

**To:** Her Worship Mayor McKortoff and Members of Council

**From:** Christopher Garrish, Contract Planner

**Date:** May 14, 2024

**Subject:** Small-Scale Multi-Unit Housing (SSMUH) Implementation – Extension Request

**Tracker No:** BLW-389

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## **RECOMMENDATION:**

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.

## **CAO Comments:**

Approved for Council consideration.

## **Executive Summary:**

The purpose of this report is to provide options to Council in relation to an extension option that the province has introduced in relation to implementation of Small-Scale Multi-Unit Housing (SSMUH) requirements under the *Local Government Act*.

## **Background:**

On November 30, 2023, the provincial Legislature adopted Bill 44, which introduced a number of substantial amendments to the *Local Government Act*, the intent of which was the delivery of “more small-scale, multi-unit housing for people, including townhomes, triplexes and laneway homes, and fix outdated zoning rules to help build more homes faster.”

As a result, the Town is now required to approve a zoning bylaw that complies with SSMUH requirements by **June 30, 2024**, and to notify the Minister of Housing, in writing, that the bylaw has been adopted, the location(s) of any exempted land(s) and the legislative provisions supporting the exemptions.

On February 16, 2024, the provincial government announced the creation of a “time-based extension” wherein a local government could apply to have the deadline for SSMUH Compliance extended beyond June 30, 2024, under the following circumstances:

1. *The local government is in the process of upgrading infrastructure that services the specific area or specific lots for which the extension is being requested;*
2. *The infrastructure that services the area where SSMUH would apply is such that compliance by June 30, 2024, is likely to increase a risk to health, public safety or the environment in that area; or*
3. *Extraordinary circumstances exist that otherwise prevent compliance in relation to the area.*

Requests for extensions related to infrastructure must be submitted to the Minister of Housing no later than **June 1, 2024**, and can request a maximum extension of 6.5 years (i.e. to December 30, 2030).

Applications must be authorized by the local government, and confirmation of the passing of a resolution by the council or board directing submission of an extension application will be considered sufficient evidence that the application is authorized.

The province is further recommending that extension applications be submitted to the Minister of Housing 45 days prior to anticipated council hearings for SSMUH-related bylaw amendments.

### **Analysis:**

The Town of Osoyoos is on a critical path to ensure potable water for the community, and increased density will result in production limitations until a new surface water treatment facility and lake intake are realized. The current water production wells cannot provide sufficient water to meet current peak hour demands and should increased densities be permitted before a surface water system is completed, there is risk to the community in regard to fire protection.

The Town is moving toward the construction of a new surface water system but are in the preliminary planning stages and will not see the project completed until 2028. As this is a fundamental need to allowing for development within the limits of both the Town of Osoyoos and the rural region, an extension to the SSMUH requirements is necessary to allow Town to address water availability to promote these higher densities.

### **Options/discussion:**

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.

### **Implications:**

- a) Community:
  - To ensure existing residents have a sufficient amount of potable water.
- b) Organizational:
  - Provides flexibility to limit development to ensure development does not outpace water supply.
- c) Budget
  - Financial/Risk Implications – May negatively impact development and resulting new property tax revenues.
- d) Significant Dates
  - June 1, 2024 provincial deadline to apply for extension.
- e) Sustainability
  - Water quantity will continue to be an issue until the new water plant is operational.

**Others Consulted:**  
Operational Services