

# Small-Scale, Multi-Unit Housing (SSMUH) Information and FAQs

Version 1.2, November 15, 2024

The purpose of this document is to provide information related to Small-Scale, Multi-Unit Housing (SSMUH), the respective bylaw and policy requirements, possible development scenarios under the SSMUH zoning, design guidelines, expected next steps in the roll out of this program, and other useful resources.

## INTRODUCTION

In December 2023, the Province enacted new legislation ([Bill 44: Housing Statutes Amendment Act](#)) to amend the [Local Government Act](#) (LGA) with the goal of increasing housing supply. Bill 44 is intended to enable Small-Scale, Multi-Unit Housing (SSMUH) by establishing unit maximums for single-family and duplex lots in municipal zoning bylaws. These unit maximums vary from three to six dwelling units depending on lot size and proximity to a prescribed bus stop. These housing forms typically offer more family-oriented units than larger-scale multi-family housing and more affordable options than single-family dwellings.

More information related to Bill 44 can be found on the City's website at [portmoody.ca/ssmuh](http://portmoody.ca/ssmuh) and in Section 5.5 of the City of Port Moody's Zoning Bylaw, 2018, No. 2937 (the Zoning Bylaw) at [portmoody.ca/zoningbylaw](http://portmoody.ca/zoningbylaw).

### What is a prescribed bus stop?

As part of TransLink's Frequent Transit Network (FTN), a prescribed bus stop refers to any bus stop served by at least one bus route that is scheduled to stop, on average, at least every 15 minutes between the hours of:

- 7 a.m. and 7 p.m., Monday to Friday, and
- 10 a.m. and 6 p.m. on Saturdays and Sundays.

### How can I check if my lot is located within 400m of a prescribed bus stop?

The City has prepared a [Small-Scale, Multi-Unit Housing map](#) (PDF) that delineates the "Prescribed Bus Stop 400m Radius" area.

### Where can I check the SSMUH zoning for my address?

The SSMUH Zoning can be viewed on the City's [Small-Scale, Multi-Unit Housing map](#) (PDF) and the [City's interactive Provincial Housing Statutes Online Mapping](#). These maps can be helpful to find out how many dwelling units a SSMUH lot is entitled to. Please also refer to the City's [Viewport](#) (Online Mapping System) for more information on Zoning.

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Do you need more information?  
Planning Staff are here to help!

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This guide was prepared based on information available as of September 13, 2024. Please note that the SSMUH webpage ([portmoody.ca/ssmuh](http://portmoody.ca/ssmuh)) will be updated with additional FAQs as ongoing inquiries are being received.

This guide is intended to assist applicants. It is neither an authoritative nor complete statement of the law. Further reference to Port Moody's Zoning Bylaw and related documents is necessary to ensure compliance with its provisions. The City of Port Moody accepts no responsibility to persons relying solely on this guide.

## What is the SSMUH approach for zoning, lot size, location, and dwelling units in Port Moody?

On lots zoned RS1, RS1-S, RS2, RS3, RS5, RS6, RS7, RS8, RS9, and RT shown in the City's [Viewport](#) (Online Mapping System) that are within the SSMUH areas, the overall maximum permitted dwelling units per lot based on their lot size and proximity to a prescribed bus stop are shown in the following table:

Lot size	Maximum of permitted dwelling units per Lot	Relevant Section of the Zoning Bylaw
280m <sup>2</sup> or less in size within the SSMUH areas	Three dwelling units	Section 5.5.2
greater than 280m <sup>2</sup> but do not exceed 4,050m <sup>2</sup> in size that are outside the prescribed bus stop 400m radius	Four dwelling units	Section 5.5.3
greater than 280m <sup>2</sup> but do not exceed 4,050m <sup>2</sup> , that are within the prescribed bus stop 400m radius	Six dwelling units	Section 5.5.4

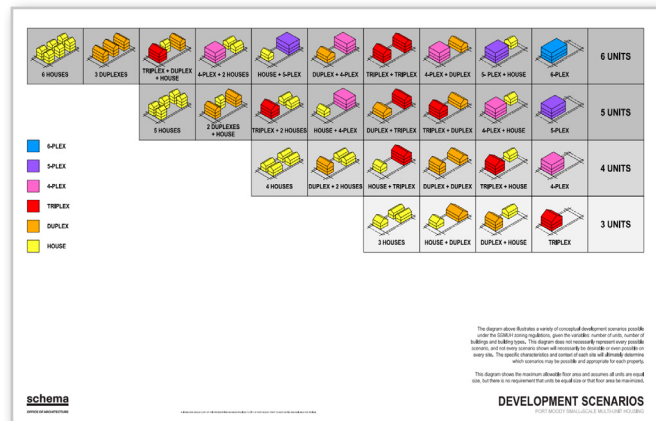
## What are the SSMUH housing types in Port Moody?

The City has prepared a [SSMUH Development Scenarios Guide](#) (PDF) to illustrate conceptual development scenarios possible under the SSMUH zoning regulations, given the following variables: lot shape, number of units, number of buildings and building types. Examples of SSMUH include, but are not limited to:

- single family dwelling;
- secondary suites;
- additional dwelling units (ADUs), like garden suites or laneway homes;
- duplexes (side-by-side, front-back, or up/down);
- triplexes, four-plexes, five-plexes, and six-plexes; and
- townhouses.

Please see Section 5.5 of the [Zoning Bylaw](#) for more information about the permitted types of dwelling units under the SSMUH regulations.

### SSMUH Development Scenarios Guide



(Click image thumbnail for a link to read a PDF of the guide)

## What are the exemptions for “not included properties”?

- Heritage (heritage designated properties, Heritage Revitalization Agreements);
- Parcels greater than 4050m<sup>2</sup>;
- Designated Transit Oriented Development Areas.

## What are the next steps of Port Moody’s SSMUH program?

- SSMUH Design Guidelines are being prepared for completion by December 2024.
- Several Comprehensive District (CD) zones within the SSMUH areas are targeted to be updated by December 2024.
- The Official Community Plan (OCP) will be updated to incorporate SSMUH zoning changes and the Housing Needs Report (HNR) by December 31, 2025.

# FAQS: FUTURE APPLICATIONS

## Can I subdivide my lot?

The lots within SSMUH areas may be eligible for subdivision depending upon the proposed subdivision plan, and applicable City bylaws and policies. If a subdivision is proposed on a lot zoned as Single Detached Residential – Small Lot (RS1-S), a restrictive covenant will be required to be registered on the property title prior to subdivision approval, formalizing a maximum of three dwelling units per lot, in accordance with the City's [Interim RS1-S Rezoning Policy](#).

## Can I build a laneway home?

Yes, a laneway home (garden suite/coach house) is considered an Additional Dwelling Unit (ADU) and will continue to be permitted on SSMUH lots, provided that all bylaw and policy requirements are met. Please refer to the [Zoning Bylaw](#) or the ADU definition, Section 5.5 for ADU eligibility, Section 6 for requirements related to parking, driveway access, electric vehicle charging infrastructure, and the other relevant sections of the [Zoning Bylaw](#).

## Can I build a secondary suite?

Yes, secondary suites are permitted in the SSMUH areas, though each secondary suite will be counted towards the total number of permitted dwelling units on a lot. As per the BC Building Code, only one secondary suite is permitted per primary dwelling unit. For more information, please refer to the City's [Secondary Suite Guide](#).

## How much parking is required?

Please refer to Section 6 of the [Zoning Bylaw](#) for specific parking requirements based on the lot location. For lots located outside of the prescribed bus stop 400m radius (see [Small-Scale, Multi-Unit Housing map](#) (PDF)), a proposed SSMUH development requires a minimum of 0.5 space per dwelling unit (rounded up to the nearest whole parking space) to a maximum of 4 stalls per lot when accessed from a collector, local, or lane road classification. When driveway access is from an arterial or the Major Road Network (MRN) road classification, a maximum of 2 stalls per lot are permitted. For the Road Classification map, please visit the City's [Viewport](#) (Online Mapping System).

As mandated by the Province, no off-street parking is required on lots located within the prescribed bus stop 400m radius.

## Can I stratify my lot?

For SSMUH building forms, some flexibility is intended for stratifying housing units (which can include single-family homes, duplexes, and townhomes). Lots within the SSMUH areas with two or more primary dwelling units are eligible for stratification. Please note that stratification of dwelling units has BC Building Code implications that need to be understood and incorporated into the SSMUH project design. Also, as per the BC Building Code, the stratification of secondary suites is not permitted as they are contained within the primary dwelling unit. Please also note that the stratification of existing dwelling units requires approval by the City before a landowner files a strata plan with the Land Title Office.

## Would there be any other conditions to be considered that can impact my proposed development?

All SSMUH developments will require a Development Permit for Form and Character prior to the issuance of a Building Permit. Currently, the SSMUH Design (Form & Character) Guidelines are being prepared for December 2024. In the interim, a Development Permit application would be reviewed in accordance with the existing relevant Development Permit Form & Character Guidelines in Chapter 16 of the City's [Official Community Plan](#), which will ultimately be replaced by the SSMUH Design Guidelines upon their approval.

For lots located in Hazardous Lands and Steep Slope areas, Flood Plains, or Environmentally Sensitive Areas, Development Permit(s) may also be required. Please refer to the City's [Development Permits](#) webpage for more information.

## How might tree preservation or replanting requirements impact my proposed development?

To ensure tree preservation or replanting opportunities with SSMUH developments, the SSMUH lot coverage requirements in the Zoning Bylaw has been adopted to allow three-storey buildings in all cases. This approach promotes building up rather than out, providing sufficient area for tree retention, tree planting, pervious surfaces and outdoor amenity space, while accommodating vehicle access and parking. Tree replanting will be addressed through the Development Permit process to ensure adequate tree canopy coverage in the SSMUH areas over time. Alternative building forms may be proposed that support the retention of significant trees and consolidated planting areas for adequate growing space. Staff may also request pervious surfacing materials for parking spaces, or the use of engineered soil solutions where pervious surfacing is not feasible.

## FAQS: FUTURE APPLICATIONS continued...

### **Can the setback requirements for streams, wetlands, and ditches impact a SSMUH development application?**

Yes, setback requirements for streams, wetlands, and ditches can impact a SSMUH development application. Legislation requires local governments to protect streams and adjacent riparian areas during development. Please refer to the Streamside Protection provisions in Section 5.4 of the [Zoning Bylaw](#), which detail the City's minimum riparian management setback requirements, including riparian protection and enhancement areas and riparian transition areas. Additionally, consult the Development Permit Area 4: Environmentally Sensitive Areas Guidelines in Section 4 of the OCP's [Appendix 2: Development Permit Area Guidelines](#) to ensure your SSMUH development proposal meets these guidelines.

### **Are there any municipal transportation and infrastructure upgrades that could impact my SSMUH development application?**

Municipal infrastructure that will be impacted by SSMUH related development across the community includes the water distribution system, sanitary sewer, drainage system and transportation network. Under the City's Subdivision and Development Servicing Bylaw, SSMUH type projects will require updated services to the property (i.e., water, sanitary and storm sewers, undergrounded electrical, etc.) along with triggering the need to upgrade or re-construct the road frontages (i.e., underground infrastructure, curb and gutter, tree planted grass boulevard, sidewalk, streetlights and road paving, etc.).

Applicants are advised to retain a civil engineering consultant to assist in addressing servicing upgrading requirements. The applicant and their consultant work with City engineering staff to identify the servicing requirements and submit a detailed engineering design to the City for acceptance. As a condition of Building Permit issuance, the applicant enters into a servicing agreement which includes engineering fees, construction bonding cost, construction insurance and applicable permits.

All SSMUH applications are responsible for confirming that there is adequate fire flow available based on the [Fire Underwriters Survey](#) calculation and the available capacity of fire hydrants within 90m of the site. It is anticipated that the properties identified on the [Fire Hydrant Capacity Review \(SSMUH\) Areas map](#) (Page #18) will be required to address fire flow requirements at the applicant's cost.

Fire flow requirements can be met by increasing hydrant flow through upsizing and looping water mains or increasing system pressure. Alternatively, the applicant can modify the proposed SSMUH project design to reduce the fire flow requirements to reflect the available hydrant capacity, for instance incorporating automatic sprinklers, reducing the effective floor area, using non-combustible materials or limiting the type of occupancy uses, increasing setbacks from other combustible structures or landscaping.

To ensure adequate emergency response access to SSMUH developments, a minimum 1.5m clear pathway is to be provided to the principal entrance of each unit from the fronting road.

Please also note that SSMUH applications will be subject to Development Cost Charges to help cover the costs for infrastructure upgrading triggered by this type of development, including:

- Providing necessary upgrades to the municipal sanitary and drainage systems; and
- Providing transportation infrastructure upgrades to support any additional changes in density on a SSMUH lot and the resulting increase in vehicle traffic.

### **Are there BC Hydro service connection upgrades required to support increased electrical demand for SSMUH developments?**

In the case of adding more dwelling units to a SSMUH site, BC Hydro may require service upgrades (such as, a transformer for increased electrical capacity) to support the higher electrical demand. SSMUH applicants should contact [BC Hydro](#) before submitting a development application to determine whether the proposed SSMUH development complies with BC Hydro's existing electrical capacity and setback requirements, or whether service upgrades are required to meet the additional load demand. Please also refer to the [My Hydro Guide](#).

### **How do heritage protections (sections 610, 611 and 614 of the LGA) intersect with SSMUH legislation?**

Please refer to the Province's responses for Question no. 25 of the [FAQs Small-Scale Multi-Unit Housing \(gov.bc.ca\)](#).

# FAQS: IN-STREAM APPLICATIONS

If you submitted a development application prior to June 25, 2024, it is considered an in-stream application. The following questions and answers provide general information – for specific inquiries, please reach out to the file manager assigned to your in-stream development application.

## **What if there is a Building Scheme registered against my property that restricts a SSMUH development?**

Building schemes are a statutory tool that are registered on title and stipulate conditions of use or restrictions with respect to properties subject to this form of covenant. Often dating back to the 1950s or 1960s, building schemes were generally put in place by the original land developer and are binding upon and enforceable by the subject property owners. Typical restrictions or requirements deal with building size, styles, finishes or colours, but can also restrict the use of buildings or the number of dwelling units. When the Province enacted Bill 44 in late 2023, it was acknowledged that registered building schemes would take precedence over SSMUH zoning entitlements. As local governments are not a party to a registered building scheme, the City has no authority to help address this issue. Given the legal issues around building schemes, the City is unable to process SSMUH development applications for properties subject to this type of covenant.

If it is determined that you have a restrictive building scheme registered on the title of your property, you are advised to hold back on preparing and submitting a SSMUH development application and to seek advice from a lawyer. Under the British Columbia Property Law Act, a property owner can challenge a building scheme in court on a number of grounds. Should you choose to pursue this approach and receive a court order discharging the building scheme from the title of your property, you can proceed in submitting a SSMUH development application for the City's review and processing.

## **Do I still need to proceed with my active OCP Amendment application?**

If the proposed housing type of your active OCP amendment application on a SSMUH lot aligns with the permitted SSMUH Housing Types in the SSMUH areas, you are not required to proceed with the OCP amendment application. Please note that the City is in the process of updating the Official Community

Plan (OCP) to incorporate SSMUH zoning changes by December 31, 2025.

## **Can I proceed with my active Rezoning application?**

Rezoning applications for lots within SSMUH areas will continue to be processed for approval. However, as noted and in accordance with the City's [Interim RS1-S Rezoning Policy](#), for in-stream RS1-S rezoning applications in the SSMUH areas that have not received any bylaw readings prior to June 25, 2024, a restrictive covenant will need to be authorized at the time of rezoning approval and executed prior to subdivision approval, formalizing a maximum of three dwelling units per lot. In-stream RS1-S rezoning applications that have received their first reading from Council prior to June 25, 2024, are exempt from the restrictive covenant requirement.

For more information please refer to the [Interim RS1-S Rezoning Policy](#) or contact your file manager.

## **Can I proceed with my active Subdivision application?**

The requirements for an in-stream subdivision application vary based on its current stage. If the application is at the initial stage of issuing Preliminary Layout Review (PLR) or staff review letter, the applicant may proceed with the proposal initially submitted prior to June 25, 2024, or submit a new subdivision proposal based on the SSMUH regulations. In the case of SSMUH type projects, under the City's [Subdivision and Development Servicing Bylaw](#), applications would require upgrading services for the property for which the applicant's consulting civil engineer would need to design, estimate bonding costs, liaise with City engineering staff for review/approvals, supervise and sign off on final construction.

If a Servicing Agreement has already been entered into with the Engineering Department, an applicant should not revise their subdivision plan based on SSMUH regulations as the applicant has already agreed to meet and proceed with the conditions listed in that agreement.

## FAQS: IN-STREAM APPLICATIONS continued...

### **Can I proceed with my active Development Permit application(s)?**

As noted, SSMUH Design Guidelines are being prepared for the end of December 2024. Meanwhile, the City will review each in-stream Development Permit application on a case-by-case basis in accordance with the existing relevant Development Permit Area 1, 2, and 3 form and character design guidelines in [Chapter 16](#) of the City's Official Community Plan, which will be replaced by SSMUH Design Guidelines once completed.

For in-stream Development Permit applications involving Hazardous Lands, Steep Slopes, Flood Plains, or Environmentally Sensitive Areas, revised documents will be required for SSMUH projects, to ensure compliance with all relevant requirements.

### **Can I proceed with my active Building Permit application(s)?**

For inquires related to in-stream Building Permit applications, please visit the City's [Building and Renovating](#) webpage and/or reach out to the Building Division at [buildingpermits@portmoody.ca](mailto:buildingpermits@portmoody.ca) or 604-469-4534.

# USEFUL RESOURCES

## Provincial resources:

- [Local Government Act](#)
- [FAQs Small-Scale Multi-Unit Housing \(gov.bc.ca\)](#)
- [Small-scale, multi-unit housing - Province of British Columbia \(gov.bc.ca\)](#)

## City resources:

- [Small-Scale Multi-Unit Housing \(SSMUH\)](#)
- [Provincial Housing Legislation](#)
- Provincial Housing Initiatives Zoning Information Session's [Presentation Slides](#) and [Display Boards](#) presented on June 5, 2024
- [Official Community Plan](#)
- [Zoning Bylaw](#)
- [Bylaws](#)
- [Building and Renovating](#)
- [Corporate Policies](#)
- [Interim RS1-S Rezoning Policy](#)
- [OCP Amendment/Rezoning process](#)
- [Subdivision process](#)
- [Development Permits](#)
- [Viewport](#) (Online Mapping System)