

	<p>MINISTRY OF HOUSING POLICY BULLETIN</p> <p><i>Issued: February 2024</i></p>	<p>Local Government Housing Initiatives Small Scale Multi-Unit Housing - Extensions</p> <p>Direction on eligible conditions and application requirements for extensions to the June 30, 2024, deadline for local governments' zoning bylaw amendments to accommodate small-scale multi-unit housing requirements.</p>
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Background

In the fall of 2023, the BC government passed *Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023*, which amends the *Local Government Act* and *Vancouver Charter* to support the supply of significantly more homes, faster, in BC. The amendments require local governments to update their zoning bylaws to allow secondary suites or detached additional dwelling units in single-family zones province-wide and three to six units of Small-Scale Multi-Unit Housing (SSMUH) on single-detached or duplex residential lots, depending on their locations.

The [SSMUH Policy Manual & Site Standards](#) have been released to support local governments in updating their bylaws and includes information on exemptions and advice on calculating anticipated uptake and infrastructure capacity.

Local governments need to amend their bylaws before June 30, 2024, and notify the Minister of Housing as soon as practicable after the last of the necessary amendments have been completed. Local governments can request time-based extensions under certain circumstances, which are detailed below.

Requests for extensions related to infrastructure must be submitted to the Minister on or before June 1, 2024. Extensions related to extraordinary circumstances must be submitted on or before June 30, 2024.

Confirmation of the passing of a resolution by the council or board directing submission of an extension application is required to ensure that the application is authorized.

Local governments seeking extensions will need to know the results of their extension application(s) *prior* to June 30th, 2024, to identify which zones they are required to bring into compliance in their SSMUH bylaw amendments (i.e., zones covered by the legislation for which no extension has been granted or sought). **We therefore recommend that extension applications be submitted to the Minister of Housing 45 days prior to anticipated council hearings for SSMUH-related bylaw amendments.**

An extension may be granted if the Minister is satisfied that the local government is unable, by June 30, 2024, to comply with the requirement to amend its bylaws because:

1. The local government is in the process of upgrading infrastructure that services the specific area or specific lots for which the extension is being requested;

2. The infrastructure that services the area where SSMUH would apply is such that compliance by June 30, 2024, is likely to increase a risk to health, public safety or the environment in that area; or
3. Extraordinary circumstances exist that otherwise prevent compliance in relation to the area.

This bulletin provides *details on the criteria, application process, and the supporting documents that must be submitted* as part of an application for an extension to the SSMUH compliance deadline. Note that subsequent resources may be issued by the Province to clarify or elaborate on changes to the Act. These resources will be available online on the [Local Government Housing Initiatives website](#).

Application process for extensions to compliance deadline for SSMUH zoning bylaw amendments

The steps and timeline for local government extension applications are detailed below.

1. Local governments complete the documentation for their extension request, as detailed in the appropriate section below.

Questions about submission requirements and applications should be directed to: PLUM@gov.bc.ca.

2. Application packages should be submitted 45 days prior to council hearing for SSMUH zoning bylaw amendments. The final deadline for applications is **June 1, 2024** or **June 30, 2024**¹ (depending on the reason for the extension request) by email or mail to:

Email: PLUM@gov.bc.ca

Mail: Planning and Land Use Management Branch
PO BOX 9841 STN PROV GOVT
Victoria, BC V8W 9T2
Attn: SSMUH Extension Request Application

3. Applicants will receive confirmation of receipt of the package and date of submittal.

4. The Minister will review the package and provide a response indicating whether the extension has been granted. If the extension is granted, the Minister will indicate the new deadline for compliance, which can be no later than December 31, 2030. If applications are refused, local governments have 90 days after the date set out in the notice of refusal to provide notice that they've complied with the SSMUH legislated requirements.

¹ Packages post-marked by the deadline will be considered on-time.

5. Once the conditions that necessitated the extensions have been resolved, local governments are required to update their zoning bylaws for the area(s) where their extensions applied.

6. Local governments must notify the Minister by letter, that their zoning bylaw is updated and compliant by the extended deadline.

Extension categories and application requirements

The following section describes the conditions eligible for extensions, and the associated application requirements.

Local governments may apply for multiple extensions of the same or different extension categories, however, must complete separate application forms and packages for each infrastructure project or issue.

1. *The local government is in the process of upgrading infrastructure that services the specific area or specific lots for which the extension is being requested.*

Explanation of condition

Local governments can apply for an extension to the SSMUH compliance deadline in relation to specific areas or lots where they are in the process of upgrading infrastructure which renders them unable to comply by June 30th, 2024.

Examples of eligible ongoing infrastructure upgrades include, but are not limited to:

- **Upgrades that increase capacity required to meet demands of added development** – Including increasing pipe size, treatment plant upgrades, etc.

Application requirements

- Requested extension date.
- Description of the ongoing infrastructure upgrade which prevents compliance with the SSMUH zoning requirements by June 30, 2024, and explanation of why new SSMUH development cannot occur until the upgrade is complete.
- Timelines for the project.
- Map of the affected area, including the parcels for which the extension is being requested, as well as the location(s) of the infrastructure upgrade.
- Documentation to support the application which may include, but is not limited to: engineering reports, project plan, progress reports, etc.

2. *Compliance is likely to increase risk to public health, safety or the environment.*

Explanation of condition

Local governments can apply for an extension for areas where the infrastructure that services the area is such that compliance by June 30, 2024, is likely to increase a risk to health, public safety or the environment.

Examples of infrastructure conditions that would likely increase risks in an area include, but are not limited to:

- **Wastewater** – additional input to wastewater treatment facility and/or system servicing the area would lead to untreated wastewater backups and overflows.
- **Stormwater** – current stormwater management practices and systems would exceed capacity from additional development.
- **Drinking water quality** – additional development would be connected to a water system with current/ongoing/frequent water quality concerns (water quality advisory, boil water advisory or do not use water notice) or cause insufficient water supply concerns.

Application requirements

- Description of the infrastructure deficiency and how changing the zoning in the affected area to comply with the SSMUH requirements would pose a risk to public health, safety or the environment until an upgrade is undertaken.
- Requested extension date (this must align with existing project timelines if a project plan exists. If there is no project plan in place, an estimate may be given).
- Map of area(s) to which the extension application applies.
- Documentation supporting the application, which may include, but is not limited to engineering reports.
- Remediation plan if one exists.

Extensions vs. Exemptions

Extensions

- Areas which receive an extension for SSMUH compliance are expected to align with the SSMUH legislative requirements in the future. These areas require additional time to update the necessary infrastructure to support additional development adequately and address likely risk to health, public safety, or the environment.
- Local governments are required to apply for an extension, following the information provided in this bulletin and associated application form.

Exemptions

- Land which meets the requirements for an exemption from SSMUH legislation is not intended to align with SSMUH legislation in the future unless significant action is taken which can demonstrate the exemption is no longer applicable.
- Local governments do not need to apply for an exemption, rather they must notify the Minister of what areas in their jurisdiction meet the exemptions as provided for in the legislation and regulations.
- For exemption notification requirements, please see page 13 of the [Provincial Policy Manual and Site Standards](#).

3. Extraordinary circumstances exist that prevent compliance by June 30, 2024.

Explanation of condition

A local government is unable to update their bylaws by the deadline, due to unforeseen circumstances that divert their resources.

What is an “extraordinary circumstance”?

An extraordinary circumstance, for the purpose of an extension to comply with the requirements of the SSMUH legislation, is a situation that would result in a sufficient diversion of local government resources such that compliance with the legislation in the specified timeline would not be possible.

Examples of extraordinary circumstances that otherwise prevent compliance in relation to the area by the deadline, include but are not limited to:

- [Natural hazards](#) (flooding, forest fire);
- [State of emergency](#).

Application requirements

- Requested extension date.
- Description of the issue occurring in the community.
- Description of any work completed to comply with the SSMUH requirements up to this point, what additional work is planned to be done, an anticipated timeline when issue will be resolved and/or when compliance will be achieved.
- Documentation of extraordinary circumstances, ex: Declaration of State of Emergency.