

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 461**

**A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999,
BEING BYLAW NO. 355**

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

1. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw, 1999”, is amended:

1.1 By adding the following new definition in Section 1.1:

“secondary suite” means an *accessory, self-contained dwelling unit*, located within a *building* that otherwise contains a *single-family dwelling*, and having a lesser *floor area* than the *principal dwelling unit*.”

1.2 By adding a new Schedule “I” titled “Secondary Suites Map” as shown on attached Plan No. 1, in appropriate alphabetical sequence.

1.3 By inserting a new Section 3.15 as follows:

“3.15 SECONDARY SUITES

3.15.1 *Secondary suites* are permitted on *lots* that are within or partially within the shaded area on Schedule “I” to this Bylaw.

Information Note: Secondary suites are also permitted on lots within the Agricultural Land Reserve, zoned Agriculture 1 and Agriculture 2 by this Bylaw.

Information Note: Secondary suites that are permitted by these regulations also require a building permit from the Capital Regional District Building Inspection Office to be fully legalized.

3.15.2 A *dwelling unit* is permitted to contain a *secondary suite* provided that:

- (1) the *dwelling unit* or the *secondary suite* is occupied by the owner of the *dwelling*; or
- (2) the *dwelling unit* or the *secondary suite* is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.

Information Note: Pursuant to other provisions of this Land Use Bylaw, short term vacation rentals are not permitted in residential areas.

- 3.15.3 There is a maximum of one *secondary suite* permitted per *lot*.
- 3.15.4 A *secondary suite* must be contained within the walls of the *building* that contains the *principal dwelling unit*.
- 3.15.5 The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.
- 3.15.6 The maximum *floor area* for a *secondary suite* is 90m² (968 ft²).
- 3.15.7 A *secondary suite* must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.
- 3.15.8 Where a *lot* is supplied by groundwater, a *building* containing a *secondary suite* must have sufficient available groundwater.

Information Note: At time of Building Permit application, the Capital Regional District requires specific amounts of potable water be demonstrated, and proof of adequate septic capacity be provided, prior to issuing approvals.
- 3.15.9 Where a *secondary suite* is supplied by rainwater collection, the rainwater system must be capable of supplying the suite with a sufficient quantity of *potable water*.
- 3.15.10 Where water is to be supplied to a *secondary suite* by a combination of sources, a written plan for the supply of water is to be provided that demonstrates an adequate supply of *potable water*.
- 3.15.11 Where water is supplied to a *secondary suite* by a *community water system*, the operator of the *community water system* must provide written confirmation that it has sufficient capacity to supply the *secondary suite*.
- 3.15.12 Where water is to be supplied from a surface *water body*, a water license, issued or amended after November 30, 1994, must permit the withdrawal of the required amount of water.

Information Note: The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity."

And by making consequential numbering alterations to effect this change.

- 1.4 By inserting in Table 1 of Section 5.5 the following new water supply standard for *subdivision*:

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day per lot)
<i>Secondary Suite</i>	1200

- 1.5 By inserting in Table 3 of Section 7.1 the following new parking regulation:

TABLE 3 MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES			
LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
RESIDENTIAL			
<i>Secondary Suite</i>	1 per unit	0	0

- 1.6 By replacing the words “Subsection 3.1.1 of this Bylaw” in Article 9.9.1(1) with the words “Subsections 3.1.1 and 3.15.1 of this Bylaw”.
- 1.7 By removing the *Information Note* at Subsection 3.11.3.
- 1.8 By amending Article 3.13.8(2) to replace the phrase “*single-family dwelling*” with the phrase “*principal dwelling unit*”.
- 1.9 By removing the *floor area* limit for *secondary suites* in the table at Article 9.1.1(1)(b).
- 1.10 By adding the words “with the exception of *secondary suites*, where permitted” after “Minimum *lot area* required for more than one *dwelling unit* (ha)” in the table at Article 9.9.2 (1).

1.11 By adding the words “with the exception of *secondary suites*, where permitted” after “Maximum number of *dwelling units* per 8 ha” in the table at Article 9.10.2 (1).

2. This Bylaw may be cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2012”.

READ A FIRST TIME THIS	5 th	DAY OF	July	, 2012
READ A SECOND TIME THIS	22 nd	DAY OF	November	, 2012
PUBLIC HEARING HELD THIS	25 th	DAY OF	February	, 2013
READ A THIRD TIME THIS	21 st	DAY OF	March	, 2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	23 rd	DAY OF	April	, 2013
ADOPTED THIS	2 nd	DAY OF	May	, 2013

CHAIR

SECRETARY

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**Plan No. 1
Schedule "I" Secondary Suites Map**

