

Small-Scale Multi-Unit Housing (SSMUH) Implementation Extension Request

May 14, 2024 Committee of the Whole Meeting

Item F.2 – SSMUH Implementation Extension Request



Housing Statutes (Residential Development) Amendment Act, 2023 – Bill 44

- Adopted on November 30, 2023
- Local governments required to approve a zoning bylaw(s) in compliance with new Small-Scale Multi-Unit Housing (SSMUH) requirements by June 30, 2024

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SSMUH Requirements

- Bill 44 introduced the concept of a “restricted zone” into the *Local Government Act*.
- A “restricted zone” is one in which a local government has only allowed the following:
 - single family dwelling;
 - duplex;
 - secondary suite; or
 - accessory dwelling.

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SSMUH Requirements

- If a local government has a “restricted zone” in its zoning bylaw the Act states that it **must**, by June 30, 2024, use its zoning powers to do one of the following:
 - allow 2 dwelling units per parcel; or
 - Applies to all communities
 - allow 3-4 dwelling units per parcel
 - Applies to lands which are serviced by local government water and sewer systems that are within an RGS “urban containment boundary” and a municipality with a population greater than 5,000;

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SSMUH Requirements

- Allowing 3-4 dwelling units per parcel can be in one of the following forms:
 - apartment building (3-4 units);
 - townhouse (3-4 units);
 - duplex with secondary suites (2-4 units); or
 - single detached dwelling with a secondary suite and accessory dwelling (1-3 units).
- Density allowance is predicated on parcel size

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Extension Request Allowance

- Transitional provisions provide the Minister of Housing the ability to grant one or more extensions for 1+ of the following reasons:
 - *The local government is in the process of upgrading infrastructure that services the area;*
 - *The infrastructure that services the area is such that compliance by June 30, 2024 is likely to increase a risk to health, public safety or the environment in the area;*
 - *There exist extraordinary circumstances that otherwise prevent compliance in relation to the area*

Deadline to submit extension request – June 1, 2024

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Considerations

- It is recognized that there are infrastructure-related implications as it relates to the provision of increased density, particularly as it relates to the Town's water system
- Current water production wells cannot provide sufficient water to meet current peak hour demands
- Permitting increased densities prior to a surface water system being completed may have negative impacts with respect to fire protection
- Construction of a new surface water system to be completed in 2028

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Considerations

- If Committee decides to request an extension to the SSMUH implementation compliance deadline, there would be implications in relation to the Zoning Bylaw Update
 - February 13, 2024 COTW resolution spoke to drafting new zoning regulations to comply with SSMUH requirements, including the consolidation of the various restricted zones into a new SSMUH Residential Zone.
 - Staff would require further direction with respect to the Zoning Bylaw Update, and timeline for completion of the project may be extended.

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Options

1. THAT the Committee of the Whole recommend to Council that an “Application to Request an Extension to SSMUH Compliance Deadline” be submitted to the Minister of Housing in relation to those lands comprised within the Town of Osoyoos.
2. THAT the Committee of the Whole recommend to Council that an “Application to Request an Extension to SSMUH Compliance Deadline” not be submitted to the Minister of Housing.

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Next Steps

- Should the Committee resolve to submit an extension request application, staff would prepare the application form and submit it to the Minister of Housing in advance of the June 1, 2024 deadline.
 - Staff would also return to a future COTW meeting to discuss options with respect to the Zoning Bylaw Update.
- If the Committee resolves to not submit an extension request application, staff would proceed with the Zoning Bylaw Update based on the direction provided at the February 13, 2024 COTW meeting.