Gabriola Island Local Trust Committee
Regular Meeting Addendum

Date: January 18, 2018
Time: 10:15 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

			Pages
7.	**BUSINESS ARISING FROM MINUTES**	10:40 AM - 11:00 AM	
7.3	*Commercial Vacation Rentals - Memorandum (REVISED)*		*2 - 4*
11.	**LOCAL TRUST COMMITTEE PROJECTS**	11:10 AM - 11:40 AM	
11.1	Housing Options Review Project (Proposed Bylaw No. 293) - Staff Report		
11.1.1	*Housing Options Review Project (Proposed Bylaw No. 293) - Memorandum*		*5 - 14*
13.	**NEW BUSINESS**		
13.2	*Housing Agreement Administration - Briefing*		*15 - 17*

MEMORANDUM

File No.: GB-6500-20
(Commercial Vacation Rentals)

DATE OF MEETING:	December 14, 2017
TO:	Gabriola Island Local Trust Committee
FROM:	Ian Cox, Planner 1 Northern Team
COPY:	Miles Drew, Bylaw Enforcement Manager
SUBJECT:	Commercial Vacation Rentals

The Gabriola Island Local Trust Committee (LTC) passed the following resolution at the September 7, 2017 regular business meeting:

> **GB-2017-117**
> **It was MOVED and SECONDED**
> That the Gabriola Island Local Trust Committee request planning staff to provide a question and answer and a press release regarding the requirements of the legal operation of short-term vacations rentals on Gabriola Island.

Staff have, in consultation with the Bylaw Enforcement Manager, prepared an information handout (see attachment) in response to the LTC's request. The handout provides basic information about Commercial Vacation Rentals (commonly referred to as "Short-Term Vacation Rentals"), the process of applying for a Temporary Use Permit to permit a Commercial Vacation Rental , and how to obtain further information.

Subject to any changes requested by the LTC, the handout may be posted on the Gabriola LTC website and provided in hard copy at the Islands Trust Northern Office. The LTC may also wish to distribute this handout through the Gabriola Sounder. The cost for distribution would be:

- $620.80 for distribution to Gabriola households (1900 copies); or
- $737.60 for distribution to Gabriola households and newsstands (2,800 copies).

A resolution would be required for this expenditure as there is currently no budget for a Commercial Vacation Rentals project. Such a resolution may be worded as follows:

> *That the Gabriola Island Local Trust Committee authorize the expenditure of $[insert dollar amount] from the 2017/18 Local Trust Committee communications budget for the purpose of distributing the Commercial Vacation Rentals handout through the Gabriola Sounder.*

Submitted By:	Ian Cox, Planner 1	December 6, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 6, 2017

ATTACHMENT

1. Commercial Vacation Rentals handout

Commercial Vacation Rentals

Gabriola Island

What? is a Commercial Vacation Rental?

A Commercial Vacation Rental (CVR) is the use of a dwelling unit to provide overnight accommodation to paying guests for less than 30 days, in situations other than a Bed and Breakfast (B&B) operation. A CVR may either take place in a single family dwelling or in an accessory building. The owner may or may not be present on the property.

Overnight accommodation may also be provided to paying guests in B&Bs. However, B&B operations can only take place within principal single family dwellings; they are not allowed in accessory buildings or cottages. No additional cooking facilities are allowed and the owner/occupant must be present. B&Bs must meet all Gabriola Island Land Use Bylaw requirements for home occupations.

When? is a Commercial Vacation Rental legal?

A. A CVR is legal if the Gabriola Island Local Trust Committee, the local government land use authority, has issued a Temporary Use Permit; **OR**

B. A CVR is located on a lot that has been zoned by the Gabriola Island Local Trust Committee to permit this use.

When? is an Air BnB legal?

An AirBnB is legal if it is a legal Commercial Vacation Rental (with proper zoning or a Temporary Use Permit) or if it is a legal Bed & Breakfast.

What? is a Temporary Use Permit?

A **Temporary Use Permit (TUP)** is a permit that allows a land use that is otherwise not allowed under local government bylaws. A TUP may be issued for a maximum of three years and may be renewed once for an additional three years. See over...

Islands Trust

Temporary Use Permits
for Commercial Vacation Rentals

APPLICATION PROCESS

PRE-APPLICATION
- Talk to the Islands Trust and neighbours
- Review TUP guidelines

APPLICATION SUBMISSION
- Submit a complete application and fee
- Incomplete applications will not be processed

APPLICATION REVIEW
- Islands Trust planner reviews the application
- Supplemental information may be requested

PUBLIC NOTICE
- A draft Notice of Permit is delivered to properties within 200 metres and posted at the Islands Trust office

REPORT PREPARATION
- Planner prepares report and recommendations for the Local Trust Committee (LTC)

LOCAL TRUST COMMITTEE CONSIDERATION
- The LTC will consider the application at a public meeting;
- The LTC can:
- (1) Refer the application to the Advisory Planning Commission (APC) or request further information before making a decision;
- (2) Approve the TUP as presented;
- (3) Approve the TUP with changes; OR
- (4) Refuse to issue the TUP.

Permit Conditions

A Temporary Use Permit (TUP) for a Commercial Vacation Rental may be issued with various conditions.

A Temporary Use Permit WILL require:

- The Commercial Vacation Rental to be screened for privacy
- An on-island contact available 24 hours per day, 7 days per week
- Information to be provided to neighbours including on-island contact numbers and copies of the permit
- Information to be provided to renters regarding: neighbourliness, noise bylaws, water conservation, fire safety, waste management, septic care and pet control
- A limit on the number of bedrooms and guests
- A maximum one non-illuminated wooden sign (max. 0.3 m^2)

A Temporary Use Permit MAY require:

- Water metering
- Information to be provided to renters about sensitivity to First Nation sites and artifacts

A Temporary Use Permit WILL prohibit:

- Renting or provision of motorized personal watercraft
- Camping or RV use

For more information:

VISIT Islands Trust Northern Office
700 North Road, Gabriola Island

PHONE 250-247-2063

EMAIL northinfo@islandstrust.bc.ca

Visit the Islands Trust website and view Gabriola Island Local Trust Committee bylaws: www.islandstrust.bc.ca

Islands Trust

Islands Trust

MEMORANDUM

File No.: GB-6500-20
(Housing Options Review Project)

DATE OF MEETING:	January 18, 2018
TO:	Gabriola Island Local Trust Committee
FROM:	Ann Kjerulf, Regional Planning Manager Northern Team
COPY:	Sonja Zupanec, Island Planner
SUBJECT:	Housing Options Review Project – Proposed Bylaw No. 293 (LUB)

RECOMMENDATION

1. **That second reading of Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017", be rescinded.**

2. **That Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017", be amended as per Attachment 1 of the memorandum dated January 18, 2018.**

3. **That the Gabriola Island Local Trust Committee waive the holding of the public hearing for Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017", and request staff to undertake the required public notification process pursuant to Sections 464(2) and 467 of the *Local Government Act* to waive the public hearing.**

PURPOSE

Subsequent to the staff report included in the January 18, 2017 Gabriola Island Local Trust Committee (LTC) meeting agenda package , staff are recommending further revisions to Bylaw No. 293 shown as tracked changes in Attachment 1.

The recommended changes are intended to address technical errors in previous bylaw drafts, including:

- the unintentional deletion of Article B. 6.3.1. Staff note that this is the only provision in the Gabriola Island Land Use Bylaw (LUB) which explicitly prohibits the rental of all dwelling units on less than a monthly basis for monetary gain. Furthermore, Bylaw Enforcement staff have advised this provision should remain in the LUB.
- Clarifying in Article B.1.2.3 that only "one building" accessory to a dwelling unit "*is permitted to contain a toilet, bathroom or areas, equipment or infrastructure designed, used or intended to be used for the preparation and cooking of food*" as opposed to "one building or structure".
- Clarifying that secondary suites within the Agricultural Land Reserve (ALR) must be contained wholly within a building containing a single family dwelling and that secondary suites outside the ALR may be within a building containing a single family dwelling or in an accessory building, with clear references to corresponding diagrams in Figure 1.

Staff are of the opinion that as the recommended changes following the public hearing may be deemed to be changes to use, the LTC is advised to rescind second reading and undertake a public notification process pursuant to Sections 464(2) and 467 of the *Local Government Act* to allow the public to review and comment on the proposed changes. The statutory notification process may be conducted prior to the next LTC meeting scheduled for March 1, 2018 or a special meeting (date to be determined). Following the notification process, it is anticipated that the LTC would review any public comments received through the notification process and consider second and third readings of the bylaw.

Alternatives

Alternatively, the LTC may elect to (a) request that staff undertake further bylaw revisions or (b) hold a second public hearing. In the case of the latter, recommendation number 3, above should be replaced with the following:

3. **That the Gabriola Island Local Trust Committee request staff to schedule a public hearing for Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017".**

NEXT STEPS

Staff will proceed with statutory notification or schedule a public hearing as requested by the LTC.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 17, 2018

ATTACHMENTS

1. Bylaw No. 293 with tracked changes (revised)

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 293

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act,* enacts as follows:

1. Citation:

   This bylaw may be cited for all purposes as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017".

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as "Gabriola Island Land Use Bylaw, 1999, " is amended as shown on Schedule 1, attached to and forming part of this bylaw:

READ A FIRST TIME THIS	13TH	DAY OF	JULY	, 2017
READ A SECOND TIME THIS 2017→2018	~~12TH~~	DAY OF	~~OCTOBER~~	,
PUBLIC HEARING HELD THIS 2017→2018	~~16TH~~	DAY OF	~~NOVEMBER~~	,
READ A THIRD TIME THIS	_____	DAY OF	_____	, 201X
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	_____	DAY OF	_____	, 201X
ADOPTED THIS	_____	DAY OF	_____	, 201X

Chair **Secretary**

Gabriola Island Local Trust Committee

Bylaw No. 293

Schedule 1

Schedule "A" of Gabriola Island Land Use Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw, 1999 is amended as follows:

2.1 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.1 Prohibited Uses, Clause a. is amended by deleting the words "an *accessory cottage*" and replacing it with the words "a *secondary suite*".

2.2 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.3 Additional Dwellings, Clause a. text is deleted in its entirety and replaced with:

"The construction, placement, or use of more than one *dwelling unit* on a *lot* is prohibited, unless specifically permitted in the *zone*."

2.3 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.3 Additional Dwellings~~, Clause b.~~ is deleted in its entirety and replaced with:

"B.1.2.3 Additional Buildings ~~and Structures~~

a. The construction, placement, or use of more than one *dwelling unit* on a *lot* is prohibited, unless specifically permitted in the *zone*.

b. Only one *building* ~~or structure~~ accessory to a *dwelling unit* on a *lot* is permitted to contain a toilet, bathroom, or areas, equipment or infrastructure designed, used or intended to be used for the preparation and cooking of food."

2.4 Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3 General Provisions, Article B.3.3.1, Clause a. is amended by deleting the word "*principal*".

2.5 Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3 General Provisions, Article B.3.3.1, Clause b. text is deleted in its entirety and replaced with:

"*Home occupations* must be entirely enclosed within a ~~dwelling and/or an accessory~~ *building*, providing the combined total floor area for *home occupation* uses on a lot do not exceed 95 square metres (1,023 square feet), except on lots greater than 2.0 hectares (4.95 acres), where the total combined floor area of *home occupation* uses may not exceed 150 square metres (1,615 square feet)."

2.6 Part B – GENERAL REGULATIONS, Section B.5 PARKING, Subsection B.5.1 Minimum Number of Parking Spaces for Automobiles and Bicycles, Article B.5.1.1,

Table 2: Parking Requirements is amended by replacing the word "*cottage*" with "*secondary suite*".

2.7 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, Subsection B.6.3 Commercial Vacation Rentals, Article B.6.3.1 is deleted in its entirety and replaced with ~~the following~~:

"B.6.3.1 All *dwelling units*, including *secondary suites*, are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited.

2.8 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, is amended by adding the following:

"**B.6.~~3~~ 6 *Secondary Suite* Regulations**

Secondary Suites are subject to the following requirements:

B.6.~~3~~6.1 *Secondary suites* are a permitted *accessory use* on *lots* in the Small Rural Residential (SRR), Large Rural Residential (LRR), Forestry (F), Resource (R), Resource Residential (RR1) and~~,~~ Agriculture (AG) *zones* on *lots* 2.0 hectares (4.94 acres) or larger;

B.6.~~3~~6.2 ~~On land outside the Agriculture Land Reserve a maximum of o~~One (1) *secondary suite* is permitted per *lot*.

B.6.6.3 On *lots* outside the Agriculture Land Reserve a *secondary suite* ~~can~~may be located within or attached to a *single family dwelling* or within an accessory building as shown in ~~constructed in a configuration generally consistent with~~ Figure 1, examples A, B, C, D, E, and F~~;~~.

B.6.6.4 On *lots* within the Agricultural Land Reserve a *secondary suite* must be located wholly within a *single family dwelling* as shown in Figure 1, example A or B.

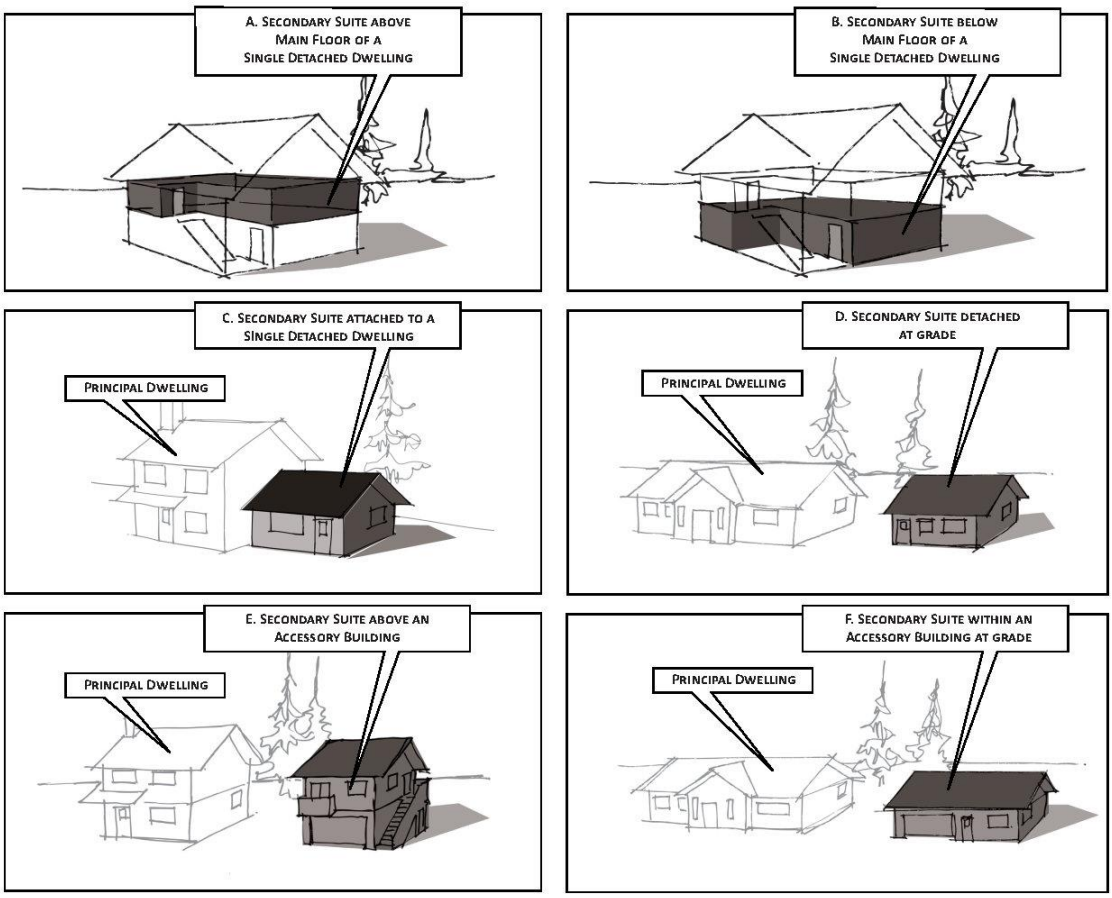


Figure 1. Examples of configurations for a permitted *secondary suite*

B.6.~~3~~6.~~3~~5 The maximum permitted *floor area* for a *secondary suite* located ~~wholly~~ within or attached to a *single family dwelling* is 90 square metres (968 square feet) or 40% of the *floor area* of the *dwelling*, whichever is less; ~~OR~~

B.6.~~3~~6.~~4~~6 The maximum permitted *floor area* for a *secondary suite* ~~detached from a *single family dwelling*, or~~located within an *accessory building* is 90 square metres (968 square feet);

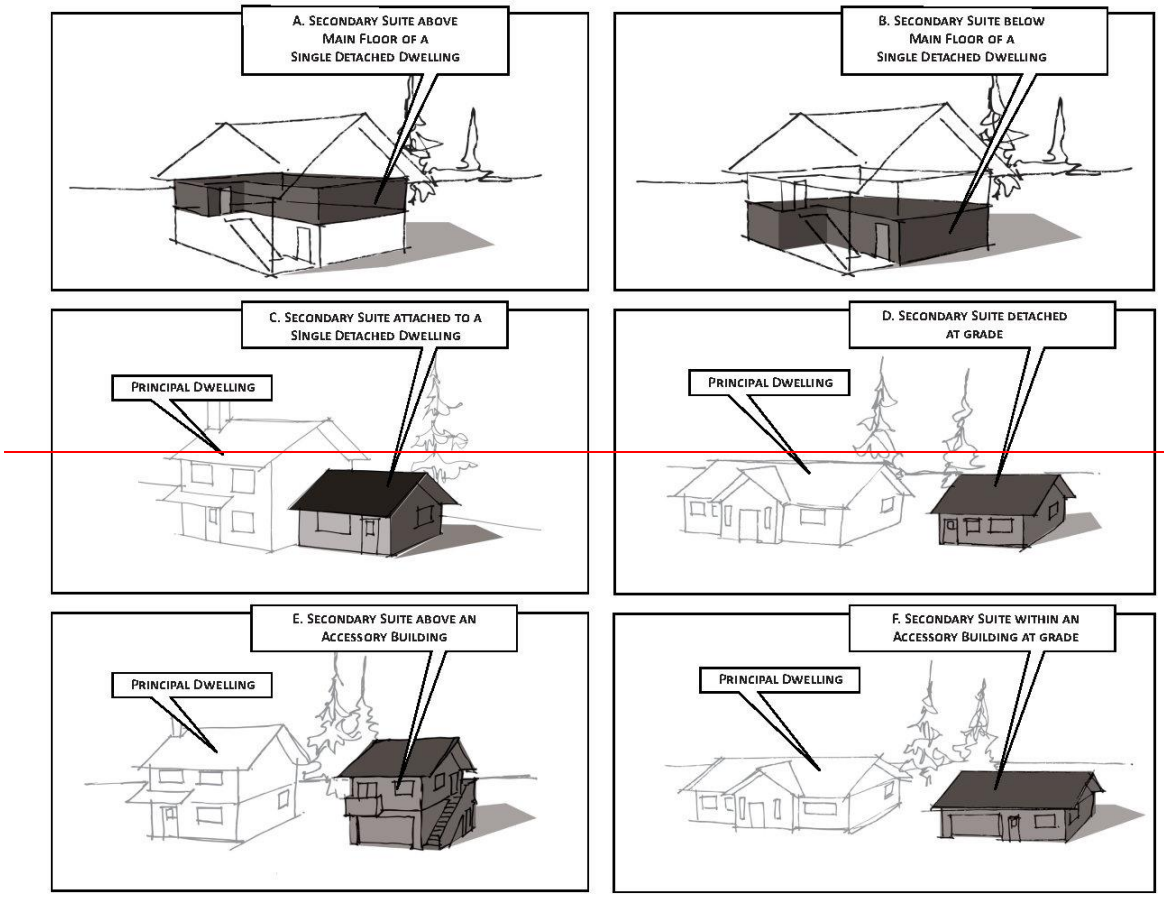
~~B.6.3.5 *Secondary suites* are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited unless authorized by a *temporary* use permit;~~

B.6.~~3~~6.~~6~~7 A *secondary suite* must not be located within a *manufactured home* ~~or multiple family dwelling~~;

B.6.~~3~~6.~~7~~8 For lands outside of the ALR, a *secondary suite* shall not be permitted on a *lot* unless the owner of the *lot* has registered a restrictive covenant under Section 219 of the *Land Title Act* in favour of the Gabriola Island Local Trust Committee ~~:~~

~~a.~~ prohibiting the registration of a strata plan under the *Strata Property Act* or *Land Title Act* which would result in the *secondary suite* being a separate *lot*.~~;~~ ~~and~~

~~b. limiting the number of dwellings permitted on the lot to two, including the principal dwelling.~~



~~Figure 1. Permitted~~ Examples of ~~configurations for a permitted~~ ~~*secondary suite*~~

2.~~8~~9 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, Subsection B.6.4 Use of Travel Trailers, Recreational Vehicles and Accessory Buildings, Article B.6.4.1, Clause c. to be deleted in its entirety and replaced with the following:

"c. the travel trailer, recreational vehicle or *accessory building* is connected to an approved sewage disposal system."

2.~~9~~10 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word "*cottage*" with "*secondary suite*".

2.~~10~~11 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i, second and third bullets are deleted and replaced with:

"-one *secondary suite* per *lot*;
-three *buildings* per *lot* excluding a *secondary suite*, *pump/utility house* and woodshed and that are *accessory* to all *dwellings*; and"

2.~~11~~12 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.2 Large Rural Residential (LRR), Article D.1.2.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word "*cottage*" with "*secondary suite*".

2.~~12~~13 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.2 Large Rural Residential (LRR), Article D.1.2.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:

"-one *secondary suite* per *lot*;
-three *buildings* per *lot* excluding a *secondary suite*, *pump/utility house* and woodshed and that are *accessory* to all *dwellings*; and"

2.~~13~~14 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by deleting the words "or *cottage*".

2.~~14~~15 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third and fourth bullets are deleted and replaced with:

"-one *secondary suite* per *lot*;
-for *lots* in the Agricultural Land Reserve, one *secondary suite* ~~dwelling located wholly within a *building* which otherwise contains a *single family dwelling*~~ AND ~~one secondary suite located above an accessory building OR~~ one *manufactured home* for immediate family or *farm worker housing*;
-three *buildings* per *lot* excluding a *secondary suite*, *pump/utility house* and woodshed and that are *accessory* to all *dwellings*; ~~and~~"

2.~~15~~16 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item ii text prefacing the bullets is deleted and replaced with:

"On lands in the Agriculture Land Reserve where a *manufactured home* is permitted on a *lot* 2.0 hectares (4.94 acres) or larger for immediate family or *farm worker housing*, the following conditions apply:"

2.~~16~~17 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i, first bullet is amended by replacing the word "*cottage*" with "*secondary suite*".

2.~~17~~18 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures

Siting Requirements, Item ii, first bullet is amended by replacing the word "*cottage*" with "*secondary suite*".

2.~~18~~19 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.2 Forestry (F), Article D.2.2.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word "*cottage*" with "*secondary suite*".

2.~~19~~20 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.2 Forestry (F), Article D.2.2.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:

"- one *secondary suite* per *lot*;
- three *buildings* per *lot* excluding a *secondary suite*, *pump/utility house* and woodshed and that are *accessory* to all *dwellings*; and"

2.~~20~~21 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.4 Resource (R), Article D.2.4.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word "*cottage*" with "*secondary suite*".

2.~~21~~22 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.4 Resource (R), Article D.2.4.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:

"- one *secondary suite* per *lot*;
- three *buildings* per *lot* excluding a *secondary suite*, *pump/utility house* and woodshed and that are *accessory* to all *dwellings*; and"

2.~~22~~23 Part D – , ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii text is deleted in its entirety and replaced with:

"*secondary suite* residential."

~~2.23 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii, second bullet is amended by replacing the words "*cottage residential* on lands shown on Schedule C, Map 14" with "*secondary suite*".~~

2.24 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i, second ~~and fourth~~ bullet text ~~are~~ is deleted in its entirety and replaced with:

"- three *buildings* per *lot* excluding a *secondary suite*, *pump/utility house* and woodshed and that are *accessory* to all *dwellings*;
~~- one *secondary suite* per *lot*."~~

2.25 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.2 Buildings and Structures, Clause a. Permitted

Buildings and Structures, Item i, fourth bullet text is deleted in its entirety and replaced with

"- one *secondary suite* per *lot*."

2.~~25~~26 Part E – SUBDIVISION, Section E.1 GENERAL, Subsection E.1.3 Covenant Against Further Subdivision and Development, Article E.1.3.3 is amended by deleting the words " or *cottage*" in each instance it appears and replacing the words "and in a form complying with Appendix E" with "under s.219 of the Land Title Act in favour of the Gabriola Island Local Trust Committee,".

2.~~26~~27 Part G – DEFINITIONS, Section G.1 DEFINITIONS is amended by deleting the term "*cottage*" and definition.

2.~~27~~28 Part G – DEFINITIONS, Section G.1 DEFINITIONS, "*dwelling – multiple family*" is amended by replacing the word "*two*" with "*three*".

2.~~28~~29 Part G – DEFINITIONS, Section G.1 DEFINITIONS, "*secondary suite*" is amended by replacing the definition with the following text:

"*a self-contained dwelling unit consisting of one or more habitable rooms and a cooking facility for residential occupancy accessory to a principal dwelling unit located on the same lot.*"

2.~~29~~30 Part G – DEFINITIONS, Section G.1 DEFINITIONS, is amended by deleting the word "*means*" from the beginning of each definition in the section.

2.~~30~~ 31 Part G – DEFINITIONS, Section G.1 DEFINITIONS, "*floor area*" is amended by replacing the word "*cottage*" with "*secondary suite*".

2.3~~1~~2 Part G – DEFINITIONS, Section G.1 DEFINITIONS, "sustainable energy systems utility room" is amended by removing the words "in a *cottage*".

2.3~~2~~3~~1~~ Schedule C – Map 14 is deleted ~~and subsequent Schedule C map 15 and 16 are renumbered accordingly~~.

2.3~~3~~4~~2~~ PART C – Establishment of Zones, Sections C.3 Interpretation of Zone Boundaries, Subsection C.3.1.2 b. *Lots* in more than One *Zone* is amended by replacing the word "*cottage*" in each instance it appears with "*secondary suite*".

BRIEFING

To:	Gabriola Island Local Trust Committee	**For the Meeting of:**	January 18, 2017
From:	David Marlor, DLPS	**Date Prepared:**	December 4, 2017
SUBJECT:	**Housing Agreement Administration**		

PURPOSE:

This briefing is intended to inform the local trust committees of existing housing agreements in the Trust Area and the progress of work on a new program to hold and administer housing agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

> *TC-2016-083 that the Islands Trust Council allocate $15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.*

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines "terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

(a) the form of tenure of the housing units;

(b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;

(c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);

(d) rents and lease, sale or share prices that may be charged, and the rates at which these may be

increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement."

2. Current Housing Agreements

There are currently six housing agreements in the Islands Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4), Denman Island (1) and Galiano Island (1).

All housing agreements have a clause whereby the Islands Trust can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

3. Managing and Administering Housing Agreements

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
b. Extensive revision and legal review is required for each housing agreement;
c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
e. Enforcement issues have not been thoroughly planned for or addressed;
f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

a. Templates

Templates have been drafted for the various different types of housing agreements, in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

b. New Staff Procedures

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date. Procedures are also prepared regarding the monitoring and management of adopted housing agreements.

c. Information Brochure for Owners/Societies/Developers

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

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Reviewed By/Date: David Marlor, DLPS/December 4, 2017