

# Islands Trust Community Housing “Tool Kit”

## A Guide to Tools Available to Support the Development of Affordable Housing in the Trust Area

Presented by JG Consulting Services Ltd.

January 2010

### *The Islands Trust Area Affordable Housing Continuum*

Emergency /  
Cold Weather  
Shelter

Housing for the  
Homeless and/or  
Special Needs

Housing for  
those at Risk of  
Homelessness

Housing with  
Rental  
Assistance

Entry-level Ownership  
Opportunities or  
Market Rentals

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This report is submitted to the Islands Trust in response to specified terms of reference. The opinions and recommendations contained in this report are those of the consultant, JG Consulting Services Ltd.

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## Table of Contents

<b>1.0 INTRODUCTION .....</b>	<b>4</b>
<i>Purpose of this Report</i>	
<i>Studies Reviewed</i>	
<i>Obstacles or Barriers</i>	
<b>2.0 STUDIES REVIEWED.....</b>	<b>5</b>
<i>Overview of Studies Reviewed</i>	
<i>General Findings</i>	
<b>3.0 REGULATORY FRAMEWORK.....</b>	<b>8</b>
<i>Islands Trust Land Use Authority</i>	
<i>Islands Trust Mandate and Policy Statement</i>	
<i>Official Community Plan Requirements</i>	
<i>Official Community Plans in the Islands Trust Area</i>	
<b>4.0 HOW THE ISLANDS TRUST CAN ENCOURAGE AFFORDABLE HOUSING.....</b>	<b>14</b>
<i>Islands Trust Policy Statement</i>	
<i>Local Trust Committees' Official Community Plans</i>	
<i>Housing Needs Assessment</i>	
<i>Affordable Housing Strategies</i>	
<i>Official Community Plans Amendments</i>	
<i>Land Use Bylaws Amendments</i>	
<b>5.0 LAND USE/ZONING TOOLS .....</b>	<b>22</b>
<i>Local Trust Committee Initiated Strategies and Tools</i>	
<i>Secondary Accommodation</i>	
<i>Density Bonus</i>	
<i>Mixed use Zoning</i>	
<i>Small Lot Zoning</i>	
<i>Relaxations</i>	
<i>Pilot Projects</i>	
<i>Applications to Rezone</i>	
<i>Amenity Zoning</i>	
<i>Inclusionary Zoning</i>	
<i>Density Transfer</i>	

# Islands Trust Community Housing “Tool Kit”

## Table of Contents

<b>6. PLANNING / STRATEGY TOOLS .....</b>	<b>33</b>
<i>Housing Agreements</i>	
<i>Housing Agreement Administration</i>	
<b>7. SMART GROWTH LOCATION CONSIDERATION .....</b>	<b>36</b>
<b>8. OTHER IMPORTANT CONSIDERATIONS.....</b>	<b>37</b>
<i>Preserving Existing Affordable Stock</i>	
<i>Encourage Partnership</i>	
<i>Sustainable Building Practices</i>	
<b>9. FINANCIAL CHALLENGES AND SOLUTIONS.....</b>	<b>40</b>
<i>Housing Funds</i>	
<i>Senior Government Funding Advocacy</i>	
<i>Land Banking and Housing Trusts</i>	
<b>10. WORKING WITH THE COMMUNITY .....</b>	<b>42</b>
<i>Understanding Expectations</i>	
<i>Communications</i>	
<i>Clear Affordable Housing-Specific Guidelines</i>	
<i>Fast Tracking</i>	
<i>Managing Application Fees</i>	
<i>Clear Application-Specific Guidance</i>	
<b>11. COMMUNITY ENGAGEMENT TOOLS.....</b>	<b>47</b>
<i>Education and Information</i>	
<i>Confirmation of Needs and Priorities</i>	
<i>Input to Policy, Strategy and Applications</i>	
<i>Conflict Resolution</i>	
<b>APPENDIX A – Summary of Studies’ content</b>	
<b>APPENDIX B – Sample Affordability Definitions, Visions, Goals, Objectives</b>	
<b>APPENDIX C – Sample Housing Agreements</b>	
<b>APPENDIX D – Sample Sustainability Checklist</b>	
<b>APPENDIX E – Tool Kit At-A-Glance Menu</b>	

# A Guide to Tools Available to Support the Development of Affordable Housing in the Trust Area

## 1.0 INTRODUCTION

### **1.1 Purpose of this Report**

This report is a 'Tool Kit', intended to summarize the various mechanisms available to assist the Islands Trust in the development and implementation of policies and procedures that will encourage and support the development of affordable housing in the Trust Area. This document summarizes some of the more commonly used techniques that have proven successful in other jurisdictions, and that are available to the Islands Trust under their mandate and legislative authority.

### **1.2 Studies Reviewed**

For the purposes of this report, the Islands Trust provided a number of research documents and studies that it has collected that were undertaken to assist communities and local governments in their efforts to increase the supply of affordable housing.

These studies were reviewed by the Consultant, with the goal of identifying obstacles to the development of affordable housing, and opportunities and potential solutions for the affordability problems in the Trust Area. The primary focus was to identify what Local Trust Committees can do to within its existing legislative authority in the areas of land use planning, Official Community Plan (OCP) and Land Use Bylaw (LUB) amendments, community consultations and application processing. A chart briefly summarizing the content of these studies is included as **Appendix A**.

### **1.3 Obstacles or Barriers**

The focus of most of the studies reviewed was on solutions that have been effective in other jurisdictions, with some limited identification of specific barriers. Many barriers that were taken into consideration during the analysis for this report were revealed in the November 2009 Community Housing Task Force Workshop and/or those experienced or known by the Consultant through affordable housing development in the Trust area.

Obstacles identified were categorized according to the nature of the perceived problem; process, policy, funding/cost, regulatory (inside or outside Trust control), affordability maintenance, educational and NIMBY (Not In My Back Yard). While this report is not organized according to these obstacles, the solutions proposed could go a long way to addressing many of these concerns.

## 2.0 STUDIES REVIEWED

### 2.1 Overview of Studies Reviewed

The studies were a collection of documents provided by Islands Trust staff, which were undertaken for the purposes of assisting communities and local governments in their efforts to increase the supply of affordable housing. The studies were all BC-based, many directed specifically to the Islands Trust area. They included several general policy directed reports, several Housing Needs Assessments (from the Trust Area and other nearby communities), regional Affordable Housing Strategies, and some Trust Area special reports.

#### **General and Policy**

Planning for Housing 2004	2004
Housing Affordability in BC - BC Stats	2005
Local Government Guide for improving Market Housing Affordability	2005
Secondary Suites - A Guide for Local Governments	2005
Review of Best Practices in Affordable Housing - Smart Growth BC	2007
Regional Housing Affordability Strategy for the Capital Regional District	2007
Municipal World Magazine - Affordable Housing 10 Secrets	2008
Creating Market and Non-Market Affordable Housing - Smart Growth BC	2008
Affordable Housing - Making sense of new trends	2009

#### **Housing Needs Assessments**

North Saanich Housing Needs Assessment	2007
Housing Needs on Hornby and Denman Islands	2008
North Pender Island Affordable Housing Task Force Report	2008
Islands Trust Housing Needs Assessment - Salt Spring Island	2009

#### **Affordable Housing Strategies**

Salt Spring Community Housing Background Report & Recommendations	2005
CRD housing strategy	2006
Metro Vancouver Affordable Housing Strategy - 2007	2007
UBCM Affordable Housing and Homeless Strategy	2008

#### **Special Trust Area Studies**

Seniors Housing in Island Communities-Heron Rocks Friendship Society	1990
Salt Spring Island Task Force - 1994 Draft Report - Affordable Housing	1994
Supportive Housing For Seniors	1999
Crisis in Paradise-Accelerating the Provision of Affordable Housing on SSI	2002
Options for Affordable Housing - Normanby Daniels	2003
Hornby Island Advisory Housing Committee Report	2004
CHTF Comments on SSI OCP Review 2006-2007	2006
Housing Agreements - Quattrocchi	2006
Housing Solutions for Small Communities - April 2007 conference report	2007
SSI Housing Focus Group Report April 2007 - OCP Review	2007
Secondary Accommodation Units - A housing option for Gulf Islands	2008

## **2.2 General Findings**

There was great variety in the collection of studies, which were undertaken by Provincial Government ministries, Regional District departments, Local Trust Committees, community organizations and volunteer groups. All were well done, providing up-to-date and relevant information on affordable housing issues – histories and causes of affordability problems, policy issues, community-specific profiles and needs, strategies and approaches, and successful tools and techniques used in jurisdictions across BC and Canada.

It should be noted that Gabriola and Bowen Islands have also recently undertaken affordable housing research and published reports. Unfortunately, those documents were not available at the time the research for this Tool Kit report was undertaken, and accordingly the findings were not included in the analysis. The consultant understands that the findings of these reports provide valuable input to the discussion, and the reader may wish to also obtain and review those documents as work on affordable housing in their community proceeds.

Given the unique governance model in most of the Islands Trust area (with the exception of Bowen Island, which is a municipality), not all tools used in some BC jurisdictions were applicable. However, most of the successful approaches featured relate to land use planning tools that are available to the Islands Trust.

### ***Obstacles or Barriers***

It was interesting to note that there was great commonality in the problems and obstacles faced by other communities in BC, many of which were reflected in the presentations made at the Community Housing Task Force workshop in November 2009. For the purposes of proposing solutions, the obstacles identified were categorized as follows:

#### ***Types of Obstacles Identified***

- Process
- Policy
- Funding/cost
- Regulatory (within and outside Trust control)
- Affordability maintenance
- NIMBY( Not In My Back Yard)
- Affects on Rural/Neighbourhood character

## ***Solutions***

Proposed solutions, likewise, had many common elements between the various communities, and also within a given community over time (e.g. Salt Spring Island reports from as far back as 1994 recommend the legalization of secondary suites). Findings, recommendations and descriptions of ‘tools’ have been organized into approaches as listed below.

### ***Approaches for Potential Tools***

Regulatory Framework

How to Encourage Affordable Housing

Land Use/Zoning Strategies and Tools

Planning / Strategy Tools

Other Important Considerations

Financial Challenges and Solutions

Working with the Community

Community Engagement



## 3.0 REGULATORY FRAMEWORK

### **3.1 Islands Trust Land Use Authority**

All land use powers are delegated from the Federal Government to the Provincial Government, who in turn delegates these authorities to Local Governments. The Islands Trust receives its land use authority from Part 26 of the Local Government Act (LGA) and the Islands Trust Act (ITA).

The Islands Trust Act outlines the organization of the Trust, which includes a Trust Council, an Executive Committee, Local Trust Committees and a Trust Fund Board, whose roles are to carry out the object of the Trust (see p. 9). For the purposes of this Tool Kit, the focus will be on the roles that Trust Council and the Local Trust Committees can take to encourage the development of affordable housing.

The primary role of **Trust Council** is to establish the general policies for carrying out the object of the trust and to be responsible for the financial management of the trust. Trust Council (and the Trust Fund Board) can acquire and dispose of property for the purpose of carrying out the object of the Trust. While this land has traditionally be for conservation purposes, there may be a valid argument to make that the object of the Islands Trust (as further elaborated in its Policy Statement with regard to affordable housing as a component of a sustainable community) could include holding land for this purpose.

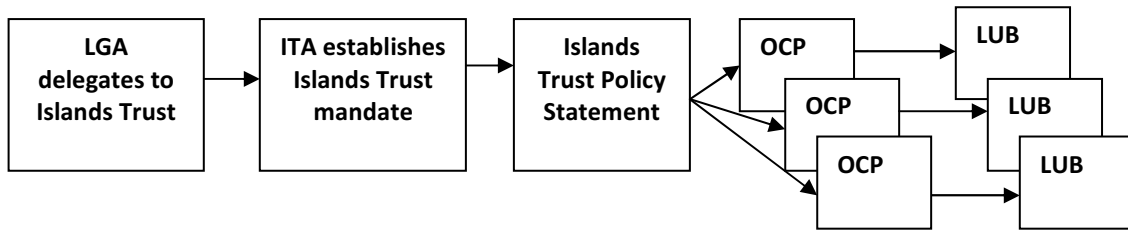
The Islands Trust Act also allows Trust Council to delegate is powers to acquire and dispose of land to Local Trust Committees (LTA s.10). This concept and any possibilities for affordable housing are further explored later in this document.

**Local Trust Committees** regulate the development and use of land in their local trust area by exercising powers conferred by the Islands Trust Act, including powers that would otherwise belong to the regional district for each area. There are limits to this authority, in that any decisions must conform to current BC Building code. Local Trust Committees (LTCs) can regulate land use and density, building sitings, as well as exterior form and character of building through Development Permit Area provisions in their Official Community Plans (OCPs). They can not, however, administer the BC Building Code or regulate the interior of buildings, nor do they have any jurisdiction over roads.

The zoning authorities that are given to Local Trust Committees are powerful tools that can influence the development of affordable housing, and are the main subjects of this Tool Kit.

Below is a representation of the hierarchy of this legislation. The Local Government Act (LGA) delegates authority to the Islands Trust Act (ITA), whose mandate directs the Islands Trust Policy Statement, which in turn directs each Local Trust Committee's (LTC) Official Community Plan (OCP) policy development.

Each LTC's Land Use Bylaw (LUB) regulations must be supported by OCP policy. The result is that Land Use Bylaws should not be in conflict with OCPs, which should not be in conflict with the Policy Statement, and in turn with the Islands Trust Act.



***Hierarchy of Islands Trust land use legislation***

### 3.2 Islands Trust Mandate and Policy Statement

The Islands Trust mandate as defined by the Islands Trust Act is as follows:

*The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.*

The Islands Trust Policy Statement provides the vision for the Trust Area. It includes policies of philosophy of Trust Council, policies that direct Local Trust Committees (LTC) and municipalities in the formulation of their Official Community Plans (OCP) and regulatory bylaws, and policies for recommendations to other parties.

The Policy Statement was approved by the Minister of Municipal Affairs and adopted via Bylaw No. 17 in 1994 after extensive input from individuals and groups in the community and other government agencies. Any further amendments must likewise receive Ministry approval (now Ministry of Community Development).

Support for affordable housing in the Policy Statement is in Part V: Sustainable Communities, whose goal is ‘to sustain island character and healthy communities’. The Policy Statement defines sustainable communities as ‘human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment’.

Specific reference to affordable housing is the recognition that community health is influenced by (amongst other factors) the availability of ‘such necessities as educational and social services, transportation, affordable food and housing’. The challenge is to support the development of affordable housing, without compromising the natural environment or over-utilizing resources, while still maintaining the valued rural character of the islands.

The policy direction to LTCs and municipalities with respect to housing does not specifically refer to affordability, but rather directs them to ‘address their community’s current and projected housing requirements...’ in their OCPs and Land Use Bylaws.

**Recommendation:**

*THAT Trust Council review the Islands Trust Policy statement and give consideration to:*

- *giving affordable housing a greater profile for its role in sustainable communities*
- *including a reference to affordable housing in its policy direction to LTCs and municipalities*

### **3.3 Official Community Plan (OCP) Requirements**

Each of the Islands Trust’s Local Trust Committees (LTC) and municipalities are responsible to develop an OCP, which must be approved by the Executive Committee of Trust Council and the Ministry of Community Development.

An OCP contains broad goals, objectives for particular land uses, specific and general policies, advocacy policies, maps and development permit area guidelines; it does not contain regulations or detailed prescriptions. The Trust Policy statement does not stipulate any specific policies or regulations because the social and environmental characteristics of each community differ. However, OCP policies must not be at variance with the Trust Policy Statement.

The Local Government Act (LGA) outlines the adoption process and content of OCPs. Sections 877 (1) and (2) specifically states that it must include map designations for “the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years” and “housing policies of the local government respecting affordable housing, rental housing and special needs housing”.

Besides meeting the regulatory requirements of the LGA, consideration and discussion in the community about the housing needs and local policy that surrounds an OCP review process will raise awareness and can be expected to help increase acceptance and support for affordable housing

***Recommendation:***

*THAT Local Trust Committees review their OCPs to ensure that they include:*

- *the required map designations to meet anticipated housing needs*
- *robust policy statements regarding affordable housing, rental housing and special needs housing*

### **3.4 Official Community Plans in the Islands Trust Area**

Separate Official Community Plans (OCPs) are in place for each of the Islands (or group of islands) listed below. They are located in several different Regional Districts, each of which may have affordable housing policies through Regional Growth and/or Affordable Housing Strategies.

While these strategies may not apply directly to the Islands Trust, they may contain relevant information and be useful for reference and guidance if the Islands Trust chooses to develop their own strategy documents.

<b>Local Trust Committee Area</b>	<b>Regional District</b>
1 North Pender	Capital
2 South Pender	Capital
3 Salt Spring	Capital (Cowichan Valley for Shoal Island)
4 Saturna	Capital
5 Mayne	Capital
6 Galiano	Capital
7 Thetis	Cowichan Valley
8 Gabriola (*DeCourcy, Mudge)	Nanaimo
9 Gambier (*Keats)	Sunshine Coast and Squamish-Lillooet (Metro Vancouver for Bowyer and Passage)
10 Executive **	Nanaimo
11 Lasqueti	Powell River
12 Hornby	Comox Valley
13 Denman	Comox Valley
Bowen ***	Metro Vancouver

\* Separate OCPs

\*\* No OCP for Executive Islands

\*\*\* Bowen is a Municipality

OCP policies that support the provision of affordable housing are key to effectively encouraging solutions. While outside the mandate of this assignment to perform a detailed review of the Trust Area OCPs, a brief review of those listed above was undertaken to gain a general appreciation of how the subject was approached.

This brief review of OCPs in the Trust Area revealed a very wide range of general policy directions about affordable housing, including vision statements, broad community and more specific land use objectives, general residential and more specific affordable, special needs, social and/or seniors' housing objectives and policies. Some OCPs have very specific and detailed policies, containing many of the land use policies and tools that will be described on the following pages; other OCPs have quite limited references to affordable housing, perhaps only meeting the minimum legislative requirements.

Policies and tools described in this report are those that are most commonly used and have proven successful in other jurisdictions, recognizing that these provisions are already included and in use in some Trust Area communities. These existing Trust Area examples and experiences may prove to be helpful models for any community considering adopting similar policies.

***Recommendation:***

*THAT Local Trust Committees summarize and share the affordable housing related provisions in their OCP to enable other Local Trust Areas to benefit from efforts already taken and successes achieved in other communities.*

## 4.0 HOW THE ISLANDS TRUST CAN ENCOURAGE AFFORDABLE HOUSING

As described in the previous section of this report, there is a clearly defined regulatory framework that the Islands Trust must operate under to enable or encourage development of affordable housing in the Trust Area. Working within that framework, there is a logical progression of steps that can be taken to ensure that all tools available to Trust Council and Local Trust Committees can be effectively be utilized where the situation warrants.

Following is high level outline of the key steps that Trust Council and Local Trust Committees can take to encourage and support the development of affordable housing in the Trust Area. These key steps are further detailed on the following pages.

**Step 1: Trust Council's Policy Statement** – amend to ensure that the importance of affordable housing is strongly emphasized and that direction to Local Trust Committees reflects the expectation that affordable housing is a priority in their OCPs.

**Step 2: Support in Local Trust Committees' OCPs** – amend to ensure that the importance of affordable housing is strongly supported and that direction is given to pursue affordable housing through a variety of planning tools (many options will be featured in this Tool Kit report).

**Step 3: Conduct a Housing Needs Assessment** – objectively quantify housing need to help establishing community goals, assist individual projects in securing funding and/or community support, and help both proponents and LTCs target resources towards identified priorities. This can be undertaken on individual LTCs basis, or coordinated by Trust Council.

**Step 4: Create an Affordable Housing Strategy** – focus should be on the needs identified in the Housing Needs Assessment, but provide flexibility to allow a community to take advantage of any opportunities that may arise. It should include regular reporting to monitor effectiveness and periodic evaluations to allow for changes as required. This can be undertaken on individual LTCs basis, or coordinated by Trust Council.

**Step 5: OCP Amendments** – to specifically enable the implementation of the recommendations from the Housing Needs Assessment and Affordable Housing Strategy.

**Step 6: LUB Amendments** – to support the policy direction of the OCP and enable the implementation of the Affordable Housing Strategy.

## 4.1 Amend the Trust Council's Policy Statement

The starting point for effectively encouraging the development of affordable housing is a Trust-wide policy that provides leadership and guidance in its commitment to affordable housing, and emphasizes the importance it plays in a sustainable community.

### 4.1.1 Vision, Goals, Objectives

Clearly articulated visions, goals and objectives are the cornerstone to an effective affordable housing strategy, and could be incorporated into both the Trust Policy Statement and Official Community Plans. These should be reviewed periodically and revised as necessary, as circumstances change and as new information comes to light.

### 4.1.2 Affordability

A clear and well-thought out definition of 'affordability' should be developed. This can be defined on either a Trust Council or at the Local Trust Committee level. Defining affordability within the context of a given community is not always easy and traditional definitions may not always be appropriate.

Measuring affordability involves comparing total shelter costs to a household's ability to meet them, given their level of income. Shelter costs are generally considered to include basic utilities, and (for homeowners) taxes and insurance. For affordability calculations, housing is generally characterized as 'acceptable' if it is in good condition and adequate size for the family size and composition.

While this can be a somewhat subjective measure, Canada Mortgage and Housing Corporation (CMHC) defines acceptable housing as having three key features:

- **Adequate** condition (not needing major repairs)
- **Suitable** size (given the size and composition of the household members)
- **Affordable** (shelter costs no greater than 30% of before-tax household income)

Three other measures of housing affordability that have been traditionally used and should be considered when developing a definition include:

- Core Need – those households that are unable to secure 'acceptable' housing (adequate, suitable and affordable) within 30% of their income.
- At Risk of Homelessness – those paying > 50% of their income on shelter costs.
- Homeless – a continuum ranging from 'relative' (insecure, unsafe or inadequate) to 'absolute' homelessness (also known as 'living rough').

<p><b>TC Strategy:</b> Provide Policy Support for Affordable Housing</p> <p><b>Tools:</b> Definition of affordability, greater profile, strong direction to LTC in Policy Statement</p>
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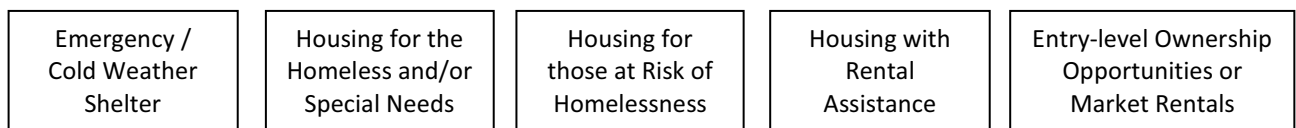


### 4.1.3 Affordable Housing Continuum

An approach to defining affordability and housing objectives that has emerged in recent years takes into consideration the ‘continuum’ of housing needs, which reflects a range of housing from emergency shelters through to entry-level homeownership.

The studies reviewed had many examples of vision statements, goals, objectives, definitions and descriptions of continuums upon which to draw. For information, the continuum presented on the cover page of this document is the model currently in use by BC Housing; it is repeated below for reference:

#### *The Islands Trust Area Affordable Housing Continuum*



Included in **Appendix B** are examples of other communities’ definitions of affordability, goals and objectives for affordable housing for reference.

**Recommendation:**

*THAT Trust Council review the Islands Trust Policy statement to ensure that it:*

- *includes clear and well-thought out definition of ‘affordability’*
- *includes clearly articulated vision, goal and objectives for affordable housing*
- *gives affordable housing a greater profile for its role in sustainable communities*
- *includes a reference to affordable housing in its policy direction to LTCs and municipalities*

## 4.2 Support in Local Trust Committees' OCPs

An Official Community Plan (OCP) guides decision making on the community's broad goals and objectives for particular land uses, including affordable housing. OCP policies that support affordable housing will then direct Local Trust Committees (LTCs) on decisions regarding Land Use Bylaw amendments and provide guidance on how to consider rezoning applications for affordable housing. Also, proponents of affordable housing applications can enter into rezoning applications with the confidence that their plans have OCP support.

LTCs should review their OCPs to ensure that the importance of affordable housing is clearly stated and strongly supported, and that direction is given to pursue affordable housing through a variety of planning tools (many options will be featured in this Tool Kit report).

In addition to including statements of policy support, LTCs should ensure that the OCP does not contain any provisions that are in conflict with the creation of affordable housing. It should also include direction for LTCs to support affordable housing applications. If an OCP sets growth limits to restrict additional densities, affordable housing should be made an exception, under certain conditions such as site suitability, environmental compatibility, and water and septic capacity.

OCPs also set Development Permit Areas (DPAs) which can be used to protect environmentally sensitive areas and guide the form and character of new buildings (among other things such as addressing hazardous conditions). In the context of affordable housing, DPAs can be used to mitigate the neighbourhood and environmental impacts of increasing the supply of affordable housing.

As detailed on the following pages, the OCP should also give direction to LTCs to take the necessary steps to undertake regular Housing Needs assessments and develop and implement Affordable Housing Strategies.

**LTC Strategy:**  
Provide Policy Support for Affordable Housing

**Tools:**  
Definition of affordability, vision, objectives, goals, statements of support, no conflicts in OCP

**Recommendation:**

*THAT Local Trust Committees review their OCPs to ensure that they include:*

- *a clear and well-thought out definition of 'affordability'*
- *clearly articulated vision, goal and objectives for affordable housing*
- *broad direction to support affordable housing applications for rezoning*
- *specific direction for LTCs to amend LUB requirements in order to encourage affordable housing.*
- *no provisions that conflict with the development of affordable housing*

### 4.3 Conduct a Housing Needs Assessment

The importance of conducting a Housing Needs Assessment was stressed throughout the studies reviewed. Objectively quantifying need can be very useful in establishing community goals, assisting projects in securing funding and/or community support, and help both proponents and LTCs in targeting their scarce resources towards the identified priorities. A Housing Needs Assessment is intended to be a snap shot of the housing situation and needs, and should be reviewed and updated regularly over the years in order to assist LTCs in directing strategies and land use decisions to give priority and incentives to the most critical housing needs identified.

Ideally, there would be ongoing monitoring of affordable housing and the regular update of relevant aspects of the Housing Needs Assessment in order to measure the success of the housing strategy, and/or make any required modifications if the intended improvement in affordability is not achieved.

Typically, housing needs assessments will contain the following key elements:

- analysis of population demographics
- identification of housing costs that are affordable to this population
- analysis of current housing supply
- identification of 'gaps' in housing supply
- identification of greatest needs or priorities

The results should be presented to the community for feedback and input to help ensure that any policies that evolve from the findings have broad support. Input can be sought through presentations, workshops, focus groups and/or task force reviews.

It was noted that many of the Trust Committee Areas have initiated Housing Needs Assessments, with this requirement noted in some Official Community Plans. An effective and efficient way for other communities to undertake Needs Assessments (or to update existing studies over time) is for the development of a template or methodology that can be utilized by each community, as well as then consolidated on a Trust-wide basis.

**LTC Strategy:**  
Provide Policy Support for Affordable Housing

**Tools:**  
Housing Needs Assessment to guide policy development

**Recommendation:**

*THAT Local Trust Committees review their OCPs to ensure that they include the direction to carry out and regularly update a Housing Needs Assessment that identifies priorities and guides affordable housing policies and land use decisions.*

*THAT Trust Council consider a coordination role for Housing Needs Assessments between the various Local Trust Areas to achieve efficiencies, compatibility, and allow for consolidation.*

#### 4.4 Create an Affordable Housing Strategy

Many of the studies reviewed recognized the changing roles of Local Governments in affordable housing issues. Until recent years, the federal government played a key role and provided significant funding. With a significant reduction in their involvement, many communities are facing serious housing affordability problems. The development of a local Affordable Housing Strategy is an important mechanism for Local Governments to support the creation of much-needed housing.

Strategies can be either 'focused' or 'comprehensive'. Focused strategies are appropriate in communities where a single important issue requires urgent and immediate attention (e.g. homelessness or seniors' housing) or in response to a time-limited senior government funding program. Comprehensive strategies focus on a systematic framework of analysis, implementation and monitoring, with a goal of addressing the full range of affordability issues faced by a community. Emphasized throughout the literature was recognition that there is a diversity of affordability needs that will require a diversity of approaches.

Development and implementation of an Affordable Housing Strategy will require that resources be committed. Roles must be clearly defined and tasks and responsibilities assigned to maintain momentum and progress.

The focus of the strategy should be to address the needs identified in the Housing Needs Assessment, but provide flexibility to allow a community to take advantage of any opportunities that may arise (e.g. targeted government funding program). It should also have provisions that require regular reporting to monitor effectiveness in achieving its goals. It should include mechanism for periodic evaluations of the strategy itself, to allow for changes as required.

**LTC Strategy:**  
Provide Policy Support for Affordable Housing

**Tools:**  
Affordable Housing Strategy to develop and monitor Actions Plans

Public participation is key throughout the development process to gather valuable input and insight and to gain 'buy-in' to the solutions and actions developed. An important means for gaining community support is to demonstrate commitment on the part of the Islands Trust through the immediate implementation of at least one or two policies.

**Recommendation:**

THAT Trust Council consider initiating a Trust-wide Affordable Housing Strategy, with direction to LTCs to develop Local Trust Area-specific components; or

THAT each LTC undertake the development and implementation of an Affordable Housing Strategy.

## 4.5 Amend the Official Community Plans

An Official Community Plan (OCP) is a living document, and as such it is reviewed and updated regularly to reflect the vision and social and environmental priorities of the community.

A community's circumstances and needs do change over time, including needs and priorities related to affordable housing. These will be reflected in the Housing Needs Assessment, its updates, and in actions plans for that are presented in the Affordable Housing Strategy.

The OCPs, in turn, should be amended periodically to reflect any changes, and give specific direction to Local Trust Committees (LTCs) to implement the recommendations of both the Housing Needs Assessment and the Affordable Housing Strategy.

**LTC Strategy:**

Provide  
Specific Policy  
Direction for  
Affordable  
Housing

**Tools:**

OCP  
amendments  
to reflect  
Housing  
Needs  
Assessment  
and Strategy

**Recommendation:**

THAT each LTC undertake a review of their OCP to ensure that it gives direction for the implementation of the recommendations in the Housing Needs Assessment and the Affordable Housing Strategy.

## 4.6 Amend the Land Use Bylaws

Each Local Trust Area (LTA) adopts and administers its own Land Use Bylaw (LUB). Land Use Bylaws include zoning schedules and are the principle tool used to implement land use plans. LUBs set the use and density of a given parcel of land and contain the detailed regulations that govern the permitted uses in particular zones, including setbacks, height restrictions, parking requirements, signage restrictions, drainage restrictions, lot coverage, floor area restrictions, and subdivision requirements.

LUBs work to implement Official Community Plans (OCP) by providing the detailed land use regulations for each zone according to the policies and land use designations identified in the OCP. For example, an OCP can encourage affordable housing by permitting boarding houses to be considered as home based businesses and operated in residential zones. The LUB would then regulate features of home based business such as maximum total floor area, or perhaps prohibit or restrict their siting in watershed or other sensitive zones.

Local Trust Committee (LTCs) should amend their LUBs to reflect the affordable housing policies outlined in the OCPs and to ensure consistency. This will also help a greater degree of certainty to proponents of affordable housing projects.

**LTC Strategy:**

Provide Regulations for Affordable Housing

**Tools:**

LUB amendments to reflect Housing Strategy

**Recommendation:**

THAT each LTC undertake a review of their LUB to ensure that the regulations are consistent with the affordable housing policy directions in the OCP.

LTCs can also relax LUB requirements in response to a Development Variance Permit application from landowners. This can provide some relaxations to LUB regulations to support affordable housing on a case by case basis. This tool available to LTCs can not be used to vary use or density of a property, but can be utilized to vary setbacks or parking, for example. These applications must be referred to adjacent land owners for comment before a decision is made.

**Recommendation:**

THAT LTCs give favourable consideration to Development Variance Permit applications when the proposed relaxation will support affordable housing applications.

## 5. LAND USE / ZONING TOOLS

Zoning bylaws are the most effective regulatory tools that the Local Trust Committees can use to help create affordable housing. In order to facilitate opportunities for more affordable housing in the Trust Area, additional densities can be transferred from one location to another, or additional densities can be allowed outright, or granted in exchange for providing the amenity of affordable housing.

The challenge for the Islands Trust is to accommodate the extra densities needed to address affordable housing without compromising environmental protection and while still meeting the preserve and protect mandate. This can be achieved through OCP policies that require protection of environmental values be a condition of all efforts to increase the supply of affordable housing. Tools such as Development Permit Areas can also be used to provide specific guidelines that can be applied on individual projects.

As mentioned previously, there was much commonality in the use of certain tools amongst the jurisdictions featured in the studies. The most commonly employed zoning-based tools, or those that seemed most relevant to the Islands Trust Area, are summarized below.

A distinction should be made between Local Trust Committee initiated strategies and associated tools, and those that are driven by proponents of affordable housing in applications to rezone.

### ***Local Trust Committee Initiated Strategies and Tools***

Provided there is OCP support for these strategies, Local Trust Committees can amend their Land Use Bylaws in a variety of ways to support and facilitate the development of Affordable Housing. The key mechanisms that are featured in this Tool Kit include:

1. Legalize Secondary Accommodation (suites and cottages)
2. Provide Density Bonus
3. Create Mixed-Use Zones
4. Create Small-Lot Zones
5. Relaxations
6. Pilot Projects

### ***Applications to Rezone***

Again provided there is support for affordable housing in a Local Trust Committee's OCP, there are a variety of tools available to support rezoning applications from landowners for affordable housing. Some of these key tools include:

1. Amenity Zoning
2. Inclusionary Zoning
3. Density Transfer

## 5.1 Local Trust Committee Initiated Strategies and Tools

### 5.1.1 Secondary Accommodation (Suites and Cottages)

The legalization of secondary accommodations was **the single most often cited tool** throughout all the studies reviewed, identified as one of the most readily available and inexpensive sources of affordable rental housing. Secondary accommodation can take the form of suites located within (or attached to) existing residences, cottages, carriage house, granny flats (usually removable), cabins or mobile homes.

Key benefits include the provision of affordable rental housing, assistance with ownership affordability (i.e. as a ‘mortgage helper’), and family support to allow aging in place. In addition, this type of housing has the advantage of producing limited development pressure on the land, requires only limited increases in infrastructure, and impacts on neighbourhood character can be minimized. There may be CMHC RRAP (Residential Rehabilitation Assistance Program) funding available to assist with the cost. It should be noted that RRAP assistance is only available if the accommodation is legal. However for those units that are currently not operating legally, the availability of upgrade funding could be an additional incentive to go through the process to upgrade and legalize the unit.

A number of valid concerns have been raised, including the potential diversion for use as short-term vacation rentals. Anecdotally and in the community consultations associated with the Salt Spring Island Housing Needs Assessments, there were many reports of sub-standard and unsafe conditions in illegal secondary accommodation, in spite of relatively high rental rates.

Other common concerns expressed were related to potable water supply, septic capacity (and costs to upgrade), and the perception that it would result in changes to the character of the community. Also, barriers to legalization may include the cost of the requirements for upgrade to building code.

It is recognized that septic requirements are under the jurisdiction of the Health Regions. The only influence that the Islands Trust could have in is in any lobbying efforts they may choose to undertake to encourage the Health Region to consider alternative waste water treatments (e.g. composting toilets, grey water systems). The Islands Trust could take an educative role, however, and assist homeowners evaluate the options available by disseminating a summary of the Health Region requirements and the various types of septic systems available (and cost ranges).

**LTC Strategy:**

Increase the  
Supply of  
Affordable  
Housing

**Tool:**

Legalize  
Secondary  
Units



Building code requirements have also been cited as an obstacle to the construction or legalization of secondary suites. In 1995, the provincial government updated the B.C. Building Code (s9.36) to encourage the construction of safe, affordable secondary accommodation within existing homes. These standards are designed to be somewhat more forgiving than otherwise required, while not compromising the basic safety of residents.

Section 9.36 provides flexibility in non-safety related features, for example by allowing lower ceiling heights and reducing sound control requirements. To qualify for these code relaxations, a unit must meet specific conditions to be defined as a secondary suite and qualify for use of the relaxations. Islands Trust definitions of 'secondary accommodation should be consistent with those outlined in the building code to ensure homeowners have access to these provisions. The Building Code defines secondary accommodation as having:

- Maximum floor space square metres (968 square feet)
- floor space less than 40 percent of building
- located within a building containing only one other dwelling unit
- located only in single detached homes (i.e. not apartment or building strata)

The Islands Trust could also take an educative role to encourage homeowners to provide secondary accommodation in their homes by disseminating information about these building code relaxations.

Key to success is a mechanism to ensure that both existing and new units have controls to ensure they remain affordable. Solutions proposed for affordability centred on the use of housing agreements, however, there was concern expressed that the associated administrative requirements and costs would prove to be a disincentive.

***Recommendation:***

*THAT Local Trust Committees review their OCPs and LUBs to ensure that they include provisions that allow and encourage the legal use of secondary accommodation in appropriate locations.*

***Recommendation:***

*THAT Local Trust Committees take an educative role in disseminating information about Health Region septic requirements and system options, and Building Code flexibilities for secondary accommodation.*

### 5.1.2 Density Bonus (Amenity Zoning)

The use of a Density Bonus (or Amenity Zoning) to achieve affordable housing was **another of the most commonly cited tools** available to the Local Trust Committees, and can be applied to either larger projects or smaller developments such as duplex/triplex situations, second dwellings, garden cottages, etc. Its effectiveness lies in the more efficient use of high cost land in the Trust Area, which has been cited as one of the main barriers to developing affordable housing.

Local governments can provide a density bonus specifically for the provision of affordable, rental or special needs housing. This power granted to the Local Trust Committees (LTCs) through the Islands Trust Act (s.29) and the Local Government Act (s.904). Section 904 gives LTCs the ability to generally allow (permit outright) increased density for certain zones in the Land Use Bylaw (LUB). It also allows LTCs to make increased density in these zones conditional upon, for example, the use of a Housing Agreement, and water and septic capacity and eco-system protections controlled by a Development Permit Area.

In addition to employing this mechanism through land use bylaw regulations as described above, it can be applied with discretion on an application-by-application basis, as discussed later on.

Local Trust Committees should ensure that their OCPS reflect clear policy support for the application of bonus density for affordable housing, and that the zoning regulations in the LUB clearly outline the conditions under which the bonus is available. In this context, the condition for allowing a property owner to realize a density bonus would be the provision of affordable housing (or land for affordable housing).

Environmental factors such as the adequacy of the potable water supply or septic capacity can be addressed as additional conditions to the density bonus, employed through the Land Use Bylaw. This approach provides the greatest certainty and consistency in the development process. As long as the conditions are met, the bonus must be granted.

In combination with the use of Development Permit Areas to ensure protection of vegetation, sensitive ecosystems, or riparian areas, this tool would be effective for the development of clustered or cottage-type housing that is of appropriate scale and character for the community. Assurance that the units will be maintained for their intended use, and affordability maintained over time, can be provided by combining this tool with the use of Housing Agreements.

<p><b>LTC Strategy:</b> Increase the Supply of Affordable Housing</p> <p><b>Tools:</b> Density Bonus</p>
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Density bonusing can be used as an incentive for developers to build affordable housing or include affordable units within their projects. The advantage is found in improved financial feasibility; increasing the number of units on a given parcel of land has the effect of reducing the per unit land cost, a savings that can be passed on to the owner or tenant.

It is important for the community, however, that the benefits of density increases accrue to the community (i.e. that the cost savings are in fact passed on to owners or tenants). This may be stating the obvious in the case of non-profit housing, but does raise some complexities when the private development industry is, for example, developing mixed market and affordable housing. Quantifying the 'value' of increased density may be difficult in some circumstances, and will likely need to be done on a case-by-case basis.

There are valuation models that have been applied in other communities that the Islands Trust could evaluate and use or modify. The general rule of thumb is that the benefit should be (roughly) equally shared between the land owner and the community. At minimum, policies that permit increased density should include a principle that acknowledges that there is a 'value' or 'benefit' that accrues to a landowner when additional density is increased, and that this benefit should accrue (in whole or in part) to the community.

Concerns arise in every community when contemplating increases in density, and are very prominent in the Trust Area because of the rural nature of communities, the unique nature of the environment, sensitive eco-systems, and limited water and other resources. These are all very valid concerns, and the land's carrying capacity should always be the starting point for considering higher density.

***Recommendation:***

*THAT Local Trust Committee policies that allow increased density for affordable housing include a well defined valuation model to ensure that resulting benefits accrue to the community.*

### 5.1.3 Mixed Use Zoning

Another **commonly used tool** in some communities is a zone defined to allow for a mix of uses. It usually combines commercial with residential uses, with small residential units located above commercial buildings or retail shops in village settings. This tool could be made available to encourage commercial business owners to create affordable rental housing. Alternatively, it could be a requirement that new construction must include affordable employee rental housing on upper floors.

This could potentially create affordable rental opportunities for business owners or staff, and there may be CMHC RRAP (Canada Mortgage and Housing Corporation's Residential Rehabilitation Assistance Program) funding available for upgrades or conversions.

While the most immediate and cost effective opportunities may be in existing buildings, the Local Trust Committees may wish to consider relaxing height restrictions (in the appropriate settings) in buildings that include top-floor affordable residential units.

### 5.1.4 Small Lot Zoning

Small lot zoning can improve affordability by permitting large single family home lots to be developed into smaller lots for single family homes, or semi-attached dwellings (duplexes, etc.), provided adequate water and sewerage infrastructure is in place to accommodate the increased use. This type of zoning is particularly useful for cluster and cottage-style housing, which determines density by establishing a maximum floor area (instead of by number of units), and encourages small compact housing.

This tool also has the potential to help provide affordable homeownership. By clustering the buildings, affordability can be further enhanced by reducing servicing costs, and has the added benefit of avoiding sprawl. This could be implemented via the establishment of intensive residential Development Permit Areas that regulate form and character.

**LTC Strategy:**  
Increase the Opportunities for Affordable Housing

**Tools:**  
Mixed Use and Small Lot zonings

**Recommendation:**

*THAT Local Trust Committees review their OCPs and LUBs to ensure that they include provisions that allow increased density for affordable housing in appropriate locations and circumstances, with well defined valuation models using:*

- bonus density
- mixed use zoning
- small lot zoning

### 5.1.5 Land Use Bylaw Relaxations

There are many building and site regulations that could be relaxed for affordable housing projects to assist with affordability in some circumstances, and in some locations. Some of the mostly commonly mentioned are parking requirements, minimum set-backs, and height limits. No doubt there are others; the Local Trust Committees could review all provisions in the Land Use Bylaws (LUBs) with the eye for possible relaxations for affordable housing applications.

**Recommendation:**

*THAT Local Trust Committees review their LUBs with the intent of identifying any regulations that could be relaxed for affordable housing in some circumstances and/or locations.*

### 5.1.6 Pilot Projects

The use of Pilot Projects is often a good mechanism to test the practicality and effectiveness of a new policy, regulation or housing form before widespread adoption. It has been suggested that certain building design flexibilities that can enhance affordability should be encouraged, with alternative waste water designs (e.g. composting toilets) and water supplies (e.g. water catchment) being common suggestions. While these applications are outside the Trust's jurisdiction, encouragement to the relevant regulatory agency could prove successful.

**LTC Strategy:**

Increase Opportunities for Affordable Housing

**Tools:**

LUB Relaxations, Pilot Projects

**Recommendation:**

*THAT Local Trust Committees review their OCPs to ensure that they include policy support to encourage creative or alternative solutions of affordable housing in the way of Pilot Projects.*

**Recommendation:**

*THAT Local Trust Committees advocate, where appropriate, to other regulatory agencies to permit alternative solutions for affordable housing pilot projects.*

## **5.2 Applications to Rezone**

### **5.2.1 Density Bonus (Amenity Zoning) Applications**

As mentioned previously, amenity zoning is an **often used tool** to encourage the development of affordable housing. Its use is permitted by the Islands Trust by the Local Government Act (s.904), and permits added densities in exchange for the provision of some community amenity that advances a community's Official Community Plan objectives.

While amenities are often defined as non-housing benefits (e.g. protection of environmentally sensitive areas, heritage restorations, land for community services), the legislation specifically contemplated affordable or special needs housing. The difficulty in establishing a value for an amenity is sometimes an obstacle to the effective use of Amenity Zoning. Regulatory provisions should provide clear guidance on an appropriate valuation method to avoid this concern.

If a Local Trust Committee has enacted an amenity zoning bylaw (i.e. permitted outright or with conditions in the LUB) in which the zoning provides additional density in exchange for an affordable housing amenity, the landowner would need to ensure all conditions of the additional density have been met. The landowner will not need to apply to rezone, but would need to provide the affordable housing.

Alternatively, a landowner could make application for additional density on a property that is not properly zoned, and provided there is OCP support for the concept, LTCs could consider applications for OCP amendments on a case-by-case discretionary basis.

## 5.2.2 Inclusionary Zoning Applications

Inclusionary zoning was a **very frequently mentioned tool** used as an incentive to encourage affordable housing that is also permitted under the Local Government Act (s.904). It also requires specific OCP policy support, but differs from Amenity Zoning, in that it is not based on pre-determined densities or conditions for zones identified in the Land Use Bylaw (LUB). OCP support can be based on, for example, location criteria, or other conditions that meet community objectives.

This mechanism is a 'classic' rezoning, in response to applications that seek to increase density on a site-specific basis, with a lot or portion of a lot being rezoned to a higher density that contains affordable housing. This results in a LUB amendment that creates a site-specific zone, tailored to the specific application and circumstances with densities and conditions reached through negotiation between the land owner and the Local Trust Committee.

OCP policies should direct that, as a condition of the rezoning process that increases density, applicants include some number or percentage of affordable units (most examples ranged from 15-20%); this can be on a unit count basis or a floor space basis.

In some cases there is a cash-in-lieu provision with funding ear-marked for non-profit housing. Affordable housing can be developed on-site, along with the (typically) market units, or in some other location. According to the literature, inclusionary zoning tends to be most effective in larger developments in denser, high-growth areas. In such cases, inclusionary provisions can be accomplished through rezoning to a comprehensive development zone, which is a site-specific customized zoning scheme.

Inclusionary and Amenity Zoning, as tools to achieve affordable housing through density increases, carries the same neighbourhood and resource concerns as described in the Bonus Density section of this report. It is also important to have a mechanism to quantify and allocate the value of the benefit, and another to ensure that the affordable housing is built first.

**Applicant Strategy:**

Encourage Applicants to Build Affordable Housing

**Tools:**

Amenity and Inclusionary Zonings

**Recommendation:**

*THAT LTCs review their OCPs and LUBs to ensure that they include provisions that allow clustering of density to encourage affordable housing in appropriate locations and circumstances.*

### 5.2.3 Density Transfer Applications

The purpose of a 'density transfer' is generally to achieve land conservation objectives by transferring development potential away from an environmentally sensitive area to another area where clustered development is more appropriate. It can also be applied to discourage development in areas of cultural, historical or agricultural significance. Usually donor properties are down-zoned and covenanted to ensure that there is a clear and enforceable agreement that transferred development rights cannot be exercised in the future.

The transfer of density from the 'donor' property to the 'receiving' property can either be done simultaneously, or densities from donor properties can be banked for later transfer to appropriate locations in response to affordable housing applications. Either technique can be used to encourage affordable housing on receiving properties.

OCPs should provide support for the concept of density transfers for affordable housing, as well as the identification and mapping of appropriate donor and receiving areas.

**Applicant Strategy:**

Encourage Applicants to Build Affordable Housing

**Tools:**

Density Transfers, Other Housing Types

**Recommendation:**

*THAT Local Trust Committees review their OCPs to ensure that they include provisions that allow for density transfer in appropriate locations for affordable housing.*

### 5.2.4 Other Types of Housing Applications

A number of non-traditional, and non-conforming (or illegal) housing forms are frequently used by members of the community for lifestyle or affordability reasons. Common and often controversial are **Liveaboards**, with residents mooring their boats on docks or 'on the hook' in bays and inlets. This issue is not highlighted in any of the literature reviewed and was not analysed as part of this study. However, it does have the potential to provide affordable housing that may be appropriate for some residents.

It is a complex issue, with overlapping and unclear jurisdictions. It is controversial because of the perceptions of 'unsightliness' and unfairness due to the boat owners' non-contributions to the property tax base. There are also very valid concerns over waste disposal and safety issues.



### **5.3 Other Types of Zoning**

A number of other zoning techniques were **mentioned occasionally** in the studies reviewed, although they were not as frequently used, and may not be the most appropriate techniques for smaller rural communities in the Islands Trust Area.

#### ***Comprehensive Development Zones***

Comprehensive development zoning is a customized, site-specific zone that can give flexibility in allocating density and specifying use. It usually changes and mixes categories of zones, for example by including commercial and/or institutional uses within a residential zone. Negotiation for increased densities can result in a number of features that include and/or support affordable housing, such as secondary accommodations, use of housing agreements, rental or supportive housing, or any other amenity that can support housing (e.g. day care, community gardens, etc.).

#### ***Multi-family Zones***

Multi-family zoning can be applied to certain parcels or areas to encourage denser development in appropriate areas. This can be applied to either traditional multi-family developments (i.e. multiple attached units) or simply to permit more than one single family dwelling on a lot without subdivision. Certain building types or conditions can be required to further enhance affordability, such as two-storey townhouses, size limits or a mixture of owned and rental units. Design guidelines can be applied to ensure a good fit within the neighbourhood, including limits on size and/or height.

#### ***Affordable Housing Zones***

Affordable Housing zoning could be implemented in a similar fashion, perhaps with consideration for higher densities in exchange for more affordable units, special needs housing, a mix includes some of the units for very low income residents, or other features that provide enhanced affordability targeted to the priority needs in the community. Best practice, however, usually recommend that affordable housing be integrated in all neighbourhoods. Affordable housing zones can be problematic due to potential social stigmatisation, with the risk (and fears) of concentrating affordable housing (and thus, “poor” people) in a single zone.

# 6.0 PLANNING/STRATEGY TOOLS

## 6.1 Housing Agreements

Maintenance of affordability over time was a key concern cited in many of the studies reviewed. The use of housing agreements was **the second most often cited tool** used, with its primary strength being it can ensure that affordability is maintained over the long-term (or in perpetuity) by restricting rental rates or resale prices. It is often used in cases where affordable housing units are developed by granting bonus density.

The Local Government Act allows Local Trust Committees to enter into housing agreements for the purposes of affordable and special needs housing (s.905). This is a powerful tool that allows the Local Trust Committees to control certain features of a housing project (or unit) that would not otherwise be enforceable under other legislation. These features include tenure (e.g. rental, leasehold, owned), class of occupants (e.g. low income residents, seniors), administration of the units, and price (including how prices increase over time). Assurance that these conditions are maintained over time is secured by registering a notice of the housing agreement on the property's title.

<p><b>LTC</b></p> <p><b>Strategy:</b> Maintain Affordability over Time</p> <p><b>Tool:</b> Housing Agreement</p>
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There is substantial variation in the complexity of Housing Agreements, with some of the simplest in use in the Trust Area on Salt Spring Island for non-profit seniors' rental housing. More complex agreements are used when homeowner housing is being developed by the private sector, with Whistler being in the forefront after years of experience in developing an agreement that is enforceable and effective in assuring developers meet their commitments, and that affordability is maintained in the long term.

Sample Housing Agreements are provided in **Appendix C** for reference.

Housing agreements are adopted by Local Trust Committee bylaw, and a notice of the agreement is registered on title (s. 219 LTA) to ensure that this agreement runs with the land and binds future owners.

**Recommendation:**  
*THAT Local Trust Committees review their OCPs and LUBs to ensure that they include provisions that allow (or require) the use of Housing Agreements as a mechanism to ensure affordability is maintained over time.*

## 6.2 Housing Agreement Administration

The use of Housing Agreements is one of the most important tools available to ensure affordability is maintained over time. Resources are required for the administration of Housing Agreements, however, and concerns have been raised about the associated cost burden. A commonly proposed mechanism in many other jurisdictions is the creation of a Housing Agency that is tasked with housing agreement monitoring and enforcement activities.

Operation of a Housing Agency is not a service within either the Local Trust Committees or Trust Council, and accordingly may require an amendment to the Islands Trust legislation to enable it to undertake such an initiative. Should the Islands Trust choose that approach, it would likely be more efficient and cost effective if responsible for the entire Trust Area (instead of for individual Trust Committee Areas). Additional responsibilities could include the management of waitlists, maintenance of housing registries, and eventually even an active role in housing management or delivery.

An alternative to explore that may not involve a change to the Islands Trust legislation, is the possibility of a Housing Committee being struck by Trust Council and staffed for the purpose of administering Housing Agreements. This would have the advantages of any efficiencies from administering agreements on a centralized Trust-wide basis, as well as that of capacity building within Trust staff. This should be investigated with the assistance of the Trust's legal counsel.

An alternative to establishing a Housing Agency (or as an interim solution if considering taking the steps to establishing its own) is the negotiation of an agreement for this function with another level of government. An ideal candidate would be BC Housing (who already performs this function for other jurisdictions), or with applicable Regional Districts that have Housing Corporations that could create an Island-specific entity for this function.

**TC Strategy:**  
Maintain  
Affordability  
over Time

**Tool:**  
Flex Units, Size  
Limits, Energy  
Efficiency

**Recommendation:**

*THAT Trust Council explore the potential striking and staffing a Housing Committee for the administration of Housing Agreements. Barring that possibility, then:*

*THAT Trust Council explore the potential with BC Housing to negotiate administration of Housing Agreements on behalf of all the Local Trust Committees.*

*THAT Local Trust Committees explore the potential with the Housing Agencies in their respective Regional Districts to negotiate administration of Housing Agreements.*

### 6.3 Building Features

While many building design and layout features are regulated through the Building Code (not through the zoning), there are building types or features that can be encouraged to enhance affordability or otherwise meet housing needs in a community.

Smart Growth (further information on following page) emphasizes the importance of choices in housing, promoting in addition to single-family homes, a mix townhouses, apartments, granny flats, etc. as affordable housing forms that use less land and resources. Additionally, **Bill 27** requires that local governments set targets to reduce Green House Gas (GHG) and develop associated Official Community Plan policies. While this report did not perform any detailed review of that legislation or its applicability for the Islands Trust, the Province’s stated goals encourage the building of denser, more sustainable and affordable developments, including smaller units.

In the studies reviewed, one of the more commonly mentioned types of creative housing forms are **‘flex units’** which are designed to adapt to a resident’s changing needs or physical abilities over time. Changes envisioned include such things as converting a large room to two small rooms, an attic to a bedroom, or a basement to a rental or caregiver suite. The goal is to allow homeowners to occupy a dwelling for longer periods of time, which can be cost effective and minimize disruptions to families. Size limits can be applied to flex units to minimize any negative effects on neighbouring properties.

**Size limits** will also encourage affordability through lower construction costs for homeownership, or market forces for rental units. Functionality need not be compromised with good design. It also makes higher density more practical, with reduced foot print and associated resource demands. Efforts to restrict house size are often met with strong opposition; a solution that merits consideration is the ability to reduce or waive size restrictions with the inclusion of design features that reduce energy or resource consumption and promote affordability in the long term.

The inclusion of design guidelines for enhanced **energy efficiency** is environmentally responsible, and will have the effect of improving affordability over time by reducing operating costs. While again this is a Building Code function, Local Trust Committees can encourage energy efficiency in design through OCP policies and leverage these features through any rezoning process. The Salt Spring Island OCP utilizes this approach.

<p><b>LTC Strategy:</b> Enhance Affordability with Diverse and Energy Efficient Housing Choices</p> <p><b>Tools:</b> OCP Policies DP Areas</p>
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**Recommendation:**  
*THAT Local Trust Committees review their OCPs to ensure that they include policy support to encourage energy efficient and flexible designs, and include provisions for size limits as part of their work towards OCP amendments to meet the requirements of Bill 27.*

## 7.0 SMART GROWTH LOCATION CONSIDERATIONS

It is recognized in many communities, perhaps particularly in the Trust Area, that there are tensions between development pressures (including affordable housing) and the need to protect the environment. Efforts to limit development in order to protect the environment naturally create a 'supply and demand' imbalance, creating upward pressure on land and housing values and exacerbating affordability problems.

However, allowing affordable housing doesn't need to be at the expense of the environment. "**Smart Growth**" is a series of land use principles designed to enhance quality of life, preserve the natural environment, and be cost effective over time. The goal of Smart Growth principles is to ensure that growth is fiscally, environmentally and socially responsible and gives priority to infill, redevelopment, and densification strategies.

Smart Growth principles recognize that good quality, affordable housing is key to sustainable communities and stability for families, and places great importance on locating the type of affordable housing that people want near their work or school.

### **Locations**

The Local Trust Committees have control over affordable housing locations through Land Use Bylaw regulations and through Official Community Plan (OCP) policies which guide potential applicants. However, affordable housing applications are often initiated in response to a land opportunity, and may not necessarily be located in the areas identified in the OCP. When evaluating applications that are outside these OCP-identified areas, or when undertaking an OCP review, there are location features that can make higher density more appropriate and development more affordable.

Certainly due care is already given to applications for higher density in inappropriate locations, such as sensitive eco-systems, drinking watersheds or areas of know water shortages or septic capacity problems. Favourable consideration should be given to increased density on sites that are located close to services and amenities, to encourage reduced automobile use (for both environmental and economic reasons). Clustering higher density in existing centres can have the advantage of accessing existing servicing infrastructure, and can take the form of infill and clustered housing in certain locations.

#### **Recommendation:**

*THAT Local Trust Committees review their OCPs and LUBs to ensure that they include policy support to encourage the location of affordable housing in appropriate areas of the community.*

# 8.0 OTHER IMPORTANT CONSIDERATIONS

## 8.1 Preserving Existing Affordable Stock

All communities do have some supply of affordable housing, and maintenance of this existing stock is far less expensive than the development of new units. A mechanism used in some jurisdictions provides for limits on demolitions, requiring the replacement of any affordable units removed. A related alternative may be the requirement that any home slated for demolition first be offered to non-profit or other housing providers for relocation to another site.

A concern expressed was that some of the rental stock is in very poor condition, sometimes even providing health and safety risks; anecdotally, tenants report reluctance to complain because they fear losing their accommodation and have few affordable alternatives. Island communities could explore some mechanism, such as a standards' maintenance bylaw, to determine if there is the ability to enforce health/safety conditions in affordable housing.

In the Islands Trust Area, both limits on demolition and maintenance requirements would fall under the Regional Districts' jurisdictions. However, Local Trust Committees could advocate for such changes, or explore the development of cooperation agreements with the Districts to encourage (or require) these practices.

<p><b>LTC Strategy:</b> Preserve Existing Affordable Housing Stock</p> <p><b>Tools:</b> Limit demolitions, standards maintenance, RRAP funding</p>
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**Recommendation:**  
*THAT Local Trust Committees encourage the preservation of existing by entering into discussions with their Regional Districts about:*  
*- limits and/or controls on demolitions*  
*- standards' maintenance bylaws*

The Islands Trust could also provide information in the community about CMHC's RRAP program, which is available to both owners and landlords for the upgrade of sub-standard residences. This assistance, provided they housing is occupied by persons of low-moderate income takes the form of a forgivable loan in amounts ranging from \$16,000-\$24,000.

**Recommendation:**  
*THAT Local Trust Committees encourage the upgrade of existing affordable housing stock through education in the community about CMHC's renovation funding programs available to homeowners and landlords.*

## 8.2 Encourage Partnerships

Throughout the literature reviewed was the recognition of the changing role of Local Government in the provision of affordable housing, which has resulted in the necessity for creative solutions for development. Many of the studies also stressed that there is no single cause for the problem, and no simple solution. Increasingly, local governments are working together (or encouraging) stakeholders to work together to achieve common or complementary affordable housing objectives.

The Islands Trust can take a more active role to encourage collaboration by communicating the need for affordable housing and promoting 'multi-partner' solutions. The processes of undertaking a Housing Needs Assessment or developing an Affordable Housing Strategy provide good opportunities to encourage stakeholders to become involved and consider their potential role in solutions and housing partnerships. Community consultation will raise awareness and can be a catalyst for creative thinking among potential partners.

**LTC Strategy:**  
Encourage  
Partnerships

**Tools:**  
Communication  
Affordable  
Housing  
Council

**Recommendation:**

*THAT Local Trust Committees consider all opportunities to encourage collaboration in the development of affordable housing by communicating needs and seeking input on solutions from the community.*

One mechanism that the Trust may consider is the initiation of a Housing Council or Housing Board that has an ongoing role, perhaps emanating from the work of the Community Housing Task Force.

Recognizing that affordable housing development is a complex issue that extends well beyond the Islands Trust land use and planning roles, such a Council should have a diverse membership, including Islands Trust Staff and stakeholders from different sectors that have an interest in affordable housing. Membership could include participation from not only non-profit and/or private sector housing providers, but health care organizations, victims' services, homeless shelters, food banks, etc.

**Recommendation:**

*THAT Trust Council and/or Local Trust Committees initiate an ongoing Housing Council consisting of membership from a broad range of stakeholders.*

Partnerships for the *most* affordable housing will likely still involve some form of senior government participation. The Local Trust Committees can support individual efforts to secure funding by helping applicants demonstrate need with a Housing Needs Assessment, and demonstrating local government support with a letter indicating how the proposal fits within the Affordable Housing Strategy.

***Recommendation:***

*THAT Local Trust Committees support individual housing providers in their efforts to secure senior government funding by communicating need and support for applicants (as applicable).*

### **8.3 Sustainable Building Practices**

Considerable discussion and concerns are often raised between the perceived trade-off between affordability and sustainability. While there are certainly some energy efficiency or appropriate and sustainable building techniques that are more expensive initially, many have the potential for significant cost savings over time, thus improving affordability.

While it is beyond the scope of this report to more fully address sustainability in housing building practices, it is important to caution against compartmentalizing the affordability priority at the expense of environmentally appropriate actions, practices and materials usage.

Included in **Appendix D** is a copy of Salt Spring Island's '*Sustainability Checklist*' which was produced to encourage homeowners to make your residential construction project more environmentally friendly and reduce impacts on Salt Spring's natural ecosystems. It also includes information about financial incentives and other resources that can help achieve these goals.

It is specific to provisions to Salt Spring's OCP, but could serve as a model for other Trust areas to encourage sustainable practices in the provision of affordable housing.



# 9.0 FINANCIAL CHALLENGES AND SOLUTIONS

## 9.1 Housing Funds

One of the most often cited barriers to the creation of affordable housing is the shortage of funding – this can be seed or pre-development funding or capital funding. While the Islands Trust does not have access to property tax funds, there are measures that it can take to facilitate access to funding that is available.

Some Regional Districts have Housing Funds that are funded out of the property tax assessments and dedicated to the provision of affordable housing. The Capital Region, for example, has the Regional Housing Trust Fund to support affordable rental housing; Salt Spring Island has taken advantage of this funding on a number of occasions, securing hundreds of thousands of dollars in recent years. Local Trust Committees could lobby their Regional Director to either include their communities in existing fund initiatives, or to initiate the creation of new funds in their regions.

**LTC Strategy:**  
Financial Assistance of non-profit housing providers

**Tools:**  
Lobby for Regional Housing Funds

**Recommendation:**  
*THAT Local Trust Committees lobby their Regional Directors to include their community in existing Housing Fund initiatives, increase contributions or create new funds if none currently exist.*

### Senior Government Funding Advocacy

Many (if not most) of the significant financial tools available are under the control of senior levels of government. The Islands Trust can play an advocacy role to encourage the commitment of more of the resources for affordable housing.

In the literature reviewed, one of the main issues that was suggested for local government lobbying efforts was to the Provincial government to allocate Property Transfer Tax directly to affordable housing (instead of to general revenues).

Other suggestions were general lobbying efforts to the federal government to resume its housing support programs, improve tax incentives for the construction of new rental housing.

**Strategy:**  
Financial Assistance of non-profit housing providers

**Tools:**  
Lobby for Senior Government

**Recommendation:**  
*THAT Trust Council and Local Trust Committees further explore the potential for expanding their advocacy role to senior levels of government for increased funding for affordable housing.*

## 9.2 Land Banking and Housing Trusts

Land Banking was one of the **most frequently recommended steps** that local governments can take to encourage the development of affordable housing. While this may not be possible for the Islands Trust under their existing mandate, there may be some steps that could be taken towards such a goal. The two options that emerge include a modification of the role of the Trust Fund, and the creation of a Housing Trust.

The Islands Trust Fund has many opportunities to work with ecologically significant lands, such as receiving and holding donated land, participating in fundraising, matching donations from the Opportunities Fund, preparing grant applications funds, holding covenants and building community awareness.

With many common features of an affordable housing land bank, the Islands Trust may wish to explore any potential for using this vehicle to hold land on an interim basis for affordable housing. As a Revenue Canada 'qualified donee', this could create a vehicle for the receipt of crown lands or private donations, which could then be transferred to a non-profit housing provider to develop affordable housing.

**TC Strategy:**  
Financial Assistance of non-profit housing providers

**Tools:**  
Land Banking and Housing Trusts

**Recommendation:**

*THAT Trust Council explore the potential for the creation of an affordable housing Land Trust.*

Using the Islands Trust Fund as a model, Trust Council could also explore the possibility of using its existing authority to hold and dispose land (including its ability to delegate that role) to initiate a separate Housing Trust. Land in such a Trust could be held on an interim basis (for disposal to non-profit societies, for example) or retained and leased on a long-term basis to providers of affordable housing.

There may be this ability within the existing legislation, which should be explored further with the Islands Trust legal counsel. According to Section 8.2 of the Islands Trust Act "*For the purpose of carrying out the object of the trust, **the trust council may a) acquire and dispose of land....***". Section 10 of the Act says "***The trust council may, by bylaw adopted by at least 2/3 of its members present at the meeting at which the adoption takes place, delegate its powers under sections 8 (1) (d) and (f) and (2) (a) to (f) and 9 (1), subject to any restrictions or conditions specified in the bylaw.***"

**Recommendation:**

*THAT Trust Council explore the potential for and required changes to the Trust Fund to allow it to hold land on an interim basis for affordable housing.*

# 10.0 WORKING WITH THE COMMUNITY

The re-zoning process usually required to develop affordable housing, can be long, complicated, and expensive. Proponents are sometimes unclear about requirements, the Trust’s limitations and regulatory requirements, and become frustrated in their efforts. Many of the proponents are non-profit societies, who are small, volunteer-based organizations, with limited resources and development capacity. ‘Partnerships’ add a layer of complexity, and require a significant effort to negotiate. All these factors can have the effect of increasing the cost of housing, and even discourage its development.

This section will explain how the Local Trust Committees could facilitate the application and approval process *-from an applicant’s perspective-* using some of the tools that have proven successful in both the Consultant’s experience in the Trust Area and in other jurisdictions featured in the studies.

## 10.1 Understanding Expectations

Most communities’ Official Community Plans (OCPs) and Land Use Bylaws (LUBs) are complex documents, and are difficult to navigate through, particularly for lay persons. Any re-zoning process is likewise complicated, particularly when including additional development approval requirements such as those associated with sub-division, development permit areas, riparian or other sensitive areas, neighbourhood opposition, partnerships in development and/or service provision, housing agreements, etc.

A guide or OCP and LUB summary document could be developed that explains the context of the guidelines and regulations and how they relate to the development process. Essentially an abridged form of the OCP and LUB in lay persons’ language, it could also help focus an applicant’s review of the OCP and LUB documents themselves to sections or issues of most relevance to their particular situation.

<p><b>Strategy:</b> Streamline and Facilitate the Application Process</p> <p><b>Tool:</b> OCP and LUB Summary Guide</p>
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<p><b>Recommendation:</b> <i>THAT, to assist in clarifying expectations, Local Trust Committees develop an OCP and LUB summary document to explain the context of the guidelines and regulations and how they specifically relate to the development process.</i></p>
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## 10.2 Communication

Applicants should be encouraged (or even required) to meet with planning staff before an application is submitted. Ideally, this would occur when a proposal is in its conceptual stage, to help avoid costly and time consuming changes to plans.

Ongoing communication is very important. While recognizing that Local Trust Committees planning resources are limited, it is very helpful if there is consistency in the Planning staff assigned to a particular application. Having a history of the file helps when there are complicated issue to resolve, and becomes particularly important when there are 'Partners' in the development that have development and/or design requirements (such as BC Housing design guidelines or the requirement for covenants).

## 10.3 Clear Affordable Housing Application Guidelines

While there may be only very limited opportunity to simplify the development approval process, it can be much easier to navigate when there is a clear understanding of what is required (and why). With frank discussions about each party's needs early in the process, there is opportunity to develop a strategy for proceeding and work out solutions when needs and requirements appear to conflict.

The Islands Trust Bylaw Amendment Application Form includes a guide titled 'A Guide to Rezoning Property in the Islands Trust Area'. This document is concise and helpful in giving a general overview of the process and the requirements. It also recommends that an applicant meet with planning staff prior to submitting an application to gain a better understanding of the requirements.

A more detailed affordable housing guide may be of benefit to applicants. It could highlight specifically where and how affordable housing is supported in the OCP, and how LUB provisions would affect the specifics of their proposal.

Content could also include a brief overview of the housing situation with a link to the Housing Needs Assessment, an overview of the Affordable Housing Strategy (with a link), identification of key housing priorities, a summary of the tools available (e.g. bonus density, fee reductions), as well other pre-development assistance information (e.g. CMHC, BC Hsg).

**Strategy:**  
Streamline  
and  
Facilitate  
the  
Application  
Process

**Tool:**  
Affordable  
Housing  
Development

**Recommendation:**

*THAT, to assist in clarifying expectations, Local Trust Committees develop a more detailed affordable housing guide to complement the existing rezoning guides.*

## 10.4 Fast Tracking

Delays are costly and add to the cost of affordable housing. Under some circumstances, for example when an applicant has land under contract with subject conditions or when a time limited funding opportunity arises, some delays can even prevent an application from proceeding. While the private development industry may be better equipped or have the resources to endure some delays, it is more difficult for non-profit proponents who tend to be the primary applicants for affordable housing.

The Local Trust Committees could adopt an 'affordable housing first' policy for applications, with planning staff giving them priority in the queue for processing. The Salt Spring Island Local Trust Committee has taken this approach, directing staff to give priority to any applications that propose affordable housing.

**Recommendation:**

*THAT Local Trust Committees adopt an 'affordable housing first' policy for applications, giving priority in the application queue.*

Also, and where applicable, some requirements of multiple function applications (e.g. sub-division and re-zoning) could be run in parallel when the process would normally call for linear steps.

As an illustrative example, once the preliminary layout approval (PLA) is secured from the Ministry of Transportation and Infrastructure, rezoning could proceed to first reading using the to-be-subdivided legal description (instead of waiting until sub-division is complete). In addition to expediting the process, such a step would have the added advantage of delaying costly sub-division requirements (access, water, etc.) until there is more assurance that the rezoning will succeed. The Trust could secure assurance that the appropriate requirements are implemented when the time comes via covenant. This is simply one example of how flexibilities in processing can expedite applications.

**Strategy:**  
Streamline  
and Facilitate  
the  
Application  
Process

**Tool:**  
Fast Tracking  
Applications

**Recommendation:**

*THAT Local Trust Committees direct staff to take all opportunities to process (or assist applicants to process) multiple functions in parallel.*

## 10.5 Managing Application Fees

While application fees are generally a relatively small proportion of the overall cost of an affordable housing unit or project, they can be a barrier, particularly for non-profit societies with limited resources. The requirement for payment of application fees up-front, especially at the same time as an applicant must fund numerous professional studies, can add significantly to the difficulty.

The Islands Trust should consider means to assist affordable housing applicants with this cost. It could take the form of waiving fees on particular applications, which could be sponsored by Local Trust Committees if the application is in the public interest.

Alternatively, the overall fee policy could call for reduced fees for all affordable housing applications (or those that include some affordable housing). Both of these approaches would need to take into consideration the application processing costs of applications, as fees normally need to ensure that the fee structure covers these costs.

Another technique identified in the studies reviewed was that of deferring all or part of the fees until a certain stage, such as issuance of the Development or Building Permit, final adoption of the bylaw, etc.

**Strategy:**  
Streamline  
and Facilitate  
the  
Application  
Process

**Tool:**  
Reduce or  
Delay  
Application  
Fees

***Recommendation:***

*THAT Local Trust Committees direct staff to take all opportunities to process (or assist applicants to process) multiple functions in parallel.*

## 10.6 Clear Application-Specific Guidance

As mentioned previously, it is understood that there are limited planning staff resources, and planners can only proceed so far with a potential applicant before an application is submitted (and a fee paid). However, it is in this preliminary stage that the Trust may wish to consider allocating additional resources for affordable housing proposals to help proponents avoid costly and time consuming revisions at a later date.

A technique recently utilized by a planner on a complex non-profit society's application (sub-division, Official Community Plan amendment, re-zoning, two separate DP areas, riparian area, housing agreement with senior level of government) provided an excellent example.

This involved producing a checklist for each stage of the process, listing exactly which documents or professional reports were required (e.g. septic engineer's report), what it must demonstrate (e.g. the site has the capacity to support increased density under Health guidelines), when such a report is required (e.g. two weeks before Local Trust Committee meeting), and what could not proceed before receipt (when applicable). It also listed applicable OCP or Land Use Bylaw reference to facilitate reference back to those documents.

**Strategy:**  
Streamline  
and Facilitate  
the  
Application  
Process

**Tool:**  
Application-  
specific  
Guidance

While undoubtedly time consuming for the planner, it was a relatively simple technique that de-mystified the process and allowed applicants to proceed when previously overwhelmed by the requirements. In the long run, it likely saved planning resources and improved the likelihood that the application would proceed to a successful housing development.

**Recommendation:**

*THAT Local Trust Committees direct staff to assist applicants with clear step-by-step requirements for each step of their application process to develop a common understanding of both the specific requirements and how they fit into the overall process.*

# 11. COMMUNITY ENGAGEMENT TOOLS

Key throughout the development of an Affordable Housing Strategy and any Official Community Plan or Land Use Bylaw changes will be public participation and ‘buy-in’ from the community. This is equally as important when considering any specific affordable housing proposal, many of which encounter community opposition to increased densities, resource use, or simply fear of change. Following are the main opportunities for community engagement that emerged from the review of the affordable housing studies.

## 11.1 Education and Information

The Islands Trust could play a role in educating the community about how the importance of affordable housing goes well beyond the economic importance to the resident being housed. This could take many forms (website, newsletters, etc.), but frame affordable housing as central to a community’s well being.

Concerns about community/neighbourhood character changes (including NIMBY) are related and important issues that were often cited as an obstacle to the development of affordable housing. NIMBY is often the result of fears based on mis-information or a lack of information, and education can very effectively address many of these concerns. CMHC, in partnership with BC Non-Profit Housing Association will sponsor a day-long workshop in the community at a nominal cost.

<p><b>Strategy:</b> Community Education</p> <p><b>Tools:</b> Posters, Website, Newsletters, Radio, NIMBY (Not in My Back Yard) workshops</p>
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**Recommendation:**  
*THAT Local Trust Committees develop an education and information program to help the community gain a better understanding of the importance of affordable housing and foster greater acceptance.*

## 11.2 Confirmation of Needs and Priorities

Prior to the development of any new strategies or policies, input and confirmation of the priority needs should be obtained from the community. This can be performed by any number of means (workshops, information sessions, focus groups, newsletters), most of which are familiar to the Islands Trust through its strong tradition of public consultation. If the community is armed with objective data from a Housing Needs Assessment, the likelihood of support for new policies (or any give application) is greatly improved.



### 11.3 Input to Policy, Strategy and Applications

Prior to the implementation of any new strategies or policies, input and feedback should again be obtained from the community. As with the step of defining need, community buy-in is critical for the success of the strategy.

Implementation of some of the strategy actions will be quite evident to the public during any property rezoning; familiarity with the needs, the objectives and the tools will enhance support. In the case of rezoning applications, it is very important that applicants understand the importance of consulting with the neighbours early in the process – it needs to be real consultation, with serious consideration of any concerns, and substantive efforts to mitigate these concerns whenever possible.

<p><b>Strategy:</b> Gain Greater Community Support</p> <p><b>Tools:</b> Participatory Processes for Needs, Strategy</p>
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**Recommendation:**  
*THAT Local Trust Committees develop a participatory process to solicit input and feedback from the community on housing needs and proposed solutions.*

### 11.4 Conflict Resolution

An often cited source of conflict that can potentially negatively affect access to affordable housing relates to the landlord-tenant relationship. Rights and responsibilities according to the Residential Tenancy Act (RTA) are often not well known by either party, sometimes contributing to disputes when differences or problems arise.

While the Islands Trust does not have a direct role in conflict resolution, it could consider encouraging or sponsoring a workshop to explain the RTA or provide information on the to-be-developed Affordable Housing section of the Trust’s website. Facilitating this type of workshop is another example of one of the potential roles of a Housing Council.

<p><b>Strategy:</b> Gain Greater Community Support</p> <p><b>Tools:</b> Facilitate Conflict Resolution</p>
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**Recommendation:**  
*THAT Local Trust Committees explore the opportunities to bring tenant-landlord conflict resolution education and processes to the community.*

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
<b>General and Policy Documents</b>			
Planning for Housing 2004	BC Ministry Community, Aboriginal and Womens Services	2004	<p>Overview of local gov't initiatives in BC. Describes 7 categories of tools/techniques. 1- Land use and zoning; bylaws via the LGA can allow density bonus (FSR or units) for amenities like AH, comprehensive development zoning on specific sites with HAs to ensure affordability over LT (incl. e.g. mixed uses, secondary suites); inclusionary zoning with % or # and/or \$ AH as a condition, build or convert residential above commercial, small lot zoning for affordable SFD, manufactured housing zoning, zoning for secondary suites (important means of meeting demand for AH-20% of BC rental housing, est. 125-150,000 unauthorized in BC), zoning for addtl detached dwellings (mfg homes, garden suites, converted garages, carriage suites). 2-Approvals and Funding; fast-tracking proposals for AH reduce development costs, streamlining application process (e.g. convene committee with all parties involved in approval process, waive or reduce permit fees, cash or land grants (can include reduced taxes, reduced or interest free loans or payment deferrals), housing agreements to secure affordability in LT, reserve funds (from direct revenues or developer amenity contributions). 3-leasing land at or below market (can include payment deferrals). 4-Community planning initiatives, a tool for involving the community in planning (e.g. task forces or committees to develop strategies), many include Health Authorities. 5- Partnerships; include other local gov'ts, groups, agencies primarily for research (e.g. GVRD steering committee on homelessness). 6-strategies to address NIMBY (e.g. assessment of changes to property values, pre-notification letters, meetings/workshops). 7- Monitor and maintain rental stock inventory; undertake land use inventories to help tenure/location/amenity decisions, policies to limit conversion or demolition of rental stock (usually require replacement), enact standards of maintenance bylaws, permit secondary suites (regulated with zoning, maintenance bylaws, building code, RTA). Provides specific examples, guidelines and mechanism for adaptable/accessible housing, special needs</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			housing (broad definition), plans to address homelessness. Section on smaller communities, many of which indicated affordability is not a problem. Long list of resources and websites.
Housing Affordability in BC - 2005 - BC Stats	BC Stats	2005	2001 Census data-incidence of affordability problems in BC vs. other regions (shelter costs, incomes), BC regional shelter costs.
Local Government Guide for improving Market Housing Affordability	BC Ministry Community, Aboriginal and Womens Services	2005	Documents how local governments can use their regulatory framework and land use planning to facilitate the development of affordable market housing (LEM ownership and rental, non-market ownership and rental) by private developers, noting challenge is to encourage the inclusion affordable units (exchange for concessions or benefits) and include short or long-term controls to ensure ongoing affordability. Describes municipal powers, tool, resources granted under LGA or Community Charter. Community planning tools include HNA, land use policy, AH policy (req'd by s. 877LGA), design guidelines. Zoning tools include density bonus (s. 904 LGA), comprehensive development zoning, rezoning (may include inclusionary zoning or policy, density transfer), small lot zoning, residential above commercial, relaxations (e.g. parking or FSR calcs), housing agreements with covenants. Approval process can be modified by fast-tracking, streamlining process, clear guidelines (expectations). Financial incentives can include waiving/reducing fees (s. 224 CC, 933 LGA), defer DCC until BP stage (JG note-n/a for IT), housing reserve fund (s. 188 CC). Municipal land can be granted, leased below market, lease payments deferred. Local gov't can foster partnerships with other level gov't, community orgs, health authorities, etc.
Secondary Suites - A Guide for Local Governments	BC Ministry Community, Aboriginal and Women's	2005	Designed to help local gov't develop and implement secondary suite program with practices to promote affordability. Summarizes key benefits to owners (mortgage helpers, aging-in-place, security for seniors/those with disabilities, families stay together) and to tenants/community (affordable rental, proximity to services, low-

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
	Services		<p>impact density, maintain neighbourhood character, diversity of residents, increase stock w/o gov't subsidy, avoid culture of non-compliance). Adoption challenges include community resistance (fear of change, unfair taxation, parking), difficulty in monitoring and enforcement, health/safety standards. Identifies and details key strategies: public consultation and education, amendment of zoning protocols (zone areas or specific properties with rezoning-where, how many, size, parking, owner occupancy, other jurisdiction specific criteria), liability management through BP process or indemnifying covenant, bylaw enforcement most commonly complaint based (remedies incl. removal of cooking facilities, barriers separating main unit), utility fee reductions, health and safety standards (BC building code reduced standards for suites or local standard for non-permitted suites), design guidelines, staffing models for program design and implementation. Provides case examples summarizing program, staff resources for implementation, results, lessons learned and transferability. Summarizes experiences into 'best practices' for design/implementation. Identifies key strategies to meet primary objectives (future stock new suites, legalize and upgrade existing suites, close unsafe suites, protect rental affordability in resort communities).</p>
Review of Best Practices in Affordable Housing - Smart Growth BC	Tim Wake	2007	<p>Report focuses on affordable housing (low or no-cost land), not social housing (ongoing subsidy), reviewing range of policies, programs and strategies of Cdn and US jurisdictions. Emphasizes success based on application of multiple tools and range of options and prices is a key Smart Growth strategy. Density and proximity to services/employment affect transportation, infrastructure and greenspace. Provides glossary of various AH definitions. Describes continuum from emergency shelters to homeownership. Summarizes most commonly used policies, with best practices considering ability to retain affordability over time, in order of frequency used (Cnd frequency for purposes of this summary). Most common is secondary suite policy, an excellent first stage that increases rental supply and homeowner affordability (incl. sample Victoria bylaw). Density bonus usually in larger urban centres and suburban infill</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			(Burnaby has clear guidelines for assessing). Inclusionary zoning requires AH development (often % total) or cash-in-lieu to housing fund. Housing funds are designed locally, receive ongoing public funds (SSI successfully participates in CRD's RHTF for rental). Resale price restrictions secured via covenant, with price determined by formula or index (Whistler, Tofino, Victoria). Demolition policies require replacement of lost affordable rental stock. Rent restrictions, most managed by NP organizations. Strategies and tools include (in order of Cdn frequency) REF grants (escrow interest), Affordable Housing Strategies (strong correlation with use of other tools), Growth Management strategies include policies and plans for AH that are coordinated with land use and transportation planning, PPPs (public, NP, private sector), Needs Assessments to determine parameters of challenge and demonstrate to community and funders that need is genuine and quantifiable (examine population, income, inventory, costs and availability, demand), housing organization (most NP) with dedicated staff to deliver AH, land banking for future use, waitlist system to manage qualification (can be labour intensive). Outlines use of cooperatives, community land trusts, and cohousing which are community driven. Provides list of price/rent restricted projects, several case studies, and copy of Whistler housing agreement.
Municipal World Magazine - Affordable Housing 10 Secrets	Robert Roach	2008	Identifies key elements of effective affordable housing strategy; clearly identify need, build new and maintain existing, social supports, diverse locations, identify & address barriers, establish partnerships, include free market with zoning (e.g. suites, inclusionary zoning) and incentives (fee reduction, bonus density), encourage supply and demand (gap between cost and incomes), long-term planning/funding/commitment, recognize tax dollars required.
Creating Market and Non-Market Affordable Housing - Smart Growth	Debra Curran, Tim Wake	2008	Identifies starting point as AHS that determines demographics and needs for entire continuum. Describes inclusionary zoning, secondary suites, density bonus, resale price restrictions, housing funds, land banking, housing organization, partnerships.

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
Affordable Housing - Making sense of new trends	Tim Wake	2009	Briefly describes housing agency, secondary suite policies, density bonus, housing fund, PPP, inclusionary zoning, resale price restrictions, land banking.
<b><i>Housing Needs Assessments</i></b>			
North Saanich Housing Needs Assessment	City Spaces	2007	Report commissioned as result of OCP update, which included requirement for preparation of Housing Strategy; needs assessment is first step. Report to assess residents' difficulty in accessing affordable housing, workers ability to purchase or rent, options for seniors to age in place, and adoption of policies and regulations to support OCP housing objectives (retain neighbourhood character while responding to need for seniors' and affordable family housing, support socially inclusive cultural diversity). Researched housing market (type, value), demographics (age, income), labour force characteristics, affordability and gaps, population projections. Explored seniors' housing preferences, demographics, incomes, available housing. Briefly summarizes regulatory and empowering status. Summarizes OCP housing related policies (investigate legalizing suites, designate areas to consider for housing, prepare housing strategy). Identifies bylaw provisions that support housing choices (guest/caretaker cottages allowed in some areas with conditions, defines -but does not allow- in-law-suites).
Housing Needs on Hornby and Denman Islands	Eberle Planning and Research	2008	Demographic and housing profile, survey to assess need based on affordability, suitability, adequacy, security of tenure, supports. Recommendations regarding building affordable owned homes, assistance for renters, home repair assistance, home care, elder housing, secondary suites, emergency accommodation.

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
North Pender Island Affordable Housing Task Force Report	N. Pender Island Affordable Housing Task Force	2008	Task force formed in response to OCP strategic direction towards enhancement of AH, with report to identify directions, strategies and tools that could contribute. Community profile (population demographics), profile of current land use/zoning, housing supply and cost and tenure, economic/employment profile. Community needs survey for residents (household profile, current housing situation/cost/affordability, need, tenure and size preference). Interviews with business and service providers (sought info on employee difficulty securing rental accommodation, trouble hiring staff, workers leaving island, know instances of difficulty finding housing, food budget shortage due to housing costs). Building housing framework for diverse, flexible housing to meet changing needs and provide choice starts with a vision, principles and goals. Outlined options (density bonus for seniors' and special needs, high-density close to centres, infill housing, housing fund, land acquisition/banking, home (land) trust, secondary suites, seasonal rental, home maintenance, rental housing registry. Concluded that strategic plan needed that stimulates provision of different forms, better matches existing supply to needs, increases overall supply.
Islands Trust Housing Needs Assessment - A step towards a comprehensive Affordable Housing Strategy for SSI	JG Consulting Services	2009	Phase I basic analysis of statistical data related to affordability to provide assurance there were no large gaps in perceptions of affordability problems. Includes general overview of housing market, demographics, estimate of price range affordable to population, housing supply and identification of gaps, and a tool for developing the TOR for Phase II. Results confirmed perceived affordability crisis, dramatic price increases, increases in low income residents, short supply of rental housing in poor condition, employer reports of labour shortages, increasing homelessness and families at risk of homelessness. Phase II completes the assessment, intended to be used as baseline and updated periodically to help guide policy development and land use decision, help housing providers target development to areas of high need, objectively demonstrate need to potential funders. Goals of Phase II included seeking confirmation of findings of Phase I, update housing market assessment (in light of recent economic downturn),

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			summarize population forecast to assist in development of Affordable Housing Strategy. Outlines approach to strategy development (preparation/administrative set-up, needs assessment, public participation process, develop action plans, implement strategy, build partnerships, monitor outcomes). Community consultations undertaken using 'key informant' technique, who detailed their views/preferences on the role of the Islands Trust.
<b><i>Affordable Housing Strategies</i></b>			
SSI Community Housing Background Report & Recommendations	SSI Community Housing Task Force	2005	Report purpose is to inform and guide CHTF in deliberations when advising LTC on AH applications and make recommendations for housing policy development. Recommendations for immediate action: policy manual, waitlist, OCP/LUB revisions to enable recommendations, set up housing agency, initiate housing needs assessment, identify funding sources/budget. Establish mechanism for approval and licensing of suites/cottages with housing agreements. Defines 'acceptable' housing (affordable, suitable, adequate), recommends OCP multi-level definition of affordability and means to ensure affordable over time (housing agreements). Outlines components of full HNA (demographics, current housing stock, gaps, priority populations in core housing need) and undertakes preliminary assessment. Suggests community housing qualification criteria (priorities as per HNA, then income/assets/residency). Recommends waitlist process to screen for eligibility (issue qualification certificates), rank need priority, match to available housing, gather data. Outlines environmental, agricultural and sustainability issues to consider; Location: away from drinking watershed, sensitive ecosystems, rare/endangered species, ALR except farm workers, adjacent to pollution, preferably locate in/near villages, especially large projects. Density: tight clustering with greenspace, increased density, three stories. Identifies appropriate construction standards (R-2000, EnerGuide) and infrastructure/site servicing options for energy



APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			<p>efficiency and LT savings/cost recovery (water, power, transportation, parking, shared servicing). Recommends alternative housing (e.g.eco-villages) pilot project (possible building code flexibility). Critical to evaluation of applications is to clearly define and quantify community and developer benefit; proposes pro-forma method of quantifying value of bonus density with transparent/substantiated cost estimates (appraisal, QS). Recommends 'Whistler-type' housing agreements and covenants (copy in appendix), details key components (rent/price restrictions, qualification criteria, monitoring, RFR, conditions for temporary waiver, penalties, enforcement). Outlines general instrument/developer agreement as interim step for homeowner projects (will be discharged in favour of separate unit agreements). Recommends formation of community housing agency to manage waitlists and qualification, administer housing agreements, hold RFR, undertake HNA, could build/own/manage). Provides guideline suggestions for disposal of public lands to ensure benefit to public, transparent process, fair opportunity for participation, decisions based objective evaluation of options. Disposal based on REOI/RFP process; report details appropriate components and process.</p>
<p>Regional Housing Affordability Strategy for the Capital Regional District</p>	<p>CRD Planning Services</p>	<p>2007</p>	<p>Stated vision is for safe, adequate and affordable housing for all of the region's residents. Stated goals of strategy are to increase supply of more AH, reduce number of people in core need especially low income renters, reduce number of homeless and support the transition out of homelessness. Regional Growth Strategy requires preparation and adoption of AH strategy. Outlines need for strategy (community, workforce, economic, social, health sustainability). Summarizes homelessness situation and impacts (health, victimization, hospitalization). Describes continuum (homelessness, shelter, supportive, transition, non-profit, assisted, private sector) and associated correlation with funding/policy regulation and income range targets. Summarizes current housing conditions (increasing homelessness, need for social housing, limited rental supply, high ownership costs) and incidence of core need (note: Gulf Isl have by far the greatest core need). Briefly describes federal and provincial</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			<p>changing roles. Outlines 4 strategies to support vision and goals: 1-Secure more funding: expand RHTF, share housing program information, coordinate with member municipalities to lobby senior gov't, broker partnerships. 2-Enhance policies and regulations: Regulatory actions (secondary suites, increased densities in centres, small lot infill, mixed-use, flex housing). Fiscal actions (tax incentives, preserve rental stock with RRAP, adjust permit fee structures). Policy development (include AH policies in OCP and 'regional context statements', OCP inclusionary zoning, 'AH first' policy for surplus land). 3-Facilitate partnerships with community groups and industry (share information, lobby senior gov't, encourage NP redevelopment, consider land trusts). 4-Build neighbourhood support (report on implementation of strategy), share information/best practices/initiative profiles, mediation and dispute resolutions. 5-Expand Victoria homelessness plan to region-establish task force, recast plan as regional, build partnerships. Includes monitoring program - indicators for each goal defined, targets set, regular reporting.</p>
<p>Metro Vancouver Affordable Housing Strategy</p>	<p>Metro Vancouver</p>	<p>2007</p>	<p>Identifies roles of regional, municipal gov'ts and makes recommendations to senior levels. Establishes three key goals (increase supply modest cost housing, eliminate homelessness, and meet needs of low income renters) with more detailed objectives. Identifies four key strategies (fiscal actions, regulatory actions, education and advocacy, direct service). Assigns relevant strategy and specific actions (all levels of gov't) for each goal. For implementation, summarizes which actions can be undertaken by region or municipality under what strategy, and sets performance measures.</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
UBCM Affordable Housing and Homeless Strategy	UBCM Executive	2008	Recommendations to Provincial and Federal gov'ts regarding strategy. Introduced successful US "Housing First" homelessness strategy. Summarizes recent actions of Fed, Prov and Local gov'ts (local provide land, waive fees, action plans, OCP identified locations, fast-track policy, zoning regulations, secondary suite/carriage housing, housing corporations, land banks, housing funds). Local gov't survey identified key issues around support housing and treatment facilities (lack local capacity, lack suitable land/development pressures, lack of zoned sites, philosophical opposition, NIMBY). Second survey to identify barriers (funding, lack local capacity, need vision/plan/policies, land) and potential actions (facilitate partnerships, policy for local priorities, OCP/By-law/Zoning amendments). Recommends senior gov't partnership similar to infrastructure program to implement strategy. Identifies strategies to make SH affordable (supply of zoned land, clear development policies, fast track approvals, density bonus, housing agreements, lease or sell public/crown land, build partnerships with NP organizations). Housing agreements are mechanism to monitor and enforce provisions of SH (which is not licensed under Community Care Facility Act). Provides guidance and checklists for evaluating proposals (location, site planning, parking, design).
<b><i>Special Trust Area Studies</i></b>			
Seniors Housing in Island Communities - Heron Rocks Friendship Centre Society	Heron Rocks Friendship Centre Society	1990	Conference project initiated to seek solutions for island seniors (Cortez, Lasqueti, Gabriola, Denman, Quadra, Hornby) having difficulty managing their own homes, but without housing alternatives on island. Phase I included demographic research (households, income, population projections by island) and questionnaires to residents (housing situation, housing and service needs, lifestyle and values preferences). Pre-conference visioning workshops held on each island; participants identify present and anticipated needs and vision a solution using guided imaging exercise. List of visions

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			<p>compiled, and divided into ‘needs’ and ‘options’. Phase II was 2-day conference, seniors and other participants (participants included gov’t representatives, industry experts, seniors’ organizations) reviewed needs, considered possible solutions, and practical housing options (low income rental, co-ops, home-sharing, home support, granny flats, Abbeyfield shared living, co-ops, cottages). Featured local model (Plumtree on Pender). Phase II is report.</p>
<p>SSI Task Force - 1994 Draft Report - Affordable Housing</p>	<p>IT Task Force on Housing and Accommodatio n</p>	<p>1994</p>	<p>Research and public consultation through seminars for recommendations to IT on seasonal cottages, housing supply mix, and tourist accommodation. Working groups on rural island character, growth and development, tourist accommodation and affordable housing. Noted existence of a regulation and peer pressure will obtain compliance from large majority. Brief overview of housing supply and affordability (with definition). Recommends AH defined as amenity in OCP and IT assistance/encouragement for subsidized and alternative applications (small houses &amp; lots, second suites, innovative technologies, existing services, lending alternatives). Legalize suites with owner residence, provincial suite code, exterior appearance as SFD. Multi-use zoning in villages allow three stories for one floor residential. High density zoning for small, affordable SFD ownership homes with 1200 sf limits where services exist. Medium density for moderate size 2000 sf with developer covenants to retain ~25% rental. Liveboards if connected to effective sewage in appropriate location. Work with CRD to encourage new technology pilot projects (e.g. composting toilets). Redefine seasonal cottages for permanent residence (or temporary subject to inspection and licensing).</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
Supportive Housing For Seniors	Ministry of Social Development & Economic Security	1999	<p>Policy and bylaw guide to help communities address challenge of providing housing for aging population, and local gov't to understand supportive housing, draft policies, bylaws and guidelines, and encourage and evaluate proposals. Explains the nature of SH, why it is emerging, how it fits within the community, and its relationship to health care system (not licensed). Outlines duties and roles of federal (research, advice, start-up funding, mortgage insurance), provincial (legislative and policy framework, health and housing funding, information) and local gov't (establish policy and planning framework, barrier-free public infrastructure, encouragement of proposals) and housing providers/community groups (private and NP-development and management) in providing SH. Provides brief description of relevant legislation regarding land use; OCP policies to include affordable and special needs housing (MA 877(2)), zoning and density bonus for amenities and AH (s.904), protecting affordability over time with housing agreements (s.906 (1)), financing through Municipal Finance Authority Act (s.176(1)(c)), various programs and SAFER through BC Housing. Details components of needs assessment and CMHC data collection and analysis tools. Local gov't supporting policies reflected in OCP (includes sample goals, objectives, policies and actions). LUB can have barriers (parking requirements, mixed use prohibited, definition that over-regulates). LUB should have uses and densities that accommodate multiple levels of accommodation (campus), allow secondary/garden suites, realistic/lower parking requirements. Can develop separate social plans or housing plans that address needs of older citizens.</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
Crisis in Paradise Accelerating the Provision of Affordable Housing on SSI	Clare Heffernan	2002	Examination of regional housing situation (supply, affordability) and demographics. Identifies impediments to AH (land costs and migration speculation, access and servicing costs, bans on MH, height limits, development uncertainty (Bullock Lake), community dissatisfaction with growth policies). Summarizes IT responsibilities and OCP policies that support AH (legalizing seasonal cottages, MF zones, flex units, AH for family & seniors, mixed use zones, amenity/density transfer, "innovative" strategies). Additional strategies for local government to encourage AH on SSI (inclusionary zoning, linkages, housing trust funds, land trusts, shelter for seasonal workers).
Options for Affordable Housing - Normanby Daniels	Normandy Daniels	2003	Affordability definitions, Trust area demographics and core need by tenure, traditional major approaches (AH complexes, co-ops & co-housing, land banks & land trusts, planning tools (secondary suites, density bonus, cluster & cottage housing, housing agreements), issues and next steps.
Hornby Island Advisory Housing Committee Report	Maria-Bonita Kapitany	2004	N. Daniels paper used as starting point. Community input identified key housing needs, possible solutions, recommendations for OCP, LTC (ST vacation rentals), Community follow-up (education, conflict resolution, Land Trust, resident investment, summer accommodation for displaced residents, housing agreements), appendix research.
CHTF Comments on SSI OCP Review	CHTF	2007	Comments relate to explicit inclusion of affordability, clarifying definitions, newly defined villages or hamlets, master plans for Ganges & Fulford.
Housing Agreements - Quattrocchi	Michael Quattrocchi	2006	Examines use of HAs by local gov't to encourage development of affordable and special needs housing. Identifies legislative authority that allows occupancy regulation (s.905 LGA, s. 219 LTA), when they can be used (gov't land sales, amenity zoning, zoning condition, strata conversions). Describes how they are put in place (bylaw, LTO notice, 219 registration, priority agreements, timing). Outlines types of HA restrictions (re-sale price, rental restrictions, occupancy restrictions), enforcement issues (Option/RFR,

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			occupancy criteria/qualification) and administration.
Housing Solutions for Small Communities - April 2007 conference report	Hornby Island Community Economic Enhancement	2007	<p>2007 housing conference designed to provide information and empowerment for communities in their efforts to address affordable housing; 100 participants, 30 communities. Participation from local, provincial and federal gov't, NGOs, housing and other community organizations, consultants and businesses. Sequential exploration of enabling housing-preparing, planning, organizing, partnering, building. Explored history and nature of affordability problem, (amenity migration, resort nature, rapid value escalations and role of baby boomer wealth, affects on communities, growing seniors' population). Solutions need to remove land from speculative market, tools include (Whistler) works/service charge bylaw, floor area bylaw, amenity zoning, walkable locations, housing organization to created. Key to continuing affordability is housing agreement/covenant. Introduced eco-villages, combining ecological responsibility/ community building with 'rural residential comprehensive development' zone. Performance based or parcel-specific zoning based on carrying capacity more in small communities. Engage community (nay-sayers) early to shape policy. Use infill, clustering to avoid sprawl and address transportation, increase density in centres, mixed projects (avoid ghettos). Work with developers to obtain benefits. Secondary units are best option for immediate solution and can be permitted as outright use or even required. Lack of regulation (blind-eye) results in building standards, fire safety, health, parking, rental agreement issues. RRAP may be available to upgrade. Community Land Trusts (CLT) remove land from speculative market with housing through LT ground leases. Modest equity built with aim for permanent affordability. Key to community housing is a broad based community vision. Perpetual affordability for homeownership can be achieved with housing agreements/covenants, with a housing authority to administer (Whistler, Tofino). CLT role is to hold land and ensure perpetual affordability (financing can be complex); housing can be built as co-op. Co-housing has small, privately owned homes with shared amenities, developed by NP then converted to</p>

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			<p>strata (Creekside); not necessarily more affordable. Co-op development more difficult now with reduced gov't funding. Land co-op can own land and common services (e.g. water system) and provide homesites. Eco-village includes food production, housing, NP activities and business (BC Institute Co-op Studies looking at logistics and legal issues). Rental housing difficult without multiple funders, incl gov't. SAFER available. Partnerships important (BC Housing, private/volunteer sector, CMHC, regional districts). CRD has AH Strategy and RHTF to leverage other funding (SSI has benefited greatly). Local gov't role through OCP policies, zoning, land, housing commission, advocacy (e.g. PPTT). Seniors housing needs growing (aging, migrating) and changing, solutions can include home support, assisted living, independent rental. Private rental housing can be challenging; explained tenant and landlord rights and responsibilities. Stable, affordable housing key to addressing poverty, addictions, other health challenges. Habitat for Humanity a model for volunteer based home ownership with candidate labour. Eco-homes meet shelter needs without compromising planet; energy use affected by location (transportation), simple design, thermal envelope, passive solar, efficient systems and appliances. Save water with rainwater catchment, irrigation grey water, composting toilets. Need to balance sustainability and affordability. Featured Creekside Co-housing, Gabriola Commons projects. Energy solutions include solar water, passive solar, solar panels, air-source heat pumps, superior insulation, windows, caulking, wind/micro-hydro, bio-mas gen for communal projects. Success of Whistler, Tofino challenging for unincorporated areas that are a minor area within large RD, islands have limited development capacity (leadership, organizational framework, funding, expertise) or community resistance. Most viable solution for home ownership may be CLT, secondary accommodation for rental (resistance due to water and sewerage). Resulting action is establishment of 'community round table' on Hornby (community development organization, CLT, Elder Hsg and Health Care societies, LTC), Denman OCP review to address issue, Comox staff/elected official training event on land use planning and regulatory tools, ISLA intensive training event, ACT application for secondary</p>



APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			accommodation, info to lobby for PTT. Recommended development of Tool Kit (options & resources - legislative tools, planning processes, funding sources, success examples, gov't programs/agencies), access to resource people to develop or facilitate community process. Includes useful list of related reports, websites, Hornby OCP AH policy excerpts (incl. req't for hsg advisory committee). Explored secondary units in more detail.
SSI Housing Focus Group Report - OCP Review	Population, Housing and Settlement Patterns Focus Group	2007	SSI OCP review policy recommendations. Recommends master plan identifying ideal settlement areas, adjustment of zoning and density transfer provisions to direct development appropriate areas with overall downzoning and exemptions for innovative and affordable housing, clarify and revise village containment boundaries, provide village-specific zoning designations in LUB, strengthen OCP amenity density policy in LUB designated area, amend LUB to establish maximum residence size, increase employee and affordable MF and clustered SF housing (definition of affordability, inclusionary zoning, bonus density if covenanted, rezone areas in villages for % covenanted, rezone areas in villages for mixed use and three-storey bldgs, designate densely settled areas as villages/hamlets, encourage innovative projects, support pilot projects, locate w/in village containment boundaries or walking distance of main roads, relax set-back and parking requirements, establish Housing Agency, invite community to submit proposals), allow secondary suites for affordable and employee housing (appropriate areas, covenanted, enforced), and allow cottages for affordable and employee housing (appropriate areas, covenanted, enforced).
Secondary Accommodation Units - A housing option for Gulf Islands and other small communities	Tony Law, Hornby Island Community Economic Enhancement	2008	Identifies key elements to evaluate when considering how to enable secondary units; Community context (demographics, market, need, development potential, local governance), benefits (achievability, impact, owner benefits, avoiding culture of non-compliance), barriers (community resistance, lack of uptake) and issues to address (rural character, water, sewer, ensure intended use). Identifies necessity of meaningful community consultation. Provides various BC communities' OCP policy examples.

APPENDIX A- TOOL KIT SUMMARY OF STUDIES

Document List	Author	Date	Description
			<p>Summarizes regulatory framework and specific legislation that enables; zoning regulations (use and density), zoning for amenities and AH (higher density than specified in zone with conditions), housing agreements (limit via bylaw classes of residents, management, rents) and HA administration/monitoring, covenants (can be temporary, difficult administration). HA and covenants can be disincentive. Suggests regulatory approaches to deal with concerns/issues (appropriate use, locations, lot areas, unit form and size, siting and flexibility, occupancy, owner occupancy, additional non-residential uses, parking, water, sewer). Identifies possible compliance mechanisms (voluntary compliance with court action for enforcement, municipal ticketing, HA and covenants with court action for enforcement). Suggests key areas of community information/education to encourage compliance and uptake (zoning, sewerage, code, water, building options, funding). Lists approaches taken by various BC communities (suites and cottages, zoning regulations, housing agreements and rezoning applications). Outlines Whistler experience.</p>

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## APPENDIX B – SAMPLE DEFINITIONS, VISIONS, GOALS, OBJECTIVES

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The reader may wish to refer to the Islands Trust collection of Affordable Housing studies for samples of affordability definitions and vision, goals and objectives statements. Using the Capital Regional District Metro Vancouver as examples, provided below are samples definitions and statements for reference.

Interestingly, both jurisdictions have identified similar objectives, which may also be relevant to the Islands Trust Area.

### ***Sample Definitions of Affordability***

The Capital Regional District recognizes that affordability is a function of housing cost and income and uses the CMHC definition of which “does not exceed 30% of a household’s gross income”. The District further stipulates that “this measure applies to households of low to moderate income, usually those with incomes at 80% or below the median household incomes for the region”.

Metro Vancouver defines affordable housing as “housing that should not cost more than 30 per cent of a household’s gross income regardless of whether they are living in market or non-market housing”.

### ***Sample Vision***

The Capital Regional District has a stated vision of “safe, adequate, and affordable housing for all the region’s residents”

### ***Sample Goals and Objectives***

The Capital Regional District Regional Housing Affordability Strategy identifies 3 key goals:

- #1 – To increase the supply of more-affordable housing in the region
- #2- To reduce the number of people in core housing need, especially low income renters
- #3 – To reduce the number of homeless people and support the transition out of homelessness

## ***Sample Goals and Objectives***

The Metro Vancouver Affordable Housing Strategy identifies 3 key goals, each with a number of objectives:

Goals:

#1 - Increase the supply and diversity of modest cost housing

Objectives:

- increase the supply of affordable housing at key points along the housing continuum
- Identify partnership opportunities to allow low income families and individuals to move along the continuum
- 

#2 – Eliminate homelessness across the region

Objectives:

- Enhance the continuum of housing and supports for those who are homeless
- Improve the affordability of rental accommodation for the low income renters as a means of preventing economic eviction and homelessness
- 

#2 – Meet the needs of low income renters

Objectives:

- Expand the supply of affordable rental housing
- Maintain the viability of the existing rental housing stock

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## **APPENDIX C – SAMPLE HOUSING AGREEMENTS**

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There is substantial variation in the complexity of Housing Agreements, with some of the simplest in use in the Trust Area on Salt Spring Island for non-profit seniors' rental housing.

More complex agreements are used when homeowner housing is being developed by the private sector, with Whistler being in the forefront after years of experience in developing an agreement that is enforceable and effective in assuring developers meet their commitments, and that affordability is maintained in the long term.

Copies of both these agreements are included as examples for consideration.

**TERMS OF INSTRUMENT  
PART 2**

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE**

**BYLAW NO. 364**

**HOUSING AGREEMENT AND SECTION 219 COVENANT**

**THIS AGREEMENT DATED FOR REFERENCE the 25th day of July, 2000**

**BETWEEN:**

**GULF ISLANDS SENIORS RESIDENCE ASSOCIATION**  
(Inc. No. S-38999) a society incorporated under the laws of the  
Province of British Columbia and having its office at 121 Atkins  
Road, Salt Spring Island, BC V8K 2R6

(the "Owner")

**AND:**

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE**  
a corporation under the *Islands Trust Act*, having an office at  
#200 - 1627 Fort Street, Victoria, BC V8R 1H8

(the "Trust Committee")

**WHEREAS:**

- A. The Owner has applied to the Trust Committee for rezoning of the Lands to permit the construction of a seniors' supportive housing complex on the Lands, more particularly described in this Agreement;
- B. The Trust Committee may, pursuant to s.905 (1) of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy of housing units located on those lands;
- C. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Trust Committee in respect of the use of land or construction on land;

- D. The Owner and the Trust Committee wish to enter into this Agreement to provide for the construction and occupation of Dwelling Units by Seniors, and agree that this Agreement is both a section 219 covenant under the *Land Title Act* and a housing agreement under Section 905 of the *Local Government Act*; and
- E. The Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

**THIS AGREEMENT** is evidence that in consideration of \$2.00 paid by the Trust Committee to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the "promises exchanged below, the Trust Committee and the Owner agree, as covenants granted by the Owner to the Trust Committee under s. 219 of the *Land Title Act*, and as a housing agreement between the Owner and the Trust Committee under s. 905(1) of the *Local Government Act*, as follows:

1. **Definitions - In this Agreement:**

"Consumer Price Index" means the All-Items Consumer Price Index for British Columbia, as compiled and published by Statistics Canada or its successor;

"Dwelling Unit" means one or more rooms in a building that are used, or constructed so as to be capable of being used, for the residential use of a single household, and containing a common access, one kitchen, and eating, sleeping and living areas;

"Housing Complex" means the Seniors' Supportive Housing Complex to be constructed and maintained under the Agreement;

"Lands" means Lot A, Section 3, Range 3 East, North Salt Spring Island, Cowichan District, Plan VIP70848;

"New Housing Price Index" means the New Housing Price Index for Victoria, British Columbia, as compiled and published by Statistics Canada or its successor;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the lands are subdivided; and

"Senior" means an individual aged 65 years or over.

2. **Construction and Maintenance - The Owner covenants and agrees:**

- (a) to design, construct and maintain a Seniors' Supportive Housing Complex on the Lands in accordance with the terms of Salt Spring Island Local Trust Committee Bylaw No. 362 (as it exists upon its adoption) and this Agreement;
- (b) that the Lands must be used only in accordance with this Agreement; and
- (c) that the Lands must be used only for the construction, use and occupation of Dwelling Units for Seniors.

3. **Occupancy -**

- (a) With the exception of one Dwelling Unit which may be occupied by the manager of the Housing Complex or other employee of the Owner, the Owner must not permit a Dwelling Unit to be occupied as a residence by any person other than an individual who resides in the Dwelling Unit on a full-time basis and who is:
- (i) a Senior; or
  - (ii) living in the Dwelling Unit with a Senior in a spousal relationship, or as a caregiver to the Senior.
- (b) An individual occupying a Dwelling Unit under section 3(1)(b) in a spousal relationship with a Senior may continue to occupy that Dwelling Unit after such time as the Senior has vacated the Dwelling Unit due to death, illness or other causes.

4. **Availability and Rental of Dwelling Units - The Owner must:**

- (a) Rent or lease a Dwelling Unit only on a month-to-month basis or by a lease agreement not to exceed three years, including any rights of renewal; and
- (b) Specify in every lease or tenancy agreement the existence of this Agreement and the occupancy restrictions applicable to the Dwelling Unit, and provide each tenant with a copy of this Agreement.

5. **Maximum Rent -**

- (a) The Owner must not charge a Tenant occupying a Dwelling Unit a monthly rent amount (not including charges for support services) greater than the amount set out in the following table, during the first 12-month period of that Dwelling Unit's occupancy:

Size of Unit	Maximum Monthly Rent for First 12 Month Period of Occupancy
1 bedroom	\$ 850.00
2 bedroom	\$1,075.00

- (b) Prior to the first rental of any Dwelling Unit, the amounts set out in Section 5(a) may be adjusted by the Owner semi-annually from the date of this Agreement in accordance with changes in the New Housing Price Index.



- (c) Despite Section 5(a), the Owner may charge the first tenant of a Dwelling Unit more than the amount set out if the Owner has first received from the Trust Committee written approval of the higher initial rent.
  - (d) After the first rental of any Dwelling Unit, the Owners must not increase the rent charge for the Dwelling Unit over any period of time by an amount greater than the percentage increase in the Consumer Price Index during that same period of time, unless the Owner has received from the Trust Committee written approval of the higher rent charge.
  - (e) Despite Section 5(d), no rent increase for a Dwelling Unit may be greater than that permitted under the *Residential Tenancy Act*.
  - (f) The Owners must provide to the Trust Committee a record of rental charges for each month of occupancy of a Dwelling Unit, as well as sufficient additional information to demonstrate compliance with this Agreement, provided that the Trust Committee must not make such a request more frequently than once in any year.
6. **Order to Comply** - If the Owner is in default of the performance or observance of this Agreement, the Trust Committee may give the Owner a notice of default requiring the Owner to comply with this Agreement within the time stated in the notice.
  7. **Statutory Declaration** - Within five days after receiving notice from the Trust Committee, the Owner must deliver to the Trust Committee a statutory declaration, substantially in the form attached as Schedule "A", sworn by the Owner, or a knowledgeable director, officer, or employee of any corporate Owner, under oath before a commissioner for taking affidavits in British Columbia, containing all of the information required to complete the statutory declaration.
  8. **Specific Performance of Agreement** - The Owner agrees that the Trust Committee is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement. Further, the Owner agrees that the foregoing provision is reasonable given the public interest in restricting the occupancy of each Dwelling Unit on the Lands in accordance with this Agreement.
  9. **No Public Law Duty** - Wherever in this Agreement an act, determination, consent, approval or agreement of the Trust Committee is provided for, such act, determination, consent, approval or agreement may be done or made in accordance with the terms of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice, shall have any application.
  10. **No Waiver** - No condoning, excusing or overlooking by the Trust Committee of any default under this Agreement, nor any consent, approval, or agreement whether written or otherwise shall be taken to operate as a waiver by the Trust Committee of any subsequent default or of the necessity for further consent, approval or agreement in respect of a subsequent matter requiring it under this Agreement, or in any way to defeat or affect the rights or remedies of the Trust Committee.

11. **Arbitration** - Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy a Dwelling Unit, must be referred to a single arbitrator if the parties can agree on one, and otherwise to three arbitrators, one to be appointed by each of the parties and the third by those two so appointed, and the matter must be resolved in accordance with the provisions of the *Commercial Arbitration Act* of British Columbia.
12. **Notice on Title** - The Owner acknowledges and agrees that this Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a housing agreement under Section 905 of the *Local Government Act*, and agrees that the Trust Committee must file in the Land Title Office a notice that the Lands are subject to this Agreement, and that, once the notice is filed, this Agreement is binding on all persons who acquire an interest in the Lands.
13. **Covenant Runs with the Land** - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the Trust Committee in accordance with Section 219 of the *Land Title Act* in respect of the Lands and this Agreement burdens the Lands and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.
14. **Limitation on Owner's Obligations** - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.
15. **Amendment and Termination** - This Agreement may not be modified or amended except by bylaw of the Trust Committee, upon an agreement in writing between the Trust Committee and the Owner. This Agreement may be terminated or discharged by the Trust Committee without the consent or agreement of the Owner.
16. **Notices** - Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Trust Committee, as the case may be, at the address first above written, or to any other address of which either the Owner or the Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Trust Committee must be addressed to the Secretary of the Islands Trust. If given in person or by facsimile transmission, such notice will be deemed to be received when delivered and, if mailed, such notice will be deemed to have been received on the tenth business day after the date of mailing except in the event of an interruption in mail service, when such notice will be deemed to be received only when actually received by the party to whom it is addressed.
17. **Enurement** - This Agreement shall enure to the benefit of and be binding on the Trust Committee and its successors and on the Owner and its heirs, successors, personal representatives, administrators, assignees, and successors in title.
18. **Remedies Cumulative** - The remedies of the Trust Committee specified in this Agreement are cumulative and are in addition to any remedies of the Trust Committee at law or in equity. No remedy shall be deemed to be exclusive, and the Trust Committee may from time to time have recourse to one or more or all of the available remedies specified herein or at law or in equity.
19. **Severability** - Each covenant and agreement contained in this Agreement is, and shall be construed to be, a separate and independent covenant or agreement and the breach of any such covenant or agreement by the Owner shall not discharge or relieve the Owner from its obligations to perform. If any term or provision of this Agreement, or its application to

any person or circumstance shall to any extent be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

20. **Joint and Several** - In the case of more than one Owner, the grants, covenants, conditions, provisions, agreements, rights, powers, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.
21. **Included Words** - Wherever the singular or the masculine is used in this Agreement, it shall be deemed to include the plural or the feminine, or the body politic or corporate, where the context or the parties so require.
22. **Governing Law** - This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.
23. **Joint Venture** - Nothing in this Agreement shall constitute the Owner as an agent, joint venturer or partner of the Trust Committee or give the Owner any authority or power to bind the Trust Committee in any way.
24. **Time of Essence** - Time is of the essence in this Agreement.
25. **Further Assurances** - The parties shall execute and do all such further deeds, acts, things and assurances as they reasonably require to carry out the intent of this Agreement.
26. **No Fettering of Statutory Discretion** - No consent or approval given by the Trust Committee under this Agreement shall derogate from or bind the Trust Committee in the exercise of any statutory duty, power or discretion.
27. **Release of this Agreement** - The Trust Committee agrees that within a reasonable time after a demand by the Owner, the Trust Committee must execute and deliver to the Owner a discharge of this Agreement, executed in registerable form, discharging this Agreement from the Lands if:
  - (a) The Land has not been rezoned to permit the Housing Complex on or before September 30, 2000, or
  - (b) A bylaw of the Trust Committee has come into force repealing the rezoning and restoring the zoning of the Lands to that existing on the reference date of this Agreement, or
  - (c) The Canada Mortgage and Housing Corporation, or the lender, becomes mortgagee in possession.
28. **Priority** - The owner agrees to do everything necessary at the Owner's expense to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of this agreement.

29. **Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

**AS EVIDENCE** of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part I of the *Land Title Act Form C* to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A" TO THE HOUSING AGREEMENT

CANADA	)	IN THE MATTER OF A HOUSING
	)	AGREEMENT WITH THE SALT
PROVINCE OF BRITISH	)	SPRING ISLAND LOCAL TRUST
COLUMBIA	)	COMMITTEE ("Housing Agreement")

I, \_\_\_\_\_ of \_\_\_\_\_ do solemnly declare:

- 1. This declaration is made with respect to the Housing Complex legally or otherwise described as follows:

(INSERT LEGAL DESCRIPTION AND CIVIC ADDRESS)

- 2. That I am the Owner of the Housing Complex and make this declaration to the best of my personal knowledge.

(or)

That I am the \_\_\_\_\_ (director, officer, employee) of the Owner of the Housing Complex and (make this declaration to the best of my personal knowledge) (or: have been informed by \_\_\_\_\_ and believe the statements in this declaration to be true).

- 3. This declaration is made pursuant to the Housing Agreement in respect of the Housing Complex.
- 4. The individuals who reside in the Housing Complex meet the requirements specified in Section 3 of the Housing Agreement.
- 5. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

SWORN BEFORE ME at \_\_\_\_\_ )  
 \_\_\_\_\_, in the Province )  
 of British Columbia, this \_\_\_\_ day of )  
 \_\_\_\_\_, 20\_\_\_\_. )

\_\_\_\_\_  
A Commissioner for taking Affidavits in the Province of British Columbia.

\_\_\_\_\_  
Signature of person making declaration

END OF DOCUMENT

STANDARD CHARGE TERMS

**FILED BY: RESORT MUNICIPALITY OF WHISTLER**

**STANDARD HOUSING AGREEMENT, 219 COVENANT AND RENT CHARGE AND INDEMNITY**

The following standard charge terms will be incorporated by reference in every Section 219 covenant and housing agreement in which the set is referred to by its filing number as provided by Section 235 of the *Land Title Act*.

WHEREAS:

- A. Section 219 of the Land Title Act permits the registration of a covenant of a negative or positive nature in favour of the Resort Municipality of Whistler (the "Municipality") in respect of the use of land or construction on land;
- B. The Owner (hereinafter defined) is the registered owner of the Land (hereinafter defined);
- C. The Owner and the Municipality wish to enter into this Agreement to provide for affordable employee housing on the terms and conditions set out in this Agreement, and this Agreement is both a covenant under section 219 of the *Land Title Act* and a housing agreement under s.905 of the *Local Government Act*.

**THIS AGREEMENT** is evidence that in consideration of the mutual promises contained in it and in consideration of the payment of \$2.00 by the Municipality to the Owner, the receipt and sufficiency of which is hereby acknowledged by the Owner, the parties agree as follows:

**PART I – DEFINITIONS**

- 1. In this Agreement the following words have the following meanings:
  - a. "Agreement" means these standard charge terms together with the General Instrument (hereinafter defined);
  - b. "Assessed Value" means the most recent assessed value of the real property as determined by the assessment authority in which the real property is situated. If such value is not available, then the Assessed Value means the highest price in terms of money that the real property will fetch under all conditions requisite to a fair sale with the buyer and seller each acting prudently, knowledgeably and assuming the price is not effected by undue stimulus as estimated by a real estate appraiser accredited in the jurisdiction in which the real property is located;
  - c. "CPI" means the All-Items Consumer Price Index for Vancouver, B.C. published from time to time by Statistics Canada, or its successor in function, where Occupancy Permit Year (hereinafter defined) = 100;

- d. "Daily Amount" means \$100.00 per day as of December 31, 2000 adjusted thereafter by an amount determined by multiplying \$100.00 by the percentage change in the CPI since December 31, 2000 to January 1 of the year that a written notice is delivered to the owner by the Municipality pursuant to section 24 herein;
- e. "Dispose" means to transfer by any method, and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release, and agree to do any of those things;
- f. "Dwelling Units" means all residential dwelling units located or to be located on the Land whether those dwelling units are lots, strata lots or parcels, or parts or portions thereof, into which ownership or right of possession or occupation of the Land may be Subdivided (hereinafter defined);
- g. "Employee" means a Qualified Person (hereinafter defined) who is either employed or self-employed for an average of not less than 20 hours per week over the most recent twelve months and whose principal place of employment or business during that time is located within the boundaries of the Resort Municipality of Whistler;
- h. "Employee Unit" means a Dwelling Unit designated as an employee unit in accordance with Part II herein to be used, occupied and Disposed of in accordance with this Agreement;
- i. "General Instrument" means the Form C under the Land Title (Transfer Forms) Regulations, as amended, and all schedules and addenda to the Form C charging the Land and citing these Standard Charge Terms;
- j. "Gross Floor Area" means the habitable gross floor area of each Employee Unit and includes enclosed sunrooms but does not include crawl spaces, open patios, open balconies or parking spaces. If the Employee Unit is a strata lot as defined by the *Strata Property Act*, the gross floor area measurements will be based on the gross floor area shown corresponding to the Employee Unit on the Strata Plan filed in the LTO (hereinafter defined) in respect of the Land. If the Employee Unit is not a strata lot as defined by the *Strata Property Act*, the gross floor area measurements will be made in accordance with the procedure for determining gross floor area set out in the *Strata Property Act* as if the Employee Unit were a strata lot;
- k. "Interest" means the property interest of the Owner in an Employee Unit;
- l. "Land" means the land described in Item 2 of the General Instrument and any part into which said land is Subdivided;
- m. "LTO" means the New Westminster/Vancouver Land Title Office or its successor;
- n. "Occupancy Permit Year" means the calendar year in which the Municipality issues an occupancy permit for an Employee Unit;
- o. "Original Rent" means \$1.25 per square foot per month;
- p. "Owner" means the Transferor described in the General Instrument and any subsequent owner of the Land or of any part into which the Land is Subdivided, and includes any person who is a registered owner in fee simple of an Employee Unit from time to time;

- q. "Prime Rate" means the annual rate of interest, expressed as a percentage, used as a reference rate by the Royal Bank of Canada at its main branch in Vancouver, British Columbia for Canadian dollar loans and designated by the Royal Bank of Canada from time to time as its prime rate;
- r. "Qualified Person" means a person who does not own, either directly or indirectly through a trust, business asset, or otherwise, any interest in real property anywhere in the world unless, at the time that such person applies for an Employee Unit:
  - i. the Assessed Value of all the real property he or she owns does not exceed 60% of the Assessed Value of the Employee Unit; or
  - ii. the real property he or she owns is:
    - (1) less than 400 square feet in area,
    - (2) less than 650 square feet in area and it is the principal residence of two individuals,
    - (3) less than 850 square feet in area and it is the principal residence of that person and at least one child, or
    - (4) less than 1200 square feet in area and it is the principal residence of that person and at least two children; and
 that person enters into an agreement with the Municipality to sell his or her interest in the real property within the time period specified by the Municipality, acting reasonably, or that person enters into an agreement with the Municipality with respect to the real property and the Employee Unit on terms acceptable to the Municipality in its sole discretion;
- s. "Retiree" means a Qualified Person who has ceased employment and who was an Employee for 5 of the 6 years immediately preceding the date on which the individual ceased employment;
- t. "RFR" means a right of first refusal and option to purchase the Land granted or to be granted by the Owner to the Municipality;
- u. "Subdivide" means to divide, apportion, consolidate or subdivide the Land, or the ownership or right to possession or occupation of the Land into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise, and includes the creation, conversion, organization or development of "cooperative units" or "shared interests in land" as defined in the *Real Estate Act*;
- v. "Tenancy Agreement" means a tenancy agreement, lease, license or other agreement granting rights to occupy an Employee Unit;
- w. "Tenant" means an occupant of an Employee Unit by way of a Tenancy Agreement.

## **PART II - USE OF LAND AND CONSTRUCTION OF EMPLOYEE UNITS**

- 2. The Owner covenants and agrees with the Municipality that:
  - a. the Land will not be developed and no building or structure will be constructed on the Land unless:
    - i. as part of the construction and development of any such building or structure, the Owner also designs and constructs to completion, in accordance with a building permit issued by the Municipality and in accordance with any development permit issued by the



- Municipality, at least the number of Employee Units on the Land specified in the General Instrument; and
- ii. if required by the Municipality in its sole discretion, an RFR is fully registered against title to the Land in the LTO, with priority as set out in section 2(e) herein;
- b. the number of Dwelling Units on the Land will not exceed the number of Dwelling Units specified in the General Instrument;
  - c. the Owner will meet or exceed the construction standards for Employee Units as specified by the Municipality in a development permit issued by the Municipality in respect of development on the Land;
  - d. the Owner will at all times ensure that the Land is used and occupied in compliance with all statutes, laws, regulations, and orders of any authority having jurisdiction and without limiting the generality of the foregoing all bylaws of the Municipality and all federal, provincial, municipal or local laws, statutes or ordinances relating to environmental matters, including all rules, regulations, policies, guidelines, criteria or the like promulgated under or pursuant to any such laws; and
  - e. the Owner will do everything necessary, at the Owner's expense, to ensure that this Agreement and an RFR, if required, will be registered against title to the Land in priority to all charges and encumbrances which may have been registered or are pending registration against title to the Land save and except those specifically approved in writing by the Municipality or in favour of the Municipality.
3. If not all the Dwelling Units on the Land are to be used as Employee Units the owner will not apply for a discharge of this Agreement pursuant to section 6 in respect of any Dwelling Unit, and the Municipality will be under no obligation to provide such discharge, unless at the time that the Owner applies for the discharge the Owner is not in breach of any of its obligations under this Agreement and there are [insert the number of Employee Units stipulated in the General Instrument] other Dwelling Units on the Land which:
- a. are designated as Employee Units pursuant to section 4 and for which occupancy permits have been issued by the Municipality and which are and always have been used, occupied and Disposed of in compliance with this Agreement;
  - b. are not designated as Employee Units but the location of which has been approved in writing by the Municipality for use as Employee Units and for which occupancy permits have been issued by the Municipality and which are not and have never been Disposed of, used or occupied; or
  - c. are otherwise acceptable to the Municipality in its sole discretion upon conditions the Municipality considers necessary in its sole discretion, to ensure that the Owner fully complies with its obligations under this Agreement.

For greater certainty, any combination of Dwelling Units referred to in a, b and c will suffice to meet the requirements of this section 3, provided that the total of the combination of Dwelling Units referred to in a, b and c is equal to or greater than the number of Employee Units specified in the General Instrument;

4. All applications for Employee Unit designations must be made by the Owner by written notice delivered to the Municipality and are irrevocable by the Owner upon receipt by the Municipality of the written notice, but no designation is effective unless and until the Municipality confirms in writing that the location and

the size of the Dwelling Unit is approved by the Municipality for an Employee Unit, acting reasonably as a local government. If in the sole discretion of the Municipality the Owner has failed within a reasonable time to make application for Employee Unit designations as required by this Agreement, the Municipality may in its sole discretion make such designations.

5. Notwithstanding the definition of "Land" in section 1 herein, for the purpose of stipulating the maximum allowable number of Dwelling Units on the Land and for the purpose of stipulating the number of required Employee Units to be constructed on the Land by the Owner pursuant to this Part II and for the purpose of sections 3, 4 and 6 herein, and for the purpose of the definition of Dwelling Unit in section 1, but for no other purposes, "Land" means the entire area of the legal parcel described in Item 2 of the General Instrument as at the date of registration of the General Instrument at the LTO.
6. Subject to section 3, at the request of the Owner and at the Owner's sole expense, the Municipality will deliver to the Owner discharges of this Agreement in registrable form for each Dwelling Unit that:
  - a. is a separate legal parcel; and
  - b. is not an Employee Unit,

provided that, where the Land is subdivided under the *Strata Property Act*, the Municipality may withhold delivery of any discharges required to be delivered pursuant to this section until after the Municipality has received from the strata corporation its duly authorized agreement that it will not take any action that would result in an inability to rent the Employee Units in accordance with this Agreement or would render such rental a breach of the strata corporation bylaws.

### **PART III - USE AND OCCUPANCY OF EMPLOYEE UNITS**

7. The Owner agrees that each Employee Unit may only be used as a permanent residence occupied by Employees or Retirees, and the Owner further agrees that the number of Employees or Retirees who permanently reside in the Employee Unit must be equal to or less than the number of Employees or Retirees that the Municipality's building inspector determines can reside in the Employee Unit given the number and size of bedrooms in the Employee Unit and in light of any relevant standards set by the Municipality in any bylaws of the Municipality.
8. The Owner will ensure that each Employee Unit is continuously used and occupied as set out in section 7.
9. Notwithstanding anything to the contrary contained in this Agreement, if a potential tenant would be an Employee except for the fact that such potential tenant has not resided in the Municipality over the most recent twelve months, then the Owner may rent the Employee Unit to such potential tenant provided that the Employee Unit is rented or leased in accordance with all other requirements of this Agreement.
10. Within three days after receiving notice from the Municipality, the Owner will in respect of each Employee Unit, deliver, or cause to be delivered, to the Municipality a statutory declaration, substantially in the form attached as Schedule "A", sworn by the Owner, containing all of the information required to complete the statutory declaration. The Municipality may request such a statutory declaration in respect of the Employee Unit no more than four times in any calendar year. The Owner hereby irrevocably authorizes the Municipality to make such inquiries as it considers necessary and reasonable in order to confirm that the Owner is complying with this Agreement, and irrevocably authorizes and directs the recipient of the request for information from the Municipality to provide such information to the Municipality.

11. If the Owner cannot comply with the occupancy requirements for any Employee Unit for reasons of hardship, the Owner may request that the Municipality alter the Owner's obligations with respect to that Employee Unit on terms acceptable to the Municipality, but no such request may be made later than 30 days after the Municipality has delivered to the owner a notice of breach of this Agreement under Part VII herein. The Owner must deliver the request in writing in accordance with section 37 of this Agreement. The request must set out the circumstances of the hardship involved. The request must set out the reasons why the Owner cannot comply with the occupancy requirements, and must describe the hardship to the Owner that compliance would cause. The Owner agrees that the Municipality is under no obligation to grant any relief, and may proceed with its remedies under this Agreement, and at law and in equity, despite the Owner's request or the hardship involved, and the Owner agrees that the relief, if any, is to be determined by the Municipality in its sole discretion.

#### **PART IV - DISPOSITION AND ACQUISITION OF EMPLOYEE UNITS**

12. In this Part, the following words have the following meanings:
- a. "Average Purchaser Index" means the average monthly Housing Price Index (hereinafter defined) for the 12 months immediately preceding the month of any offer to purchase the Interest of the Owner in the Employee Unit.. For example, if the offer to purchase the Employee Unit is dated January 15, 2001, the *Average Purchaser Index* means the average of the monthly Housing Price Indices for the months from and including January, 2000 to and including December, 2000;
  - b. "Average Vendor Index" means the average monthly Housing Price Index for the 12 months immediately preceding the month in which the Interest of the current Owner of the Employee Unit was submitted for registration in the LTO (the "Old Completion Date"). For example, if the Old Completion Date was January 15, 2000, the *Average Vendor Index* means the average of the monthly Housing Price Indices for the months from and including January, 1999 to and including December, 1999;
  - c. "First Purchaser" means the person to whom the Interest in an Employee Unit is first transferred after issuance of the occupancy permit for the Employee Unit by the Municipality;
  - d. "Housing Price Index" means the appropriate (Detached, Attached, or Apartment) Multiple Listing Service housing price index for Greater Vancouver, B.C., as published by the Real Estate Board of Vancouver in collaboration with Canada Mortgage and Housing Corporation, the Real Estate Foundation of British Columbia, the University of British Columbia, and their respective successors in function;
  - e. "Housing Price Multiplier" means the Average Purchaser Index divided by the Average Vendor Index;
  - f. "Maximum Price" for the sale of the Employee Unit to the First Purchaser means the amount determined by multiplying the Gross Floor Area of the Employee Unit by \$155. In addition to the Maximum Price payable by the First Purchaser, the Owner that sells the Employee Unit to the First Purchaser will be entitled to charge the First Purchaser the net GST payable by the First Purchaser and the fee paid by the Owner to obtain the home warranty insurance required by the *Home Protection Act*.
- "Maximum Price" for the sale of the Employee Unit by the First Purchaser or a Subsequent

Purchaser (hereinafter defined) means the greater of:

- i. the value for the Employee Unit set out in Item 2(b) of the Form A - Freehold Transfer registered in the LTO transferring the Interest in the Employee Unit to the First Purchaser or a Subsequent Purchaser, as the case may be (the "Previous Sale Price"); and
- ii. the Previous Sale Price multiplied by the Housing Price Multiplier.

Notwithstanding anything to the contrary contained in this Agreement, if for any reason whatsoever the Housing Price Multiplier cannot be determined, the Maximum Price means the Previous Sale Price;

Examples of how to calculate the Maximum Price for the sale of an Employee Unit by the First Purchaser or a Subsequent Purchaser are attached to this Agreement as Schedule "B", which forms part of this Agreement; and

- g. "Subsequent Purchaser" means a person who purchases the Employee Unit from the First Purchaser or from someone who owned the Employee Unit after the First Purchaser.
13. The Owner will not Dispose of the Interest in an Employee Unit except in accordance with the terms and conditions set out in this Agreement and the RFR.
  14. The Owner will not accept any offer to purchase the Interest in an Employee Unit for a purchase price exceeding the Maximum Price.
  15. The Owner will not permit the Interest in an Employee Unit to be disposed of by sublease or assignment of a Tenancy Agreement unless such subletting or assignment is done in compliance with this Agreement.
  16. The Owner will give prior written notice of this Agreement to any person to whom it proposes to Dispose of the Interest in an Employee Unit.
  17. The Owner must not rent or lease any Employee Unit except to an Employee or Retiree in accordance with section 7 and except in accordance with the following additional conditions:
    - a. the Employee Unit will be used or occupied only pursuant to a Tenancy Agreement;
    - b. the monthly rent payable for the Employee Unit will not exceed the rent, rounded to the nearest dollar, determined by multiplying the Gross Floor Area by the Original Rent. Subject always to the provisions of the *Residential Tenancy Act* (British Columbia), the Owner may increase the rent payable for the Employee Unit annually, beginning with the first anniversary of the day on which the occupancy permit was issued by the Municipality for the Employee Unit, and thereafter on each successive anniversary date, by an amount determined by multiplying the rent payable for the Employee Unit at the time of the proposed rent increase by the percentage change in the CPI since the last anniversary date;
    - c. the Owner will not require the Tenant to pay any extra charges or fees for use of any common property, limited common property, or other common area, or for sanitary sewer, storm sewer, water utilities, property taxes. For clarity, this section does not apply to cablevision, telephone, other telecommunications, gas utility or electricity utility fees or charges;
    - d. the Owner will attach a copy of this Agreement to the Tenancy Agreement;

- e. the Owner will include in the Tenancy Agreement a clause requiring the Tenant to comply with the use and occupancy restrictions contained in Part III of this Agreement;
  - f. the Owner will include in the Tenancy Agreement a clause entitling the Owner to terminate the Tenancy Agreement in accordance with the *Residential Tenancy Act* if the Tenant uses or occupies, or allows use or occupation of, the Employee Unit in breach of the use or occupancy restrictions contained in this Agreement;
  - g. the Tenancy Agreement will identify all occupants of the Employee Unit, and will stipulate that anyone not identified in the Tenancy Agreement will be prohibited from residing at the Employee Unit for more than 30 consecutive days in any calendar year;
  - h. the Tenancy Agreement will provide for termination of the Tenancy Agreement by the Owner in situations where the Employee Unit is occupied by more than the number of people the Municipality's building inspector determines can reside in the Employee Unit given the number and size of bedrooms in the Employee Unit and in light of any relevant standards set by the Municipality in any bylaws of the Municipality;
  - i. the Tenancy Agreement will provide that the Owner will have the right, at the Owner's option, to terminate the Tenancy Agreement should the Tenant remain absent from the Employee Unit for three consecutive months or longer, notwithstanding the timely payment of rent;
  - j. the Tenancy Agreement will provide that the Tenant will not sublease the Employee Unit or assign the Tenancy Agreement; and
  - k. the Owner will deliver a copy of the Tenancy Agreement to the Municipality upon demand.
18. The Owner will terminate any Tenancy Agreement where the Tenant uses or occupies, or allows use or occupation of an Employee Unit in breach of this Agreement, such termination to be in accordance with the terms of the Tenancy Agreement and the *Residential Tenancy Act* (British Columbia).
19. The Municipality may, in its sole discretion, provide written consent to the Owner from time to time to do something that is otherwise not permitted under this Agreement, on such terms and conditions as the Municipality considers desirable.
20. If the Owner is leasing or renting one or more Employee Units, the Owner will, forthwith upon request by the Municipality, and from time to time as the Employee Units become vacant, identify to the Municipality which Employee Units are vacant and available for occupancy and the Owner will make best efforts to lease or rent the vacant Employee Units to qualified applicants on the Municipality's applicant list.
21. The Owner will be solely responsible for screening Tenants to determine whether or not they qualify to occupy the Employee Unit in accordance with this Agreement notwithstanding that the Employee Unit may be leased or rented to someone from the Municipality's applicant list. For greater certainty, the Owner agrees that the Municipality is not responsible for, and makes no representation to the Owner regarding, the suitability of any prospective tenant on the Municipality's applicant list.

## **PART V - CAPITAL IMPROVEMENTS**

22. If the Owner has made capital improvements to the Employee Unit that required the issuance of a building

permit by the Municipality, then the Municipality may, in its sole discretion, permit the Owner to increase the sale price for the Employee Unit up to an amount commensurate with the value of the capital improvements. If the Owner is dissatisfied with the value of the improvements as determined by the Municipality, the Owner may, at its expense, engage a Quantity Surveyor to establish the value of such improvements, but the Municipality will in no way be bound by the value established by the Quantity Surveyor, and the Municipality will, in its sole discretion, determine the permitted increase, if any, in the sale price. For greater certainty, the Municipality will not permit any increase in the sale price for improvements that have been made without a building permit.

## **PART VI - DEMOLITION OF EMPLOYEE UNIT**

23. The Owner will not demolish an Employee Units unless:
- a. the Owner has obtained the written opinion of a professional engineer or architect who is at arm's length to the Owner that it is no longer reasonable or practical to repair or replace any structural component of the Employee Unit, and the Owner has delivered to the Municipality a copy of the engineer's or architect's report; or
  - b. the Employee Unit is damaged or destroyed, to the extent of 40% or more of their value above their foundations, as determined by the Municipality in its sole discretion, acting reasonably, and
  - c. a demolition permit for the Employee Unit has been issued by the Municipality (unless the Building has, or the Dwelling Units have been destroyed by an accident, act of God, or sudden and unanticipated force) and the Employee Unit has been demolished under that permit.

Following demolition, the Owner will use and occupy the replacement Dwelling Unit in compliance with this Housing Agreement, and sections 2.c., 2.d. and 2.e. herein will apply to the construction of the replacement Dwelling Unit to the same extent and in the same manner as those sections apply to the construction of the original Dwelling Unit, and the Dwelling Unit must be approved by the Municipality as a Employee Unit in accordance with section 4.

## **PART VII - DEFAULT AND REMEDIES**

24. The Owner acknowledges that the Municipality requires employee housing to attract employees to work for local businesses and that these businesses generate tax and other revenue for the Municipality and economic growth for the community. The Owner therefore agrees that, in addition to any other remedies available to the Municipality under this Agreement or at law or equity, if an Employee Unit is used or occupied in breach of this Agreement or rented at a rate in excess of that permitted under this Agreement, the Owner will pay, as a rent charge under section 25, the Daily Amount to the Municipality for every day that the breach continues after 30 days written notice from the Municipality to the Owner stating the particulars of the breach. The Daily Amount is increased on January 1 of each year by an amount calculated by multiplying the Daily Amount as of the previous January 1 by the percentage increase in the CPI between that previous January 1 and the immediately preceding December 31. The Daily Amount is due and payable immediately upon receipt by the Owner of an invoice from the Municipality for the same.
25. The Owner hereby grants to the Municipality a rent charge under s. 219 of the *Land Title Act* (British Columbia), and at common law, securing payment by the Owner to the Municipality of any amount payable by the Owner pursuant to this Agreement. The Owner agrees that the Municipality, at its option,

may enforce payment of such outstanding amount in a court of competent jurisdiction as a contract debt, by an action for and order for sale, by proceedings for the appointment of a receiver, or in any other method available to the Municipality in law or in equity.

26. If the Employee Unit is sold for a purchase price exceeding the Maximum Price in contravention of this Agreement, the Owner will pay the excess (the "Excess Amount") to the Municipality within 30 days after written demand is made by the Municipality. The amount remaining unpaid after the 30 days will bear interest at the Prime Rate calculated from the due date until the date paid, compounded annually not in advance. The Owner further acknowledges and agrees that the Municipality's Excess Amount is fair and reasonable and is not to be construed as a penalty or forfeiture but as liquidated damages.

#### **PART VIII - INTERPRETATION**

27. In this Agreement:
- a. reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - b. article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - c. if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
  - d. reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
  - e. reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
  - f. the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
  - g. time is of the essence;
  - h. all provisions are to be interpreted as always speaking;
  - i. reference to a "party" is a reference to a party to this Agreement and to that party's respective successors, assigns, trustees, administrators and receivers. Wherever the context so requires, reference to a "party" also includes employees, agents, officers and invitees of the party;
  - j. reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided; and
  - k. where the word "including" is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word "including".

#### **PART IX - MISCELLANEOUS**

28. **Housing Agreement.** The Owner acknowledges and agrees that this:

- a. Agreement constitutes a covenant under s.219 of the *Land Title Act* and a housing agreement entered into under s.905 of the *Local Government Act* (British Columbia);
  - b. where an Employee Unit is a separate legal parcel the Municipality may file a notice of housing agreement under s.905 of the *Local Government Act* in the LTO against title to the Employee Unit; and
  - c. where Employee Units are not separate legal parcels, or have not yet been constructed, or where the land has not yet been Subdivided to create the Employee Units, the Municipality may file a notice of housing agreement under s. 905 of the *Local Government Act* in the LTO against title to the Land.
29. **Modification.** This Agreement may be modified or amended from time to time, by bylaw duly passed by the Council of the Municipality, if it is signed by the Municipality and a person who is the current registered owner of the Land.
30. **Management.** The Owner covenants and agrees that it will furnish good and efficient management of the Employee Units and will permit representatives of the Municipality to inspect the Employee Units at any reasonable time, subject to the notice provisions in the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Employee Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the forgoing, the Owner acknowledges and agrees that the Municipality, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Employee Units.
31. **Indemnity.** The Owner will indemnify and save harmless the Municipality and each of its elected officials, officers, directors, employees and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:
- a. any act or omission of the Owner, or its officers, directors, employees, agents, contractors or other persons for whom at law the Owner is responsible;
  - b. the Owner's ownership, lease, operation, management or financing of the Land or any Employee Unit; or
  - c. any act or omission of the Municipality or any of its elected officials, board members, officers, directors, employees, agents or contractors in carrying out or enforcing this Agreement, except where such act or omission constitutes a breach of this Agreement by the Municipality or by any other person for whom at law the Municipality is responsible.
32. **Release.** The Owner by this Agreement releases and forever discharges the Municipality and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or any Employee Unit which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them.



33. **Survival.** The obligations of the Owner set out in sections 24, 25, 26, 31 and 32 will survive termination of this Agreement.
34. **Municipalities Powers Unaffected.** This Agreement does not:
- a. affect or limit the discretion, rights, duties or powers of the Municipality under any enactment or at common law, including in relation to the use or subdivision of the Land;
  - b. impose on the Municipality any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
  - c. affect or limit any enactment relating to the use or subdivision of the Land; or
  - d. relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.
35. **Agreement for Benefit of Municipality only.** The Owner and the Municipality agree that:
- a. this Agreement is entered into only for the benefit of the Municipality;
  - b. this Agreement is not intended to protect the interests of the Owner, any tenant, or any future owner, lessee, occupier or user of the Property, the Land or the building or any portion thereof, including any employee unit;
  - c. the Municipality may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.
36. **No Public Law Duty.** Where the Municipality is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the Municipality is under no public law duty of fairness or natural justice in that regard and agrees that the Municipality may do any of those things in the same manner as if it were a private party and not a public body.
37. **Notice.** Any notice required to be served or given to a party herein pursuant to this Agreement will be sufficiently served or given if delivered, to the postal address of Owner set out in the records at the LTO, and in the case of the Municipality addressed:
- To: Clerk, Resort Municipality of Whistler,  
4325 Blackcomb Way, Whistler, BC V0N 1B4
- And to: Whistler Housing Authority,  
4335 Main Street, Whistler, BC V0N 1B4
- or to the most recent postal address provided in a written notice given each of the parties to the other. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery.
38. **Enuring Effect.** This Agreement will extend to and be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns.

39. **Severability.** If any provision of this Agreement is found to be invalid or unenforceable such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.
40. **Waiver.** All remedies of the Municipality will be cumulative and may be exercised by the Municipality in any order or concurrently in case of any breach and each remedy may be exercised any number of times with respect to each breach. Waiver of or delay in the Municipality exercising any or all remedies will not prevent the later exercise of any remedy for the same breach or any similar or different breach.
41. **Sole Agreement.** This Agreement, and any documents signed by the Owners contemplated by this Agreement, represent the whole agreement between the Municipality and the Owner respecting the use and occupation of the Employee Units, and there are no warranties, representations, conditions or collateral agreements made by the Municipality except as set forth in this Agreement.
42. **Further Assurance.** Upon request by the Municipality the Owner will forthwith do such acts and execute such documents as may be reasonably necessary in the opinion of the Municipality to give effect to this Agreement.
43. **Covenant Runs with the Land.** This Agreement burdens and runs with the Land and every parcel into which it is Subdivided. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who after the date of this Agreement, acquire an interest in the Land.
44. **Limitation on Owner's Obligations.** The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
45. **Equitable Remedies.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the Municipality for breach of this Agreement or the RFR and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement or the RFR.
46. **No Joint Venture.** Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the Municipality or give the Owner any authority to bind the Municipality in any way.
47. **Applicable Law.** Unless the context otherwise requires, the laws of British Columbia will apply to this Agreement and all statutes referred to herein are enactments of the Province of British Columbia. Without limiting the above, in the event of any conflict between any provision of this Agreement and the Residential Tenancy Act, this Agreement is without effect to the extent of the conflict.
48. **Deed and Contract.** By executing and delivering this Agreement the Owner intends to create both a contract and a deed executed and delivered under seal.

**SCHEDULE "A"**  
**STATUTORY DECLARATION**  
**CANADA**  
**PROVINCE OF BRITISH COLUMBIA**  
**IN THE MATTER OF A HOUSING**  
**AGREEMENT WITH THE RESORT**  
**MUNICIPALITY OF WHISTLER ("Housing**  
**Agreement")**

TO WIT:

I, \_\_\_\_\_ of \_\_\_\_\_, British Columbia, do solemnly declare that:

1. I am the owner of \_\_\_\_\_ (the "Employee Unit"), and make this declaration to the best of my personal knowledge.
2. This declaration is made pursuant to the Housing Agreement in respect of the Employee Unit.
3. For the period from \_\_\_\_\_ to \_\_\_\_\_ the Employee Unit was occupied only by the Employees and Retirees (as defined in the Housing Agreement) whose names and current addresses and whose employer's names and current addresses appear below:  
  
 Names, addresses and phone numbers of Employees and Retirees:  
 Names, addresses and phone numbers of Employers:
4. The rent charged each month for the Employee Unit is as follows:
  - (a) the monthly rent on the date 365 days before this date of this statutory declaration: \$ \_\_\_\_\_ per month;
  - (b) the rent on the date of this statutory declaration: \$ \_\_\_\_\_; and
  - (c) the proposed or actual rent that will be payable on the date that is 90 days after the date of this statutory declaration: \$ \_\_\_\_\_.
5. I acknowledge and agree to comply with the Owner's obligations under this Agreement, and other charges in favour of the Municipality registered in the land title office against the land on which the Employee Unit is situated and confirm that the Owner has complied with the Owner's obligations under these Agreements.
6. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the Canada Evidence Act.

DECLARED BEFORE ME at the \_\_\_\_\_ )  
 \_\_\_\_\_, British Columbia, )  
 this \_\_\_\_\_ day of \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 A for taking Affidavits for )  
 British Columbia )

\_\_\_\_\_

**Schedule “B”**

Insert 2 page Excel sheets for examples of calculations

# Salt Spring Island Sustainability Checklist

**Guide for residential construction  
including additions, renovations and accessory buildings.**



for Single  
Family Dwellings

**Part A** is for rezoning, development permit and development variance permit applications.

**Part B** is for building permit applications.

## What's the Sustainability Checklist?

The Sustainability Checklist lets you know how to make your residential construction project more environmentally friendly and reduce its impact on Salt Spring's natural ecosystems. It also includes information about financial incentives and other resources that can help you achieve these goals.

## Why on Salt Spring?

Salt Spring Island is part of the Islands Trust, which has a mandate to preserve and protect the Islands Trust area's unique environment. Both the Islands Trust and the Capital Regional District (CRD) have signed the provincial government's Climate Action Charter, which requires communities to reduce greenhouse gas emissions. One way to do this is through adopting a more sustainable approach to land development and construction. Initiatives you take at the planning stages of your building project can dramatically reduce any negative impacts and help to create a truly sustainable community.

## Who should use the Checklist?

All current and prospective Salt Spring landowners who are preparing to build a new house, a cottage, or an accessory building, or planning to remodel or add to an existing dwelling, or to build or reroute a driveway.

## When should I use the Checklist?

The checklist is primarily a guidance document. The earlier you consult it, the easier it will be to include its ideas in your project. Review the checklist with your architect, designer and contractor. Completing the checklist after the working drawings are finished may result in lost opportunities and additional costs if you decide to make last-minute changes.

## How do I submit the completed Checklist?

### Part A

If your project requires planning permission — rezoning, development permit, or a variance — complete Part A and submit it as part of your application to the Islands Trust. A planner will be pleased to help you with your application and answer any questions you may have. Even if you don't have to complete part A, doing so could give you some good new ideas.

### Part B

All residential construction projects, except for minor non-structural changes, require a Building Permit from the CRD Building Inspection Office in Ganges. Complete and submit Part B with your permit application.

## How is the Checklist scored?

There is no pass-fail scoring. Implementing the suggested measures is entirely up to you. If your dwelling is in a Development Permit Area (DPA) though, some measures may be required as part of the development permit.



Islands Trust



Making a difference...together

### Islands Trust contact:

Ganges Office 250-537-9144  
1-500 Lower-Ganges Road,  
Salt Spring Island, BC V8K 2N8  
[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

### CRD contact:

Building Inspection Office 250-537-2711  
206-118 Fulford-Ganges Road,  
Salt Spring Island, BC V8K 2S4  
[www.crd.bc.ca](http://www.crd.bc.ca)



Salt Spring Island

# Sustainability Checklist

for Single Family Dwellings



## PART A

(for Islands Trust)

**STREET ADDRESS OF PROPERTY:**

---

**For official use only:**

APPLICATION NO: \_\_\_\_\_ DATE: \_\_\_\_\_

*Development proposals consistent with Official Community Plan (OCP) policies are supported. If your dwelling is located in a Development Permit Area (DPA), special restrictions apply and a development permit may be needed for siting, site preparation and other factors, and construction. Items marked with an \* are requirements in some DPAs. Consult an Islands Trust planner.*

### Ecosystem approach to site planning: Know the land

*(OCP Volume 1 A.5.2.13 & maps 9 through 12)*

1. Have you identified environmental and archaeological values, including habitat for threatened or endangered species and First Nations sites, before planning access, site clearing and design?

Yes  No  N/A

2. Have you located development — your driveway, septic system, house and outbuildings — away from areas with high environmental values like shorelines, streams, rare plants, and wildlife trees? Have you placed natural buffers between the development and sensitive features?

Yes  No  N/A

3. Have you clustered development in one area of the property to minimize site disturbance?

Yes  No  N/A

4. Have you considered granting a covenant for your property to protect ecological values in perpetuity?

Yes  No  N/A

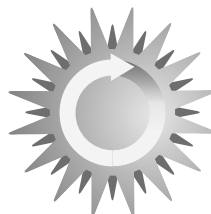
### ECOLOGY TIPS

*Plan ahead: walk the land with your contractor and a local biologist to find environmental benefits and cost savings.*

*Certain types of First Nations sites are protected under federal and provincial law and must not be disturbed. Avoid the accidental destruction of an ancient burial site and costly delays and fines by walking the land with an archaeologist before work begins.*

*A small patch of skunk cabbage or bulrushes in an otherwise dry environment indicates a mini-wetland — an important habitat for amphibians and birds. Clustering buildings and planning short driveways helps the environment and saves money.*

*Conservation covenants are registered on title and protect the special aspects of the land that you wish to preserve. They can also give you significant tax benefits.*



### Tree removal:

**Think twice before you cut**

5. Have you minimized tree cutting and soil disturbance? Our island's trees and soils have ecological value and represent important carbon sinks, critical in addressing climate change. When land is cleared for development, its ability to sequester carbon is lost. *(OCP ref. A.6.1.6)*

Yes  No  N/A

6. Are there any eagle or heron nests on your property? These are Provincially protected and Salt Spring Land Use Bylaw 355 at subdivision requires a 100 metre undisturbed buffer around trees containing eagle, osprey or heron nests. *(OCP ref. A.5.2.8.c; LUB ref. 5.3.6)*

Yes  No  N/A

7. Are you retaining and protecting significant trees like Garry oaks and older growth Douglas-fir and cedar? *(OCP ref. A.8.2.3)*

Yes  No  N/A

## TREE TIPS

Very few old growth cedar or fir remain on Salt Spring. The dominant coastal Douglas-fir ecosystems on Salt Spring are very rare in the rest of the province. The island's Garry oak meadows are a rare subset of these shrinking ecosystems. These trees have both heritage and ecological value.

Standing dead trees provide important wildlife habitat; leave them standing unless they pose a hazard. Topping is better than felling.

You can create views by limbing taller trees instead of removing them. If you feel trees on your property must be removed to open up a view, cut trees selectively to create a viewscape framed by trees.

Consult an Islands Trust planner before removing trees and vegetation. Special restrictions apply to tree removal in Development Permit Areas. For example, in DPA 6 a permit is required for tree removal if the trunk diameter is greater than 20 cm (measured 1.5 m above the ground), and for the removal of vegetation resulting in the exposure of bare soil more than 9 m<sup>2</sup> in area. (OCP ref: E.6.1.2)

### Water management: Fresh water is a precious resource (OCP ref: A.4.3.2)

8. Is your property located within a community water system's well capture zone as defined in the OCP, or within the watershed of one of Salt Spring's drinking water lakes (St. Mary, Cusheon, Weston, and Maxwell)? If so, you need to ensure the drinking water supply is not contaminated by malfunctioning septic systems, phosphorus release from soil disturbance, runoff and erosion, and fuel and chemical spills. Is your project designed to minimize risks to water supplies?\*
- (OCP ref: A.5.2.9)

Yes  No  N/A

9. If your property has a stream, a wetland, or lake frontage, are you planning to protect trees and vegetation within 60 m of the water?\*
- Salt Spring's Land Use Bylaw requires buildings and structures to be setback 15m from all water bodies.
- (OCP ref: E.4; LUB ref. 4.4.1)

Yes  No  N/A

10. Are you planning to store rainwater on site by constructing a cistern, pond or wetland?

Yes  No  N/A

11. Have you observed the way water flows over your property and designed your landscaping and development in response?

Yes  No  N/A

12. For oceanfront property, permits are required to construct docks, boat ramps and breakwaters, to place fill, or to remove larger trees within 30m of the shoreline. Are you planning to site buildings well back from the high water mark, and to retain trees & vegetation within 10 m of the ocean?\*
- (OCP ref: E.3)

Yes  No  N/A

### WATER MANAGEMENT TIPS

Salt Spring typically has wet winters and dry summers. Good water management involves retaining the winter rains to recharge groundwater supplies, lakes and ponds. Forested slopes, fractured bedrock, and deep organic soils hold moisture. Bare rock and pavement do not. Ensure sufficient topsoil remains on the property and that soil is not left compacted after construction.

Removing trees can result in increased runoff and stormwater damage to properties below. Landowners can be liable for damages caused to a neighbour's property. Plan stormwater retention ponds, drainage swales and wetlands to retain stormwater on site, and maintain existing drainage patterns.

The SSI Salmon Enhancement Society works with landowners to improve fish bearing streams. Provincial Riparian Area Regulations require that a registered professional biologist approve any plans to develop close to a fish-bearing stream or its tributary.

### Landscaping: Go native, avoid turf

13. Are you landscaping with native, drought hardy vegetation rather than lawns and water demanding ornamentals? (OCP ref: A.4.3.2)

Yes  No  N/A

14. Are you minimizing impervious surfaces and planning to use permeable paving rather than conventional asphalt or concrete? (OCP ref: A.4.3.2)

Yes  No  N/A

15. Will you avoid the use of synthetic pesticides & fertilizers? (OCP ref: A.5.2.12)

Yes  No  N/A

16. Have you planned to control invasive species like Scotch broom, holly, English ivy, Himalayan and evergreen blackberry growing on the property? (OCP ref: A.5.2.27)

Yes  No  N/A

17. Are you planning an organic fruit and vegetable garden? (OCP ref: B.6.2.1.9)

Yes  No  N/A

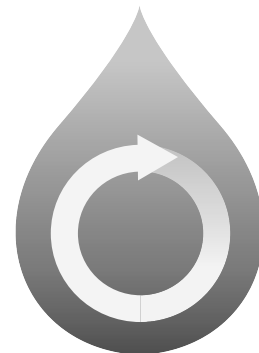
## ECOLOGICAL LANDSCAPING TIPS

Avoid non-native plants that spread into and alter our natural ecosystems. The highly invasive Scotch broom originated from three seeds brought from Scotland a century ago. The SSI Conservancy has information on invasive species, and how best to control them.

If turf is to be installed, reduce area as much as possible. Consider using other ground cover than turf grass. Minimize impervious surfaces generally.

Pesticides and chemical fertilizers decrease the biological diversity of the soil and are counter-productive to a healthy landscape. Many plant "pest" problems can be addressed by feeding the soil with organic material such as compost.

Growing organic food (or buying local organic food) is one of the best ways to reduce carbon emissions. Becoming more self-sufficient in food is an objective of the Area Farm Plan and of the SSI Community Energy Strategy.





Salt Spring Island

# Sustainability Checklist

for Single Family Dwellings



## PART B

(for CRD building permit)

### STREET ADDRESS OF PROPERTY:

(circle all that apply)    NEW CONSTRUCTION    ADDITION / RENOVATION    HOUSE    SUITE    COTTAGE    OTHER

#### For official use only:

APPLICATION NO: \_\_\_\_\_ DATE: \_\_\_\_\_

Wherever possible, property owners should review and complete Part B early in the design process. Submit as part of the building permit application. The checklist does not include items required by the BC Building Code. References to methods and materials in this checklist does not imply their suitability in all circumstances. Discuss options with your designer and contractor.

### Site Plan

1. Review Part A of this checklist. Have you taken opportunities to reduce the number of trees to be cut and to otherwise minimize the ecological impact of your building through good site design?

Yes     No     N/A

2. Have you registered or applied for a permit under the Soil Removal and Deposit Bylaw 419?

Yes     No     N/A

### ECOLOGICAL PLAN REVIEW TIPS *(see Part A)*

Take time to get to know your land before selecting your house site. Protect existing drainage patterns, trees and understory by siting buildings and driveways to avoid sensitive areas and minimize disturbance.

### Construction Site Management

3. Are you planning to avoid outdoor burning of slash and wood debris through berming and/or chipping or trucking?

Yes     No     N/A

4. Do you have a construction waste recycling plan and a no-burn policy on site?

Yes     No     N/A

5. Are trees and other natural features protected during construction?

Yes     No     N/A

6. Do you have a plan to reduce erosion and sedimentation during construction?

Yes     No     N/A

### SITE MANAGEMENT TIPS

*Good management significantly reduces the amount of construction waste to be recycled or landfilled.*

*Outdoor burning is strongly discouraged because of local air pollution and GHG emissions.*

*Branches may be piled densely in alternating layers with other clean wood debris to form a long narrow mound or berm. The material will gradually decompose to form rich soil. Woody berms can be used to slow runoff from a sloping site and to create raised planting beds.*

*If you've had to cut down large trees, consider milling them on site to use in your project. Wood unsuitable for construction can be cut, split and stored under cover for at least one year before using as firewood.*





## House Design

7. Is your design compact and resource-efficient to reduce the building's ecological footprint?
- Yes  No  N/A
8. Have you used passive solar design principles for space heating and cooling and planned for natural daylighting and natural ventilation?
- Yes  No  N/A
9. Have you set performance objectives for your house? (e.g. annual consumption targets for water, electricity, firewood and/or propane, or a third party industry standard such as BuiltGreen Platinum or EGH 85 rating)
- Yes  No  N/A
10. Have you used Hot-2000 or similar software to optimize your design for energy performance?
- Yes  No  N/A
11. Are you planning a net zero energy house? A net zero energy home produces as much energy as it consumes annually.
- Yes  No  N/A

## DESIGN TIPS

*Good passive solar design is the key to an environmentally sustainable home. By taking the 'House as a System' approach and by setting energy and water consumption targets, your designer can create a healthy, comfortable and efficient sustainable home.*

*Match south-facing window areas with interior mass (e.g. concrete or tile floors, masonry feature walls, plaster or thick drywall) to store passive solar gains and reduce temperature swings. Avoid large areas of non-south glazing and large skylights; they cause overheating and glare during the summer and lose heat during the winter.*

*Use of Hot-2000 or equivalent modelling software at the preliminary design stage can result in major energy and cost savings. Re-running the program at the working drawing stage can help fine-tune your plans.*

*A near net zero energy house is feasible using current technology. CMHC found that in this climate it was theoretically possible to retrofit a 1969 bungalow to become a net zero energy home by adding insulation (R-50 ceiling, R-26 walls and R-10 slab), high-performance windows, high efficiency lighting and appliances, and a rooftop solar electric (PV) system.*

## Building Materials

12. Are you using foundation options that will provide good thermal performance and water resistance, and efficient resource use?
- Yes  No  N/A
13. Are you using resource efficient framing and wall options that optimise structural and thermal performance and reduce environmental impact?
- Yes  No  N/A
14. Are you using more insulation, insulation with recycled content, and windows with a higher energy rating than required in this area by the BC Building Code?
- Yes  No  N/A

## BUILDING MATERIALS TIPS

*The building code is a minimum standard. Adding insulation reduces operating energy costs and increases comfort.*

*Various techniques and materials may be used to reduce a home's ecological footprint, but determining the best solution is not always straightforward. Depending on the circumstances, a 'high-tech' wall system using fossil fuel derived products may, or may not, score better than a conventional well-insulated wall, or a wall system built of natural materials. Ask your designer which techniques are appropriate for your home. Materials must be compatible with the design and with other building systems, plus meet performance objectives.*

*Foundation options include fabric forms, foundation drainage membranes, insulated concrete forms (ICF), and portland cement substitutes such as fly ash.*

*Above grade, raised heel trusses, advanced framing techniques (e.g. 24" centres, elimination of non-bearing double headers), sustainably harvested FSC certified wood, structural insulated panels (SIPS), and insulated rammed earth walls may be appropriate choices, depending on the building design.*

*Provide a continuous air barrier. Air leakage through cracks, e.g. around beams and trim, significantly reduces energy performance. A blower door test towards the end of construction will identify unintentional air leakage paths, and is required if the house is to be rated.*



## Mechanical & Electrical Systems

15. If heat loads justify, are you using heat pump technologies for space heating such as ground, water, or air source heat pumps, including air source ductless systems?

Yes  No  N/A

16. Are you installing a central heat recovery ventilator system?

Yes  No  N/A

17. Are you installing a high efficiency wood burning appliance, pellet stove, or efficient propane gas fireplace rather than a conventional fireplace?

Yes  No  N/A

18. Are you purchasing EnergyStar appliances?

Yes  No  N/A

### MECHANICAL SYSTEMS TIPS

*Heat pumps are excellent where heat loads are large, as in older houses and large new homes. If your house is compact and well-insulated, the space heating loads may be too small to justify a heat pump; electric baseboard heaters may be the best solution.*

*Radiant floor distribution systems can circulate hot water from various sources — boiler, heat pump, solar system — and provide even, dust-free silent heat. They do not necessarily save energy.*

*Central heat recovery ventilation (HRV) systems control humidity and ensure good indoor air quality.*

*Greywater or drain-water heat recovery systems can recover heat from the hot water used in showers, bathtubs, sinks, dishwashers, and clothes washers.*

*Always burn dry wood that has been seasoned under cover for at least one year. A conventional open fireplace wastes energy and creates air pollution. Low-emissions wood stoves and fireplaces not only produce less air pollution — they're more efficient, heating your house with less wood.*

## Water Conservation

19. Are you harvesting rainwater from roofs and storing it in tanks, cisterns, and/or ponds?

Yes  No  N/A

20. Are you using dual flush toilets, low flow shower heads and faucet aerators?

Yes  No  N/A

21. Are you using greywater separation and treatment for irrigation or reuse?

Yes  No  N/A

### WATER CONSERVATION TIPS

*Rainwater collected from the roof can be more than sufficient to meet annual household needs. 100 sq. m. of roof yields 86,000 litres, given 86 cm annual rainfall. Rainwater may be used for toilet flushing, laundry and garden irrigation. After treatment, rainwater may be used for all household needs, including drinking water. Install a metal, slate or clay tile roof if you plan to use rainwater for potable water and check with the CRD for current regulations.*

*Six litre toilets are required; dual flush toilets give the option of using only three litres per flush.*

*Low flow shower heads vary in water consumption from about two litres per minute to six litres per minute. Read the fine print before you buy.*

*Greywater from laundry, showers and baths can be filtered and treated for reuse to flush toilet, or water gardens. Commercial systems are approved for use in BC.*

*A waterless composting toilet is permitted and is the ultimate water saving device, but a septic system must still be installed to handle wastewater, grease and food debris from kitchen sinks, and to meet regulatory requirements. A registered practitioner is required to design and install residential wastewater systems in BC.*

## Interior & Exterior Finishes

22. Are you using a roofing material suitable for rainwater harvesting for potable use?

Yes  No  N/A

23. Are you sourcing local wood and stone where possible to reduce transportation energy?

Yes  No  N/A

24. Are you using low maintenance exterior cladding and trim to reduce the need for paint and stain?

Yes  No  N/A

25. Are you using environmentally friendly, water soluble low-VOC paints and finishes?

Yes  No  N/A

26. Are you using materials with recycled content?

Yes  No  N/A

### FINISHING MATERIALS TIPS

*Local materials, such as stone, sustainably harvested wood, and locally-sourced natural earth plasters, are non-toxic, have low embodied energy, and often are very attractive.*

*Natural, non-toxic and low VOC paints and coatings are now widely available and labelled as such.*

*Many products are available with recycled content, for example, roofing, interior doors, ceramic tiles, and carpets. Ask your building supplier.*

*Natural linoleum, bamboo and cork are three of many greener alternatives to vinyl flooring.*



## Renewable Energy

27. Are you installing a clothesline?  
Yes  No  N/A
28. Are you installing a solar water heating system?  
Yes  No  N/A
29. If your property has a seasonal creek, a micro hydro generator may be an option. Have you looked into a micro hydro system?  
Yes  No  N/A
30. Roof-mounted photovoltaic (PV) panels can provide enough electricity from the sun to run an energy-efficient home or cottage during summer months. A single panel can pump water from a pond to a garden irrigation system, or power a computer and emergency lights. Have you looked into installing a PV system?  
Yes  No  N/A

## RENEWABLE ENERGY TIPS

*The clothesline is one of the simplest solar technologies, and a good way to save energy.*

*An unshaded south-facing roof and space for a solar preheat tank are the prerequisites for a solar hot water system. A solar water heater can supply up to 60% of your annual domestic hot water energy needs. Provincial and federal grants are currently available to offset some of the initial costs.*

*If your micro hydro, PV, or wind energy system is connected to BC Hydro, whenever the system generates excess electricity you can "run the meter backwards," to reduce your electricity bill. Contact BC Hydro, or a qualified installer for details on net metering.*

## Maintenance

31. Do you schedule annual cleaning for chimneys and regular inspection and servicing for mechanical equipment, including water treatment equipment?  
Yes  No  N/A
32. Do you occasionally inspect the outside of your home during, or just after, heavy rain to check for any drainage problems such as blocked eaves troughs?  
Yes  No  N/A
33. Do you purchase environmentally friendly cleaning products and use organic gardening methods?  
Yes  No  N/A
34. Do you recycle all household recyclables and compost garden and kitchen waste?  
Yes  No  N/A



## HOME OPERATING TIPS

*Careful use can typically reduce energy and water consumption in a home by 10% to 20%. Use programmable thermostats to set back the temperature at night and when the house is unoccupied. Remind family members about energy and water conservation, and "turn it off". Smart meters are available to help people track energy consumption.*

*An "operating manual" or binder with equipment and materials information, along with a photographic record of construction and list of trades used will be very helpful long after construction's done.*

*Schedule regular servicing activities, such as filter cleaning or replacement, and chimney and eaves trough cleaning, into the household calendar. Filters include air filters on furnaces and HRVs and screens on air intakes, and filters on home water purification systems.*

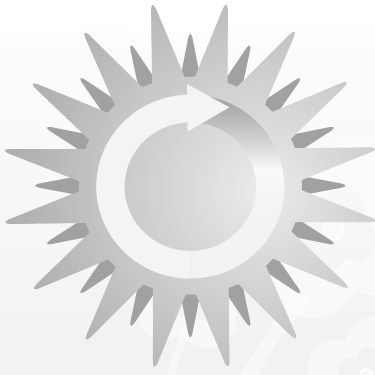
*Plan infrequent maintenance projects, such as exterior painting and septic tank pump out, well in advance. Postponing these tasks can lead to serious problems and major, expensive repairs.*

*Baking soda and vinegar work just as well as commercial cleansers for many household cleaning jobs and are better for the environment.*

*Plan to drive less. Automobiles are a major source of local air and noise pollution on Salt Spring, and are the largest single contributor to Salt Spring's greenhouse gas emissions. Reduced automobile dependence is an island objective. If you are considering a move, look for a location within easy walking or cycling distance of a village or transit route.*

# Thank you

for completing the Salt Spring Island Sustainability Checklist for Single Family Dwellings.  
Please let us know if this checklist was helpful to you, and how it can be improved.



## RESOURCES

### Home Labelling Programs

If you would like assurance that your house meets current greenbuilding standards, you can get your home certified by an independent third party.

Several home labelling systems are currently used in Canada, including Energy Star, LEED® Canada for homes, R-2000, and BuiltGreen™.

These labels all use the same “Hot-2000” software for energy analysis.

These are the available options in BC:

#### *New Home Labelling Programs*

##### **R-2000 CHBA-BC**

[www.chbabc.org/](http://www.chbabc.org/)  
1-800-933-6777

##### **BuiltGreen™ BC CHBA-BC**

[www.chbabc.org/](http://www.chbabc.org/)  
1-800-231-1336

##### **LEED® Canada for Homes**

[www.cagbc.org](http://www.cagbc.org)  
866-941-1184

#### *Home Retrofit Labelling Programs*

##### **EcoEnergy for houses CityGreen**

[www.citygreen.ca](http://www.citygreen.ca)  
1-866-381-9995

### Grants

Some federal, provincial and CRD grants are available for energy & water conservation. The following were current at time of publication, check for additional grants with CRD and CityGreen.

##### **BC Hydro Power Smart Rebates**

See BC Hydro's website for current incentives and discount coupons.  
[www.bchydro.com/powersmart](http://www.bchydro.com/powersmart)

##### **Solar BC**

\$1,000 point-of-sale discount (plus a further \$625 EcoEnergy/Live SmartBC rebate) towards a solar hot water system.  
[www.solarbc.ca](http://www.solarbc.ca)  
1-866-650-6527

**EcoEnergy / Live Smart BC** provide grants to homeowners and landlords upgrading existing homes for energy efficiency and some renewable energy and water conservation measures.

A special CRD rebate of \$75 is available to Salt Spring residents. All these are available on Salt Spring through CityGreen  
[www.citygreen.ca](http://www.citygreen.ca)  
1-866-381-9995

### Information

#### *Energy and buildings*

**CMHC** [www.cmhc-schl.gc.ca/en/](http://www.cmhc-schl.gc.ca/en/)

**NRCAN** [www.oee.nrcan.gc.ca](http://www.oee.nrcan.gc.ca)

**CRD** [www.crd.bc.ca](http://www.crd.bc.ca)

##### **CityGreen**

[www.citygreen.ca](http://www.citygreen.ca)  
1-866-381-9995

**Solplan Review** is the independent Canadian journal of energy conservation, building science and construction practice for residential construction.  
604-689-1841

##### **BC Sustainable Energy Association**

[www.bcsea.org](http://www.bcsea.org)

##### **Lighthouse Sustainable Building Centre**

[www.sustainablebuildingcentre.com](http://www.sustainablebuildingcentre.com)

### Water

##### **Capital Regional District Water Services**

[www.crd.bc.ca/water](http://www.crd.bc.ca/water)  
250-474-9684

Information on water conservation technology and rainwater harvesting in Greater Victoria

##### **Islands Trust Fund**

Rainwater Harvesting on the Gulf Islands, a series of publications, including project schematics and links.  
[www.islandstrustfund.bc.ca](http://www.islandstrustfund.bc.ca)

### Watersheds

##### **Capital Regional District**

Stormwater, Harbours & Watersheds program  
[www.crd.bc.ca/watersheds](http://www.crd.bc.ca/watersheds)  
Residential tips to watershed protection, best practices, natural areas atlas & more

### Land Development

##### **BC Ministry of Environment**

Develop with Care March 2006 online manual  
[www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop\\_with\\_care\\_intro.html](http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop_with_care_intro.html)

### Conservation Covenants

##### **SSI Conservancy**

[www.saltspringconservancy.ca/](http://www.saltspringconservancy.ca/)

##### **Islands Trust Fund**

[www.islandstrustfund.bc.ca](http://www.islandstrustfund.bc.ca)

##### **TLC-The Land Conservancy of BC**

[www.conservancy.bc.ca](http://www.conservancy.bc.ca)

### Local Resources

The following organizations have information and programs to assist residents in reducing our ecological footprints:

##### **SSI Conservancy**

[www.saltspringconservancy.ca/](http://www.saltspringconservancy.ca/)

##### **SSI Energy Strategy**

[www.saltspringenergystrategy.org](http://www.saltspringenergystrategy.org)

##### **I-SEA Institute of Sustainability Education & Action**

[www.i-sea.org](http://www.i-sea.org)

##### **Cusheon Lake Stewardship**

[www.cusheonlakestewardship.com](http://www.cusheonlakestewardship.com)

##### **Mayne Island**

##### **Integrated Water Systems Society**

[www.mayneisland.com/water/index.htm](http://www.mayneisland.com/water/index.htm)

##### **SSI Salmon Enhancement Society**

250-537-8983

##### **Island Natural Growers**

information on organic farming & gardening  
[www.cog.ca/ing/i/index.htm](http://www.cog.ca/ing/i/index.htm)

##### **The Salt Spring Sustainability Checklist**

is downloadable at:

[www.saltspringenergystrategy.org](http://www.saltspringenergystrategy.org)

[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

[www.crd.bc.ca](http://www.crd.bc.ca)



APPENDIX E- TOOL KIT AT-A-GLANCE MENU

ISLANDS TRUST POLICY SUPPORT FOR AFFORDABLE HOUSING					
Policy Statement	OCP Policies	Housing Needs Assessment	Affordable Housing Strategy	OCP Amendments	LUB Amendments
<p>Clear, well thought-out definition of 'affordability'</p> <p>Give affordable housing a greater profile for its role in sustainable communities.</p> <p>Include a reference to housing affordability in policy direction to LTCs and municipalities</p>	<p>Clear, well thought-out definition of 'affordability'</p> <p>Clearly articulated vision, goals and objectives for affordable housing.</p> <p>Robust policy statements of support for affordable housing.</p> <p>Share information between Local Trust Areas on existing OCP affordable housing provisions</p> <p>No OCP provisions that conflict with development of affordable housing.</p>	<p>LTCs include the requirement to carry out and regularly update a formal Housing Needs Assessment in OCPs.</p> <p>Trust Council coordinate Housing Needs Assessment across Trust Area to achieve efficiencies and allow consolidation.</p>	<p>Trust Council initiate a Trust-wide Affordable Housing Strategy.</p> <p>LTCs develop and implement Affordable Housing Strategies</p>	<p>LTCs amend the OCP to give direction to implement the recommendations of Housing Needs Assessment and Affordable Housing Strategy.</p>	<p>LTCs amend the LUBs to ensure regulations are consistent with OCP policy direction.</p> <p>LTC give positive consideration to Development Variance Permits when they would support affordable housing.</p>

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

Local Trust Committee Initiated LAND USE / ZONING STRATEGIES AND TOOLS					
Strategy	Tools	Advantage	Disadvantages	Enabling Legislation	Section 5
Increase the Supply of Affordable Housing	Legalize Secondary Units	Helps ownership affordability, aging in place, limits development pressure on land, limited infrastructure, impacts on neighbourhood character can be minimized.	Potential diversion to vacation rentals, water supply, septic capacity.	LGA s.903 (zoning) LGA s.904 (density) ITA s.29 BC Building Code s9.36	Page 22
	Density Bonus	Suitable for clustered or cottage-style housing. Incentive to develop affordable housing, improve feasibility, lowers land cost	Concerns over environment, limited water resources, rural character.	LGA s.903 (zoning) LGA s.904 (density) ITA s.29	Page 23
Increase Opportunities for Affordable Housing	Mixed Use Zoning	Rental opportunities for business owners/staff, RRAP assistance.	No major disadvantages cited.	LGA s.903 (zoning)	Page 24
	Small Lot Zoning	Affordable home ownership, encourages small compact housing, ideal for cluster and cottage-style homes, reduces sprawl.	No major disadvantages cited	LGA s.903 (zoning)	Page 24
	LUB Relaxations	Flexibilities can improve affordability.	No major disadvantages cited.		Page 25
	Pilot Projects	Test practicality of creative solutions before widespread adoption.	No major disadvantages cited.		Page 25

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

Rezoning Application Initiated LAND USE / ZONING STRATEGIES AND TOOLS					
Strategy	Tools	Advantage	Disadvantages	Enabling Legislation	Section 5
Encourage Applicants to Build Affordable Housing	Amenity Zoning	Achieves benefit for community. Suitable for clustered or cottage-style housing. Incentive to develop affordable housing, improve feasibility, lowers land cost	Concerns over environment, limited water resources, rural character.	LGA s.903 (zoning) LGA s.904 (density) ITA s.29	Page 26
	Inclusionary Zoning	Requires inclusion of some affordable units with any development. Suitable for clustered or cottage-style housing. Incentive to develop affordable housing, improve feasibility, lowers land cost	Most effective in denser, high-growth areas. Concerns over environment, limited water resources, rural character.	LGA s.903 (zoning) LGA s.904 (density) ITA s.29	Page 26
	Density Transfer	Achieves land conservation objectives, moves development away from sensitive areas.	No major disadvantages cited.	LGA s.903 (zoning) LGA s.904 (density) ITA s.29	Page 27
	Other Types of Housing	Liveaboards (example used) may suite some lifestyles, very affordable.	Waste disposal difficult. Controversial due to aesthetics, no property taxes paid.	Outside IT jurisdiction	Page 27

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

PLANNING STRATEGY TOOLS					
Strategy	Tools	Advantage	Disadvantages	Enabling Legislation	Section 6
Maintain Affordability Over Time	Housing Agreements	Ensures affordability is maintained over time, provides direction on tenants/owners towards priority needs.	Costly to administer, can be a disincentive for single units or very small projects.	LGA s.905 (agreement) LTA s.219 (title registry)	Page 29
	Housing Agreement Administration	Allows conditions of agreement to be monitored and enforced.	May require some creative solutions to create in the Trust Area.	n/a	Page 30
Enhance Affordability with Diverse and Energy Efficient Housing Choices	Building Features	Can encourage affordability, a diverse mix of housing types and meet residents needs as they change over time.	No major disadvantages cited.	n/a	Page 31
	Size Limits	Encourage affordability through reduced cost and market forces.	No major disadvantages cited.	n/a	Page 31
	Energy Efficiency	Environmentally responsible and reduces operating costs.	No major disadvantages cited.	n/a	Page 31



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APPENDIX E- TOOL KIT AT-A-GLANCE MENU

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SMART GROWTH CONSIDERATIONS				
Strategy	Tools	Advantage	Disadvantages	Section 7
Achieve compact, walkable, energy efficient communities	Locations close to services, amenities.	Encourages reduced automobile use, clusters housing in existing centres, accesses existing servicing infrastructure.	No major disadvantages cited.	Page 32

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

OTHER IMPORTANT CONSIDERATIONS					
Strategy	Tools	Advantages	Disadvantages	Partners	Section 8
Preserve Existing Affordable Housing Stock	Limit Demolitions	Maintains affordable supply, environmentally responsible.	Requires Regional District direction to implement.	Regional Districts	Page 33
	Standards Maintenance Bylaws	Helps ensure minimum health and safety standards.	Requires Regional District direction to implement. Enforcement could be costly.	Regional Districts	Page 33
	CMHC RRAP renovation funding	Assists homeowners and landlords with health and safety upgrades.	No major disadvantages cited.	CMHC	Page 33
Encourage Partnerships	Communicate Housing Needs in Community	Encourages collaboration in finding solutions, raises awareness.	No major disadvantages cited.	Community Members	Page 34
	Affordable Housing Council	Secures involvement in solutions from diverse stakeholders.	No major disadvantages cited.	Stakeholders	Page 34
	Communicate support to senior government	Assist housing applicants in efforts to secure funding.	No major disadvantages cited.	Senior Gov't	Page 35

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

FINANCIAL CHALLENGES AND SOLUTIONS					
Strategy	Tools	Advantages	Disadvantages	Partners	Section 9
Financial Assistance to Non-Profit Housing Providers	Regional District Housing Funds	Significant assistance in reducing costs, enables projects to proceed.	No major disadvantages cited.	Regional Districts	Page 36
	Senior Government Lobbying	Advocacy can help achieve significant capital assistance to housing providers.	No major disadvantages cited.	Senior Gov't	Page 36
	Land Banking and Housing Trusts	Encourage more development, helps assure affordability maintained.	Requires administration, requires research/creative application of existing authorities.	LTA s.10	Page 37

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

WORKING WITH THE COMMUNITY					
Strategy	Tools	Advantages	Disadvantages	Partners	Section 10
Streamline and Facilitate the Application Process	OCP and LUB Summary Guide	Help clarify expectations, focus applicants efforts on most relevant issues.	No major disadvantages cited.	Applicants	Page 38
	Ongoing Communication	Consistency in planning staff provides file history and helps resolve complicated issues.	No major disadvantages cited.	Applicants	Page 39
	Affordable Housing Development Guide	Assists applicants navigate through the process, develop workable strategy early on, provides applicants links to other tools and information.	Some resources will need to be allocated for development.	Applicants	Page 39
	Fast Tracking Applications	Minimizes delay-related costs, helps keep momentum, increases likelihood of application success.	May compete in queue with other applications.	Applicants other Regulatory Agencies	Page 40
	Reduce or delay Application Fees	Removes early-state cost barriers, reduces overall cost.	Actual processing costs need to be otherwise covered.	Applicants	Page 41
	Clear Application-Specific Guidance	Detailed guidance helps avoid costly revisions, de-mystifies process for applicants, likelihood of success.	Time consuming with limited planning resources.	Applicants	Page 42

APPENDIX E- TOOL KIT AT-A-GLANCE MENU

COMMUNITY ENGAGEMENT TOOLS					
Strategy	Tools	Advantages	Disadvantages	Partners	Page
Community Education	Poster, Website, Newsletters, Workshops, Radio	Increases public support, encourages applicants, reduces fear of change.	Modest resource requirements.	Community and Stakeholders	n/a
Gain Greater Community Support	NIMBY workshops	Can reduce a major fear-based obstacle, helps proponents address valid concerns.	No major disadvantages cited.	Stakeholders, CMHC BC Non-Profit Housing Assoc.	n/a
	Input on Needs and Priorities	Valuable insight into community needs, helps secure support and 'buy-in' for policies and applications.	Resources required to organize consultations and consolidate input.	Community and Stakeholders	n/a
	Consultation on Policy and Strategy	Valuable input solutions, helps secure support and 'buy-in' for policies and applications.	Resources required to organize consultations and consolidate input.	Community and Stakeholders	n/a
	Conflict Resolution	Potential to improve access to existing affordable stock.	No major disadvantages cited.	Stakeholders, RTA	n/a