
MEETING TYPE: Regular Council Meeting
MEETING DATE: June 18, 2024
AUTHOR: Brian Zurek, Manager of Planning
DEPARTMENT: Planning and Development
ITEM TITLE: Zoning Amendment (Small-Scale Multiple Housing) Bylaw 1238, 2024 | Z0000334 | Compliance with Bill 44 for Small-Scale, Multi-Unit Housing
DESCRIPTION: Zoning Bylaw amendment to comply with Bill 44 legislation for small-scale, multi-unit housing.

PURPOSE

To allow Council to consider first, second, and third reading of the Zoning Bylaw amendment to bring Zoning Bylaw 561, 2007 into compliance with Bill 44 for small-scale, multi-unit housing.

RECOMMENDATION

THAT Zoning Amendment (Small-Scale Multiple Housing) Bylaw 1238, 2024 be read a first, second, and third time.

EXECUTIVE SUMMARY

This report presents the proposed zoning changes in Zoning Amendment Bylaw 1238, 2024 to comply with Bill 44 for small-scale, multi-unit housing (SSMUH). Bill 44 requires local governments to update zoning bylaws to permit at least one secondary suite or accessory dwelling unit in zones limited to single-family housing and 3-4 units of SSMUH in restricted zones within the Urban Containment Boundary (UCB) that are connected to municipal water and sewer with lot sizes of 4,050 m² or less.

The proposed zoning amendments introduce a new principal use category called Small-Scale Multiple Housing, allowing up to four dwelling units in various building types within restricted zones. Additionally, the amendments consider the Provincial Policy Manual Site Standards for setbacks, building height, site coverage, and parking requirements, providing a rationale where the proposed amendment deviates from the provincial recommendations. Updates to the definitions section, zone names, and regulations for secondary suites, accessory suites, landscaping, and drive aisle width are also proposed. These adjustments align with provincial mandates while providing flexibility in site and building design tailored to the Lake Country context.

Through ongoing monitoring, the District will evaluate the effectiveness and impact of these changes, with future adjustments proposed as necessary to support the community's long-term goals.

BACKGROUND

Bill 44 – Legislation Overview

The Province enacted Bill 44 – *Housing Statutes (Residential Development) Amendment Act, 2023* on November 30, 2023, which amended the *Local Government Act (LGA)*. This legislation requires local governments to update zoning bylaws to allow:

- A minimum of one secondary suite and/or accessory dwelling unit in single-family zones.
- 3-6 units of Small-Scale Multi-Unit Housing (SSMUH) in zones otherwise restricted to single-family dwellings or duplexes.

Zones restricted to single-family dwellings or duplexes are referred to as Restricted Zones in the legislation. Through Bill 44, the Province aims to increase housing supply, create more diverse housing choices, and gradually

contribute to more affordable housing across BC. Local governments are required to update zoning bylaws by June 30, 2024.

Where SSMUH Applies

The following table outlines where the SSMUH requirements apply:

Table 1: Where the minimum number of SSMUH units apply

Minimum number of units	Characteristics of the parcels to which the requirements apply
Secondary suites/ADUs	A minimum of one secondary suite or one detached Accessory Dwelling Unit (ADU) must be permitted on lots zoned for single-family use. Applies throughout the District.
3 units	A minimum of 3 units must be permitted on each parcel of land 280 m ² or less in a <i>Restricted Zone</i> within the Urban Containment Boundary.
4 units	A minimum of 4 units must be permitted on each parcel of land greater than 280 m ² in a <i>Restricted Zone</i> within the Urban Containment Boundary.

Bill 44 also requires a minimum of 6 units in municipalities with frequent transit service; however, this regulation does not apply in Lake Country as the service does not meet the threshold set by the province.

Exemptions

Exemptions from the 3 to 4-unit minimum requirements on lots zoned for single-family and duplex use include:

- Parcels outside the UCB;
- Lands not connected to a municipal water and sewer system;
- Parcels of land larger than 4,050m² or lands in zones with a minimum lot size requirement of 4,050 m²;
- Land that was protected, as of December 7, 2023, under the *Heritage Conservation Act* (e.g. known archaeological sites or designated heritage sites), or by bylaw under s. 611 of the *LGA* (e.g. properties granted a heritage designation by a local government).

Lands subject to hazardous conditions are exempted if a qualified professional certifies that increased density would significantly heighten the risk from the hazardous condition and that the threat cannot be practically mitigated. No lands within the District require this exemption.

Provincial Policy Manual Site Standards

The *LGA* requires local governments to consider the Provincial Policy Manual Site Standards when updating Zoning Bylaws. These site standards include recommendations for yard setbacks, building height, site coverage, and off-street parking requirements. See Attachment B – Provincial Policy Manual Site Standards.

DISCUSSION/ANALYSIS

Upon reviewing the SSMUH legislation, staff determined that the zones listed in Table 2 are considered Restricted Zones and must permit 3-4 units on lots that meet the following criteria:

- Located within UCB;
- Connected to municipal water and sewer services; and,
- Lot size of 4,050 m² or smaller.

Since no lots in Lake Country are 280 m² or smaller, the 4-unit zoning entitlement applies to all lots in restricted zones that meet the above-noted criteria.

The Zoning Bylaw already permits secondary suites and/or ADUs in zones that restrict residential use to detached single-family dwellings with the exception of the DC7 – Direct Control 7 (Cadence at the Lakes) zone; therefore, the secondary suite/ADU requirement would now apply to the DC7 zone to comply with Bill 44.

Table 2: Approximate Number of Lots Impacted by Bill 44 by Restricted Zone

Zoning Designation	# of Lots in Restricted Zones Eligible for 4 Units	# of Lots in Restricted Zones Future Potential for 4 Units
RR3 - Rural Residential 3	3	28
RU1 – Single Family Housing	995	2,172
RU2 – Small Lot Single Family Housing	10	32
RU6 – Two Dwelling Housing	12	33
DC7 – Direct Control 7 (Cadence at the Lakes)	162	163
TOTAL	1,182	2,428

Table 3: Approximate Number of Lots in Restricted Zones by Ward

Zoning Designation	# of Lots in Restricted Zones Eligible for 4 Units	# of Lots in Restricted Zones Future Potential for 4 Units
Carr’s Landing	0	0
Okanagan Centre	169	248
Oyama	35	152
Winfield	978	2028
TOTAL	1,182	2,428

To date, there are only 1,182 lots that currently meet the criteria to allow up to 4 units of SSMUH. The majority of these qualifying lots are located in Winfield and Okanagan Centre. However, there is currently 2,428 lots in Lake Country within restricted zones. If additional lots in the future meet the required SSMUH criteria, they will also be eligible for up to 4 dwelling units.

Map 1 (Attachment C) shows all lots in Restricted Zones within the UCB. Many of these lots are currently exempt from the 4-unit SSMUH entitlement due to size or lack of municipal service connections. However, they could be eligible for up to 4 units if they subdivide or connect to municipal services in the future.

Map 2 (Attachment D) shows all the lots within Restricted Zones where 4 units must be permitted. Owners of the identified parcels could apply for up to 4 units once the Zoning Bylaw amendment is adopted, subject to meeting all other zoning and Subdivision and Development Servicing Bylaw regulations, and obtaining Development Permits (if applicable) and Building Permits.

While Bill 44 permits higher density on traditional single-family and duplex properties, the adoption of this change is anticipated to be gradual. Many eligible lots in the District have newer homes, reducing the likelihood of immediate redevelopment. Additionally, many single-family homeowners may lack the expertise or financial means to redevelop their properties, while others may prefer to retain their properties with on single-family home.

Proposed Changes to Align with Bill 44 Requirements

New Building Type: Small-Scale Multiple Housing

In accordance with Council direction and the provincial mandate, a new principal use and building form called "Small-Scale Multiple Housing" is being introduced into each Restricted Zone.

SMALL-SCALE MULTIPLE HOUSING means housing that consists of two to four dwelling units intended to be occupied by separate households. The dwelling units may be in any physical arrangement, attached or detached, and each dwelling unit must have separate exterior access.

This definition allows up to four dwelling units in various building types including, but not limited to:

- Single detached dwelling with secondary suite and accessory suite
- Semi-detached dwellings with suites
- Triplex and single detached unit
- Fourplex
- Four single detached units (or two duplexes)
- Four townhouses

This approach ensures alignment with provincial mandates while offering flexibility in building design to facilitate adaptable housing solutions on existing lots to address the community's diverse housing needs. Small-Scale Multiple Housing will be limited to lots in restricted zones within the UCB, connected to municipal services, and with a lot size of 4,050m² or smaller. Lots that do not meet these criteria will revert to the original principal uses permitted in the zone.

Provincial Policy Manual Site Standards

This section compares the proposed bylaw changes with the Province's recommended site standards. Current regulations are included for reference. The Province's Site Standard Package B (Urban Infill – Lots less than 1,215m²) applies to the RU1, RU2, RU6, and DC7 zones, while the Province's Site Standard Package C (Suburban & Rural with Services – Lots 1,215m² to 4,050m²) applies to the RR3 zone.

The District must consider the province's site standards, but it is not mandatory to adopt them. Where the proposed change differs from the provincial recommendation (indicated by an asterisk *), a rationale has been provided following each table below. Per Council direction, the proposed development regulations apply strictly to Small-Scale Multiple Housing.

1. Minimum Front Yard Setback

Site Standards Package C recommends a minimum front yard setback of 4-6m for RR3. For Urban Infill lots (RU1, RU2, RU6, and DC7), the Site Standards Package B suggests a 2m minimum front yard setback.

Table 4: Summary of Front Yard Setbacks

Zoning Designation	Current Regulation	Proposed Regulation	Provincial Recommendation
RR3	4.5 m except it is 6.0 m to a garage door or carport entrance	No change	4-6m
RU1, RU2, and RU6	4.5 m except it is 6.0 m to a garage door or carport entrance	4 m except it is 6.0 m to a garage door or carport entrance *	2m
DC7	3.0 m except that a minimum driveway length of 6.0 m must be maintained.	No change*	

While the Site Standards Package B recommends a 2m front yard setback for urban infill lots, it acknowledges exemptions: “4-6 metres may be warranted if there are no sidewalks or public boulevards for trees, or to accommodate stormwater infrastructure or future road or right-of-way dedications.” Considering these scenarios are common in most restricted zone lots, a 4m minimum front yard setback (3m for the DC7 zone) and 6m to a garage/carport entrance were considered appropriate.

2. Minimum Side Yard Setback

The Province recommends a minimum combined side yard setback (between buildings on adjacent lots) of 3m for Suburban/Rural lots with services (RR3) and a 1.2m minimum side yard setback for Urban Infill lots (RU1, RU2, RU6, and DC7).

Table 5: Summary of Side Yard Setbacks

Zoning Designation	Current Regulation	Proposed Regulation	Provincial Recommendation
RR3	3.0m, except it is 4.0m from a flanking street.	1.5m, except it is 4m from a flanking street and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance which is accessed from that street.*	Combined minimum (between buildings on adjacent lots) of 3m
RU1	2.0m, except it is 4.5 m from a flanking street, and 6m from a flanking street if the setback is to a garage door or carport entrance.	1.5 m, except that it is 4m from a flanking street and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance which is accessed from that street *	1.2m for main buildings and ADUs
RU2	1.5 m for a 1 or 1 ½ storey portion of a building and 1.8 m for a 2 or 2 ½ storey portion of a building, except it is 4.5 m from a flanking street, and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance	1.5 m, except that it is 4m from a flanking street and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance which is accessed from that street *	
RU6	2.0 m, except that it is 3.0 m from a flanking street or when required by subparagraph 15.4.6 (e), and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance	1.5 m, except that it is 4m from a flanking street and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance which is accessed from that street *	
DC7	1.5 m, except that it is 2.5 m from a flanking street, and it is 6.0 m from a flanking street if the setback is to a garage door or carport entrance	No change.*	

A combined minimum setback is calculated by adding the side yard setback of the property being developed with the side yard setback of the adjacent property. It can be more challenging to determine, as it requires confirming

the side yard setback of the adjacent property. Considering the rural residential character of RR3 lots, the proposed 1.5m minimum side yard setback simplifies calculations, supports site design flexibility for additional dwelling units, and preserves a buffer between properties for landscaping, pathways, and maintenance.

Although Site Standards Package B suggests a 1.2m minimum side yard setback for RU1, RU2, RU6, and DC7 zones, a 1.5m side yard setback is proposed. This adjustment allows sufficient space for landscaping, accessible pathways, stormwater management features, and building maintenance.

In practice, BC Building Code requirements for spatial separation may necessitate greater side yard setbacks for unsprinklered buildings. Given the response times of the District's Fire Department, the BC Building Code mandates halving the limiting distance (i.e. a building 1.5m from a side lot line would be considered 0.75m—half the distance) from the property for special separation calculations), impacting building design elements such as cladding materials and allowable glazed openings on building faces. A 1.5m setback would restrict the placement of windows on the relevant building face for unsprinklered buildings, affecting interior layouts (a bedroom requires a window per the BC Building Code); therefore, it is likely only sprinklered buildings will be located this close to a side property line.

The Province does not provide recommendations for flanking side yards (side yards abutting a street). Therefore, a 4m flanking side yard setback is proposed in the RR3, RU1, RU2, and RU6 zones (no change is proposed for DC7) and the setback is 6m to a garage or carport entrance accessed from that street. This is consistent with the Province's recommendations for front yard setbacks in Site Standards Package B and C.

3. Minimum Rear Yard Setback

The Province recommends a minimum 6m rear yard setback for principal buildings and a minimum 1.5m rear yard setback for accessory buildings on Suburban/Rural lots with services (RR3). For Urban Infill lots (RU1, RU2, RU6, and DC7), a 1.5m minimum rear yard setback is recommended for both principal and accessory buildings.

Table 6: Summary of Rear Yard Setbacks

Zoning Designation	Current Regulation	Proposed Regulation	Provincial Recommendation
RR3	6.0m, except it is 3.0m for accessory buildings.	6.0 m, except it is 3.0 m for accessory buildings. *	Minimum 6m for main buildings, minimum 1.5m for ADUs
RU1 and RU6	6.0m, except that it is 1.5m for accessory building. Where the lot width exceeds the lot depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m except a 6.0 m setback will be required to the garage door or carport entrance.	3m for Principal Building 1.5m accessory buildings and structures, except it is 3m for accessory suites. *	1.5m for main buildings and ADUs
RU2	6.0m for a 1 or 1 ½ storey portion of a building and 7.5m for a 2 or 2 ½ storey portion of a building.	3m for Principal Building 1.5m accessory buildings and structures, except it is 3m for accessory suites. *	
DC7	2.0 m	No change. *	

The proposed deviation from the Province's recommendations involves establishing a uniform 3m rear yard setback for all zones (RR3, RU1, RU2, RU6, and DC7). This offers consistency, improves site design flexibility for Small-Scale Multiple Housing, and provides adequate space for landscaping elements such as fences, trees, and shrubs that enhance privacy and improve the livability of dwellings for residents.

4. Maximum Building Height

The Province recommends a maximum building height of 11m or 3 storeys for main and accessory buildings on Suburban/Rural lots with services (RR3) and Urban Infill lots (RU1, RU2, RU6, and DC7).

Table 7: Summary of Building Heights

Zoning Designation	Current Regulation	Proposed Regulation	Provincial Recommendation
RR3	Principal Building: The lesser of 9.5 m or 2½ storeys Accessory Buildings/Structures: The lesser of 8.0 m or 1½ storeys for accessory buildings and 13.0 m for accessory structures.	Principal Building: The lesser of 11m or 3 storeys Accessory Buildings/Structures: The lesser of 8.0 m or 2 storeys for accessory buildings and 13.0 m for accessory structures. *	11m, 3 storeys
RU1	Principal Building: The lesser of 9.5 m or 2½ storeys Accessory Buildings/Structures: 5.5m	Principal Building: The lesser of 11m or 3 storeys Accessory Buildings/Structures: 5.5m, except it is the lesser of 8m or 2 storeys for an accessory building containing an accessory suite. *	
RU2	Principal Building: The lesser of 9.5 m or 2½ storeys Accessory Buildings/Structures: 4.5m and the max height of any building façade shall not exceed 1 storey.	Principal Building: The lesser of 11m or 3 storeys. Accessory Buildings/Structures: 4.5m, except it is the lesser of 8m or 2 storeys for an accessory building containing an accessory suite. *	
RU6	Principal Building: The lesser of 9.5 m or 2½ storeys Accessory Buildings/Structures: 4.5m	Principal Building: The lesser of 11m or 3 storeys. Accessory Buildings/Structures: 4.5m, except it is the lesser of 8m or 2 storeys for an accessory building containing an accessory suite. *	
DC7	Principal Building: The lesser of 9.5 m or 2½ storeys.	Principal Building: The lesser of 11m or 3 storeys.	

	All decks, supporting posts or columns shall not exceed the less of 4.5 m or 1 storey in height, including the support structure. Accessory Buildings/Structures: 4.5m	Accessory Buildings/Structures: 4.5m, except it is the lesser of 8m or 2 storeys for an accessory building containing an accessory suite. * All decks, supporting posts or columns shall not exceed the lesser of 4.5 m or 1 storey in height, including the support structure.	
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The maximum building height for main buildings is being proposed per the Province's recommendation. This increased height facilitates additional density on infill lots while promoting the preservation of open space for landscaping, recreational space, and stormwater management.

The proposed maximum height for accessory buildings is 8m or 2 storeys instead of the Province's recommendation of 11m or 3 storeys, which they recommend for accessory buildings. The proposed height allows adequate space for a two-storey accessory suite or an accessory suite above a garage and enhances livability compared to a 1.5-storey design, which would require a part of the living area to be within the roof structure.

5. Maximum Site Coverage

The Province recommends a 40% maximum site coverage on Suburban/Rural lots with services (RR3) and 50% for Urban Infill lots (RU1, RU2, RU6, and DC7).

Table 8: Summary of Site Coverage

Zoning Designation	Current Regulation	Proposed Regulation	Provincial Recommendation
RR3	40% and together with driveways and parking areas, shall not exceed 50%.	No change.	40%
RU1, RU2, and RU6	40% and together with driveways and parking areas, shall not exceed 50%.	50% and together with driveways and parking areas, shall not exceed 60%.	50%
DC7	45% and together with driveways and parking areas, shall not exceed 55%. Covered verandahs, entry area and covered patios and decks are excluded from calculations to a maximum of 30% of floor area.	50% and together with driveways and parking areas, shall not exceed 60%. Covered verandahs, entry area and covered patios and decks are excluded from calculations to a maximum of 30% of floor area.	

The proposed maximum site coverage in all zones aligns with provincial recommendations for building site coverage and includes limits for driveways and parking areas. This approach preserves permeable surfaces for stormwater management and landscaped areas/open spaces for residents.

6. Off-Street Parking Requirements

The Province recommends a maximum 0.5 space/unit if lot is within 800m of a transit stop with a bus at a minimum frequency of every 15 minutes (measured between 7am – 7pm). Everywhere else, it recommends providing a maximum of 1 space/unit.

Table 9: Summary of Parking Requirements

Use	Current Regulation	Proposed Regulation	Provincial Recommendation
Secondary Suite or Accessory Suite	2 spaces plus spaces required for the corresponding principal dwelling unit	Minimum 1 space per suite*	Maximum 0.5 space/unit if lot is within 800m of transit stop with a bus at a minimum frequency of every 15 minutes (measured between 7am – 7pm) Maximum 1 space/unit otherwise
Single Detached Housing, Semi-Detached Housing, Duplex Housing	2 spaces per dwelling unit	Small-Scale Multiple Housing: Minimum of 2 spaces for each of the 1 st and 2 nd principal dwelling units. Minimum of 1 space for each of 3 rd and 4 th principal dwelling units.*	
Row Housing, Stacked Row Housing:	1 per bachelor dwelling unit, plus 1.25 per 1-bedroom dwelling unit, plus 1.5 per 2-bedroom dwelling unit, plus 2 per 3-or-more bedroom dwelling unit 1 per dwelling unit in the C1 zone		

The proposed parking regulations are tailored to Lake Country’s suburban/rural character, where public transportation, pedestrian and cycling infrastructure, and commercial services are limited. Key changes include:

- Reducing parking requirements for secondary suites and accessory suites from 2 spaces to 1 space per unit to reflect the lower vehicle demand typically generated by rental units.
- Setting minimum parking standards, instead of maximums as recommended by the province, to allow developers to adjust the number of parking spaces in locations far from public transportation and alternative transportation infrastructure.

For Small-Scale Multiple Housing, the proposal includes:

- A minimum of 2 parking spaces for each of the first two units.
- A minimum of 1 parking space for each subsequent unit.

These changes aim to support Small-Scale Multiple Housing while accommodating suburban living needs, reducing on-street parking congestion, and fostering practical and sustainable development within Lake Country’s unique context.

New Zone Names

As the RU1, RU2, and RU6 zones must now all permit Small-Scale Multiple Housing, their primary difference is their minimum lot size regulations. The zone names have been revised accordingly.

Table 10: Proposed Zone Names

Current Name	Proposed Name	Minimum Lot Size
RU1 – Single Family Housing	RU1 – Small-Scale Multiple Housing	500m ²

RU2 – Small Lot Single Family Housing	RU2 – Small Lot Small-Scale Multiple Housing	400m ²
RU6 – Two Dwelling Housing	RU6 – Large Lot Small-Scale Multiple Housing	700m ² , but 800m ² for a corner lot

New or Amended Definitions

In addition to the new Small-Scale Multiple Housing definition, the following definitions were added or amended:

1. **Dwelling Unit:** The existing definition of “Dwelling” has been amended to be called “Dwelling Unit” for clarity and the following sentence has been added: “A secondary suite and an accessory suite are each considered a dwelling unit.” Therefore, where Small-Scale Multiple Housing is permitted, which allows 2 to 4 dwelling units, secondary suites/ADUs are counted as dwellings, rather than being allowed in addition to this maximum 4-unit density.

2. **Height:** A new definition of height was added that applies only to Small-Scale Multiple Housing:

HEIGHT means for Small-Scale Multiple Housing, the maximum vertical distance between building grade and the highest point of the structure of a non-sloping roof, or the mid-point of a sloping roof.

This definition allows pitched roofs to be measured to the midpoint, rather than the roof peak, which will encourage a variety of roof pitches in Lake Country.

3. **Mid-Point, Roof:** A definition for midpoint has also been added for clarity in calculating height for Small-Scale Multiple Housing.
4. **Secondary Suite:** The definition of a secondary suite has been updated to accommodate their inclusion within Small-Scale Multiple Housing. The reference to secondary suites not being located within semi-detached housing has been removed, as this is now permitted. However, secondary suites will remain prohibited within duplex housing, defined as two dwelling units located above or below each other, due to BC Building Code regulations that disallow one secondary suite to be situated above another.
5. **Sewer System, Community:** The Zoning Bylaw states that no accessory suite will be allowed without connection to a community sanitary sewer unless the lot is at least 1 ha and meets the District’s requirements for septic disposal capacity. To further clarify what is meant by Community Sewer System, the following sentence has been added to the end of the existing definition: “This excludes systems that use only septic tank treatment or septic tank treatment with an effluent filter.” This amendment also aligns with the definition provided by the Okanagan Basin Water Board, ensuring consistency with regional standards.

Secondary Suites and Accessory Suites

The proposed changes to the regulations for secondary suites and accessory suites aim to:

- Align with BC Building Code changes, allowing secondary suites in a wider range of building types.
- Remove or amend regulations that conflict with Bill 44, such as existing restrictions on structural alterations/additions to accommodate suites that would alter the neighborhood character.
- Promote diversity in housing types/tenures such as semi-detached units with suites and single detached units with both a secondary and accessory suite.

Drive Aisle Width

To accommodate Small-Scale Multiple Housing, the required drive-aisle width for two-way and 90-degree parking has been reduced for this use as follows:

- Two-way drive aisles adjacent to 90-degree parking: reduced to 6.5m.

- Two-way drive aisles not adjacent to parking spaces: reduced to 6m.

This adjustment also promotes regional consistency as it aligns with Kelowna's standards.

Landscaping

The landscaping section of the Zoning Bylaw has been amended to add a new landscape level 6. This amendment requires a continuous visual screen (decorative fence, hedge, or wall) at least 1.2m high for the side and rear yards of RU1, RU2, and RU6 where Small-Scale Multiple Housing is the principal use. The intent behind this amendment is to enhance privacy and aesthetics in areas where higher density housing is present, while minimizing landscaping requirements to accommodate small-scale multiple housing.

Ongoing Monitoring of Changes

The proposed zoning amendments will be subject to ongoing monitoring to evaluate their effectiveness and impact. Should adjustments be necessary, future zoning amendments will be proposed to refine the regulations, ensuring they remain supportive of the community's long-term objectives.

APPLICABLE LEGISLATION, BYLAWS AND POLICY

Local Government Act: The LGA mandates the implementation of SSMUH and outlines restrictions on public hearings. A public notice proceeded the first reading of the proposed Zoning Amendment Bylaw.

As part of SSMUH legislation implementation, the following bylaws require review and potential amendments:

- Building Regulation Bylaw
- Civic Addressing Bylaw
- Development Approval Procedures Bylaw
- Development Cost Charge Bylaw
- Subdivision and Development Servicing Bylaw

Transportation Act: A Ministerial Order issued by the Minister of Transportation and Infrastructure on May 10, 2024, grants an exemption from the approval requirement in Section 52(3) of the *Transportation Act* for zoning bylaw amendments made solely to comply with Section 481.3 of the *LGA* concerning zoning bylaws and small-scale multi-family housing, provided the bylaw does not permit a use density exceeding that set out in the *LGA*.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

The Utilities Department has conducted a review of the impact of SSMUH densities on District infrastructure. While no immediate concerns have been identified, infrastructure capacity issues could arise in certain neighborhoods over the next 10 years if there is significant SSMUH uptake. Staff are updating their infrastructure models to consider the potential impacts of SSMUH legislation. This will enable staff to identify necessary capital improvements, which can be incorporated into the capital planning process.

Additionally, staff note that the redevelopment of parcels eligible for SSMUH density would still be required to comply with the District of Lake Country's infrastructure and servicing requirements contained in the Subdivision and Development Servicing Bylaw. The Province provided the District with a grant of \$231,057 to support local government with Bill 44 implementation. A significant amount of staff time across departments will be necessary to meet the Provincial deadlines over the next 18 months.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

Funding was provided by the Provincial grant of \$231,057 to support local government with the implementation of Bill 44.

CONSULTATION

The proposed zoning amendment was referred to internal staff with comments received incorporated into the draft

bylaw.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage With Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|--|--|
| <input type="checkbox"/> Agricultural Plan | <input type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

- A. THAT Zoning Amendment (Small-Scale Multiple Housing) Bylaw 1238, 2024 be read a first, second, and third time.
- B. THAT Zoning Amendment (Small-Scale Multiple Housing) Bylaw 1238, 2024 not be read a first, second, and third time.
- C. THAT Council Zoning Amendment (Small-Scale Multiple Housing) Bylaw 1238, 2024 be deferred pending Council direction to staff.

Respectfully Submitted,
Brian Zurek, Manager of Planning

Report Approval Details

Document Title:	Bylaw 1238, 2024-Z0000334-Compliance with Bill 44 for Small-Scale, Multi-Unit Housing.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A-Zoning Amendment (Small-Scale Multiple Housing) Bylaw 1238, 2024.pdf - Attachment B - Provincial Policy Manual Site Standards.pdf - Attachment C-Bylaw 1238, 2024- Map 1.pdf - Attachment D-Bylaw 1238, 2024-Map 2.pdf - Attachment E-Bylaw 1238, 2024-Redline Zoning Bylaw 561, 2007.pdf
Final Approval Date:	Jun 13, 2024

This report and all of its attachments were approved and signed as outlined below:

Steven Gubbels, Manager of Development - Jun 12, 2024 - 3:12 PM

Matthew Salmon, Director of Engineering and Environmental Services - Jun 13, 2024 - 10:27 AM

Reyna Seabrook, Director of Corporate Services - Jun 13, 2024 - 11:04 AM

Paul Gipps, Chief Administrative Officer - Jun 13, 2024 - 1:14 PM