



# STAFF REPORT

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**Meeting of** September 19, 2011

**File No.:** MA-xxxx

**To:** Mayne Island Local Trust Committee

**From:** Kris Nichols, Contract Planner  
Kaitlin Kazmierowski, Island Planner

**CC:** Robert Kojima, Regional Planning Manager

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**Re: Mayne Island Housing Options – Consideration of Housing Alternatives**

## Preliminary Report

### PURPOSE:

The purpose of this staff report is to address the LTC resolutions of July 4, 2011 by providing a draft Community Housing Section as a possible amendment to the Mayne Island Official Community Plan (OCP) and to provide background information for consideration on the provision of secondary suites as an alternative housing form on Mayne Island. This report will provide an overview of the draft Community Housing Section and identification of issues associated with secondary suites. Discussion and recommendations for further research and staff direction are also included.

### BACKGROUND:

At the regular meeting of the Mayne Island Local Trust Committee (LTC) on July 4, 2011, the LTC passed a resolution for staff to amend the work program by putting housing options as a top priority. In addition, the LTC passed the following resolutions:

1. *Directing staff to report back on the creation of a “Community Housing” section in the OCP to establish objectives for community housing, consolidating existing policies and consider additional policies for housing diversity.*
2. *Directing staff to report back on issues and options for consideration of permitting secondary suites through amendments to the Official Community Plan (OCP) and Land Use Bylaw (LUB).*

These resolutions were made in response to a staff report received by the LTC on July 4, 2011, titled “Mayne Island Housing Options Task Force Report”. The purpose of the staff report was to provide an overview and outline options for consideration of the LTC based on the nine (9) recommendations presented in the Mayne Island Task Force Report (May 31, 2011). It was noted that some of the recommendations made have been implemented through recent reviews of the Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations and

therefore some are currently permitted within the context of the OCP or the LUB. The purpose of the Task Force report was to provide overall advice to the LTC addressing the present and future needs for housing diversity through the identification of land use (zoning) requirements and policy issues.

## **HOUSING ON MAYNE ISLAND**

### Housing and Affordability

It should be noted that in terms of affordability, the study titled *Secondary Accommodation Units: A Housing Option for Gulf Islands and Other Small Communities (2008)*, stated that less than 20% of renters on Mayne Island could not find housing that was in reasonable condition and big enough for their needs without spending more than 30% of their income. This represents the lowest of all the Gulf Islands considered in that study. In the most recent Task Force Report, it was stated that 24% of renters were spending more than 30% of their income on accommodations. From 2001 to 2006 the amount of rental housing on Mayne has declined from 18% to 14%. The Task Force reported that out of all the Gulf Islands Mayne Island had the highest increase in population since 2001 of 26.4%. It is conceivable that as the population increases and those currently living on the island age (in 2006, approximately 50% of the population was between 45-64 years of age), the Local Trust Committee will continually be challenged to address the need for housing diversity and affordability.

### Subdivision Potential

One indicator of residential housing is the capacity to create additional lots. Currently, there are approximately 1554 existing parcels with a variety of zones with the potential for an additional 159 lots. The total number of parcels under current zoning is 1713. The following table outlines the four zones that currently have subdivision potential and the number of lots that could be created:

| <b>Zone</b>                 | <b>Subdivision Potential</b>    |
|-----------------------------|---------------------------------|
| Agricultural (AG)           | 7                               |
| Rural (R)                   | 61                              |
| Settlement Residential (SR) | 90                              |
| Upland (UP)                 | 1                               |
|                             | <b>Total Potential Lots 159</b> |

## Number of Vacant Parcels

In addition to the subdivision potential, not all parcels are developed, as demonstrated in the table below. There remain approximately 328 parcels that are considered vacant by BC Assessment and have potential to be built upon.

| <b>BC Assessment Classification (code)</b>    | <b>Zoning</b>                         | <b>Number of Vacant Parcels (BC Assessment)</b> |
|---|---------------------------------------|---|
| Residential less than 2 acres (001)           | Settlement Residential Zone (SR)      | 218   |
|   | Rural (R)                             | 3   |
|   | Resource Conservation (RC)            | 1   |
| Residential Outbuilding (020)                 | Settlement Residential Zone (SR)      | 29  |
|   | Rural (R)                             | 1   |
| Residential Outbuilding 2 acres or more (070) | Rural (R)                             | 8   |
|   | Agriculture (A)                       | 1   |
|   | Miners Bay Rural Comprehensive (MBRC) | 1   |
|   | Settlement Residential Zone (SR)      | 5   |
| Residential 2 acres or more (61)              | Settlement Residential Zone (SR)      | 14  |
|   | SR/R                                  | 1   |
|   | Rural (R)                             | 30  |
|   | UP/R                                  | 7   |
|   | A/R                                   | 1   |
|   | Agriculture (A)                       | 2   |
|   | CD                                    | 1   |
|   | Miners Bay Rural Comprehensive (MBRC) | 11  |
|   | Upland (UP)                           | 2   |
| Vacant farm parcels (151 and 181)             |                                       | 6   |
| Vacant commercial (201)                       |                                       | 1   |
| <b>Total Vacant</b>                           |                                       | <b>343</b>                                      |

## Trust Policy Statement

Support for affordable housing can be found in the Trust Policy Statement, Part V: Sustainable Communities. The goal of this Part is “to sustain island character and healthy communities” which are defined as “human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.”

The Trust Policy Statement also provides direction to local trust committees regarding how growth and development should be addressed in official community plans and regulatory bylaws (land use bylaws). Relevant extracts include:

*5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.*

*5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.*

*5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.*

## **NEW OCP COMMUNITY HOUSING SECTION**

As stated, while the OCP and LUB currently contain a number of policies and zoning regulations that could provide for a number of different housing options, these are not consolidated in a single section of the OCP and there are no clear objectives for such housing. Including a community housing section in the OCP would provide for greater clarity and the framework for new or revised policies or the utilization of existing yet underutilized policies.

Staff have created a draft Community Housing section (see Attachment 1) in order to provide greater clarity and a framework for opportunities to increase housing options on Mayne Island. The section utilizes existing OCP policies (referenced in brackets after the objective or policy) and provides additional objectives and policies that would permit the Local Trust Committee to work toward changes that would foster alternative housing options.

The proposed Community Housing section contains a number of overall objectives regarding the provision of housing diversity. It also contains a number of general policies to be used in achieving some of the objectives. Specific new policy provisions would address:

- Support for current and future housing needs assessments and potential establishment of housing targets;
- Criteria for consideration of applications for affordable, seniors or special needs housing projects;
- Support for a variety of tenure options;
- Criteria for permitting secondary suites;
- Permitting boarding houses as a form of home occupation;
- Continued support for mixed uses;
- Continued support for long term occupancy of cottages;
- Advocacy policies directed at other levels of government or agencies.

The option of permitting boarding houses is suggested as a form of alternative and affordable housing. This is permitted on other islands such as Gabriola, but not fully utilized. It would provide an alternative to various forms of more formalized housing, such as seniors' complexes, by allowing many to keep their independence, interact with others and remain in their

community in an affordable manner. The major concerns for seniors living in single family homes stated by four Mayne Island agencies were safety, isolation, unsanitary conditions and affordability of housing. A mix of housing alternatives may help to address some of these issues.

The attached draft objectives and policies are provided as a basis for review and discussion and would require further refinement prior to consideration as a bylaw amendment.

Secondary Suites: One of the recommendations made in the Mayne Island Housing Options Task Force Report is the option of providing affordable housing by permitting secondary suites either outright throughout the Island or in certain circumstances or locations. The report defines a secondary suite as being considered “secondary” or “accessory” to the primary residence and is considered to be a “self-contained unit”. The report states that secondary suites should become a permitted use in the short term (1-10 years). According to the survey conducted as part of the report this was the most widely supported new housing type. They list the advantages of permitting suites as:

- Potential for owners to remain on property longer
- Suite becomes part of rental market/stock
- Could be used as mortgage helpers

There are several considerations in implementing this recommendation:

- Providing the option for secondary suites would require an amendment to both the Official Community Plan and Land Use Bylaw.
- Islands Trust Policy Statement states (policy 4.4.2) that there should be no density increase in areas with drinking water quality or quantity issues.
- Considerations regarding appropriate location and whether zoning regulations would be island-wide or zone specific

In addition to what was stated in the Task Force report, there are other considerations/questions that the LTC should take in to account in deciding whether to proceed with the development of a secondary suite bylaw:

- Is there sufficient demand for secondary suite accommodation to warrant amending the Land Use Bylaw? If permitting suites would not address affordable housing concerns, the time and effort may be misplaced and result in the option being underutilized.
- Should amendments permitting secondary suites be focussed on areas only where services (i.e., water- both quality and quantity, transportation, proximity to retail services) are available? That is to say, should it be developed in existing water systems where there is ability to manage water usage, but restricted elsewhere?
- Should this type of housing only be permitted near (within a specific radius) higher density, developed areas (e.g Miners Bay and Village Bay)? In the Housing Options task Force Report the renters interviewed preferred a Miners Bay (village) location.
- Will the provision of secondary suites change the rural character of the Island? Are additional parking requirements needed?

- Should there be a limit on size (40% of floor area of the principal dwelling or 90m<sup>2</sup> as is proposed on Salt Spring Island)? Should the secondary suite be within a principal dwelling or could it be in a detached garage (i.e. carriage house).
- Should there be owner occupancy of the principal dwelling as a restriction of secondary suite construction? Although this is a common requirement in secondary suite bylaws, it may not be enforceable.
- How will enforcement be conducted? Is compliance an immediate or incremental issue? How will existing suite owners be encouraged to come forward and apply for a building permit for compliance?
- Should a secondary suite restrict other uses (e.g. bed and breakfast, boarders) from occurring in the same building or in cottages on larger properties (over 1 ha)?
- What sort of agreement can be reached with the Capital Regional District (CRD) building inspection to phase in the legalization of suites? Discussions have begun on Salt Spring Island concerning the CRD building inspection implementation.

Legalization would increase health and safety for those residing in existing unlawful suites as well as for the home owner. It would also help to support adequate provision of public services such as schools and emergency services. It would, however, increase the overall cost of providing a suite by having to meet specific building code requirements in construction. The affordability of suites is not something that can be mandated through tools such as housing agreements and will be primarily market driven. Affordability is not guaranteed. If demand is limited, then an alternative may be for the LTC to formalize through a policy, enforcement based on *bona fide* nuisance complaints.

Compared with other initiatives to provide affordable housing opportunities, secondary suites can be more readily available as they involve utilizing existing residences. They can be created without public expenditures or the involvement of community organizations. The most recent Housing Options Task Force report stated that in 2006, 95.8% of housing on Mayne Island are single detached dwellings. Therefore, there exists a potential for the construction of secondary suites within these existing dwellings.

The draft Community Housing OCP objectives and policies attached to this report would provide a policy framework for permitting secondary suites; however, legalization of suites would be through amendment of the LUB. Any such legalization should involve additional community consultation and further assessment of the potential benefits and impacts.

#### Existing Supports: Current Policies and Regulations

Currently, there are several policies and regulations that permit a diversity of housing types in the Mayne OCP and LUB. The OCP contains policies on amenity zoning guidelines, density transfer provisions and lot clustering which could support the creation of increased housing diversity if implemented.

Within the LUB are several zones and uses that encourage housing diversity such as:

- Senior Citizens Housing Comprehensive Development One (CD1) Zone near Miners Bay, which has a covenant and housing agreement in place and has yet to be developed.
- Comprehensive Development Two (CD2) Zone which permits small unit residential
- Settlement Commercial (C1) Zone which permits 2<sup>nd</sup> storey apartment residential
- Commercial Tourist Accommodation (C2) Zone permits accessory employee housing and it includes an option to have increased density by utilizing Section 904 of the *Local Government Act* (“Zoning for amenities for affordable housing”) with the creation of 2 employee housing units.
- Larger cottages (1000 sq. ft.) are permitted on lots greater than 1 ha. In the Housing Options Task Force Report it was noted that these units exist throughout the island, but are rarely rented out.
- Recreational Vehicles are permitted to be used as dwellings or cottages
- There could be a possibility of using Section 904 (3) of the *Local Government Act* to create a zone for special needs or affordable housing with the consent of the property owners.

Mayne Island has the ability and many of the needed tools already in existence to provide for housing diversity. Consolidating the opportunities already existing in the OCP and LUB in one section as proposed would permit the LTC to focus on creating future housing diversity, by understanding what is currently available versus what is possibly needed in the future.

## **STAFF COMMENTS**

Given that some of the housing options discussed above are currently available through the existing OCP and LUB but are not being fully utilized/developed, the question remains as to need and demand for increased housing diversity relative to the ability to supply such housing, either by the market or by non-market groups. Regardless, these opportunities are available and should remain so into the future along with other housing diversity options. In addition, there may be a gap with regards to general public knowledge regarding the housing options currently available on Mayne Island. The LTC may wish to explore the option of creating a factsheet or using other communications tools in order to inform the public, community groups and other stakeholders of the existing options and resources available.

Community housing needs should be considered in conjunction with the needs for employment, transportation, and community services. For example, some housing issues such as affordability may be more related to income and employment on the island.

Secondary suites are typically affordable, ground oriented and market based. Given the number of single family residences on Mayne Island, and its aging and growing population, the ability to provide legalized secondary suites could assist the community in addressing its perceived housing diversity and affordability issues in appropriate locations.

Prior to drafting a secondary suite bylaw, the following need to be examined: community context, demand for such units, benefits of secondary suites, barriers to their use, and issues/questions to be addressed as stated above. These should be discussed through extensive community consultation/dialogue and with the LTC’s advisory committees.

## NEXT STEPS

There is a desire to permit, through objectives and policies in the Official Community Plan, the opportunity to increase housing diversity and availability to meet the needs of the community. These policies will in turn create the ability to work within the existing regulations in the zoning bylaw or the impetus to introduce new regulations.

The next steps should include referring the draft Community Housing section for the OCP to the APC for comment, followed by direction to prepare an amendment to the OCP.

In terms of the implementation of a secondary suite option, it is recommended that staff be directed to review the work that has been initiated on other islands in the Trust Area towards the legalization of secondary suites. There has been considerable work done on this issue on Salt Spring and in other jurisdictions. For instance, Salt Spring Island has created brochures on the secondary suite issue which could be altered for use on Mayne Island. There is no need to replicate background work already conducted elsewhere, but there is a need to ensure that any policies and regulations are relevant to Mayne Island and involve appropriate public consultation and education (i.e. a comprehensive communication strategy). Direction on proceeding with these next steps should be considered with respect to the overall work program.

## RECOMMENDATIONS

**THAT** the Mayne Island Local Trust Committee direct staff to refer the proposed Community Housing section (Attachment 1) to the Advisory Planning Commission for comment.

**THAT** the Mayne Island Local Trust Committee direct staff to report back with an outline of a process for the consideration of legalizing secondary suites.

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Respectfully submitted by:



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Kaitlin Kazmierowski

Concurred in by:

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September 6, 2011

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Date



Regional Planning Manager

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September 7, 2011

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Date

Attachment 1: Proposed Amendment to Mayne Island OCP - Community Housing Section

Section xx     **COMMUNITY HOUSING**

Background

In order to provide for a diverse population and associated community vitality, it is necessary to have a range of housing choices. Greater housing diversity will permit those of varying income and situations to be able to live on Mayne island and contribute to the community. Housing affordability is an important element for increasing housing and associated population diversity. This can range from affordable housing for young families to housing for seniors wishing to stay in the community. Mayne Island, through the Official Community Plan and its Land Use Bylaw, offers a variety of policies and zoning regulations that can provide for a number of different housing options. The intent of this section is to provide objectives and policies supporting a diverse housing stock.

Objectives

- To provide opportunities for the creation of affordable, rental, and special needs housing in appropriate locations.
- To support a diverse and vital community through effective policies for affordable, long term rental and special needs housing and maintaining flexibility for a range of dwelling types. (1.2 (5))
- Where appropriate locations are identified, to support a mix of housing types without compromising the protection of the natural environment or groundwater resources and maintaining the rural character of the Island.
- To provide opportunities for seniors to remain in the community.
- To cooperate with senior governments, the Capital Regional District, housing industry, funding providers and community organizations in the provision of affordable, rental and special needs housing.
- To utilize the amenity zoning and density transfer provisions to provide alternative forms of housing.
- To support actions and initiatives that result in sustainable development through the implementation of smart growth policies. (1.2 (7))

## Policies

### General:

- The LTC should support efforts by organizations or agencies to conduct a housing needs assessment in order identify housing priorities and to guide affordable, seniors and special needs housing policies and land use decisions.
- The Local Trust Committee and the community should work to establish a target level for the percentage of rented and owned affordable housing units in the total housing stock, based on projected community housing needs.
- Within the Settlement Residential and Rural designation, affordable housing is encouraged through joined or multiple housing units which may be considered by a site specific rezoning of a parcel subject to compliance with Section 2.8 (Development Permit Areas) (2.1.1.6 and 2.1.4.4)
- All applications for rezoning for increased density for affordable, seniors or special needs housing projects should be considered subject to the following:
  - Additional density greater than that permitted by current zoning should be in the form of units reserved exclusively for occupancy as affordable, seniors or special needs housing.
  - Applications should include provision of a housing agreement ensuring that for affordable housing the rental, lease, sale or share prices are fixed below average rates within the region, and the agreement may limit occupancy of the dwellings to rental, lease, co-housing or cooperative tenure, and for seniors and special needs housing may limit occupancy to seniors or persons with special needs.
  - Applications may be for units in the form of clustered detached dwellings, duplexes or attached ground-oriented housing, and are encouraged to incorporate water conservation and energy efficient building design elements.
  - All applications should site development on land with modified ecosystems, avoid potentially hazardous lands, demonstrate an adequate supply of potable water, and be in proximity and accessible to existing roads, services and other amenities.
  - Consideration of applications for affordable or seniors or other special needs housing should include the following where appropriate: amendment of the OCP to designate the land for Community Housing, designation as a development permit area, amendment of the zoning to designate the area for affordable or special needs housing pursuant to s. 904(3) of the *Local Government Act*, site-specific regulation of density, siting and size, and registration of a housing agreement and a section 219 covenant.

- Land for affordable and special needs housing is an eligible community amenity which could be exchanged for a higher density of development as outlined in Section 2.10.
- The use of Section 2.11 – Density Transfer Provisions - should be encouraged to be used for the development of affordable, rental and special needs housing.
- Where there is more than one dwelling permitted on a lot, the Local Trust Committee may consider amending zoning to allow the units to be constructed as attached dwellings. (4.7.2)
- Where new affordable housing is being proposed, the Local Trust Committee should encourage a variety of alternative tenure models that are reflective of community need including, but not limited to housing co-ops and co-housing.

#### Secondary Suites:

- The Local Trust Committee should give consideration to amending the Land Use Bylaw to allow secondary suites in dwellings as affordable housing under certain circumstances (in appropriate locations). (4.7.1). Any amendment to allow suites should address the following criteria:
  - A maximum of one suite is permitted per dwelling.
  - The owner occupies either the principal dwelling or the suite.
  - Suites should only be allowed in areas with an adequate supply of potable water, that provide access to services and amenities, and that minimize impacts on the natural environment.
  - Regulations should limit the floor area of suites.
  - The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.
  - The Local Trust Committee may also consider limits on the overall numbers and location of secondary suites to minimize impacts.

#### Boarding Houses:

- The Local Trust Committee should consider amending the Land Use Bylaw to permit *boarders* in conjunction with a principal single family residential use as a home occupation. [*Boarder - means a person resident in a dwelling unit who receives lodging and regular meals for a fee;*]

#### Support Mix of Housing Types with Commercial Use:

- In addition to principal commercial uses, in appropriate locations second-storey residential dwelling units may be permitted in order to provide a mix of housing types and to encourage residences closer to services and amenities. (2.4.1.9)

#### Cottages:

- Long-term occupancy of cottages should continue to be permitted in order to provide an opportunity for affordable dwelling units.

#### Advocacy Policies

- The Ministry of Community, Sport and Cultural Development, the Capital Regional District and other appropriate government agencies shall be requested to assist in determining rural and geographically suitable building standards and processes that enable the construction of affordable housing.
- The Local Trust Committee will encourage agencies, non-profit organizations and relevant ministries to support or undertake efforts that would allow seniors and those with special needs to remain in their own homes as long as possible.
- The Local Trust Committee will encourage agencies, non-profit organizations and ministries to support or undertake efforts for the creation of affordable housing for all residents in need.