

From: Maxine Leichter <[REDACTED]>
Sent: Thursday, February 10, 2022 7:41 PM
To: Laura Patrick; Peter Grove; Peter Luckham; SSInfo
Subject: Re: Bylaw 528
Attachments: Ltr to LTC re bylaw 528 Feb 2022.pdf

To: Trustees

I hope you will have time to read this letter before the LTC meeting on Tuesday.

To: Trust staff

Please post this letter to the "Housing Action Suites" folder on the trust website. It does not have any personal information that you need to omit.

Thanks, Maxine

Date: February 10, 2022

To: Salt Spring Island Trustees: Peter Grove, Laura Patrick and Peter Luckham

From: Maxine Leichter

Re: Draft Bylaw 528

On February 15, 2022, the Local Trust Committee will be presented with Draft Bylaw 528, the most far reaching and potentially destructive bylaw I have seen in my [redacted] years living here. Please do not give first reading to this bylaw, but rather to ask that it be held in abeyance until you receive a well-researched report that gathers data on the causes and solutions to the lack of worker housing on our island. The attached letter outlines some of the information such a report could contain.

This bylaw will - in the long run - harm SSI's rural character, the water supply, safety and liveability, forever, without providing significant affordable housing. Increases in population will affect ferry service, traffic, parking, road maintenance, health services, emergency services, water supplies, sewage treatment, etc.

The staff report states that the purpose is to pave the way to expand the number of lots allowed to have secondary suits from 1,598 to 3,500.

But that is not all. Additionally, Draft Bylaw 528:

- Begins a process to abandon the SSI Official Community Plan population limit of 17,000. Staff proposes to draft a bylaw amending the Official Community Plan ASAP.
- Re-defines "accessory buildings" to allow residences in and on top of these buildings.
- Changes the measure of density of development from the number of residences on each property to building footprint or percentage of lot coverage. The purpose is to allow many small residences on each property.

Why this is the wrong approach:

- No mechanism has been presented to assure that new suites and cottages will be affordable or for workers. It is now very expensive to build such residences.
- Although more suites may not be built immediately, history has shown that in the long run, increased density is utilized. Increases in population will affect ferry service, traffic, parking, road maintenance, health services, emergency services, water supplies, sewage treatment, etc. that are limited on the island.
- Allowing more suites and cottages could encourage more illegal vacation rentals.
- This approach does not consider the difficulty in determining groundwater supplies in any particular location or protecting scarce groundwater for properties not yet developed.
- Putting more people on each lot will cause environmental damage because more people use more water and produce more sewage. High density development is only appropriate where there is community water and sewage treatment.
- The population limits in our current Official Community Plan are the result of a long and difficult public process and should be respected.
- The supposed "protections" in the bylaw such as showing "adequate water", sound good but are illusory given current weak regulations and poor enforcement.

These are the reasons why this bylaw should be held in abeyance until relevant housing data is shared and a process begun for broad community discussion about how much housing we need, for whom and how to provide it.

Tiny homes - Putting several tiny homes on a lot is used in cities to temporarily house homeless persons until better housing for them can be located. It is not appropriate housing for most island workers or families. That is why BC Housing will not fund it. Our workers deserve appropriate housing. This can be done; but it will take time. There is no quick fix for this problem. But the sooner efforts are directed at realistic and appropriate goals, the sooner the housing will be available.

BACKGROUND

Our Official Community Plan (OCP) limits our island's population to about 17,000, by limiting residences to those allowed in 2008 and allowing only increases that are "few" and only for affordable housing. Currently, the island population is about 11,000 and there are already water shortages in some places.

For years, these limits have been rendered meaningless by faulty arguments that past increases in zoning are consistent with the OCP limits because:

- Suites and cottages by their nature are affordable.
- Suites are not "densities" because they don't increase density but only intensity of land use, even though the OCP specifically refers to population numbers not densities.
- Adding full-time occupancy on 411 cottages only increased densities by a "few".

In 2013 and 2019 respectively, Local Trust Committees legalized first, full-time occupancy of 1,598 suites and then 411 additional cottages, with no regard for water supplies. These bylaws did not consider if target properties have or want to have, extra residents on their property. These past up-zonings have not produced any significant affordable housing.

Some Relevant Official Community Plan Sections:

"B.2.1.2.1 Zoning changes should be avoided if they would likely result in a larger island population than is expected under the development potential zoned in 2008. Exceptions to this policy are to be few and minor and only to achieve *affordable housing* and other objectives of this Plan."

Background Note on page 23. "There are approximately 5,800 residential lots on Salt Spring Island (2007). While approximately 1300 of these are vacant, local zoning allows for the construction of a single family dwelling on each of them. Of the existing residential parcels, many are large enough that they can be further subdivided under the existing local subdivision bylaw. A few are zoned for multi-family use. All told, the number of dwelling units (not including seasonal cottages and suites) that could be built on Salt Spring Island under current residential zoning is estimated to be about 8,150. The eventual population of Salt Spring Island that might result from the zoning now in place is estimated to be a little over 17,000."

Under "vision" on page 8 "We understand that social and economic development must be in harmony with our mandate. We accept that there are limits to growth, limits to resources, and limits to the ability of our environment to absorb continued development. We recognize human impacts and understand that healthy societies depend on healthy ecosystems, and we will work to minimize our impacts and restore the land. "

See letter that follows.

To: Salt Spring Island Trustees: Laura Patrick, Peter Grove and Peter Luckham
Date: February 10, 2022
From: Maxine Leichter

This letter addresses the motion passed at your November 2021 meeting passed to address lack of affordable housing: *"That the Salt Spring LTC endorse the HAPTF recommendation and request staff to report back on potential bylaw amendments to permit accessory dwelling units in all zones."*

We need to take a more productive approach. The first step in solving a problem is identifying the cause. Lack of affordable housing is widespread over North America and Europe. Some causes are:

1. Income inequality resulting in many people who can afford expensive housing while many others struggle to find appropriate housing.
2. High cost of construction.
3. Low interest rates which encourage investment in property
4. Existing cottages and suites being used as vacation rentals.
5. Zoning restrictions in urban areas

Solutions to the first problem must come from the federal and provincial levels. These include increasing taxes on incomes, investments, inheritance. A provincial tax on property sales could provide funding for affordable housing. Not much can be done about the cost of construction and interest rates are a federal jurisdiction.

Next is vacation rentals. You ordered a crackdown. For two years, we heard about progress. Since then, we have heard nothing. Today, on VERBO, I counted 14 short term vacation rentals with kitchens. In the past Bed and Breakfasts weren't allowed to have kitchens. What happened to enforcement against kitchens and vacation rentals?

The fourth cause is zoning. In urban areas, single family zoning has restricted construction of more affordable multi-family housing. Urban areas can support multi-family housing because they have community water and sewer. We do not have that capacity. Urban areas are expected to be urban. We are supposed to be rural. So that solution also doesn't apply here where we have very limited water and sewage treatment capacity.

Let's learn from what we've already done. Past up-zonings have not made a dent in the problem. In fact, the problem is worse. We need to know why. I know for a fact that many existing cottages occupied by retirees and family members, not necessary workers.

The Islands Trust is supposed to be a protected area. This should be the most important consideration in decision making. This area cannot be protected unless the natural environment is protected. Experience shows that increasing zoning will not solve the problem in the short term. But over time, it will do great harm, completely changing the natural environment and the rural character of our island. There won't be anything left of what has

made this island special. There will be even more lack of sufficient services and problems with water supply and a worse quality of life for everyone living here.

So how to help solve this problem? First put the responsibility where it lies, primarily on higher levels of government. Encourage advocates to direct their efforts there, where they will have the most effect.

What can we do here? To determine what will be effective, a systematic approach is essential. Determine strategies based on experience and information and be clear on our goals. We need to distinguish between housing for different groups and decide how to address each. These include:

1. The “hard to house”, i.e. people with disabilities who may or may not be working
2. Low wage workers
3. Government workers, like RCMP, hospital, teachers, CRD, etc.
4. Other island workers who cannot find housing
5. Summer seasonal workers

Next, let’s answer these questions and more. Let’s make sure we are not making false assumptions about our existing subsidized housing. Let’s find out:

1. Which of these groups is the current subsidized housing for? How much do we have and how much do we need or want to provide?
2. How much of our subsidized housing is targeted to island workers? The answer may be “none”. If so, can some of this housing be targeted to workers?
3. How much worker housing is being provided by employers?
4. How much worker housing do we need at various cost levels?
5. How can we overcome barriers to reserving housing for island workers?
6. Why have previous up-zonings not provided much worker housing?
7. Lots of workers do find housing. Is there something are they different from those who cannot? The answer may provide new ideas on meeting worker housing needs.

Before any more steps are taken to address this issue, let’s get the answers to these questions and others. Let’s learn from the past. Strategies enacted in the absence of information do not have a high success rate.