

**ZONING BYLAW, 1996, No. 2100, AMENDMENT No. 209, 2024, No.
3289**

Prepared by:



Carl Johannsen, RPP, MCIP
Director of Development Services

Reviewed by:



Francis Cheung, P.Eng.
Chief Administrative Officer



EXPLANATORY MEMO
PROVINCIAL HOUSING LEGISLATION – UPDATED PARKING
REQUIREMENTS FOR PLEX-HOMES
ZONING BYLAW AMENDMENT NO. 209, BYLAW NO. 3289

PURPOSE:

Bylaw 3289 proposes to update the Zoning Bylaw, specifically parking requirements for *Plex-Homes*, to implement and comply with new Provincial housing legislation ('Homes for People'), which was enacted by Bill 44 and Bill 47 in November 2023 and is now included in the *Local Government Act* (LGA).

POLICY:

Effective June 30, 2024 municipalities in British Columbia must now permit "Small-Scale Multi-Unit Housing" ("SSMUH") on single detached home-zoned properties, by permitting up to a maximum of 4 dwelling units on a single detached or duplex home-zoned property, and a maximum of 6 dwelling units on a single detached or duplex home-zoned property if it is within 400 metres of a frequent bus service stop.

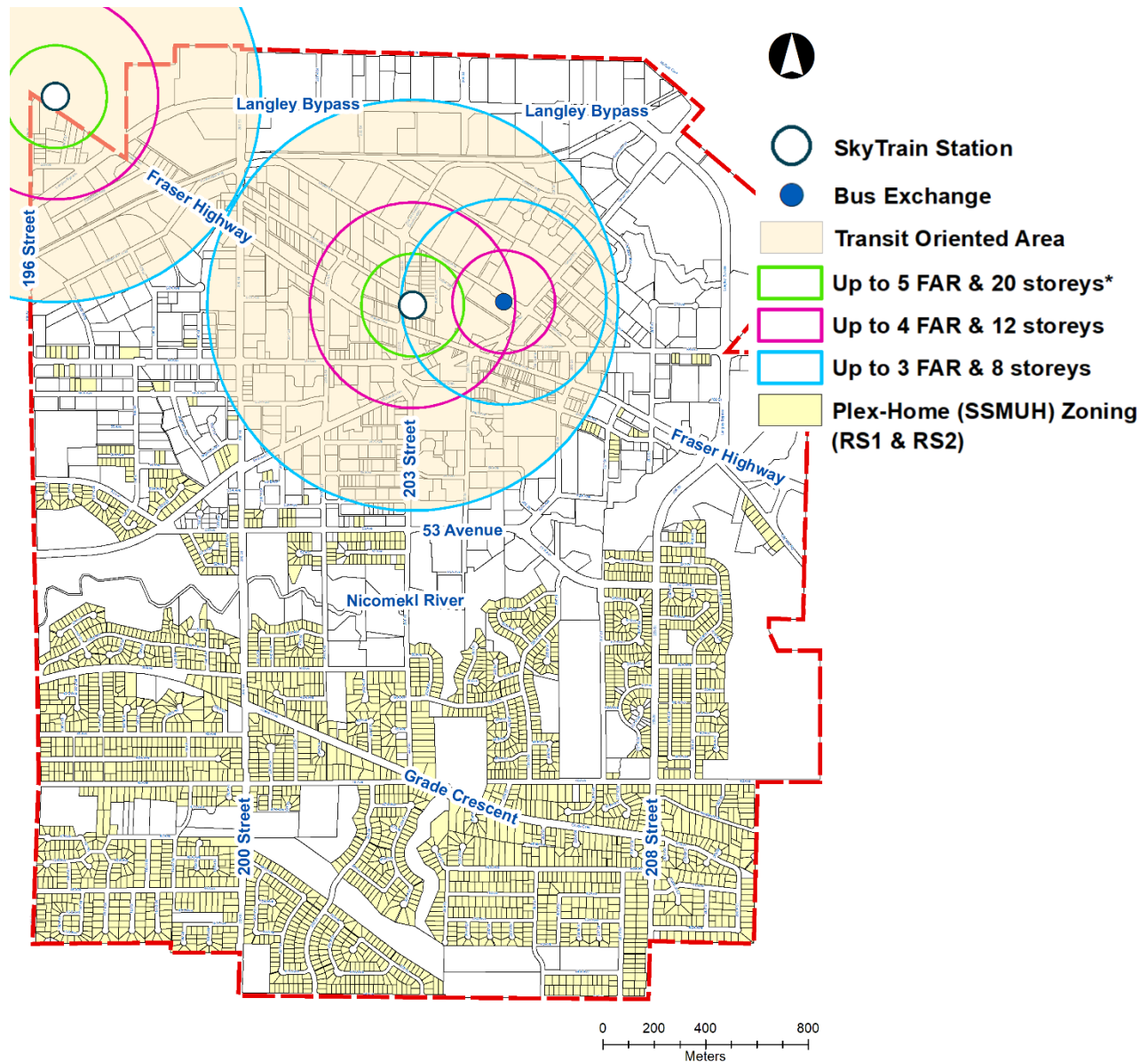
On June 17, 2024, Council adopted Bylaw 3284 to permit SSMUH on RS1 and RS2 lots in the City's Zoning Bylaw, by way of including a new permitted use in these zones, *Plex-Homes*, which permits up to 4 units per RS1 or RS2 lot, and up to 6 units per RS1 or RS2 lot if this lot is located with 400 metres of a frequent bus stop. The RS1 and RS2-zoned lots where *Plex-Homes* are now permitted in the City are shown on the map on the next page of this memo.

COMMENTS/ANALYSIS:

Specific Updates

Bylaw No. 3289 proposes to update the current Zoning Bylaw to implement and comply with Provincial housing legislation:

- Require a minimum of 1.5 parking spaces for *Plex-Home* units that are more than 90 square metres (sm) in gross floor area ('area');
- Require a minimum of 1 parking space per unit for *Plex-Home* units that are less or equal to 90 sm in gross floor area ('area'); and
- Require no parking spaces per unit for *Plex-Home* units that are within 400 metres of a frequent bus stop, which is served by a bus route with an average frequency of 15 minutes or more frequent between the hours of 7 am and 7 pm, Monday to Friday, and 10 am and 6 pm on Saturdays and Sundays.



*Building height is subject to the Airport Zoning Regulation (AZR) as enforced by the Federal *Aeronautics Act*

Effect of Bylaw

The current Zoning Bylaw parking requirement for a single detached home on a RS1 and RS2 zoned lot is 2 parking spaces per unit, and 1 parking space for a secondary suite within this home (a maximum of 1 secondary suite per home is permitted, and a suite is 90 sm or less in area). This results in a rate of 1.5 parking spaces per unit.

The proposed 1.5 parking spaces per unit requirement for *Plex-Home* units over 90 sm in area, which will likely involve units in the form of 2 storey row-homes, duplexes or single storey flats that are generally smaller and have less bedrooms than a typical new single detached home, is the same as the current 1.5 spaces per unit rate for a RS1 or RS2 lot with one single detached home and one secondary suite.

The proposed 1 parking space per unit requirement for *Plex-Home* units that are 90sm in area or less is also the same as the current secondary suite parking requirement of 1 space per unit. Based on discussions to date with prospective *Plex-Home* builders, it is anticipated that many *Plex-Home* developments will include at least 1 unit under 90 sm in area.

Staff have reviewed the possible range of unit type combinations that could occur in a four-unit *Plex-Home* development on an RS1 or RS2 lot in the City, and how many parking spaces would be required per lot under the proposed requirements in this Bylaw, based on the possible range of unit type combinations. At the 'the high unit size' end of the range, where there could be 4 units over 90 sm in area on an RS1 or RS2 lot, a minimum of 6 parking spaces would be required based on the proposed parking requirements, or an average of 1.5 spaces per unit. At the other or 'low unit size' end of the range, where there could be 4 units under 90 sm in area on an RS1 or RS2 lot, a minimum of 4 parking spaces would be required based on the proposed parking requirements, or an average of 1 space per unit. Overall, and across the range of possible *Plex-Home* unit type combinations and over time, the average number of required parking spaces per new *Plex-Home* developments will be approximately 1.33 spaces per unit, which is about 11 percent less than the current 1.5 spaces per unit requirement for single detached homes with secondary suites.

This proposed Bylaw also includes no minimum parking requirements for *Plex-Homes* that are located within 400 m of a frequent transit service bus stop, which is required by Provincial law as a part of Bill 44. It is important to note that there is no current frequent transit service within 400 m of RS1 or RS2 lots located outside of the City's Transit Oriented Areas ('TOAs' as shown on the map on the previous page, which are located north of the Nicomekl River within 800 m of SkyTrain Stations and within which SSMUH/Bill 44 requirements do not apply to RS1 and RS2 lots), thus this specific proposed update to the Zoning Bylaw will not be applicable to RS1/RS2 lots until such time that frequent transit routes are added in the City.

No changes are being proposed to the current parking requirements in the Zoning Bylaw for single detached homes (2 spaces per unit) and secondary suites (1 space per unit), noting that the combined per unit parking requirement for a single detached home with a suite is 1.5 spaces per unit. The proposed changes in the Bylaw will not require landowners to change or reduce their existing parking for their existing buildings and number of currently permitted units on their lots, or prevent landowners from providing more parking spaces than required for future *Plex-Home* developments.

Consideration of Provincial Guidelines

Section 481.3 (7) of the LGA requires municipalities to consider Provincial guidelines when adopting Bill 44 (SSMUH) requirements into their Zoning Bylaws. These guidelines, including recommended setback, height, lot coverage and parking regulations as set out in Part 4 of the Provincial SSMUH Manual, are non-binding.

Staff have considered these guidelines and provide the following commentary:

- The minimum lot size in the Zoning Bylaw for RS1 lots is 557 sm and RS2 lots is 930 sm, and the actual average size of all affected RS1 lots is 798 sm, and 1,715 sm for RS2 lots. Due to the relatively large size of lots that can potentially accommodate *Plex-Homes*, and considering the land area needed for *Plex-Home* garages and driveways to park vehicles on these lots, the proposed parking requirements in this Bylaw are not anticipated to limit the maximum unit potential on lots that can accommodate up to 4 units, and thus the intent of the Provincial legislation is uninhibited by this Bylaw;
- the lower current transit service in areas south of the Nicomekl River, which likely limits the ability for many home owners and renters to use transit instead of relying on personal vehicles to get around, does not support parking requirements that are lower than proposed at this time. Once transit service improves south of the Nicomekl River, these parking requirements can be reviewed and potentially updated, noting that *Plex-Home* lots within 400 metres of a frequent transit stops will not be required to have a minimum number of parking spaces according to Provincial law; and
- the proposed parking requirements in this Bylaw can assist with other on-lot design considerations, such as the potential for mature tree preservation and accommodating on-lot storm water management facilities.

Staff have also reviewed and considered the parking rates in other municipalities. The City of Maple Ridge and City of Abbotsford require 1.5 spaces per SSMUH unit, and the City of Surrey and Township of Langley require 1 space per SSMUH unit. Staff note that higher parking rates per unit may be a result of less overall transit service levels and higher lot sizes in those municipalities within higher rates.

Lastly, it is important to note that further updates to the Zoning Bylaw, related to *Plex-Homes* and other items, are planned to be completed in Fall 2024 and beyond. Further Zoning Bylaw updates will consider feedback from public consultation on RS1 and RS2 zoning, among other topics, and the Provincial SSMUH Policy Manual.

SUMMARY

Bylaw 3289 will update the City's Zoning Bylaw to implement and comply with new Provincial housing legislation which was enacted by Bill 44 and Bill 47 in November 2023 and is now included in the *Local Government Act* (LGA).

Over the course of the next 1 to 2 years, updates to the City's Official Community Plan (OCP) and the Zoning Bylaw will be undertaken to comply with additional Provincial housing legislation requirements and to fully align the OCP with the Zoning Bylaw.

BUDGET IMPLICATIONS:

None.

Attachments