



January 10, 2025

Reference: 69694

His Worship Rob Douglas
Mayor of the District of North Cowichan
7030 Trans-Canada Highway
Duncan BC V9L 6A1
Email: mayor@northcowichan.ca

Dear Mayor Douglas:

Thank you for your ongoing commitment to address housing needs in your community, and for passing zoning bylaws to support the implementation of small-scale multi-unit housing in your local area. Upon review of your zoning bylaw, I write today to remind you of the legal requirement in Bill 44 that when developing a zoning bylaw, you “must consider the applicable guidelines, if any, under section 582”. The guidelines under section 582 are found in the Small-Scale Multi-Unit Housing Policy Manual and Site Standards, which can be accessed online through the link below. I note that Bill 44 also contains a provision that a local government must not otherwise restrict development within communities.

British Columbia continues to face a housing crisis. While much has been accomplished in the past year to remove restrictive zoning across our communities, we must remain focused on enabling small-scale multi-unit housing. Consistent zoning parameters across communities will provide for the certainty and clarity required to ensure small-scale multi-unit housing becomes a reality across British Columbia.

Allowing up to six units of small-scale multi-unit housing in previously single-family and duplex zones is the essential first step in realizing change on the ground. But we know from the experience of other jurisdictions, and from consultation with both planners, and builders, that flexible site standards including setbacks, building height, lot coverage and parking requirements will help to encourage development and increased housing supply.

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The Ministry of Housing and Municipal Affairs worked with planning experts and builders to establish site standards that provide more flexibility for siting new homes on a lot, while retaining outdoor space for other important priorities including tree protection and stormwater management. For zones where 3 to 6 units are permitted, allowing 3 storey buildings and building heights of 11 meters will support the development of houses that are large enough for families. Allowing lot coverages between 40 per cent and 60 per cent, depending on the unit count, enables the creation of livable homes while leaving room for other important features like trees and outdoor amenity space. Lot coverage and flexible setbacks work together: reduced setbacks with modest lot coverage for buildings creates more opportunities to locate housing on a site while retaining open space.

Finally, we know that parking is one of the most important on-site considerations. Paved parking spaces increase impermeable surfaces, limit opportunities for green space, and increase the cost of construction. Parking requirements should be kept to a minimum wherever possible. We also recommend that new small-scale multi-unit housing not be subject to restrictive form and character development permit requirements that slow the approvals process and that restrictive floor area ratios not be used to limit building size. In addition, Local governments should be aware that restricting certain tenure types, for instance, not allowing for strata ownership of new SSMU homes, can impact financial viability where land costs are high.

I appreciate that many local governments worked to ensure the unit-level density requirements in Bill 44 were in place in your community by the June 30th deadline but felt more time was needed to fine tune your site standards. I know from reading the thoughtful reports prepared by your staff and from your conversations at Council that many of you intend to return to your zoning bylaw amendments this fall. I also know that resistance to the requirements in Bill 44 and the Provincial policy recommendations remains in some communities. Section 457.1 of the *Local Government Act* requires that local governments not use authorities to unreasonably prohibit or restrict the use, or density of use, required to be permitted under Section 481.3 [zoning bylaws and small-scale multi-family housing].

The Province will continue monitoring and evaluating the ongoing implementation of this legislation. Our intention is that future infrastructure investment will be prioritized for high growth, high need communities who meet or exceed the Provincial Site Standards.

I know that you share our goals and agree on the collective responsibility of all governments to address the housing crisis in our province. But for many local governments the work we asked you to do under Bill 44 is not yet finished. I expect over the next few months you will take another look at your bylaws and consider updates to achieve better alignment with the Provincial Site Standards, to successfully enable development.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ravi Kahlon', written over a light gray rectangular background.

Ravi Kahlon
Minister of Housing and Municipal Affairs

Link: Small-Scale Multi-Unit Housing Provincial Policy Manual and Site Standards
www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_provincial_policy_manual.pdf

CC: Teri Collins, Deputy Minister, Ministry of Housing and Municipal Affairs
Bindi Sawchuk, Assistant Deputy Minister, Ministry of Housing and Municipal Affairs
Ted Swabey, City Administrative Officer, District of North Cowichan
Amanda Young, Director, Planning and Building, District of North Cowichan