

TO: Lorraine Hilton
Chief Administrative Officer

DATE: September 29, 2022
FILE: 3900.438 / 6430.04
3900.439

FROM: Laura Beckett
Municipal Planner

To Council
October 3, 2022

RE: SECONDARY SUITES AND ACCESSORY DWELLING UNITS PROJECT – ADDITIONAL INFORMATION

PURPOSE

The purpose of this report is to provide Council with the information requested at the July 18, 2022 Council meeting prior to it being provided to the Sustainability Land Use Select Committee (SLUSC) for its comments relative to its mandate.

STRATEGIC PRIORITY

Implementation of the District's Climate Leadership Plan is a Strategic Priority. Action #6 of that plan is to develop a secondary suite policy.

BACKGROUND

At its July 18, 2022 meeting, Council resolved the following:

1. That staff provide responses to the following:
 - a. Is the District able to grandfather existing secondary suites/accessory dwelling units?
 - b. What is the potential population of the District of Highlands if secondary suites and accessory dwelling units were permitted under the provisions of Draft Highlands Zoning Bylaw, 1988, Amendment No. 41, (Accessory Dwelling Units) Bylaw No. 438, 2022?
 - c. What is the potential population of the District of Highlands if secondary suites and accessory dwelling units are limited to properties equal to or greater than 2 acres in size?
2. That the staff report outlining the three responses as outlined in resolution 179-2022 be referred to SLUSC at the appropriate time once Council has received the information

Full background information regarding the secondary suites and accessory dwelling units project can be found at: <https://www.highlands.ca/500/Secondary-Suites-and-Accessory-Dwelling->.

RESPONSES TO QUESTIONS

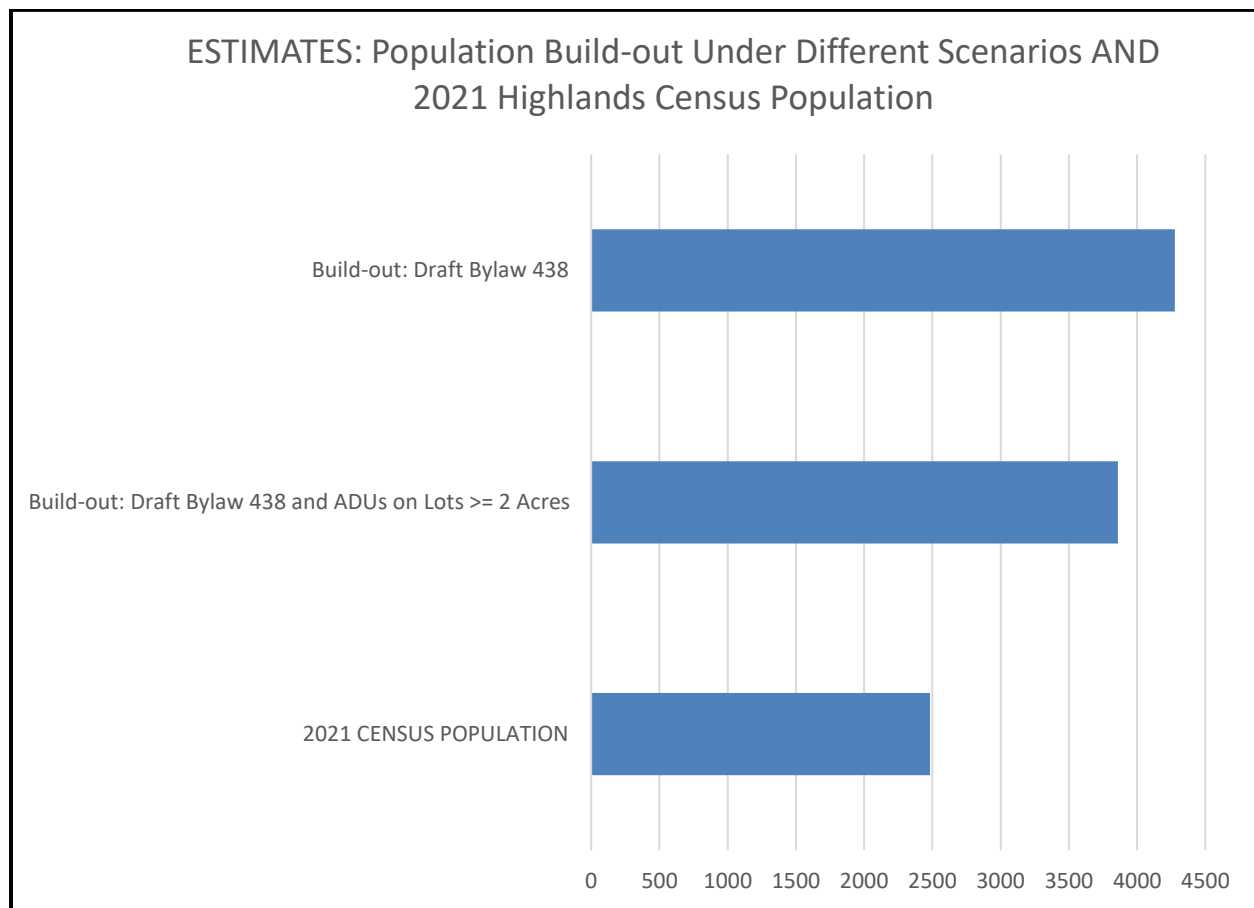
Grandfathering Existing Secondary Suites / Accessory Dwelling Units

"Grandfathering" in a regulatory sense means to allow for an old rule to continue to apply to some existing situations while a new rule will apply to all future cases. Because there never was a rule or regulation to allow secondary suites and/or accessory dwelling units, grandfathering is not possible. Under the current draft policy framework, existing secondary suites and accessory dwelling units would be subject to the new regulations and any non-compliance would be addressed as per the District's Bylaw Enforcement Policy.

Potential Population Estimates

Questions 2 and 3 seek population estimates under different scenarios permitting secondary residences (meaning secondary suites and accessory dwelling units). Please see the graph below. As with all estimates, the resulting information should be used carefully. The estimates do not account for future decisions and other unknown factors. For the sake of comparison, the 2021 census population of Highlands (2,482 people) has been included. It is important to note that census data is expected to capture the population of existing secondary residences. Staff conservatively estimates that approximately 50% of Highlands properties have at least one secondary residence.

- Staff estimates that the potential population of the Highlands under the provisions of draft Bylaw 438 is approximately 4,276 people.
- Staff estimates that the potential population of the Highlands under the provisions of draft Bylaw 438 for properties 2 acres or greater in size is approximately 3,860 people. It is important to note that this scenario would create a situation where existing secondary residences on lots less than 2 acres would not be able to achieve Highlands' regulatory compliance even if they could meet BC Building Code standards.



Calculation notes:

- The basis for calculations was the zoning build-out and property information used to create the information in this 2017 report: <https://www.highlands.ca/AgendaCenter/ViewFile/Item/3837?fileID=4544>.
- The calculations assume that every lot that could have a secondary residence would.
- The average population of one lot without a secondary residence is 2.7 people based on 2021 census data.
- The average population of one lot that has both a single-family dwelling and one secondary residence has been estimated at 4.3 people: 2.7 people in the principle single family dwelling and 1.6 people in the secondary residence, whether attached to the home or in a separate building. This number is 2021 census data for

average household size of apartments in a building that has fewer than five storeys in the CRD. It was used because the size of an apartment most closely matches that of a suite in comparison to the other choices.

- This information does not consider the legislative authority of Island Health or the Province regarding wells and onsite sewerage systems.

Attachment 1 has been included for information and shows updated build-out estimates to 2022 under current zoning (no secondary residences regulations). This information is set out in the same format as the 2017 report provided to Council.

CONCLUSION

The next step in this process is that this report will be referred to SLUSC as per Council direction from July 18, 2022. As per normal process, SLUSC's recommendation(s) will be referred to a future Committee of the Whole.

RECOMMENDATION

That the report from the Municipal Planner dated September 29, 2022 titled 'Secondary Suites and Accessory Dwelling Units Project – Additional Information' be received for information.

Respectfully submitted,

Concurrence



Laura Beckett, MURP, MCIP, RPP
Municipal Planner

Lorraine Hilton,
Chief Administrative Officer

Attachments:

- Attachment 1 – 2022 Updated New Housing Units Possible Under Current Zoning Regulations

Web Links:

- Highlands' 2021 Census Profile: <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm?Lang=E&SearchText=Highlands&DGUIDlist=2021A00055917049&GENDERlist=1&STATISTIClist=1&HEADERlist=0>
- Highlands Bylaw Enforcement Policy and Procedure: <https://www.highlands.ca/DocumentCenter/View/5982/Bylaw-Procedure?bidId=>

Attachment 1

2022 Updated New Housing Units Possible Under Current Zoning Regulations

- This data is an update to information found in this report from 2017: <https://www.highlands.ca/AgendaCenter/ViewFile/Item/3837?fileID=4544>. Please refer to it for assumptions and methodology. Because the numbers in that 2017 report were revisited, some revisions were necessary and the information below is the most up to date.
- The basic assumption is that one housing unit equals one single-family-dwelling lot (or parcel), except for RR7 and GB1A zones. For those zones, build-out for each was taken at 2 housing units and 4 housing units respectively.

ESTIMATE UPDATES AS OF SEPTEMBER 2022:

❖ 896 single-family-dwelling lots are in the District of Highlands.
❖ Between 180 and 206 additional single-family-dwelling lots allowed by zoning.
❖ Build-out range is between 1,076 and 1,102 single-family-dwelling lots.

Table 1 – 2022 Updated Estimates for Build-out Range and Housing Units Possible Under Current Zoning

<i>Zone</i>	<i>RAW Subdivision Potential, 2022</i>	<i>BEST ESTIMATE Subdivision Potential, 2022</i>	<i>2022 Number of Lots</i>
GB1	6	6	2
GB2	64	59	53
R1	32	32	32
R3	68	68	68
R4	19	19	19
RR1	287	266	255
RR2	129	129	124
RR3	59	59	56
P3	2	2	1
Total for All Amenity/Spot Zones	436	436	286
TOTALS	1,102	1,076	896

NOTES:

- Completed subdivisions:
 - 1772 Millstream Road (GB2),
 - Mary Place off Millstream Road (RR1 – was in process and accounted for in 2017),
 - 4890 Munn Road (RR3)
 - Deer Meadow off Rivers Crossing (CD2 – in Amenity Zone Category).
- Adjustments from 2017 to 2022:
 - “GB1”: One lot is now park. As a result, there is a reduction in subdivision potential and total number of lots on which a single-family-dwelling could be established.
 - “GB2”: Raw subdivision potential estimate was high.
 - “R3”: One of the parcels was rezoned to R8.
 - “P3”: It was originally calculated in the Amenity Zone category but is not an amenity zone.
 - “Total for All Amenity/Spot Zones”:
 - Amenity zones include: Am1, Am2, BMCD1, CD2, R2, R5, R6, R7, RR2A, RR4, RR5, RR7, RR8, RR13, and RR14.
 - Spot zones include GB1A, R3A, R3B, R3C, R3D, R8, RR15, and RR16.
 - P3 was removed from this category because it is neither an amenity or spot zone.
 - R8 added to this category. It is a spot zone for a property that was zoned R3 in 2017.
 - RR8 allowed 9 lots, but 11 were created in 2 separate subdivisions. 2017 calculation used 9 lots in RAW Subdivision Potential and 11 lots in BEST ESTIMATE Subdivision Potential. 2022 calculation used 11 for both.