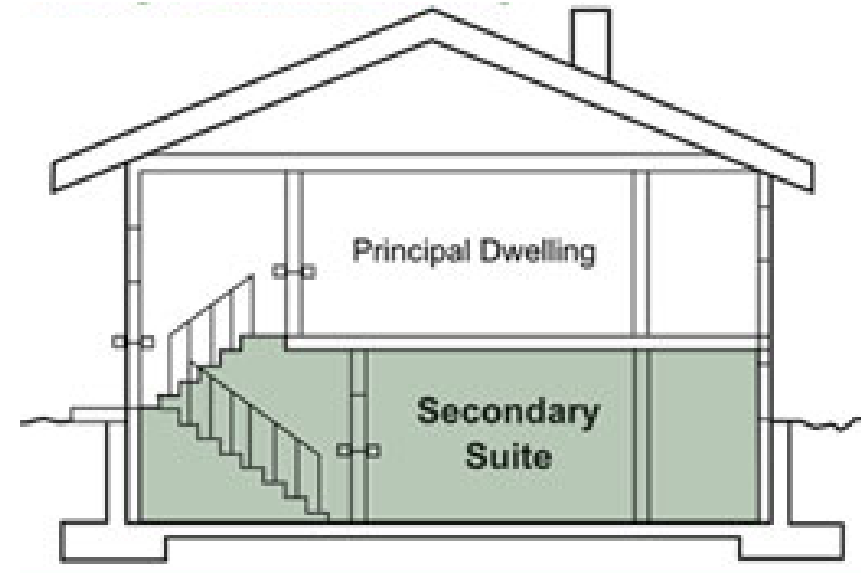


1. *Basement apartment*
2. *Main residence*
3. *Garden house*

# SSMUH Implementation

## Increase Accessory Dwelling Floor Area:

- In 2019, the floor area of secondary suites and accessory dwellings were increased from 90 m<sup>2</sup> to 125 m<sup>2</sup>.
- There is no longer a specific restriction on floor area for suites in the Building Code.
- Size restriction could be increased or removed altogether.



# SSMUH Implementation

## Waive or Reduce Dev. Cost Charges (DCCs):

- The *Local Government Act* allows DCCs to be waived or reduced, subject to eligibility, for the following:
  - *not-for-profit rental housing, including supportive living housing;*
  - *for-profit affordable rental housing.*



# SSMUH Implementation

## OBWB's use of the "1.0 ha Policy" & accessory dwellings:

- Provincial "1.0 ha Policy" requires new parcels created by subdivision be connected to a community sewer system if less than 1.0 ha.
- OBWB has expanded this to include "accessory dwellings" on parcels less than 1.0 ha in area.
- The Board could request OBWB reconsider its position on "acc. dwellings" (allow on septic).



# SSMUH Implementation

## **Allow Mobile Homes (CSA Z240s) on parcels less than 4.0 ha:**

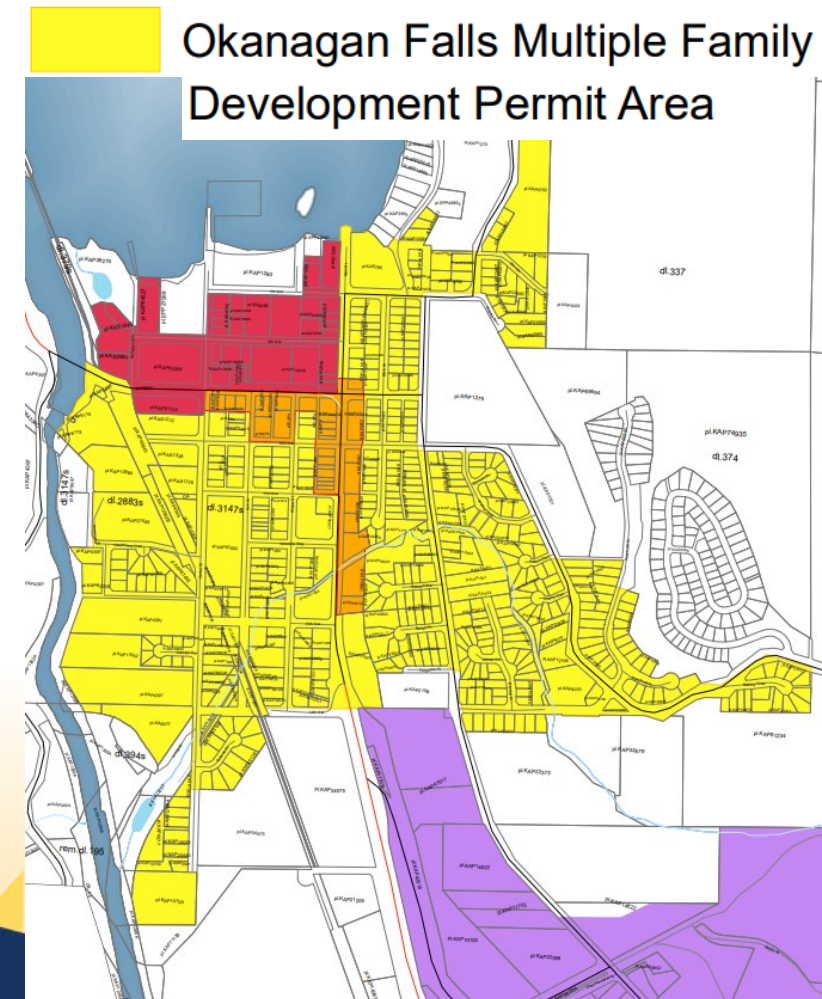
- In 2016, the Board amended the zoning bylaws to allow mobile homes in a wider variety of zones (e.g. parcels greater than 4.0 ha).
- This zoning regulation could be reviewed and amended to a different parcel size (e.g. parcels greater than 1.0 ha in area).



# SSMUH Implementation

## Review Multiple Family Development Permit Area:

- The Multiple Family DP Area exists only in Electoral Area “D” and is related to “form and character” (e.g. building aesthetics).
- Five (5) Multiple Family DPs have been issued since 2001.
- *Generally*, something that is unwanted is regulated (e.g. “ugly” buildings vs. density).



# SSMUH Implementation

## Vacation Rental Review:

- A Vacation Rental Review has been listed as a strategic priority since 2022-23.
- Scope of the project *could* include an impact assessment of vacation rentals on housing affordability in the Electoral Areas.
- Considerations: role of vacation rentals in the local tourism industry versus impact on residential neighbourhoods & housing affordability, compliance & enforcement, etc.



## Vacation Rentals

Take the vacation rental survey and share your feedback with the RDOS.

Survey opens **January 11, 2023.**

Survey closes **February 15, 2023.**

The vacation rental survey is available on RDOS Regional Connections. Paper copies can be mailed upon request or picked up at the RDOS Office at 101 Martin Street in Penticton, Osoyoos Town Hall, or Riverside Community Centre in Princeton.

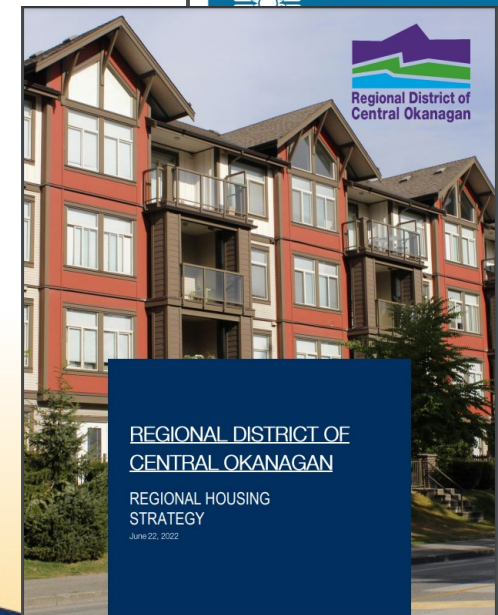
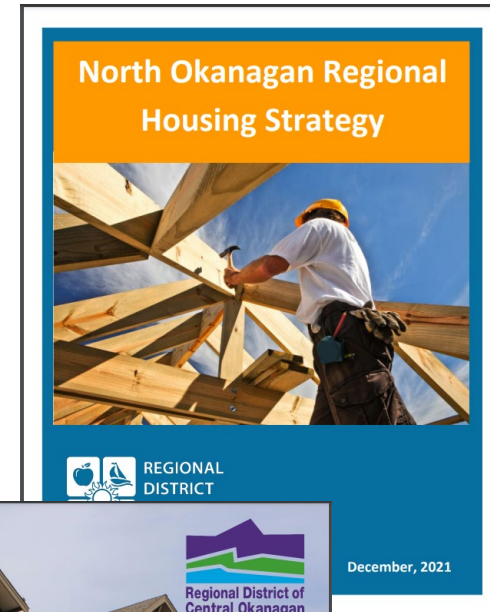




# SSMUH Implementation

## Regional Housing Strategy:

- Would build on the Housing Needs Assessment and identify opportunities around affordability, supply and improved regional coordination.
- The Regional Growth Strategy (RGS) speaks to exploring the benefits of a regional housing plan.
- Supports the Board's preliminary strategic priority for 2023 of reviewing housing.



# Application Trends

# SSMUH Implementation

## DVP statistics by Local Government

Year	RDOS	Penticton	Summerland	Osoyoos	Oliver
2018	26	56	29	4	7
2019	38	32	22	4	1
2020	24	42	39	7	0
2021	62	38	33	2	0
2022	59	40	19	1	5
2023	46	28	31	2	3
Total	255	236	173	20	16
Average	42.5	39.3	28.8	3.3	2.7

## Summary Observations

- The 3 most common zones for DVPs are:
  - RS zones: 53%
  - AG zones: 21%
  - SH zones: 13% } 87% of all DVPs
- The 4 most common types of variances are:
  - parcel line setbacks (principal): 33.3%
  - parcel line setbacks (accessory): 30.8%
  - building height (accessory): 6.8%
  - retaining walls: 6.5% } 77.4% of all DVPs

# SSMUH Implementation

## Summary Observations

- The Regional District is receiving a significant number of DVP applications vis-à-vis the member municipalities;
- No one specific zoning regulation is primarily triggering the submission of these DVP applications;
- Trends indicate, however, that setback and building height regulations are common reasons for a DVP;
- Ministerial guidance on SSMUH Implementation is recommending in favour of more flexible building envelopes.

# “Housing Options” Dashboard / Status

# SSMUH Implementation

## “Housing Options”:

Status: (July 2024)

- Advocate with OBWB re “1.0 ha Policy”
- Allow Mobile Homes on a wider range of parcels
- Update Housing Needs Assessment
- Undertake a Vacation Rental Review
- Review Development Cost Charge (DCC) Bylaws
- Replace Single Family Zoning in OK Falls
- Allow Suites in More Dwelling Types
- Increase Density of Accessory Dwellings
- Review Multiple Family Development Permit Area
- Undertake a Regional Housing Strategy



 Completed

 In-progress

 Commencing

 Incomplete

# SSMUH Implementation

## “Housing Options”:

Status: (Jan. 2025)

- Advocate with OBWB re “1.0 ha Policy”
- Allow Mobile Homes on a wider range of parcels
- Update Housing Needs Assessment
- Undertake a Vacation Rental Review
- Review Development Cost Charge (DCC) Bylaws
- ~~Replace Single Family Zoning in OK Falls~~
- ~~Allow Suites in More Dwelling Types~~
- ~~Increase Density of Accessory Dwellings~~
- ~~Review Multiple Family Development Permit Area~~
- ~~Undertake a Regional Housing Strategy~~



Completed



In-progress



Commencing



Abandoned



# Next Steps

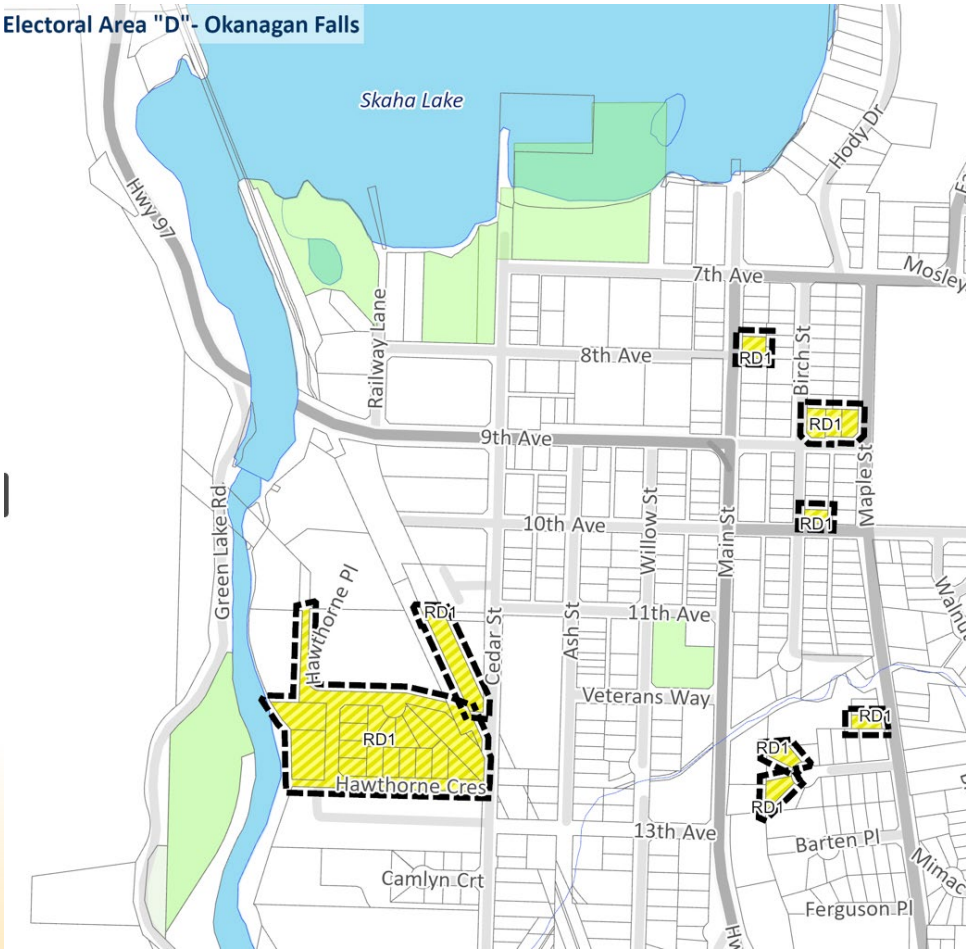
# SSMUH Implementation

## SSMUH Compliance:

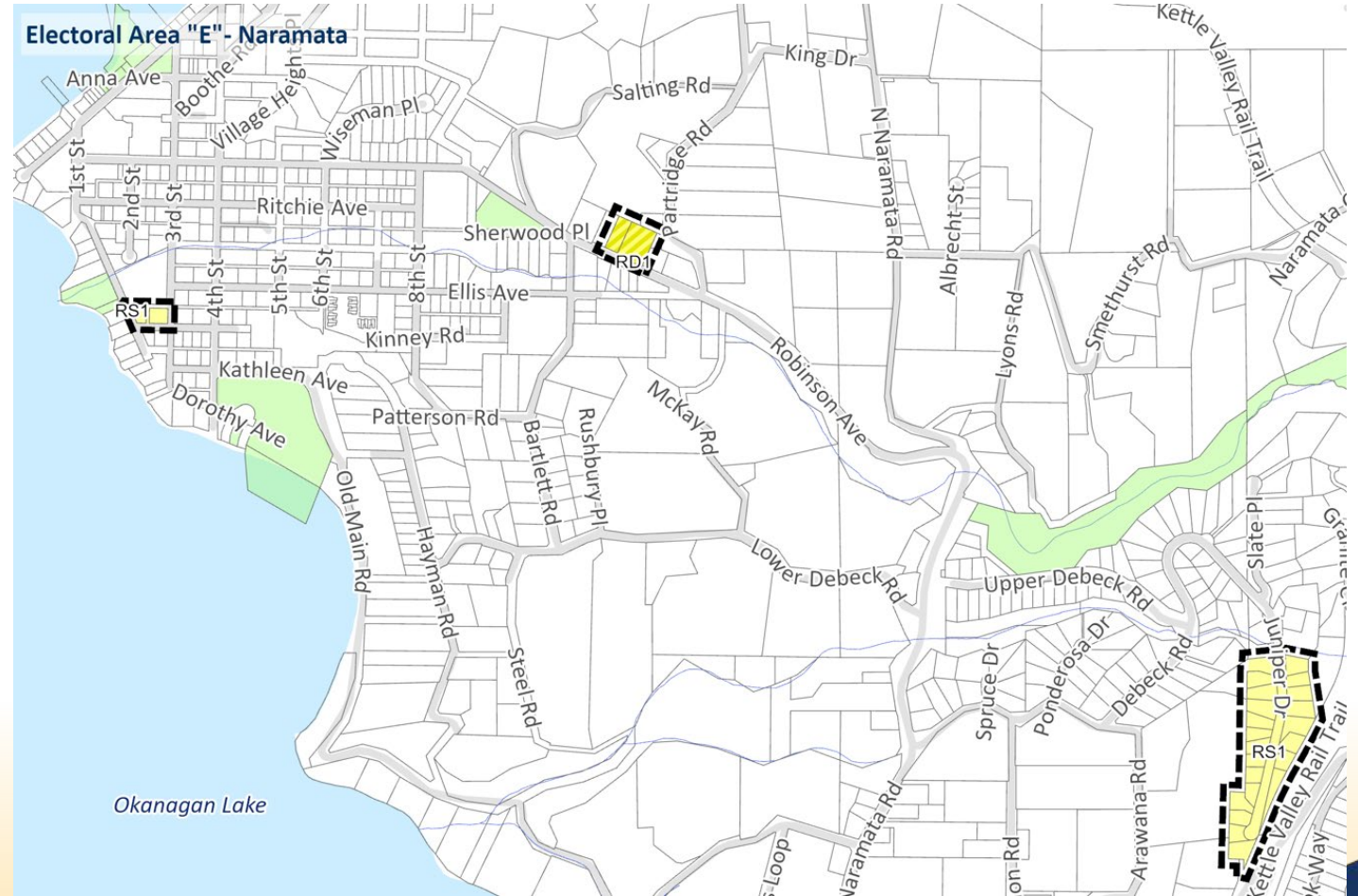
- The Electoral Area zoning bylaws are currently **98% compliant** in terms of mandatory minimum densities;
- There are currently two “restricted zones”; RS1 & RD1, that affect approximately 167 parcels.

# SSMUH Implementation

Electoral Area "D" - Okanagan Falls



Electoral Area "E" - Naramata



# SSMUH Implementation

## SSMUH Compliance:

- Provincial Policy Manual recommendations related to building types, density, setbacks, height, parcel coverage, vehicle parking requirements are seen to:
  - create “a favourable regulatory environment” for new residential development; and
  - support many of the “Housing Options” considered by the Board in March of 2023.



# SSMUH Implementation

## Options:

### 1. Status Quo

- the Electoral Area land use bylaws are not amended.
- not recommended due to legislative requirements.
- possibility of provincial compliance measures being implemented.

# SSMUH Implementation

## Options:

### 2. Initiate Bylaw Amendments

- the Electoral Area land use bylaws are amended to ensure SSMUH compliance.
- Administrative Recommendation is similar to previous OCP & zoning amendment bylaws abandoned in August 2024.\*

\* maximum building height changes have not been included.

# Questions?