

Date: July 21, 2011

File No.: LUB 355 Update
Secondary Suites

To: Salt Spring Island Local Trust Committee
for meeting of August 4, 2011

From: Justine Starke, Local Planning Services

Re: Update on Consultation Strategy for Secondary Suites

PURPOSE:

The purpose of this staff report is to provide an update on the summer 2011 consultation strategy for the legalization of Secondary Suites as part of the Land Use Bylaw 355 update.

BACKGROUND:

At the July 7, 2011 Salt Spring Island Local Trust Committee meeting, the LTC passed the following resolution:

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to engage the community further on the legalization of secondary suites.

CARRIED

PROGRESS REPORT:

Staff have initiated a community engagement program for Summer 2011 that seeks broad public input into the secondary suites project. By doing extensive outreach in the community, staff intend to have the direction of policy drafting be well grounded in community perspectives about what will work their neighbourhoods, as well as have any proposed policies on secondary suites be well understood by the general public. Bylaw drafting will need to reflect a diversity of needs as well as honour the multiple objectives of the Salt Spring Island Official Community Plan.

The general strategy over the month of August (and into September, as needed) is to “go to where the people are” and not only rely on the public to attend workshops or meetings hosted by Islands Trust. The latter approach will be more useful later in the process once there is a draft bylaw to discuss.

Staff are setting up information kiosks at community events such as the Tuesday market and the Fall Fair, and aim to engage as many people as possible in discussion about secondary suites, options for implementation, the Official Community Plan policies, and concerns over potential impacts. Staff also hope to gather more information about where suites currently exist. There will be maps, information handouts, and questionnaires (please see attachments). There will be opportunities for a broad range of Salt Spring residents to learn about the issue and give feedback orally or in written form. Staff are intending to engage both home owners and renters in this dialogue. Additionally, staff are encouraging residents to organize “kitchen meetings” and “garden sessions” in their neighbourhoods. Upon invitation, Islands Trust staff will come and

discuss the issue of Secondary Suites in neighbourhoods with small groups of people. Staff are also liaising with community groups by attending the regular meetings of civic groups and other agencies, as well as consulting one on one with key representatives from external agencies or groups (eg. CRD Building Inspection).

A media strategy is being launched to get the word out to the community that their engagement is desired. A combination of approaches is being used, including a combination of press releases, op-eds, classified ads, small ads, and larger ads in the Driftwood. A public service announcement on the Salt Spring radio station will help neighbour groups be informed about the “kitchen meetings and garden sessions.” The table below charts the strategy and estimates resource allocations that are needed:

TARGET	ACTION	WHEN	HOW LONG	RESOURCES
Afternoon Tuesday Market: Information Kiosk	Present information at kiosk using maps, handouts, FAQs, Staff Reports and Questionnaires. Engage in dialogue with community members.	July 18 August 2 August 9 August 16 August 23 August 30+	2 hours each session (3pm to 5pm) – May also attend the morning market, if seems useful.	Staff time and in-kind office materials.
Meetings of social and civic clubs*	Develop brief presentation, go to meetings, present, listen, answer questions, discuss.	Various days and evenings over the next month(s).	1-2 hours each	Staff time and in-kind office materials. *May incur overtime to accommodate evening meetings.
Kitchen Meetings/Garden Sessions	Go to meetings, present a background on the issue and offer information, listen, answer questions and discuss issues.	Throughout August and early September.	1-2 hours each	Staff time and in-kind office materials. *May incur overtime to accommodate evening meetings.
Fall Fair	Present information at kiosk using maps, handouts, FAQs, Staff Reports and Questionnaires. Engage in dialogue with community members.	September 17-18, 2011	Two days	Staff time and in-kind office materials. *Will incur overtime to accommodate weekend sessions.
Media Strategy	A combination of press releases, op-eds, classified ads, small ads, and larger ads in Driftwood. Public Service announcement on Salt Spring radio station.	One promo/week throughout August and perhaps into September		Approx. \$1000/month for various Driftwood submissions.

*Social and civic clubs – Lions Club, Rotary Club, Islanders for Self Governance, Chamber of Commerce, Neighbourhood associations, Water Districts, Water Council, Farmer’s Institute, others?

CONCLUSIONS:

It is well understood that good policy is based on broad community input. Community participation not only informs policy development but also creates an informed public about the issues, fostering good understanding of policy direction. The work to date on secondary suites has drawn on expertise and community input gathered via the Technical Working Group, letters, newspaper articles, the November 2010 workshop and the February 2011 Public Forum. Before bylaw drafting, staff hope to engage the community in non-traditional ways to build understanding, knowledge, and to generate solutions and more ideas for implementing OCP policies on secondary Suites.

This report is provided for the information of the Salt Spring Island Local Trust Committee.

Respectfully submitted by:

Concurred by:

Justine Starke, Island Planner

Leah Hartley, Regional Planning Manager

Date
July 21, 2011

Date

- Appendix 1: Secondary Suites Information Handout
- Appendix 2: Secondary Suites FAQs
- Appendix 3: Affordable Housing Continuum
- Appendix 4: Process Timeline
- Appendix 5: Questionnaires
- Appendix 6: Sample Regulations for Secondary Suites

SECONDARY SUITES ON SALT SPRING ISLAND

Let's Create Safe, Legal, and Affordable Rental Housing!



Islands Trust

Islands Trust welcomes community input in how to legalize secondary suites and implement the Salt Spring Island Official Community Plan (OCP).

What are Secondary Suites?

A **secondary suite** is an accessory dwelling unit located within the principal residential building. The BC Building Code limits the maximum size of a secondary suite to 40% of the floor area of the principal dwelling unit - to a maximum floor area of 90 m² (969 sq ft).

Did you know?

On Salt Spring Island, secondary suites are permitted in the Agricultural Land Reserve (zones A1 and A2) and as duplexes in the Residential 6 (R6) zones. There are, however, many more suites that exist all over the island. These suites represent a large segment of Salt Spring Island's rental housing stock. The 2008 Salt Spring Island Official Community Plan (OCP) gives policy direction to legalize secondary suites with certain criteria:

- Ensure adequate potable water supply
- Avoid watersheds and community well capture zones that supply community drinking water
- Minimize auto dependency
- Address on-going affordability
- Must not be used for short-term rental

Some pilot area maps have been proposed to meet the criteria of the OCP. Proposed pilot areas can be viewed on the Islands Trust website (see address at page bottom).

Why Secondary Suites?

Tenants

Normalizing secondary suites provides tenants with rental housing that is safe, legal, and affordable. This means security and stability for many Salt Spring renters, as well as an opportunity to move out of what may be inadequate living situations. Suites also offer the potential for car sharing and neighbourly living.

Homeowners

Secondary suites offer mortgage helpers to make home ownership more attainable. They also offer options for people to age in place, security for those with a disability, and offer family support to adult children or elderly relatives.

Community

Secondary suites maintain community character while enabling families and individuals from diverse economic backgrounds to live in the same area. They provide a stock of low-cost housing without government subsidies and without added density. Secondary suites are also important for business owners by providing accommodation for employees; for agriculture by offering a place to house farm workers; and for non-resident property owners by offering security and caretaking of a property.

The Environment

Legalized secondary suites require water and septic issues to be addressed in the building permit process. This means that each septic field is evaluated on a case by case basis and upgrades are required where needed. Improved septic fields reduce pollution and protect the water quality of drinking watersheds. Proof of available water supply is also confirmed at the time of application for building permits.

GHG emissions and energy consumption per household are reduced with secondary suites. GHG emissions and energy consumption are further reduced when secondary suites are located near transit service. Even when distant from transit, there is an increased potential to ride-share with neighbours.

Housing Need and Affordability

There is a gap between what many Salt Spring Islanders can afford and the housing stock that is available.

In 2009, the average rent offered on Salt Spring was \$1,119 for a two bedroom unit. This is affordable for a median income household (housing is considered affordable if it is less than 30% of the monthly household income). However, 44% of renters on Salt Spring are in “core housing need”—meaning they spend more than 30% of their monthly income on housing.

The affordability of suites can be controlled by placing restrictions on the amount of rent that can be charged. Tools such as housing agreements have been suggested as a way to do this. However, experience in other communities indicates that rent controls may inhibit the offer of suites for rental. Rather, a market based approach relies on “supply and demand” and floor area limits to regulate rental prices.

The legalization of secondary suites will only address one segment of the “housing continuum,” but legalizing the existing rental stock and permitting more to be built is an important first step towards the creation of affordable housing on Salt Spring Island.

On the Other Hand...

Secondary suites and residential cottages can also create challenges for communities. It is normal for there to be anxiety about neighbourhood change including increased noise, traffic and parking. People fear difficulty in monitoring activities and enforcing bylaws, and some fear that contributions to utility charges and property taxes are not fairly distributed. However, communities that have implemented secondary suite programs have had few problems with legal suites. In fact, the uptake of new suites seems to be a slow process (Bowen Island legalized suites in 2006 and has had only 7 suites applied for).

On Salt Spring Island, there are concerns that:

- The long-term affordability of secondary suites may be difficult to ensure
- Suites will increase density and could cause environmental degradation and/or water scarcity in neighbourhoods
- dwelling units may be used improperly for short-term vacation rental purposes.

Rental housing is in very short supply, often in poor condition, and likewise very expensive. A portion of the rental supply is available only seasonally, as tenants are vacated to allow non-resident owners either to spend their vacations on Salt Spring, or to capture the more lucrative (but generally not legal) vacation rental market. There have been decreases in the number of market rental properties, with some, but few non-market rental units developed with government assistance. These non-market rental projects often report full occupancy and sizeable wait lists. Employers in all sectors reportedly experience labour shortages due to housing affordability challenges of employees and potential employees. This appears to be a factor in the decisions of many young families who choose to leave the island, or move off-island and commute back to work. Clearly this out-migration of families would be a significant contributor to the reported declines in permanent resident school enrolments.

*IT Housing Needs Assessment (2009) - JG Consulting Services

Lessons Learned:

Many communities throughout BC have made – or are in the process of making – provision for secondary suites.

The experience of other communities offers numerous lessons:

- Simple, basic bylaws tend to be the most successful
- Encouragement is more effective than approaches that rely on penalties
- It is important to address the need for parking on-site.
- Successful secondary suite regulations draw on broad community participation in the process.

Within the Trust Area, the Municipality of Bowen Island allows secondary suites in its land use bylaw. To date, none of the other islands allow secondary suites. Salt Spring Island could be the first!



Islands Trust

Frequently Asked Questions: Secondary Suites on Salt Spring Island

What steps will be required to legalize or build a new secondary suite?

A Building Permit from the CRD will be required to legalize an existing suite or build a new one. Prior to final approval, CRD ensures that proof of an adequate supply of potable water is provided and confirms septic capacity, whether it is a private septic field or a community sewer system.

Will legalizing secondary suites increase the density of Salt Spring Island?

Permitting secondary suites will not likely increase the population of Salt Spring. It may allow people to upgrade from sub-standard living conditions, but based on the experiences of other communities, there will not be a huge boom of people building new suites or people coming to fill them. Similarly, legalizing suites will not increase the density of Salt Spring from a planning perspective. Secondary suites are accessory to a residential use and will not require a change of use in the zoning bylaw. Also, because secondary suites exist within the dwelling unit, they do not add to the footprint of the built environment. Many suites already exist and are occupied by members of the Salt Spring community.

Will my neighbourhood look or feel different if secondary suites are allowed in it?

This is a common concern when secondary suites are first introduced into a neighbourhood. With proper controls in place – such as requiring on-site parking for the additional dwelling unit and ensuring that building setbacks and height restrictions are adhered to - it is often difficult to notice if a secondary suite is present on a lot.

What about impacts to water consumption and infrastructure needs with additional suites in dwellings?

On Salt Spring Island, three quarters of homes are occupied by one to two people, but many houses have been built for larger families. The servicing and infrastructure are based on the number of bedrooms and square footage of each dwelling. A major advantage to legalizing suites is that the building permit process requires proof of water and septic before approval of new suites. A major objective will be to have home owners bring existing suites up to health and safety standards and to ensure the servicing is adequate to support them.

Who ensures that on-site sewage disposal systems are properly designed and installed?

The Provincial government changed Sewerage System Regulation in June 2010 in order to enhance the system of onsite wastewater management in BC. Now, a registered Onsite Wastewater Practitioner (ROWP) must certify that an onsite wastewater disposal system is designed to meet the requirements of the regulations. The certified plans are filed with Vancouver Island Health Authority. For further information go to www.hls.gov.bc.ca.

Will Secondary Suites provide affordable housing?

The Official Community Plan (OCP) requires that the Local Trust Committee (LTC) consider the use of Housing Agreements to ensure secondary suites remain affordable. The trustees have considered this closely and have not committed to doing so at this time. The LTC has been advised that limiting the rent people can charge for a suite will not encourage them to build new suites or to legalize existing ones. The primary motivator for people to rent out a secondary suite is economic – people want a suite in order to provide additional income needed for mortgage payments and other expenses. Without rent controls, a market based approach relies on supply and demand and floor area limits to regulate rental prices. Secondary Suites provide much needed rental housing that is affordable to middle income people as well make home ownership more affordable and attainable to a wider spectrum of people.

What are Pilot Areas?

The Pilot Areas are maps that designate some parts of the island as trial areas for the legalization of secondary suites. They were developed by Islands Trust staff with advice from the Technical Working Group as a first step to legalizing suites in phases. This incremental approach responds to OCP policies (detailed below) to limit the location of secondary suites based on certain criteria. The Salt Spring Island Local Trust Committee (LTC) has received the Pilot Areas for consideration but has not yet made a decision to use them in the Land Use Bylaw amendment for Secondary Suites. There is still debate in the community as to whether the whole island should be a "pilot area." Specifically, the pilot areas speak to OCP Policy B.2.2.2.15:

- c. Suites should only be allowed in areas with an adequate supply of potable water.
- d. Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- l. The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles.
- m. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of suites on the island.

Islands Trust staff have presented the LTC with two Pilot Area options for the location of Secondary Suites:

Option 1 – Limited Pilot Area for Secondary Suites

- Based on the location and walking distance to existing transit routes
- Excludes community water system supply watersheds and community well capture zones.
- Boundaries are not coincident with existing zoning boundaries.

Option 2 – Expanded Pilot Area for Secondary Suites

- Based on existing zone boundaries and OCP criteria.
- Identifies that zones R7, R8, R9 and R should be considered for secondary suites.
- Other zones were ruled out because they already allowed secondary suites, were intended for specific purposes, or were implementing OCP policies with respect to conservation objectives and policies.
- Excludes community water system supply watersheds and community well capture zones.

What was the Technical Working Group (TWG)?

Planning staff created the TWG in summer 2010 for advice in developing concepts and to act as a "sounding board" for how to amend the Land Use Bylaw. Members were invited by staff to participate in this group. The role of the group was to provide feedback and input based on personal areas of expertise and knowledge, and to review criteria for identifying pilot areas for the legalization of secondary suites. It was composed of members of the Advisory Planning Commission, the Agricultural Advisory Committee, the Environmental Advisory Committee and the Advisory Design Panel. It also had people with expertise in architecture, affordable housing, real estate, agrology, hydrology, environmentally sensitive areas, and local business as well as agency representatives from the Ministry of Agriculture and Lands, the Capital Regional District Building Inspection, Capital Regional District Transportation, and the Vancouver Island Health Authority.

How to Contact Us

Email: ssiinfo@islandstrust.bc.ca
Phone: Justine Starke 250-538-5602
Fax: 250-537-9116
Mail: Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC
V8K 2N8

More Information?

www.islandstrust.bc.ca/ltc/ss/lubproject2010suites.cfm

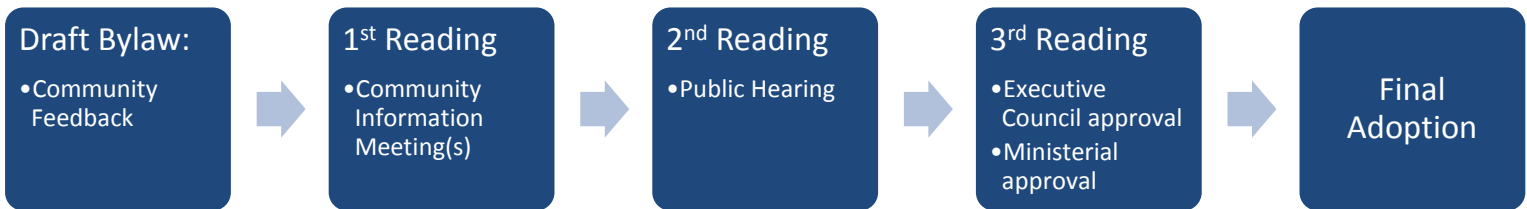
The Affordable Housing Options Continuum						
Emergency Shelters	Transitional Housing	Social Housing	Non-Market Rental Housing	Non-Market Home Ownership	Rental Housing	Home Ownership
Government Subsidized Housing			Middle Sector Housing		Market Housing	



Secondary Suites and Cottages
are considered Low End Market Rental
in the Affordable Housing Options Continuum

2008	2009	2010	2011...			
			Spring	Summer	Fall	
OCP policy guiding affordable housing process	Legalizing secondary suites given top priority for LUB review	LUB Review begins: technical working groups, website launched, November open house .	February: Community Forum with Tim Wake and Janis Gauthier Community Affordable Housing Strategy (CAHS) finalized Two Pilot Area options proposed Data refined and policy development begins	Current Key Issues: <ul style="list-style-type: none"> • Will suites be affordable? • What will be the impacts on infrastructure (water, sewer)? • What will the environmental impacts be? • What are the other impacts (ex: people, noise, aesthetics)? • Will Pilot Areas work? 	Community Consultation: <ul style="list-style-type: none"> • Garden sessions, kitchen meetings, • Community events, • Agency and community groups 	Bylaw Amendment Process (see below)
Deliverables						
Housing Needs Assessment Ph.1	Housing Needs Assessment Ph.2		Community Affordable Housing Strategy – Action Plan			Adopt Secondary Suites Bylaw

Bylaw Amendment Process



SECONDARY SUITES ON SALT SPRING ISLAND: Homeowners, we're asking you!

			Explain
Would you like to have a secondary suite in your home?	Y	N	
Would you like to have secondary suites legalized in your neighbourhood?	Y	N	
If don't have a suite in your home, would you build one if the suite were legal?	Y	N	
If you had a suite in your home, would you make it available as a rental unit for someone to live in?	Y	N	If no, what would you use it for?
If you already have a suite in your home, would you go through the process to get a building permit to make it a legal suite if it were possible?	Y	N	Why or why not?
Would you upgrade your septic field, if needed, in order to have a secondary suite?	Y	N	
Are you concerned about the impacts of secondary suites on Salt Spring's water supply?	Y	N	
Do you think your water district has enough supply for secondary suites?	Y	N	Which water district are you in?

Are you concerned about parking and traffic issues related to secondary suites?	Y	N	
Do you think secondary suites will provide needed affordable housing on Salt Spring Island?	Y	N	
Do you think the Salt Spring Island community would benefit from legalized secondary suites?	Y	N	
If suites were legalized, do you think they should be phased in, and restricted to areas:	Y	N	a) Not known to have water problems
	Y	N	b) Close to public transportation corridors
	Y	N	c) Not in community water system supply watersheds or community
	Y	N	d) Suites should be allowed in all areas of the island
Other Comments?			

Please Return Forms to Islands Trust

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SECONDARY SUITES ON SALT SPRING ISLAND: Renters! We're asking you!

			Explain
Do you currently live in a secondary suite?	Y	N	
Do you feel you have the security of a long-term rental situation in your current home?	Y	N	Is this important to you?
Does your rent cost you more than 30% of your income?	Y	N	
Is your home adequately serviced with a kitchen, bathroom, and direct access to the outdoors?	Y	N	
Does your home feel healthy and safe?	Y	N	Why or why not?
Are you aware of water shortages where you live?	Y	N	
Are you aware of any problems with the septic system where you live?	Y	N	
Do you own a car?	Y	N	If not, how do you get around?

How many people total live in your house?			
Do you think secondary suites will provide needed affordable housing on Salt Spring Island?	Y	N	
Do you think the Salt Spring Island community would benefit from legalized secondary suites?	Y	N	
If suites were legalized, do you think they should be phased in, and restricted to areas:	Y	N	a) Not known to have water problems
	Y	N	b) Close to public transportation corridors
	Y	N	c) Not in community water system supply watersheds or community well capture zones
	Y	N	d) Suites should be allowed in all areas of the island
Other Comments?			

For More Information Please Visit:
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Sample Regulations for Secondary Suites:

Definition:

Secondary Suites - means an additional self-contained dwelling unit, having a separate entrance and containing kitchen and bathroom facilities, located within a residential building that contains only one other dwelling unit and is smaller than the primary residential unit.

Use:

- Must be accessory to the principal use of a single detached dwelling unit.
- Use for short term vacation rentals prohibited.
- Home-based businesses:
- A bed and breakfast home-based business may not be operated on the same property that a secondary suite is located on.

Density – Addresses water use, intensity of activity on a residential property:

- Maximum of one suite per principal dwelling.
- May not be located on a property containing a seasonal cottage. A seasonal cottage may not be allowed on a property containing a secondary suite.

Built form:

- Must be contained within the walls of the principal dwelling unit
- Separate access/egress
- Maximum floor area:
- a maximum of 40 % of the floor area of the principal dwelling unit to a maximum of 90 m² whichever is the lesser

Parking:

- one on-site parking space must be provided for the occupant(s) of the secondary suite

Important note: These sample regulations were presented to the Salt Spring Island Local Trust Committee on May 3, 2011. No action was taken by the LTC, but the report was received for information. Islands Trust is looking for input into the stage of drafting of regulations for secondary suites.