

	<p>MINISTRY OF HOUSING POLICY BULLETIN</p> <p><i>Issued: May 2024</i></p>	<p>Local Government Housing Initiatives Small Scale Multi-Unit Housing Policy Update</p> <p>Controlled Access Highways Referrals, and Notification of Exempted Land and Bylaw Compliance with <i>Housing Statutes (Residential Development) Amendment Act, 2023</i></p>
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Background

In the fall of 2023, *Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023* was passed to support the supply of significantly more homes, faster, in BC. These amendments to the *Local Government Act* and *Vancouver Charter* require local governments to update their zoning bylaws to allow an additional unit, such as a secondary suite or detached accessory dwelling unit, in zones restricted to only single-family housing, and three to six units of Small-Scale Multi-Unit Housing (SSMUH) on some single-detached or duplex residential lots, depending on their size and locations. The [SSMUH Policy Manual & Site Standards](#) have been released to support local governments in updating their bylaws.

SSMUH Policy Update

This policy bulletin has two parts:

- 1) Informing local governments that SSMUH-specific zoning bylaw amendments are exempt from having to receive approval from the Ministry of Transportation and Infrastructure (MOTI) before going before council or regional district board for adoption.
- 2) Recommendations on how local governments should notify the Minister of Housing of:
 - a) Lands exempted from the SSMUH legislative requirements and,
 - b) Bylaws which have been updated to be compliant with the SSMUH legislation.

Controlled Access Highway Referrals

Under s. 52 (3) of the *Transportation Act*, local governments must receive MOTI approval for zoning bylaw amendments and proposed developments within an 800-metre radius of a controlled access highway.

To ensure that local government compliance with SSMUH is not delayed by this approval process, a **Ministerial Regulation now exempts all zoning bylaws made for the purpose of SSMUH** (Section 481.3 of the *Local Government Act*) as long as they are limited to residential use and the density does not exceed the minimum required density under the SSMUH legislation and regulations.

To be eligible for this exemption, a bylaw amendment should only include updates to ensure compliance with the SSMUH requirements. Any bylaw amendments above and beyond the unit level density requirements for SSMUH that impact properties within 800 meters of a controlled access highways, will continue to be reviewed by local MOTI staff on a first come, first served basis.

Should you have any questions please send your enquiry to MOTI at dshousing@gov.bc.ca. Please see [Ministerial Regulation No. M114 here](#).

Notification of Exempted Lands and Compliance

The SSMUH legislation requires local governments to notify the Minister of Housing in writing that the final zoning bylaw or zoning bylaw amendment necessary for compliance with the SSMUH requirements has been adopted, as soon as is practicable after the last bylaw has been adopted. **The updated zoning bylaws must be adopted by June 30, 2024.**

Communities without any restricted zones **as of December 7, 2023**, that have not created any new restricted zones since then, are not required to notify the Minister. However, an email is still recommended to inform the Minister that the community is compliant with the SSMUH requirements.

When notifying the Minister of Housing that the zoning bylaw is compliant with the SSMUH legislation, local governments should attach a copy of the bylaw or provide a hyperlink to the bylaw(s). **Local governments that have applied for an extension to the SSMUH compliance deadline for part of their community are still required to provide notice of compliance for areas of their community not included in their extension request.**

Exempted Lands

Local governments must also notify the Minister of Housing of the lands in restricted zones that have been *exempted* from the SSMUH requirements. Local governments must identify the location(s) of any exempted land(s) and the legislative provisions supporting the exemptions. Reports prepared by a qualified professional on behalf the local government should accompany exemptions based on hazardous conditions that cannot be practicably mitigated.

The recommended approach for informing the Minister of Housing of which lands have been exempted is to submit a map identifying the area or parcels, for example:

- Service area maps showing which areas of your community have and do not have access to a water or sewer system operated by a local government;
- Maps and schedules from an official community plan that identify development permit areas subject to hazardous conditions, or designated heritage properties and areas;
- Maps and/or descriptions from an engineering report identifying and describing hazardous conditions;
- Maps appended to bylaws such as those for heritage designation bylaws which identify the applicable area.

Alternatively, a list of the property addresses or parcel identification numbers of the exempted parcels can be provided.

How to Notify the Minister

Notices of compliance and exemptions can be sent by email to PLUM@gov.bc.ca with the subject line “[Local Government Name] SSMUH [Compliance and/or Exemption] Notification”. Alternatively, the notifications can be mailed or delivered to: Planning & Land Use Management Branch, PO Box 9841, STN PROV GOVT, Victoria BC, V8W 9T2.

For further details on the criteria for exemptions, please review pages 11-12 of the [SSMUH Provincial Policy Manual and Site Standards](#), section 481.4 of the [Local Government Act](#) and the [Local Government Zoning Bylaw Regulation](#).