

# Loopholes May Sink Missing Middle Housing



By July 1, municipalities must update their bylaws to accommodate the provincial legislation enabling moderate housing density (called missing middle) in single family zones.

In municipalities of more than 5,000 people, this will allow:

- three to four units on single-family or duplex lots, depending on lot size;
- six units on single-family or duplex lots close to transit;
- one secondary suite or laneway home in all communities.

The changes also remove public hearings for rezonings where housing projects are consistent with Official Community Plans.

Unfortunately, the province followed up their announcement by adding significant costs to housing.

They expanded Development Cost Charges (DCCs) to include fire and police stations, solid waste facilities and highways, in addition to existing coverage of sewer and water, sidewalks and parks.

They also legalized Community Amenity Contributions for recreation centres, public art, cash-in-lieu, etc.

These increased costs will hinder new development, along with another emerging challenge as municipalities set site standards for small multi-unit housing.

A Provincial Policy & Site Standards manual was created outlining the suitable setbacks, building heights, etc to make the housing buildable and more affordable.

In creating the manual, the province learned from the City of Victoria's failed missing middle bylaw which became national news.

The Globe and Mail editorial board said, "the city then piled on numerous rules, including building height, parking and added costs. It's akin to opening a door and immediately bolting it shut. The result is a policy that was supposed to help get many new homes built led to development applications of zero new homes."

The BC government's manual tries to avoid a similar problem, yet they fell into the trap of failing to make their standards mandatory.

The manual says, "In preparing, amending, or adopting a zoning bylaw to permit the use and density required by the SSMUH (small scale, multi-unit housing) legislation, a local government must consider any applicable guidelines for SSMUH, including this Policy Manual."

Councils may consider the guidelines, but there is no requirement to adopt the provincial standards. This results in some municipalities adopting regulations obstructing successful implementation of the province's legislation.

Along with expanded costs such as DCCs and CACs, these loopholes, appealing municipal councils, may sink missing middle housing.



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