



DATE OF MEETING: October 26, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Mayne Island Housing Regulations and Policy Review – Options for Discussion

RECOMMENDATION

1. That the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility and specifically invite Advisory Planning Committee (APC) members to attend.

REPORT SUMMARY

This report identifies a number of questions related to options supporting housing flexibility for the LTC to consider and discuss before directing staff to draft bylaw amendments and engage the public.

BACKGROUND

Continuing on from previous stages in the project initiated in May of 2019, which has included the Mayne Island Housing Regulations and Policy Review Project Discussion Paper, a report was presented to the LTC at their regular meeting on September 28th exploring the need for flexible housing options on single lots, limitations that currently exist in the Mayne Island Land Use Bylaw, and details related to the option of distributing a maximum square footage among a number of dwellings on lots in the Settlement Residential (SR) zone as a means on increasing housing flexibility. At the September 28th meeting:

It was Moved and Seconded,

That the Mayne Island Local Trust Committee direct staff to report back with further details related to the distributed floor area option for addressing housing flexibility.

Reports related to this project can be found on Mayne Island's Projects Webpage:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/mayne/projects-initiatives/housing-review/>

ANALYSIS

As identified in the September 28, 2020 report the LUB limitations on housing flexibility include:

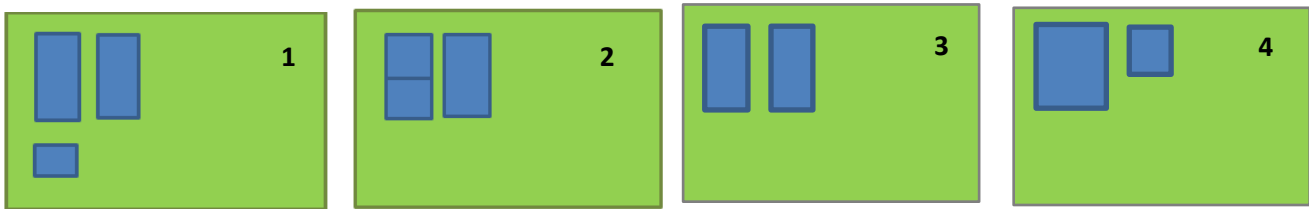
- Lots under 0.6 hectares are not permitted to have a cottage.

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- Restrictions on size of cottages and secondary suites.
- Only one secondary suite or one cottage, in addition to primary dwelling can be constructed on parcels less than 4 hectares.

The option of distributing a maximum floor area between a number of dwellings in the Settlement Residential Zone (SR), was explored in the September 28, 2020 report to address these limitations. As illustrated in the report, the option would allow for:

1. Up to 3 dwellings on SR lots >0.6ha
2. A dwelling with a suite and an additional dwelling on all SR lots where secondary suites are allowed
3. Two dwellings of similar size on all SR lots
4. Two dwellings of different size on all SR lots



Could all the units be connected?

Yes, the dwelling units could be connected as duplexes or triplexes. The LUB can permit this option. There may be different considerations for new builds and house conversions in existing dwellings.

Could this option be considered in the areas where secondary suites are not permitted?

Secondary suites are currently not permitted in areas where a water service is in place. Water districts should be consulted to identify if they have concerns with allowing additional dwelling units.

Could more than two dwellings on lots <0.6 hectares and more than 3 on lots >0.6hectares be considered?

This is a possibility. The major consideration is water use. Additional density could be restricted to areas where water can be shown to be plentiful. Additional density could also be allowed with the provision of a community amenity. Staff would need to explore options for community amenity in this case. These options would need to be clearly identified in the LUB. The other option would be to not place a limit on the number of dwellings while limiting total aggregate floor area as well as requiring the clustering of dwellings.

What kind of consideration should be made to limit impact on freshwater?

Rainwater catchment should be a requirement for any additional density. Along with Policy Statement and OCP policies, the Mayne Island LUB requires the installation of a rainwater catchment and storage system (minimum 13640 litres/3000 gallons) before a building permit of a secondary suite can be issued

Could rental zoning be considered?

Recent legislative amendments allow local governments to zone for tenure and require rental units in multi-family zones. Provincial staff have indicated that two or more units could be considered multi-family. The legislation was designed for larger multi-family residential developments. There are no known examples of rental zoning being used on a smaller scale. The City of Victoria explored the use of rental zoning for secondary suite and garden suites (similar to cottage) and concluded that it may result in unintended consequences. For example, the requirement of a rental agreement would restrict the ability of a property owner to occupy their garden suite or secondary suite

as additional living space for their own family, such as aging parents, or occupy these spaces themselves and rent out the main dwelling as they age or their family composition changes.

Could strata ownership be considered on land that cannot be subdivided?

The Strata Property Act authorizes building stratas to be established for construction without the requirement for review by a subdivision approving officer and without subdividing the land. It allows titles of two units or more on one property to be individually bought, owned, and sold. The land surrounding the units is considered “common property.” This arrangement enables co-ownership of land separate from ownership of individual dwelling units offering affordable ownership scenarios through land sharing. One potential impact of building stratas may be individual buyers purchasing properties to build and then sell multiple units, thereby increasing property values.

What kind of maximum floor area should be considered in a distributed floor area scenario?

The lower the maximum floor area, the lighter the impact on the land. The limit on floor area should be determined based on the size of the lot and consider existing permitted lot coverage. Given the LTC’s interest in reducing ecological footprint the maximum floor area should encourage the building of smaller dwellings (e.g. 2000ft² on lots <0.6).

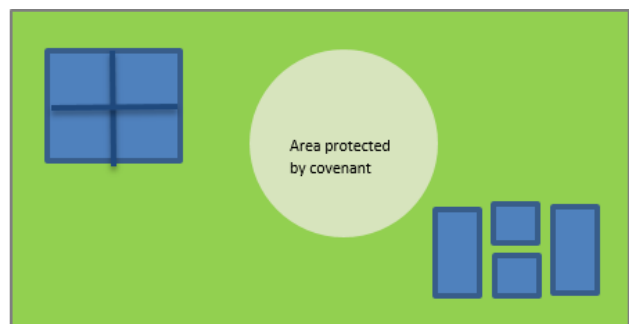
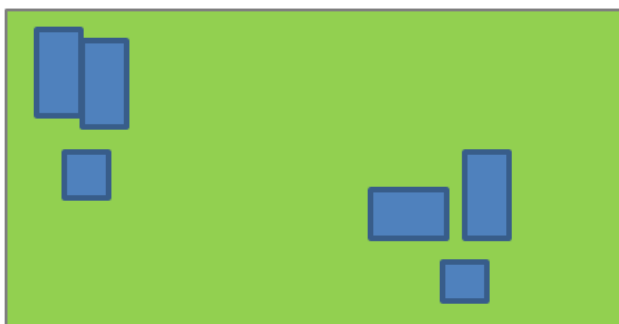
Should maximum floor area be considered for all lots regardless of whether it is distributed or not?

Mayne Island currently does not have maximum floor areas for primary dwellings, only for cottages. The only regulation restricting the size of a primary dwelling is lot coverage. As has been experienced on Mayne, as well as other Islands, unrestricted dwelling footprints can lead to the development of large and sprawling homes throughout the Islands Trust Area. As the establishment of maximum floor areas can be very controversial, the LTC may want to consider this as a separate project and wait to learn from the experience of the North Pender LTC which is currently exploring this topic.

Can options for zones be considered in this review?

Yes, the LTC could consider options for other zones. Starting with the Settlement Residential Zone (SR) helps to focus the discussion. What is decided for the SR zone could be transferred to other zones. As illustrated below, where additional residences with cottages are allowed (eg. in Rural Residential One (RR1) one dwelling and cottage is allowed for every 2.8 hectares, in the Rural (R) Zone One dwelling with cottage is allowed for every 4 hectares) a similar approach could be taken. Clustering housing/home plate should be required. Options include:

1. Allowing up to 3 dwellings in each cluster outright with a maximum aggregate floor area. These could be separate or combined.
2. Allowing additional units in each cluster (with a maximum aggregate floor area) in exchange for a community amenity (e.g. on larger properties it will be easier to identify area of land for protection under a covenant)



When and how will the community be engaged?

It will be important for the community to be engaged in discussions related to implementing options. As indicated in the revised project charter community engagement is anticipated to occur February – April 2021 after the LTC has had a chance to review and discuss options. Community engagement may be in person and/or online depending on Covid protocols at the time.

Other considerations explored in the September 28, 2020 report:

- Don't include RVs as part of distributed square footage option
- Do not include tiny homes on wheels
- Increase floor area maximum for secondary suites
- Require rainwater catchment for all additional density
- Do not allow more than one dwelling unity to be rented as a home occupation STVR

Rationale for Recommendation

Recommendation: That the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility.

Rationale: There are a number of factors to consider with respect to supporting more flexible housing with a reduced environmental footprint. Because of the volume of items on LTC regular meeting agendas it is sometimes difficult to address all the issues related to projects such as this. Holding a special meeting related to the Housing Regulations and Policy Review will enable Trustees to identify additional questions and explore all concerns and interests in detail before moving to the next stage of the project. Inviting the APC to attend will help identify other questions, concerns and interests the community may have.

ALTERNATIVES

1. Hold a Special Meeting on Housing without inviting the Advisory Planning Committee

The LTC may decide not to invite the Advisory Planning Committee to the Special Meeting.

That the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility.

2. Request Staff to Schedule Community Engagement

The LTC may decide to engage the community to identify questions and concerns in order to have full community input into the process before having further discussion.

That the Mayne Island Local Trust Committee request staff to schedule community engagement before the LTC further discuss options.

3. Request Staff to Draft Bylaws

The LTC may decide that no further discussion is required before requesting staff to draft bylaws.

That the Mayne Island Local Trust Committee request staff to draft bylaws based on recommendations made during the October 26, 2020 LTC meeting.

4. Remove Project from Project Priority List

The LTC may choose to remove the project from the priority list and return to it at a later date.

That the Mayne Island Local Trust Committee request staff to remove the Housing Regulations and Policy Review from the Priority Projects list.

NEXT STEPS

If the recommendation is supported:

- Staff will schedule a Special Meeting for November.
- Staff will prepare materials for discussion as required.

Submitted By:	Narissa Chadwick (RPP), Island Planner	October 7, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	October 9, 2020

ATTACHMENTS

1. Project Charter