

To: Gabriola Local Trust Committee

July 30, 2026

From: Kees Langereis

Re: draft Gabriola Island Official Community Plan dated May 2026

Following are further comments on the flex housing Policies 2.4.2.1.2, 2.4.2.1.3 and 2.4.2.1.4.

The current Gabriola OCP, Section 2.0 General Land Use Policies paragraph (k) has the following policy:

"This Plan only supports the realization of additional residential density without subdivision when used for Affordable Housing for Special Needs residents, Seniors and multiple-dwelling affordable housing."

On Gabriola some lots may be subdivided based on the zone's minimum and average lot size provisions. These are the potential residential densities still possible on the island through subdivision. The above OCP policy says that if you want to create new residential densities on the island without having to subdivide a lot, it can only be done for affordable housing.

Consequently, if this policy had been continued in the draft OCP, it would conflict with the flex housing policies (i.e. 2.4.2.1.2, 2.4.2.1.3, and 2.4.2.1.4). To bypass the prohibition, the comparable draft OCP provision is reworded to:

"Given the freshwater limitations and interests in preserving and protecting the environment on the island the provision of housing should be limited, and focussed on the type of housing that is needed most – non-market housing attainable by low and middle income residents."

This revised wording no longer conflicts with the new flex housing policies for two reasons.

First, it is no longer a policy but rather a statement in a background section (i.e. 1.2 Community Context, subsection 1.2.4 Housing and Service Needs). I had initially read it as a policy but now realize it isn't for the reason cited above. It doesn't apply because the draft OCP makes no statement as to which parts of the OCP apply to decision making. So, what does apply? Policies and to some extent Objectives.

Second, despite the revised version using "should", a term often incorporated in OCP policies, it wouldn't apply to decision making for the reason cited above. Even if it has been drafted as a "policy", the use of "should", which makes it discretionary albeit with a preferred direction, would not create an absolute barrier to the development of flex housing in the land use bylaws.

Are the flex housing policies necessary in the OCP? Can they be established in the land use bylaw if not cited in the OCP?

I don't believe they are necessary in the OCP. The OCP has a residential designation which would apply to all residential zones. The land use bylaw can establish various residential zones under that designation so long as the zone is primarily for a residential use. Without any OCP policy, the LTC could still establish a flex zone.

The current OCP policy uses "supports". The draft OCP section 2.4.2.1.2 which introduces flex housing also uses "supports". Consequently, to the degree the current OCP is mandatory, Policy 2.4.2.1.2 would also be mandatory to the same degree.

Mayne Island OCP flex housing provision has been proffered as an example but they had to incorporate flex housing into their OCP to circumvent its explicit, restrictive limits on the number of dwellings allowed per lot. That is not the situation with the Gabriola OCP; the only restriction on adding market rate densities has been removed from the draft OCP.

By including such specific provisions for “flexible housing” in the OCP, there is a potential expectation that such zoning will occur. The units would not be affordable housing and could substantially increase the number of dwellings permitted on the island. Moreover, the draft OCP already increases the island residential potential by 85 densities for secondary suites and in commercial zones. Flex housing would add to that number and to date no estimate has been provided for any density increases from flex housing.

For the reasons above, I don’t support its inclusion in the OCP.

Some suggestions:

- (a) Redraft 1.2.4 statement as a “Policy”.
- (b) Provide some estimate of the potential increase in densities under flex housing based on some possible parameters, and
- (c) Remove Policies 2.4.2.1.2 to 2.4.2.1.4 from the OCP and either incorporate them into the land use bylaws developed as part of the OCP review or as a separate project. The latter would give the public a chance to have a more focused review of a substantive new policy. Reviewing and updating the entire OCP can be overwhelming, at least for the public, due to the scope of issues to be addressed.

An additional point on another topic:

In a previous submission, I made comments on the use of “must”, “should”, and other undefined auxiliary verbs such as “may” and “can”. I have since come across the Salt Spring OCP Part D Administration. Their OCP section covers a wide range of administrative issues, including better direction on the use of some terms in the OCP.

Could something similar be added to the Gabriola OCP if the range of words currently used is left in?

The following extract could be used as a template for Gabriola’s OCP.

The Salt Spring Island OCP extract:

- “D.1.4 When reading the policies of this Plan, the word “will” is used to show actions that the Local Trust Committee is committed to, as resources are available, or as circumstances suggest. The word “should” means that a policy is a guideline that, if followed by the Committee, is expected to contribute to Plan objectives. The words “can” and “could” suggest actions that are consistent with this Plan and may be taken by the Local Trust Committee, at its discretion. The term “should not” suggests actions that are not consistent with this Plan. These actions would require a Plan amendment to be considered by the Committee.”