

From: Tim Maki and Rebecca Ewing

November 25, 2020



**Re: Proposed Development of 375 Village Bay Road**

Dear Mayne Island Local Trust Committee,

We appreciate the work that the Islands Trust staff and Local Trust Committee, Mayne Island Housing Society, and residents have invested in exploring ways to make rent and home ownership more affordable on Mayne Island. We also appreciate and have learned much from the hard work done to improve the information base that we all need to make better land use and management decisions – including mapping and prioritizing valued ecosystems, groundwater, forest cover, the work to improve housing availability and affordability such as the 2011 Mayne Island Housing Options Task Force Report and initiatives flowing from it, the 2020 Mayne Island Housing Regulations and Policy Review process, short term rental rules, and secondary suite rules.

We are Mayne Island residents who are growing a farm business that supports our efforts to maintain and restore a coastal Douglas fir ecosystem on a property that was highly degraded by past logging and land clearing. Our previous letter of July 23 outlined our concerns with the Housing Society’s proposal for 375 Village Bay Road. Our property is neighbouring the west side of the proposed development property, and the latest drawings show the driveway and parking for the five proposed buildings running almost precisely on our shared property line, with all the buildings facing our property across this driveway and parking with zero buffer.

The location and design of the proposal obviously impacts our property significantly. In this letter we encourage the Islands Trust to take a step back from this particular proposal and continue its work on other components of Mayne Island’s affordable housing strategy. We focus on whether the proposal fits with the Official Community Plan and the broader emerging strategy to improve affordability on the Island. Our key observations:

- 1) The current proposal only marginally improves rental affordability on Mayne.
- 2) The proposal is not consistent with the standards and limits set out in Mayne Island’s Official Community Plan and the Amenity Zoning Guidelines.
  - a) Density is exceeded.
  - b) Sensitive ecosystems are at risk.
  - c) Visual impacts will be excessive from Village Bay Road and the western side.
  - d) Adverse impacts on adjacent properties are high and have only increased with the new site plans submitted to the CRD and LTC.
- 3) There is an emerging community strategy to improve affordability. We encourage the LTC and others to invest their energies in executing a coordinated approach to improving affordability so that each dollar donated or contributed goes as far as it can in helping those who struggle most.
  - a) Improve the quality and availability of existing housing stock.
  - b) Improve ownership affordability.
  - c) Spark community action.
  - d) Consider zoning changes to reduce barriers to affordability.

## 1. Rental Affordability

The reports and discussions we have reviewed generally agree that housing affordability exists when a family spends less than a third of their income on housing. When we compare the outcome of the 2018 survey conducted by the Housing Society (Appendix 1 attached) and the Society's proposed rents reported in the analysis prepared by Islands Trust staff for the November 30 meeting, we do not see much improvement in affordable rental housing.

Housing Society Proposal			
Housing Type	Type of Rate	Cost	Number of Units
1 Bedroom	Subsidy	375	2
1 Bedroom	Geared to Income	744	3
2 Bedroom	Geared to Income	980	2
2 Bedroom	Market	1,500	2
3 Bedroom	Market	1,900	1
Total			10
From November 30 2020 Staff memo			

2018 Mayne Island Housing Society Survey Results					
Housing Type	Type of Rate	Cost Range	average	median	Number of Units
0 Bedroom	Market	550			1
1 Bedroom	Market	450-750	593	600	7
2 Bedroom	Market	400-1,600	923	825	13
3 Bedroom	Market	800-1,500	1,117	1,000	6
6 bedroom	Market	1,250			1
Total					28
Note: two additional 1 bedroom rentals did not have rent reported and are not included					
Full survey data are attached in Appendix					

Of the 10 units proposed:

- Two 1 bedroom units – to be offered as shelter units at \$375 are cheaper than what the private sector is offering and so improves affordability.
- Three 1 bedroom units would rent for \$744 which is higher (considerably higher in most cases) than what all but one renter (whose rent is \$750) surveyed are paying. Since most renters are paying 1/3 or more of their income on rent, and for all but one their current rent is below \$744, a \$744 rent reduces affordability.
- Two 2 bedroom units would rent for \$980 which is higher than what 7 out of 13 surveyed families are paying for two bedroom homes on the island.
- Three units (accounting for almost half of the bedrooms) are market based and thus not aiming to improve affordability. These units have proposed rents at the high end or higher than existing market rentals in the survey.

This small increment in affordable housing (essentially just the two subsidized 1 bedroom units) does not justify the size and disruptiveness of the proposed development.

## **2. Consistency with Mayne Island's Official Community Plan and its Amenity Zoning Guidelines**

In this section we relate our understanding of the relevant guidelines laid out in the Official Community Plan and identify where we think the current proposal is not in line with them. More generally, we suggest that if a new 'affordable housing' zone for this type of cluster housing is to be created, it be done through a more general bylaw amendment that can be widely applicable rather than a specific effort that must consider the proposal's challenging circumstances.

The Amenity Zoning Guidelines (section 2.10 of the Official Community Plan) state that in the case where a property owner offers to provide a voluntary community amenity as a condition of subdivision or rezoning, consideration may be given to increasing the permitted density on a parcel. Affordable housing is identified as one such amenity.

We see two transactions/decision processes at play in this proposal

1. Sean McHugh would like to donate 3 acres as a community amenity to the Mayne Island Housing Society and seeks to increase the permitted density on the remaining portion of this 10 acre lot by creating two lots. The net result is the creation of 3 lots.
2. The Mayne Island Housing Society is offering to provide a community amenity by creating affordable housing and seeks an increase in the permitted density on the 3 acre parcel in return for the amenity.

These two distinct processes occurring at the same time make interpretation of the community amenity zoning guidelines more complex and we acknowledge we may not be fully understanding the complexities.

### **a. Density**

The guidelines (reproduced in Appendix 2) discuss issues the LTC should consider in evaluating a proposal to increase density. Considerations (a) and (e) relate to density.

These density guidelines suggest to us:

- There is no way to make the proposal adhere to the Official Community Plan under the current rural zoning and density guidelines in place.
- To make it work, the 3 new properties would all need to be rezoned from current rural zoning to (as we see it) the settlement residential zone.
- Rezoning to settlement residential (if that is the path forward) and the provisions of the amenity zoning guidelines would limit the number of housing units to 3 (we think) – i.e. the total area of the 3 acre lot divided by the minimum lot size in the settlement residential zone (1 acre).
- To accommodate a 10 unit proposal under current zoning rules, the donated parcel would need to be at least 10 acres.
- Alternatively a new 'affordable housing' zone would need to be created for the parcel as there is no current zoning that would accommodate the development proposal for 10 units on a 3 acre property.

There is a carefully reasoned approach in allowing increased density for the provision of valued community amenities. The Amenity Zoning Guidelines regarding density recognize the potential future need for more dense housing but they do it in a way that is also governed by a desire to ensure that rural character is maintained. The OCP sets out minimum and average lot sizes for many zones for this reason.

Given that the amenity zoning and density guidelines were crafted in the context of the zonation scheme contained within the OCP, we believe that the application exceeds the allowable number of units.

Also, as shown in the previous section, the majority of the housing units do not fall within the category of affordable housing. The proposed rental rates from the housing society and the decision to use the development to provide market housing on two of the units has the net effect of supplying as few as two new units of affordable housing for Mayne Islanders.

If the developer, LTC or CRD support staff are proposing that a new zone be created for the Mayne Island OCP or that the Amenity Zoning Guidelines be amended, we think that is a much bigger issue that should be considered as part of the LTC's response to the affordable housing issue. We do not think that new zones should be developed as part of a contentious subdivision/rezoning application.

#### **b. Protecting Sensitive Ecosystems**

Amenity Zoning Guidelines stipulate that development should **be sited away from sensitive ecosystems**.

There have been several studies (ecosystem mapping and forest mapping) undertaken on behalf of the Island's Trust Council at the island or Gulf island level and two studies undertaken on behalf of the proponent focused on one of the three proposed parcels. The studies are consistent in identifying the property as special. It hosts large and in some cases, veteran or old growth Coastal Douglas fir along the western property line and along Village Bay Road, large wildlife trees, as well as wetland and wetter ecosystem types within the Coastal Douglas fir biogeoclimatic zone. The Mayne Island Conservancy, the Province of BC and the Islands Trust agree that these forest types are endangered, highly valued and worth preserving. The property hosts a forest that is part of a much bigger forest that extends out to Helen's Point and up Mount Parke.

It is clear to us that the Housing Society is having difficulty finding a footprint in the proposed property for a development that does not encroach upon sensitive and endangered ecosystems. We note that the current site plan situates the development in a way that conflicts with the recommendations to protect the old growth veteran Douglas firs, the Oregon grape shrub layer and the mature forest. The development, the roads and parking lots, and the proposed septic system are placed directly on the older forest along village bay road and along the western property line. This location is what the proponent has called a drier area but as neighbours who have been tending a plot of land adjacent to the corner, we can attest it too becomes wet with winter ponds and overland streams. The required fill to get above the water line has not yet been discussed in terms of its ecosystem impacts.

In July, LTC requested additional information from the proponent and this included things like a hydrogeologist's report and an ecological assessment. This information has been provided to a certain extent, and only for the parcel where the housing development is proposed. It is our understanding the LTC would also need to consider similar information for the other two parcels. The net effect of the proposed development is densification across all three parcels, and increased road and other building infrastructure. Development on the other two parcels will also affect ecosystems values, run-off, groundwater etc.

The ecological studies to date have not included an analysis of neighbouring properties. Nor have neighbours been consulted regarding their management strategies for the forests and ecosystems that they host and that will be affected by the proposed development. The commitment that neighbours have

to maintaining and building forest and ecosystem values and function should be considered as decisions are made about how to manage the forest on the subject property. To date, the maps and materials used to discuss the subject property omit neighbouring parcels and how this development can fit within their vision.

As one of those neighbours, we have concerns that the land development and site plan will reduce our ability to maintain and restore these ecosystems. In particular, removal of the canopy cover along the western edge and along village bay road, removal of the young noble fir, and construction of an extensive network of raised roads and a parking lot along the property line will change the sunlight, water regime, soil structure and root connectivity in ways that are unreasonably harmful to our efforts.

### **c. Visual Impacts**

Amenity Zoning guidelines stipulate that development should **minimize visual impacts**,

In locating the development right along the property line, the development in fact maximizes the visual impact on us. It will also be highly visible from Village Bay Road once the tree felling is completed to accommodate the houses, roads, amenities and septic field.

### **d. Adjacent Property Impacts**

Amenity Zoning guidelines stipulate that development should **not adversely impact adjacent properties**.

Since our first letter to LTC identifying the adverse impacts the development will have on us, the housing society has redrawn the site plan and the houses and roads are now much closer to our property so our concerns about this development have only grown. The proximity of the development to our property will have several adverse impacts. Our most productive agricultural parcel is adjacent to the proposed site.

- Tree clearing for the development will expose our property to more sunlight necessitating a change in agricultural practices which will either increase water demand or lead to a change in agricultural practices and crops – both of which will be costly.
- Increased sunlight will likely lead to a higher level of drought and increased mortality of the young noble fir, cedar, Douglas fir and understory plants that we have been encouraging along the boundary area adjacent to the proposed development.
- The proximity of the development and the roads and parking lots will very likely result in our having to remove tree cover to reduce legal liability that our trees pose to the new development further exacerbating the problems identified above.
- The close proximity of the development is likely to cause conflict as our normal farm practices aim to coexist with 25 or more new neighbours whose front doors and driveways and gathering place directly face our property.
- The society has, in its latest sketch, located the development in what it calls a drier area of the property (northwest corner). As neighbours whose property is along this border, we can attest to the fact that many parts of that boundary line become wet season ponds and streams in the winter. Streams flow into our property and either down into the properties of neighbours on Maple Drive or into the property that the housing society would like to develop. The road network along the border will need to be elevated to stay above water and this is likely to change water flows significantly. To date, we have seen no assessment of water flows in the wettest parts of the season.

### **3. The Emerging Community Strategy to Improve Affordability**

As we mentioned in our introduction, the Local Trust Committee's commitment to improving the affordability of both home ownership and rent is timely and important. The lack of affordability creates financial stress for a significant portion of homeowners on the island, precludes homeownership for some and creates financial stress for a large percentage of renters.

An affordability strategy needs to: engage the challenges that the island's economy poses for business development and employment opportunities; work towards a stronger local economy; find bridging strategies that create possibilities for average folks to buy a piece of the island or secure safe, affordable rentals to build a good life here. The strategy must also recognize that island life sometimes requires a different yardstick to measure well-being, security and prosperity.

There are a range of tools that have been identified throughout the Gulf islands to help address the problem of housing affordability. Some of them are identified below. The role of each tool has to be examined in the context of the others to see if they logically and cost effectively work together to create the conditions for increased opportunities for affordable home ownership and an increase in the stock of affordable rental housing for families and individuals.

#### **a. Improving Quality and Availability of Existing Housing Stock Rental Units**

Working with property owners to bring available, underutilized housing stock back onto the rental market is likely to have the most immediate and sustainable outcomes for Mayne renters. It can also help with home ownership affordability as the rental units can be mortgage helpers.

- Micro lending or grants to improve quality of rental accommodations or bring them back to rental-ready.
- Property management services to reduce the headaches and challenges that sometimes cause property owners to stop renting.
- Reducing the impact of short-term rentals - Building awareness of rules around short term rentals to raise the level of compliance (e.g. recent efforts of LTC to develop and circulate an information bulletin to homeowners).
- Communication and awareness building more generally to build property owner commitment to help solve the problem.

#### **b. Improving Ownership Affordability**

Working with lending institutions or the creation of an Island Fund or land trust (that can acquire and make available affordable ownership opportunities), and financial advice to prospective homeowners that improves the ability of people to make the leap from renting to homeownership.

#### **c. Community Action**

Cooperative efforts to pool talent and effort to build or renovate homes more cheaply (Habitat for Humanity, sweat equity schemes)

#### **d. Zoning Changes**

Zoning changes to increase both rental housing stock and home ownership opportunities

- Tiny home zoning
- Density distribution scheme
- Affordable housing zone
- Improved ability to sever lower valued lands from high value waterfront
- Increased approval for secondary suites
- Amenity zoning for affordable housing

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Moving forward, the January 2021 meeting gives the interested community associations and residents an opportunity to consider a coordinated strategy and the set of initiatives to tackle the problem.

We see the amenity zoning as one part of the affordability toolkit, but our experience with this application shows that more work is needed to better define it in terms of minimum lot areas, setbacks, sustainability standards, ecosystem and water protection/management, rural aesthetic, the broader roles that a parcel plays in terms of water recharge/discharge, maintenance or creation of forest contiguity etc.

Questions that could be included as part of January's discussion are:

- How could amenity zoning guidelines be improved to more effectively consider affordable housing (rental and ownership) while minimizing adverse impacts to neighbours and protecting ecosystem, aesthetic, water and other values?
- Do we want a new zone in the tool kit that is devoted to affordable housing?
- Given the increased density and compact design required to reduce costs and deliver more affordable rental options in a new development, what new setback requirements, minimum lot size, ecosystem protections are required?
- How do efforts to promote private sector solutions complement or conflict with non-profit and taxpayer funded solutions?
- In what situations is the promotion of affordable home ownership a better solution than affordable rent and vice versa?
- How do current efforts to create cluster style affordable rental housing through non-profits complement or conflict with potential zoning amendments such as the density distribution option or zoning for tiny homes?

In summary, affordable housing is an important issue that requires continued diligence and community action. We should be seeking solutions that move the needle as much as possible on affordability, and that do not come at the cost of Mayne's natural and rural character.

Sincerely,

Tim Maki and Rebecca Ewing

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**Appendix 1: Mayne Island Housing Society 2018 Survey Results (sorted by bedroom size and rent cost)**

Survey Results - sorted by bedroom number and cost							
Appendix 1: Tabulation of Results							
ID	Rent Cost and as a percentage of income			Household			Condition of Home
	<1/3	1/3-1/2	>1/2 *	adults	kids	Beds	good,/ needs Minor or /Major repairs
O)nline							
P)aper							
O16	\$ 550			1	0	0	min
O07				1	0	1	good
P03				1	0	1	min
P02	\$ 450			1	0	1	good
P05			\$ 500	2	0	1	maj
P10		\$ 500		1	0	1	min
O14			\$ 600	2	0	1	good
P12		\$ 650		1	0	1	min
O05		\$ 700		1	0	1	good
O06		\$ 750		1	0	1	min
P01		\$ 400		1	0	2	maj
P13		\$ 600		2	0	2	min
P08		\$ 650		1	0	2	good
O04			\$ 700	1	0	2	maj
P04		\$ 700		1	0	2	maj
O11		\$ 730		1	0	2	maj
P11			\$ 825	1	0	2	maj
O15			\$ 950	2	1	2	good
O13	\$ 1,050			2	0	2	good
O01			\$ 1,100	2	0	2	min
O12		\$ 1,200		2	0	2	good
O10		\$ 1,500		2	0	2	good
O02		\$ 1,600		1	1	2	min
P07			\$ 800	2	1	3	good
P06		\$ 1,000		2	1	3	min
P09		\$ 1,000		2	0	3	min
O03	\$ 1,000			2	0	3	min
O08		\$ 1,400		2	3	3	min
O09	\$ 1,500			2	1	3	maj
O17		\$ 1,250		2	4	6	maj

\* The fourth column heading was missing in the Housing Society report, but we assume it was indicating where renters were paying >1/2 of their income on rent.



## **Appendix 2: Excerpt from OCP: Amenity Zoning Guidelines related to Increased Density**

2.10.3 In evaluating a proposal to increase density consideration shall be given to the appropriateness of the proposed amenity that would be donated and the implications for the parcel and adjoining parcels of permitting the increased density.

The LTC should consider the following criteria in assessing such applications:

- a) where the proposal involves the donation of land, the number of additional dwellings or lots permitted should not exceed:
  - i) the equivalent of the area being donated divided by the average lot area, or where the zone has no average lot area, the minimum lot area. Any fractional amount which is equal to or greater than half the minimum or average lot area should be considered as a full density unit; or
  - ii) one dwelling or lot where the area being donated is less than one half of the average lot area, or where the zone has no average lot area, less than one half the minimum lot area.
- b) additional density should take the form of residential lots or dwellings;
- c) development should:
  - i) be sited away from sensitive ecosystems,
  - ii) minimize visual impacts,
  - iii) mitigate potential natural hazards,
  - iv) implement sustainable development practices; and
  - v) not adversely impact adjacent properties.
- d) where appropriate, such an application may be considered in conjunction with an application to transfer density under the provisions of Section 2.11.
- e) as it is intended that applications should be for relatively modest increases in density, the Local Trust Committee should not consider applications in which more than 10 additional dwelling units are proposed in exchange for a community amenity.