



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: Tuesday, November 26, 2019
Time: 9:30 a.m.
Location: Harbour House Hotel
121 Upper Ganges Road, Salt Spring Island, BC

	Pages
1. CALL TO ORDER	9:30 AM - 9:30 AM
2. APPROVAL OF AGENDA	
3. PREVIOUS MEETINGS	9:30 AM - 9:35 AM
3.1 Draft Minutes of the Salt Spring Island Local Trust Committee	
3.1.1 <u>Draft Minutes of the October 29, 2019 SSI LTC Regular Meeting</u>	6
For Adoption	
3.2 Resolutions Without Meeting Report - None	
3.3 Draft Minutes of the Advisory Planning Commissions - None	
4. BUSINESS ARISING FROM MINUTES	9:35 AM - 9:40 AM
4.1 Follow-Up Action List	21
Report dated November 2019	
5. COMMUNITY INFORMATION MEETING - None	
6. PUBLIC HEARING - None	
7. REPORTS	9:40 AM - 10:00 AM
7.1 Policy and Standing Resolutions List	44
For Information	
7.2 Work Program Top Priorities Report	49
Report dated November 2019	
7.3 Projects List	51
Report dated November 2019	

7.4	Applications with Status Report	57
	Report dated November 2019	
7.5	Expense Report	83
	Report dated September 2019	
7.6	Islands Trust Conservancy Board Report	84
	Report dated October 2019	
7.7	Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report	87
	Report dated November 2019	
8.	LOCAL TRUST COMMITTEE PROJECTS	10:00 AM - 11:00 AM
8.1	Proposed Bylaw No. 471 - Temporary Use Permits for Secondary Suites and Cottages	98
	For consideration of Project Charter Update and Bylaw Amendment - Staff Report	
8.2	Proposed Bylaw No. 512 - Affordable Rental Housing and Cottages	134
	For consideration of amendments - Staff Report	
8.3	Official Community Plan Update - Strategic Priorities	156
	Staff Report	
9.	OTHER BUSINESS	11:00 AM - 11:15 AM
9.1	New Business	
9.1.1	<u>2020 Salt Spring Island Local Trust Committee Regular Meeting Schedule</u>	217
	For Adoption - Staff Memorandum	
9.1.2	<u>Trust Council to LTC, Concerning Live Streaming of Local Trust Committee Meetings</u>	219
	Request for Decision	
9.1.3	<u>Standing Resolution - Reconciliation</u>	221
	For Consideration - Staff Report	
9.1.4	<u>Notice Regarding Federal Cannabis Licensing - 240 Hillcrest Drive, SSI</u>	224
	For Information	
9.1.5	<u>Notice Regarding Federal Cannabis Licensing - 150 Suffolk Road, SSI</u>	225

10. CORRESPONDENCE

11:15 AM - 11:20 AM

Please visit the Applications and Projects pages on the Islands Trust website for recent public submissions.

For Applications, go to: <http://www.islandstrust.bc.ca/SSIapplications>

For Projects, go to: <http://www.islandstrust.bc.ca/SSIprojects>

10.1 Capital Regional District to LTC, Dated October 23, 2019 - Concerning CRD Regional Growth Strategy Bylaw Referral 226

For Information - please note that the Regional Growth Strategy has no effect in the Trust Area, so no response is required.

10.2 The Honourable Selena Robinson, Minister of Municipal Affairs and Housing to LTC, Dated October 31, 2019 - Concerning Year Round Shelter 229

For Information

10.3 G. Slakov to LTC, Dated October 26, 2019 - Concerning Business at 251 Fulford-Ganges Road, SSI 230

For Consideration

10.4 J. Motherwell to LTC, Dated November 7, 2019 - Concerning Business at 251 Fulford- Ganges Road, SSI 231

For Consideration

10.5 N. McCarvill to LTC, Dated November 14, 2019 - Concerning Business at 251 Fulford-Ganges Road, SSI 232

For Consideration

11. CLOSED MEETING

11:20 AM - 11:30 AM

11.1 Motion to Close the Meeting

The Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90

- (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

... and that staff be invited to remain.

11.2 Motion to Open the Meeting

The Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter.

11.3 Rise and Report

.....BREAK UNTIL 12:00 NOON.....

12. TRUSTEE REPORTS 12:00 PM - 12:10 PM

Verbal Report

13. CHAIR'S REPORT 12:10 PM - 12:15 PM

Verbal Report

14. CRD DIRECTOR'S REPORT 12:15 PM - 12:20 PM

Verbal Report

15. DELEGATIONS 12:20 PM - 12:25 PM

15.1 P. Reichert, Salt Spring Island Farmland Trust and R. Grant, Salt Spring Island Community Services - Concerning a Central Composting Facility for Salt Spring Island

For Consideration

16. TOWN HALL AND QUESTIONS 12:25 PM - 12:45 PM

Reminder, the Public Hearing for:

- Bylaws 474 and 475 (Fulford Landing) closed on November 2, 2017;
- Bylaws 488, 489 and 490 (Industrial Land Uses Project) closed on May 14, 2019;
- Bylaw 493 (Piers Island OCP Amendment) closed on October 3, 2016;
- Bylaws 510 and 511 (155 Rainbow Road) closed on January 29, 2019
- Bylaw 515 (154 Kings Lane) closed on May 22, 2019.

Per Meeting Procedure Bylaw No. 391, the Local Trust Committee must not permit a delegation to address a meeting of the Committee regarding a bylaw in respect of which a public hearing has been held.

17. APPLICATIONS AND REFERRALS 12:45 PM - 2:15 AM

17.1 Proposed Bylaw No. 515 and Proposed Bylaw No. 517 (Housing Agreement) - R. Walker, Gulf Islands Residents' Association - 154 Kings Lane, SSI 233

Rescinding of 3rd reading, and consideration of 3rd reading and referral to Executive Committee for proposed Bylaw No. 515; Consideration of proposed Bylaw No. 517, and referral to Executive Committee - Staff Report

17.2 SS-LCB-2019.4 - Royal Canadian Legion Branch No. 92 - 120 Blain Road, SSI 287

Liquor and Cannabis Regulation Branch application to transition to Liquor

Primary licence to allow liquor sales to general public - Staff Report

17.3 SS-SUB-2018.2 - G. and M. Campbell - 347 Bridgman Road, SSI 318

Water treatment covenant for the purpose of subdivision - Staff Report

17.4 SS-TUP-2019.6 - J. Fraser - 151 Lower Ganges Road, SSI 348

An application to add the following uses: sea can for commercial use; sea can for storage and artisan use/sales; sea can for storage/office/artisan use/kayak rentals/sales; trailer; food truck; washroom; building with multiple uses - Staff Report

17.5 SS-DP-2019.8 - J. Dunham, Archeus Architecture & Design Inc. - #110 - 150 Fulford-Ganges Road, SSI 380

Development Permit application to permit an exterior restaurant patio development in DPA 1, 4 and 7 - Staff Report

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on December 17, 2019 at the Harbour House Hotel, 121 Upper Ganges Road, Salt Spring Island.

19. ADJOURNMENT



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, October 29, 2019

Location: Harbour House Hotel
121 Upper Ganges Road, Salt Spring Island, BC

Members Present: Peter Luckham, Chair
Peter Grove, Local Trustee
Laura Patrick, Local Trustee

Staff Present: Stefan Cermak, Regional Planning Manager (RPM)
William Shulba, Senior Freshwater Specialist
Jason Youmans, Island Planner
Claire Negrin, Island Planner
Geordie Gordon, Planner 1
Serena Klaver, Planner 1
Karol Kudyba, Bylaw Compliance and Enforcement Officer (BCEO)
Sarah Shugar, Recorder

Media and Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director
Gulf Islands Driftwood Reporter
Approximately 13 members of the public - a.m.
Approximately 45 members of the public - p.m.

These minutes follow the order of the agenda although the sequence may have varied.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:30 a.m. He introduced himself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory.

2. APPROVAL OF AGENDA

The following supplemental items were presented for consideration:

- 7.7 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report
- 9.1.2.1 Bylaw No. 506 - Salt Spring Community Services - Lot 3, Bishop's Walk Road, SSI

By general consent the agenda was adopted as amended.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the October 1, 2019 SSI LTC Regular Meeting

By general consent, the minutes of the October 1, 2019 Salt Spring Island Local Trust Committee meeting were adopted.

3.1.2 Draft Minutes of the October 3, 2019 SSI LTC Special Meeting (with SSI Fire Rescue)

By general consent, the minutes of the October 3, 2019 Salt Spring Island Local Trust Committee Special meeting were adopted.

3.1.3 Draft Minutes of the October 4, 2019 SSI LTC Special Meeting (Prevost Island)

By general consent, the minutes of the October 4, 2019 Salt Spring Island Local Trust Committee Special meeting were adopted.

3.1.4 Draft Minutes of the October 4, 2019 SSI LTC Special Meeting (Piers Island)

By general consent, the minutes of the October 4, 2019 Salt Spring Island Local Trust Committee Special meeting were adopted.

3.2 Resolutions Without Meeting Report – None

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Draft Minutes of the October 17, 2019 Advisory Planning Commission Minutes

By general consent, the minutes of the October 17, 2019 Salt Spring Island Advisory Planning Commission meeting were received.

3.4 Minutes of the October 3, 2019 Board of Variance Meeting

By general consent, the minutes of the October 3, 2019 Salt Spring Island Board of Variance meeting were received.

4. PREVIOUS MEETINGS BUSINESS ARISING FROM MINUTES

4.1 Follow-Up Action List

The report was received.

5. COMMUNITY INFORMATION MEETING – None

6. PUBLIC HEARING – None

7. REPORTS

7.1 Policy and Standing Resolutions List

The report was received.

7.2 Work Program Top Priorities Report

7.2.1 Report dated October 2019

The report was received.

7.2.2 Work Program Top Priorities Summary - Quarterly Report

RPM Cermak presented a memorandum dated October 21, 2019 regarding the 2019/20 Work Program. It was noted the Salt Spring Island Local Trust Committee requested staff to amend the Top Priorities Report as follows: add "Implement climate change mitigation and adaption measures; Ensure fresh water sustainability; Protect the Coastal Douglas Fir (CDF) Ecosystem; Increase availability of affordable housing; Protect and enhance agriculture; Increase meaningful consultation and cooperation with citizens, agencies and First Nations; and, Village Planning." following "Analysis - Reviewing OCP in regards to Strategic Priorities".

7.3 Projects List

The report was received.

7.4 Applications with Status Report

7.4.1 Report dated October 2019

The report was received.

7.4.2 Applications Summary - Quarterly Report

RPM Cermak presented a memorandum dated October 9, 2019 regarding a 2019 Applications Summary – Quarterly Report.

7.5 Expense Report

The report dated August 2019 was received.

7.6 Islands Trust Conservancy Board Report – None

7.7 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report

Trustee Patrick presented the Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report dated October 22, 2019.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Official Community Plan Update Project

Planner Negrin presented a staff report dated October 21, 2019 regarding the Salt Spring Island Local Trust Committee Strategic Priorities Official Community Plan Update Project.

SS-2019-194

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend the draft Strategic Priorities OCP Update Project Charter as follows:

1. Use other resources for the gap analysis;
2. Engage with subject matter groups prior to the public engagement;
3. Develop a process to prioritize the OCP policy gaps;
4. Have the ability to spin off projects;
5. Replace “undertake amendments in incremental steps”;
6. Identify the OCP policies that support the strategic priorities but require implementation or LUB amendments; and
7. To clarify the purpose.

CARRIED

SS-2019-195

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve the 2018-2022 Strategic Priorities - Official Community Plan Update Project Charter as amended.

CARRIED

SS-2019-196

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to undertake the 2018-2022 Strategic Priorities - Official Community Plan Update project work plan as presented in the Project Charter.

CARRIED

8.2 Water Sustainability Salt Spring Island Groundwater Recharge Potential

Freshwater Specialist Shulba presented a staff report dated October 22, 2019 regarding the Salt Spring Island Groundwater Recharge Potential report.

SS-2019-197

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee receive the Salt Spring Island Groundwater Recharge Potential Mapping report.

CARRIED

8.3 Ganges Village Plan - Harbourwalk

Planner Youmans presented a memorandum dated October 22, 2019 regarding a project update for the Ganges Harbourwalk.

8.4 Draft Bylaw No. 518 - Regulation of Cannabis Production

Planner Youmans presented a staff report dated October 22, 2019 regarding Regulation of Cannabis Production.

SS-2019-198

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 518, cited as Salt Spring Island Land Use Bylaw 1999, Amendment No. 1, 2019, be read a first time.

CARRIED

SS-2019-199

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee endorse the Cannabis Regulations Project Charter version 1, dated October 10, 2019.

CARRIED

SS-2019-200

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 518, cited as "Salt Spring Island Land Use Bylaw 1999, Amendment No. 1, 2019," is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SS-2019-201

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee refer Bylaw No. 518 to the Agricultural Advisory Planning Commission (AAPC) and the Advisory Planning Commission (APC) for review and comment.

CARRIED

SS-2019-202

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee refer Bylaw No. 518 to the agencies, community groups, and First Nations identified in Appendix 3 for review and comment.

CARRIED

SS-2019-203

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to schedule a Community Information Meeting on Bylaw No. 518.

CARRIED

9. OTHER BUSINESS

9.1 New Business

9.1.1 Regional Housing Needs Project

RPM Cermak presented a staff report dated October 11, 2019 regarding a Housing Needs Report.

SS-2019-204

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee support the Capital Regional District (CRD) to apply for, receive, and manage Union of BC Municipalities grant funding to complete a housing needs report partnership with the Salt Spring Island Local Trust Committee with the following condition: that the CRD consult Islands Trust staff and Salt Spring Island local housing groups regarding the Terms of Reference.

CARRIED

9.1.2 Bylaw No. 506 - Salt Spring Community Services - Lot 3, Bishops Walk Road, SSI

9.1.2.1 Bylaw No. 506 - Salt Spring Community Services - Lot 3, Bishops Walk Road, SSI

A letter from Salt Spring Community Services dated October 23, 2019 regarding Enactment of Hardship Clause of Salt Spring Commons Housing Agreement and Title Clearing was received.

SS-2019-205

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee grant permission to the Salt Spring and Southern Gulf Islands Community Services Society to increase rental rates for 8 of 24 units in order to meet conditions set out in the BC Housing's Operating Agreement.

CARRIED

SS-2019-206

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee agree to discharge Covenants FBI31874 and EX20855 from Lot 3, District Lot 24, North Salt Spring Island, and direct any Trustee to sign the discharge forms.

CARRIED

10. CORRESPONDENCE

10.1 Transition Salt Spring Society to LTC, Dated September 23, 2019 - Concerning Support for Salt Spring Solutions Recommendation and Affordable Housing

The correspondence was received.

10.2 L. Read, Salt Spring Island Chamber of Commerce, to LTC, Dated September 25, 2019 - Concerning Support for Salt Spring Solutions Recommendation and Affordable Housing

The correspondence was received.

10.3 M. Leichter to LTC, Dated September 27, 2019 - Concerning Development Approval Information Bylaw No. 175

The correspondence was received.

10.4 B. Aust to LTC, Dated September 29, 2019 - Concerning Strategic Priorities

The correspondence was received.

10.5 K. Madro to LTC, Concerning Metal Recycling Business at 251 Fulford Ganges Road, SSI

The correspondence was received.

10.6 C. Anderson on Behalf of Gulf Islanders for Safe Technology to D. Ovington, CRD Manager Salt Spring Island Parks and Recreation Commission, Cc. LTC et al., Concerning PARC's Approval Process of CREST Emergency Services Communication Radio Tower Location

The correspondence was received.

10.7 G. Holman (Capital Regional District), to LTC et al, Dated October 22, 2019 - Concerning Salt Spring Island Climate Action Plan Update

SS-2019-207

It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee direct staff to respond to the letter received from CRD Director Holman dated October 22, 2019 Concerning Salt Spring Island Climate Action Plan Update.

CARRIED

11. CLOSED MEETING

11.1 Motion to Close the Meeting

SS-2019-208

At 11:35 a.m., **It was MOVED and SECONDED** that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90 (1): (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment, and that staff be invited to remain.

CARRIED

11.2 Motion to Open the Meeting

SS-2019-209

At 11:48 a.m., **It was MOVED and SECONDED** that the Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter.

CARRIED

11.3 Rise and Report – None

The meeting recessed for lunch at 11:48 a.m. and reconvened at 12:00 p.m.

12. TRUSTEE REPORTS

Trustee Patrick reported she attended the following Salt Spring Island Local Trust Committee special meetings: with Salt Spring Fire Rescue regarding wildfire prevention, on Piers Island; and on Prevost Island. She also attended meetings with the following: the Salt Spring Island Watershed Protection Alliance (SSIWPA); the Islands Trust Executive Committee; the South Pender Island Local Trust Committee; and the Saturna Island Local Trust Committee. Trustee Patrick attended a Salt Spring Community Health Society open house event regarding the 2019 Salt Spring Island Community Health Needs Assessment Report and a community dinner hosted by the Salt Spring Island Foundation and reported the next Trust Council meeting will be held on December 3 to 5, 2019 in Victoria.

Trustee Grove reported he attended the following Salt Spring Island Local Trust Committee special meetings: with Salt Spring Fire Rescue regarding wildfire prevention, on Piers Island; and on Prevost Island. He also attended a Salt Spring Island Advisory Planning Commission meeting and a Financial Planning Committee meeting. Trustee Grove attended an Ask Salt Spring - "Neighbours helping Neighbours find answers" event hosted by the Salt Spring Community Alliance.

13. CHAIR'S REPORT

Chair Luckham reported he met with Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation regarding the Islands Trust First Nations Reconciliation Action Plan.

14. CRD DIRECTOR'S REPORT

Capital Regional District (CRD) Electoral Area Director Gary Holman circulated two documents entitled "Proposed New CRD Community Safety Service Frequently Asked Questions" and "Proposed CRD Budget Summary 2020". CRD Director Holman spoke to the proposed CRD Budget Summary 2020 and highlighted that the proposed 2020 CRD Budget Summary is a 4.5% increase over 2019 and includes the following: an increase of \$64,000 for increased haulage and operating costs at the Burgoyne Bay liquid waste facility; an increase of \$35,000 for an additional library staff person; an increase of \$20,000 to SSI Arts Council for upgrades for Mahon Hall; an increase of \$58,000 for PARC project and events

coordination, maintenance and bylaw enforcement staff time; and an increase of \$15,000 for transit expansion to the Beddis Road area. CRD Director Holman reported BC Transit has approved an expansion of bus service to the Beddis Road area and that BC Transit has committed converting the entire fleet to electric buses. CRD Director Holman spoke to other electric vehicle initiatives and noted the CRD is looking into funding options for level 3 commercial electric vehicle charging stations.

16. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:20 p.m.

A member of the public expressed support for a Development Permit Area for the Coastal Douglas-Fir ecosystem and asked the Local Trust Committee to make Coastal Douglas Fir protection a top priority.

A member of the public expressed concerns regarding the Salt Spring Community Services homeless shelter including noise pollution, overcrowding at the shelter, safety, trespass on private property, and wildfire risk and requested the Local Trust Committee to not support year round use of the homeless shelter.

A member of the public expressed support for protection of the Coastal Douglas-Fir ecosystem and requested an update regarding establishing a Development Permit Area for protection of the Coastal Douglas-Fir ecosystem areas on Salt Spring Island.

Trustee Patrick reported Islands Trust Local Planning Committee has made protection of the Coastal Douglas-fir and Associated Ecosystems a top priority and approved funding for mapping the Coastal Douglas-Fir zone in the Local Trust Area.

Two members of the public expressed support for SS-RZ-2018.3 (377 Seymour Heights Road).

Two members of the public expressed concern regarding SS-DVP-2019.4 (381 Toynbee Road).

A member of the public spoke to the build out potential on Salt Spring Island and asked whether development potential limits have been set. The member of the public also expressed concern that the Salt Spring Island Groundwater Recharge Potential Report is not an accurate tool to base development regulations on.

Chair Luckham reported there are maximum build out limits in the Salt Spring Island Official Community Plan.

A member of the public expressed concerns regarding the issue of homelessness on Salt Spring Island and asked for clarification regarding whether the Salt Spring Community Services homeless shelter requires patrons of the shelter to be residents of Salt Spring Island.

A member of the public spoke to the application SS-ALR-2018.2 (192 Vesuvius Bay Road) and asked the Local Trust Committee to continue to support the application for a Non-Farm Use Application in the Agricultural Land Reserve in the context of Draft Bylaw No. 518 - Regulation of Cannabis Production.

A member of the public expressed support for the Official Community Plan Update Project and spoke to the importance of consulting with community groups as part of the process.

17. APPLICATIONS AND REFERRALS

17.1 SS-RZ-2019.2 - P. Busby, Sobeys Inc. - 127 Lower Ganges Road, SSI

Planner Negrin presented a staff report dated October 21, 2019 regarding a Land Use Bylaw Amendment to permit Liquor Store.

SS-2019-210

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 519, 2019 be read a first time.

CARRIED

SS-2019-211

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to send Bylaw No. 519 to external agencies, as identified in this staff report dated October 29, 2019, for referral.

CARRIED

SS-2019-212

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee waive the requirement for a public hearing on Bylaw No. 519, 2019 as the Bylaw is consistent with the Salt Spring Island Official Community Plan No. 434, 2008, and request staff to proceed with public notification as per Section 467 of the Local Government Act.

DEFEATED

Trustee Grove, Chair Luckham and Trustee Patrick OPPOSED

SS-2019-213

It was MOVED and SECONDED,

that consideration of final reading of Bylaw No. 519, 2019 be withheld until such a time as an easement addressing use of the parking area for temporary loading/unloading to the benefit of the proposed liquor store use, written to the satisfaction of the Salt Spring Island Regional Planning Manager, be registered on Lot B, Section 1, Range 4 East, North Saltspring Island And District Lots 351, 539 And 589, Cowichan District, Plan 43663.

CARRIED

SS-2019-214

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to schedule a Public Hearing for proposed Bylaw No. 519, 2019.

CARRIED

17.2 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI

Planner Negrin presented a staff report dated October 21, 2019 regarding a Land Use Bylaw amendment from Rural Uplands 1 to a zone variant to permit a health clinic with patient guest rooms. Freshwater Specialist Shulba spoke to the water availability requirements.

Applicant Gail Jaeger and property owner Thomas Kefferputz spoke to the application.

SS-2019-215

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 520, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2019", be read a first time.

CARRIED

Trustee Patrick OPPOSED

SS-2019-216

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to send Bylaw No. 520 to external agencies, as identified in this staff report dated October 29, 2019, for referral.

CARRIED

SS-2019-217

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant for SS-RZ-2018.3 register an easement on title to ensure year-round access to the surface water ponds located on the southwest portion of the property by the Salt Spring Island Fire Rescue.

CARRIED

Trustee Patrick OPPOSED

SS-2019-218

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee accept the Desktop Groundwater Supply Feasibility Investigation prepared by Western Water Associates Limited dated October 10, 2019 as confirmation that the following requirements related to the provision of potable and non-potable water to the subject property have been met:

- a. Confirmation that potable water in the amount required to obtain occupancy permits can be provided under the plan for all proposed clinic and accommodation facilities;
- b. Confirmation that non-potable water in the amount required for clinic and accommodation facilities and fire suppression and can be provided; and,
- c. Where potable water is to be supplied by groundwater, a water quality analysis that demonstrates that the groundwater from each proposed water supply source or well is potable or can be made potable with a treatment system.

CARRIED

Trustee Patrick OPPOSED

SS-2019-219

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee withhold consideration of Final Reading of Bylaw No. 520 until:

- a. Confirmation has been received that water licencing has been granted and requirements thereof have been met;
- b. Confirmation has been received that the applicant undertook pump testing if required for water licencing.

CARRIED

Trustee Patrick OPPOSED

SS-2019-220

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee withhold consideration of Final Reading of Bylaw No. 520 until: If pump testing was not required for water licencing, that pump testing be conducted by a professional engineer or geoscientist and provide supporting documentation that the test was of sufficient duration to establish the long-term reliability of the water supply in accordance with generally acceptable hydrogeological practices, and confirm that the water use on site will not negatively affect:

1. Nearby wells or other neighbourhood water supplies and aquifer recharge;
2. Agricultural activities;
3. Springs and other water bodies necessary to maintain fish habitat and healthy watershed function.

CARRIED

Trustee Patrick OPPOSED

SS-2019-221

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee withhold consideration of Final Reading of Bylaw No. 520 until confirmation has been received that the well construction permit waiver has been approved.

CARRIED

Trustee Patrick OPPOSED

SS-2019-222

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee withhold consideration of Final Reading of Bylaw No. 520 until confirmation has been received that the septic filing amendment dated September 30, 2019 has been approved.

CARRIED

Trustee Patrick OPPOSED

SS-2019-223

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee withhold consideration of Final Reading of Bylaw No. 520 until the applicant amends the existing Section 219 covenant on title to include conservation of those Areas of High Biodiversity and Environmentally Sensitive Areas located on the property.

CARRIED

17.3 SS-DP-2019.6 - Hayden Services Inc. - 118 Jackson Avenue, SSI

Planner Klaver presented a staff report dated October 22, 2019 regarding subdivision within Development Permit Area 1 and request for frontage exemption.

Property owner Richard Hayden spoke to the application.

SS-2019-224

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of development permit SS-DP-2019.6 (118 Jackson Avenue).

CARRIED

SS-2019-225

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee exempt proposed Lot 1 of subdivision SS-SUB-2019.1 from the 10% frontage requirements of section 512 of the Local Government Act and section 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355.

CARRIED

The meeting recessed at 2:07 p.m. and reconvened at 2:09 p.m.

17.4 SS-LCB-2019.3 - Rising Tide Consultants - 110-150 Fulford-Ganges Road, SSI (Mateada)

Planner Klaver presented a staff report dated October 22, 2019 regarding a Liquor and Cannabis Regulation Branch application for Patron Participation Entertainment Endorsement.

SS-2019-226

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee has considered the location of the Mateada establishment and the proposed change in license to include a Patron Participation Entertainment Endorsement, and provides the following comments to the Liquor and Cannabis Regulation Branch (LCRB) in consideration of this application:

- Community members have expressed support for the change in license and that the proposal provides artistic, cultural and family-friendly entertainment options.
- Neighbouring businesses have communicated there is minimal impacts from noise from the current operation. There is support for the change in license to include Patron Participation with preference for implementation after regular business operating hours;
- The Local Trust Committee recommends the application be approved conditional that the Patron Participation Entertainment Endorsement is conducted indoors only and with operating hours of Monday to Friday after 5:00 p.m. and anytime on Saturdays and Sundays within the terms of the existing food-primary LCRB license.

CARRIED

17.5 SS-DP-2019.7 - K. Akerman - 183 Beaver Point Road, SSI

Planner Gordon presented a staff report dated October 21, 2019 regarding a Subdivision within Development Permit Area 7 (Riparian Areas) and a request for frontage exemption.

Applicant Kerry Akerman spoke to the application.

SS-2019-227

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2019.7 (183 Beaver Point Road).

CARRIED

SS-2019-228

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee exempt proposed Lots A and B of subdivision SS-SUB-2018.3 from the 10 percent minimum lot frontage requirements of Section 512 of the Local Government Act and subsection 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355, 1999.

CARRIED

17.6 SS-DVP-2019.4 - N. Weis - 381 Toynbee Road, SSI

Planner Gordon presented a staff report dated October 21, 2019 regarding a Development Variance Permit application to reduce front and rear lot line setbacks for agricultural and accessory structures.

Applicant Nico Weis spoke to the application.

SS-2019-229

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend Development Variance Permit SS-DVP-2019.4 as follows: delete section 4.3.1 item (2) Setback from rear lot line: is varied from 7.5 m to 1.5 m.

CARRIED

SS-2019-230

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2019.4 as amended (381 Toynbee Road).

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on November 26, 2019 at 9:30 a.m. at the Harbour House Hotel, 121 Upper Ganges Road.

19. ADJOURNMENT

By general consent the meeting adjourned at 3:00 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Follow Up Action Report

Salt Spring Island

28-May-2019

Activity	Responsibility	Dates	Status
1 Public Engagement on Salt Spring Island for Visions 2099: The Future of the Islands in the Salish Sea That the SSILTC approve the recommended public engagement activities to take place in the Salt Spring Local Trust Area in support of the Trust Council's Visions 2099: The Future of the Islands in the Salish Sea, as outlined in the staff report dated May 28th, 2019.	Clare Frater		In Progress
2 Telecommunications: Model Strategy for Antenna Systems That the SSILTC direct staff to present revised options to the LTC for a public consultation program and land use siting criteria for antenna systems at a future meeting.	Geordie Gordon		In Progress
3 SS-RZ-2018.3 - Lightdance Design Inc. - 377 Seymour Heights, SSI That the SSILTC request staff to prepare a draft bylaw to amend the Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone Lot 1, Section 79, South Salt Spring Island, Cowichan District, Plan 42461 from Rural Uplands 1 to a new Rural Uplands 1 zone variant permitting the proposed uses as described in the May 16, 2019 Islands Trust staff report.	Claire Negrin		Completed



Follow Up Action Report

Salt Spring Island

28-May-2019

Activity	Responsibility	Dates	Status
4 SS-RZ-2018.3 - Lightdance Design Inc. - 377 Seymour Heights, SSI That the SSILTC request that the applicant for SS-RZ-2018.3 submit to the Islands Trust a water supply and demand servicing plan prepared by a professional engineer or geoscientist that contains the following related to the provision of potable and non-potable water to the subject property: a. Confirmation that potable water in the amount required to obtain occupancy permits can be provided under the plan for all proposed clinic and accommodation facilities; b. Confirmation that non-potable water in the amount required for clinic and accommodation facilities, fire suppression and garden and greenhouse watering can be provided; c. Where water is to be supplied by groundwater, pump test(s) conducted between July and September by a professional engineer or geoscientist and containing supporting documentation that the test was of sufficient duration to establish the long-term reliability of the water supply in accordance with generally acceptable hydrogeological practices; d. Where potable water is to be supplied by groundwater, a water quality analysis that demonstrates that the groundwater from each proposed water supply source or well is potable or can be made potable with a treatment system; and e. Where potable and non-potable water is to be supplied by	Claire Negrin		In Progress

Follow Up Action Report

Salt Spring Island

28-May-2019

Activity	Responsibility	Dates	Status
groundwater, assessment of how the proposed groundwater use on the site will impact: i. Nearby wells or other neighbourhood water supplies and aquifer recharge ii. Agricultural activities iii. Springs and other water bodies necessary to maintain fish habitat and healthy watershed function.			
5 SS-RZ-2018.3 - Lightdance Design Inc. - 377 Seymour Heights, SSI That the SSILTC request that the applicant for SS-RZ-2018.3 submit to the Islands Trust a wastewater plan prepared by a professional engineer or geoscientist that contains the following related to the production and disposal of wastewater on the subject property: a. the expected amount of sewage produced under the plan for all proposed clinic and accommodation facilities can be treated on-site and effluent disposed of on-site without it reaching the surface of the land, discharging into a body of water, or contaminating a supply of potable water.	Claire Negrin		Completed

Follow Up Action Report

Salt Spring Island

28-May-2019

Activity	Responsibility	Dates	Status
6 SS-RZ-2018.3 - Lightdance Design Inc. - 377 Seymour Heights, SSI That the SSILTC request that the applicant for SS-RZ-2018.3 protect land adjacent to Mt. Maxwell Provincial Park through a Section 219 covenant acceptable to the Salt Spring Island Local Trust Committee.	Claire Negrin		In Progress

25-Jun-2019

Activity	Responsibility	Dates	Status
1 Salt Spring Accommodation Group to LTC, Dated June 17, 2019 - Concerning Bylaw Enforcement Actions and SSILTC Standing Resolution SS-2017-120 That the Salt Spring Island Local Trust Committee request staff to provide a report regarding options relating to short term vacation rentals and Salt Spring Island Local Trust Committee Standing Resolution SS-2017-120.	Karol Kudyba		In Progress

Follow Up Action Report

Salt Spring Island

25-Jun-2019

Activity	Responsibility	Dates	Status
2 SS-RZ-2018.4 - SS-BL-515 - R. Walker for Gulf Islands Seniors Residence Association - 154 Kings Lane, SSI (Meadowlane) That the Salt Spring Island Local Trust Committee direct staff to amend Bylaw No. 515, cited as 'Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018', to specify that: 1. dental and medical office services for a maximum of 12 medical practitioners and two dwelling units be exclusively permitted in the existing building and immediately surrounding area and that, 2. a seniors' supportive housing complex and service club be permitted on the remaining lot.	Daniela Murphy Stefan Cermak		Completed



Follow Up Action Report

Salt Spring Island

25-Jun-2019

Activity	Responsibility	Dates	Status
3 SS-LCB-2019.1 - Salt Spring Wild Cider - 151 Sharp Road That the Salt Spring Island Local Trust Committee has considered the location of the Salt Spring Wild Cider House and Distillery Ltd. establishment and the proposed hours of liquor service and provides the following comments to the Liquor and Cannabis Regulation Branch (LCRB) in considering this application: 1. The potential impacts of noise on the community in the immediate vicinity of the establishment would be minimal due to the decision to exclude amplified music and pub-style games as conditions of the LCRB lounge application. 2. The potential impacts of occupancy on the community in the immediate vicinity of the establishment would continue to remain, however with the improved on-site parking area on the property and signage additions, traffic congestion on Sharp Road has been significantly mitigated. 3. The impacts on the community if the application is approved would be beneficial as residents and visiting tourists value the cidery in the community. 4. The Local Trust Committee recommends the application be approved.	Serena Klaver		In Progress



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
1 Strategic Priorities for the 2018-2022 Local Trust Committee Term That the Salt Spring Island Local Trust Committee direct staff to secure additional resources including grants to help accomplish the Local Trust Committee's strategic priorities.	Claire Negrin Stefan Cermak		In Progress
2 Standing Resolution to Refer Items to the Agricultural Advisory Planning Commission (AAPC) That the Salt Spring Island Local Trust Committee direct staff to draft a standing resolution referring Agricultural Land Commission applications directly to the Agricultural Advisory Planning Commission, prior to consideration by the Salt Spring Island Local Trust Committee when: 1. Applications demonstrate either that local farming or the greater community would benefit and conditions of Official Community Plan policy B.6.2.2.16 apply, or 2. Applications are for public recreation use and are consistent with the Official Community Plan.	Serena Klaver Stefan Cermak		In Progress



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
3 SS-LCB-2019.3 - Rising Tide Consultants - 110-150 Fulford-Ganges Road, SSI (Mateada) That the Salt Spring Island Local Trust Committee withhold consideration of application SS-LCB-2019.3 (110-150 Fulford-Ganges Road) until the applicant shows evidence of coming into compliance with the existing Development Permit (SS-DP-2010.17).	Serena Klaver		In Progress
4 SS-TUP-2019.1 - R. Van Hullebush - 784 Vesuvius Bay Road, SSI That the Salt Spring Island Local Trust Committee deny application SS-TUP-2019.1 (784 Vesuvius Bay Road) for being at variance with Official Community Plan Temporary Use Permit guidelines G.1.3.3 and G.1.3.6.	Serena Klaver		Completed
5 SS-DVP-2018.15 - E. Booth - 119 & 121 Cairns Place, SSI That the Salt Spring Island Local Trust Committee deny issuance of SS-DVP-2018.15 (119 & 121 Cairns Place.)	Geordie Gordon		Completed

01-Oct-2019

Activity	Responsibility	Dates	Status
1 Work Program Top Priorities Report The SSILTC refer the community aquifer recharge area report to the Salt Spring Island Watershed Protection Alliance (SSIWPA) to coordinate a review by members and relevant agencies.	Jason Youmans William Shulba		Completed



Follow Up Action Report

Salt Spring Island

01-Oct-2019

Activity	Responsibility	Dates	Status
2 Proposed Bylaw No. 175 - Development Approval Information The SSILTC endorse Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018 and refer it to Trust Council.	Stefan Cermak		Completed
3 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project The SSILTC Bylaw No. 512, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018" be amended to require the installation of rainwater catchment infrastructure as a condition of full-time residential rental cottage use.	Daniela Murphy Jason Youmans		Completed
4 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project That the SSILTC Committee Bylaw No. 512, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018" be amended to remove all properties adjacent to water bodies in the Shoreline Conservation (SC) designation of the Salt Spring Island Official Community Plan.	Daniela Murphy Jason Youmans		Completed
5 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project That SSILTC Bylaw No. 512, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018 be amended to prohibit the use of cottages for full-time residential rental on properties that contain a secondary suite.	Daniela Murphy Jason Youmans		Completed



Follow Up Action Report

Salt Spring Island

01-Oct-2019

Activity	Responsibility	Dates	Status
6 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project That SSILTC Bylaw No. 512, cited as 'Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018' be amended to prohibit the operation of bed-and-breakfast home- based businesses in cottages zoned to permit full-time residential rental.	Daniela Murphy Jason Youmans		Completed
7 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project That Salt Spring Island Local Trust Committee Bylaw No. 512, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018 be amended to include and exclude properties as requested by land owners as of September 24, 2019, using OCP Policy B.2.2.2.16 to guide consideration and that staff make such inclusions/exclusions at their discretion.	Daniela Murphy Jason Youmans		Completed
8 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project The SSILTC direct staff to provide recommendations on which 'seasonal cottage' regulations under Land Use Bylaw Section 3.14 should apply to full-time rental cottages.	Jason Youmans		Completed
9 Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project The SSILTC direct staff to produce a map of the Bylaw No. 512 area for discussion that includes the planned new Beddis Road transit route.	Jason Youmans		Completed



Follow Up Action Report

Salt Spring Island

01-Oct-2019

Activity	Responsibility	Dates	Status
10 The SSILTC request the Executive Committee to provide a status update on implementation of the timeline graphic into report templates.	Daniela Murphy Stefan Cermak		Completed
11 Proposed Bylaws No. 498 & 499 - SS-RZ-2017.1 - G. and M. Campbell - 347 Bridgman Road, SSI The SSILTC refer the staff report dated September 20, 2019 regarding an OCP Amendment and Rezoning from Commercial Accommodation to Rural zone variant be forwarded to the Local Planning Committee for consideration and information (SS-RZ-2017.1, 347 Bridgman Road).	Geordie Gordon		In Progress

29-Oct-2019

Activity	Responsibility	Dates	Status
1 Draft Minutes of the October 1, 2019 SSI LTC Regular Meeting The minutes of the October 1, 2019 Salt Spring Island Local Trust Committee meeting were adopted.	Kristine Mayes		Completed
2 Draft Minutes of the October 3, 2019 SSI LTC Special Meeting (with SSI Fire Rescue) The minutes of the October 3, 2019 Salt Spring Island Local Trust Committee Special meeting were adopted.	Kristine Mayes		Completed



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
3 Draft Minutes of the October 4, 2019 SSI LTC Special Meeting (Prevost Island) The minutes of the October 4, 2019 Salt Spring Island Local Trust Committee Special meeting were adopted.	Kristine Mayes		Completed
4 Draft Minutes of the October 4, 2019 SSI LTC Special Meeting (Piers Island) The minutes of the October 4, 2019 Salt Spring Island Local Trust Committee Special meeting were adopted.	Kristine Mayes		Completed
5 Official Community Plan Update Project The SSILTC amend the draft Strategic Priorities OCP Update Project Charter as follows: 1. Use other resources for the gap analysis; 2. Engage with subject matter groups prior to the public engagement; 3. Develop a process to prioritize the OCP policy gaps; 4. Have the ability to spin off projects; 5. Replace "undertake amendments in incremental steps"; 6. Identify the OCP policies that support the strategic priorities but require implementation or LUB amendments; and 7. To clarify the purpose.	Claire Negrin		Completed



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
6 Official Community Plan Update Project The SSILTC approve the 2018-2022 Strategic Priorities - Official Community Plan Update Project Charter as amended.	Claire Negrin		Completed
7 Official Community Plan Update Project The SSILTC direct staff to undertake the 2018-2022 Strategic Priorities - Official Community Plan Update project work plan as presented in the Project Charter.	Claire Negrin		Completed
8 Water Sustainability Salt Spring Island Groundwater Recharge Potential The SSILTC receive the Salt Spring Island Groundwater Recharge Potential Mapping report.	Jason Youmans William Shulba		Completed
9 Draft Bylaw No. 518 - Regulation of Cannabis Production The SSILTC Bylaw No. 518, cited as Salt Spring Island Land Use Bylaw 1999, Amendment No. 1, 2019, be read a first time.	Daniela Murphy Jason Youmans		Completed
10 Draft Bylaw No. 518 - Regulation of Cannabis Production The SSILTC endorse the Cannabis Regulations Project Charter version 1, dated October 10, 2019.	Jason Youmans		Completed



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
11 Draft Bylaw No. 518 - Regulation of Cannabis Production The SSILTC has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 518, cited as "Salt Spring Island Land Use Bylaw 1999, Amendment No. 1, 2019," is not contrary to or at variance with the Islands Trust Policy Statement.	Jason Youmans		Completed
12 Draft Bylaw No. 518 - Regulation of Cannabis Production The SSILTC refer Bylaw No. 518 to the Agricultural Advisory Planning Commission (AAPC) and the Advisory Planning Commission (APC) for review and comment.	Jason Youmans Kristine Mayes Serena Klaver		In Progress
13 Draft Bylaw No. 518 - Regulation of Cannabis Production The SSILTC refer Bylaw No. 518 to the agencies, community groups, and First Nations identified in Appendix 3 for review and comment.	Daniela Murphy Jason Youmans		In Progress
14 Draft Bylaw No. 518 - Regulation of Cannabis Production The SSILTC direct staff to schedule a Community Information Meeting on Bylaw No. 518.	Jason Youmans		In Progress



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
15 Regional Housing Needs Project The SSILTC support the Capital Regional District (CRD) to apply for, receive, and manage Union of BC Municipalities grant funding to complete a housing needs report partnership with the Salt Spring Island Local Trust Committee with the following condition: that the CRD consult Islands Trust staff and Salt Spring Island local housing groups regarding the Terms of Reference.	Stefan Cermak		Completed
16 Bylaw No. 506 - Salt Spring Community Services - Lot 3, Bishops Walk Road, SSI The SSILTC grant permission to the Salt Spring and Southern Gulf Islands Community Services Society to increase rental rates for 8 of 24 units in order to meet conditions set out in the BC Housing's Operating Agreement.	Stefan Cermak		Completed
17 Bylaw No. 506 - Salt Spring Community Services - Lot 3, Bishops Walk Road, SSI The SSILTC agree to discharge Covenants FBI31874 and EX20855 from Lot 3, District Lot 24, North Salt Spring Island, and direct any Trustee to sign the discharge forms.	Daniela Murphy Stefan Cermak		Completed



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
18 G. Holman (Capital Regional District), to LTC et al, Dated October 22, 2019 - Concerning Salt Spring Island Climate Action Plan Update The SSILTC direct staff to respond to the letter received from CRD Director Holman dated October 22, 2019 Concerning Salt Spring Island Climate Action Plan Update.	Shayla Burnham Stefan Cermak		In Progress
19 SS-RZ-2019.2 - P. Busby, Sobeys Inc. - 127 Lower Ganges Road, SSI The SSILTC Bylaw No. 519, 2019 be read a first time.	Claire Negrin Daniela Murphy		Completed
20 SS-RZ-2019.2 - P. Busby, Sobeys Inc. - 127 Lower Ganges Road, SSI The SSILTC request staff to send Bylaw No. 519 to external agencies, as identified in this staff report dated October 29, 2019, for referral.	Claire Negrin Daniela Murphy		Completed
21 SS-RZ-2019.2 - P. Busby, Sobeys Inc. - 127 Lower Ganges Road, SSI That consideration of final reading of Bylaw No. 519, 2019 be withheld until such a time as an easement addressing use of the parking area for temporary loading/unloading to the benefit of the proposed liquor store use, written to the satisfaction of the Salt Spring Island Regional Planning Manager, be registered on Lot B, Section 1, Range 4 East, North Saltspring Island And District Lots 351, 539 And 589, Cowichan District, Plan 43663.	Claire Negrin		In Progress



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
22 SS-RZ-2019.2 - P. Busby, Sobeys Inc. - 127 Lower Ganges Road, SSI The SSILTC direct staff to schedule a Public Hearing for proposed Bylaw No. 519, 2019.	Claire Negrin Daniela Murphy		In Progress
23 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC Bylaw No. 520, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2019", be read a first time.	Claire Negrin Daniela Murphy		Completed
24 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC request staff to send Bylaw No. 520 to external agencies, as identified in this staff report dated October 29, 2019, for referral.	Claire Negrin Daniela Murphy		Completed
25 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC request that the applicant for SS-RZ-2018.3 register an easement on title to ensure year-round access to the surface water ponds located on the southwest portion of the property by the Salt Spring Island Fire Rescue.	Claire Negrin		In Progress

Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
26 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC accept the Desktop Groundwater Supply Feasibility Investigation prepared by Western Water Associates Limited dated October 10, 2019 as confirmation that the following requirements related to the provision of potable and non-potable water to the subject property have been met: a. Confirmation that potable water in the amount required to obtain occupancy permits can be provided under the plan for all proposed clinic and accommodation facilities; b. Confirmation that non-potable water in the amount required for clinic and accommodation facilities and fire suppression and can be provided; and, c. Where potable water is to be supplied by groundwater, a water quality analysis that demonstrates that the groundwater from each proposed water supply source or well is potable or can be made potable with a treatment system.	Claire Negrin		Completed

Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
27 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC withhold consideration of Final Reading of Bylaw No. 520 until: a. Confirmation has been received that water licencing has been granted and requirements thereof have been met; b. Confirmation has been received that the applicant undertook pump testing if required for water licencing.	Claire Negrin		In Progress



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
28 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC withhold consideration of Final Reading of Bylaw No. 520 until: If pump testing was not required for water licencing, that pump testing be conducted by a professional engineer or geoscientist and provide supporting documentation that the test was of sufficient duration to establish the long-term reliability of the water supply in accordance with generally acceptable hydrogeological practices, and confirm that the water use on site will not negatively affect: 1. Nearby wells or other neighbourhood water supplies and aquifer recharge; 2. Agricultural activities; 3. Springs and other water bodies necessary to maintain fish habitat and healthy watershed function.	Claire Negrin		In Progress
29 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC withhold consideration of Final Reading of Bylaw No. 520 until confirmation has been received that the well construction permit waiver has been approved.	Claire Negrin		In Progress



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
30 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC withhold consideration of Final Reading of Bylaw No. 520 until confirmation has been received that the septic filing amendment dated September 30, 2019 has been approved.	Claire Negrin		In Progress
31 SS-RZ-2018.3 - G. Jaeger, Lightdance Design Inc. - 377 Seymour Heights Road, SSI The SSILTC withhold consideration of Final Reading of Bylaw No. 520 until the applicant amends the existing Section 219 covenant on title to include conservation of those Areas of High Biodiversity and Environmentally Sensitive Areas located on the property.	Claire Negrin		In Progress
32 SS-DP-2019.6 - Hayden Services Inc. - 118 Jackson Avenue, SSI The SSILTC approve issuance of development permit SS-DP-2019.6 (118 Jackson Avenue).	Daniela Murphy Serena Klaver		Completed
33 SS-DP-2019.6 - Hayden Services Inc. - 118 Jackson Avenue, SSI The SSILTC exempt proposed Lot 1 of subdivision SS-SUB-2019.1 from the 10% frontage requirements of section 512 of the Local Government Act and section 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355.	Serena Klaver		In Progress



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
34 SS-LCB-2019.3 - Rising Tide Consultants - 110-150 Fulford-Ganges Road, SSI (Mateada) The SSILTC has considered the location of the Mateada establishment and the proposed change in license to include a Patron Participation Entertainment Endorsement, and provides the following comments to the Liquor and Cannabis Regulation Branch (LCRB) in consideration of this application: - Community members have expressed support for the change in license and that the proposal provides artistic, cultural and family-friendly entertainment options. - Neighbouring businesses have communicated there is minimal impacts from noise from the current operation. There is support for the change in license to include Patron Participation with preference for implementation after regular business operating hours; - The Local Trust Committee recommends the application be approved conditional that the Patron Participation Entertainment Endorsement is conducted indoors only and with operating hours of Monday to Friday after 5:00 p.m. and anytime on Saturdays and Sundays within the terms of the existing food-primary LCRB license.	Serena Klaver		In Progress



Follow Up Action Report

Salt Spring Island

29-Oct-2019

Activity	Responsibility	Dates	Status
35 SS-DP-2019.7 - K. Akerman - 183 Beaver Point Road, SSI The SSILTC approve issuance of Development Permit SS-DP-2019.7 (183 Beaver Point Road).	Daniela Murphy Geordie Gordon		Completed
36 SS-DP-2019.7 - K. Akerman - 183 Beaver Point Road, SSI The SSILTC exempt proposed Lots A and B of subdivision SS-SUB-2018.3 from the 10 percent minimum lot frontage requirements of Section 512 of the Local Government Act and subsection 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355, 1999.	Geordie Gordon		Completed
37 SS-DVP-2019.4 - N. Weis - 381 Toynbee Road, SSI The SSILTC amend Development Variance Permit SS-DVP-2019.4 as follows: delete section 4.3.1 item (2) Setback from rear lot line: is varied from 7.5 m to 1.5 m.	Daniela Murphy Geordie Gordon		Completed
38 SS-DVP-2019.4 - N. Weis - 381 Toynbee Road, SSI The SSILTC approve issuance of Development Variance Permit SS-DVP-2019.4 as amended (381 Toynbee Road).	Daniela Murphy Geordie Gordon		Completed



SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
4-Feb-2010	SSI-11-10	Bylaw Enforcement Reports	It was MOVED and SECONDED , that the Salt Spring Island Local Trust Committee directs staff to provide quarterly in-camera and public reports on on-going and current bylaw enforcement investigations and actions in the Salt Spring Local Trust Area.
10-Jan-2013	SSI-09-13	North Salt Spring Waterworks District Reporting	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee request the North Salt Spring Waterworks District to report back to the Local Trust Committee every two years from the date of adoption of Proposed Bylaw 461 on: a) changes in water demand by the North Salt Spring Waterworks District customers with new secondary suites within the pilot area; b) total withdrawal from its system in relation to its licensed capacity; c) impacts on the Maxwell Lake, St. Mary Lake, and the district's water supply in general that can be attributed to the introduction of secondary suites within the pilot area. *Bylaw 461 was adopted May 2, 2013

SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

2-Jun-2016	SS-2016-114	Grantville Neighbourhood lawful non-conforming sewage disposal field repair or replacement	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt “Standing Resolution 2” as specified in Appendix 2 of the staff report dated May 25, 2016. (shown below): That the Salt Spring Island Local Trust Committee direct staff to administer and enforce Bylaw 484 according to the following policies: 1) Where a sewage disposal field or septage pit is lawfully non-conforming with respect to Bylaw 484, and pursuant to Local Government Act Section 529, the Salt Spring Island Local Trust Committee considers that the following actions do not constitute maintenance, alteration, or extension, and therefore require a development variance permit application to the Salt Spring Island Local Trust Committee: a) Removal and replacement of the dispersal system in its entirety 2) Where a sewage disposal field or septage pit is lawfully non-conforming with respect to Bylaw 484, and where a health hazard exists as defined under the B.C. Public Health Act, an Authorized Person may carry out immediate, temporary repairs of the system that result in a further contravention to Bylaw 484 than that existing at the time the repair or alteration was started to prevent or contain the hazard. Permanent repairs or alterations that result in a further contravention of Bylaw 484 than that existing at the time the repair or alteration was started, or 1(a) above, should be supervised by a Professional and will require a development variance permit application to the Salt Spring Island Local Trust Committee following resolution of the emergency. 3) “Authorized Person” and “Professional” have the same meaning as in the Sewerage System Regulation.
2-Mar-2017	SS-2017-16	Quarterly Application Summary Staff Reports	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee direct staff to provide a quarterly summary of application tracking.



SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

2-Nov-2017	SS-2017-168	Unlawful Suites and Dwellings	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee affirms its previous direction to delay enforcement on unlawful suites in single family dwellings and unlawful use of seasonal cottages until it has made a final decision on Proposed Bylaw No. 471 and directs staff to commence enforcement on all other unlawful dwellings in accordance with the following enforcement policy: a) Staff should put the highest priority on suite complaints concerning areas deemed to be environmentally sensitive, such as within watersheds, or suites which have serious health and safety issues, such as failing septic systems, over-taxed sewage treatment facilities, or suites that are unsafe. b) When speaking to property owners with unlawful dwellings, Islands Trust Bylaw Enforcement Officers should initially adopt a coaching technique with a view to helping the owners legalize their unlawful dwelling. People will be directed to Islands Trust planners or to the Capital Regional District Building Inspection and Capital Regional District Water and Sewage Commissions, who can explain the mechanisms for compliance. Tenants will also be directed to local agencies that can help find new housing if needed. c) Islands Trust Bylaw Enforcement Officers should place a priority on enforcement of unlawful dwellings that are also of concern to other agencies to ensure that all related issues are dealt with at the same time or if there is more than one unlawful dwelling on a lot. d) Recommendations to the Salt Spring Island Local Trust Committee for legal action to close a suite or unlawful dwelling should only be made if it has the active support and participation of other agencies, such as building inspection, health authorities or water and sewage treatment providers or if there is more than one unlawful dwelling on a lot.
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SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

16-Aug-2018	SS-2018-177	Cannabis Regulation	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms; ○ The location of the proposed establishment and the subject site; ○ The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; ○ How public comments may be submitted to the Local Trust Committee.
6-Dec-2018	SS-2018-278	Cannabis – Processing of Notice to Local Authorities	It was MOVED and SECONDED, That the Salt Spring Island Local Trust Committee adopt the following standing resolution: that the Salt Spring Island Local Trust Committee request that Notices of Intention to apply for a Federal Cannabis License be included in the Local Trust Committee Regular Meeting agenda package.

SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

30 Apr 2019	SS-2019-88	Families as Stakeholders	It was MOVED and SECONDED, That the Salt Spring Island Local Committee direct staff to include families as stakeholders in Project Charters and to propose family oriented engagement techniques, or to explain why such inclusion is not appropriate.
27 Aug 2019	SS-2019-153	STVR	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee rescind Resolution SS-2017-120 and adopt the following new short-term vacation rental enforcement policy: that given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short-Term Vacation Rentals (STVRs) that have one or more of the following characteristics will be subject to proactive enforcement: 1. They are advertised on the Internet, newspapers or other media; 2. More than one dwelling on the lot is simultaneously made available for STVRs; 3. While the property is rented persons are staying in tents, trailers, or Recreational Vehicles; 4. There are issues related to health and safety; 5. There is a written complaint by owners or residents on nearby lots about bona fide nuisance issues such as noise or parking congestion related to the STVR; 6. The owner of the property uses more than one property on Salt Spring Island as an STVR; that a Short-Term Vacation Rental (STVR) is defined as rental of a dwelling, suite, or cottage in a residential zone for less than 30-day periods; that a Short-Term Vacation Rental (STVR) is defined as the rental of a dwelling, suite, cottage, camping unit, accessory building or structure for a commercial guest accommodation use in a non commercial or commercial guest accommodation zone for less than a 30-day period; that nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.



Top Priorities Report

Salt Spring Island

0. <i>DAI Bylaw</i>	Responsible	Dates
Legislative - Oct. 1, 2019 - DAI Bylaw endorsed and to be forwarded to Trust Council December 2017 - DAI Bylaw implementation postponed till staffing levels stabilize July 20, 2017 - Development of a DAI Bylaw initiated	Stefan Cermak	Rec'd: 20-Jul-2017 Target: 15-Jan-2020
1. <i>Water Sustainability - coordinate multiple jurisdictions in planning for water sustain</i>	Responsible	Dates
Consultation - SSIWPA Coordinator contract signed - SSIWPA meetings re-initiated. Analysis - Community Groundwater Recharge Mapping	Jason Youmans William Shulba	Rec'd: 07-Jun-2012
2. <i>Update the OCP through incremental steps in consideration of the strategic prioritie</i>	Responsible	Dates
Analysis - Reviewing OCP in regards to endorsed Strategic Priorities which include: Implement climate change mitigation and adaption measures ; Ensure fresh water sustainability; Protect the Coastal Douglas Fir Ecosystem; Increase availability of affordable housing; Protect and enhance agriculture; Increase meaningful consultation and cooperation with citizens, agencies and First Nations; Village Planning	Claire Negrin	Rec'd: 27-Aug-2019
3. <i>Affordable Rental Housing - rezone some seasonal cottages to be used for year round</i>	Responsible	Dates
Legislative - Bylaw at second reading with direction to go to Public Hearing pending various amendments	Jason Youmans	Rec'd: 20-Jul-2017 Target: 31-Mar-2020

Top Priorities Report

Salt Spring Island

4. Regulate Cannabis Production

Project Initiation - Develop Project Charter.
Bylaw drafted.

Jason Youmans

Rec'd: 01-Oct-2019
Target: 30-Oct-2020

5. Industrial Land Uses - update OCP and LUB

/span>

Jason Youmans

Rec'd: 07-Jun-2012
Target: 31-Dec-2019

**Projects Report****Salt Spring Island****1. OCP and LUB Review - Housing for Farm Workers; Subdivision for a Relative****Responsible****Date Received**

November 2012 - SSI Trustees & RPM meeting with ALC staff. Information forthcoming

10-Nov-2008

from ALC re. subdivision for a relative - provincial publication.

July 2012 - Scope expand to include OCP policy re. Subdivision for Relative.

May 2012 - Letter to ALC re meeting.

April 2011 - Invite ALC to meeting.

May 2009 to February 2010 - Staff undertaking research, Feb.2010 Initial Report to LTC.

2. LUB Update: Affordable Housing**Responsible****Date Received**

Affordable housing may include: TUP amendment, cottage rentals, secondary suites pilot area expansion, other related issues.

01-Jun-2015

·CRD approved applying for UBCM grant for Housing Needs Assessment. Required resolution from SSI LTC to be requested - likely Oct. 29, 2019

·Verbal Agreement with CRD to collaborate with regional housing needs assessment.

More information forthcoming in Fall 2019

·Housing Needs Assessment Required as per Provincial Regulations.

3. Piers Island Bill 27 OCP Update**Responsible****Date Received**

Projects Report

Salt Spring Island

June 5, 2018 - Ministry staff inform Islands Trust that they cannot recommend approval to the Minister as the bylaw does not include required GHG targets.

February 22, 2017 - Bylaw 493 forwarded to Minister for approval.

January 18, 2017 - Executive Committee approved bylaw 493.

December 1, 2016 - Bylaw 493 amended, given 2nd reading, given 3rd reading, and referred to the Executive Committee for approval.

LTC work program 2010 to 2015. Provincial requirement since 2008 (Bill 27 - Local Government Statutes Amendment Act).

17-Dec-2015

4. <i>Proposed National Marine Conservation Area Reserve - Internal Boundaries</i>	Responsible	Date Received
September 23, 2016 - LTC include in draft 2017/18 project budget		10-Jan-2013
September 3, 2015 - LTC include project in draft 2016/17 project budget		
January 2014 - Check in from Parks Canada advising of extension of the stakeholder consultation program. Parks Canada will report back.		
June 2013 - LTC resolution to advance to #1 in Projects List		
April 2013 - LTC resolution to Parks Canada requesting public information meeting on Salt Spring Island.		
January 2013 - added to Projects List. Budget and staff resources to be considered. Refer to Dec 2012 Trust Council Request for Decision.		

5. <i>Integrated Community Sustainability Plan</i>	Responsible	Date Received
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Projects Report

Salt Spring Island

May 22, 2018 - staff meet with CRD and NSSWD to discuss feasibility of project in new term.

24-Jul-2014

April 27, 2016 - conclusion of ongoing discussions regarding funding from BC Rural Dividend. The fund is tightly focused on job creation and has substantial requirements for the Islands Trust to even apply. Staff decision to proceed no further, instead to focus on next round of Gas Tax funding. Investigating successful funders with similar goals (ex; Revelstoke).

6. *First Nations Heritage Sites*

Responsible

Date Received

February 9, 2017: Staff report to LTC. LTC provide staff with direction.

08-Jan-2015

January 2017 - Planner and Senior Intergovernmental Policy Advisor consider options for the Inventory Report. Staff report to LTC scheduled for February 9 meeting.

October 25, 2016 - Archaeology Branch provides formal comment

May 15, 2016 - Report forward to B.C. Archaeology Branch for review

7. *Bylaw Review and Procedural Updates*

Responsible

Date Received

July 20, 2017 - Development of a DAI Bylaw to be facilitated via contracted services

05-Feb-2015

February 2015 - LTC Work Program, inclusive of Land Use Bylaw Technical Amendments, Soil Bylaw update, Development Approval Information bylaw, Zoning Regulations, Land Use Contracts and Outer Islands, Bylaw Enforcement Policies

8. *Marine Environment Protection*

Responsible

Date Received



Projects Report

Salt Spring Island

January 27, 2017 - Received proposed scope of work to prepare an environmental audit of Salt Spring Island Shoreline Conservation Areas, prepared by Archipelago Marine Research.

02-Jun-2016

December 1, 2016 - LTC direct staff to report on resources required to undertake an environmental audit of foreshore conservation areas

July 20, 2017 - LTC passes motion to defer further consideration at this time

June 29, 2016 - SSI LTC to receive Staff Report on Royal Roads University students research into ways the Islands Trust can protect Clam Gardens

June 2, 2016 - LTC direct staff to add to the projects list options to strengthen protection of the marine environment within the OCP

9. Accessory Buildings Without a Principle Use

Responsible

Date Received

Investigate issues and options for regulatory changes which may permit accessory buildings / uses before an established principle use (ex: workshop or garage before principle dwelling unit).

01-Dec-2016

10. TUPs for Secondary Suites and Cottages (Bylaw 471)

Responsible

Date Received

February 10, 2019 - Planner engaged legal counsel in inquiry about uses versus density under TUP authority. Planner revised Bylaw 471 to reflect statutory authority.

23-Mar-2017

December 6, 2018 - LTC assign as a **Special Project**

March 23, 2017 - Removed from Top Priority List

11. Short Term Vacation Rentals (STVRs)

Responsible

Date Received



Projects Report

Salt Spring Island

August 2018 - Approximately 80 enforcement files opened.

Karol Kudyba

04-May-2017

August 2017 - LTC direct proactive bylaw enforcement for STVRs with specific characteristics (see standing resolution SS-2017-120)

May 4, 2017 - Added to Project List. Review relevant polices, assess issue and report

12. <i>Technical and Minor Amendments</i>	Responsible	Date Received
March 2, 2017 - LTC request bylaw changes to permit seasonal cottages on lots also permitting secondary suites (ex; Fulford Commons)		02-Mar-2017
April 13, 2017 - LTC request bylaw changes such that boundary fences be limited to 2.4 meters in height.		
June 29, 2017 - LTC request bylaw changes to take account of comments submitted by D. McKerrell; dock width change from 1.2m to 1.5m		

13. <i>Ganges Rainwater Catchment</i>	Responsible	Date Received
July 20, 2017 - LTC removed Ganges Rainwater Catchment from top priority list and placed on projects list		20-Jul-2017
March 23, 2017 - LTC removed Bylaw 471 - TUPs for Secondary Suites and Cottages to the projects list and placed Ganges Rainwater Catchment on the Top Priority List. LTC directed staff to prepare a project charter.		

14. <i>OCP Review</i>	Responsible	Date Received
November 30, 2017 - LTC added to project list		30-Nov-2017

15. <i>Reduce Permitted Lot Coverage in Rural Upland Zones</i>	Responsible	Date Received
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Projects Report

Salt Spring Island

August 16, 2018 - LTC requested staff to report on the implications of reducing lot ratios currently set in Rural Upland where 33 percent buildings and structures is permitted.

16-Aug-2018

16. <i>Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)</i>	Responsible	Date Received
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December 6, 2018 - LTC added to project list

06-Dec-2018

17. <i>Ganges Village Planning - Harbourwalk</i>	Responsible	Date Received
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Removed from Top Priority List Oct. 1, 2019.

01-Oct-2019

CRD submitted application for SRW



Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2018.3	Lauzon, Deborah	18-Dec-2018	Proposal to add additional ALR land from adjoining property, resulting in the subdivision of the adjoining property - 1200 & 1306 Beddis Road, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 31-Jul-2019

Cheque received from Accounts Payable - letter drafted & sent to ALC.

Status Date: 04-Jul-2019

Application updated in ALC Portal - memorandum for cheque to ALC sent to Accounts Payable.

Status Date: 25-Jun-2019

LTC endorsed application.

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2019.2	Magnus, Ethel	25-Jun-2019	NOI - Placement of Fill on ALR Land (Non-Farm Use) - 420 Rainbow Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 06-Nov-2019

Follow-up with ALC staff and applicant for updates.

Status Date: 22-Oct-2019

No update as of August 20, 2019.

Status Date: 20-Aug-2019

SS-ALR-2019.2 reassigned to Planner Klaver

**Applications****Agricultural Land Reserve**

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2019.3	Forsyth, Michele	10-Jul-2019	NOI - Placement of Fill on ALR Land (bring in compost/mulch for farm use & resale) - 170 Jones Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 29-Aug-2019

File transferred to Planner Youmans.

Status Date: 09-Aug-2019

Applicant submitted revised TUP application requesting permission for additional uses. Revised TUP permit needs to be prepared. See application SS-TUP-2019.3 for more information.

Status Date: 15-Jul-2019

SS-ALR-2019.3 assigned to Planner Miller.

Board of Variance

File Number	Applicant Name	Date Received	Purpose
SS-BOV-2019.2	Booth, Eric	01-Nov-2019	BOV Application to Vary Setbacks (Interior Side Lot Line / Front Lot Line / Natural Boundary) - 336 Cusheon Lake Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 08-Nov-2019

Planner Klaver assigned to SS-BOV-2019.2



Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2014.3	McKerrell, David	26-May-2014	Marina Expansion in DPA1 - 2850 Fulford-Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 23-Dec-2016

See SS-RZ-2013.6 for status update

Status Date: 25-Aug-2016

Lighting plan received - planner to await return of rezoning to LTC agenda before bringing DP back for approval

Status Date: 29-Jun-2016

Planner and applicant discuss submission of lighting plan

File Number	Applicant Name	Date Received	Purpose
SS-DP-2018.14	Kirsten Reite Architecture	18-Sep-2018	Proposed development of 24 cottages, a restaurant, retail space, reception area, and 2 parking lots (former Fulford Inn property) in DPA2 / DPA3 / DPA6 & DPA7 - 2621 & 2661 Fulford-Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 09-Jul-2019

Applicant submitted revised plans for associated DVP application SS-DVP-2018.17. Applicant requested that DVP application be processed first, prior to the applicant obtaining the professional reports required for DP application. Planner advised applicant to review the DP guidelines to ensure the revised proposal is still consistent with the DP guidelines. Planner advised application that if the DVP is approved, the development will need to be in general accordance with the plans in the DVP.

Status Date: 30-Apr-2019

Planner advised that current proposal for 16 units on the CA2 zoned portion of 2621 Fulford-Ganges Road requires a rezoning application because the proposed density exceeds the permitted density. Planner also advised on the 9 other regulations requiring a variance.

Status Date: 12-Apr-2019

Planner reviewed application and supporting documents, and is currently preparing staff report, permit and appendices.



Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2018.15	Akerman, Patrick	22-Nov-2018	2-Lot Subdivision (SS-SUB-2017.5) in DPA7 - 281 Beaver Point Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 22-Oct-2019

No updates as of Sept. 17, 2019

Status Date: 17-Sep-2019

File transferred to Planner Klaver

Status Date: 22-Jan-2019

Applicant is required to provide additional storm water management information to MOTI. Waiting on approval of storm water plan by MOTI to inform DP.

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.10	Green City Builders	03-Oct-2019	Re-Purpose a Residential Structure for the Common House to be Moved On Site in DPA1 (Form & Character) - 176 Bishops Walk Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 06-Nov-2019

Draft permit to applicant for review. Applicant requested application held in abeyance until further notice.

Status Date: 07-Oct-2019

Planner Youmans assigned to SS-DP-2019.10

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.11	Pierobon & Foyle, Peter & Sibeal	01-Nov-2019	Installation of a Septic Field in DPA5 - 372 Scott Point Drive, SSI

Planner: Serena Klaver

Planning Status

Status Date: 08-Nov-2019

Planner Klaver assigned to SS-DP-2019.11



Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.2	Fridd, Neil	12-Apr-2019	Subdivision in DPA 6 (Exemption Received for DPA4 & DPA7) - 600 Isabella Point Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 22-Oct-2019

No updates as of Sept. 24, 2019

Status Date: 24-Sep-2019

Waiting on updates from applicant pertaining to storm water management plan to meet both Islands Trust and MOTI storm water management criteria prior to consideration of development permit for DPA 4, 6, and 7.

Status Date: 20-Jun-2019

Conducted site visit as required with property owner Neil Fridd.

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.3	0967833 BC Ltd.	07-May-2019	2-Lot Subdivision in Accordance with LUB 355, Section 5.1.1(3) in DPA6 & DPA7 - 250 Furness Road, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 27-Jun-2019

Waiting on subdivision fee payment to assess DP in accordance with subdivision conditions.

Status Date: 13-May-2019

SS-DP-2019.3 assigned to Planner Georgie Gordon

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.8	Archeus Architecture + Design Inc.	23-Sep-2019	Constructing a Restaurant Patio in DPA1 - 150 Fulford-Ganges Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 25-Sep-2019

SS-DP-2019.8 assigned to Planner Klaver.



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.9	Kristian Plambeck & Tamara Wesley Planner: Geordie Gordon	02-Oct-2019	Landscaping & Agriculture in DPA7 - 215 Margolin Drive, SSI
Planning Status			
Status Date: 03-Oct-2019 Planner Gordon assigned to SS-DP-2019.9			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2018.17	Kirsten Reite Architecture	18-Sep-2018	Proposed variance to permit: The siting of sewage system tanks, sewage disposal fields, an elevated viewing deck, commercial guest accommodation units; a restaurant; and a sub-electrical room; The floor area of all accessory buildings and structures; The floor area of retail sales and services accessory to commercial guest accommodation; and The number and total area of signs. 2621 & 2661 Fulford-Ganges Road, SSI
Planner: Jason Youmans			
Planning Status			
Status Date: 12-Nov-2019 Phone meeting with applicant			
Status Date: 17-Oct-2019 APC review and discussion. Follow-up meeting with applicant re. First Nations considerations.			
Status Date: 28-Aug-2019 SS-DVP-2019.17 reassigned to Planner Youmans			

**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2018.20	Moffatt, Sebastian	12-Oct-2018	Proposal to create a divided lot & include wetland area in order to satisfy the minimum lot size - 108 Walker's Hook Road, SSI

Planner: Georgie Gordon**Planning Status****Status Date:** 29-Jan-2019

LTC approved DVP. Covenants with applicant for preparation prior to registering. DVP issuance waiting on covenant registration.

Status Date: 16-Jan-2019

Applicant provided R. P. Bio baseline report required for restrictive covenant. Covenants (restrictive and water treatment) with applicant for review.

Status Date: 19-Oct-2018

Planner Gordon assigned to SS-DVP-2018.20, 108 Walker Hook, SSI

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2019.5	MacKay, Cameron	28-Oct-2019	Proposed Variance for Accessory Building Floor Area (from 70m2 to 355m2) - 351 Mountain Park Drive, SSI

Planner: Georgie Gordon**Planning Status****Status Date:** 08-Nov-2019

Planner Gordon assigned to SS-DVP-2019.5

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2019.6	Polaris Land Surveying Inc.	14-Nov-2019	Proposed Variance for Frontage on 2 Highways and Lot Split by a Road - 445 Blackburn Road, SSI

Planner: Georgie Gordon**Planning Status****Status Date:** 14-Nov-2019

Planner Gordon assigned to SS-DVP-2019.6



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2019.7	Forsyth, Michele & Grant Planner: Jason Youmans	15-Nov-2019	Proposed Variance to Permit 16 Children in a Daycare - 170 Jones Road, SSI
Planning Status			
Status Date: 15-Nov-2019 Planner Youmans assigned to SS-DVP-2019.7			

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
SS-LCB-2019.2	Philp, Charles Planner: Geordie Gordon	23-Jan-2019	Proposal to change a medical marijuana dispensary into a cannabis retailer by seeking license as required by the BC Liquor & Cannabis Regulation Branch - 109 McPhillips Avenue, SSI
Planning Status			
Status Date: 04-Jul-2019 LTC response sent to LCRB			
Status Date: 06-Jun-2019 Community Meeting Held.			
Status Date: 16-May-2019 APC meeting			
File Number	Applicant Name	Date Received	Purpose
SS-LCB-2019.4	Royal Canadian Legion Branch 92 Planner: Geordie Gordon	13-Jun-2019	Proposal to Transition from Liquor Primary Club Licence to Liquor Primary Licence - 120 Blain Road, SSI (Royal Canadian Legion)
Planning Status			
Status Date: 08-Jul-2019 Planner Gordon assigned to SS-LCB-2019.4			

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.6	Island Marine Construction Services Ltd.	08-May-2013	Proposal to Amend OCP (Shoreline DPA Increase) & LUB (S2 Zoning Expansion) - 2850 Fulford-Ganges Road, SSI (Fulford Landing)

Planner: Jason Youmans**Planning Status****Status Date:** 13-Nov-2019

Applicant advises covenant registration work is underway.

Status Date: 02-Apr-2019

Applicant says they're working with CRD on registration of pathway SRW. Also state they are aware of requirement to register restrictive covenant.

Status Date: 27-Sep-2018

Ministerial approval of Bylaw 474. Applicant advised of outstanding conditions of bylaw adoption.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.7	Salt Spring Ventures Inc.	09-Aug-2013	OCP and Land Use Bylaw Amendment - Park Drive, SSI (Swanson's Pond)

Planner: Jason Youmans**Planning Status****Status Date:** 07-Nov-2019

Meeting with applicant

Status Date: 17-Oct-2019

Applicant advises has received new water report. Staff to follow up.

Status Date: 27-Aug-2019

Applicant pulls application from LTC meeting agenda

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.9	Capital Regional District (Regional Housing)	06-Sep-2013	Proposal to Rezone for CRD & School District Multi-Family Affordable Housing - 161 Drake Road, SSI

Planner: Stefan Cermak**Planning Status****Status Date:** 01-Aug-2019

Applicant reported successful water drilling. Discussed next steps.

Status Date: 07-Jun-2019

Requested update from applicant.

Status Date: 07-Jan-2019

Applicant provided update: next two months: further evaluation of well tests

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.1	Campbell, Gregory	09-Jan-2017	Proposal to Rezone from CA2 to Rural or Rural Variant with OCP Amendment to Remove DPA2 - 347 Bridgman Road, SSI

Planner: Daniela Murphy**Planning Status****Status Date:** 26-Mar-2019

Applicant indicated that LTO still working through issues with revised present natural boundary prior to accepting covenant; expected covenant registration within 1 to 4 weeks

Status Date: 29-Nov-2018

Staff requested confirmation of covenant registration; applicant indicating further surveying work is required

Status Date: 28-Nov-2018

Bylaw 498 received Minister's approval



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.2	Fernando & Tammy Dos Santos	15-Feb-2017	Proposal to Permit Site Specific Affordable Eco-Friendly Housing (Approx. 30 Units - non-profit, mixed entry-level homeowner and affordable rental housing with amenities). Housing affordability ensured long-term through a Housing Agreement - 221 Drake Road, SSI.

Planner: Jason Youmans

Planning Status

Status Date: 15-Aug-2019

SS-RZ-2017.2 reassigned to Planner Youmans.

Status Date: 07-Jun-2019

Applicant update: still challenges with affordability and water service. Seeking solutions.

Status Date: 07-Jan-2019

Requested update from applicant; meeting scheduled for Jan. 18, 2019

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.3	Colligan, Jamie	05-Apr-2017	Proposal to Rezone to Rural Zone Variation to Allow Existing Cottage to be Designated as Affordable Housing - 2188 North End Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 28-Mar-2019

File assigned to planner Gordon

Status Date: 29-Jan-2019

Staff Report to LTC: LTC requested that applicant work with staff to revise application

Status Date: 24-Oct-2017

Applicant changed from Eric Booth to Jaime Colligan

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2018.1	David Brown & Esther Evanik	25-Jan-2018	Proposal to Rezone for Possible Future Building with Additional Studios, Additional Commercial Loading Spot, and Less 1.5 Parking Spots (see SS-TUP-2015.3) - 155 Rainbow Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 25-Oct-2019

Covenant to LTC legal counsel for review.

Status Date: 15-Oct-2019

Cost-recovery agreement for legal review in process

Status Date: 23-Sep-2019

LSR to Islands Trust legal counsel for review

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2018.2	Booth, Eric	26-Feb-2018	Proposal to Rezone from Watershed to Rural (OCP & LUB) - 201, 177 & 133 Suneagle Drive, SSI

Planner: Jason Youmans

Planning Status

Status Date: 08-Apr-2019

Planner Youmans met applicant. Advised staff position consistent with preliminary staff report. Applicant asked consideration to be deferred until May 2019 LTC meeting (at earliest).

Status Date: 19-Mar-2019

Advised the applicant to contact ssiinfo@islandstrust.bc.ca for any questions regarding this file, and that the Islands Trust is awaiting receipt of the requested report,

Status Date: 30-Nov-2018

One of three subject property owners submitted email to LTC and planner challenging resolution and requested the application be approved with no further delay.

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2018.3	Witteveen, Caroline	13-Apr-2018	Proposal to Vary RU1 Zoning for a Private Medical Clinic and accomodation for clinic guest - 377 Seymour Heights Road, SSI

Planner: Claire Negrin**Planning Status****Status Date:** 22-Oct-2019

Staff report with draft bylaw submitted to October 29, 2019 LTC Meeting. Staff recommend first reading and agency referral to proceed.

Status Date: 24-Sep-2019

Meeting with applicant on-site planned for September 24, 2019

Status Date: 11-Sep-2019

SS-RZ-2018.3 reassigned to Island Planner Claire Negrin

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2018.4	The Gulf Island Seniors Residence Association	03-May-2018	Proposal to Allow for the Development of an Affordable Seniors' Residence Facility - 154 Kings Lane, SSI

Planner: Stefan Cermak**Planning Status****Status Date:** 22-May-2019

Community Information and Public Hearing.

Status Date: 30-Apr-2019

Bylaw 515 conditions of approval: confirmation from CRD of sewer connection, confirmation from VIHA of water quality and quantity; approved water license

Status Date: 26-Feb-2019

Bylaw 515 given second reading; approve draft housing agreement in principle

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2019.1	Eric/Kim Beamish & Nick Williams	22-Feb-2019	Proposal to change current zoning from R7 to C6 Variance for Industrial Use - 248 Upper Ganges Road, SSI

Planner: Jason Youmans**Planning Status****Status Date:** 22-Feb-2019

Planner Youmans assigned to SS-RZ-2019.1

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2019.2	Sobeys Inc.	11-Mar-2019	Proposal to change current zoning to allow 'Liquor Store' as Permitted Use - 127 Lower Ganges Road, SSI

Planner: Claire Negrin**Planning Status****Status Date:** 22-Oct-2019

Staff report with recommendation for first reading of draft bylaw submitted to October 29, 2019 LTC meeting

Status Date: 10-Sep-2019

Application transferred to Planner Claire Negrin. Applicant has been advised

Status Date: 10-Jun-2019

Reviewing previous 2015 and 2018 TUP applications and corresponding staff reports for analyses and beginning to build site context. Sited in DPA 1 - Ganges Village. Reviewing CRD Pedestrian and Cycling Master Plan: Salt Spring Island Edition given location on Lower Ganges/main cycling/walking/vehicular route on island.

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2019.3	Polaris Land Surveying Inc.	25-Apr-2019	Proposal to amend zoning and land use designation boundaries to match ALR boundary + rezone from A2 to A1 - 710 Cranberry Road, SSI
Planner: Claire Negrin			
Planning Status			
Status Date: 11-Sep-2019 SS-RZ-2019.3 reassigned to Island Planner Claire Negrin			
Status Date: 20-Aug-2019 SS-RZ-2019.3 reassigned to Planner Gordon			
Status Date: 28-May-2019 Applicant requested that application processing be put on hold. Applicant is contemplating other options.			

Soil Deposit and Removal

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2016.3	Mackie, Michele	20-Oct-2016	Proposal for Removal in Excess of 1000m3 - 170 Jones Road, SSI
Planner: Jason Youmans			
Planning Status			
Status Date: 29-Aug-2019 File transferred to Planner Youmans			
Status Date: 15-Jul-2019 Staff report for associated SS-TUP-2018.3 prepared for July 23, 2019 LTC meeting			
Status Date: 13-Jun-2019 Applicant to meet with planning staff, bylaw enforcement staff, and management to address outstanding non-compliance			



Strata Conversion

File Number	Applicant Name	Date Received	Purpose
SS-SC-2018.2	Wilson, Dulcy	15-May-2018	Proposed strata conversion - 162 / 164 Maliview Drive, SSI

Planner: Jason Youmans

Planning Status

Status Date: 21-Feb-2019

Awaiting final strata plan/survey.

Status Date: 28-Nov-2018

Awaiting final Strata Plan/Survey

Status Date: 04-Sep-2018

Initial Staff Report on Sept 26 LTC agenda

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.2	Spencer's Excavating	29-Apr-2011	Proposed 4 Lot Subdivision - 250 Collins Road, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 21-May-2019

Water treatment covenant template provided to B Taylor

Status Date: 13-May-2019

Hydrologist report received

Status Date: 08-Mar-2019

Islands Trust conditions re-sent to applicant.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2015.8	Kanne, Reayane	09-Dec-2015	Proposed 2 Lot Boundary Adjustment - 1201 & 1231 Beaver Point Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 07-Oct-2019

Response received regarding Dormant Application letter.

Status Date: 18-Sep-2019

Dormant Application letter sent to applicant (email/mail)

Status Date: 24-Jul-2018

File assigned to Planner Geordie Gordan

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2016.3	Rush, Robert	15-Jul-2016	Proposed 2 Lot Boundary Adjustment - Collins Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 24-Jul-2018

File assigned to Planner Geordie Gordan

Status Date: 07-Oct-2016

Proposed Subdivision Review Status issued from AO requiring revised plan of sub containing 20 m road frontage prior to issuance of PLA or PLNA

Status Date: 22-Aug-2016

Islands Trust referral comments forwarded to MoTI



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2016.5	Fridd, Neil	08-Dec-2016	Proposed 2 Lot Subdivision - 600 Isabella Point Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 15-Aug-2019

MOTI Hydrotech responded to applicants storm water management plan that there is insufficient information in the report, and essentially instructed the applicant to refer to the BC Supplement to TAC Section 1000 to learn the information required for MoTI's assessment

Status Date: 29-May-2019

Letter from VIHA received

Status Date: 10-May-2019

Applicant confirmed that referral payment to VIHA was made and that the site visit with the VIHA Environmental Health Officer was conducted. Waiting on letter confirming VIHA requirements for subdivision have been met.

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2017.3	Moffatt, Sebastian	09-Aug-2017	Proposed 4 Lot Subdivision - 108 Walker's Hook Road, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 03-May-2019

Emailed applicant re: progress with covenants

Status Date: 29-Jan-2019

LTC granted DVP, approved 10 percent frontage exemption, parkland dedication. Covenants (restrictive and water treatment) to be registered on title.

Status Date: 24-Jul-2018

File assigned to Planner Georgie Gordon



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2017.5	Akerman, Patrick	06-Dec-2017	Proposed 2 Lot Subdivision - 281 Beaver Point Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 17-Sep-2019

File transferred to Planner Klaver

Status Date: 24-Jul-2018

File assigned to Planner Geordie Gordan

Status Date: 01-Feb-2018

Completed referral to province. Emailed copy to David Koch at MOTI

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.2	Gregory & Marianne Campbell	08-Mar-2018	Proposed 2 Lot Boundary Adjustment - 347 Bridgman Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 24-Jul-2018

File assigned to Planner Geordie Gordan



Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.3	J.E. Anderson & Associates	26-Mar-2018	Proposed 2 Lot Subdivision - 183 Beaver Point Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 27-Feb-2019

Assessment for DPA7 created by FLNRO.

Status Date: 24-Jul-2018

File assigned to Planner Geordie Gordon

Status Date: 25-May-2018

Completed MOTI referral and returned to Haley Leech (in David Koch's absence).

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.4	Polaris Land Surveying Inc	11-May-2018	Proposed 2 Lot Subdivision - 400 Long Harbour Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 17-Sep-2019

File transferred to Planner Klaver

Status Date: 15-Feb-2019

Revised site plan submitted by applicant

Status Date: 29-Jan-2019

DVP for lot size reduction refused by LTC.



Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.5	Polaris Land Surveying Inc.	28-Aug-2018	Proposed 3 Lot Subdivision - 200 Collins Road, SSI
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 03-Jan-2019 DVP for split lot submitted			
<u>Status Date:</u> 18-Oct-2018 Referral to MOTI			
<u>Status Date:</u> 20-Sep-2018 Site Visit			

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.6	Polaris Land Surveying Inc.	18-Sep-2018	Proposed 3 Lot Boundary Adjustment - 389, 293 & 289 Armand Way, SSI
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 29-Jan-2019 DVP approved by LTC			
<u>Status Date:</u> 21-Sep-2018 Planner Gordon assigned to SS-SUB-2018.6			



Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.7	Gilx Management Corporation	20-Sep-2018	Proposed 2 Lot Subdivision - 902 Beaver Point Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 19-Mar-2019

File transferred to planner G. Gordon. Advised applicant of file transfer.

Status Date: 12-Feb-2019

Referral form sent to MOTI and applicant.

Status Date: 25-Sep-2018

SS-SUB-2018.7 assigned to Planner Miller.

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.8	Gilx Management Corporation	20-Sep-2018	Proposed 2 Lot Subdivision - Beaver Point Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 19-Mar-2019

File transferred to planner G. Gordon. Advised applicant of file transfer.

Status Date: 12-Feb-2019

Referral form sent to MOTI and applicant.

Status Date: 25-Sep-2018

SS-SUB-2018.8 assigned to Planner Miller



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2019.1	Polaris Land Surveying Inc.	13-May-2019	Proposed 2 Lot Boundary Adjustment - 118 Jackson Avenue, SSI
Planner: Serena Klaver			
Planning Status			
Status Date: 19-Sep-2019			
Meeting occurred between applicant, property owner, landscape architect, and planning staff to discuss subdivision conditions.			
Status Date: 04-Jul-2019			
Referral finalized and sent to MOTI and applicant.			
Status Date: 15-May-2019			
Planner Klaver assigned to SS-SUB-2019.1			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2019.2	0967833 BC Ltd.	22-Aug-2019	Proposed 2 Lot Subdivision - 250 Furness Road, SSI
Planner: Geordie Gordon			
Planning Status			
Status Date: 22-Aug-2019			
Planner Gordon assigned to SS-SUB-2019.2			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2019.3	Lucuch, Mark & Julia	15-Nov-2019	Proposed 2 Lot Subdivision (For Relative per LGA s. 514) - 143 Jennifer Way, SSI
Planner: Serena Klaver			
Planning Status			
Status Date: 18-Nov-2019			
Planner Klaver assigned to SS-SUB-2019.3			

**Applications****Temporary and Industrial Use Permit**

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2018.3	Mackie, Michelle	15-Jul-2017	Temporary Use Permit application for mechanical screening and crushing of extracted aggregate, importation, sale, and distribution of material not produced on the mining site, sale and distribution of material produced on the mining site, rental of bucket crusher and roll-off truck and bins - 170 Jones Road, SSI

Planner: Jason Youmans**Planning Status****Status Date:** 29-Aug-2019

File transferred to Planner Youmans

Status Date: 09-Aug-2019

Applicant submitted revised application requesting permission for additional uses. New TUP needs to be prepared.

Status Date: 22-Jul-2019

Applicant requested application be removed from July 23, 2019 LTC meeting agenda. Application was removed, July 23, 2019 LTC meeting was cancelled.

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2019.3	Maiorino, John	24-May-2019	Temporary Use Permit for Short Term Vacation Rental (STVR) - 262 Roland Road, SSI

Planner: Serena Klaver**Planning Status****Status Date:** 04-Oct-2019

Provided applicant with TUP guidelines from Gabriola and criteria that was established by Salt Spring Island office in 2005 as some guiding resources.

Status Date: 02-Oct-2019

Site visit conducted with Applicant J. Maiorino and Planner Klaver.

Status Date: 24-Sep-2019

Staff site analysis has begun. Staff to conduct site visit next week.

**Temporary and Industrial Use Permit**

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2019.4	Akerman, Patrick	29-May-2019	Temporary Use Permit for Gravel Pit / Rock Quarry (Processing Gravel/Sand/Rock) - 189 Jones Road, SSI

Planner: Claire Negrin**Planning Status****Status Date:** 11-Sep-2019

SS-TUP-2019.4 reassigned to Island Planner Claire Negrin

Status Date: 15-Aug-2019

SS-TUP-2019.4 reassigned to Planner Gordon.

Status Date: 06-Jun-2019

SS-TUP-2019.4 assigned to Planner Miller.

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2019.6	Fraser, John	05-Jul-2019	Temporary Use Permit to add Following Uses: sea can for commercial use; sea can for storage and artisan use/sales; sea can for storage/office/artisan use/kayak rentals/sales; trailer; food truck; washroom; building with multiple uses (see list on site plan) - 151 Lower Ganges Road, SSI

Planner: Jason Youmans**Planning Status****Status Date:** 18-Jul-2019

SS-TUP-2019.6 assigned to Planner Youmans

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2019.7	Cook, Ron & Carolyn	01-Nov-2019	Temporary Use Permit for Sawmill - 133 Caprice Heights, SSI

Planner: Claire Negrin**Planning Status****Status Date:** 08-Nov-2019

Planner Negrin assigned to SS-TUP-2019.57

Applications

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2019.8	FHC Leasing Ltd.	14-Nov-2019	Temporary Use Permit for Retail Sales - 804 Fulford-Ganges Road, SSI

Planner: Claire Negrin

Planning Status

Status Date: 13-Nov-2019

Planner Negrin assigned to SS-TUP-2019.8

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending September 2019

655 Salt Spring	Invoices posted to Month ending September 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-655	LTC "Trustee Expenses"	3,969.00	403.30	3,565.70
		<u>3,969.00</u>	<u>403.30</u>	<u>3,565.70</u>
LTC Local				
65200-655	LTC - Local Exp - LTC Meeting Expenses	6,747.00	3,055.63	3,691.37
65210-655	LTC - Local Exp - APC Meeting Expenses	1,233.00	1,348.96	-115.96
65220-655	LTC - Local Exp - Communications	1,500.00	19.00	1,481.00
65230-655	LTC - Local Exp - Special Projects	1,471.00	67.50	1,403.50
TOTAL LTC Local Expense		<u>10,951.00</u>	<u>4,491.09</u>	<u>6,459.91</u>
Projects				
73001-655-4014	Salt Spring watershed management	5,000.00	5,000.00	0.00
73001-655-4015	Salt Spring industrial land use bylaw	2,850.00	1,526.50	1,323.50
73001-655-4020	Salt Spring Ganges Village Area Plan	5,000.00	0.00	5,000.00
73001-655-4098	Salt Spring Affordable Rental Housing - Cottages	5,300.00	744.25	4,555.75
73001-655-4106	Salt Spring Cannabis Regulations	2,250.00	0.00	2,250.00
TOTAL Project Expenses		<u>20,400.00</u>	<u>7,270.75</u>	<u>13,129.25</u>

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work the Islands Trust Conservancy (ITC). The ITC continues to work towards four long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

- The ITC Board held a special meeting to discuss the Climate Change Emergency and forwarded its recommendations to Trust Council.

Goal 2 – Strong relationships with First Nations

- The ITC Board adopted a reconciliation declaration at its July meeting and wrote to First Nations to share the Reconciliation Declaration which is available at www.islandstrustconservancy.ca/about-us/first-nations-and-reconciliation.

Goal 3 – Protection of core conservation areas

Property Management

- The ITC has completed management plans for three Nature Reserves (Thetis and Gambier) and is working on the completion of five more (Denman, Gambier, Lasqueti and Thetis).
- Property monitoring for all conservation covenants (including NAPTEP – Natural Area Protection Tax Exemption Program covenants) and nature reserves was completed.

Land Acquisition and Covenants

- The ITC successfully completed the transfer of the Salish View Nature Reserve on Lasqueti Island in partnership with the Lasqueti Island Nature Conservancy. See <http://www.islandstrustconservancy.ca/protected-places/places-protected-in-the-islands/all/lasqueti-island/salish-view-nature-reserve/> for more information.

Goal 4 – A strong voice for nature conservation

- The ITC Board gave final reading to Bylaw No. 2, the “Islands Trust Conservancy Meeting Procedures Bylaw, 2019.” The new bylaw reflects the ITC name change, allows for the election of a Vice Chair and adds reference to committee meetings. The Board also amended Policy 1.2 Islands Trust Conservancy Board and Committee Elections.
- The ITC Board elected Sue-Ellen Fast to serve as Vice-Chair for the ITC Board.
- The ITC Board approved the Audited Financial Statements for the 2018-2019 fiscal year at its July meeting. See www.islandstrustconservancy.ca/about-us/our-financials.
- The ITC Board and the Islands Trust Executive Committee met in July to discuss items of mutual interest.

Activities by Local Trust Area/Island Municipality

Ballenas-Winchelsea

Property monitoring on South Winchelsea Island has been completed for 2019.

Bowen

Property monitoring on Bowen has been completed for 2019.

Denman

Management planning for three nature reserves, including the Inner Island, Lindsay Dickson and Valens Brook Nature Reserves, is under way and an open house for community feedback was held in September. Property monitoring on Denman has been completed for 2019. Invasive species management activities continue at Inner Island, Lindsay Dickson, and Morrison Marsh nature reserves.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and construction of a 93-ft boardwalk across a seasonally flooded section of trail in the northeast corner is planned for 2019. Property monitoring on Gabriola has been completed for 2019.

The ITC hosted a celebration event for the Swift Family Link Island NAPTEP Covenant at the Islands Trust Victoria Office. The event was attended by Islands Trust staff and ITC Board members and trustees and other staff were invited to attend remotely by GoTo Meeting.

Galiano

Trail maintenance is being planned for Vanilla Leaf Land Nature Reserve in partnership with the Galiano Conservancy Association. Invasive species removal and annual cormorant nest monitoring are being planned for Trincomali Nature Sanctuary in partnership with the Habitat Acquisition Trust. Property monitoring on Galiano has been completed for 2019.

Gambier

Management plans for Brigade Bay Bluffs and Long Bay Wetland nature reserves has been completed and the Management Plan for the Mount Artaban Nature Reserve is nearing completion. Completed management plans are available on the ITC website at <http://www.islandstrustconservancy.ca/protected-places/places-protected-in-the-islands/full-list/>. ITC is concurrently working on a parallel management planning process for areas of cultural heritage and sacred significance within its nature reserves.

Property monitoring on Gambier has been completed for 2019.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Hornby

Property monitoring on Hornby has been completed for 2019.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) completed the campaign for the Salish View Nature Reserve and the land has been transferred to the ITC. The ITC held a celebration event in July and an open house to inform management planning. Management planning continues and is anticipated to complete in early 2020.

Property monitoring on Lasqueti has been completed for 2019.

North Pender

Property monitoring on North Pender has been completed for 2019.

Salt Spring

The ITC Board considered and approved a conservation proposal for 200 Collins Road. ITC staff are working with the applicant to develop a conservation covenant for the property and will return to the ITC Board for final approval once the covenant language is finalized. Development of management plans for the Lower Mt. Erskine and Deep Ridge nature reserves is underway and public consultation will begin soon. ITC staff also participated in recent meeting for the Mount Tuam Special Management Area Resource Team.

Property monitoring on Salt Spring has been completed for 2019.

Saturna

Property monitoring on Saturna has been completed for 2019.

South Pender

Property monitoring on South Pender has been completed for 2019.

Thetis

Trail building on the Fairyslipper Forest Nature Reserve has begun and will continue into the new year. Property monitoring on Thetis has been completed for 2019.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Date: 2019-11-16

Date of Meeting: 2019-11-26

To: Salt Spring Island Local Trust Committee

From: Salt Spring Watershed Protection Alliance Steering Committee

Re: Monthly Report of Salt Spring Island Watershed Protection Alliance

CRD = Capital Regional District

SSIWPA = Salt Spring Island Watershed Protection Alliance Steering Committee

TWG = Technical Working Group

REPORT:

There have not been any SSIWPA Steering Committee meetings held during the period 2019-10-22 and the time of writing this report.

In addition to several administrative actions related to SSIWPA, its working groups and projects, the following coordination actions minuted at the SSIWPA Steering Committee meeting 2019-10-22 have been completed:

1. SSIWPA Terms of Reference amendments. - attached
2. Coordinated TWG meeting for:
 - a. TWG review of *Salt Spring Groundwater Recharge Potential Mapping* report by GW Solutions.
 - b. TWG review of *Salt Spring Targeted Groundwater Well Monitoring Pilot* draft report by W. Shulba.
 - c. Review of TWG membership and election of Chair for 2020.
3. Coordinated 2 meetings of Rainwater Subcommittee - Rainwater Harvesting Resource Guide education and outreach project.
4. Coordinated development, review and circulation of correspondence from SSIWPA to Capital Regional District (CRD) to communicate SSIWPA agreement by consent to request that CRD act as lead agency to coordinate and execute a Water Availability and Demand Climate Change Assessment for both Fulford Water Service Area and Cedar Lane Water Service Area.

The following coordination actions are in process, as directed: (see over)

1. Coordination of the drafting, review and development of the Draft SSIWPA Work Plan and Draft Budget for the 2020-2021 fiscal year.

2. Coordination of financial reporting and management, including collaborative project cost sharing between CRD and Islands Trust for a SSIWPA-coordinated project where funds were committed.
3. Coordination of monitoring equipment stewardship changes from Cusheon Lake Stewardship Committee to SSIWPA, with collaboration from Ministry of Environment and Climate Change Strategy staff.
4. Coordination of SSI Targeted Groundwater Well Monitoring Pilot project wrap up:
 - a. Create and have reviewed the financial statement for report to funders.
 - b. Coordinate venue and advertising and invitation details for public presentation.
 - c. Coordinate monitoring station steward agreements for project continuation.
 - d. Coordinate data collection visits.
5. Coordination of lake level monitoring at 4 lakes; renewal of station steward agreements whose term has come to completion; and correspondence about change of monitoring location as required.
6. Completion of project task management and project task execution for the Rainwater Harvesting Resource Guide project, such as:
 - a. Suggest scope of work for SSIWPA approval.
 - b. Review existing materials and literature.
 - c. Draft simple brochure for SSIWPA approval.



Salt Spring Island Watershed Protection Alliance Terms of Reference

Adopted August 29, 2013; Amended October 18, 2013
Amended November 28, 2014. Amended December 18, 2017.
Amended January 19, 2018. Amendment October 22, 2019.

Background

The Salt Spring Island Watershed Protection Authority (SSIWPA) was created by the Salt Spring Island Local Trust Committee using coordination powers delegated by Islands Trust Council through Bylaw 154 to facilitate a coordinated approach to the management and protection of freshwater resources on Salt Spring Island. The group name was changed from Salt Spring Island Watershed Protection Authority to Salt Spring Island Watershed Protection Alliance in December, 2017. SSIWPA Steering Committee is comprised of regional, local, and provincial government organizations, water providers, and water managers with interest, and responsibility, in the operation, and management of watersheds, surface, and groundwater resources in the Salt Spring Island Local Trust Area. SSIWPA provides a cooperative framework for member agencies to pool resources, gather and share information, strategize on integrated policy development, and to coordinate individual agency actions for improved raw water quality, management of quantity, and the health and protection of watersheds, surface and groundwater resources in the Salt Spring Island Local Trust Area.

These Terms of Reference have been developed for the purpose of guiding the procedures and scope of SSIWPA. They may eventually be replaced or form part of a formal coordination agreement between the member agencies, such as may be developed pursuant to s. 9 of the Islands Trust Act. SSIWPA and its member agencies recognize the involvement and participation of residents, stakeholders, and community organizations as a vital component of watershed management on Salt Spring Island.

Purpose

The purpose of the Salt Spring Island Watershed Protection Alliance is to:

- Provide a framework for freshwater resources in the Salt Spring Island Local Trust Area to be managed in a manner that integrates and considers both human and ecosystem needs through integrated planning, policy development and recommendations for implementation by member agencies and organizations;
- Advise on policies of regional, local and provincial government organizations that are related to freshwater resources;
- Coordinate the implementation of those policies.

1 Bylaw 154: <http://www.islandstrust.bc.ca/media/222960/bylaw154delegationpowers.pdf>

www.ssiwatersheds.ca

c/o SSI Islands Trust ~ 1-500- Lower Ganges Road, Salt Spring Island V8K 2N8

Coordinator Shannon Cowan ssiwpacoord@gmail.com 250-653-4867

Guiding Principles

SSIWPA members will:

1. Recognize that SSIWPA itself does not carry authority but is rather a collective of agencies, each with independent responsibilities or authorities;
2. Consider the interrelationships of the various values of the watershed towards maintaining a balance of the natural, cultural, social and economic values of the community;
3. Respect the ecological limits of watersheds, surface groundwater resources, keeping in mind the uncertainty introduced through climate variability and climate change;
4. Foster an environment of collaboration and enlarged thinking, where the collective goals of SSIWPA are focused on the health and protection of Salt Spring Island water resources;
5. Ensure that all discussions and dialogue promote a proactive, respectful and cooperative approach towards all issues and where all viewpoints are encouraged, respected and considered;
6. Respect each participant's commitment to professional associations or responsibilities to individual employers or self;
7. Consult and engage the community in stewardship initiatives;
8. Include all stakeholders that wish to be involved;
9. Operate and communicate in an open, respectful, transparent and accountable manner;
10. Share all relevant public information that may assist SSIWPA in its process of inquiry and coordination of strategic policy development, where possible;
11. Cooperate with other agencies and groups having jurisdiction or interests within the Salt Spring Island Local Trust Area watersheds;
12. To respect that decisions or, recommendations made by SSIWPA are non-binding on any member agency and to respect the autonomy, authority and respective responsibilities of member agencies; and
13. Ensure all meetings will be conducted with decorum, and generally follow a Consensus decision-making model (see Guidelines for Decision-Making in this document).

Aims and Objectives

The SSIWPA Steering Committee will:

1. Coordinate the development and updating of an Integrated Water Management Plan for Salt Spring Island that strives to ensure a sustainable freshwater supply for human use that protects against over-demand and degradation of the resource and the natural systems that depend on it.
2. Develop recommendations that can be implemented by member agencies with the legislative authority to do so.
3. Align policy development with implementation strategies in order to secure the long-term health, protection and stewardship of watersheds, surface and groundwater resources.
4. Develop strategies that protect and/or improve water quality and explore root causes of water quality deterioration, providing evidence-based advice to agencies or groups where appropriate.
5. Be a champion of the British Columbia Water Sustainability Act (2016).
6. Cooperate with agencies and groups having jurisdiction or interests within the Salt Spring Island Local Trust Area watersheds, surface and groundwater resources.
7. Share relevant information, technical reports and data wherever practical to avoid duplication of efforts.
8. Draw on the expertise and experience of groups and individuals that have a history of working to protect and restore Salt Spring Island's water resources, in transparent and inclusive dialogue.

9. Engage the community in consultation processes that enable consideration of proposed actions according to multiple values and objectives.
10. Support and carry out outreach and education that encourages watershed protection and that increases understanding of water science, stewardship and management activities.
11. Seek and support funding opportunities for priority actions.

Scope and Geographical Areas

The scope of SSIWPA includes watersheds, surface water bodies and groundwater resources in the Salt Spring Island Local Trust Area.

Participants

SSIWPA Steering Committee

SSIWPA Steering Committee membership consists of representatives of agencies that have responsibility for water and/or watershed management, the delivery of potable drinking water, or the assurance of safe drinking water. This includes: First Nations, Water Improvement Districts, CRD Water Service Area Commissions, local and regional government organizations, the provincial government, the federal government and health authorities.

Membership on Steering Committee is allocated as follows:

Capital Regional District (1)
Islands Trust Local Trust Committee (1)
North Salt Spring Waterworks District (1)
Harbourview Improvement District (1)
Mt. Belcher Improvement District (1)
Scott Point Waterworks District (1)
Provincial Government Agencies (unlimited) whose representatives fill an ex officio role¹
First Nations (1-3)
Fernwood-Highland Water Service Area Commission (1)
Fulford Water Service Area Commission (1)
Beddis Water Service Area Commission (1)
Cedar Lane Water Service Area Commission (1)
Cedars of Tuam Water Service Area Commission (1)
Members at-large (up to 6)

All member agencies will provide written confirmation to the Chair regarding the name of their appointed representative on SSIWPA and any approved alternate(s). The appointed representative(s) will remain in their position until the member agency provides written notice of a replacement or at the discretion of the member agency.

¹ Ex officio indicates a non-voting participant. Provincial government staff may not vote as a representative of the Province, only elected members of the legislature may do so. Since provincial political representation is not feasible in this case, ex officio members may be involved with SSIWPA by virtue of their recognized position as staff of a provincial government agency that has responsibility and authority for water resources on SSI.

All Steering Committee members will devote their time to the operations of SSIWPA without remuneration by SSIWPA and will respect these Terms of Reference. It is the responsibility of each SSIWPA Steering Committee member who represents a government agency, or organization, to consult his/her host agency in connection to the work plan and to bring relevant agency information to the discussion. It is likewise the responsibility of each Steering Committee member to communicate relevant SSIWPA decisions back to their host agency and to advance implementation wherever feasible while maintaining respect for the autonomy of the member agency.

SSIWPA Members at-Large:

In addition to the Steering Committee, SSIWPA will also include members at-large (up to 6) to represent watershed reservoirs not already covered by seats allocated to Improvement Districts (for example the Erskine Water Society, and other recognized Small Water Systems). SSIWPA members at-large may also include different types of groundwater users (licensed commercial/industrial users, domestic users or licensed agricultural users), and other stakeholders.

Members at-large will not participate in voting procedures; however, they are expected to follow these Terms of Reference, and to share the other duties of Steering Committee members. They will be invited to apply and will be selected by the current Steering Committee for the upcoming year. One year terms for members at-large are renewable by application. Alternates or substitutions on Steering Committee may not be made for members at-large.

Guidelines for Decision-making

Steering Committee meeting procedures will follow a Consensus decision-making model.

“Consensus decision-making” is defined as agreement by each steering committee member, and also includes members at-large and ex officio members.

Decisions of the Steering Committee require a quorum.

Consensus Decision-Making Procedure

Members of the Steering Committee agree to follow this process to achieve consensus:

- a) proposal,
- b) clarification and discussion stage,
- c) proposal modification (with assistance by those suggesting change; as necessary), and
- d) agreement by consensus, or withdrawal of proposal, by consensus.

Decisions will be made by unanimous consensus whenever possible.

When consensus is not reached at the close of the discussion about a proposal, the following options exist:

- i. The group consents to drop the proposal.
- ii. The group elects a subcommittee to refine the proposal for re-consideration by the Steering Committee at a later date.
- iii. A decision favoured by the majority is adopted with unresolved concerns listed. Those who stand aside from the decision are recorded, along with their concerns.

- iv. A refined proposal that has been brought for consideration for the third hearing may be blocked if a minimum of two members of the Steering Committee can substantiate their concerns that the proposal is in contravention of the Purpose or Objectives or Guiding Principles for the Steering Committee as stated above in this document.

Meetings

Regular Working Meetings of SSIWPA will be held monthly, if required, with the date, time and location of each Working Meeting being established by agreement of the representatives of member agencies in January of each year. Meetings may be re-scheduled by consent of SSIWPA members.

Special Working Meetings may be called by the Chair, as required, depending on the availability of quorum and provided that all members will receive a minimum notice of two working days in advance of the Special Meeting. Notice of Special Working Meetings may be waived by consent of SSIWPA members.

SSIWPA meetings will be open to the public to observe, provided that meetings may be closed to public in a manner consistent with s. 90 of the BC Community Charter.

Quorum

Meeting quorum of the steering committee current membership is considered 50% of the whole membership plus Chair or Vice-Chair. If there is insufficient quorum, the Chair agrees to postpone the meeting agenda until quorum can be reached.

Notice of Meetings

Notice of the date, time and location of meetings will be posted on the SSIWPA website in January of each year. Notice of rescheduled meetings will also be posted on the SSIWPA website in a timely manner.

Meeting Delegations

Members of the public who wish to address the SSIWPA may make a delegation request in writing one week prior to a scheduled meeting or by request to the Chair during attendance at a meeting. Each delegation will be limited to five minutes. Longer presentations may be requested, and agreed to by SSIWPA members. Members of the public are expected to behave with due decorum and to respect any rulings of the Chair.

Chair

At the first meeting of SIWPA each year a Chair and Vice Chair will be elected by the whole membership from among the authorized representatives of the core agencies, i.e. the Islands Trust, the Capital Regional District and the North Salt Spring Waterworks District.

The Chair is responsible for preserving order at SSIWPA meetings and may make such rulings as are necessary to do so. The chair is to serve without remuneration. The role of the Chair is to include the following duties:

1. Liaise with the SSIWPA Coordinator and Steering Committee members to set agenda topics.
2. Ensure distribution of meeting minutes to members and the public through the SSIWPA Coordinator.
3. Liaise with SSIWPA Coordinator, SSIWPA Steering Committee and Islands Trust to effectively facilitate and coordinate SSIWPA.
4. May act as a spokesperson for SSIWPA to the public wherever possible with Steering Committee pre-approval of messaging content.

SSIWPA Coordinator will act as facilitator for Steering Committee meetings, unless otherwise arranged, such that the Chair is free to participate in the discussions and technical proposals. As facilitator, the SSIWPA Coordinator is charged with group process functions within and outside of SSIWPA regular meetings to the extent that coordination resources allow. For more Coordinator duties, please refer to the SSIWPA Coordinator Contract with Islands Trust.

Conduct of Representatives of Member Agencies

1. It is understood that members are delegates from the agencies they represent and serve at the pleasure of the agency that has appointed them.
2. Representatives should have a common understanding of the mandate of SSIWPA, demonstrate mutual respect to other participants and be accountable to share information to and from the group or agency they represent.
3. It is understood that decisions of SSIWPA will be taken to the relevant agency for consideration.
4. Where a further decision is required by an elected body, the SSIWPA member agency representative will bring the position of SSIWPA forward in a neutral manner to their agency.
5. The member agency may oppose the position of SSIWPA if it does not consider it to be in the best interests of the electors.

Location

Meeting locations will be flexible and decided by SSIWPA and its Coordinator.

Sharing of Information

After a meeting the minute-taker who is responsible for taking minutes of each meeting will provide a draft to the Coordinator. The Coordinator will circulate the draft meeting minutes to the Chair and Islands Trust Planner soon after the meeting. The Chair, Coordinator, or other designate is responsible for ensuring that an agenda package is circulated to all participants at least one week prior to the next meeting.

Meeting minutes will be considered and adopted as soon as practicable, preferably at the next meeting.

Committees and Working Groups

In addition to the Steering Committee, SSIWPA may form standing committees or working groups to perform technical advisory, or other advisory functions as delineated clearly in the working group Terms of Reference. Membership in such working groups is through application to and appointment by SSIWPA SC.

The Steering Committee may form an administrative committee, which will strive to achieve broad representation of all participants. The function of the administrative committee will be to ensure that the work of SSIWPA continues between meetings and to provide oversight for work done by the Coordinator.

Participation of community groups, ratepayers associations, business interests and other stakeholders is welcomed, and will be formalized at times through the creation of issue specific Public Advisory Committees. In the absence of a formal Public Advisory Committee, stakeholders and interested individuals are encouraged to attend meetings and participate in public feedback sessions.

Budget

SSIWPA shall, on or before the 30th day of August in each year, prepare and submit a proposed budget covering all anticipated costs for the following fiscal year.

Resources

Funding

The Islands Trust supports SSIWPA by funding coordination using a special property tax requisition collected from the Salt Spring Island Local Trust Area. This funding source is at the discretion of Islands Trust Council and considered on an annual basis in the Trust Council budget process. Islands Trust Council is responsible for contract assistance and the administration of coordination funding, with direction from the Salt Spring Island Local Trust Committee, and with recommendations from the SSIWPA Steering Committee.

All SSIWPA participants will be encouraged to seek and to contribute funding or in-kind resources to meet the objectives of SSIWPA where possible.

Staff Resources

Coordination of SSIWPA activities including administrative support such as meeting coordination, records maintenance, financial management, and project management will be carried out by a contract coordinator and funded by Islands Trust.

In kind staff support to SSIWPA will be provided by each member agency at its discretion.

Contract Assistance

Contract assistance to fulfill SSIWPA objectives may be obtained:

- a) through the Islands Trust, subject to approval of the Salt Spring Island Local Trust Committee and subject to the procurement processes and policies of the Islands Trust Council, or
- b) through the Capital Regional District, subject to procurement processes and policies of the Capital Regional District Board.
- c) Through another member agency, subject to the procurement policies of that agency.

Volunteer Assistance

SSIWPA may, from time to time, consider proposals or invite specific individuals, groups or agencies to attend meetings on a voluntary basis to make presentations on specific technical issues which will contribute to the deliberations on specific agenda items.

Communications

SSIWPA will report to and consult with the community on issues and actions as appropriate. A website, periodic public newsletters, brochures, other literature and/or media releases will be prepared as needed and as resources permit. SSIWPA will designate responsibility for external communications to one or more spokesperson(s). An annual report for the public will be produced by SSIWPA at the conclusion of each fiscal year.

These Terms of Reference will be reviewed at least every three years and may be changed as required by decision of the authorized representatives of the core agencies, i.e. the Islands Trust, The Capital Regional District, and the North Salt Spring Waterworks District.

Current SSIWPA Steering Committee (November 2019):

Agency	Name & Department or Area	Alternate
British Columbia Ministry of Environment and Climate Change Strategy	Water Protection and Sustainability (Victoria)	On a project basis.
British Columbia Ministry of Forest, Lands, Natural Resource Operations and Rural Development	Pat Lapcevic, Water Protection (Nanaimo)	
British Columbia Ministry of Agriculture	Regional Agrologist, Southern Vancouver Island and the Gulf Islands	On a project basis
British Columbia Ministry of Health	Vacant	On a project basis
Capital Regional District (CRD)	Director Gary Holman, Salt Spring Island Electoral Area	
First Nations	Vacant	
Salt Spring Island Local Trust Committee	Trustee Laura Patrick	
Beddis Water Service Area Commission (CRD)	Ruth Waldick , Cusheon Lake	Simon Wheeler
Cedars of Tuam Water Service Area Commission (CRD)	Peter Wypkema, Isabella Point	
Cedar Lane Water Service Area Commission (CRD)	Jason Griffin, Cedar Lane	Cathy Lenihan
Fulford Water Service Area Commission (CRD)	Alan Martin, Weston Lake and Fulford Area	
Harbourview Improvement District	Allan Maynard, Chair	
Highland-Fernwood Water Service Area Commission (CRD)	Vacant, St. Mary Lake North End and Maliview Road	
Mount Belcher Improvement District	Vacant	
North Salt Spring Waterworks District	Vacant, Maxwell Lake, St. Mary Lake	
Scott Point Waterworks District	Tim Slaney, Board Trustee	
Fernwood-Highland Water Local Service Commission (CRD)	Vacant	
Cusheon Lake Stewardship Committee	Doreen Hewitt, Member at-large Cusheon Lake Watershed	
Salt Spring Island Conservancy	John Borst, Member at-large	
Salt Spring Water Company	Rhonon Heitzmann, Member at-large	
Salt Spring Island Water Preservation Society	Maxine Leichter, Member at -large Island-wide	

File No.: 6500-20 – Secondary Suites
Implementation Program

DATE OF MEETING: November 26, 2019
TO: Salt Spring Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Salt Spring Island Team
SUBJECT: Bylaw No. 471 – Consideration of Amendment

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee endorse project charter v.4 – Temporary Use Permits for Residential Use.
2. That the Salt Spring Island Local Trust Committee rescind second reading of Bylaw No. 471, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013.”
3. That Salt Spring Island Local Trust Committee Bylaw No. 471, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013” be amended in accordance with Appendix 1 of the staff report dated November 26, 2019.
4. That Salt Spring Island Local Trust Committee Bylaw No. 471, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013” be read a second time as amended.
5. That the Salt Spring Island Local Trust Committee refer Bylaw No. 471 to the Salt Spring Island Advisory Planning Commission (APC).
6. That the Salt Spring Island Local Trust Committee refer Bylaw No. 471 to the agencies, community groups and First Nations shown in Appendix 5.
7. That the Salt Spring Island Local Trust Committee direct staff to schedule a Community Information Meeting for Bylaw No. 471 within an upcoming regular LTC meeting.
8. That the Local Trust Committee write to Islands Trust Local Planning Committee (LPC) requesting that the LPC, in its development of a model fees bylaw, consider reduced application fees for temporary use permits for residential uses that increase the availability of affordable housing.

REPORT SUMMARY

The purpose of this report is to present for Salt Spring Island Local Trust Committee (LTC) consideration a revised version of Bylaw No. 471 which would amend the Salt Spring Island Official Community Plan (OCP) to allow the LTC to issue Temporary Use Permits (TUP) for residential uses.

Bylaw No. 471 was last considered by the LTC in 2014 and staff are recommending a number of amendments to simplify the bylaw and bring it in line with the intent of Temporary Use Permits while helping address the Island’s housing needs. The version of Bylaw No. 471 given second reading in 2014 would permit issuance of TUPs for secondary suites and care cottages. Now, staff recommend amending Bylaw No. 471 to focus primarily on

opportunities to use TUPs to provide staff housing for local businesses and services, and potentially to permit tiny homes on wheels on residential properties. Under the proposed amendments, the LTC would retain the ability to consider other temporary residential forms such as temporary full-time residential use of secondary suites and seasonal cottages, although a proposed guideline recommends using this option in limited circumstances.

This staff report recommends that the LTC amend Bylaw No. 471 in accordance with Appendix 1, give it second reading and refer it to agencies, community groups, First Nations, and the Advisory Planning Commission (APC).

BACKGROUND

Bylaw 471 was last considered by the LTC at its meeting of April 10, 2014. At that meeting the LTC passed the following resolutions:

SS-2014-72

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to amend Bylaw No. 471 cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013" as proposed in Appendix 3 of the staff report dated March 28, 2014 by removing item G.1.3.17 from Schedule 1 and renumbering the remaining items.

CARRIED

SS-2014-73

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Bylaw No. 471, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013" by inserting the changes proposed in the amended Appendix 3 of the Staff Report dated March 28, 2014.

CARRIED

SS-2014-74

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Second Reading to Bylaw No. 471, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013," as amended.

CARRIED

SS-2014-75

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule a public hearing for Bylaw No. 471, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013."

CARRIED

SS-2014-76

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule an early referral to the Executive Committee of Islands Trust for consideration of a reduced application fee of \$440 for residential Temporary Use Permits and for consideration of the Trust Policy Statement Directives Only Checklist (October 16, 2013).

CARRIED

See Appendix 2 for Bylaw 471 as it stood at second reading in April 2014.

Since 2014, Bylaw 471 has been dropped from, and returned to, the LTC priority projects list several times.

In 2016 Bylaw No. 471 was briefly made a top priority again. During that time, in response to a 2014 LTC resolution, a Request for Decision (RFD) was made to Islands Trust Executive Committee requesting

authorization to set the application fee for residential TUPs at \$600, down from the \$1,100 charged for commercial and industrial TUPs.

The RFD was received for information. No action was taken by EC.

At its meeting of December 6, 2018 meeting, the LTC made advancing Bylaw 471 a LTC Special Project.

SS-2018-263

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee assign “Temporary Use Permits for Secondary Suites and Cottages” as a Local Trust Committee Special Project and to report back with an updated project charter and amendment proposals to Bylaw 471.

CARRIED

See the special projects webpage [here](#) for previous staff reports.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The LTC resolved that proposed Bylaw No. 471 was consistent with the Islands Trust Policy Statement at its meeting of October 16, 2013.

See staff report of [October 16, 2013](#) and [April 10, 2014](#) for discussion of policy statement consistency.

Official Community Plan:

See staff report of [October 16, 2013](#) and [April 10, 2014](#) for discussion of OCP consistency.

Generally speaking, Bylaw No. 471 as originally proposed, aligned with the policies of OCP policy B.2.2.2.15 regarding secondary suites, OCP policy B.2.2.2.16 regarding residential use of seasonal cottages, and OCP policy B.2.2.2.21 regarding “care cottages” (see Appendix 6). The amendments to Bylaw No. 471 proposed under this staff report also incorporate the intent of these policies, by guiding the LTC to addresses proof of potable water, protection of sensitive ecosystems and other community considerations in TUPs for residential uses.

Land Use Bylaw:

Bylaw No. 471, in both its current and proposed iteration, will authorize issuance of permits for uses not currently permitted by the Land Use Bylaw. In addition to allowing temporary uses, temporary use permits can also vary siting and size regulations of the Land Use Bylaw.

Issues and Opportunities

Proposed Amendments to Bylaw No. 471

The version of Bylaw No. 471 given second reading in 2014 was exclusively for the use of TUPs to authorize temporary residential use of secondary suites and care cottages. See staff reports of [October 16, 2013](#) and [April 10, 2014](#) for discussion of the analysis that lead to development of the bylaw.

Today, staff are proposing amendments to Bylaw No. 471 that will make it less prescriptive and more responsive to the community's housing needs.

Rather than allowing temporary residential occupancy of permanent buildings, staff recommend that Bylaw No. 471 be amended primarily to authorize temporary residential occupancy of camping units, such as tiny homes on wheels and RVs. The mobile nature of these structures vest them with a sense of "temporary-ness" that seems better suited to temporary use permits than are permanent residential structures such as secondary suites.

It is readily evident that there are already significant numbers of people living in tiny homes and RVs on the Island. Instituting a formal permitting process can ensure that basic issues such as sewage disposal, potable water and environmental protection are adequately reviewed and addressed.

Consideration by staff suggests that using TUPs to authorize temporary use of permanent dwelling units, such as secondary suites – full-time occupancy of which is not otherwise permitted by bylaw – may result in situations whereby the LTC must police the occupancy of permanent structures built for full-time residential use. This means that the LTC, via bylaw enforcement and compliance staff, will be faced with the prospect of evicting tenants at the time of permit expiry. Additionally, allowing full-time use of secondary suites via temporary use permits would enable property owners to construct secondary suites where they are not authorized by zoning. It seems highly probable that secondary suites authorized under temporary use permit would continue to be used as dwelling units after permit expiry, in contravention of the land use bylaw.

Nonetheless, staff recognize that unique circumstances may warrant consideration of TUPs for residential use of secondary suites, seasonal cottages or other more permanent dwelling units. For this reason staff are recommending that Bylaw No. 471 include the provision that the LTC can authorize TUPs for "other temporary residential use of buildings, such as secondary suites and seasonal cottages, on land zoned for residential use to help meet the housing needs of Island residents" as proposed under clause G.1.2.7. Staff are also recommending the following TUP guideline to reduce the proliferation of TUP applications for residential use of seasonal cottages or secondary suites at market-rate rental:

G.1.4.6 - Consideration of temporary residential use of secondary suites or seasonal cottages should be based on demonstrated family need or other hardship.

British Columbia Building Code/Health and Safety

CRD Building Inspection has advised that residential dwelling units on trailer chassis (eg. tiny homes on wheels) would be considered dwelling units with sub-standard foundations that cannot be granted occupancy permits under the British Columbia building code. Alternatively, they may simply be considered trailers and as such are not subject to building code. Either way, by issuing TUPs for tiny homes on wheels, the LTC will be authorizing residential use of buildings/structures/vehicles that do not meet established health and safety requirements.

Staff have obtained a legal opinion from Islands Trust legal counsel related to LTC liability for issuing temporary use permits that allow residential use of non-code-compliant buildings. Generally speaking, legal counsel suggests that local governments are not liable for their policy decisions provided those decisions are made in good faith. The LTC has received this legal opinion in camera.

Furthermore, the Salt Spring Island Land Use Bylaw already authorizes the residential occupancy of recreational vehicles and travel trailers for up to two years on properties where a single-family dwelling is being constructed. These RVs are not code-compliant for full-time residential use, as they are built under the CSA Z240 RV standard, which only contemplates three-season use.

Staff are in discussions with staff at the Salt Spring Island Fire Protection District to determine whether staff there are able to develop a basic safety checklist that could be applied to TUP applications for tiny homes on wheels, RVs and travel trailers and whether fire department staff could undertake site visits to apply that checklist as a condition of permit consideration. Fire department staff are reviewing this request.

Staff recommend that Bylaw No. 471 be referred to CRD building inspection for review and comment.

The LTC will previously recall that it received a memo from staff detailing why recreational vehicles should not be considered “manufactured homes” under the land use bylaw. See Appendix 7.

Potable Water

For ground and surface water-serviced properties, staff recommend amending the potable water requirement for temporary use permits for all residential uses to align with Land Use Bylaw subdivision requirement for seasonal cottages – 680 litres per day.

For temporary residential uses with more than one bedroom, staff recommend requesting 680 litres per day plus 460 litres per day¹ for each additional bedroom.

For rainwater catchment, staff recommend that the applicant be required to demonstrate installation of a system that complies with the Canadian Standards Association standard for rainwater harvesting systems.

Sensitive Ecosystems/Watershed Protection

The amended version of Bylaw No. 471 proposed in Appendix 1 requires as a condition of permit issuance that temporary dwelling units not be located in sensitive ecosystem areas or watershed catchment areas.

Neighbourhood Impacts

Bylaw No. 471 contains a number of guidelines that the LTC can use to ensure that TUPs issued for residential uses do not unduly impact neighbours enjoyment or their property or neighbourhood character.

TUP Application Fee

When Bylaw No. 471 was last considered in 2014, the LTC was interested in pursuing a reduced application fee for TUPs for residential uses. Staff understand that Islands Trust Local Planning Committee (LPC) has on its work program the development of a model application fees bylaw. If this remains of interest to the LTC, staff recommend that the LTC write to LPC requesting a LPC to consider a reduced application fee for TUPs for residential uses in its model fees bylaw.

Unlawful Housing Enforcement Policy

The Salt Spring Island Local Trust Committee and its Bylaw Enforcement and Compliance staff currently operate under a standing resolution regarding unlawful dwelling units that directs staff to forego enforcement on properties where there is a single unlawful dwelling unit (see Appendix 6).

¹ This aligns generally with the [British Columbia Design Guidelines for Rural Residential Water Systems](#) standard of 230 litres/day and an assumed occupancy of two people per bedroom.

Between Bylaw No. 512 (affordable rental housing – cottages) and Bylaw No. 471 (Temporary Use Permits for Residential Uses) the LTC is creating two avenues by which unlawful housing can be made lawful on either a full-time or temporary basis. In light of these advances, the LTC may wish to consider whether it should rescind standing resolution SS-2017-168 and recommence bylaw enforcement action on unlawful dwellings for which complaints have been received. As neither Bylaw Nos. 512 nor 471 have yet been passed, no action need be taken at present, but staff will return in a future staff report with more detailed information on the matter.

Project Charter

Appendix 3 contains a simple project charter to guide Bylaw No. 471 through to adoption and implementation. See Appendix 4 for 2014 project charter for the Secondary Suites Implementation project.

Consultation

Significant community consultation was undertaken during the development of Bylaw No. 471 in 2013 and 2014. The special projects budget for Bylaw No. 471 does not contain sufficient funds to undertake dedicated consultation that would incur any costs beyond staff time. See “Community Information Meeting” below.

Staff do recommend bylaw referral to a number of local community groups with an interest in housing provision on the Island.

Statutory Requirements

Statutory notification of the proposed Official Community Plan amendments will be made in accordance with Section 466 of the *Local Government Act* and Salt Spring Island Development Procedures Bylaw No. 304. This will require newspaper advertising. Correspondence related to this project may be sent to ssiinfo@islandstrust.bc.ca.

Correspondence related to this project received 2013 and 2014 will soon be posted to the project website here. New correspondence may be sent to SaltSpringIslandLocalTrustCommittee@islandstrust.bc.ca.

As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly.

Community Information Meeting (CIM)

The Special Projects budget for this project does not have sufficient funds to support a standalone Community Information Meeting (CIM).

If the LTC wishes to host a community information meeting, it would have to be held as part of a regular Local Trust Committee meeting.

Agencies

Staff recommend bylaw referral to the following agencies:

- CRD Building Inspection
- CRD Water Services
- Island Health Environmental Health Officer
- Salt Spring Island Fire Rescue

First Nations

Bylaw No. 471 amends the Salt Spring Island OCP. OCP amendments should be referred to First Nations as these amendments have the potential to change settlement and use patterns on the traditional lands of these groups.

This file was previously referred to First Nations in 2013. However, sufficient time has elapsed such that it should be referred anew.

See Appendix 5 for a list of First Nations to which Bylaw No. 471 should be referred. Staff will work with the Islands Trust Senior Intergovernmental Policy Advisor to determine an appropriate referral strategy.

Rationale for Recommendation

Staff suggest that temporary use permits should generally be issued for uses that are actually temporary. Bringing a tiny home on wheels or recreational vehicle onto a property is by definition temporary, as the unit can simply be removed when the permit issued for it expires.

Renovating a single-family dwelling to create a secondary suite does not seem like a “temporary” act, but rather one where the secondary suite will live on long after the permit expires, unless the permit requires deconstruction of the suite, in which case the applicant may reconsider their plans to build a secondary suite in the first place.

Nonetheless, staff recognize that there is concern in the community about the availability of rental housing. The amendments proposed to Bylaw No. 471 in Appendix 1 will allow the Local Trust Committee to issue TUPs for residential use of a range of housing types in accordance with LTC’s determination of community need.

ALTERNATIVES

1. Amend Bylaw No. 471

The LTC may have already identified amendments it would like to make to either the proposed amended Bylaw No. 471 shown in Appendix 1, or the 2014 second reading version of Bylaw No. 471 shown in Appendix 2. If this is the case, the LTC could consider the following resolution:

That the Salt Spring Island Local Trust Committee amend Bylaw No. 471 [identify version] by . . .

Conversely, the LTC could direct staff to report back with an amended version of the Bylaw in accordance with LTC direction. For this, the LTC could make the following resolution:

That the Salt Spring Island Local Trust Committee direct staff to amend Bylaw No. 471 [identify version] by . . .

This latter resolution would require staff to return at a future meeting with the amended Bylaw No. 471 for LTC’s further consideration of advancement.

NEXT STEPS

If the LTC accepts staff’s recommendations, Bylaw no. 471 will be referred to APC, agencies, First Nations and community groups noted in Appendix 5. Staff will also look to schedule a Community Information Meeting within an upcoming LTC regular meeting.

Submitted By:	Jason Youmans, Island Planner	November 19, 2019
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Concurrence:	Stefan Cermak, Regional Planning Manager	November 19, 2019
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ATTACHMENTS

1. Bylaw No. 471 – Recommended Amendments
2. Bylaw No. 471 – Second Reading, 2014
3. Project Charter v.4
4. Project Charter v.3
5. Referral Agencies
6. OCP Policies
7. Memo – Consideration of Recreational Vehicles as Manufactured Homes

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 471

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 434, 2008

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

1. Citation

This Bylaw may be cited for all purposes as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013".

2. Salt Spring Island Official Community Plan Bylaw No. 434, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008" is amended as shown on Schedule No. 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS	24TH	DAY OF	OCTOBER	2013
READ A SECOND TIME THIS	10TH	DAY OF	APRIL	2014
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20_____
READ A THIRD TIME THIS	_____	DAY OF	_____	20_____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20_____
ADOPTED THIS	_____	DAY OF	_____	20_____

Chair

Secretary

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 471**

SCHEDULE NO. 1

Salt Spring Island Official Community Plan Bylaw No. 434, 2008 is amended as follows:

1. By replacing the words “Temporary Commercial and Industrial Use Permits” with the words “Temporary Use Permits” wherever they appear.

2. In Section D.9 [DEFINITIONS], the following is inserted:

“Tiny home on wheels” means a dwelling unit on a wheeled chassis with a maximum floor area of 37.5 square metres and designed for year-round occupancy.

3. PART G [TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION] is deleted in its entirety and replaced as follows:

“PART G TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION

G.1.1 Areas where Temporary Use Permits can be issued

The Local Trust Committee may issue Temporary Use Permits within the following Land Use Designations:

Agriculture
Channel Ridge Village Core
Educational
Forestry
Fulford Harbour Village
Ganges Village Core
Ganges Village Upper
Health Services
Industrial and Commercial Services
Park and Recreation
Residential Neighbourhoods
Rural Neighbourhoods
Shoreline Development
Uplands

G.1.2 Objectives for issuing Temporary Use Permits

Permits for temporary uses should only accommodate uses that are consistent with the Permit Guidelines contained in this Plan. Permits could be issued for the following types of uses:

- G.1.2.1 The temporary use of land for community events such as festivals, fairs, or markets on land where that use may not be appropriate permanently.
- G.1.2.2 The temporary use of land by local businesses to provide essential community services not provided by local government. Such uses may include waste disposal or transfer, communications systems, or transportation systems.
- G.1.2.3 The temporary use of land for industrial or commercial uses that is compatible with land use designations, but is not specifically allowed by the local zoning bylaw. Such uses may be transitional or there may be uncertainty as to their appropriateness or viability. It may be premature or inappropriate to decide upon rezoning and long-term land use changes.
- G.1.2.4 The temporary use of land for agriculture-related uses, which enhance the economic viability of an existing farm operation. Examples may include farm fairs, farm-oriented tourism activities, farm education events, and short-term food service. Such uses are subject to approval of the Agricultural Land Commission for property in the Agricultural Land Reserve. Temporary Use Permit applications for uses in the Agricultural Land Reserve that are not permitted in the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation require the approval of the Agricultural Land Commission.
- G.1.2.5 The temporary use of buildings, tiny homes on wheels, or recreational vehicles/travel trailers to provide staff housing.
- G.1.2.6 The temporary use of tiny homes on wheels on land zoned for residential use to help meet the housing needs of Island residents.
- G.1.2.7 Other temporary residential use of buildings on land zoned for residential use, such as secondary suites or cottages, to help meet the housing needs of Island residents.

G.1.3 Permit Guidelines - General

Temporary Use Permits may be issued in accordance with the following guidelines. Permits should specify conditions so that possible impacts of the uses are minimized in accordance with the objectives of this plan.

- G.1.3.1 Permitted uses should be consistent with the objectives of this Plan.
- G.1.3.2 Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- G.1.3.3 Permitted uses should not preclude or compromise future permitted uses on the land parcel affected.
- G.1.3.4 Uses should not be allowed if they conflict with any on-going or intended planning policies or programs.
- G.1.3.5 Permit conditions should be consistent with applicable Development Permit Area guidelines, while recognizing the temporary nature of structures and site development.

- G.1.3.6 Noise, traffic, parking, general activity levels, and any disturbance that may be apparent beyond the property's boundaries should be consistent with neighbouring uses or minimized by conditions specified within the permit.
- G.1.3.7 Permit conditions should detail off-street parking in accordance with requirements of the Land Use Bylaw.
- G.1.3.8 Where appropriate, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with neighbouring land uses.
- G.1.3.9 Where appropriate, permits should include an undertaking by the owner of the affected land to remove buildings or structures and restore the land to a condition specified in the permit by a date specified in the permit.
- G.1.3.10 Where appropriate, a security should be required requiring removal of temporary buildings, structures, tiny homes on wheels or recreational vehicles, and restoration of the land to a condition specified in the permit. Permits should include conditions to ensure that the buildings or structures are removed and land is restored in the event of a default.

G.1.4 Permit Guidelines – Residential Uses

- G.1.4.1 Applications for Temporary Use Permits for a residential use should ensure that there is a sufficient supply of potable water consistent with the Canadian Drinking Water Standards, and:
 - a. Where the proposed use is supplied by groundwater, applicants should provide a recent well log or pump test demonstrating a minimum supply of 680 litres per day for the temporary residential use in addition to the minimum volume required for all permitted uses on the lot by the subdivision requirements of the Land Use Bylaw.
 - b. Where the proposed use is supplied by rainwater collection, the applicant should provide a design from an ASSE-certified designer, professional engineer or geoscientist confirming that the system has been designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18.
 - c. Where a lot is supplied by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity for the proposed use.
 - d. Where a proposed use is supplied from a surface water body, a water licence issued or amended after November 30, 1994 must permit the withdrawal of the required amount of water for the temporary use. Applicants should demonstrate a minimum supply of 680 litres per day for the temporary residential use in addition to the minimum volume required for all permitted uses on the lot by the subdivision requirements of the Land Use Bylaw.

- e. Applications for temporary residential uses with more than one bedroom may be requested to demonstrate additional potable water in volumes consistent with the *British Columbia Design Guidelines for Rural Residential Community Water Systems* based on an occupancy assumption of two people per additional bedroom.
- G.1.4.2 Applications for Temporary Use Permits for a residential use must ensure that there is a sufficient capacity for sewage treatment under the Public Health Act, and:
- a. Where a lot is serviced by an on-site septic disposal system, the applicant should provide confirmation by an authorized person confirming that the system has sufficient capacity accommodate the additional proposed residential use.
 - b. Where a lot is serviced by a community sewer system, the operator of the community sewer system must provide written confirmation that it has sufficient capacity to service the proposed use.
- G.1.4.3 Buildings, tiny homes on wheels, or recreational vehicles/travel trailers for temporary residential use should not be located in an ecosystem designated as sensitive by Islands Trust mapping. If there is uncertainty as to the exact location or extent of a known sensitive ecosystem, the applicant should provide a report from a registered professional with relevant expertise delineating the extent of the sensitive ecosystem and providing recommendations for maintaining its integrity.
- G.1.4.4 Permit conditions should ensure that the owner or a person other than the owner with responsibility for managing the property, including dealing with complaints of neighbours, is a permanent resident on the property where a Temporary Use Permit is issued for a residential use
- G.1.4.5 Buildings, tiny homes on wheels, or recreational vehicles/travel trailers for temporary residential use should not be allowed in areas that drain into community water system supply watersheds (Watershed Land Use Designations) or in community well capture zones (Development Permit Area 5).
- G.1.4.6 Secondary suites proposed for temporary residential use should be generally consistent with the size and siting regulations for secondary suites contained in the Salt Spring Island Land Use Bylaw.
- G.1.4.7 Seasonal cottages proposed for temporary residential use should be consistent with the size and siting regulations for seasonal cottages in the Salt Spring Island Land Use Bylaw.
- G.1.4.8 No more than one tiny home on wheels, recreational vehicle/travel trailer, or additional dwelling unit for temporary residential use should be permitted per lot.
- G.1.4.9 Consideration of temporary residential use of secondary suites or seasonal cottages should be based on demonstrated family need, other hardship, or helping achieve the Local Trust Committee's strategic priorities.

G.1.5 Permit Guidelines – Commercial and Industrial Uses

In addition to the guidelines outlined above, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a commercial and industrial use:

- G.1.5.1 Permits applications for commercial and industrial uses should include evidence that suitable alternate sites with appropriate zoning are not available.
- G.1.5.2 Permits should not be issued for commercial and industrial uses in excess of 60 days unless it is a new venture that does not directly compete with an existing business in a legal zone and there is a demonstrated need or market for the proposed use. Consideration could also be given to the temporary relocation of an existing business in emergency or hardship situations.

G 1.6 Development Approval Information

- G.1.6.1 The Plan Area, as described on Map 1, is designated as an area for which development approval information may be required for a rezoning application, a development permit application, or a temporary use permit application.
 - G.1.6.2 The objective of the designation of the Plan Area as a development approval information area is to ensure that consistent and comprehensive information pertaining to the impacts of proposed development on the environment, infrastructure and services, energy efficiency, energy security, and the local community is obtained.
 - G.1.6.3 The Local Trust Committee should consider a development approval information bylaw, and forward such a bylaw to Trust Council for adoption, as required by s. 29(3.1) of the Islands Trust Act.”
2. Bylaw 434 is further amended by making such consequential numbering alterations to effect all changes in this bylaw.

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 471

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 434, 2008

WHEREAS the Salt Spring Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Salt Spring Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Salt Spring Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption;

AND WHEREAS the Salt Spring Island Local Trust Committee wishes to amend the Salt Spring Island Official Community Plan Bylaw No. 434, 2008;

AND WHEREAS the Salt Spring Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Salt Spring Island Local Trust Committee enacts as follows:

CITATION

1. This Bylaw shall be cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013".

ORGANIZATION

2. Salt Spring Island Local Trust Committee Bylaw No. 434, 2008 is altered as shown on Schedule 1 of this amending bylaw.

SEVERABILITY

3. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

PROPOSED

READ A FIRST TIME this 24th day of October , 2013

PUBLIC HEARING HELD this day of , 20__

READ A SECOND TIME this 10th day of April , 2014

READ A THIRD TIME this day of , 20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 20__

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 20__

ADOPTED this day of , 20__

SECRETARY

CHAIRPERSON

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 471

SCHEDULE 1

Salt Spring Island Official Community Plan Bylaw No. 434, 2008 is amended as follows:

1. By replacing the words “Temporary Commercial and Industrial Use Permits” with the words “Temporary Use Permits” wherever they appear in Official Community Plan Bylaw No. 434, 2008.
- 2, By amending Schedule A, Volume 2, Part G – Temporary Commercial and Industrial Use Permits and Development Approval Information – by replacing Parts G.1.1, G.1.2, and G.1.3 with new Parts G.1.1, G.1.2, and G.1.3.as follows:

“PART G TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION

G.1.1 Areas where Temporary Use Permits can be issued

The following Designations are areas where the Local Trust Committee may issue Temporary Use Permits.

Agriculture Designation
Channel Ridge Village Designation
Educational Designation
Forestry Designation
Fulford Harbour Village Designation
Ganges Village Designation
Health Services Designation
Industrial and Commercial Services Designation
Park and Recreation Designation
Residential Neighbourhoods Designation
Rural Neighbourhoods Designation
Shoreline Development Designation
Uplands Designation

G.1.2 Objectives for issuing Temporary Use Permits

Permits for temporary uses should only accommodate uses that are consistent with this Plan. Permits could be issued for uses such as:

- G.1.2.1 The temporary use of land for commercial community events such as festivals, fairs or markets on land where commercial use may not be appropriate permanently.
- G.1.2.2 The temporary use of land by local businesses to provide essential community services not provided by local government. Such uses may include waste disposal or transfer, communications or transportation.

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- G.1.2.3 The temporary use of land for industrial or commercial uses that are compatible with land use designations, but are not specifically allowed by the local zoning bylaw. Such uses may be transitional or there may be uncertainty as to their appropriateness or viability. It may be premature or inappropriate to decide upon rezoning and long-term land use changes.
- G.1.2.4 Farm-oriented commercial uses consistent with agriculture which enhance the economic viability of an existing farm operation. Examples may include farm fairs, farm-oriented tourism or educational activities, and food service or market events serving local farm products. Such uses are subject to approval of the Agricultural Land Commission for property in the Agricultural Land Reserve. Temporary Use Permit applications for uses in the Agricultural Land Reserve that are not permitted in the ALR Use, Subdivision, and Procedure Regulation require the approval of the Agricultural Land Commission.
- G.1.2.5 The temporary use of a secondary suite for residential use. For the purpose of this section, a secondary suite means an accessory, self-contained dwelling unit, located within a permitted - building or single-family dwelling unit, and having a lesser floor area than the building's primary use. For certainty, a secondary suite may not be a standalone building. This use may be transitional or there may be uncertainty as to its appropriateness outside of the area where secondary suites are permitted by zoning. It may be premature or inappropriate to decide upon rezoning and long-term land use changes, and the use may be considered as part of a pilot program to permit secondary suites.
- G. 1.2.6 Temporary affordable housing units such as care cottages for those that are disabled or in demonstrated need of family care may be considered.

G.1.3 Permit Guidelines

Conditions included in Temporary Use Permits should follow the guidelines below to achieve the objectives of this Plan.

- G.1.3.1 Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- G.1.3.2 Permit conditions should be generally consistent with applicable Development Permit Area guidelines, while recognizing the temporary nature of structures and site development.
- G.1.3.3 Permit conditions should ensure that temporary uses are compatible with adjacent land uses. Noise, traffic, parking, general activity levels and any disturbance that may be apparent beyond the property's boundaries should be considered.
- G.1.3.4 Applications for Temporary Use Permits should ensure that there is sufficient supply of potable water consistent with the Canadian Drinking Water Standards.
- (a) Where a lot is supplied by groundwater, applicants must demonstrate there is sufficient available groundwater for the temporary use. A minimum supply of 2730 litres per day

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- (0.5 US gallons per minute) is required for each dwelling unit on the property as proven by a recent well log or pump test.
- (b) Where a lot is supplied by rainwater collection, the rainwater system must be capable of supplying a sufficient quantity of potable water for the temporary use. A minimum supply of 151 litres per person per day (40 US gallons per person per day) is required.
 - (c) Where a lot is supplied by a combination of sources, a written plan for the supply of water that demonstrates an adequate supply of potable water for the temporary use must be attached to the permit. . A minimum supply of 2730 litres per day (0.5 US gallons per minute) is required for each dwelling unit on the property.
 - (d) Where a lot is supplied by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity for the temporary use.
 - (e) Where a lot is 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 for the temporary use.
- G.1.3.5 Applications for Temporary Use Permits should ensure that where a lot is serviced by an on-site septic disposal system, applicants may be required to have the onsite sewage capacity reviewed by an authorized person to determine if the addition will require the onsite sewage system to be upgraded. Applicants may also be requested to provide a copy of the approved septic filings from the Vancouver Island Health Authority; where serviced by a community sewer system, the operator of the community sewer system must provide written confirmation that it has sufficient capacity to service the temporary use.
- G.1.3.6 Permit conditions should ensure that the entrance to the secondary suite from the exterior of the building is separate from the entrance to the principal dwelling unit.
- G.1.3.7 Permit conditions should ensure that the maximum floor area of a secondary suite is 90m² (968 ft²).
- G.1.3.8 Permit conditions should ensure that care cottages are limited in floor area, and subject to the Salt Spring Island Local Trust Committee agreeing on a mechanism to ensure the use of the unit is affordable for someone who is disabled or in need of family care.
- G.1.3.9 Permit conditions should ensure that that the owner or a person other than the owner with responsibility for managing the property, including dealing with complaints of neighbours, is resident on the property where a Temporary Use Permit is for a residential use.
- G.1.3.10 Permit conditions should ensure that a care cottage or a secondary suite is not used for short term commercial accommodation.
- G.1.3.11 Permit conditions should ensure that a care cottage or a secondary suite is not located in a sensitive ecosystem, according to the Official Community Plan. If there is uncertainty as to the exact location or extent of a known sensitive ecosystem, the

PROPOSED

applicant may be required to provide a report from an applicable registered professional indicating the extent of the sensitive ecosystem and recommendations for maintaining its integrity.

- G.1.3.12 Permit conditions should ensure that a care cottage or a secondary suite should not be allowed in areas that drain into community water system supply watersheds or in community well capture zones. The applicant may be required to provide a report from an applicable registered professional to ensure drainage on the property does not flow into the water supply of a community water system.
- G.1.3.13 Permit conditions should ensure that building safety issues are addressed through compliance with the B.C. Building Code and applicable health standards. Applicants may be requested to demonstrate proof of an application with the Capital Regional District Building Inspection Office.
- G.1.3.14 Permit conditions should ensure that off-street parking is provided in a way that is consistent with local bylaws.
- G.1.3.15 Permits applications for commercial and industrial uses should include evidence that suitable alternate sites with appropriate zoning are not available.
- G.1.3.16 Permits should not be issued for commercial and industrial uses in excess of 60 days unless it is a new venture that does not directly compete with an existing business in a legal zone and there is a demonstrated need or market for the proposed use. Consideration could also be given to the temporary relocation of an existing business in emergency or hardship situations.
- G.1.3.17 Permitted uses should be consistent with the objectives of this Plan.
- G.1.3.18 Permitted uses should not preclude or compromise future permitted uses on the land parcel affected.
- G.1.3.19 Uses should not be allowed if they conflict with any on-going or intended planning policies or programs.
- G.1.3.20 Where appropriate, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with neighbouring land uses.
- G.1.3.21 Permits can include, as a condition, the provision of an undertaking by the owner of the affected land to remove buildings or a secondary suite and restore the land to a condition specified in the permit by a date specified in the permit.
- G.1.3.22 Permits can include, as a condition, the provision of security deposit or security bond to guarantee the performance of the terms of the permit."

Temporary Use Permits for Residential Use - Charter v.4

Salt Spring Island Local Trust Committee

Date: November 18, 2019

Purpose: The purpose of this project is to amend the Salt Spring Island Official Community Plan (OCP) to allow the Salt Spring Island Local Trust Committee (LTC) to consider issuance of temporary use permits (TUPs) for residential uses.

Background: The Local Government Act has been amended to allow local governments to issue temporary use permits for residential uses. Currently, the Salt Spring Island OCP only allows the LTC to issue TUPs for commercial and industrial uses. This project will amend the OCP to authorize the LTC to issue TUPs for residential uses. It uses Bylaw No. 471, which received second reading in 2014, as its point of departure. Work to amend the OCP as proposed under this project began in 2013 as part of the implementation plan for the LTC's secondary suites pilot area. It was dropped shortly thereafter. However, in 2018 the LTC directed staff to undertake work on file again as an LTC special project.

Objectives

- Amend the Salt Spring Island OCP to authorize issuance of TUPs for residential uses.
- Use the amended OCP as a tool to help address the Island's housing needs

In Scope

- Drafting an OCP amending bylaw and guidelines specific to using TUPs for residential uses.
- Public hearing
- Press release and other communications post bylaw adoption
- Legal review of LTC risk/liability re. tiny homes and RVs

Out of Scope

- In-depth consultation program on proposed OCP amendments.

Workplan Overview

Deliverable/Milestone	Date
Draft, First and Second Reading of Bylaw No. 471	2013/14
Rescind Second Reading, Amend Bylaw, Bylaw Referral, Legal Review	Fall 2019
Community Information Meeting/Public Hearing	Winter 2019/20
Third Reading/EC & Ministerial Referral	Winter 2019/20
Bylaw Adoption	Spring 2020

Project Team

Jason Youmans, Island Planner	Project Manager
Kristine Mayes, Planning Team Assistant	Project Assistant
RPM Approval: Stefan Cermak Date: November 14, 2019	LTC Endorsement: Resolution #: Date: xxx

Budget

Budget Sources:

Fiscal	Item	Cost
2019/20	Public Hearing	\$1,400.00
2019/20	Total	\$1,400.00



PROJECT CHARTER:

Secondary Suites Implementation Program

Creation Date: June 5, 2013

Last Updated: November 5, 2013

Version: 3.0

Purpose

The purpose of this project is to present an implementation strategy that results from the introduction of legal secondary suites on Salt Spring Island.

Background

This project has been initiated by the adoption of Bylaw 461, a bylaw that amends Land Use Bylaw 355 to permit secondary suites in some areas of Salt Spring Island (Schedule 'I').

Project Objectives

1. Develop one or two information brochures/handout (in consultation with CRD) for residents to understand Bylaw 461 and how to pursue legalizing a secondary suite with CRD Building Inspection. Include information about water conservation in information material. **(DONE)**
2. By July 2013, develop a registration system to record building permit applications for secondary suites that have been referred by the CRD Building Inspection office. **(DONE)**
3. Within the next year, amend the Salt Spring Island Official Community Plan to allow Temporary Use Permits to be used for residential uses.
4. By July 2013, follow up on requests to North Salt Spring Waterworks District to help monitor impacts on the NSSWD water supply and residential consumption patterns that result from secondary suites. **(DONE)**

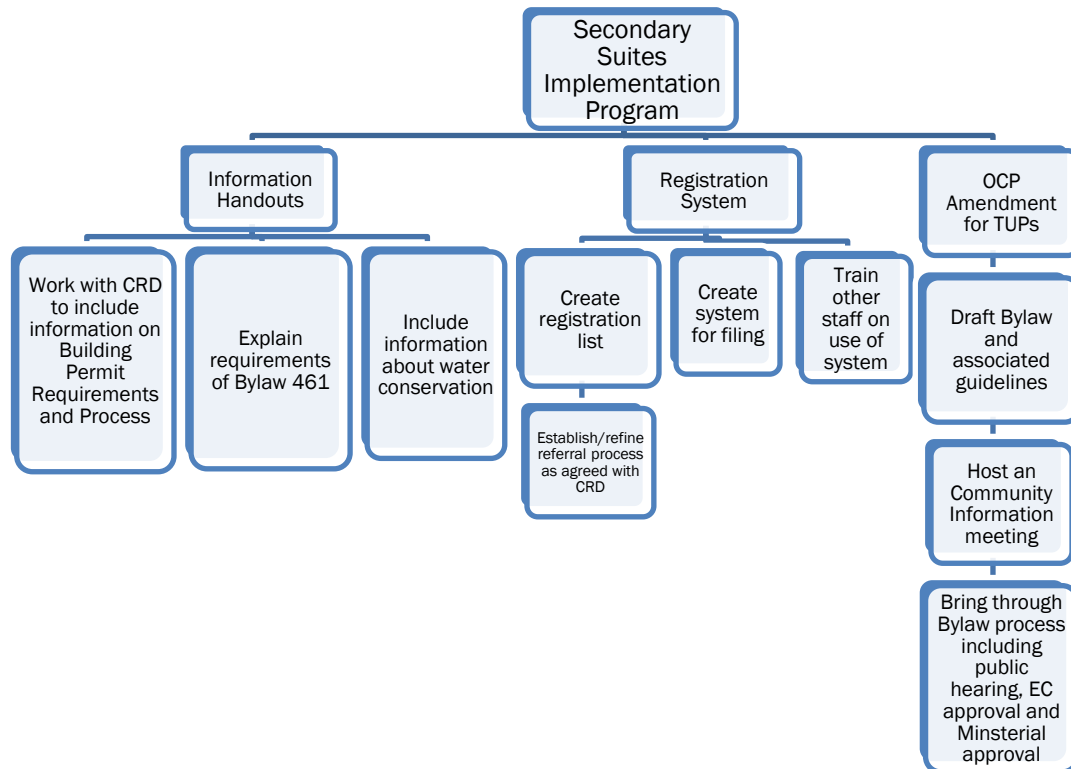
Project Scope

In Scope	Out of Scope
▪ One or two information brochures/handouts that explain bylaw 461 and the process to legalize a suite with CRD Building Inspection. ▪ Including information promoting water conservation in handouts ▪ Registration system records secondary suites in the building permit system at CRD ▪ Drafting an amending bylaw for the OCP and guidelines specific to using a temporary use permit for a secondary suite residential use. ▪ One community information meeting, or workshop and a public hearing on changes to TUP policies. ▪ Working with NSSWD to monitor changes in use/consumption/supply that result from secondary suites	▪ More than one or two information brochures/handouts ▪ Other information in the brochures unrelated to bylaw 461 or the building bylaw requirements and process to get a building permit. ▪ A registration system that records secondary suites that have not gone through the building permit process with CRD ▪ An in-depth consultation program on changes to TUP policies. ▪ Re-consideration of the secondary suites bylaw or zoning for affordable housing ▪ Monitoring changes in water use/consumption/supply that are unrelated to secondary suites.

Project Deliverables:

1. One or two information brochures/handouts
2. Registration system/coordination with CRD
3. Salt Spring Island Official Community Plan amendment to allow Temporary Use Permits to be used for residential uses.
4. Coordination with North Salt Spring Waterworks District to help monitor impacts on the NSSWD water supply that result from secondary suites. (DONE)

Work Breakdown Structure: Secondary Suites Implementation



Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
CRD	Staff and director	• Defined referral process • Information made available for customers • Continued collaboration on issues of common interest
NSSWD	Staff and board	• Partnership doesn't create onerous workload • Customers have clear understanding of requirements
Residents	Individuals	• Information is available and accessible • Clear understanding of different roles between Islands Trust and CRD • Clear understanding of requirements to "legalize"

Stakeholder	Represented by	Interests, expectations, concerns
		suites Information regarding the Rental Tenancy Act and the rights and responsibilities of landlords and tenants.

*Note: the following stakeholders represent those with direct interest in the implementation of Bylaw 461; there is a larger context of stakeholders with interests in the outcome of monitoring and evaluating secondary suites that is not addressed at this time.

First Nations: As with all LTC projects, First Nations with asserted aboriginal rights in the subject area will be contacted early to inform of any bylaw or Official Community Plan amendments, and asked to identify any aboriginal rights that may be impacted by the proposed change.

Project Team Resources

Name	Role	Responsibility
Leah Hartley	Project Champion	Ensures project aligns with strategic goals, provide adequate project resources
SSI LTC	Project Sponsor	Provides support through maintaining the project as a work program priority
Justine Starke	Project Manager	All project management of the project, lead/ direct all project work, lead OCP/TUP process, agency coordination (CRD, NSSWD)
Claire Olivier	Admin support	Assistance of registration system

Project Budget

Item	Details	2013-14 Fiscal Yr	2014-15 Fiscal Yr
Brochure/information materials: Optional contract for design services		\$1000 +/-	
Meetings or Workshops: For OCP amendment (TUP)	Includes minute taker, venue rental, advertising, legal review if needed.	\$2000	
Public Hearing: For OCP amendment (TUP)	Includes minute taker, venue rental, advertising	\$1500	
Totals		4,500	

Project Timeline

For minor projects use this table, for major projects attach a more detailed table

Deliverable / Milestone	Target Completion Date
1. One or two information brochures/handouts	Done
2. Registration system/coordination with CRD	Done

Deliverable / Milestone	Target Completion Date
3. Salt Spring Island Official Community Plan amendment to allow Temporary Use Permits to be used for residential uses.	June 2014
4. Coordination with North Salt Spring Waterworks District to help monitor impacts on the NSSWD water supply that result from secondary suites.	Done (initial agreement) – implementation to occur during 2015-16 monitoring

Endorsements

	Name	Endorsement Date
Project Champion	Leah Hartley	June 6, 2013
Project Manager	Justine Starke	June 5, 2013
Project Sponsor	Local Trust Committee	June 20, 2013

Bylaw No. 471

Recommended Referral Agencies, First Nations and Community Groups

AGENCIES	FIRST NATIONS	COMMUNITY GROUPS
• CRD Building Inspection • CRD Water Services • North Salt Spring Waterworks District • Island Health (Environmental Health Officer) • Salt Spring Island Fire Rescue • Islands Trust Bylaw Compliance and Enforcement	• Cowichan Tribes • Halalt First Nation • Lake Cowichan First Nations • Lyackson First Nation • Penelakut First Nation • Stz'uminus First Nation • Malahat First Nation • Pauquachin First Nation • Tsartlip First Nation • Tsawout First Nation • Tseycum First Nation • Semiahmoo First Nation • Hul'qumi'num Treaty Group (for information only) • Te'Mexw Treaty Association (for information only)	• Salt Spring Solutions • Salt Spring Island Housing Council • Salt Spring Island Chamber of Commerce

RELEVANT OCP POLICIES

Secondary Suites

B.2.2.2.15 The Local Trust Committee may give consideration to amending the Land Use Bylaw to allow secondary suites in dwellings as affordable housing under certain circumstances. Any initiative to allow suites should address the following criteria:

- a. A maximum of one suite is allowed per dwelling.
- b. The owner occupies either the principal dwelling or the suite.
- c. Suites should only be allowed in areas with an adequate supply of potable water.
- d. Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- e. New construction of dwellings with suites in areas containing sensitive ecosystems or areas that are hazardous for development should be managed by development permit.
- f. The use of suites will not be for short-term rental, in accordance with the Land Use Bylaw.
- g. Regulations should limit suites to 40% of the floor area of the principal dwelling and no more than 90 m² of floor area.
- h. Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- i. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that suites are affordable and to address occupancy.
- j. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.
- k. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.
- l. The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles.
- m. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of suites on the island.
- n. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied suites.

Seasonal Cottages

B.2.2.2.16 Seasonal cottages should continue to be allowed wherever they are allowed by current zoning. The Local Trust Committee may also consider amending the Land Use Bylaw to allow the use of seasonal cottages as full time affordable rental housing units in certain areas. In order to encourage housing for families, the Land Use Bylaw may be amended to permit cottages with a maximum floor area of 90 m² on lots 2 hectares or larger in area, while retaining the existing floor area limits on cottages on lots between 1.2 hectares and 2 hectares in area.

Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:

- a. Full time residence of cottages should only be allowed in areas with an adequate supply of potable water.
- b. Full time residence of cottages should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- c. New construction of cottages for full time residence should be not allowed in areas containing sensitive ecosystems or areas that are hazardous for development.
- d. The use of cottages will not be for short-term rental in accordance with the Land Use Bylaw.
- e. Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- f. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that cottages are affordable and to address occupancy.
- g. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.
- h. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.

- i. The Local Trust Committee may also consider limits on the location of cottages to minimize dependency on private automobiles.
- j. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of full-time units on the island.
- k. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied cottages.

B.2.2.2.21 The Local Trust Committee should consider changing local zoning to allow small care cottages to be temporarily placed alongside single family dwellings to accommodate those who are disabled or require family care. Temporary suites could also be allowed to serve the same purpose. Should the Committee amend zoning in this way, it should first have a system in place that will ensure the suites or cottages will be used as intended. Care cottages should not be permitted on properties where seasonal cottages or flexible unit dwellings are permitted.



Islands Trust

STAFF MEMORANDUM

File No.: 3110-04 - Issues

DATE OF MEETING: January 29, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Shelley Miller
Salt Spring Island Team

COPY: Eric Booth

SUBJECT: Consideration of Recreational Vehicles (Fifth Wheels) as Manufactured Homes

SUMMARY

The purpose of this memorandum is to provide an analysis of relevant policies and regulations to determine if recreational vehicles can be considered a type of manufactured (mobile) home and used as permanent dwelling units to help provide affordable housing solutions.

Recreational vehicles are not considered an appropriate housing solution. There are separate and distinct standards for the design and manufacturing of both recreational vehicles and manufactured homes in Canada. Recreational vehicles are not designed nor manufactured as dwelling units for permanent occupancy. Recreational vehicles are designed and built as vehicles providing temporary living quarters for recreational, camping or seasonal use.

BACKGROUND

On October 2, 2018, Eric Booth wrote to the LTC requesting that the LTC consider fifth wheels as a type of mobile home permitted to be used as permanent dwelling units for the provision of affordable housing. See Appendix 1 for the original correspondence. At the October 18th, 2018 LTC meeting, the LTC passed the following resolution:

SS-2018-254

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff provide a report to the Local Trust Committee in response to Eric Booth's email dated October 2, 2018 concerning affordable housing solutions.

CARRIED

Recreational Vehicles

There are various types of recreational vehicles including motorhomes, fifth wheels, travel trailers, folding campers, toy haulers, and truck campers¹. Eric Booth specifically requested that the LTC consider fifth wheels as a type of mobile home.

¹ See the Canadian Recreational Vehicle Association for more detailed descriptions of each type of recreational vehicle:

<http://www.crva.ca/find-your-rv/rv-types/>

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The Canadian Recreational Vehicle Association defines a fifth wheel as:

A Recreational Vehicle designed to be coupled to the towing vehicle by a fifth wheel-type coupler, through which a substantial part of the trailer weight is supported by the tow vehicle and being manufactured in accordance with either CSA Z-240 RV series or NFPA 1192 of standards. Fifth Wheel Travel Trailers are a two-level unit designed to be affixed and towed by a pickup truck equipped with a special 5th wheel hitch in the truck bed.²

An example fifth wheel is shown in Figure 1 below:



Figure 1: Image of Fifth Wheel obtained from the Canadian Recreational Vehicle Association.

Manufactured (Mobile) Homes

The British Columbia *Manufactured Home Act*, (previously the *Mobile Home Act*), defines manufactured home as:

"manufactured home" means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried.³

A mobile home is a type of manufactured home.

ANALYSIS

Policy/Regulatory

Please note that the following analysis is applicable to all recreational vehicles, not just fifth wheels.

Canadian Standards Association:

The Canadian Standards Association (CSA) provides separate and distinct standards for the design and manufacturing of both recreational vehicles and manufactured homes. Please see Appendix 2 for the Copyright Notice regarding the information that follows.

² Canadian Recreational Vehicle Association. (2018). Fifth Wheels. Retrieved from <http://www.crva.ca/listing-category/fifth-wheel/>

³ Manufactured Home Act. [SBC 2003]. Chapter 75. Retrieved from http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_03075_01#section1

Recreational vehicles intended for the Canadian market are designed and built to comply with CSA Z240 RV Series of Standards, *Recreational Vehicles* (CSA Z240 RV Series) or the National Fire Protection Association (NFPA) 1192 for Recreational Vehicles. The CSA Z240 RV Series includes the following requirements for recreational vehicles⁴:

- General requirements
- Vehicular requirements
- Plumbing requirements
- Installation requirements for propane appliances and equipment
- Electrical requirements

The CSA Z240 RV Series provides the following definitions⁵:

Recreational vehicle (RV) - a vehicular-type unit that is primarily designed as temporary living quarters for recreational, camping or seasonal use; has its own motive power or is mounted on or towed by another vehicle; does not require a special highway use permit for operation on the highways; and can be easily transported and set up on a daily basis by an individual.

Fifth-wheel trailer - a recreational vehicle designed to be coupled to a towing vehicle by a fifth-wheel-type coupler, through which a substantial part of the trailer weight is supported by the towing vehicle.

Park model trailer – a recreational unit that is built on a single chassis mounted on wheels and is designed as living quarters for seasonal camping and to facilitate relocation from time to time.

Mobile homes intended for the Canadian market are designed and built to comply with the Canadian CSA Z240, MH Series of Standards, *Manufactured Homes* (CSA Z240 MH Series)⁶. The CSA Z240 MH Series includes the following requirements for manufactured homes⁷:

- General requirements⁸
- Vehicular requirements
- Structural requirements
- Duct design and installation requirements for heating and cooling
- Installation requirements for gas-burning and oil-fired appliances

The CSA Z240 MH Series provides the following definitions⁹:

Manufactured homes - a transportable, single- or multiple-section, one-storey dwelling ready for occupancy on completion of set-up in accordance with the manufacturer's instructions.

Habitable room – a room or enclosed floor space arranged for living, eating, food preparation, or sleeping purposes (not including bathrooms, water closets, compartments, laundries, pantries, foyers, hallways, and other accessory floor spaces).

⁴ CSA Z240 RV Series-14, Recreational Vehicles © 2014 Canadian Standards Association

⁵ CSA Z240 RV Series-14, Recreational Vehicles © 2014 Canadian Standards Association

⁶ Note, previous editions of the Canadian CSA Z240, MH Series of Standards, were titled CSA Z240, MH Series of Standards, *Mobile Homes*

⁷ CSA Z240 MH Series-16 Manufactured Homes, © 2016 Canadian Standards Association

⁸ The CSA Z240 MH Series General Requirements section requires electrical services be installed in accordance with the Canadian Electrical Code, and requires plumbing services be installed in accordance with the National Plumbing Code of Canada.

⁹ CSA Z240 MH Series-16 Manufactured Homes, © 2016 Canadian Standards Association

The CSA Z240 MH Series Structural Requirements section specifies the minimum requirements to ensure manufactured homes will provide adequate:

- structural strength and rigidity,
- protection against rodents and other similar destructive forces,
- resistance to the elements, and
- durability and economy of maintenance.¹⁰

The CSA Z240 MH Series Structural Requirements section states that “Except as otherwise provided in this Standard, manufactured homes must be designed and constructed in accordance with the National Building Code of Canada”.¹¹

The CSA Z240 RV Series does not have a comparable Structural Requirements section, but in the General Requirements Scope section, it states that its purpose is to specify minimum criteria for providing a degree of protection against loss of life from fire and explosion.

Given the clear terms described in both the CSA Z240 RV Series and the CSA Z240 MH Series, staff consider it reasonable to believe that the manufacturers of recreational vehicles intended that they be used as recreational vehicles and not used as manufactured homes.

Park Model Recreational Vehicles intended for the Canadian market are designed and built to comply with and CSA Z241 Series of Standards, Park Model Trailers. The Canadian Recreational Vehicle Association provides the following definition:

A "Park Model Trailer" is a recreational unit that meets the following criteria: It is built on a single chassis mounted on wheels; It is designed to facilitate relocation from time to time; It is designed as living quarters for seasonal camping only and may be connected to those utilities necessary for operation of installed fixtures and appliances; and It has a gross floor area not exceeding 50 m² when in the set up mode, and has a width greater than 2.6m in the transit mode. A Park Model Trailer is manufactured in accordance with CSA Z241 series of standards.

Given the above definition, and separate CSA series of standards, staff consider it reasonable to believe that the manufacturers of park model trailers intended that they be used as park model trailers and not used as manufactured homes.

The Canadian CSA A277 Standard, *Procedure for certification of prefabricated buildings, modules, and panels* (CSA A277 Standard) is a procedure for certifying that factory built buildings and components are compliant with a building code or other standard (i.e. the CSA Z240 MH Series of Standards). If a factory-built building has a label from an accredited certification agency indicating that compliance with the BC Building Code has been certified using the CSA A277 Standard, then the accepting authority (i.e. Building Inspectors) can rely on the certification label to verify that the factory construction was Code-compliant. The CSA A277 Standard does not cover portions of the buildings or services that are not completed in the factory and it does not address the transport of buildings or their erection and installation on site.¹²

¹⁰ CSA Z240 MH Series-16 Manufactured Homes, © 2016 Canadian Standards Association

¹¹ CSA Z240 MH Series-16 Manufactured Homes, © 2016 Canadian Standards Association

¹² BC Government. Building Safety and Standards Branch. Information Bulletin No. B15-01. (2015). Retrieved from https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/bulletins/b15-01_determining_compliance_of_a277certified_buildings.pdf

Land Use Bylaw:

The Salt Spring Island Land Use Bylaw No. 355 (LUB) provides the following definitions:

“manufactured home” means a dwelling unit that is manufactured in accordance with CSA A277 Standards, designed and intended for residential occupancy and manufactured either wholly or in part at an offsite location, and also includes mobile homes.

“mobile home” means a transportable, single or multiple section dwelling unit conforming to the Canadian Standards Association Z240 Series of Standards at time of manufacture, and designed and intended for residential occupancy and set up in accordance with required factory installation details.”

While the LUB does not distinguish between CSA Z240 RV Series versus the CSA Z240 MH Series, reasonable interpretation of the LUB suggests that the appropriate CSA standard should apply when interpreting the LUB.

The LUB does not explicitly define recreational vehicles. However, Section 3.17 of the LUB explicitly regulates the “Use of Travel Trailers and Recreational Vehicles” and states the following:

3.17 In zones where dwelling units are permitted, one travel trailer or one recreational vehicle may be occupied as a camping unit on a lot for a maximum of 90 days in any year provided approved sewage disposal facilities are provided.

3.17.2 In zones where dwelling units are permitted, one travel trailer or one recreational vehicle may be occupied as a camping unit on a lot for two years during construction of a dwelling unit on the same lot provided that:

- (1) a valid building permit exists for the dwelling unit on the lot, and
- (2) the water supply and approved sewage disposal facilities for the dwelling unit have been installed and temporarily connected to the travel trailer or recreational vehicle.

3.17.3 Except as permitted in Subsections 3.17.1 and 3.17.2 a travel trailer or recreational vehicle may not be occupied on lots that are not zoned to permit campgrounds.

The LUB provides the following definition of “camping unit”:

“camping unit” means a tent, trailer, recreational vehicle or similar transportable forms of accommodation customarily used by travellers or vacationers who maintain a residence elsewhere, and excludes mobile or manufactured homes.”

The LUB definitions indicate that recreational vehicles are a camping unit, are not a type of mobile or manufactured home, and are not permitted for use as a permanent dwelling unit.

Building Regulation:

Site-built and factory-built buildings are required to be designed and built to either the BC Building, or the separate CSA Z240 MH Series of Standards.

CSA A277 Standard certified buildings designed and built to the CSA Z240 MH Series are exempt from the BC Building Code, as portions of the CSA Z240 MH Series resemble a building code. The BC Building Code considers homes certified to the CSA Z240 MH Series as acceptable housing and they are permitted under Division A Clause 1.1.1.1.(2)(g). This exemption applies to housing and components that are produced in the factory only.

Site preparations, including siting, foundations, and mountings as well as connections to services and installation of appliances, are required to comply with the BC Building Code.¹³

Authority for building inspection on Salt Spring rests solely with the Capital Regional District (CRD). CRD Building Inspection staff have confirmed that only Canadian CSA Z240 MH Series - approved buildings can be permitted as permanent dwelling units, while CSA-Z240 RV Series and CSA-Z241 Series are not for permanent habitation.

The Capital Regional District (CRD) Bylaw No. 3741 - Building Regulation Bylaw (Building Bylaw) regulates mobile homes on Salt Spring Island. The Building Bylaw requires applicants wishing to permanently install mobile homes to submit a Building Permit Application and a Mobile Home information Sheet. The Mobile Home Information Sheet states that factory built mobile homes must be certified as complying with the Canadian CSA-Z240 MH Series. This standard does not apply to site preparations (i.e. foundations and basements), interconnections of modules, connection to services and installation of appliances. The Building Bylaw does not recognize recreational vehicles built to the CSA Z240 RV Series of Standards.

Fire Rescue:

The Salt Spring Island Fire Rescue is responsible for implementing the BC Fire Code on Salt Spring Island. Recreational vehicles do not fall under the BC Fire Code. Salt Spring Island Fire Rescue staff have indicated that recreational vehicles should have a fire extinguisher, appropriate installation and use of propane appliances, smoke alarms and a second egress.

Sewerage System Regulation:

The BC *Sewerage System Regulation* applies to the construction and maintenance of holding tanks and sewerage systems within specified parameters. Island Health staff have confirmed that recreational vehicles are not considered dwelling units with respect to sewerage systems. However, if recreational vehicles septic waste was not self-contained, then the sewerage system would need to abide by the BC *Sewerage System Regulation*.

Motor Vehicle Regulations:

Recreational vehicles are a type of vehicle subject to the BC *Motor Vehicle Act* and *Motor Vehicle Regulations*. Recreational vehicles require licensing and registration for use on public and private roads. The *Motor Vehicle Regulations* require that mobile homes and recreational vehicles conform to the CSA MH Series and the CSA RV Series, respectively.

Case Law:

In *Thompson-Nicola Regional District v. 0751548 B.C. Ltd. (2014 BCSC 1867)*¹⁴, the Supreme Court considered whether recreational vehicles could be considered as “manufactured homes” or “mobile homes” within the meaning of the applicable bylaws. The judge concluded that “manufactured homes are designed and constructed for permanency and year round use, while recreational vehicles are generally designed as temporary accommodation, as is evident from the manufacturer warranties and related information about their use.” [48] The judge also indicates that the interpretation of the mobile home definition should focus on “how

¹³ BC Government. Building Safety and Standards Branch. Information Bulletin No. B15-01. (2015). Retrieved from https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/bulletins/b15-01_determining_compliance_of_a277certified_buildings.pdf

¹⁴ Thompson-Nicola Regional District v. 0751548 B.C. Ltd., 2014 BCSC 1867 (CanLII). (2014). Retrieved from <http://canlii.ca/t/gdt28>

the manufacturers intended that the recreational vehicles be used rather than on how they may be used by individuals after they leave the factory.” [75]

Trust Council 2014-2018 Strategic Plan:

Trust Council’s current Strategic Plan includes the following Policy Statement Goal, objective, and LTC activities relating to affordable housing:

Islands Trust Policy Statement Goal C – ‘To sustain island character and healthy communities’

5.1 Use land use planning tools to improve the availability of affordable, accessible and appropriate housing.

T.5.1 Use land use planning tools and decisions to improve the availability of affordable, accessible, appropriate housing (e.g. as described in Trust Council)

L.5.1.1 Amend OCPs to include affordable housing policies

L.5.1.2 Amend LUBs to improve availability of affordable housing

Official Community Plan:

The Salt Spring Island Official Community Plan Bylaw No. 434 provides the following Community Objective staff consider applicable to the consideration of using recreational vehicles as housing:

A.4.1.4 To adopt the precautionary principle in the decision-making of the Local Trust Committee. The precautionary principle asserts that, when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. In this context, the essential elements of a precautionary approach to decision-making include:

- a. a duty to take anticipatory action to prevent harm;
- b. the right for the community to know complete and accurate information on potential human health and environmental impacts as best it can be determined;
- d. an obligation to consider alternatives and select the alternative with the least potential impact on human health and the environment, including the alternative of no change;

A.4.4.4 To preserve and protect human diversity in our community by ensuring that the island's people are accommodated by a broad spectrum of appropriate and accessible housing and facilities, transportation choices, service opportunities and choices of livelihood, with a local focus to minimize transportation needs.

Issues and Opportunities

- 1. Affordable Housing Solutions** – Staff conclude that recreational vehicles are not considered an appropriate housing solution. There are two separate and distinct CSA Z240 certification standards for manufactured homes and recreational vehicles. Recreational vehicles are not designed nor manufactured as dwelling units for permanent occupancy. Recreational vehicles are designed and built as vehicles providing temporary living quarters for recreational, camping or seasonal use.

The BC Building Code considers homes certified to the CSA Z240 MH Series standard as acceptable housing. Recreational vehicles are not permitted as permanent dwelling units under the CRD Building Regulation Bylaw and are not recognized by the BC Building Code (or equivalent).

Staff find the use of recreational vehicles for permanent occupancy to be contrary to the precautionary principal with respect to preventing harm and ensuring human health and safety.

The Salt Spring Island LTC currently has Affordable Rental Housing – Cottages as a Top Priority project. This project was initiated to address the need for affordable rental housing. Draft Bylaw No. 512 proposes to rezone four hundred and five Rural-zoned properties to a new Rural zone variant that would permit affordable rental cottages instead of seasonal cottages.

The Salt Spring Island LTC has various other affordable housing projects identified on the project list, including a LUB update specifically for affordable housing, and Bylaw No. 471, which addresses Temporary Use Permits for Secondary Suites and Cottages. While staff are committed to creative affordable housing solutions, any affordable housing project completed by the Islands Trust must be in compliance with the applicable federal, provincial and regional district regulations, including but not limited to the BC Building Code, the local Building Bylaw and in accordance with relevant case law.

Submitted By:	Shelley Miller, Planner 1	December 10, 2018
Concurrence:	Stefan Cermak, Regional Planning Manager	December 10, 2018

APPENDICES

1. ~~October 2, 2018 Correspondence from Eric Booth~~
2. ~~Copyright Notice~~



File No.: 6500-20 Affordable Rental
Housing – Cottages

DATE OF MEETING: November 26, 2019
TO: Salt Spring Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager
SUBJECT: Consideration of Bylaw 512 – Affordable Rental Housing – Cottages

RECOMMENDATIONS

1. That second reading of Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be rescinded.
2. That Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be amended in accordance with Appendix 1 of the staff report dated November 26, 2019.
3. That Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018 be read a second time as amended.

REPORT SUMMARY

The “Affordable Rental Housing Cottages” project enables the establishment of 411 new units of lawful rental housing on lots where seasonal cottages are currently permitted. The selection of suitable lots was determined through an evaluative criteria derived from OCP policy B.2.2.2.16 (see Appendix 4).

This staff report follows consideration of Bylaw No. 512 by the Salt Spring Island Local Trust Committee (LTC) at its regular meeting of October 1, 2019. At that meeting, the LTC directed staff to undertake a number of bylaw amendments (see “background” below).

This staff report provides the LTC with an amended version of Bylaw No. 512 based on the resolutions of October 1, 2019 (Appendix 1). Staff recommend that the bylaw be amended to incorporate these changes.

BACKGROUND

At its regular meeting of October 1, 2019, the Salt Spring Island Local Trust Committee (LTC) considered a Staff Report on the *Affordable Rental Housing – Cottages* project and passed the following resolutions:

SS-2019-178

It was **MOVED** and **SECONDED**,

that Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be amended to require the installation of rainwater catchment infrastructure as a condition of full-time residential rental cottage use.

CARRIED

SS-2019-179

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be amended to remove all properties adjacent to water bodies in the Shoreline Conservation (SC) designation of the Salt Spring Island Official Community Plan.

CARRIED

SS-2019-180

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018 be amended to prohibit the use of cottages for full-time residential rental on properties that contain a secondary suite.

CARRIED

SS-2019-181

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be amended to prohibit the operation of bed-and-breakfast home- based businesses in cottages zoned to permit full-time residential rental.

CARRIED

SS-2019-182

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018 be amended to include and exclude properties as requested by land owners as of September 24, 2019, using OCP Policy B.2.2.2.16 to guide consideration and that staff make such inclusions/exclusions at their discretion.

CARRIED

SS-2019-183

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to provide recommendations on which “seasonal cottage” regulations under Land Use Bylaw Section 3.14 should apply to full-time rental cottages.

CARRIED

SS-2019-184

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to produce a map of the Bylaw No. 512 area for discussion that includes the planned new Beddis Road transit route.

CARRIED

Previous staff reports related to this project are posted on the [project webpage](#).

Bylaw No. 512 as it stands at second reading is attached as Appendix 2 for the LTC's reference.

ANALYSIS

Policy/Regulatory

Rainwater Catchment

In accordance with the LTC's resolution, staff have amended Bylaw 512 to require the installation of rainwater harvesting systems for potable water for any new cottage or significant additions existing cottages on the properties subject to Bylaw No. 512.

Should the LTC accept staff's recommended amendments, the bylaw will now read:

"No new cottage, or addition to an existing cottage that exceeds 11.6 square metres of floor area, may be constructed in the R(f) zone unless it is equipped with a rainwater storage, treatment, and delivery system for potable water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18."

This approach ties the requirement for rainwater catchment infrastructure to the building itself, rather than the use taking place inside of it. The LTC does have the option of linking the rainwater catchment requirement to the use, by including a provision similar to the following:

"No cottage may be used for full-time residential rental unless the building is equipped with a rainwater storage, treatment, and delivery system for potable water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18."

However, the issue that arises with linking the rainwater catchment requirement to the use is that the many existing cottages within the Bylaw No. 512 area that received building permits based on groundwater or surface water supply would be required to install rainwater harvesting systems if they wanted to lawfully use the cottage for full-time rental. By applying the rainwater catchment requirement only to new cottages or additions to existing cottages, the LTC can realize its policy objectives for new construction, while protecting the interests of those who have constructed cottages under previous servicing regulations.

Cistern Size vs. Certified System

In its staff report of October 2, 2019, staff noted that other islands in the Islands Trust Area have bylaws requiring minimum cistern sizes for rainwater harvesting. However, after reviewing available rainwater harvesting guidance documents and corresponding with a certified rainwater harvesting designer and installer staff have concluded that simply requiring a minimum cistern size is too blunt an instrument considering the variables that factor into a harvesting system's utility (eg. collection area, demand, precipitation levels). As such, staff have amended the bylaw to require a rainwater harvesting system that satisfies the Canadian Standards Association (CSA) standard for rainwater harvesting systems.

Staff are recommending the inclusion of an information note in Bylaw No. 512 to guide applicants and staff as to how the requirement for a certified system will be applied at time of building permit application. It states:

“Information Note: Building permit applications for new cottages or additions to existing cottages submitted to Islands Trust for land use review should include plans for a rainwater harvesting system certified by an ASSE-certified designer, professional engineer or geoscientist to comply with the above-noted standard. Installation of the system will be made a condition of permit applications deemed to be land use compliant.”

Shoreline Conservation Designation

Per LTC resolution, staff have amended Bylaw No. 512 to remove all properties immediately adjacent to water bodies in the Shoreline Conservation designation of the OCP.

This change resulted in the removal of 21 properties from the Bylaw No. 512 map.

Staff recommend that these properties be reallocated to areas served by the proposed Beddis Road bus route.

Secondary Suites

Per LTC resolution, staff have amended Bylaw No. 512 to prohibit the full-time residential rental of a cottage on a property that already has a secondary suite. The proposed regulation reads:

3.15.3 - A full-time rental cottage is to be physically detached from any other building or structure, and may not be constructed or occupied on any lot occupied by two or more other dwelling units.

For certainty, the Land Use Bylaw definition of secondary suite is:

“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.”

Staff have also amended Bylaw No. 512 include a list of regulations for full-time rental cottages almost identical to those that already apply to seasonal cottages under the Land Use Bylaw. See “size and siting regulations” below.

Bed and Breakfast Home-Based Business

Per LTC resolution, staff have amended Bylaw no. 512 to prohibit operation of a bed-and-breakfast on properties that would permit a full-time rental cottage. The proposed regulation reads:

3.15.8 On lots where a full-time rental cottage is permitted, no seasonal or full-time rental cottage may be used as part of a bed-and-breakfast home-based business.

Property Inclusions/Exclusions

Per LTC resolution, staff have exercised their discretion and included four additional properties in the Bylaw No. 512 map area based on requests from owners. Staff have removed two properties at the request of owners. Staff did not include six of the properties for which requests for inclusion had been made for reasons explained below.

INCLUDED	RATIONALE
164 Mansell Road	Generally consistent with screening criteria. Driveway panhandle is within 150 metre Cedar Lane Water District buffer area resulted in original exclusion. However, any cottage construction will be outside the 150 metre buffer.
190 Long Harbour Road	Generally consistent with screening criteria. Disparity between BC Assessment lot area and IT mapping lot area meant the map system did not think it was large enough to support a seasonal cottage. Owner produced subdivision survey plan that shows property to be greater than 1.2 ha and therefore authorized for cottage use.
331 Roland Road	Generally consistent with screening criteria. However, outside of 1 kilometre transit radius. However, records show that owners approached planning staff several years before present project seeking information on how their cottage could be used for full-time rental.
1257 Isabella Point Road	Generally consistent with screening criteria. However, outside of the 1 kilometre transit radius. However, records show that owners approached planning staff several years before present project seeking information on how their cottage could be used for full-time rental.
NOT INCLUDED	RATIONALE
231 Armand Way	Property is in the Rural Upland 1 (RU1) zone. The four RU1 properties heretofore included in Bylaw 512 were added unintentionally. Staff do not recommend that additional RU1 zoned properties be included, as these are considered to be a Conservation land use designation in the OCP.
289 Armand Way	Property is in the Rural Upland 1 (RU1) zone. The four RU1 properties heretofore included in Bylaw 512 were added unintentionally. Staff do not recommend that additional RU1 zoned properties be included, as these are considered to be a Conservation land use designation in the OCP.
291 Armand Way	Property is in the Rural Upland 1 (RU1) zone. The four RU1 properties heretofore included in Bylaw 512 were added unintentionally. Staff do not recommend that additional RU1 zoned properties be included, as these are considered to be a Conservation land use designation in the OCP.
293 Armand Way	Property is in the Rural Upland 1 (RU1) zone. The four RU1 properties heretofore included in Bylaw 512 were added unintentionally. Staff do not recommend that additional RU1 zoned properties be included, as these are considered to be a Conservation land use designation in the OCP.
275 Furness Road	Exceeds the 4 hectare cap that has been heretofore applied to Rural-zoned properties for inclusion in Bylaw No. 512.
185 Horel Road	Property is in the Rural Watershed 1 (RW1) zone. The Land Use Bylaw does not presently permit cottages in the RW1 zone.
REMOVED	RATIONALE
266 Booth Canal Road	At owner's request. Property also adjacent to Shoreline Conservation OCP designation, so would have been removed anyways.
272 Beddis Road	At owner's request. Property also adjacent to Shoreline Conservation OCP designation, so would have been removed anyways.

Size and Siting Regulations

Per LTC resolution staff have included a number of regulations that already apply to seasonal cottages to the new use of full-time rental cottages. These regulations are as follows:

- 3.15.1 No full-time rental cottage may be constructed or occupied on a lot less than 1.2 ha in area.
- 3.15.2 A full-time rental cottage is to be physically detached from any other building or structure, and may not be constructed or occupied on any lot occupied by two or more other dwelling units.
- 3.15.3 A full-time rental cottage, including any stairs, decks or porches or other structures that are attached to the cottage or that function as part of the cottage, is not to be located within 6 m of any other building on a lot.
- 3.15.4 A full-time rental cottage may not have a basement.
- 3.15.6 A full-time rental cottage may be a mobile home or a manufactured home.

One area where staff recommend that the “full-time rental cottage” regulations depart from the seasonal cottage regulations is with respect to garages and carports. The land use bylaw currently prohibits seasonal cottages from having garages or carports. This is because it is presumed that they will be occupied only on a temporary basis. However, since Bylaw No. 512 is meant to encourage full-time occupancy of such buildings, it seems appropriate that cottage residents be permitted the opportunity for covered car or other storage. As such, staff recommend that full-time rental cottages be permitted attached garages or attached carports, but that any covered area with a floor to ceiling height greater than 1.8 metres be included in the overall calculation of total floor area for the cottage. Thus, for properties permitted 90 m² cottages, they may wish to allocate 25 m² of that floor area to a garage, if that is their desire. The proposed regulation reads:

- 3.15.5 A full-time rental cottage may have an attached garage or carport. All areas of an attached garage or carport having a floor-to-ceiling height of at least 1.8 m will be considered floor area for the purpose of calculating total floor area of the full-time rental cottage.

Beddis Road Bus Route

Staff have amended Bylaw No. 512 to include 22 additional properties that meet the OCP policy B.2.2.2.16 (Appendix 4) screening criteria and are within one kilometre of the proposed new Beddis Road bus route.

With the removal of properties located adjacent to the Shoreline Conservation (SC) designation from the Bylaw No. 512 area, this frees up 21 properties to be reallocated while generally maintaining the 407 property cap that Islands Trust legal counsel advised could be considered an “incremental” increase in residential density per OCP policy B.2.2.2.16.

Appendix 3 shows the specific areas where properties have been added based on one kilometre proximity to the Beddis Road bus route.

Restrictive “No-Subdivision” Covenant

Bylaw No. 512 currently includes a requirement for a “no subdivision” covenant that prevents building strata subdivisions that create separate titles for the principal dwelling and cottage on a single property. Some community members have indicated that this requirement may deter people from using their cottages for full-time rental.

The purpose of this covenant is to mitigate the potential for building strata subdivisions that bypass the LTC, which can be registered directly at the Land Title Office. In these cases, the Land Title Office (LTO) does not review local government bylaws to determine whether the proposed strata is, or is not, permitted. However, a covenant registered on title will be reviewed by LTO staff and building strata subdivisions not in keeping with the intent of the Land Use Bylaw can be denied.

Staff are sympathetic to the fact that requiring a restrictive covenant may deter some land owners from adding their properties to the rental pool. However, the reference case that inspired the requirement for a no-strata subdivision covenant resulted in an unexpected and problematic use of land. Additionally, undertaking a building strata implies that the cottage unit will be sold for ownership and not used for rental, which is contrary to the purpose of this LTC project as identified in the project charter.

Islands Trust legal counsel has developed a template covenant, attached as Appendix 5. The Regional Planning Manager indicates that Salt Spring Island Local Planning Services has an annual Land Title Office budget of \$1,000. Staff anticipate that this is sufficient to enable the Islands Trust to cover the cost of covenant registration, thus removing the burden from the land owners.

Additionally, the requirement for covenant registration provides a means by which to track the number of properties that are availing themselves of the opportunity to provide lawful full-time rental housing under Bylaw No. 512. See “Ongoing Monitoring” below.

Ongoing Monitoring

OCP Policy B.2.2.2.16 states, “Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:

- i. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of full-time units on the island.”

Presently, no monitoring regime is proposed as part of the implementation plan for Bylaw No. 512. The LTC should consider whether it wishes to establish an ongoing monitoring program for full-time rental cottages under Bylaw No. 512. If it does, it should direct staff to report back with a draft monitoring plan.

Other Policy/Regulatory

See staff reports of [October 1, 2019](#) for further discussion of other process, policy and regulatory issues associated with Bylaw No. 512.

Consultation

Bylaw 512 was referred to First Nations and public agencies on October 11 and 15, 2018. See staff report of [February 26, 2018](#) for a discussion of referral responses.

Agencies

See staff reports of [February 26](#) and [April 20, 2019](#) for discussion of agency referrals.

Public Correspondence

See [project webpage](#) for all correspondence received to date.

Online Consultation

See staff report of [October 1, 2019](#) for discussion of the results of online consultation undertaken in September 2019.

Community Information Meeting/Public Hearing

See staff report of [October 1, 2019](#) for summary of Community Information Meeting held on Saturday, September 7, 2019.

LTC direction to schedule a public hearing for Bylaw No. 512 was made in February 2019.

Notification of the public hearing will be carried out in accordance with Section 466 of the Local Government Act.

RATIONALE FOR RECOMMENDATION

1. **That second reading of Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be rescinded.**

Staff Comment: Second reading of Bylaw No. 512 must be rescinded in order to make further changes.

2. **That Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be amended in accordance with Appendix 1 of the staff report dated November 26, 2019.**

Staff Comment: Bylaw No. 512 has been amended in accordance with LTC direction of October 2, 2019.

3. **That Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018 be read a second time as amended.**

Staff Comment: Bylaw No. 512 should be read again a second time once amended.

ALTERNATIVES

Staff do not propose any alternatives at the present time.

NEXT STEPS

Staff will schedule a public hearing for Bylaw No. 512.

Staff will undertake any alternative direction the LTC gives.

Submitted By:	Jason Youmans, Island Planner	November 17, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	November 18, 2019

ATTACHMENTS

1. Bylaw No. 512 – Amendments for Second Reading
2. Bylaw No. 512 – Second Reading, April 2019
3. Additional Properties – Beddis Road Bus Route
4. OCP policy B.2.2.2.16
5. Draft Section 219 covenant – No Subdivision

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 512

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018.”

2. Salt Spring Island Land Use Bylaw, 1999 is amended as follows:

2.1 In Section 1.1 [DEFINITIONS], the following is inserted:

“full-time rental cottage” means a *dwelling unit* not exceeding 56 square metres in *floor area* on lots with an area less than 2 hectares or 90 square metres on lots with an area 2 hectares or greater, that is occupied only pursuant to a residential tenancy agreement as defined in the *Residential Tenancy Act* and that comprises, with the single family dwelling to which it is accessory, a single real estate entity.

2.2 In PART 3 – GENERAL REGULATIONS – (USES, BUILDINGS AND STRUCTURES), the following is inserted:

“3.15 FULL-TIME RENTAL COTTAGES”

3.15.1 No full-time rental cottage may be constructed or occupied on a lot less than 1.2 ha in area.

3.15.2 A full-time rental cottage is to be physically detached from any other building or structure, and may not be constructed or occupied on any lot occupied by two or more other dwelling units.

3.15.3 A full-time rental cottage, including any stairs, decks or porches or other structures that are attached to the cottage or that function as part of the cottage, is not to be located within 6 m of any other building on a lot.

3.15.4 A full-time rental cottage may not have a basement.

3.15.5 A full-time rental cottage may have an attached garage or carport. All areas of an attached garage or carport having a floor to ceiling height of at least 1.8 m will be considered floor area for the purpose of calculating total floor area of the full-time rental cottage.

3.15.6 A full-time rental cottage may be a mobile home or a manufactured home.

3.15.7 On lots where a full-time rental cottage is permitted, no seasonal or full-time

PROPOSED

rental cottage may be used as part of a bed-and-breakfast home-based business.

2.3 In Subsection 9.10.4 [*Exceptions in Particular Locations*], the following is added:

Zone Variation – Rural (f)

(7) Instead of a *seasonal cottage*, a *full-time rental cottage* is permitted, provided that the owner of the lot has registered a restrictive covenant, under Section 219 of the Land Title Act, in favour of the Salt Spring Island Local Trust Committee prohibiting the subdivision of any such cottage from the single-family dwelling to which the cottage would be accessory, and the subdivision of the land on which such cottage would be located from the land on which the single-family dwelling is located.

(8) No new cottage, or addition to an existing cottage that exceeds 11.6 square metres of floor area, may be constructed in the R(f) zone unless it is equipped with a rainwater storage, treatment, and delivery system for potable water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18.

Information Note: Building permit applications for new cottages or additions to existing cottages submitted to Islands Trust for land use review should include plans for a rainwater harvesting system certified by an ASSE-certified designer, professional engineer or geoscientist to comply with the above-noted standard. Installation of the system will be made a condition of permit applications deemed to be land use compliant.

Zone Variation – Rural Upland 1(f)

(29) Instead of a *seasonal cottage*, a *full-time rental cottage* is permitted, provided that the owner of the lot has registered a restrictive covenant, under Section 219 of the Land Title Act, in favour of the Salt Spring Island Local Trust Committee prohibiting the subdivision of any such cottage from the single-family dwelling to which the cottage would be accessory, and the subdivision of the land on which such cottage would be located from the land on which the single-family dwelling is located.

(30) No new cottage, or addition to an existing cottage that exceeds 11.6 square metres of floor area, may be constructed in the RU1(f) zone unless it is equipped with a rainwater storage, treatment, and delivery system for potable water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18.

Information Note: Building permit applications for new cottages or additions to existing cottages submitted to Islands Trust for land use review should include plans for a rainwater harvesting system certified by an ASSE-certified designer, professional engineer or geoscientist to comply with the above-noted standard. Installation of the system will be made a condition of permit applications deemed to be land use compliant.

PROPOSED

2.4 In Subsection 9.9.4 [*Exceptions in Particular Locations*], the following is added:

Zone Variation – Residential 7(a)

(23) Instead of a *seasonal cottage*, a *full-time rental cottage* is permitted, provided that the owner of the lot has registered a restrictive covenant, under Section 219 of the Land Title Act, in favour of the Salt Spring Island Local Trust Committee prohibiting the subdivision of any such cottage from the single-family dwelling to which the cottage would be accessory, and the subdivision of the land on which such cottage would be located from the land on which the single-family dwelling is located

(24) No new cottage, or addition to an existing cottage that exceeds 11.6 square metres of floor area, may be constructed in the R7(a) zone unless it is equipped with a rainwater storage, treatment, and delivery system for potable water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805-18.

Information Note: Building permit applications for new cottages or additions to existing cottages submitted to Islands Trust for land use review should include plans for a rainwater harvesting system certified by an ASSE-certified designer, professional engineer or geoscientist to comply with the above-noted standard. Installation of the system will be made a condition of permit applications deemed to be land use compliant.

2.5 In Schedule “A” [*Zoning Map*], the zoning classification of the properties indicated on Plan No. 1 of this bylaw is changed from Rural - R to Rural (f) - R(f), Residential 7 - R7 to Residential 7(a) - R7(a), Rural Upland 1 - RU1 to Rural Upland 1(f) - RU1(f) and Schedule “A” is further amended by making such consequential alterations as are required to effect this change.

2.6 The Land Use Bylaw is further amended by making such consequential numbering alterations as are required to give effect to this bylaw.

READ A FIRST TIME THIS	27TH	DAY OF	SEPTEMBER	2018
READ A SECOND TIME THIS	30TH	DAY OF	APRIL	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

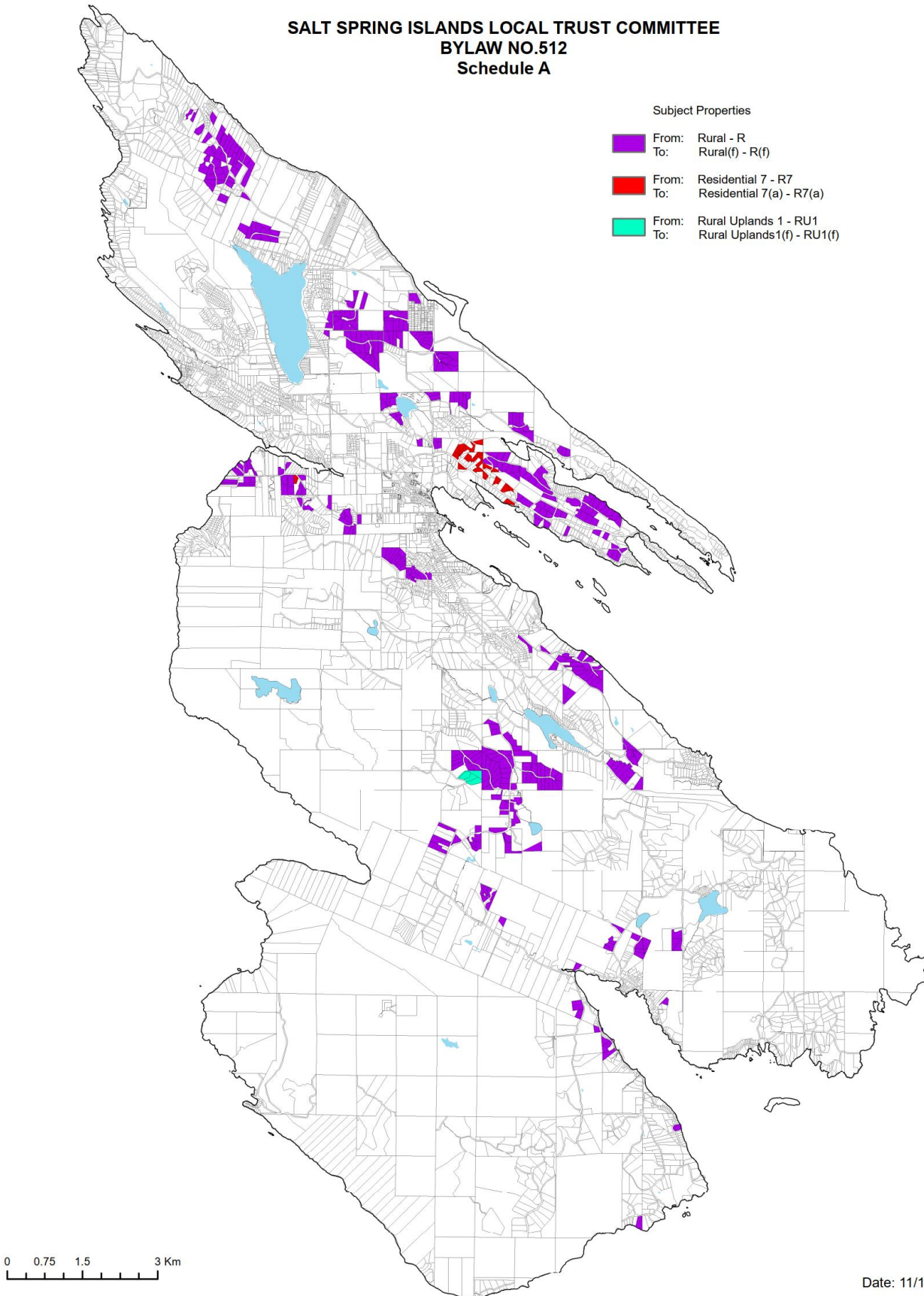
PROPOSED

SALT SPRING ISLANDS LOCAL TRUST COMMITTEE BYLAW NO.512 Schedule A



Subject Properties

- From: Rural - R
To: Rural(f) - R(f)
- From: Residential 7 - R7
To: Residential 7(a) - R7(a)
- From: Rural Uplands 1 - RU1
To: Rural Uplands1(f) - RU1(f)



Date: 11/19/2019

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 512

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018.”

2. Salt Spring Island Land Use Bylaw, 1999 is amended as follows:

2.1 In Section 1.1 [DEFINITIONS], the following is inserted:

“full-time rental cottage” means a *dwelling unit* not exceeding 56 square metres in *floor area* on lots with an area less than 2 hectares or 90 square metres on lots with an area 2 hectares or greater, that is occupied only pursuant to a residential tenancy agreement as defined in the *Residential Tenancy Act* and that comprises, with the single family dwelling to which it is accessory, a single real estate entity.

2.2 In Subsection 9.10.4 [Exceptions in Particular Locations], the following is added:

Zone Variation – R(f)

Instead of a *seasonal cottage*, a *full-time rental cottage* is permitted subordinate to an existing principal *residential* use, provided that the owner of the lot has registered a restrictive covenant, under Section 219 of the Land Title Act, in favour of the Salt Spring Island Local Trust Committee prohibiting the subdivision of any such cottage from the single-family dwelling to which the cottage would be accessory, and the subdivision of the land on which such cottage would be located from the land on which the single-family dwelling is located.

Zone Variation – Rural Upland 1(f)

Instead of a *seasonal cottage*, a *full-time rental cottage* is permitted subordinate to an existing principal *residential* use, provided that the owner of the lot has registered a restrictive covenant, under Section 219 of the Land Title Act, in favour of the Salt Spring Island Local Trust Committee prohibiting the subdivision of any such cottage from the single-family dwelling to which the cottage would be accessory, and the subdivision of the land on which such cottage would be located from the land on which the single-family dwelling is located.

PROPOSED

- 2.3 In Subsection 9.9.4 [*Exceptions in Particular Locations*], the following is added:

Zone Variation – Residential 7(a)

Instead of a *seasonal cottage*, a *full-time rental cottage* is permitted subordinate to an existing principal *residential* use, provided that the owner of the lot has registered a restrictive covenant, under Section 219 of the Land Title Act, in favour of the Salt Spring Island Local Trust Committee prohibiting the subdivision of any such cottage from the single-family dwelling to which the cottage would be accessory, and the subdivision of the land on which such cottage would be located from the land on which the single-family dwelling is located

- 2.4 In Schedule “A” [*Zoning Map*], the zoning classification of the properties indicated on Plan No. 1 of this bylaw is changed from Rural - R to Rural (f) - R(f), Residential 7 - R7 to Residential 7(a) - R7(a), Rural Upland 1 - RU1 to Rural Upland 1(f) - RU1(f) and Schedule “A” is further amended by making such consequential alterations as are required to effect this change.
- 2.5 The Land Use Bylaw is further amended by making such consequential numbering alterations as are required to give effect to this bylaw.

READ A FIRST TIME THIS 27TH DAY OF SEPTEMBER 2018

READ A SECOND TIME THIS 30TH DAY OF APRIL 2019

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

PROPOSED

SALT SPRING ISLANDS LOCAL TRUST COMMITTEE BYLAW NO.512



Subject Properties



From: Rural - R
To: Rural(f) - R(f)

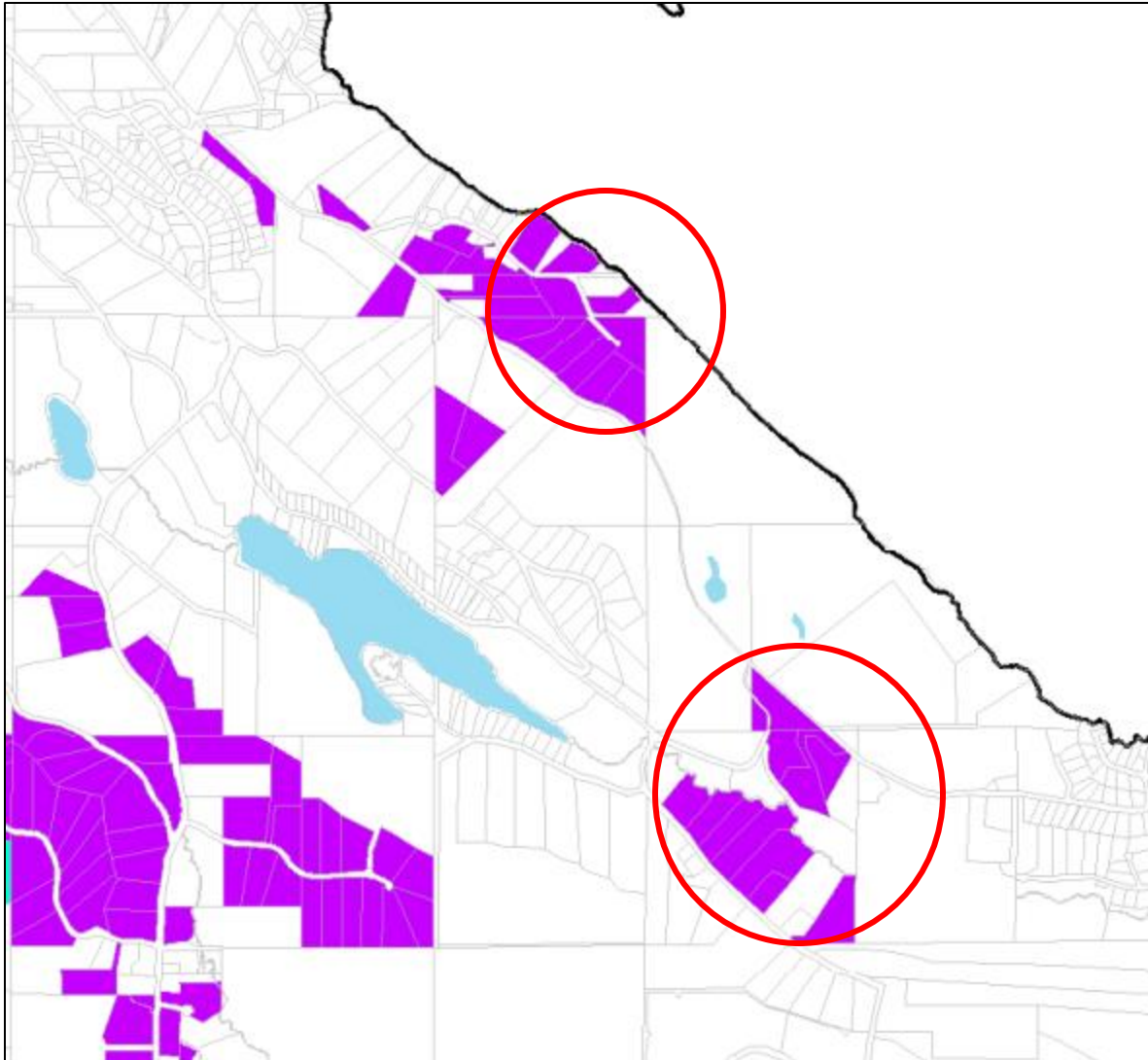


From: Residential 7 - R7
To: Residential 7(a) - R7(a)



From: Rural Uplands 1 - RU1
To: Rural Uplands1(f) - RU1(f)

0 0.75 1.5 3 Km



Areas to be included in Bylaw No. 512 based on one kilometre proximity to proposed Beddis Road bus route. Inclusion of Beddis Road bus route properties adds 22 additional properties that generally meet OCP policy B.2.2.2.16 screening criteria.

Salt Spring Island Official Community Plan Bylaw No. 434 (Excerpt)

Seasonal Cottages

B.2.2.2.16

Seasonal cottages should continue to be allowed wherever they are allowed by current zoning. The Local Trust Committee may also consider amending the Land Use Bylaw to allow the use of seasonal cottages as full time affordable rental housing units in certain areas. In order to encourage housing for families, the Land Use Bylaw may be amended to permit cottages with a maximum floor area of 90 m² on lots 2 hectares or larger in area, while retaining the existing floor area limits on cottages on lots between 1.2 hectares and 2 hectares in area.

Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:

- a. Full time residence of cottages should only be allowed in areas with an adequate supply of potable water.
- b. Full time residence of cottages should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- c. New construction of cottages for full time residence should be not allowed in areas containing sensitive ecosystems or areas that are hazardous for development.
- d. The use of cottages will not be for short-term rental in accordance with the Land Use Bylaw.
- e. Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- f. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that cottages are affordable and to address occupancy.
- g. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.
- h. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.
- i. The Local Trust Committee may also consider limits on the location of cottages to minimize dependency on private automobiles.
- j. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of full-time units on the island.
- k. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied cottages.

TERMS OF INSTRUMENT – PART 2
SECTION 219 COVENANT

This COVENANT dated for reference [*insert month, day, year*], is

BETWEEN:

[*Insert as applicable name(s) of Landowner(s), company(s), the name of the Act the company is incorporated under, full address*]

(the “Owner”)

AND:

SALT SPRING ISLAND LOCAL TRUST COMMITTEE, a local trust committee incorporated under the *Islands Trust Act* (British Columbia), having an office at 200 – 1627 Fort Street, Victoria, British Columbia, V8R 1H8

(“Local Trust Committee”)

WHEREAS:

- A. The Owner is the owner in fee simple of that parcel of land on Salt Spring Island, in the Province of British Columbia, more particularly known and described as:

PID: [*insert PID number*]
 [*insert legal description*]

(the “Lands”);

- B. Salt Spring Island Land Use Bylaw No. 355, 1999, as amended, permits the construction and use of a full-time rental cottage only if the owner has registered a covenant under Section 219 of the *Land Title Act* prohibiting subdivision of the cottage by stratification;
- C. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of a local government, in respect of the use of land, the building on land, the subdivision of land and the preservation of land or a specific amenity on the land;

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Local Trust Committee to the Owner (the receipt and sufficiency of which are acknowledged by the Owner), and in consideration of the promises exchanged below, the Owner covenants and agrees with the Local Trust Committee in accordance with Section 219 of the *Land Title Act* as follows:

GRANT OF SECTION 219 COVENANT

1. The Owner covenants with the Local Trust Committee that:
 - (a) the Lands shall not be subdivided by subdivision plan under the *Land Title Act*, by a strata plan or bare land strata plan under the *Strata Property Act*, or in any other manner, that creates a separate parcel for the full-time rental cottage located on the Lands; and
 - (b) there shall be no more than two dwellings permitted on the Lands, including the principal dwelling.

INDEMNITY

2. The Owner releases, and must indemnify and save harmless the Local Trust Committee, its elected and appointed officials and employees, from and against any and all liability, actions, causes of action, claims, costs, damages, expenses (including actual legal fees), costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.

NO EFFECT ON LAWS OR POWER

3. Wherever in this Agreement the Local Trust Committee is required or permitted to form an opinion, exercise discretion, express satisfaction, make any determination, or give its consent, the Owner agrees that the Local Trust Committee may do so in accordance with the provisions of this Agreement and is under no public law duty of fairness or natural Justice, and agrees that the Local Trust Committee may do any of those things in the same manner as if it were a private party and not a public body.

4. This Agreement does not:
 - (a) affect or limit the discretion, rights or powers of the Local Trust Committee under any enactment (as defined in the Interpretation Act on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Lands;
 - (b) affect or limit any enactment relating to the use or subdivision of the Lands; or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.

RUNS WITH THE LANDS

5. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under Section 219 of the *Land Title Act* in respect of the Lands and runs with the Lands and binds the successors of title to the Lands. This Agreement burdens the Lands and every part parcel into which the Lands may be subdivided by any means and any parcel into which the Lands are consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

WAIVER

6. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver by the Local Trust Committee of any default by the Owner shall not be deemed to be a waiver of any subsequent default.

SEVERANCE

7. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

ENTIRE AGREEMENT

8. This Agreement is the entire agreement between the parties regarding its subject.

ENUREMENT

9. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

DEED AND CONTRACT

10. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

FURTHER ASSURANCES

11. The Owner agrees to do everything reasonably necessary at the Owner's expense to ensure that this Agreement is registered against the title to the Lands with priority over all financial charges, liens, and encumbrances registered or the registration of which is pending, at the time of application for registration of this Agreement.

12. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

INVESTIGATION BY LOCAL TRUST COMMITTEE

13. The Owner hereby irrevocably authorizes the Local Trust Committee to make such inquiries as it considers necessary and reasonable in order to confirm that the Owner is complying with this Agreement and irrevocably authorize and direct the recipient of any request for information from the Local Trust Committee to provide such information to the Local Trust Committee.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Form C which is attached hereto and forms part of this Agreement.

[attach priority agreement, if property burdened by mortgage, assignment of rents or other financial charge]



File No: 6500-20 OCP Update—
Incorporate Strategic
Priorities

DATE OF MEETING: November 26, 2019
TO: Salt Spring Island Local Trust Committee
FROM: Claire Negrin, RPP, MCIP, Island Planner
Salt Spring Island Team
SUBJECT: OCP Update – Incorporate Strategic Priorities
Existing Policy & Procedure Review

PURPOSE

This memo presents the amended Project Charter for the OCP (Official Community Plan) Update – Incorporating Strategic Priorities project as amended by the Salt Spring Island Local Trust Committee (LTC) at their Regular Business Meeting held on October 29, 2019. All relevant resolutions for this project are listed in Attachment 1.

This memo also presents the first deliverable of this project, being the review of existing OCP policy and procedures as they relate to the LTC's Strategic Priorities.

PROJECT CHARTER – AMENDED

At their Regular Business Meeting on October 29, 2019, the SSI LTC requested that staff make some amendments to the Draft Project Charter. The amended Project Charter has been provided as Attachment 2. All changes are indicated in red text, which will be shown in black/white in the final version. The document has also been reformatted to the new style to be used by all Islands Trust LTCs.

Title

The project has been retitled: **OCP Update—Incorporate Strategic Priorities**

Purpose

The LTC requested that the purpose of the project being clarified. Staff have amended the purpose to read as follows:

This project aims to ensure that the SSI OCP is aligned with the SSI LTC 2018-2022 Strategic Priorities. The Strategic Priorities help the SSI LTC identify where they are going and how they will get there by identifying a list of priorities for the term. This project will review and amend the SSI OCP to ensure there is sufficient policy to direct future actions of the LTC to meet the Strategic Priorities.

Objectives

Minor amendments were made to the Objectives, to clarify that any future OCP amendments will be incremental.

Scope

As requested by the SSI LTC, some project elements were added to the Project Scope, as follows:

- Identify relevant projects in OCP that have been/are being implemented
- Meet with community groups to identify what ongoing work aligns with the Strategic Priorities

- Identify methods to prioritize projects
- Identify potential spinoff projects

As identified above, the LTC requested that staff meet with community groups and organizations to determine what work is being done externally that aligns with the Strategic Priorities. Staff have prepared a list of groups that we will attempt to consult with in order to complete this task. This list has been provided as an appendix to this report (Appendix 3).

Deliverables

The community group meetings were incorporated into the deliverables. A summary of the meetings and any projects being undertaken by the community groups will be provided in the second deliverable (Report 2)

Timeline

Due to the increase in scope being the meetings with the community groups, staff have amended the anticipated project timeline. Meetings with community groups will take time to organize and undertake, which will extend the timeline of the project. Staff have estimated one additional month to incorporate this element of the project. Staff are cognizant of possible staffing transitions in April 2020 thus advise that the timeline may be further amended around that time.

DELIVERABLE 1 – EXISTING POLICY AND PROCESS REVIEW

Summary

The Existing Policy and Procedures Review document can be found as Attachment 4. In order to prepare the Existing Policy and Procedures Review document, staff reviewed every objective and policy within the Salt Spring Island Official Community Plan and determined which of the Strategic Priorities each objective or policy aligned with, if any. Some objectives and policies were found to align with multiple Strategic Priorities, and are therefore listed multiple times.

During the review of OCP policies, staff determined whether the policy was a ‘guiding policy’ or an ‘action policy’. All ‘action policies’ have potential actions and implementations listed with them. Action items are further listed in a separate table for easy reference.

Findings

This review has shown that there are existing objectives and policies found within the OCP for all seven of the Strategic Priorities. Although some Strategic Priorities are more heavily represented than others, they each have a significant number of policies that either specifically or generally apply.

In addition, each Strategic Priority has a number of applicable ‘action items’ that the LTC could decide to act upon immediately, without amendments to the OCP needed.

A total of 74 action items are listed; 13 action items are duplicates listed under multiple Strategic Priorities, for a total of 61 unique action items. The action items have been listed in the review document, but will not be further analysed until later in the project.

NEXT STEPS

As described in the Project Charter, the next stage of the project is to undertake a ‘Gap Analysis’, which is to identify what policies may be missing from the OCP. This stage also involves meetings with community organizations and groups to determine what work they are doing that may align with the SSI LTC Strategic Priorities.

ALTERNATIVES

1. Cease activity on the Project

The LTC may decide that the current project is best suited to be undertaken at a different time in order to free staff resources to address a more urgent priority. Staff advise that if this alternative is chosen, the OCP Update will be moved to the LTC Projects list, to be undertaken at a later date, as directed by the LTC. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee OCP Update – Incorporate Strategic Priorities project be removed from the LTC Top Priority list and placed on the project list.

Submitted By:	Claire Negrin, RPP, MCIP Island Planner	November 19, 2019
Concurrence:	Stefan Cermak Regional Planning Manager	November 19, 2019

ATTACHMENTS

1. Resolution History
2. Project Charter
3. List of Community Groups Identified to meet
4. Existing Policy & Procedure Review

ATTACHMENT 1 – RESOLUTION HISTORY

AUGUST 27, 2019

SALT SPRING ISLAND LOCAL TRUST COMMITTEE – REGULAR BUSINESS MEETING

SS-2019-147

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee endorse the draft Strategic Priorities version 1, dated August 27, 2019.

CARRIED

SS-2019-148

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to refer the draft Strategic Priorities version 1, dated August 27, 2019 to the Advisory Planning Commission for comment and for input on performance measurements and timeframe.

CARRIED

SS-2019-149

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee assign “Update the Official Community Plan (OCP) through incremental steps in consideration of the strategic priorities as an Local Trust Committee” top priority as soon as resources are available.

CARRIED

SS-2019-150

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend the list of Strategic Priorities to include Village Planning.

CARRIED

SS-2019-151

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to secure additional resources including grants to help accomplish the Local Trust Committee’s strategic priorities.

CARRIED

OCTOBER 29, 2019

SALT SPRING ISLAND LOCAL TRUST COMMITTEE – REGULAR BUSINESS MEETING

SS-2019-194

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend the draft Strategic Priorities OCP Update Project Charter as follows:

1. Use other resources for the gap analysis;
2. Engage with subject matter groups prior to the public engagement;
3. Develop a process to prioritize the OCP policy gaps;
4. Have the ability to spin off projects;
5. Replace “undertake amendments in incremental steps”;
6. Identify the OCP policies that support the strategic priorities but require implementation or LUB amendments; and
7. To clarify the purpose.

CARRIED

SS-2019-195

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve the 2018-2022 Strategic Priorities - Official Community Plan OCP Update Project Charter as amended.

CARRIED

SS-2019-196

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to undertake the 2018-2022 Strategic Priorities - Official Community Plan OCP Update project work plan as presented in the Project Charter.

CARRIED

OCP Update – Incorporate Strategic Priorities DRAFT - Charter v1.1

Salt Spring Island Local Trust Committee

Date: Nov. 26, 2019

Purpose: This project aims to ensure that the SSI OCP is aligned with the SSI LTC 2018-2022 Strategic Priorities. The Strategic Priorities help the SSI LTC identify where they are going and how they will get there by identifying a list of priorities for the term. This project will review and amend the SSI OCP to ensure there is sufficient policy to direct future actions of the LTC to meet the Strategic Priorities.

Background: The SSI LTC has identified the following goals for its term: • Implement climate change mitigation and adaption measures; • Ensure fresh water sustainability; • Protect the Coastal Douglas Fir (CDF) Ecosystem; • Increase availability of affordable housing; • Protect and enhance agriculture; • Increase meaningful consultation and cooperation with citizens, agencies and First Nations; • Village Planning

Objectives

- Identify policies in the SSI OCP that support the SSI LTC Strategic Priorities
- Identify policy gaps in the SSI OCP where additional policy is needed to support the SSI LTC Strategic Priorities
- Undertake **incremental** amendments to the OCP to incorporate policies within the identified policy gap areas

In Scope

- OCP Review conducted internally by staff
- **Identify relevant projects in OCP that have been/are being implemented**
- **Meet with community groups to identify what ongoing community work aligns with the Strategic Priorities**
- **Identify methods to prioritize projects**
- **Identify potential spinoff projects**
- OCP amendments incorporating policies supportive of SSI LTC Strategic Priorities
- Identify process for determining project and application concurrence with Strategic Priorities

Out of Scope

- OCP Land Use Mapping amendments (OCP Map 01)

Workplan Overview

Deliverable/Milestone	Date
Report 1 - Existing Policy Review; Existing Process Review	November 26, 2019
Report 2 - Policy Gap Analysis; Process Gap Analysis; Community Group – Project Summary	January 2020
Report 3 - Proposed OCP Amendments; Proposed Process amendments	March 2020
Public Engagement	April 2020
Report 4 - Proposed Implementation (Bylaw amendments)	May 2020 – TBD

Project Team

<i>Claire Negrin, RPP, MCIP, Island Planner</i>	Project Manager
RPM Approval: <i>Stefan Cermak</i> Date:	LTC Endorsement: Resolution #: SS-2019-149 Date: August 27, 2019 Resolution #: SS-2019-195 & SS-2019-196 Date: October 29, 2019

Budget**Budget Sources:**

Fiscal	Item	Cost
2020	Public Engagement	\$2,500
	Total	0

ATTACHMENT 3 – SALT SPRING ISLAND COMMUNITY GROUPS

The following is a list of community groups and organizations the staff will reach out to in order to determine what ongoing projects are being undertaken that align with the Salt Spring Island Local Trust Committee's Strategic Priorities:

- Advisory Planning Committee
- Agricultural Advisory Planning Committee
- Capital Regional District
- Climate Action Group
- Farmer's Institute
- Institute for Sustainability, Education and Action (I-SEA)
- Island Pathways
- Islands Trust Conservancy
- Ministry of Transportation and Infrastructure
- Salt Spring Island Agricultural Alliance
- Salt Spring Island Chamber of Commerce
- Salt Spring Island Conservancy
- Salt Spring Island Economic Development Corporation
- Salt Spring Island Transportation Commission
- Salt Spring Island Water Council
- Salt Spring Island Water Preservation Association
- Salt Spring Island Water Preservation Society
- Salt Spring Solutions
- Transition Salt Spring

Islands Trust
Salt Spring Island Local Trust Committee

Project:
OCP Update – Incorporate Strategic Priorities

Deliverable 1:
Existing Policy & Procedure Review

November 26, 2019

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Introduction

On August 27, 2019, the Salt Spring Island Local Trust Committee adopted their 2018-2022 Strategic Priorities. The intent of these seven (7) Strategic Priorities is to help guide the LTC's decision-making during their current term.

This Existing Policy Review document provides a comprehensive catalogue of existing Objectives and Policies within the Salt Spring Island Official Community Plan Bylaw No. 434, 2008 which align with the Salt Spring Island Local Trust Committee's 2018-2022 Strategic Priorities. The purpose of this catalogue is to determine if there is sufficient OCP content to direct future actions of the LTC to meet the Strategic Priorities.

In order to understand how the existing OCP aligns with the Strategic Priorities, the LTC directed staff to undertake an OCP Review, with the intent of:

1. Identifying policies in the SSI OCP that support the SSI LTC Strategic Priorities
2. Identifying policy gaps in the SSI OCP where additional policy is needed to support the SSI LTC Strategic Priorities
3. Undertaking incremental amendments to the OCP to incorporate policies within the identified policy gap areas

This document is divided into seven (7) sections each corresponding to a different Strategic Priority, followed by a section discussing process. The sections are numbered and colour coded for convenience, as indicated in the table below.

	SSI LTC Strategic Priority	Shorthand in this Report
1	Implement Climate Change Mitigation and Adaption Measures	CLIMATE CHANGE
2	Ensure Fresh Water Sustainability	WATER SUSTAINABILITY
3	Protect the Coastal Douglas Fir (CDF) Ecosystem	COASTAL DOUGLAS FIR
4	Increase Availability of Affordable Housing	AFFORDABLE HOUSING
5	Protect and Enhance Agriculture	AGRICULTURE
6	Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations	CONSULTATION
7	Village Planning	VILLAGE PLANNING

Each section (Strategic Priority) is further divided into three sub-sections:

- Objectives
- Policies
- Potential Action Items

These sub-sections are described further below.

Objectives

OCP Objectives are general statements of intent. They do not necessarily provide action or direction. They are used to understand the intended purpose of the OCP relating to the topic.

Although OCP Objectives do not provide action or direction, they have been included in this review as they provide necessary interpretation of the wants and needs of the community.

How to use the OCP Objectives tables:

Strategic Priority → (colour-coded)	Implement Climate Change Mitigation and Adaption Measures	
	OCP Objective	
Headings preceding objective for context →	PART A - OVERALL GOALS AND OBJECTIVES	
	A.4 COMMUNITY OBJECTIVES	
	A.4.1 General Objectives	
Relevant Objective →	A.4.1.1	To recognize and protect the fragility and significance of our natural environment as one of our community's greatest and irreplaceable assets.

Policies

OCP Policies are statements of action or direction. Action policies provide clear direction regarding work to be developed, created, pursued, or completed. Not all policies have specific actions associated with them, but instead provide guidance for future consideration; guiding policies provide more general direction regarding whether or not an item should be supported, considered, or encouraged. Guiding Policies and Action Policies have been identified within this document in order to differentiate between potential future work items and general direction within the OCP. They have been colour coded within the Policy Tables as follows:

'GUIDING POLICY'	A 'guiding policy' provides more general direction regarding whether or not an item should be supported, considered, or encouraged.
'ACTION POLICY'	An 'action policy' provides clear direction regarding work to be developed, created, pursued, or completed.

How to use the OCP Policy tables:

Strategic Priority → (colour-coded)	Implement Climate Change Mitigation and Adaption Measures		
	OCP Policy	Potential Action	Potential Implementation
Headings preceding policy for context →	PART A - OVERALL GOALS AND OBJECTIVES		
	A.5 THE ISLAND ENVIRONMENT		
	A.5.2 POLICIES		
Relevant Policy → (colour-coded for action vs. guiding)	A.5.2.11	The Local Trust Committee should provide advice and education to the public about environmental issues and should continue to encourage and promote private stewardship. The Committee should retain the Environmental Advisory Committee to provide assistance in these initiatives. The Local Trust Committee should also support and seek advice and input from other non-governmental organizations which support the Object of the Islands Trust and the objectives of this Plan.	
Action/Implementation →		Develop educational materials	Distribute educational materials

Potential Action Items

Within these sections, all of the applicable 'action items' found within OCP policy have been listed as an easily referenced table. The tables list each actionable policy number, the more fully describe the potential action items associated with it.

1. Implement Climate Change Mitigation and Adaption Measures

Table 1.1: Climate Change Objectives

Implement Climate Change Mitigation and Adaption Measures	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.1 General Objectives	
A.4.1.1	To recognize and protect the fragility and significance of our natural environment as one of our community's greatest and irreplaceable assets.
A.4.2.1	To recognize the importance of sustainability in all community decisions. To avoid land use decisions that threaten the integrity or sustainability of natural ecosystems.
A.4.2 Sustainability	
A.4.2.3	To recognize our local responsibility to contribute to global sustainability, particularly in relation to mitigation of and adaptation to climate change.
A.4.2.4	To recognize that long-term social and economic well being requires living within the limits of ecological sustainability, which is the maintenance of ecological processes so that the biological productivity of the Earth endures without dependence on non-renewable resources.
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY	
A.6.1 OBJECTIVES	
A.6.1.1	To consider the impacts of climate change as a central factor in land use decision-making.
A.6.1.2	To establish the importance of energy efficiency, energy security, greenhouse gas emissions reduction, and carbon cycling in land use, site planning, building design and transportation.
A.6.1.3	To promote the use of renewable energy and the development of renewable energy sources.
A.6.1.4	To work with other agencies, stakeholders and the community to achieve energy conservation and emissions reduction goals.
A.6.1.5	To support actions to minimize greenhouse gas emissions and to adapt to the impacts of climate change in land use decision-making.
A.6.1.6	To recognize the importance of our forested lands in removing carbon dioxide from the atmosphere.
A.6.1.7	To support a reduction of at least 15% in Greenhouse Gas emissions by 2015; at least 40% by 2020 and at least 85% by 2050 based upon 2007 data. Within the local trust area this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.
PART B - LAND USE OBJECTIVES AND POLICIES	
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES	
B.2.3 Settlement Patterns	
B.2.3.1 OBJECTIVES	
B.2.3.1.5	To create future settlement patterns that minimize energy and resource use.
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES	
C.2 TRANSPORTATION SERVICING OBJECTIVES AND POLICIES	
C.2.1 General Transportation	
C.2.1.1 OBJECTIVES	
C.2.1.1.1	To plan land use in a way that encourages those forms of transportation that consume the fewest resources and least land; to encourage settlement patterns that make walking, bicycling and public transit become viable, convenient and natural alternatives to automotive transportation.

Implement Climate Change Mitigation and Adaption Measures	
OCP Objective	
C.2.2 Land Transportation	
C.2.2.1 OBJECTIVES	
C.2.2.1.8	To support the initiatives of the Salt Spring Island Transportation Commission to provide and promote multiple modes of transportation (including parking and transportation demand management strategies) to reduce the use of private automobiles.
C.2.3 Automobile and Bicycle Parking	
C.2.3.1 OBJECTIVES	
C.2.3.1.2	To encourage, through parking policies, environmentally-friendly transportation forms such as public transit, walking, bicycling and small automobiles.
C.4 WASTE MANAGEMENT OBJECTIVES AND POLICIES	
C.4.1 General Waste Management Objectives	
C.4.1.1 OBJECTIVES	
C.4.1.1.2	To support the reduction, diversion, reuse and recycling of domestic waste materials generated by the island on the island.
C.4.2.1.3	To encourage the operators of liquid waste systems to consider and implement strategies which support beneficial reuse of waste energy and waste products, including creating and making available reclaimed water from wastewater treatment facilities and compost from sewage and septage sludge.

Table 1.2: Climate Change Policies

Implement Climate Change Mitigation and Adaption Measures		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.5 THE ISLAND ENVIRONMENT		
A.5.2 POLICIES		
A.5.2.11	The Local Trust Committee should provide advice and education to the public about environmental issues and should continue to encourage and promote private stewardship. The Committee should retain the Environmental Advisory Committee to provide assistance in these initiatives. The Local Trust Committee should also support and seek advice and input from other non-governmental organizations which support the Object of the Islands Trust and the objectives of this Plan.	
	Develop educational materials	Distribute educational materials
A.5.2.15	The Local Trust Committee should develop ways to encourage sustainable building techniques through support for implementation of energy efficient building design and building practices as demonstrated through recognized building certification programs such as R-2000, BuiltGreen Platinum, and LEED.	
	Develop incentive program	
A.5.2.24	The Capital Regional District and other agencies are urged to continue supporting and encouraging alternate building construction and waste management techniques that conserve water and energy or sustain the environment.	
A.5.2.25	The Local Trust Committee should identify ways of monitoring community sustainability (for example by identifying "sustainability indicators"). Results could be used when amending this Plan or other policies and bylaws.	
	Develop Sustainability Indicators	Amend OCP/LUB
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY		
A.6.2 POLICIES		
A.6.2.1	The Local Trust Committee will develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when it is processing land use applications. The Committee should consider utilizing a Development Approval Information Bylaw, as authorized in G.1.4, to ensure that consistent information about the energy efficiency and anticipated impacts of development is obtained when the proposal includes significant new development, increase in density, or change of use. Application checklists should be revised to include climate change mitigation and adaptation criteria, such as energy efficiency, energy security, renewable energy and carbon sequestration impacts.	
	Develop methods of assessing impacts, utilize DAI	Amend Application Checklists/Development Procedures Bylaw [?]
A.6.2.2	The Local Trust Committee will consider the energy efficiency attributes and climate change adaptation and mitigation impacts in all rezoning applications that propose an increase in density or significant change of use.	
	Develop methods of assessing impacts	Amend Application Checklists/Development Procedures Bylaw [?]
A.6.2.3	Rezoning applications proposing a significant increase in density or significant change of use may be requested to include a calculation of the projected carbon budget, or demonstrate conformity with LEED Neighbourhood Design criteria, or the equivalent.	
	Develop methods of assessing impacts, utilize DAI	Amend Application Checklists/Development Procedures Bylaw [?]
A.6.2.4	The Local Trust Committee shall consider giving priority to rezoning and other applications that meet energy efficiency criteria adopted by the Local Trust Committee.	

Implement Climate Change Mitigation and Adaption Measures		
OCP Policy	Potential Action	Potential Implementation
A.6.2.5	The Local Trust Committee will consider supporting rezoning applications for affordable housing that incorporate climate change mitigation and adaptation measures such as energy efficient features and shared facilities, such as co-housing.	
	Develop methods of assessing impacts, utilize DAI	Amend Application Checklists/Development Procedures Bylaw [?]
A.6.2.6	The Local Trust Committee will review its zoning regulations and development permit area objectives and guidelines to ensure that existing provisions encourage and do not discourage the implementation of energy efficiency standards in new construction.	
	Review Zoning & DPAs	Amend LUB & OCP
A.6.2.7	If amendments are made to the Development Permit Area authority of the Local Government Act to establish energy efficient design requirements, the Local Trust Committee should review and amend its Development Permit Area provisions to include new objectives and guidelines for energy efficient systems and design.	
	Develop new DPAs	Amend OCP
A.6.2.8	If amendments are made to legislation, the Local Trust Committee should consider making amendments to administrative and procedural bylaws to charge differential fees to encourage energy efficient building design.	
	Develop new fees	Amend fee bylaw
A.6.2.9	The Local Trust Committee will work with the Capital Regional District and other stakeholders on the development and implementation of climate change mitigation and adaptation strategies, including energy efficiency strategies.	
A.6.2.10	The Local Trust Committee will consider energy efficient building design features exceeding the BC Building Code as a community amenity.	
A.6.2.11	The Local Trust Committee will incorporate energy efficiency and climate change impact criteria in assessing applications for the transfer of development potential.	
	Include criteria for transfer of development potential	Amend Rezoning Application forms and checklists
A.6.2.12	The Local Trust Committee will continue to support implementation of the Salt Spring Community Energy Strategy and regional community energy plans on Salt Spring Island.	
A.6.2.13	The Local Trust Committee will undertake or support mapping and analysis to anticipate the potential impacts of climate change on land use and siting.	
	Develop mapping of climate change impacts	Amend OCP, DPAs, LUB based on mapping
A.6.2.14	The Local Trust Committee should support federal and provincial initiatives to reduce greenhouse gas emissions.	
A.6.2.15	The Local Trust Committee should support local food production as a significant factor in reducing food transportation costs and greenhouse gas emissions.	
A.6.2.16	The Local Trust Committee should review zoning to relax height restrictions for solar and wind power generation on residential lots.	
	Review height restrictions in LUB for solar/wind	Amend LUB
A.6.2.17	The Local Trust Committee should consider supporting small-scale, locally generated, zero carbon, renewable power for new and existing development. Such facilities should be located on the same, or an adjacent site, as the user.	
A.6.2.18	The Local Trust Committee should work with the Trust Fund Board and other conservation organizations to promote the conservation of forested land as a cost effective and important climate change mitigation strategy.	
	Develop materials promoting forest conservation	Advertise/Distribute materials

Implement Climate Change Mitigation and Adaption Measures		
OCP Policy	Potential Action	Potential Implementation
A.6.2.19	The Local Trust Committee should support initiatives by others to establish a local Carbon Trust and energy utility	
A.6.2.20	The provincial government is supported in initiatives to amend the B.C. Building Code to require reduced emissions and increased energy efficiency standards in new construction.	
A.6.2.21	The Capital Regional District is supported in efforts to incorporate energy and water conservation and the reduction of greenhouse gas emissions into its building regulations.	
A.6.2.22	Agencies and others undertaking new construction of public buildings are encouraged to incorporate energy efficient design standards in all projects.	
A.6.2.23	The Local Trust Committee encourages public bodies, non-governmental agencies and others to cooperate in the creation of a ‘beacon’ project incorporating climate change mitigation and adaptation strategies, including energy efficient design features.	
		Recommend to Trust Council to approach other agencies to create beacon project
A.6.2.24	B.C. Hydro is encouraged to implement smart meters, net-metering and off-peak metering	
A.6.2.25	BC Hydro is encouraged to partner with the private sector and local governments to implement a solar domestic hot water rental program.	
A.6.2.26	The Chamber of Commerce is encouraged to extend energy efficiency and green labelling for all businesses.	
A.6.2.27	The Salt Spring Island Transportation Commission is encouraged to provide and promote Transportation Demand Management infrastructure and programs such as public transit, bicycling, walking, ridesharing, car-sharing, and parking management strategies as means of reducing reliance on private vehicles.	
A.6.2.28	The Capital Regional District is encouraged to reduce emissions and increase the energy efficiency of all its operations on Salt Spring Island.	
A.6.2.29	The Capital Regional District is encouraged to work towards limiting the large scale outdoor burning of wood waste.	
A.7 NATURAL HAZARD AREAS		
A.7.2 POLICIES		
A.7.2.9	The Local Trust Committee will consider climate change mitigation in the review and update of zoning regulations and development permit area objectives and guidelines.	
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES		
C.2 TRANSPORTATION SERVICING OBJECTIVES AND POLICIES		
C.2.2 Land Transportation		
C.2.2.2 POLICIES		
C.2.2.2.15	When considering rezoning applications, the Local Trust Committee should ensure that the proposed zoning change supports the development of non-automotive transportation and public transit service.	

Table 1.3: Climate Change Potential Action Items

Implement Climate Change Mitigation and Adaptation Measures	
A.5.2.11	Develop and distribute educational materials to the public about environmental issues; retain the assistance of the Environmental Advisory Group; seek advice and input from other non-governmental organizations.
A.5.2.15	Develop incentive program to encourage sustainable building techniques through support for implementation of energy efficient building design and building practices as demonstrated through recognized building certification programs such as R-2000, BuiltGreen Platinum, and LEED.
A.5.2.25	Develop Sustainability Indicators to monitor community sustainability. Use results to amend OCP or other policies and bylaws.
A.6.2.1	Develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when processing land use applications; Revise application checklists to include climate change mitigation and adaptation criteria, such as energy efficiency, energy security, renewable energy and carbon sequestration impacts.
A.6.2.2	Develop methods of assessing energy efficiency attributes and climate change adaptation and mitigation impacts in all rezoning applications that propose an increase in density or significant change of use.
A.6.2.3	Develop methods of assessing impacts of rezoning applications proposing a significant increase in density or significant change of use; may include a calculation of the projected carbon budget, or demonstrate conformity with LEED Neighbourhood Design criteria, or the equivalent.
A.6.2.5	Develop methods of assessing impacts of applications for affordable housing that incorporate climate change mitigation and adaptation measures such as energy efficient features and shared facilities, such as co-housing.
A.6.2.6	Review zoning regulations and development permit area objectives and guidelines to ensure that existing provisions encourage and do not discourage the implementation of energy efficiency standards in new construction.
A.6.2.7	Develop new Development Permit Area for energy efficient design requirements.
A.6.2.8	Develop new fees to encourage energy efficient building design.
A.6.2.11	Develop criteria to incorporate energy efficiency and climate change impact criteria in assessing applications for the transfer of development potential.
A.6.2.13	Develop mapping to anticipate the potential impacts of climate change on land use and siting.
A.6.2.16	Review zoning to relax height restrictions for solar and wind power generation on residential lots.
A.6.2.18	Develop materials to promote the conservation of forested land as a cost effective and important climate change mitigation strategy; work with the Trust Fund Board and other conservation organizations
A.6.2.23	Recommend to Trust Council to approach public bodies, non-governmental agencies and others to create beacon project incorporating climate change mitigation and adaptation strategies, including energy efficient design features.

2. Ensure Fresh Water Sustainability

Table 2.1: Fresh Water Sustainability Objectives

Ensure Fresh Water Sustainability	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.1 General Objectives	
A.4.1.1	To recognize and protect the fragility and significance of our natural environment as one of our community's greatest and irreplaceable assets.
A.4.1.4	To adopt the precautionary principle in the decision-making of the Local Trust Committee. The precautionary principle asserts that, when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. In this context, the essential elements of a precautionary approach to decision-making include: a. a duty to take anticipatory action to prevent harm; b. the right for the community to know complete and accurate information on potential human health and environmental impacts as best it can be determined; c. requiring the proponent to supply this information to the public; d. an obligation to consider alternatives and select the alternative with the least potential impact on human health and the environment, including the alternative of no change; e. a duty to consider broader short-term and long-term costs and benefits to the community when evaluating potential alternatives; and f. a responsibility to make decisions in a transparent, participatory manner, relying on the best available information.
A.4.2 Sustainability	
A.4.2.1	To recognize the importance of sustainability in all community decisions. To avoid land use decisions that threaten the integrity or sustainability of natural ecosystems.
A.4.2.2	To maintain and restore the community's natural capital represented by such items as our agricultural and forest land base, our potable water supplies, and primary value of our natural and unspoiled rural character.
A.4.2.4	To recognize that long-term social and economic well being requires living within the limits of ecological sustainability, which is the maintenance of ecological processes so that the biological productivity of the Earth endures without dependence on non-renewable resources.
A.4.3 Limits to Growth	
A.4.3.1	To continue to focus attention on the finite nature of all of our island's resources, especially those that are drawn from our natural environment.
A.4.3.2	To provide direction for the conservation and stewardship of natural resources, especially our surface and groundwater supply
A.4.3.3	To reflect the finite nature of islands by identifying limits to residential, commercial and institutional growth tailored to the community's land base and ecological carrying capacity. Special attention should be paid to ensuring that the human use of potable water can be sustained without negative impact on other values and uses for natural water bodies.
A.5 THE ISLAND ENVIRONMENT	
A.5.1 OBJECTIVES	
A.5.1.2	To maintain and improve the quality of the island's natural environment. To give particular attention to the quality of fresh water to sustain healthy fish and wildlife habitat and for human supplies.
A.5.1.6	To encourage sustainable land use practices and adopt best management practices.
A.5.1.7	To secure at least 30% of the island land base for conservation. To develop a Community Greenways system of private and public greenways, some of which may also be associated with the island's trail network.

Ensure Fresh Water Sustainability	
OCP Objective	
PART B - LAND USE OBJECTIVES AND POLICIES	
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES	
B.2.3 Settlement Patterns	
B.2.3.1 OBJECTIVES	
B.2.3.1.1	To encourage future development to locate away from environmentally sensitive areas, agricultural and forestry lands, community water supply watersheds, lands with the potential for surface erosion or slope instability, public lands, tidal waterfront, areas with outstanding natural beauty and views, or archaeological and historic sites. To ensure buffers are retained on settlement lands where they adjoin agricultural lands.
B.2.3.1.5	To create future settlement patterns that minimize energy and resource use.
B.8 CONSERVATION LAND USE OBJECTIVES AND POLICIES	
B.8.1 Watershed and Islet Residential Designation	
B.8.1.1 OBJECTIVES	
B.8.1.1.1	To develop land use policies that protect the quality of community water supply lakes and reduce or avoid the need for remedial water treatment.
B.8.1.1.2	To continue to provide for residential, commercial and institutional development in those parts of catchment areas where it is currently allowed, but to avoid an increase in development or activity within watershed catchments.
B.8.2 Uplands Designation	
B.8.2.1 OBJECTIVES	
B.8.2.1.1	To continue to allow very low density residential use and other kinds of low impact development that will sustain the watershed recharge areas, wildlife habitat, forest resource, sensitive environments, open space and recreational potential of lands in the Uplands Designation.
B.9 SHORELINE AND AQUATIC USE OBJECTIVES AND POLICIES	
B.9.1 General Shoreline Use	
B.9.1.1 OBJECTIVES	
B.9.1.1.1	To protect our marine and freshwater shorelines.
B.9.1.1.2	To protect the most significant ecological and physical processes of marine and freshwater shorelines.
B.9.2 Shoreline Conservation Designation	
B.9.2.1 OBJECTIVES	
B.9.2.1.1	To protect the island's most environmentally sensitive shoreline areas such as tidal flats, fish and wildlife habitat, sensitive lake ecosystems, estuaries and wetlands that is not suitable for intensive development.
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES	
C.2 TRANSPORTATION SERVICING OBJECTIVES AND POLICIES	
C.2.5 Air Transportation	
C.2.5.1 OBJECTIVES	
C.2.5.1.4	To discourage the use of potable water supply lakes by float plane traffic.
C.3 POTABLE WATER QUANTITY AND SUPPLY OBJECTIVES AND POLICIES	
C.3.1.1 GENERAL OBJECTIVE	
C.3.1.1.1	To apply the precautionary principle in ensuring that the density and intensity of land use is not increased in areas which are known to have concerns with the supply of potable water.
C.3.1.1.2	To acknowledge that the surface water supply sources on the island are finite and remain under Provincial control and that more effective use, management and sharing of the resource should be encouraged to support present commitments and future desired land use decisions.

Ensure Fresh Water Sustainability	
OCP Objective	
C.3.2 Community Water Systems	
C.3.2.1 OBJECTIVES	
C.3.2.1.1	To ensure that the potential water demand of development within community water systems does not exceed the licensed capacity, or the amount of water that can be safely withdrawn from each system's water source.
C.3.2.1.2	To reduce, delay or avoid the impacts of withdrawing additional water from surface water bodies.
C.3.2.1.3	To ensure that zoning changes in the North Salt Spring Waterworks District do not result in such a level of development that water cannot be supplied to needed public facilities or would not be available for firefighting purposes. In particular, to ensure that water remains available for hospital and school expansion, and affordable housing.
C.3.2.1.4	To encourage a variety of conservation methods in all community water systems
C.3.2.1.5	To ensure that zoning changes within the boundaries of water systems do not result in such a level of demand on island water sources that agricultural activities cannot obtain water.
C.3.3 Private Surface Water and Groundwater Supplies	
C.3.3.1 OBJECTIVES	
C.3.3.1.1	To avoid zoning changes that result in the depletion of existing wells or springs or water bodies used as water supplies.
C.3.3.1.2	To preserve known groundwater recharge areas.

Table 2.2: Fresh Water Sustainability Policies

Ensure Fresh Water Sustainability		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.5 THE ISLAND ENVIRONMENT		
A.5.2 POLICIES		
A.5.2.9	The Local Trust Committee will continue to use Development Permit Area designations for protection of the natural environment to protect watersheds used for community surface water supplies or within the capture zone of community water supply wells. Zoning changes should not be made so that more development would be located in these areas. Development permit area guidelines should encourage subdivision layouts that avoid impacts on these areas. Stewardship on the part of property owners and other agencies will also be encouraged.	
A.5.2.10	The Local Trust Committee should develop improved methods of determining and assessing environmental impacts and encouraging protection of the natural environment when it is processing land use applications and referrals. The Local Trust Committee should obtain comprehensive development approval information as designated and specified in s. G.1.4.	
	Develop DAI requirements/guidelines	Adopt DAI
A.5.2.11	The Local Trust Committee should provide advice and education to the public about environmental issues and should continue to encourage and promote private stewardship. The Committee should retain the Environmental Advisory Committee to provide assistance in these initiatives. The Local Trust Committee should also support and seek advice and input from other non-governmental organizations which support the Object of the Islands Trust and the objectives of this Plan.	
	Develop educational materials	Distribute educational materials
A.5.2.12	The Local Trust Committee encourages landowners and others to avoid the use of pesticides, herbicides and fungicides. If used, pesticides, herbicides and fungicides should be applied in a manner that avoids damage to adjoining lands and drainage areas.	
	Develop educational materials	Distribute educational materials
A.5.2.13	The Local Trust Committee encourages landowners and others to utilize current best practices and guidelines in undertaking an ecosystem-based approach to site planning and development. An example is the guidelines in the manual Develop With Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2006, prepared by the B.C Ministry of Environment. Landowners and developers are encouraged to utilize the following principles in new development: a. identify environmental values prior to site clearing and design. b. locate development away from areas with high environmental values, and place natural buffers between the development site and sensitive features. c. concentrate development in areas with low environmental values. d. develop and implement site plans that protect biodiversity, clean air, and clean water. e. locate developments away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts. f. locate developments away from areas of agricultural potential and establish buffers between the development site and farmland. g. minimize impacts of roads and driveways and reduce fragmentation of habitat. h. maintain water quality. i. maintain air quality and reduce greenhouse gas emissions. j. design energy- and water-efficient developments that conserve natural resources. k. minimize wastes, and manage wastes in an environmentally sound manner. l. work with the local community to maximize the benefits of good environmental planning at the community and site level. The Local Trust Committee should continue to ensure that these principles are reflected in its regulations and development permit area guidelines.	
	Review Bylaws for inclusion of ecosystem-based approach	Amend OCP & LUB

Ensure Fresh Water Sustainability		
OCP Policy	Potential Action	Potential Implementation
A.5.2.14	The Local Trust Committee should retain existing regulations to control, surface run-off and to manage stormwater. The LTC should consider adopting regulations to manage soil removal and deposit in order to protect productive or sensitive soils, wetlands, environmentally sensitive areas, and residential neighbourhoods.	
	Develop/Review Soil Removal/Deposit Regulations	Amend Soil Bylaw
A.5.2.18	The Local Trust Committee should support efforts to restore and enhance environmentally sensitive areas and habitat, including the restoration of streams and other watercourses that have been modified (culverted, ditched, diverted, etc.).	
A.5.2.24	The Capital Regional District and other agencies are urged to continue supporting and encouraging alternate building construction and waste management techniques that conserve water and energy or sustain the environment.	
A.5.2.26	Senior levels of government are encouraged to develop policies to protect the island from all types of petroleum and chemical pollution of ground and surface water and from air pollution from local and off-island sources.	
PART B - LAND USE OBJECTIVES AND POLICIES		
B.5 VILLAGE LAND USE OBJECTIVES AND POLICIES		
B.5.3 Fulford Village Designation		
B.5.3.2 POLICIES		
B.5.3.2.17	The Local Trust Committee should support a Weston Lake watershed management plan, a study of the improvement (or replacement) of the water distribution system and the installation of water meters for all users.	
	Develop a Weston Lake watershed management plan	
B.5.3.2.18	The Local Trust Committee should support an investigation of water availability and the consideration of alternative supplies such as Stowel Lake, deep wells and water collection (whether large or small in scale).	
	Investigate water availability for Fulford Village	
B.6 RESOURCE LAND USE OBJECTIVES AND POLICIES		
B.6.2 Agriculture Land Uses		
B.6.2.2 POLICIES		
B.6.2.2.7	B.6.2.2.7 The Local Trust Committee could consider changes to local bylaws to prohibit or restrict farming in areas outside of the Agricultural Land Reserve where farming is now allowed in order to protect water quality.	
	Restrict farming outside of ALR to protect water quality	

Ensure Fresh Water Sustainability		
OCP Policy	Potential Action	Potential Implementation
B.6.2.2.8	On the advice of the Agricultural Advisory Committee, the Local Trust Committee should continue to support local farming by: a. addressing the need for additional housing on agricultural land. b. permitting appropriate farm uses as defined by the Agricultural Land Reserve Act and Regulations. c. recognizing the traditional uses of the property owned by the Salt Spring Island Farmer's Institute on Rainbow Road. d. allowing for the processing and warehousing of island farm products on the Institute's property. e. supporting zoning that would allow various forms of community farming activities. f. supporting the development of farmers' markets. g. considering changes to the Land Use Bylaw, based on the objectives of the Area Farm Plan and in consultation with the Agricultural Land Commission and the Ministry of Agriculture and Lands, to permit additional dwellings for farm workers. h. considering changes to the Land Use Bylaw to further support agri-tourism. i. supporting efforts to ensure a viable local livestock industry. j. updating agricultural information, monitoring changes in the agricultural sector and helping to identify unused or available farmland.	
	Implement advisory actions from Ag. Advisory Committee	Amend LUB
B.8 CONSERVATION LAND USE OBJECTIVES AND POLICIES		
B.8.1 Watershed and Islet Residential Designation		
B.8.1.2 POLICIES		
B.8.1.2.2	Zones within the Watershed and Islet Residential Designation will continue to allow the uses allowed under current zoning. Existing commercial and institutional zones will remain, but zoning changes should not be made to locate additional new or higher impact developments on lands in this Designation.	
B.8.1.2.3	Land that is presently zoned only for watershed protection should remain in such a zone and not have development potential.	
B.8.1.2.5	Zoning should continue to protect community water supply lakes from the potential impacts of septic field siting.	
B.8.1.2.6	The Local Trust Committee should consider rezoning applications that would allow owners of undeveloped property within the Designation to transfer their development potential to more suitable locations. Such applications should follow the guidelines in Appendix 4. The Watershed and Islet Residential Designation is a Development Potential Donor Area.	
B.8.1.2.7	The Local Trust Committee will support applications by conservation agencies such as the Islands Trust Fund Board to acquire the Crown Land adjacent to Cusheon Lake for watershed protection.	
B.8.1.2.8	The Local Trust Committee should give consideration to the protection of community water system supply watersheds through designation as development permit areas.	
	Develop DPA for community water system supply watersheds	Amend OCP
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES		
C.2 TRANSPORTATION SERVICING OBJECTIVES AND POLICIES		
C.2.5 Air Transportation		
C.2.5.2 POLICIES		
C.2.5.2.6	C.2.5.2.6 The Local Trust Committee should not change zoning in a way that allows development of a commercial float plane terminal on any lake.	

Ensure Fresh Water Sustainability		
OCP Policy	Potential Action	Potential Implementation
C.3 POTABLE WATER QUANTITY AND SUPPLY OBJECTIVES AND POLICIES		
C.3.2 Community Water Systems		
C.3.2.2 POLICIES		
C.3.2.2.1	When the Local Trust Committee receives rezoning applications for land inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will be asked if water could be supplied to the proposed new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or underdeveloped properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to suggest other water supplies so that the application could be considered. Examples are rainwater catchment, groundwater use or a water conservation program. The Local Trust Committee could make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or affordable housing projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.	
C.3.2.2.2	In addition to policy C.3.2.2.1, the Local Trust Committee should not make zoning changes within the North Salt Spring Waterworks District that could mean that water will not be available (under the District's existing license) for the following projects (in order of priority): - essential services such as hospitals and schools needed within the district to serve the island's projected population. - special needs and affordable housing needed by the community. The Local Trust Committee could make an exception to this policy so that one of the above projects could proceed before another of higher priority. However, it must be satisfied that the District will receive a sufficiently larger water license in time to serve the higher priority project when it is needed.	
C.3.2.2.3	Within the Fulford Waterworks District, the Committee should not make zoning changes that would mean that water would not be available for affordable housing for seniors, in addition to the district's existing customers and development already allowed by zoning.	
C.3.2.2.5	The Local Trust Committee will continue to cooperate with community water system operators to ensure water supply issues are considered before zoning changes are made. The Committee should also continue to assist in the development of better estimates of projected water demands and supply potential. The Committee could consider zoning changes that would limit land uses with a high water demand. The Committee particularly recognizes that this Plan could critically affect the North Salt Spring Waterworks District's ability to meet future needs and will cooperate with the District to address this issue.	
C.3.2.2.10	The Local Trust Committee will not support the dedication of water bodies as water supply reservoirs.	

Ensure Fresh Water Sustainability		
OCP Policy	Potential Action	Potential Implementation
C.3.3 Private Surface Water and Groundwater Supplies		
C.3.3.2 POLICIES		
C.3.3.2.1	To protect groundwater recharge areas, zones in the upland areas of the island will continue to allow only a low density of development. The Local Trust Committee may consider undertaking or supporting further analysis of groundwater recharge areas on the island, including the creation of a groundwater conservation strategy. The transfer of development potential to other parts of the island will be encouraged.	
C.3.3.2.2	When considering rezoning applications, the Local Trust Committee should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. If the proposed use is expected to need more water than the uses already allowed on the property, then the Committee should ask for evidence that wells or other water supplies in the neighbourhood would not be depleted. The Committee should also consider whether water use would affect agricultural activities or deplete any springs necessary to maintain fish habitat. Should a zoning change be proposed where groundwater supplies are not adequate, the applicant could be encouraged to find other means of supplying water. Rainwater catchment or a water conservation program could be considered.	
C.3.3.2.4	The Local Trust Committee could establish an advisory group to provide advice regarding local groundwater topics.	
	Establish Local Groundwater Advisory Group or similar. For example: SSIWPA Technical Working Group	
C.3.3.2.5	The Local Trust Committee should not support rezoning applications that depend on the import of water from off the island.	
C.3.3.2.6	The Local Trust Committee should consider working with other agencies and stakeholders to develop a groundwater conservation strategy for Salt Spring Island. The strategy would combine educational efforts with the creation of demand management measures.	
	Develop groundwater conservation strategy	
C.3.3.2.8	All users that rely on groundwater are encouraged to conserve water.	
	Encourage groundwater well users to conserve water	Develop educational materials

Table 2.3: Fresh Water Sustainability Potential Action Items

Ensure Fresh Water Sustainability	
A.5.2.10	Adopt development approval information bylaw to improve methods of determining and assessing environmental impacts and encouraging protection of the natural environment when processing land use applications and referrals.
A.5.2.11	Develop and distribute educational materials to the public about environmental issues; retain the assistance of the Environmental Advisory Group; seek advice and input from other non-governmental organizations.
A.5.2.12	Develop educational materials regarding use of pesticides, herbicides and fungicides.
A.5.2.13	Review Bylaws for inclusion of ecosystem-based approach.
A.5.2.14	Amend Soil Bylaw to manage soil removal and deposit in order to protect productive or sensitive soils, wetlands, environmentally sensitive areas, and residential neighbourhoods.
B.5.3.2.17	Develop a Weston Lake watershed management plan.
B.5.3.2.18	Investigate water availability for Fulford Village and the consideration of alternative supplies such as Stowel Lake, deep wells and water collection (whether large or small in scale).
B.6.2.2.7	Amend bylaws to prohibit or restrict farming in areas outside of the Agricultural Land Reserve where farming is now allowed in order to protect water quality.
B.6.2.2.8	Implement advisory actions from Ag. Advisory Committee, including: a. addressing the need for additional housing on agricultural land. b. permitting appropriate farm uses as defined by the Agricultural Land Reserve Act and Regulations. c. recognizing the traditional uses of the property owned by the Salt Spring Island Farmer's Institute on Rainbow Road. d. allowing for the processing and warehousing of island farm products on the Institute's property. e. supporting zoning that would allow various forms of community farming activities. f. supporting the development of farmers' markets. g. considering changes to the Land Use Bylaw, based on the objectives of the Area Farm Plan and in consultation with the Agricultural Land Commission and the Ministry of Agriculture and Lands, to permit additional dwellings for farm workers. h. considering changes to the Land Use Bylaw to further support agri-tourism. i. supporting efforts to ensure a viable local livestock industry. j. updating agricultural information, monitoring changes in the agricultural sector and helping to identify unused or available farmland.
B.8.1.2.8	Develop development permit area for protection of community water system supply watersheds
C.3.3.2.4	Establish Local Groundwater Advisory Group or similar to provide advice regarding local groundwater topics. For example: SSIWPA Technical Working Group
C.3.3.2.6	Develop groundwater conservation strategy for Salt Spring Island that would combine educational efforts with the creation of demand management measures; consider working with other agencies and stakeholders.
C.3.3.2.8	Develop educational materials to encourage groundwater well users to conserve water

3. Protect the Coastal Douglas Fir (CDF) Ecosystem

Table 3.1: Coastal Douglas Fir Objectives

Protect the Coastal Douglas Fir (CDF) Ecosystem	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.1 General Objectives	
A.4.1.1	To recognize and protect the fragility and significance of our natural environment as one of our community's greatest and irreplaceable assets.
A.4.1.3	To retain our island's rural character and peaceful and quiet atmosphere; to guide development so that it complements the outstanding natural beauty that surrounds us and reflects our unique community character. To ensure that the predominant feature of Salt Spring Island remains the natural environment, rather than manmade structures.
A.4.2 Sustainability	
A.4.2.2	To maintain and restore the community's natural capital represented by such items as our agricultural and forest land base, our potable water supplies, and primary value of our natural and unspoiled rural character.
A.5 THE ISLAND ENVIRONMENT	
A.5.1 OBJECTIVES	
A.5.1.3	To identify and encourage protection of those parts of the island that are especially sensitive to development, including those Environmentally Sensitive Areas shown on Maps 9 through 12.
A.5.1.4	To protect areas of high biodiversity. To recognize and protect the island's native plant, animal and bird life. To give particular attention to the streams, wetlands and shorelines of Salt Spring Island.
A.5.1.5	To identify and encourage the creation of a network of protected areas that preserve representative ecosystems.
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY	
A.6.1 OBJECTIVES	
A.6.1.6	To recognize the importance of our forested lands in removing carbon dioxide from the atmosphere.
PART B - LAND USE OBJECTIVES AND POLICIES	
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES	
B.2.3 Settlement Patterns	
B.2.3.1 OBJECTIVES	
B.2.3.1.1	To encourage future development to locate away from environmentally sensitive areas, agricultural and forestry lands, community water supply watersheds, lands with the potential for surface erosion or slope instability, public lands, tidal waterfront, areas with outstanding natural beauty and views, or archaeological and historic sites. To ensure buffers are retained on settlement lands where they adjoin agricultural lands.
B.2.3.1.2	To redirect the island's future pattern of settlement from one of "modest overall density" to one that includes clusters of development interspersed with large areas of open space, protected areas, and resource lands. To guide future development into clusters and towards existing or new villages and hamlets where non-automotive transportation alternatives and appropriate services are available and most efficiently and affordably provided.

Table 3.2: Coastal Douglas Fir Policies

Protect the Coastal Douglas Fir (CDF) Ecosystem		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.5 THE ISLAND ENVIRONMENT		
A.5.2 POLICIES		
A.5.2.3	The protection of Environmentally Sensitive Areas or High Biodiversity Areas is an eligible community amenity, which could be exchanged for a higher density of development as outlined in Appendix 3.	
A.5.2.5	The Local Trust Committee should not make zoning changes that would result in more development or greater impacts on areas identified as Environmentally Sensitive.	
A.5.2.7	The Local Trust Committee should continue to enter into agreements with the Trust Fund Board outlining the ways in which the parties will cooperate and consult about conservation land acquisitions on Salt Spring Island.	
A.5.2.8	The Local Trust Committee will encourage protection of Crown foreshore, wetland, stream and riparian corridor habitats, other sensitive ecosystems, and wildlife habitat through the development permit process: a. The Local Trust Committee will update watercourse mapping and development permit area designations and guidelines to comply with provincial Riparian Area Regulations. b. The Local Trust Committee will undertake updated sensitive ecosystem mapping and should designate sensitive areas as development permit areas for protection of the natural environment. c. The Local Trust Committee will support efforts to map the locations of heron and raptor nests and will review regulations and standards for a protective buffer. The Local Trust Committee should designate development permit areas for the protection of sensitive nest trees. d. The Local Trust Committee will support efforts to map the habitat of threatened or endangered species and will consider designating development permit areas for the protection of such habitat.	
	Develop new DPA	Amend OCP to include new DPA
A.5.2.11	The Local Trust Committee should provide advice and education to the public about environmental issues and should continue to encourage and promote private stewardship. The Committee should retain the Environmental Advisory Committee to provide assistance in these initiatives. The Local Trust Committee should also support and seek advice and input from other non-governmental organizations which support the Object of the Islands Trust and the objectives of this Plan.	
	Develop educational materials	Distribute educational materials

Protect the Coastal Douglas Fir (CDF) Ecosystem		
OCP Policy	Potential Action	Potential Implementation
A.5.2.13	The Local Trust Committee encourages landowners and others to utilize current best practices and guidelines in undertaking an ecosystem-based approach to site planning and development. An example is the guidelines in the manual Develop With Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2006, prepared by the B.C Ministry of Environment. Landowners and developers are encouraged to utilize the following principles in new development: a. identify environmental values prior to site clearing and design. b. locate development away from areas with high environmental values, and place natural buffers between the development site and sensitive features. c. concentrate development in areas with low environmental values. d. develop and implement site plans that protect biodiversity, clean air, and clean water. e. locate developments away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts. f. locate developments away from areas of agricultural potential and establish buffers between the development site and farmland. g. minimize impacts of roads and driveways and reduce fragmentation of habitat. h. maintain water quality. i. maintain air quality and reduce greenhouse gas emissions. j. design energy- and water-efficient developments that conserve natural resources. k. minimize wastes, and manage wastes in an environmentally sound manner. l. work with the local community to maximize the benefits of good environmental planning at the community and site level. The Local Trust Committee should continue to ensure that these principles are reflected in its regulations and development permit area guidelines.	
	Review Bylaws for inclusion of ecosystem-based approach	Amend OCP & LUB
A.5.2.22	Landowners are encouraged to participate in tax incentive programs for the protection of sensitive parts of the environment.	
	Develop educational materials	Distribute educational materials
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY		
A.6.2 POLICIES		
A.6.2.18	The Local Trust Committee should work with the Trust Fund Board and other conservation organizations to promote the conservation of forested land as a cost effective and important climate change mitigation strategy.	
	Develop materials promoting forest conservation	Advertise/Distribute materials

Table 3.3: Coastal Douglas Fir Potential Action Items

Protect the Coastal Douglas Fir (CDF) Ecosystem	
A.5.2.8	Develop new development permit area to encourage protection of sensitive ecosystems, including Coastal Douglas Fir ecosystems
A.5.2.11	Develop and distribute educational materials to the public about environmental issues; retain the assistance of the Environmental Advisory Group; seek advice and input from other non-governmental organizations.
A.5.2.13	Review Bylaws for inclusion of ecosystem-based approach.
A.5.2.22	Develop educational materials to encourage landowners to participate in tax incentive programs for the protection of sensitive parts of the environment.
A.6.2.18	Work with the Trust Fund Board and other conservation organizations to develop materials promoting conservation of forested land as a cost effective and important climate change mitigation strategy.

4. Increase Availability of Affordable Housing

Table 4.1: Affordable Housing Objectives

Increase Availability of Affordable Housing	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.4 Our Sense of Community	
A.4.4.4	To preserve and protect human diversity in our community by ensuring that the island's people are accommodated by a broad spectrum of appropriate and accessible housing and facilities, transportation choices, service opportunities and choices of livelihood, with a local focus to minimize transportation needs.
PART B - LAND USE OBJECTIVES AND POLICIES	
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES	
B.2.1 Housing quantity	
B.2.1.1 OBJECTIVE	
B.2.1.1.2	To develop zoning that allows many different types of housing and accommodates a diverse population.
B.2.2 Affordable, rental and special needs housing	
B.2.2.1 OBJECTIVES	
B.2.2.1.1	To provide opportunities for the creation of affordable, rental and special needs housing.
B.2.2.1.2	To integrate affordable, rental and special needs housing into appropriate residential areas where community services are most accessible.
B.2.2.1.5	To cooperate with senior governments, the Capital Regional District, housing industry, funding sources and community organisations to provide affordable, rental and special needs housing on Salt Spring Island.
B.3 NON-VILLAGE COMMERCIAL AND INDUSTRIAL LAND USE OBJECTIVES AND POLICIES	
B.3.3 Industrial and Commercial Services	
B.3.3.1 OBJECTIVES	
B.3.3.1.5	To allow for the development of affordable homes in combination with industrial land uses.

Table 4.2: Affordable Housing Policies

Increase Availability of Affordable Housing		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY		
A.6.2 POLICIES		
A.6.2.5	The Local Trust Committee will consider supporting rezoning applications for affordable housing that incorporate climate change mitigation and adaptation measures such as energy efficient features and shared facilities, such as co-housing.	
	Develop methods of assessing impacts, utilize DAI	Amend Application Checklists/Development Procedures Bylaw [?]
PART B - LAND USE OBJECTIVES AND POLICIES		
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES		
B.2.1 Housing quantity		
B.2.1.2 POLICIES		
B.2.1.2.1	Zoning changes should be avoided if they would likely result in a larger island population than is expected under the development potential zoned in 2008. Exceptions to this policy are to be few and minor and only to achieve affordable housing and other objectives of this Plan.	
B.2.2 Affordable, rental and special needs housing		
B.2.2.2 POLICIES		
B.2.2.2.1	The Local Trust Committee will initiate a Housing Needs Assessment, to be updated regularly and on the basis of which the Local Trust Committee may establish priorities for consideration of affordable housing applications.	
	Develop Housing Needs Assessment	Implement/review HNA
B.2.2.2.2	The Local Trust Committee, in cooperation with the Capital Regional District and the community, should work to establish a target level for the percentage of rented and owned affordable housing units in the total housing stock, based on projected community housing needs.	
	Establish target % for rent/owned affordable housing stock	Develop rental zone, Amend OCP/LUB
B.2.2.2.3	All rezoning applications for affordable housing projects should include evidence of: a. need for the housing. b. an adequate water supply for potability and for fire protection. c. means of sewage disposal. d. energy and water efficient building design. e. not degrading a sensitive ecosystem. f. not being sited in an area subject to hazardous conditions.	
B.2.2.2.4	The Local Trust Committee may consider amending the Land Use Bylaw to create a new zone for manufactured home parks.	
	Develop Manufactured Home Park Zone/Bylaw	Amend OCP/LUB
B.2.2.2.5	Land for affordable housing is an eligible community amenity, which could be exchanged for a higher density of development as outlined in Appendix 3.	
B.2.2.2.6	When the Local Trust Committee is considering a rezoning application involving a significant increase in residential density the Local Trust Committee should require that the application include provision of affordable housing.	
B.2.2.2.7	The Local Trust Committee may consider amending zoning to require that on-site staff accommodation be provided for larger new commercial developments.	

Increase Availability of Affordable Housing		
OCP Policy	Potential Action	Potential Implementation
B.2.2.2.8	Zoning could be changed to allow small, affordable homes to be located above commercial buildings in villages. Existing zoning (that only allows two storeys) could be relaxed to allow such homes to occupy a third storey, provided that impacts on view corridors are taken into account.	
	Develop mixed/use zoning for villages	Amend LUB
B.2.2.2.9	Where a lot has subdivision potential, the Local Trust Committee should consider rezoning applications that would allow the property owner to build (without subdividing) the same number of single family dwellings on the lot as could be built after subdivision. Such shared residential rezoning applications should be consistent with the guidelines in H.2.1 of Appendix 2.	
B.2.2.2.10	In zones where single family dwellings are presently allowed, the Local Trust Committee should consider changing local zoning to also allow (as an alternative to a single family dwelling), a flexible unit dwelling that: a. has a maximum of two storeys, and b. has a maximum floor area, and c. could contain between one and three dwelling units, depending on the needs and wishes of the property owner. Flexible unit dwellings should only be allowed on lots larger than 1.2 ha or on smaller lots in village areas. If zoning is changed to allow flexible unit dwellings, design guidelines and zoning regulations should be developed to ensure the dwellings fit into single-family neighbourhoods.	
	Develop flexible unit dwelling zone	Amend LUB (SEE POLICY B.2.2.2.11, B.2.2.2.12, AND B.2.2.2.13)
B.2.2.2.11	If flexible unit dwellings are allowed, they should be allowed in only a few zones on a trial basis to find out if they do supply needed housing without having a negative effect on neighbouring properties. Flexible unit dwellings should not be allowed in zones within the Watershed-Islet Residential Designation unless they are shown not to increase population or sewage generation over that expected in single family dwellings.	
B.2.2.2.12	Flexible unit dwellings could also be allowed in zones in the Industrial and Commercial Services Land Use Designation, where a property is primarily used for industrial and commercial services purposes.	
	Develop flexible unit dwelling regulations for Com/Ind	Amend LUB
B.2.2.2.13	If flexible unit dwellings are allowed, they should not be converted into separate strata-titled dwelling units.	
B.2.2.2.14	Boarding houses, single family dwellings where rooms are available for on-going residential occupancy, should be allowed to operate as home based businesses in all zones where single family dwellings are allowed.	
	Review LUB to ensure Boarding Houses are permitted	

Increase Availability of Affordable Housing		
OCP Policy	Potential Action	Potential Implementation
B.2.2.2.15	The Local Trust Committee may give consideration to amending the Land Use Bylaw to allow secondary suites in dwellings as affordable housing under certain circumstances. Any initiative to allow suites should address the following criteria: a. A maximum of one suite is allowed per dwelling. b. The owner occupies either the principal dwelling or the suite. c. Suites should only be allowed in areas with an adequate supply of potable water. d. Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones. e. New construction of dwellings with suites in areas containing sensitive ecosystems or areas that are hazardous for development should be managed by development permit. f. The use of suites will not be for short-term rental, in accordance with the Land Use Bylaw. g. Regulations should limit suites to 40% of the floor area of the principal dwelling and no more than 90 m² of floor area. h. Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards. i. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that suites are affordable and to address occupancy. j. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy. k. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority. l. The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles. m. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of suites on the island. n. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied suites.	
	Amend Secondary Suite Zone regulations	Amend LUB

Increase Availability of Affordable Housing		
OCP Policy	Potential Action	Potential Implementation
B.2.2.2.16	Seasonal cottages should continue to be allowed wherever they are allowed by current zoning. The Local Trust Committee may also consider amending the Land Use Bylaw to allow the use of seasonal cottages as full time affordable rental housing units in certain areas. In order to encourage housing for families, the Land Use Bylaw may be amended to permit cottages with a maximum floor area of 90 m² on lots 2 hectares or larger in area, while retaining the existing floor area limits on cottages on lots between 1.2 hectares and 2 hectares in area. Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria: a. Full time residence of cottages should only be allowed in areas with an adequate supply of potable water. b. Full time residence of cottages should not be allowed in areas that are community water system supply watersheds or in community well capture zones. c. New construction of cottages for full time residence should be not allowed in areas containing sensitive ecosystems or areas that are hazardous for development. d. The use of cottages will not be for short-term rental in accordance with the Land Use Bylaw. e. Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards. f. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that cottages are affordable and to address occupancy. g. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy. h. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority. i. The Local Trust Committee may also consider limits on the location of cottages to minimize dependency on private automobiles. j. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of full-time units on the island. k. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied cottages.	
	Develop regs for affordable rental housing use of cottages – currently being undertaken	Amend LUB
B.2.2.2.17	Applications for strata conversion (strata titling) of existing multi-family dwellings that contain more than three units should be considered by the Local Trust Committee, especially if such a conversion is expected to increase the community's supply of affordable owned housing. The Local Trust Committee should not approve strata conversions that would replace affordable rental housing with non-affordable owned housing.	
B.2.2.2.18	Preference should be given to rezoning applications for multiple-unit affordable housing projects that: a. are based on the housing needs of existing residents and are not meant to be mainly marketed to off-island residents. b. would provide owned or rental housing, possibly through non-traditional means such as cohousing, cooperative ownership, sweat equity projects or land trusts. c. would create durable, and water and energy efficient housing. d. provide walking, transit or cycling links to village services. e. provide safe walking, transit, or cycling links to a school, if the project is designed for families. f. include appropriate site and building designs, such as those outlined in Development Permit Area 1. g. that are in or near island villages, except where the affordable housing would be linked to and support farming.	

Increase Availability of Affordable Housing		
OCP Policy	Potential Action	Potential Implementation
B.2.2.2.19	The Local Trust Committee should consider changing the local zoning that applies to multi-family zones so that density is guided by floor space ratios as well as units per hectare. Such changes should be considered to provide more flexibility in the type of dwelling units that can be built.	
	Develop multi family housing zoning amendments	Amend LUB
B.2.2.2.22	The Local Trust Committee could consider other innovative strategies that would increase the community's supply of affordable housing, including, but not limited to, consideration of rezoning applications that would permit additional dwellings where the floor area of the dwellings is limited, energy and water efficient design is implemented, and sensitive ecosystems are protected.	
	Research opportunities to increase affordable housing	Amend LUB
B.2.2.2.23	The Local Trust Committee encourages and supports other levels of government and non-profit groups to work towards the establishment of a Housing Agency on Salt Spring Island.	
B.2.2.2.24	Local service clubs, non-profit organizations and others that provide affordable, rental and special needs housing are encouraged to develop projects in keeping with the policies in this Section. Such groups are particularly encouraged to explore the potential for supplying a community pool of care cottages.	
B.2.2.2.25	The Local Trust Committee will support the establishment and work of non-profit community land trusts and other organisations for the acquisition of land for, and construction and management of, affordable housing units.	
B.2.4 Residential Neighbourhoods Designation		
B.2.4.2 POLICIES		
B.2.4.2.2	Zones within the Residential Neighbourhoods Designation will continue to accommodate the medium density residential uses and the other compatible land uses allowed in the existing bylaw. Existing commercial, industrial and multi-family zones will also remain, but zoning changes should not be made to locate more of these zones on additional lands in this Designation, with the exception of multiple-family affordable housing projects.	
B.5 VILLAGE LAND USE OBJECTIVES AND POLICIES		
B.5.1 General Village Land Use Objectives and Policies		
B.5.1.2 POLICIES		
B.5.1.2.8	The Local Trust Committee may consider making changes to zoning to allow the creation of livework spaces.	
	Create live-work zoning	Amend LUB
B.5.2 Ganges Village Designation		
B.5.2.2 POLICIES		
B.5.2.2.3	The Local Trust Committee should consider rezoning applications that would allow the addition of some affordable and special needs housing in the Ganges Village Designation, as outlined in Section B.2.2.2.	
B.5.4 Channel Ridge Village Designation		
B.5.4.2 POLICIES		
B.5.4.2.3	The Local Trust Committee should consider rezoning applications that would allow the addition of some affordable and special needs housing in the Channel Ridge Village Designation, as outlined in Policy B.2.2.2.17.	

Increase Availability of Affordable Housing		
OCP Policy	Potential Action	Potential Implementation
PART H APPENDICES		
APPENDIX 2 - GUIDELINES FOR SHARED RESIDENTIAL ZONING APPLICATIONS		
Sec. H.2	Background Note: Many larger properties on Salt Spring Island have the potential, under existing local zoning, to be further subdivided. However, without subdivision, local zoning allows only one home on most of these parcels, despite their size. A policy in the Affordable Housing Section says that the Local Trust Committee should consider rezoning applications that would allow the property owner to build (without subdividing) the same number of single family dwellings on the lot as would result from subdivision of the lot. This new zoning has been called "Shared Residential" since it makes it easier for people to share ownership of a property.	
	Allowance for shared residential zoning	
H.3 APPENDIX 3 - AMENITY ZONING		
Sec. H.3	Amenity zoning is the granting of additional development potential by the Local Trust Committee in exchange for the voluntary provision of a community amenity by the land owner. Any amenity rezoning should advance the Object of the Islands Trust and the goals and objectives of this OCP, and should be consistent with the following guidelines. Amenity rezoning may be considered on a case-by-case basis, upon application for rezoning. The approval of an amenity rezoning should be conditional on compliance with the following policy guidelines. These guidelines do not pre-determine a favourable outcome for any particular application.	
	Allowance for amenity zoning	

Table 4.3: Affordable Housing Potential Action Items

Increase Availability of Affordable Housing	
A.6.2.5	Develop methods of assessing impacts of applications for affordable housing that incorporate climate change mitigation and adaptation measures such as energy efficient features and shared facilities, such as co-housing.
B.2.2.2.1	Develop Housing Needs Assessment
B.2.2.2.2	Establish a target level for the percentage of rented and owned affordable housing units in the total housing stock, based on projected community housing needs.
B.2.2.2.4	Develop Manufactured Home Park Zone/Bylaw
B.2.2.2.8	Develop mixed-use zoning for villages.
B.2.2.2.10	Develop flexible unit dwelling zone
B.2.2.2.12	Develop flexible unit dwelling regulations for commercial/industrial
B.2.2.2.14	Review land use bylaw to ensure boarding houses are permitted
B.2.2.2.15	Amend Secondary Suite Zone regulations
B.2.2.2.16	Develop regulations for affordable rental housing use of cottages – currently being undertaken
B.2.2.2.19	Develop multi family housing zoning amendments so that density is guided by floor space ratios as well as units per hectare. Such changes should be considered to provide more flexibility in the type of dwelling units that can be built.
B.2.2.2.22	Research opportunities to increase affordable housing, including, but not limited to, consideration of rezoning applications that would permit additional dwellings where the floor area of the dwellings is limited, energy and water efficient design is implemented, and sensitive ecosystems are protected.
B.5.1.2.8	Develop live-work zoning

5. Protect and Enhance Agriculture

Table 5.1: Agriculture Objectives

Protect and Enhance Agriculture	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.1 General Objectives	
A.4.1.1	To recognize and protect the fragility and significance of our natural environment as one of our community's greatest and irreplaceable assets.
A.4.1.3	To retain our island's rural character and peaceful and quiet atmosphere; to guide development so that it complements the outstanding natural beauty that surrounds us and reflects our unique community character. To ensure that the predominant feature of Salt Spring Island remains the natural environment, rather than manmade structures.
A.4.2 Sustainability	
A.4.2.2	To maintain and restore the community's natural capital represented by such items as our agricultural and forest land base, our potable water supplies, and primary value of our natural and unspoiled rural character.
A.5 THE ISLAND ENVIRONMENT	
A.5.1 OBJECTIVES	
A.5.1.8	To integrate the spirit and intent of federal and provincial environmental legislation and the Agricultural Land Commission Act and the Farm Practices Protection ("Right to Farm") Act into local environmental policies and bylaws.
PART B - LAND USE OBJECTIVES AND POLICIES	
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES	
B.2.3 Settlement Patterns	
B.2.3.1 OBJECTIVES	
B.2.3.1.1	To encourage future development to locate away from environmentally sensitive areas, agricultural and forestry lands, community water supply watersheds, lands with the potential for surface erosion or slope instability, public lands, tidal waterfront, areas with outstanding natural beauty and views, or archaeological and historic sites. To ensure buffers are retained on settlement lands where they adjoin agricultural lands.
B.2.3.1.2	To redirect the island's future pattern of settlement from one of "modest overall density" to one that includes clusters of development interspersed with large areas of open space, protected areas, and resource lands. To guide future development into clusters and towards existing or new villages and hamlets where non-automotive transportation alternatives and appropriate services are available and most efficiently and affordably provided.
B.6 RESOURCE LAND USE OBJECTIVES AND POLICIES	
B.6.1 OBJECTIVES	
B.6.1.1	To recognize and retain traditional resource-based livelihoods such as agriculture, forestry and fishing. To maintain and protect their land bases, support sustainable management practices and to develop zoning that accommodates supportive land uses. To resist pressures to manage agriculture, forestry and fishing for reasons that are primarily aesthetic.
B.6.1.2	To maximize the local economic benefits of industries that consume island resources by providing for value-added processing of island resource products.
B.6.2 Agriculture Land Uses	
B.6.2.1 OBJECTIVES	
B.6.2.1.1	To support farming as a social, cultural and economic priority, and an ecologically responsible land use on Salt Spring Island.

Protect and Enhance Agriculture	
OCP Objective	
B.6.2.1.2	To maintain and protect the long term potential for farming and agro-forestry on Salt Spring Island; to preserve agricultural land and necessary water supplies.
B.6.2.1.3	To incorporate the spirit and intent of the provincial Agricultural Land Commission Act, the Agricultural Land Reserve Use, Subdivision And Procedure Regulation, and the Farm Practices Protection ("Right to Farm") Act into local land use policies and bylaws.
B.6.2.1.4	To limit the non-farm use of agricultural land.
B.6.2.1.5	To accommodate a level and type of residential use on agricultural land that reflects the business needs of farm operations and is consistent with objectives for island population.
B.6.2.1.6	To reduce the potential for conflicts between agricultural areas and those areas that have been identified for higher density settlement.
B.6.2.1.7	To encourage the creation and implementation of environmental farm plans.
B.6.2.1.8	To ensure that sufficient water supplies remain available for agricultural purposes.
B.6.2.1.9	To recognize agriculture's contribution to the island's social, economic and environmental nature and appeal, and to retain and build on the island's agricultural base, especially organic.

Table 5.2: Agriculture Policies

Protect and Enhance Agriculture		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.5 THE ISLAND ENVIRONMENT		
A.5.2 POLICIES		
A.5.2.14	The Local Trust Committee should retain existing regulations to control, surface run-off and to manage stormwater. The LTC should consider adopting regulations to manage soil removal and deposit in order to protect productive or sensitive soils, wetlands, environmentally sensitive areas, and residential neighbourhoods.	
	Develop/Review Soil Removal/Deposit Regulations	Amend Soil Bylaw
A.5.2.17	The Local Trust Committee will recognize the needs of the local farming community, the Farm Practices Protection ("Right to Farm") Act, the Agricultural Land Commission Act and regulations, and the recommendations of the Area Farm Plan when developing policies or bylaws about environmental protection. The Agricultural Advisory Committee and the Ministry of Environment will be consulted as part of this process to develop mutually acceptable management solutions which protect sensitive environments but do not prohibit or unreasonably restrict farming.	
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY		
A.6.2 POLICIES		
A.6.2.15	The Local Trust Committee should support local food production as a significant factor in reducing food transportation costs and greenhouse gas emissions.	
A.7 NATURAL HAZARD AREAS		
A.7.2 POLICIES		
A.7.2.1	Zoning will continue to include the setbacks from water bodies requested by the Ministry of Environment to protect development from flooding. If applicable, the Committee will ensure that required setbacks do not conflict with the Code of Agricultural Practice for Waste Management or the standards for normal farm practices established under the Farm Practices Protection (Right to Farm) Act. The Local Trust Committee may consider changes to zoning to establish a new elevation above areas potentially subject to flooding.	
	Develop or consult latest flood mapping	Amend LUB to establish new flood elevation
PART B - LAND USE OBJECTIVES AND POLICIES		
B.6 RESOURCE LAND USE OBJECTIVES AND POLICIES		
B.6.2 Agriculture Land Uses		
B.6.2.2 POLICIES		
B.6.2.2.1	The Local Trust Committee should maintain an Agricultural Advisory Committee to: a. provide community advice about bylaw changes, applications for rezoning or subdivision, and applications to the Agricultural Land Commission. b. help in developing and interpreting local policies about farming. c. identify other ways that the Local Trust Committee can encourage and support farming in the community.	
	Maintain Ag Advisory Committee	
B.6.2.2.2	The Local Trust Committee will work with the local farming community, the Ministry of Agriculture and Lands, and the Agricultural Land Commission to develop common policies to the benefit of farming on Salt Spring Island and to support implementation of the Area Farm Plan.	
	Develop supportive policies and implement Area Farm Plan	
B.6.2.2.5	Farming activities and necessary structures should continue to be allowed by zoning in other Designations on all properties where they are currently allowed.	

Protect and Enhance Agriculture		
OCP Policy	Potential Action	Potential Implementation
B.6.2.2.6	The Local Trust Committee will not make changes to local bylaws to prohibit or restrict farming in the Agricultural Land Reserve or that are obstacles to the creation of local abattoirs, cold storage facilities, or other facilities that would improve local food security.	
B.6.2.2.8	On the advice of the Agricultural Advisory Committee, the Local Trust Committee should continue to support local farming by: a. addressing the need for additional housing on agricultural land. b. permitting appropriate farm uses as defined by the Agricultural Land Reserve Act and Regulations. c. recognizing the traditional uses of the property owned by the Salt Spring Island Farmer's Institute on Rainbow Road. d. allowing for the processing and warehousing of island farm products on the Institute's property. e. supporting zoning that would allow various forms of community farming activities. f. supporting the development of farmers' markets. g. considering changes to the Land Use Bylaw, based on the objectives of the Area Farm Plan and in consultation with the Agricultural Land Commission and the Ministry of Agriculture and Lands, to permit additional dwellings for farm workers. h. considering changes to the Land Use Bylaw to further support agri-tourism. i. supporting efforts to ensure a viable local livestock industry. j. updating agricultural information, monitoring changes in the agricultural sector and helping to identify unused or available farmland.	
	Implement advisory actions from Ag. Advisory Committee	Amend LUB
B.6.2.2.10	The Local Trust Committee could consider changing zoning to permit the following land uses, where permitted by the Agricultural Land Reserve Act or regulations, on individual properties in the Agriculture Designation: small-scale processing and sales of island-grown forest products; farming schools; farm-based tourist accommodation; waste management facilities. Such uses should only be allowed where farming capability is minimal and the planned use would not interfere with land productivity. Preference should be given to proposals that would improve the viability of an existing farm operation.	
	Align LUB with ALR Act	Amend LUB
B.6.2.2.24	The Islands Trust Fund Board is encouraged to help in the creation of an agricultural land trust.	
		Request Islands Trust Conservancy to create Ag Land Trust
B.6.2.2.29	The Local Trust Committee will encourage and support efforts by others to promote and sustain local food security.	
B.6.2.2.32	The Local Trust Committee will support the implementation of the Area Farm Plan by the Salt Spring Island Agricultural Alliance.	
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES		
C.3 POTABLE WATER QUANTITY AND SUPPLY OBJECTIVES AND POLICIES		
C.3.2 Community Water Systems		
C.3.2.2 POLICIES		
C.3.2.2.4	The Local Trust Committee will support applications by community water systems to increase their water withdrawal levels to serve the development anticipated by this Plan, provided water conservation programs are in place, the environmental impacts are addressed and the new licence would enhance the ability of lakeside farms to obtain irrigation supplies.	
C.3.2.2.11	When the Local Trust Committee receives applications for zoning changes within a water system's boundaries, and the zoning change would increase the demand for water, the Committee will consider the impacts on agriculture, as further outlined in Section B.6.2.	
PART E DEVELOPMENT PERMIT AREAS		
E.1 DEVELOPMENT PERMIT AREA 1 - ISLAND VILLAGES		

Protect and Enhance Agriculture		
OCP Policy	Potential Action	Potential Implementation
Sec. E.1	E.1.1.1 Development Permit Area 1 is shown on Map 16. It is designated according to Section 879(1)(e) of the Municipal Act to identify objectives and guidelines for the form and character of commercial, industrial or multi-family residential development in the Area. It is also designated according to Section 879 (1)(b) to protect development from hazardous conditions that could result from changes to stormwater drainage. Finally, Development Permit Area 1 is designated according to Section 879 (1) (c) for the protection of farming on nearby lands. E.1.2 Reasons for this Development Permit Area The villages of Salt Spring Island function as commercial, social and cultural centres of the community. Existing zoning means there is considerable potential for these activities to continue to grow in village areas. Development Permit designation will guide the community's most significant, concentrated and visible new development so that it is compatible with existing buildings, with the natural environment and with community objectives for villages. Zoning within the Area allows a high density of development which is expected to result in the creation of large new areas of impervious surfaces. In the past, such development has changed natural patterns of stormwater drainage and resulted in flooding or erosion of downslope properties. This Development Permit Area is adjacent to land that is within the Agricultural Land Reserve or that has been traditionally used for agricultural activities. The higher densities of development permitted in this Area could have negative effects on nearby agricultural activities, if that development is not carefully managed. By paying attention to the design of development in this Area, the potential for on-going conflicts between agricultural activities and higher density developments can be minimized. This Development Permit Area also includes three properties outside of village areas that are currently zoned for multifamily development. Objectives for the development of these properties are similar to those for village multifamily zones.	
	Require DPA in Villages to better protect ag land from development	

E.2 DEVELOPMENT PERMIT AREA 2 - NON-VILLAGE COMMERCIAL AND INDUSTRIAL		
Sec. E.2	E.2.1.1 Development Permit Area 2 is shown on Map 19. It is designated according to Section 879(1)(e) of the Municipal Act to identify objectives and guidelines for the form and character of commercial and industrial development outside Village Designations. It is also designated according to Section 879 (1)(c) for the protection of farming on adjacent lands.	

Protect and Enhance Agriculture		
OCP Policy	Potential Action	Potential Implementation
	E.2.2 Reasons for this Development Permit Area Existing local zoning provides a significant potential for new commercial and industrial development on properties located within residential and rural neighbourhoods. Other policies in this Plan could lead to more intensive development on existing industrial properties. Other policies and objectives of this Plan recognize the community's desire to retain a quiet, rural character in island neighbourhoods. Design guidelines can reduce the potential conflicts between large new commercial and industrial development and neighbouring properties. Some properties in this Development Permit Area adjoin or drain into land that is in the Agricultural Land Reserve or that has been traditionally used for agricultural activities. The higher densities of development permitted in this Area could have negative effects on nearby agricultural activities, if that development is not carefully managed. By paying attention to the design of development in this Area, the potential for on-going conflicts between agricultural activities and higher density development can be minimized.	
	Require DPA for commercial & industrial development to better protect agricultural land from development	
PART H APPENDICES		
H.4 APPENDIX 4 - TRANSFER OF DEVELOPMENT POTENTIAL		
Sec. H.4	The purpose of transfer of development potential is to allow for the consideration of applications that would result in the transfer of development potential from environmentally sensitive areas, lands that are hazardous, or lands that have cultural, historical, agricultural or landscape significance, while supporting the clustering of development potential in areas more suitable for development. Transfer of Development Potential, sometimes referred to as “Density Transfer”, is the ability to rezone land such that it results in a reduction in development potential in one location and an increase in development potential in another, with no overall, or net, increase in density. The development potential usually takes the form of lots or units and the transfer is achieved by simultaneously changing the zoning on the “donor” and “receiver” parcels, or areas, to reflect the changed subdivision potential or permitted number of units on each. Transfer of development potential may be considered on a case-by-case basis, upon application for rezoning. The approval of a transfer of density through rezoning should be conditional on compliance with the following policy guidelines. These guidelines do not predetermine a favourable outcome for any particular application.	
	Update guidelines for transfer of development potential	

Table 5.3: Agriculture Potential Action Items

Protect and Enhance Agriculture	
A.5.2.14	Amend Soil Bylaw to manage soil removal and deposit in order to protect productive or sensitive soils, wetlands, environmentally sensitive areas, and residential neighbourhoods.
A.7.2.1	Develop or consult latest flood mapping to include the setbacks from water bodies requested by the Ministry of Environment to protect development from flooding.
B.6.2.2.1	Maintain Agricultural Advisory Committee
B.6.2.2.2	Work with the local farming community, the Ministry of Agriculture and Lands, and the Agricultural Land Commission to develop common policies to the benefit of farming on Salt Spring Island and to support implementation of the Area Farm Plan.
B.6.2.2.8	Implement advisory actions from Ag. Advisory Committee, including: a. addressing the need for additional housing on agricultural land. b. permitting appropriate farm uses as defined by the Agricultural Land Reserve Act and Regulations. c. recognizing the traditional uses of the property owned by the Salt Spring Island Farmer's Institute on Rainbow Road. d. allowing for the processing and warehousing of island farm products on the Institute's property. e. supporting zoning that would allow various forms of community farming activities. f. supporting the development of farmers' markets. g. considering changes to the Land Use Bylaw, based on the objectives of the Area Farm Plan and in consultation with the Agricultural Land Commission and the Ministry of Agriculture and Lands, to permit additional dwellings for farm workers. h. considering changes to the Land Use Bylaw to further support agri-tourism. i. supporting efforts to ensure a viable local livestock industry. j. updating agricultural information, monitoring changes in the agricultural sector and helping to identify unused or available farmland.
B.6.2.2.10	Align Land Use Bylaw to permit the following land uses, where permitted by the Agricultural Land Reserve Act or regulations, on individual properties in the Agriculture Designation: small-scale processing and sales of island-grown forest products; farming schools; farm-based tourist accommodation; waste management facilities.
B.6.2.2.24	Request Islands Trust Conservancy to create Agricultural Land Trust.
B.6.2.2.29	Support efforts by others to promote and sustain local food security.
Sec. H.4	Update guidelines for transfer of development potential

6. Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations

Table 6.1: Consultation Objectives

Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.1 General Objectives	
A.4.1.6	To work cooperatively with other agencies, groups and the community in achieving the objectives of this Plan.
A.4.4 Our Sense of Community	
A.4.4.2	To recognize the importance of our island community's traditional sense of cohesiveness, self reliance and interconnectedness. To enhance and celebrate these values through the support of community-building events, activities and land uses.
A.4.4.5	To recognize the importance of broad community consultation, economic security, coordinated and efficient infrastructure development and established land use policies to the maintenance of a healthy community.
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY	
A.6.1 OBJECTIVES	
A.6.1.4	To work with other agencies, stakeholders and the community to achieve energy conservation and emissions reduction goals.
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES	
C.1 GENERAL INFRASTRUCTURE AND SERVICING OBJECTIVES	
C.1.5	To encourage and support collaboration among agencies responsible for infrastructure services in integrated resource management and strategic planning to support the land uses anticipated by this Plan.
C.2 TRANSPORTATION SERVICING OBJECTIVES AND POLICIES	
C.2.1 General Transportation	
C.2.1.1 OBJECTIVES	
C.2.1.1.3	C.2.1.1.3 To work cooperatively with other levels of government and stakeholder groups to influence the location and function of land, water and air transportation facilities so that they support the community's land use, servicing and social objectives.
C.3 POTABLE WATER QUANTITY AND SUPPLY OBJECTIVES AND POLICIES	
C.3.1.1 GENERAL OBJECTIVE	
C.3.1.1.2	To acknowledge that the surface water supply sources on the island are finite and remain under Provincial control and that more effective use, management and sharing of the resource should be encouraged to support present commitments and future desired land use decisions.

Table 6.2: Consultation Policies

Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.5 THE ISLAND ENVIRONMENT		
A.5.2 POLICIES		
A.5.2.11	The Local Trust Committee should provide advice and education to the public about environmental issues and should continue to encourage and promote private stewardship. The Committee should retain the Environmental Advisory Committee to provide assistance in these initiatives. The Local Trust Committee should also support and seek advice and input from other non-governmental organizations which support the Object of the Islands Trust and the objectives of this Plan	
	Develop educational materials	Distribute educational materials
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY		
A.6.2 POLICIES		
A.6.2.9	The Local Trust Committee will work with the Capital Regional District and other stakeholders on the development and implementation of climate change mitigation and adaptation strategies, including energy efficiency strategies.	
A.6.2.18	The Local Trust Committee should work with the Trust Fund Board and other conservation organizations to promote the conservation of forested land as a cost effective and important climate change mitigation strategy.	
	Develop materials promoting forest conservation	Advertise/Distribute materials
A.6.2.19	The Local Trust Committee should support initiatives by others to establish a local Carbon Trust and energy utility.	
A.6.2.23	The Local Trust Committee encourages public bodies, non-governmental agencies and others to cooperate in the creation of a ‘beacon’ project incorporating climate change mitigation and adaptation strategies, including energy efficient design features.	
		Recommend Council to approach other agencies to create beacon project
A.6.2.24	B.C. Hydro is encouraged to implement smart meters, net-metering and off-peak metering	
A.7 NATURAL HAZARD AREAS		
A.7.2 POLICIES		
A.7.2.5	A.7.2.5 The Local Trust Committee will support programs to respond to community emergencies and disasters and will participate in emergency measures planning and related initiatives.	
A.8 ISLAND HERITAGE		
A.8.2 POLICIES		
A.8.2.1	The Local Trust Committee will focus on public education and the encouragement of private stewardship to achieve the objectives of this section. The Committee should make information about the island's heritage widely available and provide assistance and encouragement to those who protect it.	
	Develop educational/promotional material	Distribute educational/promotional materials
A.8.2.15	To increase awareness of First Nations heritage, the Local Trust Committee should support the use of First Nations place names that have been recognized by all First Nations with interests in the related area.	
	Collaborate to develop First Nation naming policy	Implement naming policy

Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations		
OCP Policy	Potential Action	Potential Implementation
PART B - LAND USE OBJECTIVES AND POLICIES		
B.7 PARK AND RECREATION LAND USE OBJECTIVES AND POLICIES		
B.7.2 Acquisition of Public Recreational Land and Park Land		
B.7.2.2 POLICIES		
B.7.2.2.1	The Local Trust Committee will continue to cooperate and consult with the Salt Spring Island Parks and Recreation Commission about park land acquisition, pathways and trails as outlined in its agreements with the Commission.	
B.7.2.2.8	The Local Trust Committee should continue to enter into agreements with CRD Parks outlining the ways in which the parties will cooperate and consult about park land acquisitions and management of regional parks on Salt Spring Island.	
B.7.2.2.16	The Ministry of Transportation and Infrastructure and the Salt Spring Island Transportation Commission are asked to liaise and cooperate in the development of new public recreational lands by: a. approving applications by the Salt Spring Island Parks and Recreation Commission for trails or pathways within road rights-of-way. b. approving community applications to fund and construct bicycle lanes within road rights-of-way. c. requiring new or upgraded roads to include bicycle lanes as outlined in the protocol agreement between the Ministry of Transportation and Infrastructure and the Islands Trust. The Ministry should be asked to allow the area in front of the Ganges Fire hall to be used for public uses, should the fire hall be relocated.	
PART C - INFRASTRUCTURE AND SERVICING OBJECTIVES AND POLICIES		
C.2 TRANSPORTATION SERVICING OBJECTIVES AND POLICIES		
C.2.2 Land Transportation		
C.2.2.2 POLICIES		
C.2.2.2.3	The Local Trust Committee will continue its ongoing contact with the Ministry of Transportation and Infrastructure regarding road standards, as outlined in its Letter of Agreement. The Local Trust Committee will also seek to participate in comprehensive road network planning in the island's less developed areas.	
C.2.2.2.4	The Local Trust Committee will seek community advice regarding land transportation issues through the Salt Spring Island Transportation Commission.	
C.2.2.2.9	The Local Trust Committee should consider the North Ganges Transportation Management Plan and other transportation plans developed by the Salt Spring Island Transportation Commission as guiding documents for land use and transportation planning and implementation.	
C.3 POTABLE WATER QUANTITY AND SUPPLY OBJECTIVES AND POLICIES		
C.3.2 Community Water Systems		
C.3.2.2 POLICIES		
C.3.2.2.7	The Local Trust Committee will continue to obtain advice about local water supply topics from advisory bodies and water districts.	
C.3.2.2.8	The Local Trust Committee will consult, assist and cooperate with water districts in supply and demand management by providing data and supporting efforts to coordinate activities.	
C.3.3 Private Surface Water and Groundwater Supplies		
C.3.3.2 POLICIES		
C.3.3.2.6	The Local Trust Committee should consider working with other agencies and stakeholders to development a groundwater conservation strategy for Salt Spring Island. The strategy would combine educational efforts with the creation of demand management measures.	
	Develop groundwater conservation strategy	

Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations		
OCP Policy	Potential Action	Potential Implementation
PART D - ADMINISTRATION		
D.5 IMPLEMENTATION		
D.5.3	The Local Trust Committee will develop a Plan Implementation Program to suggest how some parts of this Plan can be carried out over the long term. It will identify the major initiatives suggested by this Plan, their general priorities, time frames and a preliminary work plan. Actual priorities and specific time frames will depend on future decisions of successive Local Trust Committees and the ability to engage local citizens, other government and public agencies, and staff resources to contribute to these decisions. Some policies of this Plan that can be put in place over a longer term and that will be included in the Plan Implementation Program are: a) The creation and continuation of public advisory groups as suggested throughout this Plan, such as an Agricultural Advisory Committee, an Environmental Advisory Committee and a Community Heritage Commission. Once formed, these groups will be asked to provide advice about land use matters such as applications for rezoning, subdivision and development permits. b) The development and distribution of informational and educational materials that will assist the community to make good stewardship decisions. c) Agreements with other agencies to achieve community objectives. d) Amendments or additions to existing land use bylaws as suggested throughout the Plan.	
	Create advisory groups, develop/distribute materials, enter into agreements, amend bylaws	
D.5.4	Many of the policies in this Plan will need the assistance and support of others to be implemented. The Local Trust Committee will carry these policies through a variety of mechanisms, including entering into formal agreements with other agencies, encouraging agencies to undertake actions or make decisions that are consistent with the Plan, or by supporting the actions of individuals and groups within the community that advance the objectives of the Plan and the Islands Trust. In particular, the Local Trust Committee may consider supporting and encouraging the development of a strategic plan to coordinate implementation of the objectives of this Plan with other groups on the island.	
	Develop strategic plan to coordinate implementation of OCP	
PART G TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION		
G.1.4 Development Approval Information		
G.1.4.3	The Local Trust Committee should consider a development approval information bylaw, and forward such a bylaw to Trust Council for adoption, as required by s. 29(3.1) of the Islands Trust Act.	
	Forward the Draft DAI Bylaw to Trust Council	

Table 6.3: Consultation Potential Action Items

Increase Meaningful Consultation and Cooperation with Citizens, Agencies, and First Nations	
A.5.2.11	Develop and distribute educational materials to the public about environmental issues; retain the assistance of the Environmental Advisory Group; seek advice and input from other non-governmental organizations.
A.6.2.18	Work with the Trust Fund Board and other conservation organizations to develop materials promoting conservation of forested land as a cost effective and important climate change mitigation strategy.
A.6.2.23	Recommend to Trust Council to approach public bodies, non-governmental agencies and others to create beacon project incorporating climate change mitigation and adaptation strategies, including energy efficient design features.
A.8.2.1	Collaborate with First Nations to develop First Nation naming policy to support the use of First Nations place names that have been recognized by all First Nations with interests in the related area.
C.3.3.2.6	Develop groundwater conservation strategy for Salt Spring Island that would combine educational efforts with the creation of demand management measures; consider working with other agencies and stakeholders.
D.5.3	Develop a OCP Implementation Program; Some policies of this Plan that can be put in place over a longer term and that will be included in the Plan Implementation Program are: a) The creation and continuation of public advisory groups as suggested throughout this Plan, such as an Agricultural Advisory Committee, an Environmental Advisory Committee and a Community Heritage Commission. Once formed, these groups will be asked to provide advice about land use matters such as applications for rezoning, subdivision and development permits. b) The development and distribution of informational and educational materials that will assist the community to make good stewardship decisions. c) Agreements with other agencies to achieve community objectives. d) Amendments or additions to existing land use bylaws as suggested throughout the Plan.
D.5.4	Develop strategic plan to coordinate implementation of OCP
G.1.4.3	Forward the Draft Development Approval Information Bylaw to Trust Council

7. Village Planning

Table 7.1: Village Planning Objectives

Village Planning	
OCP Objective	
PART A - OVERALL GOALS AND OBJECTIVES	
A.4 COMMUNITY OBJECTIVES	
A.4.1 General Objectives	
A.4.1.2	To recognize and protect our unique nature as an island - a remote place, unconnected to other land masses, which exists at a smaller scale; a place where boundaries are absolute, resources are finite, and biophysical and socioeconomic impacts can be concentrated due to containment and proximity.
A.4.1.3	To retain our island's rural character and peaceful and quiet atmosphere; to guide development so that it complements the outstanding natural beauty that surrounds us and reflects our unique community character. To ensure that the predominant feature of Salt Spring Island remains the natural environment, rather than manmade structures.
A.4.2 Sustainability	
A.4.2.1	To recognize the importance of sustainability in all community decisions. To avoid land use decisions that threaten the integrity or sustainability of natural ecosystems.
A.4.3 Limits to Growth	
A.4.3.3	To reflect the finite nature of islands by identifying limits to residential, commercial and institutional growth tailored to the community's land base and ecological carrying capacity. Special attention should be paid to ensuring that the human use of potable water can be sustained without negative impact on other values and uses for natural water bodies.
A.4.3.4	To accommodate and direct appropriate development so that its location, appearance and impact are in harmony with the natural environment, community resources, character and existing land uses. To ensure that clustered settlements are well designed so that they become and remain acceptable and compatible with existing development.
A.4.4 Our Sense of Community	
A.4.4.1	To ensure that our community continues to function as an authentic, resident-centred community in the face of internal and external pressures to change and grow; to ensure that growth, including the growth of tourism, is managed in a way that does not displace or detract from our community's important function as a home for its residents.
A.4.4.4	To preserve and protect human diversity in our community by ensuring that the island's people are accommodated by a broad spectrum of appropriate and accessible housing and facilities, transportation choices, service opportunities and choices of livelihood, with a local focus to minimize transportation needs.
A.4.4.5	To recognize the importance of broad community consultation, economic security, coordinated and efficient infrastructure development and established land use policies to the maintenance of a healthy community.
A.4.4.6	To ensure the continued development of land use opportunities for non-traditional residential settlement. Opportunities that are based on the communal stewardship of land, conservation of resources and alternative forms of infrastructure are of special importance.
A.4.4.7	To recognize that development should be managed to protect our sense of community and maintain our ability to absorb changes.
A.4.4.8	To identify creative and proactive ways through which a diverse, liveable and vibrant community can be created within the confines of our island's finite land base and resources.
A.4.5 Community Health and Safety	
A.4.5.2	To encourage multiple modes of healthy, active transportation among residents of all ages, such as walking and bicycling.
A.4.5.4	To designate land for appropriate and accessible social and recreational opportunities for all residents.

Village Planning	
OCP Objective	
A.4.6 Island Livelihoods and Economies	
A.4.6.1	To recognize the important role that varied livelihoods and a vibrant economy play in our community's unique character.
A.4.6.2	To maintain and encourage a diverse and creative community by providing a wide range of opportunities and locations for earning a living that are compatible with and can take advantage of the protection and preservation of the island's beauty and character. In particular, to encourage small, locally owned businesses whose revenues remain on the island, especially those which expand local production and consumption to meet the needs of islanders.
A.6 CLIMATE CHANGE AND ENERGY EFFICIENCY	
A.6.1 OBJECTIVES	
A.6.1.1	To consider the impacts of climate change as a central factor in land use decision-making
A.6.1.2	To establish the importance of energy efficiency, energy security, greenhouse gas emissions reduction, and carbon cycling in land use, site planning, building design and transportation.
A.8 ISLAND HERITAGE	
A.8.1 OBJECTIVES	
A.8.1.2	To identify and protect buildings, structures, roads, heritage trees, and other features that are part of the community's cultural heritage.
PART B - LAND USE OBJECTIVES AND POLICIES	
RESIDENTIAL LAND USE OBJECTIVES AND POLICIES	
B.2.1 Housing quantity	
B.2.1.1 OBJECTIVES	
B.2.1.1.1	To support a mix of housing types in appropriate locations without compromising protection of the natural environment.
B.2.1.1.2	To develop zoning that allows many different types of housing and accommodates a diverse population.
B.2.1.1.3	To acknowledge that a framework that limits growth may restrict housing choices as supply is limited; to respond to the challenge of fostering socioeconomic diversity within such a framework.
B.2.3 Settlement Patterns	
B.2.3.1 OBJECTIVES	
B.2.3.1.1	To encourage future development to locate away from environmentally sensitive areas, agricultural and forestry lands, community water supply watersheds, lands with the potential for surface erosion or slope instability, public lands, tidal waterfront, areas with outstanding natural beauty and views, or archaeological and historic sites. To ensure buffers are retained on settlement lands where they adjoin agricultural lands.
B.2.3.1.2	To redirect the island's future pattern of settlement from one of "modest overall density" to one that includes clusters of development interspersed with large areas of open space, protected areas, and resource lands. To guide future development into clusters and towards existing or new villages and hamlets where non-automotive transportation alternatives and appropriate services are available and most efficiently and affordably provided.
B.2.3.1.3	To create future settlement patterns that reduce dependency on private automobiles and encourage other forms of transportation such as walking, cycling and public transit.
B.2.3.1.4	To create future settlement patterns that allow for the efficient and affordable delivery of public services such as road maintenance, utilities, school transportation and emergency response.
B.2.3.1.5	To create future settlement patterns that minimize energy and resource use.
B.2.3.1.6	To promote efficient land use with zoning that accommodates mixed or shared uses where appropriate and by encouraging joint use of major community developments.

Village Planning	
OCP Objective	
B.4 COMMUNITY & INSTITUTIONAL LAND USE OBJECTIVES AND POLICIES	
B.4.1 General Community and Institutional Land Uses	
B.4.1.1 OBJECTIVES	
B.4.1.1.1	To ensure an appropriate supply of land is zoned for community needs such as schools, child care, government functions, emergency services, health care facilities and cultural buildings.
B.4.2 Educational and Child Care Land Uses	
B.4.2.1 OBJECTIVES	
B.4.2.1.1	To provide appropriately zoned land in convenient locations for educational facilities.
B.4.3 Health Services Land Uses	
B.4.3.1 OBJECTIVES	
B.4.3.1.1	To ensure that local land use policies support the continued development of Salt Spring Island as a healthy community.
B.4.3.1.2	To provide appropriately zoned land in convenient locations for the community's health care facilities.
B.4.3.1.3	To support, through compatible land use zoning, directions contained in Health Plans prepared by the Vancouver Island Health Authority and community health organizations.
B.5 VILLAGE LAND USE OBJECTIVES AND POLICIES	
B.5.1 General Village Land Use Objectives and Policies	
B.5.1.1 OBJECTIVES	
B.5.1.1.1	To continue to provide an adequate supply of appropriately zoned land in compact pedestrian-oriented villages to support the community's larger commercial, institutional and cultural activities in combination with high and medium density residential use.
B.5.1.1.2	To encourage a modest scale of village development compatible with the rural character of Salt Spring Island and with the protection of the community's natural and heritage resources.
B.5.1.1.3	To encourage the commercial viability of island villages and to retain traditional village functions.
B.5.1.1.4	To promote mixed uses of village land.
B.5.1.1.5	To avoid the development of commercial strips along roads leading into island villages.
B.5.1.1.6	To ensure that village land uses continue to focus on the requirements and convenience of residents and that traditional village functions are not displaced.
B.5.1.1.7	To consider the designation of one or more additional hamlets or villages, resulting solely from the transfer of existing development potential, and providing that the transfer results in the preservation of large areas of open space or intact resource lands.
B.5.1.1.8	To support multiple modes of travel in and between villages, particularly bicycling, walking and public transit.
B.5.1.1.9	To support strategies to reduce demand for automobile use within and between the villages.
B.5.2 Ganges Village Designation	
B.5.2.1 OBJECTIVES	
B.5.2.1.1	To accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island.
B.5.2.1.2	To encourage some additional residential use of Ganges Village in a way that adds vitality to the village. To allow more islanders to live close to village services and employment.
B.5.2.1.3	To encourage pedestrian and bicycle trail connections and amenities throughout Ganges.
B.5.2.1.4	To create more public open space within the Ganges Village Core.
B.5.2.1.5	To align development potential within Ganges with the available water supply and sewage treatment capacity.
B.5.2.1.6	To maintain the economic viability of Ganges Village by guiding development into a compact, pedestrian-friendly form within a defined containment boundary with a broad variety of complementary uses.

Village Planning	
OCP Objective	
B.5.2.1.7	To ensure that development respects the small-town feel and heritage aspects that make the village attractive to visitors and residents alike.
B.5.3 Fulford Village Designation	
B.5.3.1 OBJECTIVES	
B.5.3.1.1	To ensure zoning continues to recognize Fulford Village as a local commercial, residential and cultural centre with a unique character.
B.5.3.1.2	To recognize that Fulford Village functions as a gateway and primary entry to Salt Spring Island, giving an initial impression of the island's rural character.
B.5.3.1.3	To allow for a very limited increase in the residential use of Fulford Village to address specific housing needs in the southern island area.
B.5.3.1.4	To ensure that development within Fulford Village does not exceed the available water supply and safe sewage treatment capacity.
B.5.3.1.5	To ensure that the form and character of development in Fulford Village is consistent with the traditional small and compact pedestrian scale of the village and with good planning principles.
B.5.3.1.6	To help in the resolution of conflicts between village functions and ferry terminal operations.
B.5.4 Channel Ridge Village Designation	
B.5.4.1 OBJECTIVES	
B.5.4.1.1	To provide for the development of Channel Ridge Village as a compact, mixed-use village residential development combined with commercial, social, cultural, and institutional uses for north end residents.
B.5.4.1.2	To ensure that development within Channel Ridge Village is consistent with available water supply and sewage treatment capacity.
B.5.4.1.3	To promote non-vehicular connections and pedestrian-friendly amenities throughout Channel Ridge and the surrounding residential area to reduce the need for individual automobile use.
B.5.4.1.4	To provide for a central village green within the Channel Ridge Village Core.

Table 7.2: Village Planning Policies

Village Planning		
OCP Policy	Potential Action	Potential Implementation
PART A - OVERALL GOALS AND OBJECTIVES		
A.5 THE ISLAND ENVIRONMENT		
A.5.2 POLICIES		
A.5.2.13	The Local Trust Committee encourages landowners and others to utilize current best practices and guidelines in undertaking an ecosystem-based approach to site planning and development. An example is the guidelines in the manual Develop With Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2006, prepared by the B.C Ministry of Environment. Landowners and developers are encouraged to utilize the following principles in new development: a. identify environmental values prior to site clearing and design. b. locate development away from areas with high environmental values, and place natural buffers between the development site and sensitive features. c. concentrate development in areas with low environmental values. d. develop and implement site plans that protect biodiversity, clean air, and clean water. e. locate developments away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts. f. locate developments away from areas of agricultural potential and establish buffers between the development site and farmland. g. minimize impacts of roads and driveways and reduce fragmentation of habitat. h. maintain water quality. i. maintain air quality and reduce greenhouse gas emissions. j. design energy- and water-efficient developments that conserve natural resources. k. minimize wastes, and manage wastes in an environmentally sound manner. l. work with the local community to maximize the benefits of good environmental planning at the community and site level. The Local Trust Committee should continue to ensure that these principles are reflected in its regulations and development permit area guidelines.	
	Review Bylaws for use of ecosystem-based approach	Amend OCP & LUB
A.5.2.19	When the Local Trust Committee considers rezoning applications, particularly those in the Ganges Village Area, it should discuss with the Capital Regional District what measures could be taken, or local infrastructure required, to maximize the potential environmental benefits that might result from the project, such as the use of reclaimed waste water or waste energy.	
	Develop process for referral to CRD during rezoning	Implement referral process
A.6.2.13	The Local Trust Committee will undertake or support mapping and analysis to anticipate the potential impacts of climate change on land use and siting.	
	Develop mapping of climate change impacts	Amend OCP, DPAs, LUB based on mapping
A.6.2.23	The Local Trust Committee encourages public bodies, non-governmental agencies and others to cooperate in the creation of a 'beacon' project incorporating climate change mitigation and adaptation strategies, including energy efficient design features.	
		Recommend Trust Council to approach other agencies to create beacon project
A.8 ISLAND HERITAGE		
A.8.2 POLICIES		
A.8.2.3	The Local Trust Committee should support efforts to update its Community Heritage Registry to identify island heritage buildings, heritage trees, and other heritage features that the community believes are worth conserving.	
	Identify village heritage features	Update Heritage Registry

Village Planning		
OCP Policy	Potential Action	Potential Implementation
A.8.2.10	Heritage features in the Ganges Village Core will continue to be protected through the heritage alteration permit process. The Local Trust Committee could also consider protecting heritage features, including First Nations archaeological sites or other First Nations cultural sites, in other parts of the island in this way.	
PART B - LAND USE OBJECTIVES AND POLICIES		
B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES		
B.2.2 Affordable, rental and special needs housing		
B.2.2.2 POLICIES		
B.2.2.2.8	Zoning could be changed to allow small, affordable homes to be located above commercial buildings in villages. Existing zoning (that only allows two storeys) could be relaxed to allow such homes to occupy a third storey, provided that impacts on view corridors are taken into account.	
	Develop mixed-Use zoning for villages	Amend LUB
B.3 NON-VILLAGE COMMERCIAL AND INDUSTRIAL LAND USE OBJECTIVES AND POLICIES		
B.3.3 Industrial and Commercial Services		
B.3.3.2 POLICIES		
B.3.3.2.12	The Local Trust Committee should consider rezoning applications that would allow some light industrial uses to locate in village sites, in combination with commercial and residential uses. The Committee should only consider such applications if the proposed use would be compatible with the general objectives for villages.	
B.4 COMMUNITY & INSTITUTIONAL LAND USE OBJECTIVES AND POLICIES		
B.4.2 Educational and Child Care Land Uses		
B.4.2.2 POLICIES		
B.4.2.2.5	The Local Trust Committee should give special attention to land within and surrounding the Educational Designation as follows: a. Land next to the Educational Designation should not be rezoned for uses that would be incompatible with the safety of school children. b. Rezoning applications for land next to the Educational Designation should show how pedestrian and bicyclist routes to schools will be maintained. c. Rezoning applications for higher density housing within about 0.8 km of the Educational Designation should be designed for families.	
B.4.2.2.7	Zoning that applies to land next to Ganges Harbour or its water surface should not be changed in a way that would interfere with the safe and convenient accommodation of school taxis from the Outer Gulf Islands.	
B.4.3 Health Services Land Uses		
B.4.3.2 POLICIES		
B.4.3.2.4	The Local Trust Committee should give special attention to land within and surrounding the Health Services Designation as follows: a. Land next to the Health Services Designation should not be rezoned for uses that would be incompatible with the safety and quiet of the hospital area. b. Rezoning applications for land next to the Health Services Designation should show how pedestrian routes to health service facilities will be maintained. c. Rezoning applications for higher density housing within about 0.8 km of the Health Services Designation should be designed for seniors or those with special needs.	

Village Planning		
OCP Policy	Potential Action	Potential Implementation
B.5 VILLAGE LAND USE OBJECTIVES AND POLICIES		
B.5.1 General Village Land Use Objectives and Policies		
B.5.1.2 POLICIES		
B.5.1.2.2	Zoning in Village Designations will continue to allow the mix of commercial, institutional, cultural, and multi-family land uses that are currently allowed. Commercial zoning should be simplified with fewer zones and a broader range of uses allowed in each. The maximum residential density allowed on any single property will remain at 37 units per ha. However, where a multifamily development is comprised of special needs housing or affordable seniors’ supportive housing, the density of development may exceed 37 units per ha, provided it does not exceed a floor space ratio of 0.6, a site coverage of 33 percent, a maximum of two storeys and a maximum of 50 units in any one development.	
B.5.1.2.5	To retain the compact and pedestrian oriented nature and economic viability of island villages, the Local Trust Committee should only consider rezoning applications that would create more commercially-zoned land in Village Designations if the following guidelines are met: a. the proposed use is compact and not land intensive. b. existing commercial zones are largely developed to their practical development potential and there is evidence of a community need for additional commercial land. c. the proposed rezoning would tend to concentrate development near existing commercial, industrial, institutional or multi-family land uses. d. designs and site plans are consistent with the guidelines in Development Permit Area 1. e. the Local Trust Committee has undertaken a review and inventory of existing commercially zoned land and development, assessed existing and future projected demand, and on the basis of this assessment, may consider re-designating and rezoning land for additional commercial uses. f. the proposed development would be barrier free. g. sidewalks would be provided with any new commercial or industrial development.	
B.5.1.2.7	The Local Trust Committee should consider amending local zoning within Village Designations to be more in keeping with traditional village forms and more appropriate to the small, pedestrian nature of villages.	
	Create traditional village zoning	Amend LUB
B.5.1.2.8	The Local Trust Committee may consider making changes to zoning to allow the creation of livework spaces.	
	Create live-work zoning	Amend LUB
B.5.1.2.9	The Local Trust Committee may consider making changes to zoning to establish maximum floor area limits on commercial and industrial uses.	
	Create max commercial/industrial floor area limits	Amend LUB
B.5.1.2.10	When considering rezoning applications, the Local Trust Committee should ensure that zoning boundaries between residential and non-residential uses are primarily created along rear parcel lines, as opposed to public roads. Non-residential uses should be well screened from residential uses.	
B.5.1.2.12	The form and character of commercial, industrial and multi-family development in Village Designations will be guided through Development Permit guidelines in Part E.	
B.5.1.2.13	Preservation of community heritage in villages will be guided through the Heritage Conservation Area guidelines in Part F.	
B.5.2 Ganges Village Designation		
B.5.2.2 POLICIES		
B.5.2.2.2	Zones within the Ganges Village Designation will continue to allow the wide range of commercial, industrial, institutional land uses and the various densities of residential development allowed by existing zoning.	
B.5.2.2.8	The Local Trust Committee may consider developing a local area plan for Ganges Village.	
	Develop a Local Area Plan for Ganges Village	Develop Plan

Village Planning		
OCP Policy	Potential Action	Potential Implementation
B.5.3 Fulford Village Designation		
B.5.3.2 POLICIES		
B.5.3.2.2	Zones within the Fulford Village Designation will continue to allow the commercial and industrial land uses and the various densities of residential land uses allowed by existing zoning.	
B.5.3.2.5	Pending the completion of a comprehensive local area plan for Fulford Village, the Local Trust Committee should only consider rezoning applications that would allow the addition of some affordable and special needs housing in the Fulford Village Designation, as outlined in Policy B.2.2.2.18.	
B.5.3.2.10	The Local Trust Committee should consider developing distinct development permit area designations and guidelines for Fulford Village.	
	Amend DPA designations and guidelines for Fulford	Amend OCP
PART E DEVELOPMENT PERMIT AREAS		
E.1 DEVELOPMENT PERMIT AREA 1 - ISLAND VILLAGES		
Sec. E.1	E.1.1.1 Development Permit Area 1 is shown on Map 16. It is designated according to Section 879(1)(e) of the Municipal Act to identify objectives and guidelines for the form and character of commercial, industrial or multi-family residential development in the Area. It is also designated according to Section 879 (1)(b) to protect development from hazardous conditions that could result from changes to stormwater drainage. Finally, Development Permit Area 1 is designated according to Section 879 (1) (c) for the protection of farming on nearby lands. E.1.2 Reasons for this Development Permit Area The villages of Salt Spring Island function as commercial, social and cultural centres of the community. Existing zoning means there is considerable potential for these activities to continue to grow in village areas. Development Permit designation will guide the community's most significant, concentrated and visible new development so that it is compatible with existing buildings, with the natural environment and with community objectives for villages. Zoning within the Area allows a high density of development which is expected to result in the creation of large new areas of impervious surfaces. In the past, such development has changed natural patterns of stormwater drainage and resulted in flooding or erosion of downslope properties. This Development Permit Area is adjacent to land that is within the Agricultural Land Reserve or that has been traditionally used for agricultural activities. The higher densities of development permitted in this Area could have negative effects on nearby agricultural activities, if that development is not carefully managed. By paying attention to the design of development in this Area, the potential for on-going conflicts between agricultural activities and higher density developments can be minimized. This Development Permit Area also includes three properties outside of village areas that are currently zoned for multifamily development. Objectives for the development of these properties are similar to those for village multifamily zones.	

PART F HERITAGE CONSERVATION AREAS

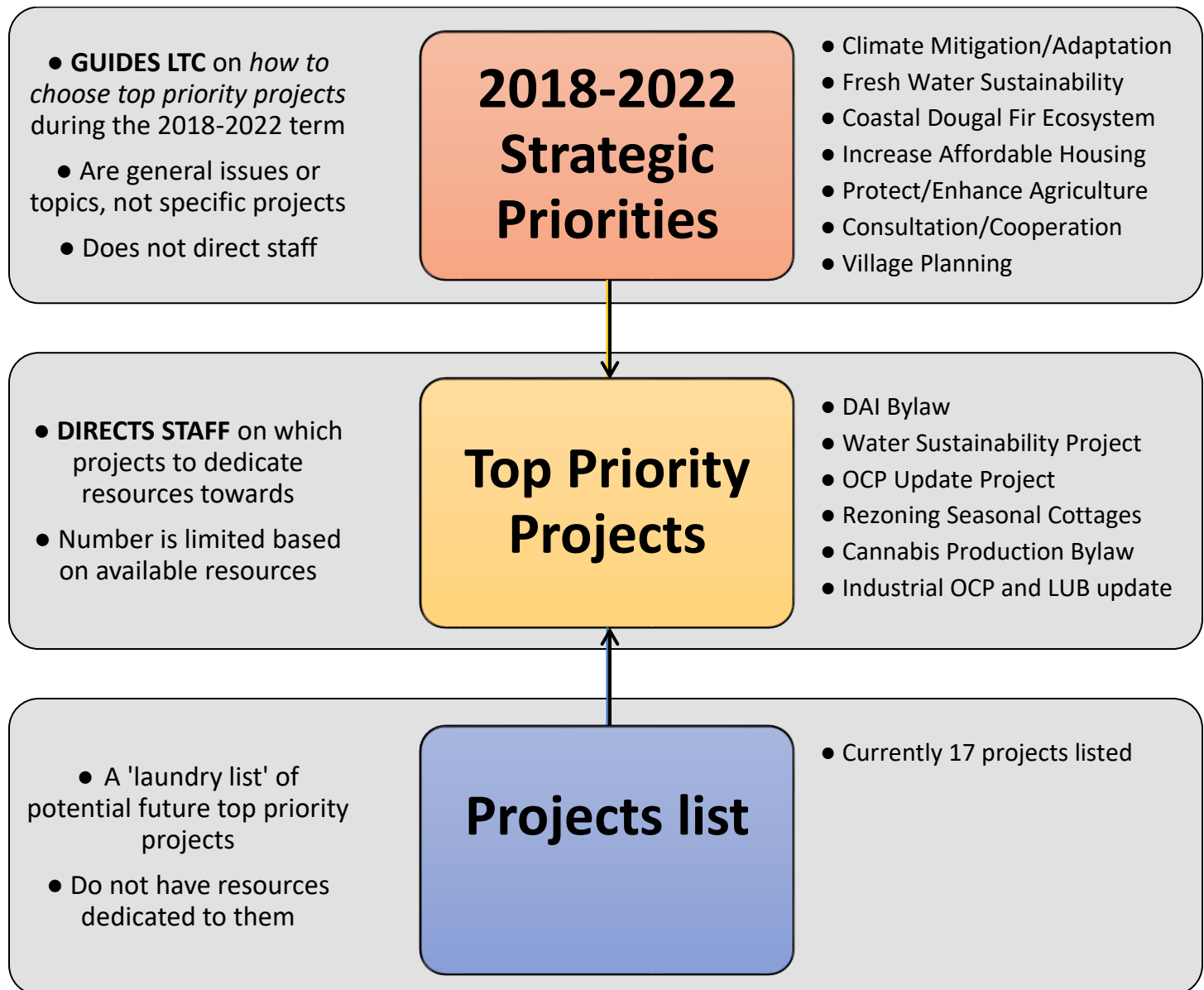
Village Planning		
OCP Policy	Potential Action	Potential Implementation
F.1 HERITAGE CONSERVATION AREA 1 - GANGES VILLAGE CORE		
Sec. F.1	F.1.1.1 Heritage Conservation Area 1 is shown on Map 25. It is designated according to Section 880 (1) of the Municipal Act to conserve the community's cultural heritage. F.1.2 Reasons for this Heritage Conservation Area Ganges Village has played an important part in the development of Salt Spring Island and of the Southern Gulf Islands for over one hundred years. Many of the island's earliest commercial enterprises and larger residences were in Ganges Village due to the presence of a relatively deep draft harbour and nearby farms. Several original buildings still stand and their preservation is an objective of this Plan. The future development of Ganges Village could result in a loss of the community's cultural heritage if the identifiable heritage features and character of the village are not recognized and if changes to them are not carefully managed.	

Table 7.3: Village Planning Potential Action Items

Village Planning	
A.5.2.13	Review Bylaws for inclusion of ecosystem-based approach.
A.5.2.19	Develop process for referral to CRD during rezoning to determine what measures could be taken, or local infrastructure required, to maximize the potential environmental benefits that might result from the project, such as the use of reclaimed waste water or waste energy.
A.6.2.13	Develop mapping to anticipate the potential impacts of climate change on land use and siting.
A.6.2.23	Recommend to Trust Council to approach public bodies, non-governmental agencies and others to create beacon project incorporating climate change mitigation and adaptation strategies, including energy efficient design features.
A.8.2.3	Update Community Heritage Registry to identify island heritage buildings, heritage trees, and other heritage features that the community believes are worth conserving.
B.2.2.2.8	Develop mixed-use zoning for villages.
B.5.1.2.7	Create traditional village zoning to be more in keeping with traditional village forms and more appropriate to the small, pedestrian nature of villages.
B.5.1.2.8	Create live-work zoning.
B.5.1.2.9	Create maximum commercial/industrial floor area limits.
B.5.2.2.8	Develop a Local Area Plan for Ganges Village
B.5.3.2.10	Amend development permit area designations and guidelines for Fulford Village

Existing Process Review

Staff dedicate resources to projects based on which items the LTC selects as Top Priorities. But how does the LTC determine which projects are 'top priorities'? One of the intended purposes of the Strategic Priorities is to better identify how to select 'Top Priority Projects' from the broad projects list maintained by the LTC. The graphic below depicts the relationship between the Strategic Priorities, the Top Priority Projects, and the Projects list.



There is currently no formalized method for the LTC to determine which projects to make 'Top Priority Projects', and how those projects align with the Strategic Priorities.

The next deliverable for this OCP Update project will include a method for the LTC to determine how a potential future 'Top Priority Project' aligns with the Strategic Priorities.

STAFF REPORT

DATE OF MEETING: November 26, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Kristine Mayes, Planning Team Assistant
Salt Spring Island Team

SUBJECT: Salt Spring Island Local Trust Committee 2020 Regular Meeting Schedule

PURPOSE

- This memorandum proposes the Salt Spring Island Local Trust Committee Regular Meeting Schedule for the 2020 calendar year.
- Salt Spring Island Meeting Procedures Bylaw No. 391 stipulates that the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two, and that the schedule shall be posted on a bulletin board located at the Salt Spring Island Office of the Islands Trust.

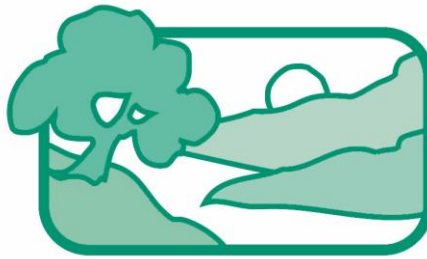
RECOMMENDATION:

THAT the Salt Spring Island Local Trust Committee approve the proposed 2020 Regular Meeting schedule as presented in Appendix 1 to establish a meeting schedule as required by Salt Spring Island Meeting Procedures Bylaw No. 391.

Submitted By:	Kristine Mayes, Planning Team Assistant	November 5, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	November 7, 2019

ATTACHMENTS

1. 2020 Local Trust Committee Schedule (Proposed)



Islands Trust

2020 Regular Meetings of the Salt Spring Island Local Trust Committee

The Salt Spring Island Local Trust Committee will be meeting to consider various matters of general business such as applications received, bylaw reviews and meeting notes.

Regular Meetings are scheduled for:

DATE		TIME	LOCATION
Tuesday	January 21	9:30 AM*	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	February 18	9:30 AM*	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	March 24	9:30 AM*	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	April 28	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	May 26	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	June 30	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	July 28	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	September 1	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	October 6	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	November 10	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Tuesday	December 15	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue

**Meeting must conclude by 3:00pm*

The proposed meeting agenda is usually available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Please note that correspondence received from the public may become part of a meeting agenda that is published online.

VISIT OUR WEBSITE: www.islandstrust.bc.ca

CONTACT US AT 250-537-9144 OR: ssiinfo@islandstrust.bc.ca



REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** November 26, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** October 23, 2019

SUBJECT: Live Streaming of Local Trust Committee Meetings

RECOMMENDATION:

That the Local Trust Committee communicate to Trust Council its interest (or lack thereof) in filming and streaming its public meetings.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Meeting streaming provides a new way for island constituents to engage in Islands Trust work. Challenges and opportunities related to this topic will be explored in a report to Trust Council in coming months.

1 PURPOSE:

To determine the level of interest in streaming local trust committee meetings.

2 BACKGROUND:

At its June 19, 2019 meeting Trust Council made the following resolutions:

"That Trust Council request that each local trust committee and Trust Council committees indicate whether it has an interest in filming and streaming its public meetings."

And,

"That Trust Council request staff to prepare a report about the costs and feasibility of filming and streaming videos of public meetings through the new Islands Trust website and social media."

The report requested in the latter resolution is currently being prepared by staff.

Forming part of this discussion will be the level of interest of Council committees in pursuing this initiative for their own public meetings. As such, a committee decision is required for communication to Trust Council to inform dialogue and appropriate resource allocation.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: A change in procedures for how local trust committee meetings are organized and conducted.

FINANCIAL: Additional costs for equipment, processing and storage of recordings and staff resources to operate the equipment.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: The interest or lack thereof of the Local Trust Committee will be communicated to Trust Council as requested.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):
None.

5 ATTACHMENT(S):
None.

RESPONSE OPTIONS

That the Local Trust Committee communicate to Trust Council its interest in filming and streaming its public meetings.

OR

That the Local Trust Committee communicate to Trust Council that it is not interested in filming and streaming its public meetings.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By: Clare Frater, Director, Trust Area Services



File No.:

DATE OF MEETING: November 6, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Lisa Wilcox, Senior Intergovernmental Policy Advisor
Stefan Cermak, Regional Planning Manager
Salt Spring Island Team

SUBJECT: Standing Resolution - Reconciliation

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

REPORT SUMMARY

The Salt Spring Island Local Trust Committee (LTC) is asked to consider adopting the above-noted standing resolution as a mechanism to guide reconciliation within the Local Trust Area.

BACKGROUND

From 2015 to the present, the Salt Spring Island Local Trust Committee has passed resolutions that acknowledge First Nations territory, and looked for ways to develop and create joint relationship building, and engage on issues of environment, naming and recognition, and advocacy.

ANALYSIS

Issues and Opportunities

Standing Resolution

Staff have prepared a draft standing resolution for LTC consideration that will enable the LTC to transition from reconciliation being a First Nations “project” to incorporating reconciliation more holistically into the LTC’s business and work program.

The draft standing resolution references key documents to guide the LTC’s journey of reconciliation with local First Nations. These include:

- Truth and Reconciliation Commission (TRC) Calls to Action
https://nctr.ca/assets/reports/Calls_to_Action_English2.pdf
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- Draft Principles that Guide the Province of BC’s Relationship with Indigenous Peoples;
https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf
- Islands Trust First Nations Engagement Principles.
<http://www.islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>

The draft standing resolution includes five areas in which the LTC can endeavour to take action:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations’ cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations’ traditional territories within the Islands Trust Area.

From Engagement to Reconciliation

The draft standing resolution is similar to one prepared for the Gabriola Island LTC in 2018, with an emphasis on the work that the LTC will do as part of their Reconciliation process. The intent is to provide processes that focus

on best practices and provide workable first steps for staff and Trustees to progress and develop a Reconciliation plan. The process acknowledges that reconciliation requires both internal and external knowledge building and will focus on processes to help and advise on First Nations engagement. It also provides a framework for the LTC to engage with all local First Nations with interests in the Local Trust Area.

Rationale for Recommendation

The Salt Spring Island LTC has made a significant progress in its recent efforts toward reconciliation. These efforts may continue, as an integral part of routine LTC business and work program activities. The LTC may also seek opportunities with other local First Nations that have asserted rights and title, treaty, or overlapping territory in the area. The draft standing resolution provides a framework to support reconciliation and continued relationship building, where capacity is available. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

- 1. Request further information**
- 2. Amend the Standing Resolution**
- 3. Receive for information**

NEXT STEPS

Should the LTC adopt the recommended standing resolution, staff will draft letters of introduction to all First Nations within interests in the Local Trust Area, as noted in item (a) of the resolution and welcome input, dialogue and opportunities to address items (b) through (e) of the resolution.

Submitted By:	Lisa Wilcox, kwakwemtenaat Senior Intergovernmental Policy Advisor	November 6, 2019
Concurrence:	Stefan Cermak Regional Planning Manager Salt Spring Island	November 18, 2019

ATTACHMENTS

None

Joshua Beckett
240 Hillcrest Drive
Saltspring Island, BC.
V8K 1Y4

Island Trust
1-500 Lower Ganges Rd.
Saltspring Island, BC
V8K 2N8

Hello,

I am writing to inform you that I am applying for a license for Cannabis Micro-Cultivation under the Cannabis Regulations at the address of 244 Hillcrest Drive, Saltspring Island.

The authorized activities of this licence are for the cultivation of cannabis in an area not exceeding 200 square meters. The stated area of cannabis cultivation is 150 square meters. Other authorized activities under this license include: to possess cannabis, to obtain cannabis and to sell cannabis to other license holders and the Minister.

Licensed activities will be conducted in a single purpose building, built according to local building, zoning, electrical and fire codes and the requirements of the Cannabis Regulations. The electrical use for the building will be 400 amp, a typical residential request. I have applied for a provincial water license, please note that this is a small cultivation license and the proposed project will use under 600 gallons of water a day for irrigation, again within the range of a typical residential home.

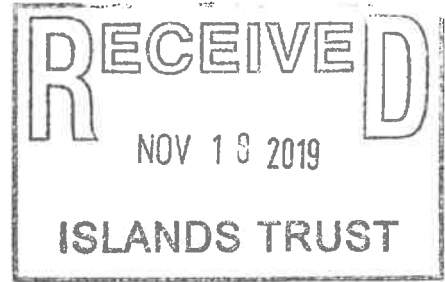
If you have any questions or concerns please contact me at 250-537-6397 or by email at jcbeckett@me.com.

Sincerely,

Joshua Beckett

Adam Van Beelen

180 lakefair dr
Salt Spring Island, BC
778-677-8176
avanbeelen03@hotmail.com



October 11, 2019

To Whom it may concern

Islands Trust
1-500 Lower Ganges Rd
Salt Spring Island, BC

Dear Islands Trust Committee,

I am writing you today to inform you of my intent to apply for a micro processing license from Health Canada for the address of 150 Suffolk Rd On February 1 2020. The purpose of the license is to cultivate cannabis from clone to flower, not exceeding 600 kilograms per year with in our 1200 square feet of canopy space. The authorized activities under the license will include growing small batches of cannabis and selling it to a fully licensed producer. We currently have a 4-year supply agreement with BC Craft Supply who are fully licensed and able to process the dried cannabis. The source of our water supply will be from rain water. We will have up to 10,000 gallons of stored water on hand in holding tanks. The building I intent to lease is on ALR land and was previously used for indoor agricultural cultivation of plant starts and growing organic culinary mushrooms. The structure meets current local and provincial regulations for cannabis cultivation.

Sincerely,

Adam Van Beelen, Person in Charge

A handwritten signature in black ink, appearing to read "Adam Van Beelen".

October 23, 2019

File: 6500-20

Islands Trust
via email: information@islandstrust.bc.ca

**RE: CAPITAL REGIONAL DISTRICT 2018 REGIONAL GROWTH STRATEGY BYLAW 4017
AMENDMENT (PROPOSED BYLAW 4328) – REFERRAL**

At its October 9, 2019, meeting, the Capital Regional District (CRD) Board directed staff to refer proposed Bylaw No. 4328 "Capital Regional District Regional Growth Strategy Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019", to municipalities, the Juan de Fuca Land Use Committee, affected First Nations, and provincial and federal departments and agencies for a period of 60 days.

The proposed Bylaw 4328 amends the 2018 Regional Growth Strategy (RGS), Bylaw 4017, by updating the RGS Table 1 population, dwelling unit and employment projections to the year 2038. The RGS was adopted by the Board on March 14, 2018 following a non-binding dispute resolution process, during which participants agreed to update the projections based on 2016 census numbers once census data became available.

As outlined in my letter of June 21, 2019, amendment of the RGS will require unanimous acceptance by all thirteen municipalities covered by the RGS. That agreement will be sought in accordance with Section 436 of the *Local Government Act* prior to third reading of the Bylaw by the CRD Board.

Comments on proposed Bylaw No. 4328 can be directed to Jeff Weightman, Planner, Regional and Strategic Planning at jweightman@crd.bc.ca by December 23, 2019. Comments received will be presented in a report regarding First Reading of the Bylaw to the Planning and Protective Services Committee.

On behalf of the CRD, I look forward to receiving your comments regarding this RGS amendment.

Sincerely,



Colin Plant
Chair, Capital Regional District Board

Attachment: 1 Proposed Bylaw 4328 "Capital Regional District Bylaw No. 1, 2018, Amendment Bylaw No. 1, 2019"

cc: Robert Lapham, Chief Administrative Officer, CRD
Kevin Lorette, General Manager, Planning and Protective Services, CRD
Jeff Weightman, Planner, Regional and Strategic Planning, CRD

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4328

A BYLAW TO AMEND BYLAW NO. 4017 “CAPITAL REGIONAL DISTRICT REGIONAL GROWTH STRATEGY BYLAW NO. 1, 2018”

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 4017, being the “Capital Regional District Regional Growth Strategy, Bylaw No. 1, 2016”, is hereby amended as follows:

A. SCHEDULE A

- (a) By deleting TABLE 1: POPULATION, DWELLING UNIT AND EMPLOYMENT PROJECTIONS and replacing with a new TABLE 1: POPULATION, DWELLING UNIT AND EMPLOYMENT PROJECTION as follows:

TABLE 1: POPULATION, DWELLING UNIT AND EMPLOYMENT PROJECTIONS

	2018			2038			Population Change	
	Population	Dwellings	Employment	Population	Dwellings	Employment	Total	Percentage
Core	266,000	120,100	166,800	304,500	140,400	197,000	38,500	14.5%
Saanich Peninsula	43,000	18,400	21,900	48,600	23,200	29,200	5,600	13.0%
West Shore	83,100	33,000	22,400	125,400	55,000	34,900	42,300	50.9%
Total	392,100	171,600	211,100	478,500	218,500	261,100	86,400	22.0%

Source: BC Stats, 2019

All figures are as of July 1st of the year stated.

First Nations populations are not included in Table 1, as First Nations Reserves are outside the GMPA.

All values are rounded independently. As a result, when sub-regional values are summed the values may not match the GMPA which are independently rounded to avoid cumulative rounding error.

Employment does not include those without a fixed workplace address.

Core includes Esquimalt, Oak Bay, Saanich, Victoria and View Royal

Saanich Peninsula includes Central Saanich North Saanich and Sidney

West Shore includes Colwood, Highlands, Juan De Fuca EA, Langford, Metochosin and Sooke.

2. This bylaw may be cited as, 4328 “Capital Regional District Regional Growth Strategy Bylaw No. 1, 2016, Amendment Bylaw No. 1, 2019”.

READ A FIRST TIME THIS day of , 2019.

READ A SECOND TIME THIS day of , 2019.

READ A THIRD TIME THIS day of , 2019.

ADOPTED THIS day of , 2019.

CHAIR

CORPORATE OFFICER



October 31, 2019

Ref: 248441

Laura Patrick, Local Trustee
Salt Spring Island Trust
1-500 Lower Ganges Rd
Salt Spring Island BC V8K 1A4

Dear Laura Patrick:

Thank you for your letter expressing your support of the Salt Spring Island Community Services' request for a year-round shelter.

As you are aware, for the past several years the Province has funded an overnight temporary shelter on Salt Spring Island from November 1st to March 31st, operated by the Salt Spring Island Community Services Society.

People experiencing homelessness on Salt Spring Island deserve to have a safe, warm place to go year-round, and I am proud that the Province, through BC Housing, has been able to increase the November to March overnight shelter operation to year-round and continue the funding for daytime services. These daytime services provide additional supports to individuals who access the shelter, and we are thankful for our community partners on the island who are working with us to deliver the services people need.

It was wonderful to be on Salt Spring Island this summer to celebrate our partnership for the Salt Spring Commons project under the Building BC: Community Housing Fund. As a government, we will continue to invest in permanent affordable homes like these and to work with the community to bring much needed housing to the region so that we can reduce overall homelessness on Salt Spring Island and around the province.

Thank you again for writing.

Sincerely,



Selina Robinson
Minister

On Oct 26, 2019, at 7:51 PM, Greg Slakov <[REDACTED]> wrote:

October 26, 2019

Dear Peter and Laura,

Holly called Peter 2 or 3 weeks ago to find out what steps were being taken by the Trust to deal with the out-of-compliance metal recycling business. She was quite shocked to hear that Peter wondered if it was "still a problem" (or something to that effect). [REDACTED] have been writing letters for years. Our first complaint letter to the Trust was in 2015, the first year of operation of the business. Our last letter was about a year ago when our group started a letter writing campaign to stop the property from being up-zoned to bring him into compliance. The following link shows the dozens of letters that were written in support of our goal - look under correspondence for 2108.

<http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/projects-initiatives/industrial-land-uses/more-information/>

We were very happy that the legislation was quickly changed to prevent this up-zoning. We then expected the Trust to do something, given that everyone, including the business itself, was admitting that it was operating out of compliance. However, nothing has changed since then, except that the business now operates on any day of the week, at practically any time. In fact, there seems to be more recycling happening than ever.

[REDACTED]
[REDACTED]. The local neighbours met this morning and we talked about this whole issue again and I volunteered to write this email. Another thing that I should tell you is that Keith Ballantyne (a neighbour present at our meeting) has started a petition to the Ombudsman to ask for their help in encouraging the Trust to move forward on this. I am a bit hesitant to sign this as I feel like I am going "over your heads" but I am really frustrated, as we have been writing letters for over 4 years, and we just don't see anything happening.

This email is to ask for your help:

1. What do we have to do to assure you that this problem is not going away? This is not rhetorical - please tell us what we need to do to keep this moving.
2. Would it be productive for us to go to the meeting on Tuesday and speak? If so, what time should we be there? Do we need to be there the whole time?
3. After the meeting, what is the best way for us to learn what the Trust plans to do about this issue?

Sincerely, Greg Slakov

I have cc'd [REDACTED], [REDACTED], as she wanted to contact you too, Laura.

-----Original Message-----

From: Jesson Motherwell <[REDACTED]>

Sent: Thursday, November 7, 2019 4:39 PM

To: ssiinfo <ssiinfo@islandstrust.bc.ca>

Subject: Scrap metal recycling

Hey, I work as an electrician on island and voted no when we had the incorporation vote. However, after hearing about you guys shutting down the scrap metal recycling again! I have changed my vote for the next time this comes about. This means I need a bigger shop to store all of the scrap metal before we pay employees to take it off island on an already over crowded ferry. You say you have keep the environment in mind, but what is environmental about all the trades people taking individual vehicles to Victoria to get rid of construction waste. Very disappointed in my previous vote.

Thanks for ruining saltspring

From: Nicole McCarvill [REDACTED]
Sent: Thursday, November 14, 2019 11:06 AM
To: Laura Patrick; Peter Grove
Subject: Metal Recycling at 251 Fulford-Ganges

Dear Laura and Peter,

I was relieved to hear from a neighbour that Salt Spring Island Metal Recycling will be ceasing their operations after December 5. I [REDACTED]. We are [REDACTED]s. The noise generated by their operations, mere metres from [REDACTED], has been near-constant and at times unbearably loud. So we certainly have a great appreciation for the Trust for finally taking action on this—thank you. Needless to say, it will be a major improvement to our quality of life.

I do have one ongoing concern, however. I am wondering if there has been a proper assessment of the soil at the Metal Recycling property for potential contamination, and whether soil remediation will be required. I would like to know what support the Islands Trust is willing to offer if there is contamination that extends over the property line to [REDACTED]. Is the Trust willing to pay to test the soil on [REDACTED]? If remediation is required would the Trust pay for it, given that they have allowed this business to operate without proper zoning for several years?

I know that this most likely is not an issue, but there are a few reasons why I am wary. First, the metal recycling business carries out some of their operations directly on the other side of [REDACTED], and I understand that part of their process is to remove toxic materials from items to be recycled. Derelict vehicles are also stored right next to the property line. Second, we are [REDACTED], and rainwater often runs from their property [REDACTED]. Third, from what I have observed firsthand and heard through the (admittedly not always reliable) grapevine, the methods used to dispose of toxic materials at this business may not be up to regulation.

Thank you so much for taking the time to read this and consider my concerns. Any thoughts that you have on the matter are much appreciated. If there is someone else who you feel is better able to respond, please feel free to pass this message on to them.

Respectfully,
Nikky McCarvill

DATE OF MEETING: November 26, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Patricia Maloney, Dillon Consulting Planner
Salt Spring Island Team

COPY: Stefan Cermak, Regional Planning Manager

SUBJECT: Amendment of Salt Spring Island Land Use Bylaw No.515 (SS-BL-515) Zone R12(a)
Applicant: Gulf Islands Seniors Residence Association
Location: 154 Kings Lane, Salt Spring Island

RECOMMENDATION

Rezoning Bylaw:

1. That third reading of Salt Spring Island Local Trust Committee Bylaw No. 515, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018" be rescinded.
2. That Salt Spring Island Local Trust Committee Bylaw No. 515, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018" be amended in accordance with Attachment 1 of the Staff Report Dated November 26, 2019.
3. That Salt Spring Island Local Trust Committee Bylaw No. 515, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018" be given third reading.
4. That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 515, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018" is not contrary to or at variance with the Islands Trust Policy Statement.
5. That Salt Spring Island Local Trust Committee Bylaw No. 515, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
6. That Salt Spring Island Local Trust Committee Bylaw No. 515, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018", requires the following conditions be fulfilled before adoption of Bylaw No. 515:
 - a. That the Salt Spring Island Local Trust Committee accept a covenant under section 219 of the Land Title Act from the registered owners of (Parcel Identifier: 003-106-756, Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507) and designate any member of the Salt Spring Island Local Trust Committee to sign the covenant (SS-RZ-2018.4, 154 Kings Lane).
 - b. Adoption of Bylaw 517 (Affordable Housing Agreement) (Attachment 2).

- c. The Applicant provide the detailed engineering drawings for the sanitary sewer connection, to be accepted by the CRD and the Ministry of Transportation and copies of the CRD Sewer Extension Agreement as well as confirmation from the Ministry of the Environment of approval to amend the maximum daily sanitary sewer discharge.
- d. Receipt of securities in 150% of the value as determined by a professional engineer for the construction of the public pathway on King's Lane and Blaine Road.
- e. That the Saltspring Island Health Centre and immediate area be defined as 2 meters from the existing building, illustrated on Attachment 3.

Affordable Housing Agreement Bylaw:

- 7. That the Salt Spring Island Local Trust Committee Bylaw No. 517, cited as "Salt Spring Island Housing Agreement Bylaw No. 517, 2019" be given first, second, and third reading.
- 8. That Salt Spring Island Local Trust Committee Bylaw No. 517, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This application proposes to rezone 154 Kings Lane from Community Facility 1(d) zoned land to a Residential 12 (R12) zone variant that allows for the development of a 48 unit affordable seniors' supportive housing complex with service club meeting space (referred to herein as Meadowlane) in addition to the existing King's Lane medical clinic and two staff units. This application has been before the Salt Spring Local Trust Committee (LTC) multiple times. The last time was to give third reading to Bylaw 515 to rezone the property. At that time Staff suggested a wording change to the bylaw to reflect the concerns of the tenants of the Saltspring Island Health Centre, to ensure that the clinic remained for clinic use and not service club.

There are three outstanding items of critical information that were not available at the June 25th, 2019 LTC meeting, which is the reason the Bylaw was not referred to the Executive Committee at that time. Before referring the Bylaw to Executive Committee, Staff recommended that the LTC receive evidence of the approval for tie-in to the Ganges Sewer Service Area, that the Province of British Columbia would issue water licenses for the on-site wells, and that the Housing Agreement is acceptable to the Islands Trust Legal review. All of these requirements have now been met and are addressed in this report.

BACKGROUND

On September 27, 2018 the LTC gave first reading to Bylaw 515 and referred it to agencies, First Nations and community groups. Consolidated comments from these groups have been submitted to the Islands Trust and addressed.

On November 6, 2018 the applicant held an informational open house at the Salt Spring Public Library. This staff report provides the relevant information regarding that meeting, the attendance and the letters of support.

For further policy analysis, please see the [Staff Report dated Sept. 27, 2018, February 26, 2019 and June 25, 2019.](#)

Policy/Regulatory

Islands Trust Policy Statement:

Staff have reviewed the Islands Trust Policy Statement and are satisfied that the land use policies have been sufficiently addressed (Attachment 4). Ultimately, the LTC must satisfy itself that the bylaws are consistent with all applicable Policy Statement directive policies. Following third reading, the Executive Committee must also satisfy itself that the bylaws are consistent with all applicable Policy Statement directive policies. The review of the policies of the OCP and the Islands Trust policy is included in **Attachment 4**.

COMPONENTS OF THIS STAFF REPORT

1. Bylaw No. 515

At the June 25th 2019 Salt Spring Local Trust Committee meeting, third reading was proposed for Bylaw No. 515 (**Attachment 1**). At the meeting, Staff suggested a rewording of the bylaw to reflect the concerns of the doctors, currently tenants of the Saltspring Island Health Centre, that the use of service club, could potentially replace the clinic. In an effort to be clear on the future use of the building, Staff suggested that it be made clear that the existing structure could only be used for medical and dental clinic. The proposed change in wording is illustrated below, in Table 1.

Table 1
Proposed Revised Bylaw Wording for Revised Third Reading

Original Wording of Bylaw No. 515	Proposed Wording of Bylaw No. 515
(27) The following additional use is permitted: (a) <i>Dental and Medical office services for a maximum of 12 medical practitioners</i>	(27) The following additional use is permitted: (a) Dental and medical office services for a maximum of 12 medical practitioners and two dwelling units be exclusively permitted in the existing building and immediately surrounding area and that, (b) A seniors’ supportive housing complex and service club be permitted on the remaining lot.
(28) All seniors’ dwelling units within a <i>Supportive Housing Complex</i> must be <i>affordable housing dwelling units</i>	(28) All seniors’ <i>dwelling units</i> within a <i>seniors’ supportive housing complex</i> must be <i>affordable housing dwelling units</i>

In an effort to be clear on the interpretation of the revised wording, “immediately surrounding area” is defined as 2 meters and is illustrated on Plan No.2 of Bylaw 515 (**Figure 1**).

Figure 1
Proposed Immediate Area Surrounding Existing Saltspring Island Health Centre



The first action of the Local Trust Committee, if this new wording is acceptable, is to rescind the third reading given on June 25th, 2019 and make a motion to replace it with the revised wording and give third reading to the bylaw.

2. Water License

The applicant engaged professional engineers, a well drilling company and submitted all quality and quantity samples for consideration by the Province of British Columbia. As per the letter dated October 23rd, 2019, The Province of BC has issued Conditional Water License 5101510 to the Gulf Island Seniors Residents Association. The license is granted based on the thirteen conditions issued by the Province. This includes continual sampling of the water source and quality, the requirement for the treatment plant and pump as shown on the submitted drawings, allows 23 cubic metres of water per day to be drawn and requires the construction and utilization of the water prior to December 21, 2022. **(Attachment 5)**

This meets the requirements of the Islands Trust to provide potable water to the proposed Affordable Seniors' Supportive Housing project.

3. Sanitary Sewer

Through the initial phases of the design of this project, two options for sanitary sewer collection and treatment were considered. The first was on-site treatment. The second was for the development to connect to the existing piped sanitary sewer system of the CRD into the Ganges Sewer Service Area. The Applicant hired Stantec Engineering to review the options and it was determined that the piped system would be the most appropriate for the development. The Applicant applied to the CRD for permission to tie-in. The appropriate process was followed and on August 29th, 2019 the Ganges Sewer Local Service Commission passed a motion to approve the inclusion of 154 Kings Lane into the sewer service area. The letter dated September 4th, 2019 confirms the approval subject to various conditions. **(Attachment 6)** The Applicant must now prepare a cost estimate as a deposit to proceed. The CRD will then prepare a Sewer

Extension Agreement as well as contact the Ministry of the Environment to amend the maximum daily discharge.

The design and construction of the sanitary sewer line will be reviewed and approved by the CRD, the Ministry of Transportation and Vancouver Island Health Authority. Islands Trust Staff will confirm that conditions are being met with these agencies as the Development Permit proceeds.

The Applicant has met with and reached an agreement on a pathway down Blaine Road to Lower Ganges Road. Securities cannot be taken until design is complete and an actual cost for the construction is determined. Staff will require a security of 150% of the cost of the pathway construction.

4. Bylaw No. 517

The Affordable Housing Agreement and Section 219 Covenant for the Gulf Islands Seniors' Residence Association for 154 Kings Lane Salt Spring Island ("GISRA Housing Agreement") has been circulated to the Local Trust Committee in draft. Edits were made after legal and staff review. Adoption of Bylaw 515 will be conditional upon registration of the GISRA Housing Agreement on the land title of 154 Kings Lane. This agreement ensures that the rent remains within an affordable range for the median income of Salt Spring Island based on 2016 Federal Census statistics. The Affordable Housing Agreement and attachments are included within Bylaw 517.

5. Referral to Executive

In the event that the Local Trust Committee rescinds and readopts the third reading of Bylaw No. 515 and gives three readings to Bylaw No 517, Staff have attached a Request for Decision report for referral to the Islands Trust Executive Committee to allow for the final reading of Bylaw No. 515. This will allow the work and review on the Development Permit to proceed. This will allow the applicant to work towards some of the critical dates for their financing, for meeting the Province of British Columbia's date of December 31, 2022 for water license use and to meet the needs of the potential residents on the waiting list for the affordable seniors' supportive housing on Salt Spring Island.

Rationale for Recommendation

Islands Trust staff, as outlined in this report, feel that the concerns originally identified by Staff and the public have been adequately addressed and advise that LTC could proceed with the revised third reading at this time, with the referral to Islands Trust Executive Committee.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendations:

1. Retain the existing wording for Bylaw No. 515

Should the Local Trust Committee feel that the existing wording of the Bylaw is sufficient to ensure that the future existence of the Salt Spring Island Health Centre is protected, the revised wording may not be required. By changing the wording and making the existing clinic only for medical and dental clinical uses, should the doctors change location and the structure be vacated, a rezoning application and process would be required to allow any other used in the current structure.

NEXT STEPS

If the LTC concurs with staff recommendations, staff will refer Bylaw No. 515 and 517 to the Executive Committee. Staff may also begin processing SS-DP-2019.4 although will a development permit will not be able to be issued until adoption of Bylaw No. 515.

Submitted By:	Patricia Maloney, FCIP, RPP Dillon Consulting, Planning Consultant	November 19, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	November 19, 2019

ATTACHMENTS

1. Proposed Bylaw No. 515
2. Proposed Bylaw No. 517
3. Immediate Area Surrounding the Salt Spring Island Health Centre
4. Islands Trust Policy Statement Review
5. Water Licence 501510
6. Ganges Sewer Local Service Commission Inclusion approval
7. Request for Decision of the Islands Trust Executive Committee

Attachment 3

Proposed Immediate Area Surrounding Existing Saltspring Island Health Centre



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 515

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw 1999, Amendment No.3, 2018”.

2. Salt Spring Island Land Use Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw 1999” is amended as follows:

2.1 By inserting in Subsection 9.2.4 – Exceptions in Particular Locations – the following new Residential 12 Zone Variation (a):

“Zone Variation – R12(a)

(27) The following additional *use* is permitted:

- (a) Dental and medical office services for a maximum of 12 medical practitioners and two dwelling units be exclusively permitted in the existing building and immediately surrounding area, and that;
- (b) A seniors’ supportive housing complex and service club be permitted on the remaining lot.

(28) All seniors’ *dwelling units* within a *seniors’ supportive housing complex* must be *affordable housing dwelling units*.

(29) Despite Subsection 9.9.2, the maximum density for the site shall be 50 dwelling units. Of those dwelling units:

- (a) Two *dwelling units* may be exclusively for *residential use* or *temporary* occupancy by persons employed at the *seniors’ supportive housing complex* for wages or salary and their families.

- (b) One *dwelling unit* may be exclusively for *temporary* occupancy by guests of *seniors' supportive housing complex* residents.
- (30) Despite Subsection 9.9.2, a single three storey building is permitted with a maximum height of 13 metres.

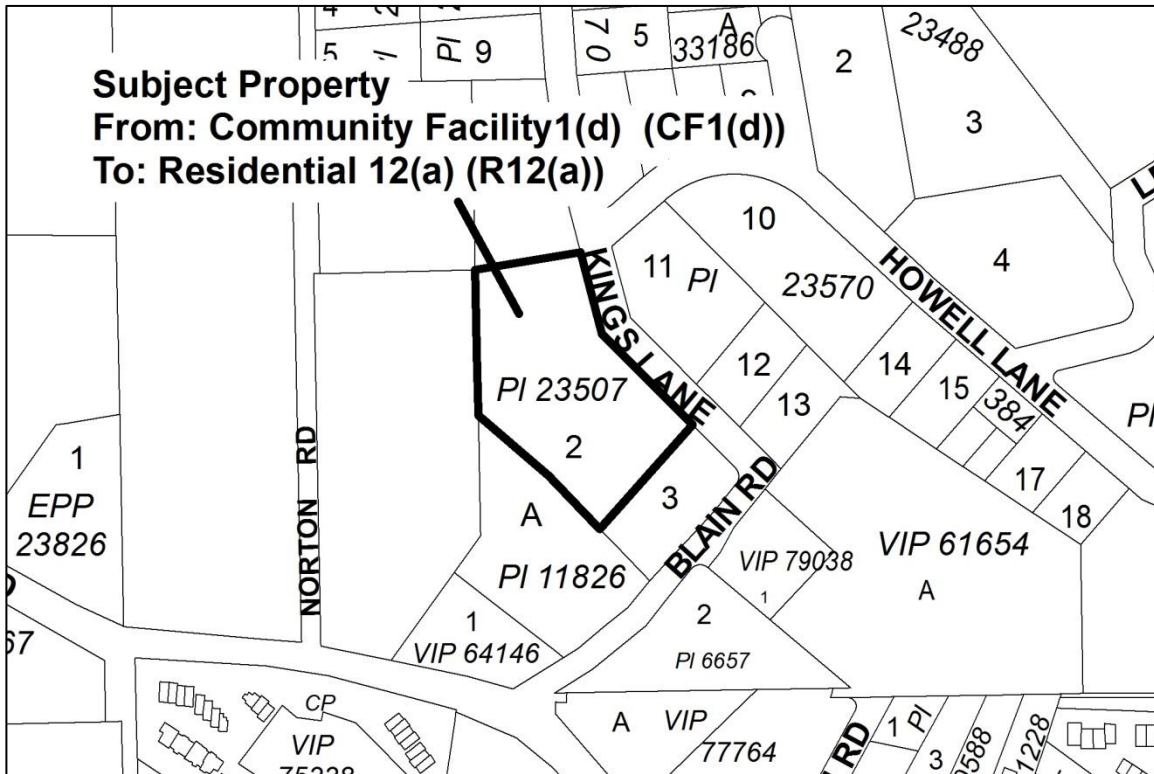
And by making consequential numbering alterations to effect this change.

- 2.2 By changing the zoning classification of Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507, municipal address 154 Kings Lane Salt Spring Island, encompassing 13,888.1 square metres from CF1(d) to R12(a), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "A" of Bylaw No. 355 as are required to effect this change.

READ A FIRST TIME THIS	27TH	DAY OF	SEPTEMBER,	2018
READ A SECOND TIME THIS	26TH	DAY OF	FEBRUARY,	2019
PUBLIC HEARING HELD THIS	22ND	DAY OF	MAY,	2019
READ A THIRD TIME THIS	25TH	DAY OF	JUNE,	2019
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	_____	DAY OF	_____	20____
ADOPTED THIS				
	_____	DAY OF	_____	20____
_____ Chair		_____ Secretary		

PROPOSED

Plan No. 1



PROPOSED

Plan No. 2



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 517

A BYLAW TO AUTHORIZE A HOUSING AGREEMENT

WHEREAS the Salt Spring Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Salt Spring Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS Section 483 of the Local Government Act and Section 29 of the *Islands Trust Act* permit the Local Trust Committee to enter into a housing agreement;

AND WHEREAS the Salt Spring Island Local Trust Committee wishes to enter into a Housing Agreement;

NOW THEREFORE the Salt Spring Island Local Trust Committee enacts in open meeting assembled as follows:

1. This Bylaw may be cited for all purposes as "Salt Spring Island Housing Agreement Bylaw No. 517, 2019".
2. Any one Trustee of the Salt Spring Island Local Trust Committee are authorized to execute an agreement in the form attached to this Bylaw with the Gulf Islands Seniors Residence Association (GISRA).

READ A FIRST TIME this _____TH day of _____, 20____

READ A SECOND TIME this _____TH day of _____, 20____

READ A THIRD TIME this _____TH day of _____, 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this

_____TH day of _____, 20____

ADOPTED this _____TH day of _____, 20____

SECRETARY

CHAIRPERSON

Housing Agreement and Section 219 Covenant

THIS AGREEMENT DATED FOR REFERENCE THE _____ DAY OF _____, 20____, IS BETWEEN:

GULF ISLANDS SENIORS' RESIDENCE ASSOCIATION (GISRA) [landowner], a society incorporated under the laws of the Province of British Columbia under GISRA Incorporation No.: S0038999, GISRA Business No.: 86806 0534 BC0001 and GISRA Registered No.: 86806 0534 RR0001 and having its office address at 121 Atkins Road, Salt Spring Island, BC, V8K 2X7.

(the "Owner");

AND

SALT SPRING ISLAND LOCAL TRUST COMMITTEE, a corporation under the Islands Trust Act, having an office at 2nd floor, 1627 Fort Street, Victoria, BC, V8R 1H8

(the "Local Trust Committee")

WHEREAS;

- A. The Owner is the registered owner of the lands situated at 154 Kings Lane on Salt Spring Island, British Columbia, and legally described as Parcel Identifier: 003-106-756, Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507 (the "Lands");
- B. The Lands have been rezoned by the Salt Spring Local Trust Committee by means of Salt Spring Island Land Use Bylaw 1999, Amendment No. 3, 2018, to permit the development of an affordable seniors' supportive housing development;
- C. The Owner intends to rent the units on the Lands, by way of rental agreement, at an affordable rate to Qualified Renters (as defined in Section 1.1);
- D. The Local Trust Committee may pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*, enter into a housing agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on the land;
- E. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Local Trust Committee in respect of the use of land or construction onland;
- F. The Owner and Local Trust Committee wish to enter into this Agreement to provide affordable housing on the Lands on the terms and conditions of this Agreement to have effect as both a covenant under Section 219 of the *Land Title Act* and as housing agreement under Section 483 of the *Local Government Act*;
- G. The Local 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 \$1.00 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 Section 219 of the *Land Title Act*, and as a housing agreement between the Owner and the Trust Committee under Section 483 of the *Local Government Act*, as follows:

Article 1: Definitions and Interpretation

1.1 Definitions

in this Agreement:

“Affordable Housing Unit”	means a Dwelling Unit on the Lands in respect of which the construction, tenure, rent and occupancy are restricted in accordance with Sections 2.1 through 2.6 of this Agreement, but does not include any Staff Housing Unit;
“Business Days”	means Monday to Friday inclusive except for those excluded days declared by lawful authority as holidays;
“CPI”	means the All-items Consumer Price Index for British Columbia as calculated by Statistics Canada, or its successor in function;
“Dwelling Unit”	means a residential living unit as defined in the Salt Spring Land Use Bylaw;
“Household”	means one or more individuals occupying the same Dwelling Unit;
“Lands”	is defined in the recitals to this Agreement;
“Maximum Monthly Rent” (MMR)	means an amount equal to 30% of the 2015 median total income for households on Salt Spring Island as published by Statistics Canada in the 2016 Census, as adjusted annually by the Yearly CPI change for as long as this Covenant is in force. Schedule “A” of this Covenant is a table setting out the specifics of the MMR authorized by this Covenant to and including 2018.
“Qualified Renter”	means a person who is 65 years of age or older and is a party to a Tenancy Agreement;
“Residential Tenancy Act”	means the <i>Residential Tenancy Act</i> of British Columbia;
“Staff Housing Unit”	means a Dwelling Unit provided for staff employed by the Owner, but not required to be an Affordable Housing Unit, under this Housing Agreement;
“Tenancy Agreement”	means a tenancy agreement, lease, license or other agreement granting rights to occupy an Affordable Housing Unit;

“Yearly CPI Change” means the percentage change in CPI from the CPI for January of the immediately preceding calendar year, to the CPI for January of the then present calendar year.

1.2 Interpretation

Reference in this Agreement to:

- a) A “party” is a reference to a party to this Agreement;
- b) A particular numbered “article” or “section” or to a particular lettered “schedule” is a referent to the corresponding numbered or lettered article, section, or schedule of this Agreement;
- c) An “enactment” is a reference to an enactment as defined in the *Interpretation Act* and is a reference to any revision, amendment or re-enactment of, or replacement for, that enactment;
- d) 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; and
- e) The Local Trust Committee includes a reference to its successors in function, including a municipality.

1.3 Headings

The division of this Agreement into articles, sections and schedules is for convenience of reference only and does not affect its interpretation.

1.4 Entire Agreement

This is the entire Agreement among the parties concerning its subject and may be amended only by a document executed by all parties.

Article 2 – Affordable Housing

2.1 Agreement over the Lands

Pursuant to Section 219 of the *Land Title Act* and Section 483 of the Local Government Act, the Owner covenants and agrees that:

- a) The Lands will not be developed, and no building or structure will be constructed on the Lands unless, as part of and concurrently with the development on the Lands, the Owner also constructs and completes 48 Affordable Housing Units on the Lands, substantially in accordance with the site and floor plans attached as **Schedule “B”**;
- b) No building on the Lands may be subdivided by means of a strata plan without prior approval of the Local Trust Committee; and

- c) The Owner will maintain the Affordable Housing 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 Lands.

2.2 Affordable Rental Housing Eligibility

The Owner covenants and agrees not to rent or lease any Affordable Housing Units except to a Qualified Renter and in accordance with the following additional requirements:

- a) The Affordable Housing Unit will be used or occupied only pursuant to a Tenancy Agreement;
- b) The Affordable Housing Unit will be occupied only by Qualified Renters, and by no more than two Qualified Renters;
- c) The Qualified Renter(s) will occupy the Affordable Housing Unit as its permanent, principal and sole residence;
- d) Priority for occupancy will be given to Gulf Islands residents;
- e) Each Tenancy Agreement will include a clause prohibiting subletting including short-term vacation rentals, a clause requiring the Qualified Renter to comply with the use and occupancy restrictions contained in this Agreement, and a provision entitling the Owner to terminate the rental agreement in accordance with the *Residential Tenancy Act* in the event of any breach of these use and occupancy clauses;
- f) The Owner will deliver to the Local Trust Committee a true copy of every Tenancy Agreement entered into in respect of any Affordable Housing Unit within 10 business days of any request to do so; and
- g) The Owner will include in every Tenancy Agreement notice of the existence of this Agreement and the occupancy restrictions applicable to the Affordable Housing Unit, and will provide to each Qualified Renter upon request, a copy of this Agreement.

2.3 Rental Rates

The Owner covenants and agrees that it will:

- a) Not charge any tenant a monthly rent, exclusive of utilities, that is greater than the Maximum Monthly Rent, except that the Owner may, subject to the provisions of the *Residential Tenancy Act*, increase the rent payable for the Affordable Housing Unit annually based on the British Columbia Cost of Living Increase as reported by *Statistics Canada*;
- b) Provide at no extra charge or fee sanitary sewer, storm sewer, potable water, property taxes and similar services, as well as access and use of any common area. Tenants shall be solely responsible for all costs relating to cable, internet, telephone, laundry, gas or electricity fees and charges for any additional services.

2.4 Policies/Rules and Regulations/Administration by Owner

The Owner is authorized to make and administer rules, regulations and policies necessary to fully implement and achieve the policy goals set out in this Agreement. Such rules, regulations and policies may include, but are not limited to, the following:

- a) Establishing and maintaining a wait list of potential Qualified Renters; and
- b) Establishing, administering and enforcing a rental policy applicable to the terms of this Agreement and in accordance with the *Residential Tenancy Act*.

2.5 No Sublease or Assignment

Except as set out in this Agreement, the Owner will not permit the interest in an Affordable Housing Unit to be subleased or a Tenancy Agreement to be assigned.

2.6 Monitoring and Reporting to the Local Trust Committee

The Owner must deliver to the Local Trust Committee once each year on or before July 1st, a completed statutory declaration, substantially in the form attached as **Schedule "C"** of this Agreement, sworn by the Owner. Additionally, the Local Trust Committee may request this statutory declaration up to four times in any calendar year, and the owner must complete and supply the completed statutory declaration within ten (10) business days of receiving a request from the Local Trust Committee. The Owner irrevocably authorizes the Local Trust Committee to make reasonable inquiries it considers necessary in order to confirm compliance with this Agreement.

Article 3 – General Terms

3.1 Order to Comply

If the Owner is in default of the performance or observance of this Agreement, the Local 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. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the Local Trust Committee, within the time stated on the notice of default provided to the Owner by the Local Trust Committee.

3.2 Management

The Owner covenants and agrees to furnish good and efficient management of the Lands and the Affordable Housing Units on the Lands. If and when the Local Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, the Local Trust Committee may authorize its representatives to inspect the Lands at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* and subject to the concurrent delivery of such a notice to the Owner.

3.3 Society Standing

The Gulf Islands Seniors' Residency Association is a society under the *Society Act* and as such must remain a society in good standing and must not amend its constitution in any manner that would prevent, or adversely affect, the ability of the Society to perform its obligations under this Agreement.

3.4 Specific Performance of Agreement

The Owner agrees that the Local 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, in view of the public interest in restricting the occupancy of the Affordable Housing Units. The Owner further acknowledges that a breach of this Agreement may constitute a breach of the Local Trust Committee's Land Use Bylaw, as amended from time to time.

3.5 Assignment

The Owner acknowledges that the Local Trust Committee may delegate or assign the administration and management of this Agreement to a third party, and in that event, any reference in this Agreement to the Local Trust Committee shall be interpreted as a reference to that party provided that the Local Trust Committee has also advised the Owner.

3.6 Indemnity

The Owner shall indemnify and save harmless the Local Trust Committee and each of its elected officials, officers, directors, employees and agents from and against all claims, demands, actions, loss, damage, costs and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is by law responsible, including breaches of this Agreement. This clause will survive the termination clause of this Agreement.

3.7 Release

The Owner releases and forever discharges the Local Trust Committee and each of its elected officials, officers, directors, employees and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions or causes of action arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Affordable Housing Units 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. This clause will survive the termination clause of this Agreement.

3.8 Local Trust Committee Powers Unaffected

This Agreement does not limit the discretion, rights, duties or powers of the Local Trust Committee under any enactment or the common law, impose on the Local Trust Committee any duty or obligation, affect or limit any enactment relating to the use of the Lands, or relieve the Owner from complying with any enactment.

3.9 No Public Law Duty

Wherever in this Agreement an act, determination, consent, approval or agreement of the Local 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.

3.10 No Waiver

No condoning, excusing or overlooking by the Local 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 Local 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 Local Trust Committee.

3.11 Arbitration

Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy an Affordable Housing 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 *Arbitration Act*.

3.12 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 Local 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 Owners successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.

3.13 Limitation of the Owners' Obligations

The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

3.14 Amendment and Termination

This Agreement may not be modified or amended except by bylaw of the Local Trust Committee, upon the agreement in writing between the Local Trust Committee and the Owner.

3.15 Notices

Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Local Trust Committee, as the case may be, at the addresses provided in this Agreement, or to any other address of which either the Owner or the Local Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Local 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 have been received when delivered and, if mailed, such notice will be deemed to be received only when actually received by the party to whom it is addressed.

3.16 Enurement

This Agreement is binding upon and enures to the benefit of the parties and their respective successors and permitted assigns.

3.17 Remedies Cumulative

The remedies of the Local Trust Committee specified in this Agreement are cumulative and are in addition to any remedies the Local Trust Committee has at law or in equity. No remedy shall be deemed to be exclusive, and the Local 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.

3.18 Severability

If any term or provision of this Agreement, or its application to any person or circumstance shall to any extent be found to 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.

3.19 Joint and Several

In the case of more than one Owner, the grants, covenants, conditions, provisions, agreements, rights, power, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.

3.20 Further Acts

The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

3.21 Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.

3.22 Joint Venture

Nothing in this Agreement shall constitute the Owner as an agent, joint venture or partner of the Local Trust Committee or give the Owner any authority or power to bind the Local Trust Committee in any way.

3.23 Time of Essence

Time is of the essence in this Agreement.

3.25 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.

3.26 Registration and Priority

The Owner agrees to do everything necessary at the Owners 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 specifically approved in writing by the Local Trust Committee or in favour of the Local Trust Committee.

3.26 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 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A"

Maximum Monthly Rent Calculations

Qualified Renters and Affordable Rent

Affordable rent is calculated from the 2016 Federal Census, which uses the claimed incomes from 2015. The calculation uses the Median Total Household income before taxes. Household statistics are used because each unit could accommodate two residents.

	Median Total Income	30%	Eligible Monthly Rent
Household	\$59,077	\$17,723.10	\$1,476.92

Cost of Living Increases

Rent increases will not exceed the yearly CPI change. The following table demonstrates the potential maximum rent based on the 2018 Cost of Living Increase in British Columbia (2.7% in the 2018 calendar year) as reported by *Statistics Canada*¹. This table is provided as a guide.

Year	Average Cost of Living Increase (as reported by Statistics Canada)	Adjusted Maximum Monthly Rent for Following Year
2015	-	\$1,477
2016	1.8	\$1,504
2017	2.1	\$1,535
2018	2.7	\$1,577

¹ <https://www2.gov.bc.ca/gov/content/data/statistics/economy/consumer-price-index>

SCHEDULE “B”

Site Plan and Floor Plans for 154 Kings Lane, Salt Spring Island

PROPOSED

**MEADOWLANE - 48 SUITE SENIORS INDEPENDENT LIVING**

TABLE OF CONTENTS:

COVER	A0
SITE PLAN	A1
NORTH ELEVATION.....	A2
SOUTH ELEVATION.....	A3
EAST ELEVATION & SIGNAGE.....	A4
WEST ELEVATION.....	A5
MATERIALS.....	A6
SECTION AND HEIGHT CALC.....	A7
LANDSCAPE SITE PLAN.....	L1
LANDSCAPE SITE PLAN.....	L2

TITLE: COVER AND T.O.C	
PROJECT: MEADOWLANE INDEPENDENT LIVING	
REVISION: ISSUED FOR DEV. PERMIT REUSE FOR DEV. PERMIT	DATE: JUN 10, 2019 SEPT 01, 2019
NO. 1 2	REV. 2

WHEELER CRAWFORD + SONS
 ARCHITECTURE + DESIGN + PLANNING

WHEELER CRAWFORD + SONS
 10000 Highway 94
 Salt Spring Island BC,
 V8K 2T9

NOTES:
 1. THIS SET OF DRAWINGS IS NOT VALID FOR ANY OTHER PROJECT.
 2. ANY CHANGES TO THE DRAWINGS MUST BE MADE IN WRITING BY THE ARCHITECT.
 3. ANY CHANGES TO THE DRAWINGS MUST BE MADE IN WRITING BY THE ARCHITECT.
 4. ANY CHANGES TO THE DRAWINGS MUST BE MADE IN WRITING BY THE ARCHITECT.
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 10. ANY CHANGES TO THE DRAWINGS MUST BE MADE IN WRITING BY THE ARCHITECT.

E info@wheersons.com
P 604 259 5889
3002 - 115
11500 Highway 94
Salt Spring Island BC,
V8K 2T9

WHEELER CRAWFORD + SONS
 ARCHITECTURE + DESIGN + PLANNING

Proposed - SCHEDULE B - CONTINUED

BUILDING, SITE & ZONING DATA:

EXISTING ZONING:
CF1(d) - COMMUNITY FACILITY

PROPOSED ZONING:
R12(a) - SENIORS SUPPORTIVE HOUSING COMPLEX

CIVIC ADDRESS:
164 KINGS LANE,
SALT SPRING ISLAND, BC, V8K 2P7

LEGAL ADDRESS:
TOPOGRAPHIC PLAN ON PART OF LOT 2 SECTION 4, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 23507

SITE AREA:
13,889 SM (149,490 SF OR 3.43 ACRES)

SETBACKS:
REAR: 7.5M (24.6 SF)
SIDE: 7.6M (24.9 SF)
FRONT: 7.5M (24.6 SF)

PROPOSED BUILDING HEIGHT:
3 STOREY, 12.33 M, SEE A7

FLOOR SPACE RATIO
ALLOWED: 0.6
PROPOSED: 0.53

DWELLING UNITS:

SENIORS RESIDENTIAL	48
STAFF HOUSING	2
TOTAL	50

PROPOSED FLOOR AREAS

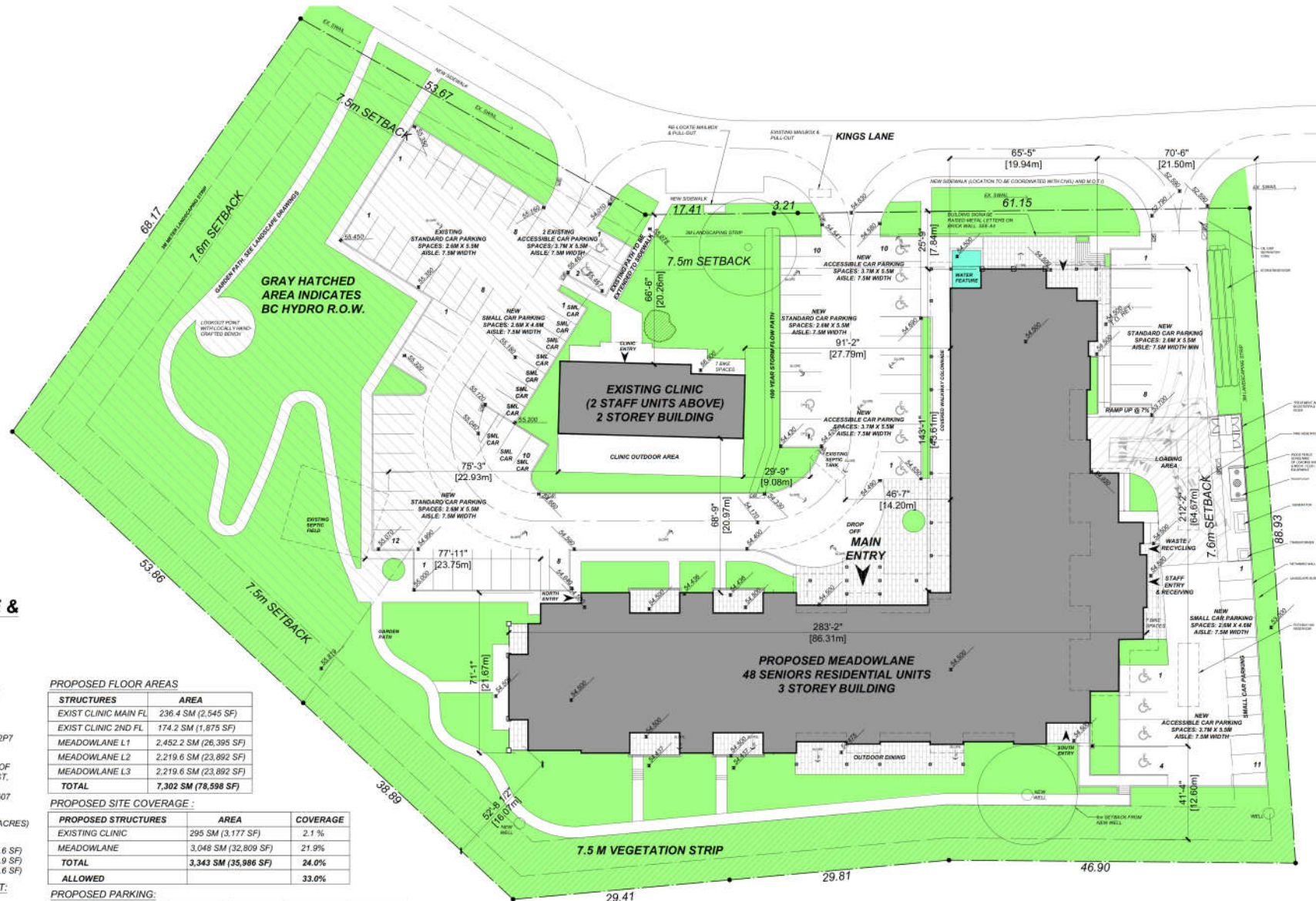
STRUCTURES	AREA
EXIST CLINIC MAIN FL	236.4 SM (2,545 SF)
EXIST CLINIC 2ND FL	174.2 SM (1,875 SF)
MEADOWLANE L1	2,452.2 SM (26,395 SF)
MEADOWLANE L2	2,219.6 SM (23,892 SF)
MEADOWLANE L3	2,219.6 SM (23,892 SF)
TOTAL	7,302 SM (78,598 SF)

PROPOSED SITE COVERAGE:

PROPOSED STRUCTURES	AREA	COVERAGE
EXISTING CLINIC	295 SM (3,177 SF)	2.1 %
MEADOWLANE	3,048 SM (32,809 SF)	21.9 %
TOTAL	3,343 SM (35,986 SF)	24.0 %
ALLOWED		33.0 %

PROPOSED PARKING:

USE	AREA/UNITS	PARKING REQ.	# OF SPACES	BIKE PARK REQ.	# OF BIKE SPACES
SENIORS	48	1/3	16.0	0	0
MULTI FAMILY	2	1/1.25	2.5	6 = 1/1	8
STAFF	8	1/1	8	5/1	1
CLINIC	236 M2	1/32.5M2	7.3	1/250 M2	1
MEETING SPACE	65 M2	1/3.6 M2	18	1/100 M2	1
TOTAL REQUIRED			52		11
TOTAL PROVIDED	*14 ACCESSIBLE	*21 SMALL CAR	91		14



1 SITE PLAN
SCALE: 1" = 20'-0"

SCALE: 1" = 20'-0" (1:240)



NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
3. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
4. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
5. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.

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ARCHITECTURE + DESIGN + PLANNING
V8K 2T9

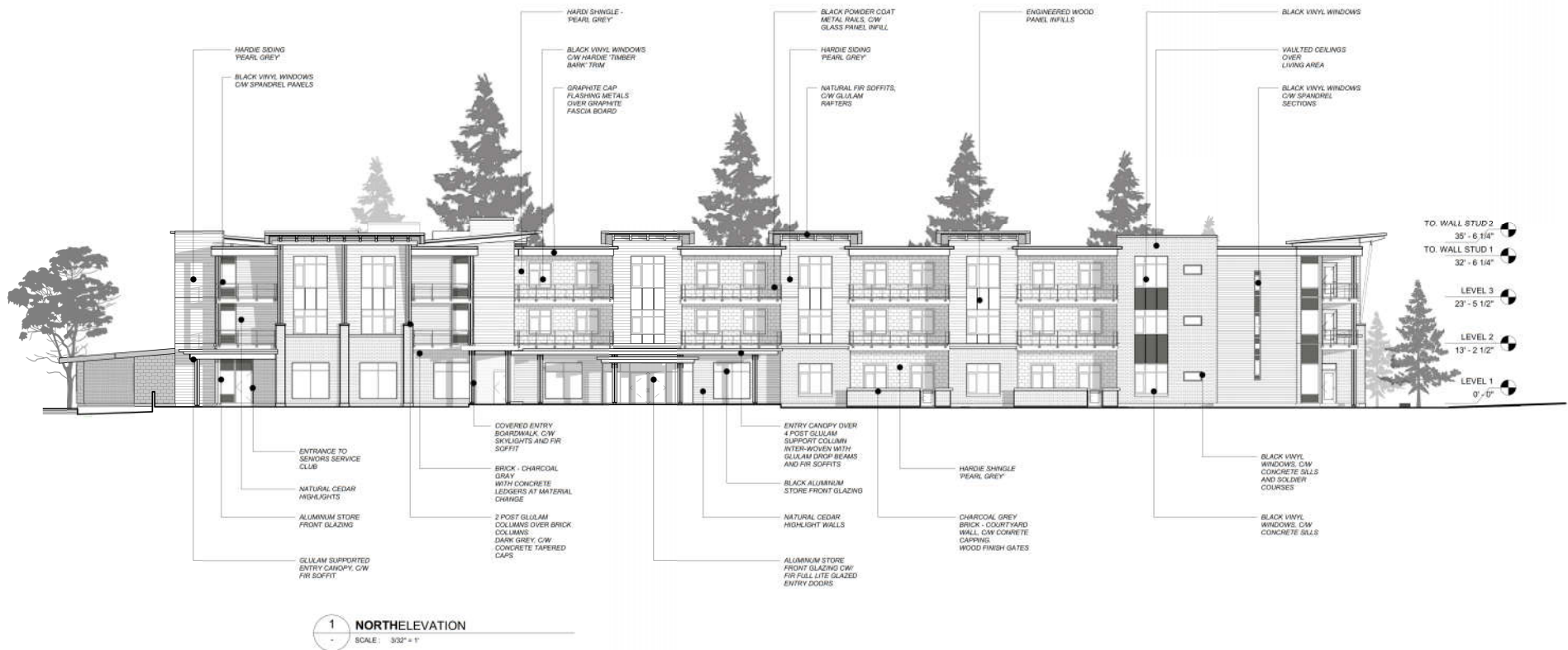
REVISION	DATE	NO.
ISSUED FOR DEV. PERMIT	JUNE 10 2019	1
REVISED FOR DEV. PERMIT	SEPT 5 2019	2

PROJECT:
MEADOWLANE
INDEPENDENT LIVING
SALT SPRING ISLAND BC

TITLE:
SITE PLAN
Scale: 1" = 20'-0"

A1

Proposed - SCHEDULE B - CONTINUED



1 NORTHELEVATION
SCALE: 3/32" = 1'

NOTES:
1. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
2. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
3. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
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9. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
10. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.

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2322 - 115
Fullford-Gangne Rd
V1R 2T1

NO.	DATE	REVISION
1	JUN 10, 2019	ISSUED FOR DEV. PERMIT
2	SEP 05, 2019	REVISED FOR DEV. PERMIT

PROJECT: MEADOWLANE
INDEPENDENT LIVING
SALT SPRING ISLAND BC

TITLE: NORTH ELEVATION

A2

Proposed - SCHEDULE B - CONTINUED



1 SOUTHELEVATION
SCALE: 3/32" = 1'

NOTES:
1. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
2. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
3. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
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8. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
9. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
10. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.

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ARCHITECTURE + DESIGN + PLANNING
2302 - 115
Fullford-Gangne Rd
V1K 2T1

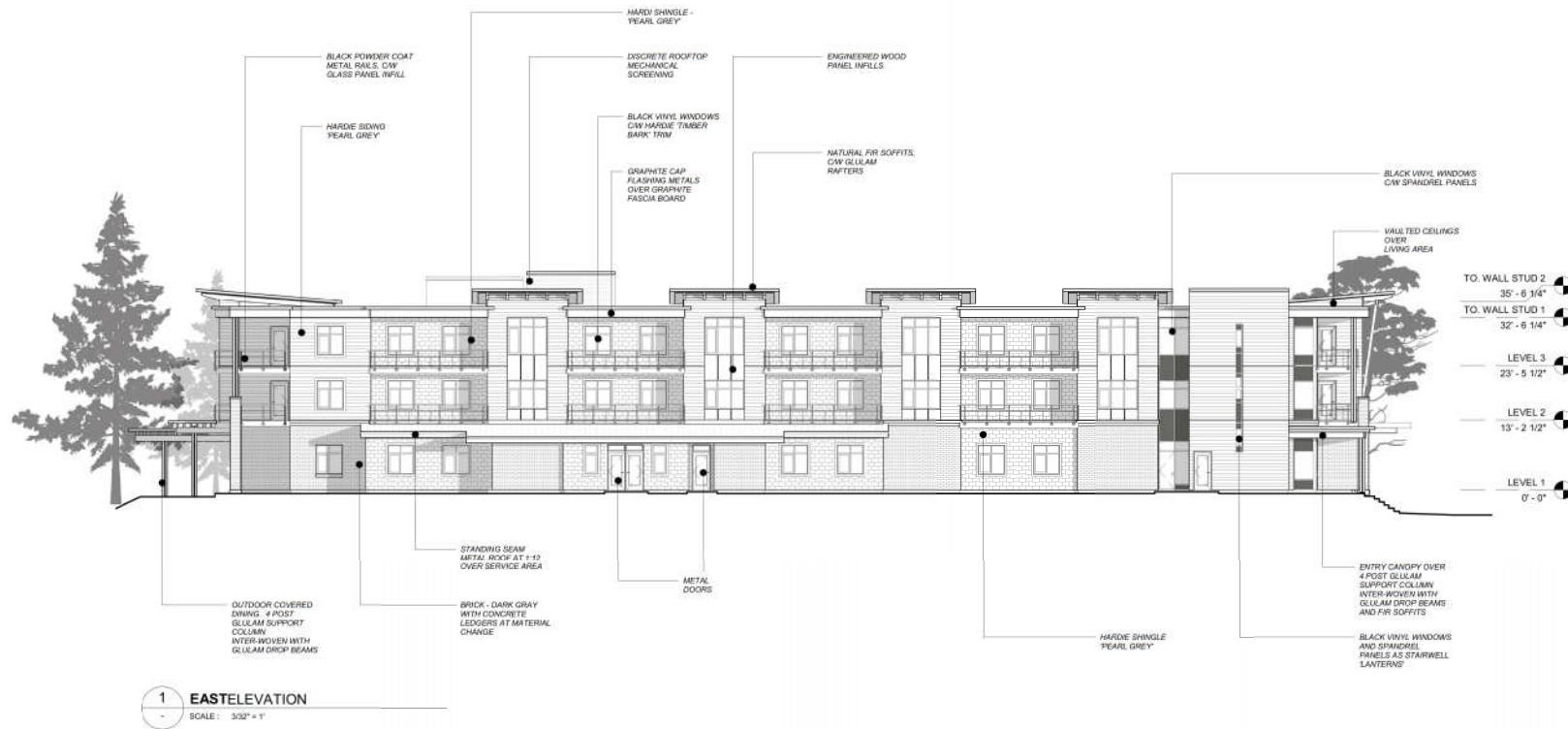
NO.	DATE	REVISION
1	JUN 10, 2019	ISSUED FOR DEV. PERMIT
2	SEP 03, 2019	REVISED FOR DEV. PERMIT

PROJECT: MEADOWLANE
INDEPENDENT LIVING
SALT SPRING ISLAND BC

TITLE: SOUTH ELEVATION

A3

Proposed - SCHEDULE B - CONTINUED



NOTES:
1. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
2. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
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9. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
10. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.

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Vancouver, BC
V6K 2T1

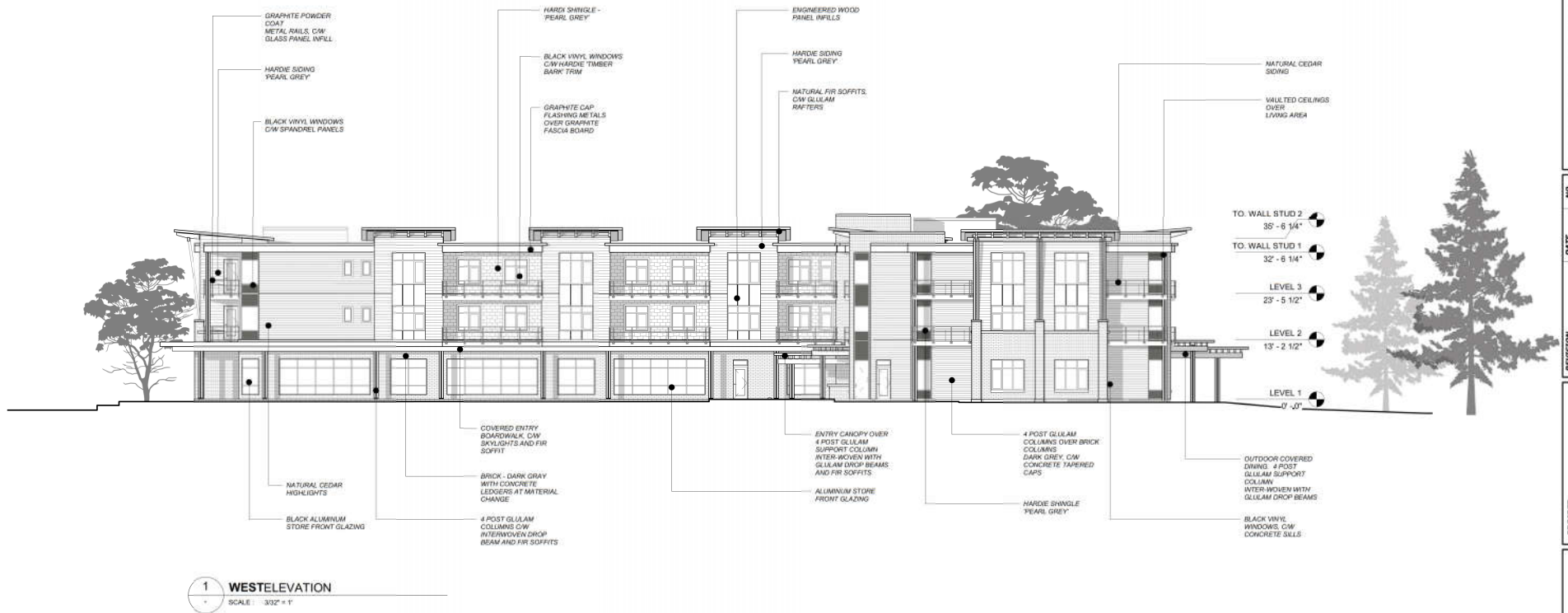
REVISION	DATE	NO.
ISSUED FOR DEV. PERMIT	JUN 10, 2019	1
REVISED FOR DEV. PERMIT	SEP 05, 2019	2

PROJECT:
MEADOWLANE
INDEPENDENT LIVING
SALT SPRING ISLAND BC

TITLE:
EAST ELEVATION & SIGNAGE

A4

Proposed - SCHEDULE B - CONTINUED



NOTES:
1. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
2. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
3. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
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9. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.
10. ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.

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Fullford-Gangne Rd
V1K 2T1

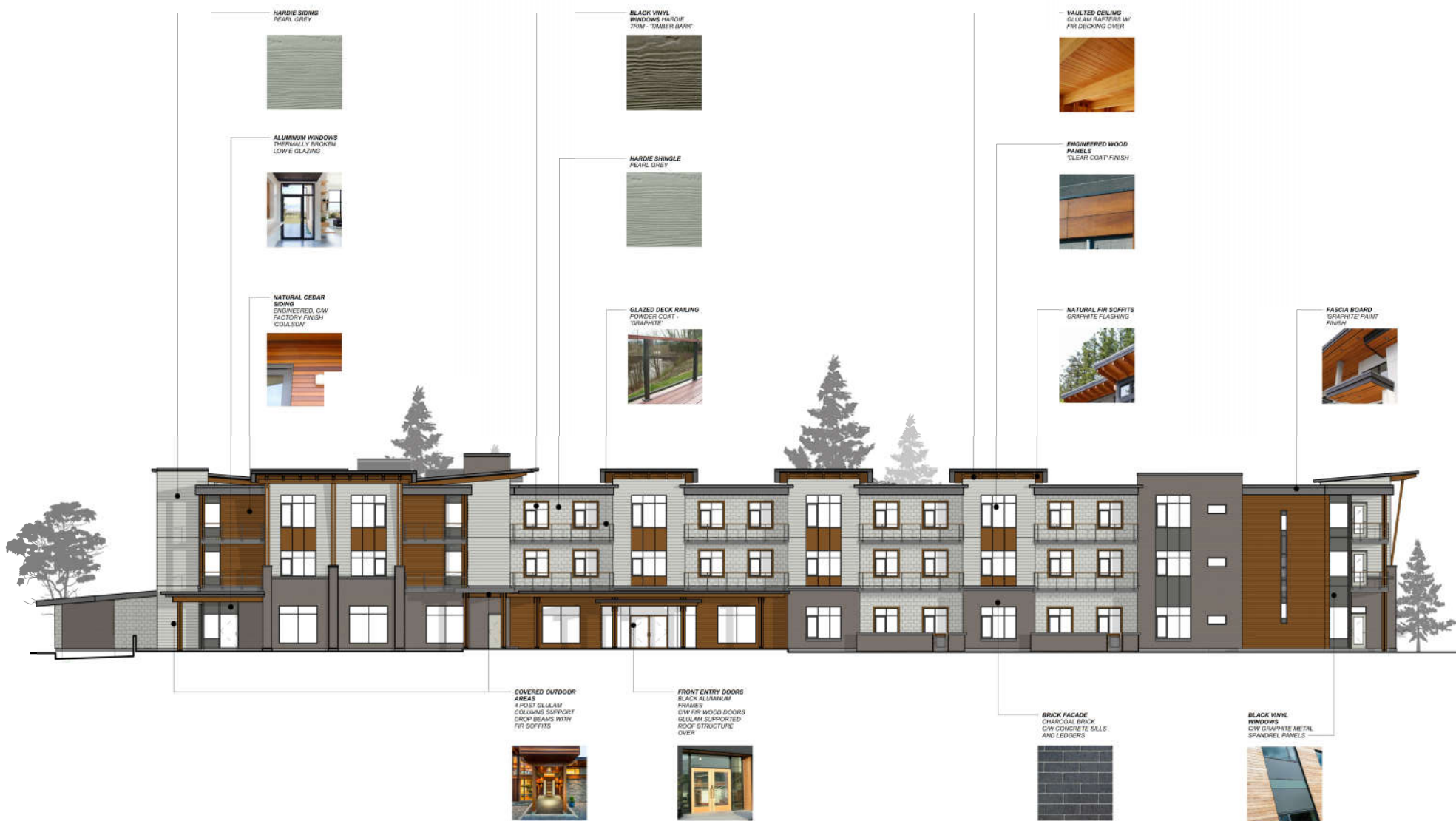
NO.	DATE	REVISION
1	JUN 10, 2019	ISSUED FOR DEV. PERMIT
2	SEPT 05, 2019	REVISED FOR DEV. PERMIT

PROJECT: **MEADOWLANE**
INDEPENDENT LIVING
SALT SPRING ISLAND BC

TITLE: **WEST ELEVATION**

A5

Proposed - SCHEDULE B - CONTINUED



NOTE:
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WHEELER CRAMERSON & SONS
ARCHITECTURE + DESIGN PLANNING

3302 - 115
Fuller-Ganger Rd.
Surrey, BC V4M 2T1

WHEELERCRAMERSON.COM
P 604 298 5500
F 604 298 5501

NO.	DATE	REVISION
1	JUN 10, 2019	ISSUED FOR DEV. PERMIT
2	SEPT 05, 2019	REVISE FOR DEV. PERMIT

PROJECT:

MEADOWLANE
INDEPENDENT LIVING
SALT SPRING ISLAND BC

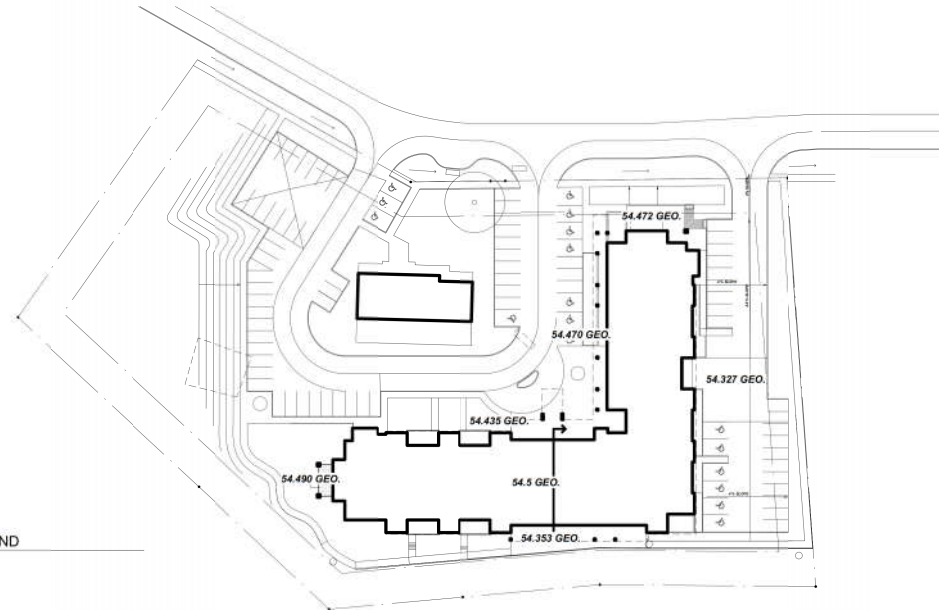
TITLE:

MATERIALS

A6

2 SECTION AA
SCALE: 1/8" = 1'

ALLOWED HEIGHT:.....**13.0 M** [42.65']
 PROVIDED HEIGHT:.....**12.33 M** [40' 5 1/4"]
 (DIMENSIONED TO HIGHEST POINT AT STAIR ROOF ACCESS)
 [54.472+54.327+54.353+54.490+54.435+54.470 / 6]
 =**54.425** (AVERAGE FINISHED GRADE)



2 SITE PLAN LEGEND
- SCALE: N.T.S.

[illegible]

SCHEDULE “C”
OWNER STATUTORY DECLARATION

CANADA

IN THE MATTER OF A HOUSING AGREEMENT

PROVINCE OF BRITISH COLUMBIA

WITH THE SALT SPRING ISLAND LOCAL TRUST
COMMITTEE (“Housing Agreement”)

I, _____ declare that:

1. I am the _____ of the Gulf Islands Seniors’ Residence Association, the owner of the land, known as Meadowlane Seniors’ Residence, located at 154 Kings Lane, Salt Spring Island, legally described as
Parcel Identifier: 003-106-756, Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507 (“the Lands”).
2. I make this declaration to the best of my personal knowledge.
3. This declaration is made pursuant to the Housing Agreement registered against the Lands.
4. For the period from 2020 to 2060, the Affordable Housing Units will only be used by Qualified Renters (as defined in the Housing Agreement).
5. At no time have, or will, the Affordable Housing Units be used as short term vacation rental.
6. The rental payments charged for the Affordable Housing Units are in compliance with the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
7. No subletting of the Lands has been permitted.
8. I acknowledge and agree to comply with all of the Owners’ obligations under the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
9. 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 pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at _____, British Columbia, this _____ day of _____, 20____.

Commissioner

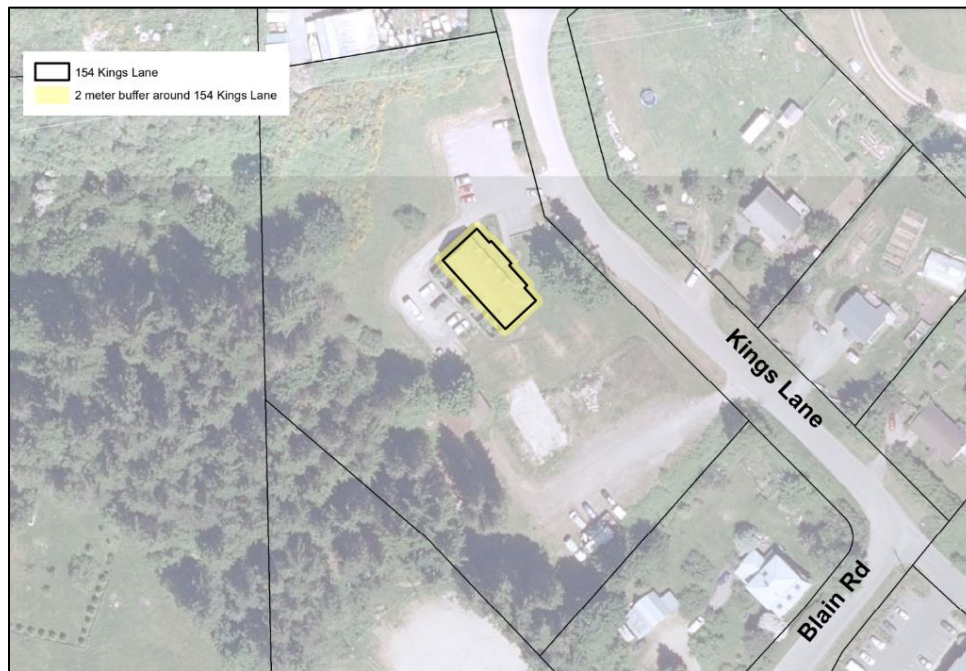
Janet Smith

ATTACHMENT 3

Amendment of Salt Spring Island Land Use Bylaw No. 515 (SS-BL-515), Zone R12(a)

154 Kings Lane, Salt Spring Island

Proposed Immediate Area Surrounding Existing Saltspring Island Health Centre





Islands Trust

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: SS-BL-515.

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
	4.2	Forests
✓	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

CONSISTENT	No.	DIRECTIVE POLICY
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	No.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
✓	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
	<i>In compliance with Trust Policy</i>



Province of British Columbia

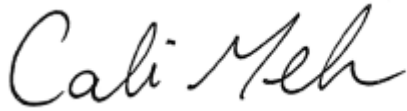
Water Sustainability Act

CONDITIONAL WATER LICENCE

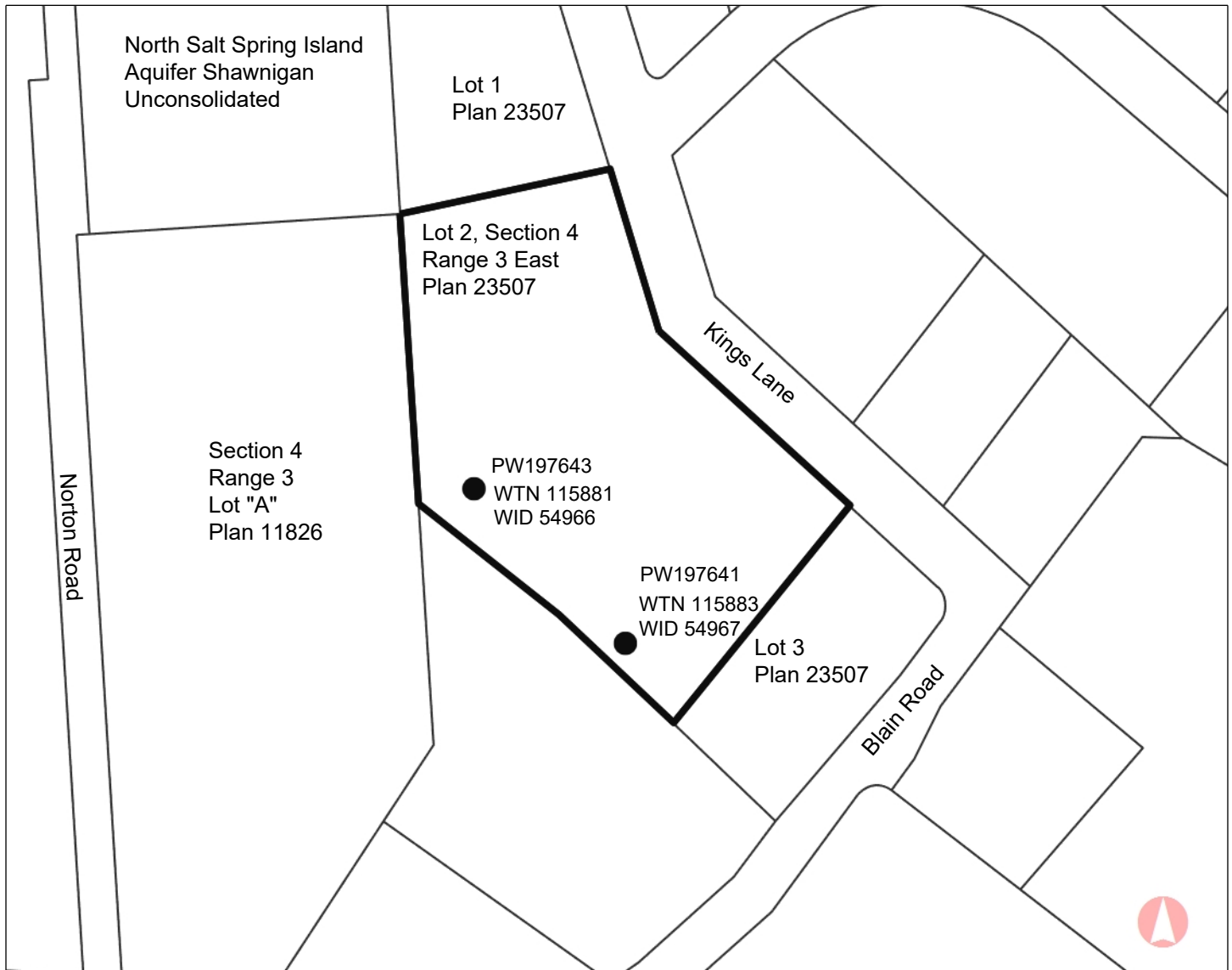
The owners of the land to which this licence is appurtenant are hereby authorized to divert and use water as follows:

- a) The aquifer on which the rights are granted is Shawnigan Unconsolidated.
- b) The points of well diversion are located as shown on the attached plan.
- c) The date from which this licence shall have precedence is January 17, 2019.
- d) The purpose for which this licence is issued is industrial (commercial enterprise).
- e) The maximum quantity of water which may be diverted for industrial (commercial enterprise) purpose is 23 cubic metres per day.
- f) The period of the year during which the water may be used is the whole year.
- g) The land upon which the water is to be used and to which this licence is appurtenant is Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507.
- h) The authorized works are two wells, a treatment system, and a pump house which shall be located approximately as shown on the attached plan.
- i) Construction of the said works shall be completed, and the water beneficially used prior to December 31, 2022. Thereafter, the licensee shall continue to make regular beneficial use of the water in the manner authorized herein.
- j) This licence does not authorize an interconnection to any public water system without the use of a device to prevent backflow.
- k) The licensee shall install a diversion measuring device (meter) to the satisfaction of the Water Manager. Records must be kept as per clause (m).
- l) Water quality must be monitored on an annual basis prior to the commencement of diversion, and for 3 years following. Sampling must occur at or near the time of lowest groundwater level. Sampling of the wells must follow standard procedures for purging and sampling and the samples must be submitted to an accredited laboratory for analysis. Analysis of the samples must include parameters indicative of saltwater intrusion, including chloride, specific conductivity and total dissolved solids. Records must be kept as per clause (m).

- m) The licensee shall measure and retain records for inspection upon request by the Water Manager. Records are to include water volumes diverted (as per clause k), and water quality parameters (as per clause l).

A handwritten signature in black ink, reading "Cali Melh". The script is cursive and fluid, with the first name "Cali" and the last name "Melh" written in a single continuous line.

Cali Melnechenko
Water Manager



WATER DISTRICT: Victoria
PRECINCT: Shawnigan
LAND DISTRICT: Cowichan

Signature: *Cali Mee*
Date: October 23, 2019

LEGEND:

Scale: 1: 2,040
Point of Diversion: ●
Map Number: 92B.083.3.2
Works not pictured: Treatment system, Pumphouse

Conditional Water Licence 501510
File 20010466

The boundaries of the land to which this licence
is appurtenant are shown thus:



October 23, 2019

File: 20010466
vFCBC Tracking No.: 100273825

Gulf Islands Seniors Residence Association
100-121 Atkins Road
Salt Spring Island BC V8K 2X7

Dear Sir or Madam:

Re: Water Licence Application 110466

The investigation of the above application has been completed. Enclosed is a copy of Conditional Water Licence 501510.

Please read the documents carefully. Any error(s) in these documents should be brought to the attention of this office as soon as possible.

To protect the quality and safety of our groundwater resources all wells and associated works related to a groundwater diversion, storage and use must comply with the *Water Sustainability Act* and Groundwater Protection Regulation which requires water wells in British Columbia to be properly constructed, maintained, and, at the end of their service, deactivated and decommissioned. For more information on well owner requirements under the Groundwater Protection Regulation please visit <http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/groundwater-wells>.

You are advised that the *Drinking Water Protection Act* and the Drinking Water Protection Regulation under that Act govern the construction, installation, alteration, extension and operation of joint works that form part of a domestic water system supplying more than one single-family residence or any facility or establishment where the public consumes water. It is the responsibility of the licensee to comply with the Act and Regulations noted above. Your local Regional Health Authority will be able to assist you.

Please be advised that this licence does not authorize an interconnection to any public water system without the use of a device to prevent backflow.

Please note that your water licence requires you to install a flow metering device to record the rate and volume of water diverted under this licence. You should ensure that your works can accommodate this request.

Page 1 of 3

Ministry of Forests, Lands,
Natural Resource Operations,
and Rural Development
Water Management

Mailing Address:
103-2100 Labieux Road
Nanaimo BC V9T 6E9

Location:
103-2100 Labieux Road
Nanaimo BC V9T 6E9

Phone: (250) 751-7220
Fax: (250) 751-7192
Web: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/water>

Please note that further water quality monitoring requirements are conditions of your water licence.

Please note that records regarding monitoring must be retained for inspection by the Water Manager.

We understand that there is an unused shallow well on your property. Please be advised that you are required to deactivate or decommission this well if it is not used regularly. Well decommissioning requirements are outlined in Part 9 of the Groundwater Protection Regulation. Deactivation of your well may require the services of one or more Qualified Professionals.

For more information, and contact information for a Groundwater Protection Officer, please visit the following website <http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/groundwater-wells>.

Please note the following:

- 1) Water licences do not authorize entry on privately owned land for the construction of works, or flooding. Permission of the affected landowner must be obtained or an easement expropriated. For your protection, permission should be in writing and registered with the appropriate Land Title Office.
- 2) Permission for installing works on lands or roadways which are under the jurisdiction of any government agency, must be obtained from the agency concerned.

Please contact FrontCounter BC to assist you with notifications and any applications required if:

- a) there is any change in your mailing address;
- b) you sell the land to which the licence is appurtenant;
- c) you propose to subdivide the land to which the licence is appurtenant; or
- d) you propose to alter the works authorized under the licence.

In order for you to keep your water licence in good standing, the following must be observed:

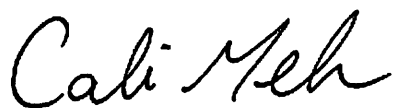
- a) continued beneficial use of water, as authorized under your licence;
- b) payment of annual rentals;
- c) compliance with the terms of your licence; and
- d) compliance with the terms of the *Water Sustainability Act*.

One of the obligations of a water licence is the payment of annual rentals and fees to the Crown for the authorization to exercise the rights granted under the licence. Failure to pay water rental invoices by a specified date may result in late-payment penalties, collection action or cancellation of the licence. Any questions in regards to invoices, statements or billing procedures should be directed to the Water Revenue Unit at 1 800 361-8866. Callers from the Victoria area should dial 250 387-9445.

The *Water Sustainability Act* gives the recipient of this notice the right to appeal my decision. Information on filing an appeal can be found on the Environmental Appeal Board website at: <http://www.eab.gov.bc.ca/>. A right of appeal from my decision lies to the Environmental Appeal Board. Notice of any appeal must (1) be in writing; (2) include grounds for the appeal; (3) be directed by registered mail to the Chair, Environmental Appeal Board, PO Box 9425 Stn Prov Govt., V8W 9V1 or personally delivered to the office of the Board at 4th Floor, 747 Fort Street in Victoria, BC V8W 3E9, eabinfo@gov.bc.ca; (4) be delivered within 30 days of receiving this letter, and (5) be accompanied by a fee of \$25.00, payable to the Minister of Finance.

If you have any questions or concerns, please contact Dave Johnson, Licenced Authorizations Officer, at 250 751-7074.

Yours truly,



Cali Melnechenko
Water Manager

Enclosure(s)

cc: Meghan McKee, Environmental Manager, North Saltspring Waterworks District,
761 Upper Ganges Road, Salt Spring Island, BC, V8K 1S1

Information Sheet: Rights and Obligations of a Water Authorization Holder

(Updated Sept 2016)

Ministry of Forests, Lands and Natural Resource Operations

What authority does a water authorization provide?

A water authorization (i.e., licence or use approval) issued under the *Water Sustainability Act* authorizes an authorization holder to, subject to the restrictions in the *Water Sustainability Act* and regulations:

- divert and beneficially use the quantity of water specified in the authorization for the specified purpose and during the specified time;
- store water in accordance with the authorization;
- construct, maintain and operate the works authorized by the authorization that are required for the proper diversion or use of the water or the power produced from the water, which may include, depending on the terms of the authorization:
 - making changes in and about a stream necessary for the construction, maintenance or operation of the authorized works or that are otherwise required to facilitate the authorized diversion; or
 - constructing fences, screens and fish or game guards across streams for the purpose of conserving fish or wildlife.

What rights do I have as a water authorization holder?

The *Water Sustainability Act* also establishes additional entitlements for a water authorization holder which include the right to:

- receive notice from anyone making an application for a water licence or other authorization if there is reason to believe that the authorization holder's rights may be detrimentally affected;
- file an objection if they feel their rights would be affected by granting of an application;
- receive notice of any decision on an application if the authorization holder filed an objection in relation to an application; and
- pursue the expropriation of any privately-owned land reasonably required for the construction, maintenance, improvement and operation of the works or for flooding as authorized under a water licence.

What if works or flooding under a water authorization involves Crown land?

Permits over Crown land (PCL) are typically issued under the *Water Sustainability Act* together with a water authorization. A PCL prevents works (e.g., a water pipeline across Crown land) from being in trespass, but does not provide for the exclusive use of the Crown land.

A water authorization may also be supported by a form of tenure under the [Land Act](#), which can provide for the exclusive use of the Crown land.

What is the significance of the date of precedence?

An important condition of a water authorization is the availability of the water and the priority of water rights based on their date of precedence, which is sometimes known as the priority date. The date of precedence establishes who is allowed their full allocation of water first during times of water scarcity or drought. [Section 22](#) of the *Water Sustainability Act* provides the authority to order the reduction or restriction of water diversion and use from a stream (and any hydraulically connected aquifer) or an aquifer (and any other hydraulically connected aquifer) based on the date of precedence.

When more than one authorization has been issued for the same stream or aquifer, the authorization with the earliest priority has first right to available supply. The authorization with the second earliest priority date has second right, and so on. For example, an authorization with a date of precedence of April 15, 1978 has a prior right to water over an authorization with a September 15, 1983 date of precedence.

[Section 22](#) of the *Water Sustainability Act* also establishes a priority of water rights when two authorizations on the same water source have the same date of precedence, with domestic being the highest priority followed by waterworks and irrigation.

How are my rights protected?

The *Water Sustainability Act* establishes several offences related to water protection and water use. Some important offences associated with use include the following:

- willfully hinder or interrupt a holder of an authorization or other permission in the lawful exercise of a right granted under the *Water Sustainability Act* or the authorization or permission;
- willfully destroy, injure or interfere with the works of the holder of an authorization or other permission without lawful authority;
- connect to the works of an authorization holder without authority;
- makes changes in and about a stream without authority;
- diverts water from a stream or aquifer without authority; or
- constructs, maintains, operates or uses works without authority.

How are water use and land use activities managed?

Land management and resource use activities that may have an impact on water users, water quantity or quality, or structures located in or near streams should be brought to the attention of specialists with the Ministry of Forests, Lands and Natural Resource Operations for review.

Staff will identify where there may be conflicts with existing and proposed uses of water and identify authorization holders whose rights may be affected.

What are my obligations to maintain my water authorization in good standing?

Under the *Water Sustainability Act*, a water authorization is subject to cancellation or suspension for reasons, which include the following:

- in the case of a water licence, non-beneficial use of water for 3 successive years for the purposes and in the manner authorized under the water licence;
- failure to pay water rentals for 2 years that are due to the government;
- failure to pay a water bailiff's fees or expenses that are payable for 180 days after the due date;
- failure to comply with a term or a condition that is prescribed in a water authorization;
- failure to construct the authorized works within the time specified in a water authorization;
- making a material misstatement or misrepresentation in an application or in information required to be provided to the comptroller, a water manager or an engineer;
- making a material misstatement or misrepresentation in a beneficial use declaration;
- non-compliance with an order to the comptroller of water rights, a water manager or an engineer;
- cancellation or the termination of the authorization holder's title to the land, mine or undertaking on which the water is authorized to be used; and
- non-compliance with the *Water Sustainability Act* or its accompanying regulations.

An authorization holder is also responsible for damage resulting from works constructed, operated or maintained from a defect, insufficiency or failure of the works, whether the authorization is in good standing, abandoned, suspended or cancelled.

When directed by the water manager or the comptroller of water rights, an authorization holder must keep records of the diversion and use of water. Records must be produced for inspection when required.

Any licensee may also be requested to complete a beneficial use declaration including information required by the decision maker.

Are there any other responsibilities that I have as an authorization holder?

Under the *Water Sustainability Act*, a water authorization holder is required to:

- make beneficial use of the water diverted. In the context of a water licence, “beneficial use” means using the water as efficiently as practicable, in accordance with any applicable regulations, and as specified in the terms and conditions of your licence;
- exercise reasonable care to avoid damaging land, works, trees or other property of another person during construction or operation of any works;
- undertake proper inspection, maintenance and repair of your works and ensure that your works do not cause a significant risk of harm to public safety, the environment, land or other property;
- if you abandon your authorization or the authorization is cancelled or expires, you are required to ensure that any works associated with the authorization are deactivated or decommissioned in accordance with the regulations and orders. Note that as an authorization holder you remain liable for any damage or loss resulting from the construction, maintenance, use, operation or failure of your works.

You are also required to notify the water manager or the comptroller of water rights if:

- any change of mailing address is made;
- the land, mine or undertaking where the water to be used is sold, planned to be subdivided, or subdivided;
- the works authorized under the authorization are to be altered; or
- water is being used for a purpose other than specified under the authorization.

Are there other considerations?

An authorization holder should also be aware of the following:

- A water authorization will not prevent resource extraction activities such as logging, mining or oil and gas extraction in an authorization holder’s watershed.
- A water authorization does not assure that the water is or will remain suitable for the authorized water purpose. For potable water uses, the Ministry of Health recommends that all surface water be treated by filtration, disinfection or both.
- A water authorization does not assure that water will always be available. The authorization allows for the diversion and use of a specified quantity of water if it is available.
- Early priority licences are not always the highest (furthest upstream) intakes on the stream or in a particular location on an aquifer. In many situations licences with early priority dates have their water intakes lower down a stream, in valley bottoms, which historically have been developed first.
- If satisfied that the joint use of works by two or more authorization holders would conserve water or avoid duplication of works, the comptroller or a water manager may order the joint construction or use of works and set the terms and conditions for the joint construction or use.

- A water authorization does not allow the licensee to trespass on private land to construct, maintain or operate works. Permission must be obtained from landowners, preferably in writing, for the construction of works on private lands. The landowner can withdraw this permission anytime.
- The *Water Sustainability Act* provides for the expropriation of land reasonably required for the construction, maintenance, improvement or operation of works authorized or necessarily required under a licence. The expropriation process includes arbitration where the affected landowner(s) are entitled to receive compensation. If the land is sold, any written agreement providing for access could be nullified. It is recommended that a registered easement or statutory right-of-way be obtained for works on private lands.
- A conditional water licence is not inferior to a final water licence. A conditional water licence authorizes the construction of works. A final water licence may be issued after the works have been surveyed, the actual quantity of water used has been determined, and the location of water use has been verified; however, generally a conditional licence is adequate and a final licence does not need to be issued.



Salt Spring Island Electoral Area

108 121 McPhillips Ave

Salt Spring Island, BC, V8K 2T6

T: 250.537.4448

www.crd.bc.ca

September 4, 2019

Dr. Janet Smith, President
 Gulf Islands Seniors Residents Association
 100-121 Atkins Road
 Salt Spring Island, BC V8K 2X7

Dear Dr. Smith:

RE: Conditional Approval for Inclusion of 154 Kings Lane into the Ganges Sewer Service Area

The Ganges Sewer Local Service Commission at their August 29, 2019 meeting passed the following motion:

That the Ganges Sewer Local Service Commission approve the inclusion 154 Kings Lane into the sewer service area subject to the following:

1. *The Ganges Commission approve amending the maximum daily discharge of the plant from 1,090 to 1,300 m3/day;*
2. *The Applicant agrees in writing to pay for all costs related to obtaining approval from the Ministry of Environment to increase the maximum day flow discharge from the plant;*
3. *The Applicant agrees in writing to pay for all costs to include the property into the service area, and also pays the capacity purchase charge for the planned development and ongoing parcel taxes and user fees for the service.*
4. *The Applicant agrees in writing to pay all engineering, administration, permit fees and construction costs associated with the extension of the sewer and connection to the existing sewer and the property; and*
5. *The Applicant installs a water meter(s) to measure the total volume of all water production from wells on the property.*

Please confirm that you agree to the conditions noted in the motion, and staff will prepare a cost estimate as a deposit to proceed further. The next steps will be to prepare a bylaw amendment to the Ganges Sewer Service Area as well as contact the Ministry of Environment to amend the maximum daily discharge. These processes can take several months to complete. Once complete, we will then prepare a Sewer Extension Agreement for you to complete the design and construction of the sewer from Lower Ganges Road to Kings Lane including the connection to 154 Kings Lane. If you have any questions or require further information, please feel free to contact the undersigned.

Karla Campbell, Senior Manager
 Salt Spring Island Electoral Area

pc: Malcolm Cowley, Manager, Wastewater Engineering and Planning
 Derek Arthur, Engineering Technologist, Integrated Water

Please sign below and return as confirmation of your agreement to proceed under the above conditions:

Authorized Signatory

16-September-2019
 Date



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: SS-RZ-2018.4
(SS-BL-515 and SS-BL-517)

DATE OF MEETING: December 18, 2019
 TO: Islands Trust Executive Committee
 FROM: Patricia Maloney, Dillon Consulting Planner
 Salt Spring Island Team
 SUBJECT: Salt Spring Island Local Trust Committee – Bylaw 515 and Bylaw 517

RECOMMENDATION

THAT the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 515, cited as Salt Spring Island Land Use Bylaw 1999, Amendment No.3, 2018”, and Bylaw No. 517, cited as “Gulf Islands Seniors’ Residence Association Salt Spring Island Housing Agreement Bylaw No. 517, 2019”. in accordance with Section 27 of the *Islands Trust Act*.

DIRECTORS COMMENTS

Salt Spring Island Local Trust Committee has referred Bylaw No. 515 and Bylaw No. 517 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve both of these bylaws as they are not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

On September 27, 2018 the LTC gave first reading to Bylaw 515 and referred it to agencies, First Nations and community groups. Consolidated comments from these groups have been submitted to the Islands Trust and addressed. On November 6, 2018 the applicant held an informational open house at the Salt Spring Public Library. This staff report provides the relevant information regarding that meeting, the attendance and the letters of support. For further policy analysis, please see the [Staff Report dated Sept. 27, 2018, February 26, 2019 and June 25, 2019](#).

Staff have reviewed the Islands Trust Policy Statement and are satisfied that the land use policies have been sufficiently addressed. Ultimately, the LTC must satisfy itself that the bylaws are consistent with all applicable

Policy Statement directive policies. Following third reading, the Executive Committee must also satisfy itself that the bylaws are consistent with all applicable Policy Statement directive policies.

The proposed development conforms to the land use policies of the Salt Spring Island Official Community Plan and the Island, Islands Trust Policy Statement. This proposal provides a 48 unit affordable seniors' supportive housing complex, retaining the existing Kings Lane Medical Clinic for medical and dental services.

Implementation/Communications

None.

Other

None.

PURPOSE

The purpose of this request for decision is to approve:

1. Salt Spring Island Local Trust Committee Bylaw No. 515 cited as Salt Spring Island Land Use Bylaw 1999, Amendment No.3, 2018", which will rezone the land from Community Facility 1(d) to Residential 12(a) to allow for the development of 48 affordable seniors' supporting housing units, medical and dental offices and service, along with two staff housing units, and
2. Salt Spring Island Local Trust Committee Bylaw No. 517 cited as "Gulf Islands Seniors' Residence Association Salt Spring Island Housing Agreement Bylaw No. 517, 2019", which will provide the housing agreement to ensure that the rents remain affordable.

BACKGROUND

Salt Spring Island Local Trust Committee Bylaw No. 515

The Applicant, the Gulf Islands Seniors' Residence Association, acquired the property at 154 Kings Lane, which currently houses the King Lane Medical Clinic. The current zoning of Community Facilities (CF1(d)) does not accommodate the proposed housing development. Rezoning to a new residential district that will accommodate the affordable seniors supported housing project, the existing medical clinic and service clubs was prepared as R12(a).

Salt Spring Island Local Trust Committee Bylaw No. 517

To ensure that the project remains affordable, a Housing Agreement has been prepared, reviewed by Islands Trust legal and agreed to by the Applicant. This Housing Agreement will be attached to the title of the property and the Applicant/Gulf Islands Senior's Residence Association will provide annual reports to the Salt Spring Local Trust Committee to demonstrate that any rent increases are within the allowable Cost of Living increases and maintain the units as affordable as defined in the Housing Agreement.

Issues Relating To Provincial Interest

Potable Water

The Applicant engaged Lowen Hydrogeology to complete a water assessment on the property in November 2018. Subsequently, the Applicant engaged Stantec to provide a third party assessment of the quality and quantity of the water (February 2019). The reports were submitted to the Ministry of Forests, Land, Natural Resource Operations and Rural Development Water Management (the Ministry) and well tests were conducted in conformance with the Ministry requirements. On October 23, 2019, the Ministry issued Conditional Water License 501510. The Conditions listed related to the amount of water to be extracted, the rate, the testing and providing reports to the Ministry. Therefore, both water quantity and quality have been approved. The approval also addresses the water treatment and storage requirements for the development.

Sanitary Sewer Service

The Applicant engaged Stantec to review the sanitary sewer options for the site. Both on-site and off-site options were considered and the final recommendation of Stantec was off-site piped sanitary sewer. It was determined that the CRD piped sanitary line had downstream collection system capacity to accept the flow from the proposed development. It was determined that 325m of off-site piping is required along Kings Lane and down Blain Road to connect the new housing project to the sewer line on Lower Ganges Road.

This provided an opportunity to create a pathway/sidewalk down Blain Road to Lower Ganges to improve pedestrian linkage to the Hospital. The Applicant will construct the pathway in conjunction with the construction of the sewer line. The Applicant will be required to submit a 100% security for the value of constructing the pathway at time of Development Permit.

Issues Relating To First Nation Interest

The Applicant engaged Stantec Consulting Limited to complete an Archaeological Overview Assessment for the site. Along with the historical review, a Preliminary Field Assessment was conducted on March 11, 2019 with a representative of the Cowichan Tribes. No archaeological resources were identified during the site assessment.

Issues Relating To Resources and Enforcement

The Applicant has entered into a Service Contract agreement with Islands Trust to hire a consultant to facilitate the processing of the rezoning and the Development Permit for the Gulf Island Senior's Residence Association project at 154 Kings Lane. This has minimize the strain on Salt Spring Island planners.

Public Comments

Public comments were received up to and including the Public Hearing. The concerns revolved around potable water (Water license issued), Sanitary sewer (CRD Bylaw amendment to expand service area to include proposed development) and affordability (Housing Agreement is included in Bylaw 517). Other concerns included the long term commitment to retain the current Kings Lane Medical clinic for medical and dental services. Bylaw No. 515 has been revised to specifically include medical and dental services in the existing Kings Lane Medical clinic. No other comments have been received.

Staff Comments

The Applicant has submitted all of the provincial approvals, drawings, and background studies requested by Staff. Staff is ready to process the Development Permit Application if Bylaw No. 515 and Bylaw No. 517 are supported by the Executive Committee and final reading is given by the Salt Spring Local Trust Committee.

The application conforms to the Islands Trust Policy statements, conforms to the Salt Spring Island Official Community Plan, has been reviewed and supported by the Advisory Planning Committee, the Advisory Agriculture Planning Committee and Island Pathways.

The Executive Committee is being asked to support the adoption of;

1. Bylaw No. 515, Salt Spring Island Local Trust Committee, to Amend Salt Spring Island Land Use Bylaw, 1999, from CF1(d) to R12(a) and
2. Bylaw No. 517 Salt Spring Island Local Trust Committee, to adopt the “Gulf Islands Seniors’ Residence Association Salt Spring Island Housing Agreement Bylaw No. 517, 2019”.

KEY ISSUES/CONCEPTS

- To ensure that the Development Permit process includes the security for the construction of the pathway on Blain Road
- To ensure that the Applicant meets all of the conditions of the Ministry and CRD for water and sewer provision

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Islands Trust Policy Statement Directive Policies
- Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]

ALTERNATIVE

1. Determine that the bylaw is contrary to the Islands Trust Policy Statement:

THAT the Executive Committee request that staff advise Salt Spring Island Local Trust Committee in writing that the Executive Committee considers that:

- a) Bylaw No. 515 cited as Salt Spring Island Land Use Bylaw 1999, Amendment No.3, 2018”, which will rezone the land from Community Facility 1(d) to Residential 12(a), and/or
- b) Bylaw No. 517 cited as “Gulf Islands Seniors’ Residence Association Salt Spring Island Housing Agreement Bylaw No. 517, 2019”,

are contrary to or at variance with the Islands Trust Policy Statement, and advise the Salt Spring Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Patricia Maloney, FCIP, RPP Dillon Consulting, Planning Consultant	Select Date.
Concurrence:	David Marlor Director, Planning Services	Select Date.

ATTACHMENTS

1. EC Submission Cover
2. Bylaw No. 515
3. Bylaw No. 517

DATE OF MEETING: November 26, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Planner 1
Salt Spring Island Team

COPY: Stefan Cermak, Regional Planning Manager

SUBJECT: **Liquor and Cannabis Regulation Branch Application**

Applicant: Chris Simmonds

Establishment: Royal Canadian Legion Branch No. 92

Location: 120 Blain Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee directs staff to send a response to the Liquor Control and Licensing Branch regarding the Royal Canadian Legion Branch No. 92 liquor license transition application that states:
 - a. The potential impact of noise on the community in the immediate vicinity of the establishment would be minimal;
 - b. The impact on the community if the application is approved would be negligible;
 - c. The Local Trust Committee recommends the application be approved.
2. That the Salt Spring Island Local Trust Committee directs staff to include a record of community consultation with the response to the Liquor Control and Licensing Branch regarding the Royal Canadian Legion application.

REPORT SUMMARY

The purpose of this report is for the Salt Spring Island Local Trust Committee (LTC) to review and provide resolutions and comments for an application to transition the liquor licensing designation for the Royal Canadian Legion Branch No. 92 on Salt Spring Island.

The Royal Canadian Legion has applied to the Liquor and Cannabis Regulation Branch (LCRB) to transition from a Liquor Primary Club Licence to a Liquor Primary Licence. As the local land use authority, the LTC is required to provide resolutions and comments on the application through a referral process.

Per LCRB policy, the LCRB requires local government to respond by way of resolution and said resolution must include:

- Comments on potential for noise if the application is approved,

- The impact on the community if the application is approved,
- Recommendations as to whether the application should be approved
- Indication that views of residents were gathered,
- The views of residents,
- The method used to gather the views of residents,
- Comments and recommendations with respect to the views of residents,
- Recommendations as to whether the application should be approved, and
- The reasons for its recommendations.

To facilitate the above requirements, resolutions have been outlined above; however, the LTC may wish to revise details pending information and comments from the community received at the town hall portion of the LTC meeting.

Once passed, the LTC's resolutions will be forwarded to the general manager of the LCRB to consider when making decision on the application.

BACKGROUND

Currently the Royal Canadian Legion Branch No. 92 Liquor Primary Club License only permits liquor sales to Royal Canadian Legion members and their guests. According to the terms of a Club License, holders must keep a guest register (the name of the guest and member and the date of the visit) for any non-member who will be in a service area when liquor is sold or served. The application to transition the liquor license to Liquor Primary would enable the Branch to sell liquor and advertise to the general public.

The transition would not alter the permissions of the existing license, which currently permits the following:

- 1) Liquor Primary Club License for 501 patrons (212 patrons upstairs, 188 patrons downstairs, 51 persons upper outdoor patio, 51 patrons lower outdoor patio).
- 2) Family service endorsement for Liquor Primary areas (to permit minors accompanied by adult until 10:00pm for the purposes of family dining).

The applicant had stated in their application that they would like to also retain an Off Premises Sales Endorsement, allowing sales of bottled beer, wine, cider and coolers for patrons to take home. The LCRB does not have record of this endorsement as part of the current Liquor Primary Club License. Following the inability to confirm the validity of the Off Premises Sales Endorsement, the applicant has withdrawn this request.

The Royal Canadian Legion license transition application provides the following rationale for the requested transition:

"This license change is a concerted effort to reach out to the community at large, who may not have thought the Legion was for them. If we can show more people that the Legion is a viable part of Salt Spring Island, then perhaps some of them will become members and assist us in our charitable endeavours"

The application does not propose to change the days or hours within which liquor can be served. Under its current and proposed liquor license, liquor primary areas may serve liquor between the hours of 11 a.m. to 1 a.m. Monday through Saturday, and 11 a.m. to midnight on Sundays.

The Royal Canadian Legion is a not-for-profit, membership based organization that provides for veterans and their families, promotes Remembrance and provides services within the communities where they exist. Policies and activities are defined by their membership in accordance with Legion by-laws.



Figure 1: Location of subject property



Figure 2: Ortho photo of subject property

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

There are no directive policies relevant to this application.

Official Community Plan

The Salt Spring Island Official Community Plan (OCP) Bylaw No. 434, designates the property as **Ganges Village Upper**.

The Ganges Village Upper object that is most relevant to the proposed licence change is as follows (*see appendix 2 for evaluation of OCP policies*):

B.5.2.1.1 - To accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island.

The property is located within Development Permit Area 1 (DPA1) for the management of the form and character of development in the Island's villages. However, no development activity triggering the requirement for a permit is proposed as part of the liquor licence transition.

Land Use Bylaw

The subject property is split zoned **Agriculture 1 (A1)** and **Community Facilities 1 (CF1)** under Salt Spring Island Local Trust Committee Land Use Bylaw No. 355. The building that is the subject of the licence transition application is located on the CF1-zoned portion of the property.

Among the permitted principal uses in the CF1 zone are:

	CF1	CF2
Principal Uses, Buildings and Structures		
<i>Public schools, pre-schools and child day care centres</i>	♦	
Libraries	♦	
Churches	♦	
Community halls	♦	
Public hospitals, clinics and health care facilities	♦	
Non-commercial active outdoor recreation	♦	
Non-commercial indoor recreation facilities	♦	
Service club buildings	♦	
Performing and visual art centres, including accessory sales	♦	
Collection of recyclable materials	♦	♦
Sorting and temporary storage of recyclable materials		♦
Collection of municipal solid waste		♦
Sorting and temporary storage of municipal solid waste		♦
Liquid waste treatment		♦
Public service uses	♦	♦
Accessory Uses		
<i>Intermittent retail sales and retail services accessory to a principal use</i>	♦	

The following definitions are relevant to the Community Facilities zone:

“service club” means a *club* with a primary purpose of providing beneficial community *services* to others.

“club” means a group of people organized for a common purpose to pursue common non-profit goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws.

“service” means a *use* that primarily is engaged in providing assistance, as opposed to products, to individuals, business, industry, government and other enterprises; and may include personal, business, repair and professional *services*.

Liquor Primary is also a defined use according to the Land Use Bylaw:

“liquor primary” means an establishment licensed under the Liquor Control and Licensing Act where the service of liquor is the primary focus of the business, but excludes nightclubs.

Issues and Opportunities

Impact on Zoning

The liquor license amendments being requested may not be generally consistent with the intent of the Community Facilities zoning. Liquor sales are not necessarily a component of all service clubs, however, the service of liquor is consistent with how the Royal Canadian Legion Branch No. 92 has historically operated and is an important source of funding for the club’s operation. Branch No. 92 has been in operation at the Blain Rd site since at least 1988, and has served alcohol since that time.

In this context, staff assessed whether the change from club liquor license to a liquor primary license could potentially result in a violation of the zoning permissions for the subject property. However, if the licence change application were to be approved by the LCRB, the Legion would continue to operate as a non-for-profit service club. As a result, staff do not anticipate new additional land use impacts from the proposed license change, and are satisfied that the use will continue to be consistent with the zoning in place.

Impact on Surrounding Area and Greater Island

The location has held the current liquor primary licence since 1988 based on LCRB documents available (*see appendix 4*). Staff recognize that operation of a premises with a capacity of nearly 500 patrons, including 102 outdoors, may have noise implications for residents of the surrounding neighbourhood. At time of this staff report, staff have not received any specific information to suggest that residents are concerned. An open house conducted on the evening of October 22 drew approximately 3 community members. The feedback collected is discussed below.

Parking

The proponent currently provides approximately 85 parking spaces, versus the bylaw requirement of approximately 100. However, the Land Use Bylaw requires only that parking be provided to meet *indoor* seating demand, and does not contemplate outdoor patios. Were one to apply the same parking requirement to the outdoor patios shown on the occupancy plan in Appendix 4 as is required for indoor seats (1 parking space per 3 indoor seats), the premises would potentially require additional parking spaces. As the occupancy is not proposed to change, the parking demand is not expected rise. At time of this report, staff are unaware of on-going issues related to parking.

If parking is a concern to the LTC, this can be communicated to the Liquor Control and Distribution Branch and should be captured in an LTC resolution. Alternatively, the LTC could request a parking demand study from the applicants to ensure that on-site parking is sufficient to satisfy projected demand prior to recommending approval of the liquor license amendment.

Consultation

To gather input, the LTC has mailed notices to the occupants and owners of properties within 500 metres of the subject property on October 8, 2019, posted a notice in the October 22, 2019 edition of the Gulf Islands Driftwood Newspaper and on the Salt Spring Island Local Trust Committee webpage. A copy of the notice is attached to this report as Appendix 3.

The applicant hosted an open house at Meaden Hall (Royal Canadian Legion downstairs) between 5:30 p.m. and 7:30 on Tuesday, October 22, 2019. Members of the public can also address the LTC during the town hall portion of its regular meeting on Tuesday, November 26, 2019 or submit written comments to the Islands Trust office up to close of business on Monday, November 25, 2019.

At the time of writing, one written comment has been received in support of the change. If any further comments are received they will be brought to the LTC's attention at the November 26, 2019 LTC meeting. One attendee of the open house did express concern related to the noise impact of the regular operation of the Legion, though did not leave written comment.

As stated above, the results of the consultation are required in the form of a resolution from the LTC and will be forwarded to the general manager of the LCRB to consider when making an application decision.

Rationale for Recommendation

Staff have outlined the resolutions on page 1 of this report to facilitate the requirements of public consultation from the LCRB. The Salt Spring Island OCP does not contain policies that relate directly to this type of application. As such, the decision on the whether to recommend approval has been driven principally by the response to community consultation on the matter. There has been little concern expressed by the community regarding the application. Staff do not anticipate the application will have a significant impact on the current operation of the subject property. Therefore staff recommend support of the application in the LTC's response to the LCRB. .

Alternatives

1. Request further information

The LTC may request further information prior to making a decision. As noted above, parking on site may be a potential concern. If this is the case, the LTC may wish to commission a formal parking demand study.

Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a parking demand study from a qualified professional with demonstrated experience in this subject area prior to LTC consideration of the liquor license transition application.

This step may require requesting an extension from the Liquor Control and Licensing Branch. Appropriate wording for such a resolution is as follows:

That the Salt Spring Island Local Trust Committee direct staff to request an extension from the Liquor Control and Licensing Branch to allow time for receipt and consideration of a parking study.

NEXT STEPS

The LTC's resolutions will be forwarded to the general manager of the LCRB to consider when making an application decision.

Submitted By:	Geordie Gordon, Planner 1	November 13, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	November 18, 2019

ATTACHMENTS

1. Site Context
2. OCP Policies
3. Notification
4. Application Documents

ATTACHMENT # 1 – SITE CONTEXT

LOCATION

Legal Description	LOT A, SECTION 4, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 11826, EXCEPT PART IN PLAN VIP64146
PID	000-553-387
Civic Address	120 Blain Rd

LAND USE

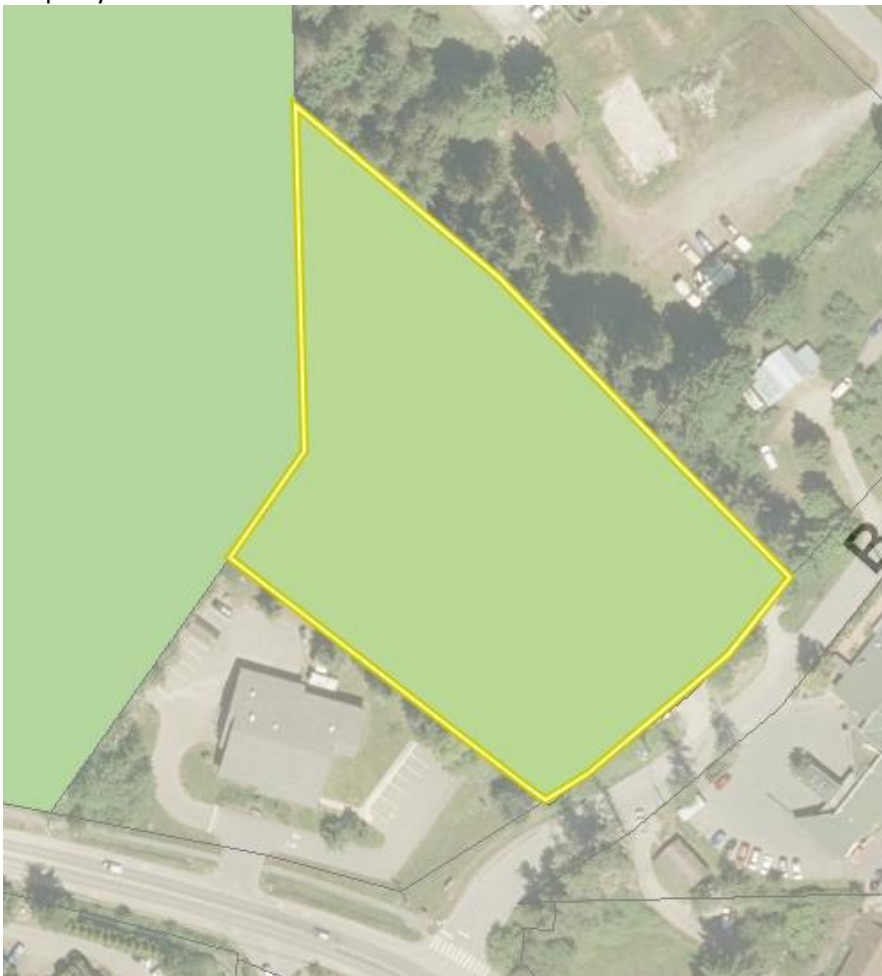
Current Land Use	Community Hall
Surrounding Land Use	RCMP Detachment, Hospital, elder care facility, medical clinic, agriculture, high density residential, commercial. Proposed housing complex.

HISTORICAL ACTIVITY

File No.	Purpose
SS-ALR-1986.1	Unknown
SS-ALR-1996.2	Exclusion of RCMP parcel from ALR (approved).
UN-RZ-1986.15	Unknown

POLICY/REGULATORY

Official Community Plan Designations	Lot is split designated: Ganges Village Upper (GVU) and Agriculture (A). Subject building located on GVU portion. Building is within Development Permit Area 1 (DPA 1) Island Villages: 
--------------------------------------	--

Land Use Bylaw	Lot is split zoned: Community Facilities (CF1) and Agriculture 1 (A1). Subject building located on CF1 portion. Uses permitted in the CF1 Zone: <table><tr><td></td><td>CF1</td><td>CF2</td></tr><tr><td>Principal Uses, Buildings and Structures</td><td></td><td></td></tr><tr><td><i>Public</i> schools, pre-schools and <i>child day care</i> centres.</td><td>♦</td><td></td></tr><tr><td>Libraries</td><td>♦</td><td></td></tr><tr><td>Churches</td><td>♦</td><td></td></tr><tr><td><i>Community halls</i></td><td>♦</td><td></td></tr><tr><td><i>Public</i> hospitals, clinics and health care facilities</td><td>♦</td><td></td></tr><tr><td>Non-commercial active <i>outdoor</i> recreation</td><td>♦</td><td></td></tr><tr><td>Non-commercial <i>indoor</i> recreation facilities</td><td>♦</td><td></td></tr><tr><td><i>Service club buildings</i></td><td>♦</td><td></td></tr><tr><td>Performing and visual art centres, including <i>accessory</i> sales</td><td>♦</td><td></td></tr><tr><td>Collection of recyclable materials</td><td>♦</td><td>♦</td></tr><tr><td>Sorting and <i>temporary</i> storage of recyclable materials</td><td></td><td>♦</td></tr><tr><td>Collection of <i>municipal solid waste</i></td><td></td><td>♦</td></tr><tr><td>Sorting and <i>temporary</i> storage of <i>municipal solid waste</i></td><td></td><td>♦</td></tr><tr><td>Liquid waste treatment</td><td></td><td>♦</td></tr><tr><td><i>Public service uses</i></td><td>♦</td><td>♦</td></tr><tr><td>Accessory Uses</td><td></td><td></td></tr><tr><td><i>Intermittent retail sales</i> and <i>retail services accessory</i> to a <i>principal use</i></td><td>♦</td><td></td></tr></table>		CF1	CF2	Principal Uses, Buildings and Structures			<i>Public</i> schools, pre-schools and <i>child day care</i> centres.	♦		Libraries	♦		Churches	♦		<i>Community halls</i>	♦		<i>Public</i> hospitals, clinics and health care facilities	♦		Non-commercial active <i>outdoor</i> recreation	♦		Non-commercial <i>indoor</i> recreation facilities	♦		<i>Service club buildings</i>	♦		Performing and visual art centres, including <i>accessory</i> sales	♦		Collection of recyclable materials	♦	♦	Sorting and <i>temporary</i> storage of recyclable materials		♦	Collection of <i>municipal solid waste</i>		♦	Sorting and <i>temporary</i> storage of <i>municipal solid waste</i>		♦	Liquid waste treatment		♦	<i>Public service uses</i>	♦	♦	Accessory Uses			<i>Intermittent retail sales</i> and <i>retail services accessory</i> to a <i>principal use</i>	♦	
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Other Regulations	Property is within ALR 																																																									

Covenants	Easement N49524 None held by Islands Trust
Bylaw Enforcement	No outstanding BE issues.

SITE INFLUENCES

Islands Trust Conservancy	Application does not require referral to ITC
Regional Conservation Strategy	Not Applicable
Species at Risk	None mapped
Sensitive Ecosystems	Not SEI
Hazard Areas	Not Applicable
Archaeological Sites	Remote Access to Archaeological Data (RAAD) indicates archaeological potential on subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	GHG emission changes area not expected as a result of approval.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

ATTACHMENT #2 – POLICIES

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO 434

OCP Objective	Complies	Planner Comments
B.5.2.2.2 Zones within the Ganges Village Designation will continue to allow the wide range of commercial, industrial, institutional land uses and the various densities of residential development allowed by existing zoning.	yes	Proposal continues a long-standing land use in the form of the operation of a service club.
B.5.2.2.3 The Local Trust Committee should consider rezoning applications that would allow the addition of some affordable and special needs housing in the Ganges Village Designation, as outlined in Section B.2.2.2.	n/a	Not a rezoning application.
B.5.2.2.4 The Local Trust Committee could consider rezoning applications to allow a slightly higher density of residential development than permitted by current zoning as part of a proposal that provided an eligible community amenity (see Appendix 3) or as part of a proposal to transfer development potential (see Section B.2.3.2 and Appendix 4). The Ganges Village Designation is a Development Potential Receiving Area. However, development potential should only be transferred to the North Salt Spring Waterworks District if the District can establish that any incremental demand can be met through water conservation or expansion of	n/a	Not a rezoning application.

	licensed supply capacity, or if water is to be supplied from another source.		
B.5.2.2.5	The Local Trust Committee could consider rezoning applications to allow a higher percentage of commercial site coverage or higher floor space ratios as part of a proposal to provide an eligible community amenity (see Appendix 3).	n/a	Not a rezoning application.
B.5.2.2.6	When considering rezoning applications in the Ganges Village designation, the Local Trust Committee will consider the impact that the proposed change would have on the Ganges sewer treatment plant. The Local Trust Committee should obtain confirmation from the Capital Regional District of sewage system capacity for any change to zoning within the boundaries of the sewered area that may result in a significant change in sewage volume or quality. This policy is further outlined in Section C.4.2.	n/a	Not a rezoning application.
B.5.2.2.7	The Local Trust Committee will support the development of a Ganges Harbour Management Plan.	n/a	Not relevant to application.
B.5.2.2.8	The Local Trust Committee may consider developing a local area plan for Ganges Village.	n/a	Not relevant to application.
B.5.2.2.9	The Local Trust Committee may consider changing zoning to permit some 3-storey buildings in areas away from the shoreline, the Ganges	n/a	Not a rezoning application.

Village Core and established view corridors.		
B.5.2.2.10 The Local Trust Committee will support continued development of the Ganges Public Pathway System as shown on Map 17 and proposed pathways and trails in the Urban Trails Task Force Report for Ganges Village.	n/a	Application does not impact identified policy.



ISLAND LIFE

- Remember When
- Star of the Week
- Where is This?

D.W. Salty is looking for material for his column, **Streets of Salt Spring Island**

If you have information on any of our streets, please contact us at: 250-537-9933 or dwsalty@driftwoodgimmedia.com



YOUTH PROGRAMS

Pass It On celebrates 10 years

Mentorship program sees youth flourish

SUBMITTED BY SWOVA

SWOVA Community Development and Research Society is marking an exciting milestone this fall as the Pass It On mentorship program enters its 10th season in local schools.

Pass It On started in 2010 as an after-school program that provided structured and individual mentorship between high school youth and Grade 8 students throughout the academic year.

In the 10 years that the girls' Pass It On has been going, approximately 400 young women have gone through the program — as mentors, as mentees, or sometimes as both. Kate Nash was hired as the program facilitator in 2010, after a four-month pilot of the program.

Ten years later, Nash is still with the program and a trusted, outspoken advocate for young women. She shares some of the program's impact: "In the beginning of the year, girls come into the program with a lot of judgements: judgements they harbour about themselves and judgements they have about the other participants. There's little-to-no trust. They're not in their regular friend group. They're the nerds, jocks, arts students, and so on. By sitting in circle week after week and having the opportunity to share openly and be heard, they develop a deep sense of trust for each other. That's huge, life-changing stuff."

Nash added that she's "constantly connecting and reconnecting with the female participants as they become women, watching them grow into their leadership skills and continue on in life at school and in work, pursuing environmental issues, working with youth, and being caregivers within their community. By the end of the year, I have seen growth in confidence to some degree in all the participants."



PHOTO COURTESY SWOVA
The 2019-20 Pass It On Girls' high school mentor group, with facilitator Kate Nash standing at back, centre.

SWOVA now runs programs for girls and for boys (cis, trans, binary inclusive). The society is currently working with program facilitators to evolve and improve the program. Pass It On has nine funders this year: United Way, BC Gaming, Coast Capital Savings, CRD Grant-In-Aid, the Lobstock Foundation, Shoppers Drug Mart, Stewart Fund of the Vancouver Foundation, Royal Canadian Legion and the Hamber Foundation.

To augment grants, every spring youth and program facilitators organize SparkFest, a fundraiser and celebration. In addition to headliners and a silent auction, youth give performances such as improv, spoken word and singing.

The impacts of the program are often gradual but with lasting effects. Students themselves attest to the transformative aspects of the year, claiming it helped with anything from stress, anxiety, self-confidence, abusive relationships, substance abuse and more.

One participant said, "I think that it just helps me learn to be a better

person. It's a time — after a whole school day of putting up a front — to sit in a group of people and peel off the masks and actually just have a genuine conversation without any sort of filter or agenda behind it. It's super special to me because I get to connect."

Stay Connected

be part of the Driftwood's online community.

Visit www.gulfislandsdriftwood.com for breaking news, extra content and to vote in our weekly poll; like us on Facebook for breaking news, photos and fun stuff; and get all the news first by following us on Twitter.

ADOPT A PET TODAY!

Barn Cats need love too. Nala is looking for a life on a farm where she can catch mice all day.



BCSPCA
SPEAKING FOR ANIMALS

Contact the BCSPCA at
250-537-2123

MURAKAMI
COLLISION & AUTO REPAIRS
191 RAINBOW RD. 250-537-2239
Serving Salt Spring's Community for 48 Years

CHARITABLE ORGANIZATIONS

G2G group holds info night

BY CONNIE HOLMES

SPECIAL TO THE DRIFTWOOD

Salt Spring Island Grand(m)others to Grandmothers invites the community to attend an informative Oct. 24 evening on the Grandmothers Campaign of the Stephen Lewis Foundation, which supports community-based organizations in Sub Saharan Africa.

These grassroots projects assist the courageous African grandmothers who mothered their own children until they died of AIDS, and now in their old age are left to mother their orphaned grandchildren. An exciting evolution is taking place as these grandmothers and their grandchildren, many who are now young adults, are taking leadership roles in the continuing fight against HIV/AIDS, and rebuilding their communities.

Guest speakers are two members of the Victoria Grandmothers to Grandmothers Group. Elizabeth Sebesta, one of the Cana-

dian grandmothers who travelled to Uganda in 2018 to visit several of the community-based organizations, will show slides and talk about what she observed. She will also share the experience of attending the Tanzanian grandmothers gathering in Arusha organized by the foundation.

The Canadian grandmothers were there to listen and witness as the African grandmothers had two days of workshops on topics they had chosen and then developed a statement which they presented to their government on the fourth day. Lisbie Rae, a member of the Stephen Lewis Foundation's Speakers Bureau, will bring her in-depth knowledge of the Grandmothers Campaign to a question-and-answer session.

Next Thursday's event takes place from 7 to 9 p.m. in the Salt Spring Public Library's community room. Admission is free and light refreshments will be served.



Islands Trust

Have Your Say

When:
Tuesday,
October 22, 2019
5:30 p.m. to 7:30 p.m.

Where:
Royal Canadian
Legion Branch No. 92
120 Blain Road, SSI
(Meaden Hall)

Who should attend?
Anyone affected by
the application.

Enquiries?
Geordie Gordon,
Planner 1
Islands Trust
250-537-9144

Written submissions are
welcome and can be emailed to:
ssiinfo@islandstrust.bc.ca
or, mailed or dropped off at the
Islands Trust office.

Liquor & Cannabis Regulation Branch

Liquor Primary Club Licence to Liquor Primary Licence

Address: 120 Blain Road, SSI (The Legion)

Applicant: Royal Canadian Legion Branch 92

PID: 000-553-387

OPEN HOUSE

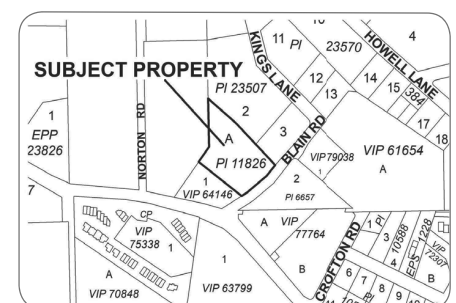
SALT SPRING ISLAND LOCAL TRUST COMMITTEE

What is being proposed?

The Royal Canadian Legion Branch No. 92 has applied to the Liquor and Cannabis Regulation Branch (LCRB) to transition from a Liquor Primary Club Licence to a Liquor Primary Licence. The proposed change in licence would allow Branch No. 92 to sell liquor to the general public. Under the current Liquor Primary Club Licence, liquor sales are permitted only to Royal Canadian Legion members and their guests. The transition would not alter the permissions of the existing licence, which permits the following:

- 1) Liquor Primary Club Licence for 501 patrons (212 patrons upstairs, 188 patrons downstairs, 51 persons upper outdoor patio, 51 patrons lower outdoor patio).
- 2) Hours of operation Monday – Saturday 11:00am to 1:00am and Sundays 11:00am to 12:00am.
- 3) Family service endorsement for Liquor Primary areas (to permit minors accompanied by adult until 10:00pm for the purposes of family dining).

As the local government, the Salt Spring Island Local Trust Committee (LTC) is requested to consider the application for this licence. Public input on this application is being sought.



How do I get more information?

Copies of the application are available for review at the Islands Trust office at #1-500 Lower Ganges Road, Salt Spring Island, BC V8K 2N8 from the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday, excluding statutory holidays.



Liquor and Cannabis Regulation Branch
400-645 Tyee Road, Victoria, BC V8A 6X5
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
Phone: 1 866 209-2111 Fax: 250-952-9949



LIQUOR PRIMARY CLUB LICENCE: APPLICATION TO TRANSITION TO LIQUOR PRIMARY LICENCE

Liquor and Cannabis Regulation Form LCRB129

Instructions:

Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation (LG/FN) and the Liquor and Cannabis Regulation Branch.

Transition Liquor Primary Club to Liquor Primary (LP)

Fee: \$330

Part 1: Establishment

For Office Use Only

Licensee/Applicant: ROYAL CANADIAN LEGION BR 92

Job # (C3) _____

Establishment Name: ROYAL CANADIAN LEGION BRANCH 92

LP Club Licence #: 123826

Proposed Establishment Name: _____
(if applicable)

Establishment Address: 120 BLAIN RD

Street

SALT SPRING ISLAND

City

BC

Province

V8K 2P7

Postal Code

Parcel Identifier (PID): 000-553-387

If a zoning change is required, please indicate the status of your application:

Phone number: 250-537-5822

E-mail: secretary@saltspringlegionbr92.com

Mailing Address: 120 BLAIN RD

Street

SALT SPRING ISLAND

City

BC

Province

V8K 2P7

Postal Code

Part 2: Contact Person

Name: CHRIS SIMMONDS

Position: PAST PRESIDENT

Telephone: 604-817-1668

E-mail: simmo324c@gmail.com

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Part 3: Change to Hours of Liquor Service

For Office Use Only

- ☐ Request change to hours of liquor service within the hours currently approved **Fee: \$220**
- ☐ Request change to hours of liquor service outside of the hours currently approved* **Fee: \$330**
- *a resolution from LG/FN is required - LG/FN must complete part 6 of this form.

Job # _____
C4: No Cap Ch/C3: Cap Ch

Complete the table below, indicating the proposed hours of liquor service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Closed							

Part 4: Structural Change to Licensed Service Area(s)

Office Use Only

Job # _____

C4: No Cap Ch/C3: Cap Ch

- ☐ Change(s) to existing licensed service area(s) **Fee: \$400**
☐ Addition of new patio* **Fee: \$440**

Describe the proposed changes to your licensed service area(s):

The proposed alterations will result in the total overall occupant load of your establishment:

- ☐ Increasing* to: ☐ Decreasing to: ☐ Remaining the same:

persons

persons

persons

*A resolution from your LG/FN is required if there is an increase in the total occupant load and/or if there is an addition of a new patio. LG/FN must complete Part 6 of this form.

Part 5: Checklist

- ☒ Letter of Intent. See Appendix I (page 5 of the guide) for information required in letter.
- ☐ Proposed Signage, if proposing an establishment name change (see page 3 guide)
- ☐ Provide two copies of floor plans showing the existing licensed and proposed changes (if applying for a structural change) service area(s): one 8.5" x 11" and one 11" x 17". Plans must be stamped with an occupant load by local government building or fire authorities.

*See Appendix II (page 7 of the guide) for floor plan and occupant load requirements.

If applying for a structural change to add a patio also provide the following:

- ☐ Provide the height and composition of the patio perimeter or bounding that is designed to control patron entry/exit (i.e. railings, fencing, planters, hedging, etc.):

- ☐ Describe the location of the patio in relationship to the licensed interior. The patio should be immediately adjacent or contiguous to the interior licensed service area.

- ☐ Describe how staff will manage and control the patio from the interior licensed service area.

- ☐ Will the patio have a fixed or portable liquor service bar or will liquor be served from the interior service bar?

- ☐ Do servers have to carry liquor through any unlicensed areas to get to the patio? Explain:

Note: Patios on grass, earth or gravel require a permit from the local Health Authority. Sidewalk patios require a permit from LG/FN.

Part 6: Local Government / First Nation (LG/FN) Confirm Receipt of Application

This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local government/First Nation (name):	ISLANDS TRUST SALT SPRING ISLAND		
Name of Official:		Title/Position:	
	(last / first / middle)		
Email:		Phone:	
		Date Received:	
			(Day/Month/Year)

Signature of Official: _____

Check here if LG/FN will not be providing comment: ☐ Yes, opting out of comment

Note: The LG/FN cannot provide comment for their own application.

Is this establishment on Treaty First Nation land? ☐ Yes ☐ No

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application to transition a LP Club to a LP liquor licence is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form and floor plan to LG/FN.
- If there are any major issues (e.g. bylaws), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign above and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s).
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
 - The impact of noise on nearby residents.
 - The impact on the community if the application is approved.
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

Part 7: Declaration

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: _____

Authorized signatory of the licensee

Name: _____

(last / first / middle)

Position: _____

(if not an individual)

Date: _____

(Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

Part 8: Application Fees (Non-refundable)

- ☒ \$330 Transition to LP Licence
☐ \$220 Change of Hours (within the hours currently approved)
☐ \$330 Change of Hours (outside of the hours currently approved)
☐ \$440 Structural Change to existing Licensed Area(s)
☐ \$440 Structural Change to Add Patio

Total Fee Submitted: \$

330.00

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check ☒ one):

- ☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
☐ Money order, payable to Minister of Finance
☐ Credit card: ☐ VISA ☒ MasterCard ☐ AMEX

☒ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by mail and have given my credit information in the space provided at the bottom of the page.

Part 9: Submit Application Package

Liquor and Cannabis Regulation Branch
Courier: 400-645 Tyee Road, Victoria BC V9A 6X5
Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8
E-mail: liquor.licensing@gov.bc.ca

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

LCRB129

4 of 4

Liquor Primary Club Application to Transition to Liquor Primary Form

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card): _____

Credit card number: _____

Expiry date: _____ / _____

(Month)

(Year)

Signature: _____

The Royal Canadian Legion Mission Statement

"Our mission is to serve Veterans, including military and RCMP members and their families, to promote Remembrance and to serve our communities and our country."

The Royal Canadian Legion was founded by Veterans and for Veterans. The Legion advocates for the care and benefits for all who served Canada, regardless of when or where they served. The Legion also provides representation and assistance to Veterans, including currently serving Canadian Armed Forces and RCMP, and their families, and access to our services is available to them at no cost, whether or not they are Legion members. The Legion helps thousands of Veterans each year and makes significant, positive changes in their lives.

By virtue of what the Royal Canadian Legion on Salt Spring Island stands for, we will always be considered a membership driven organization. We will continue to support members: for assistance with Veterans Affairs Canada (VAC), adjusting to civilian life, for financial assistance, and with mental health and PTSD. The Legion will support homeless veterans, outreach and visitation of families, seniors, Canadian veterans abroad, and allied Veterans. The Legion will act on requests for lost medals or service records, and will host funerals and burials.

In order for the Royal Canadian Legion Branch 92 to continue providing these services, we need to find creative ways to keep the Legion doors open. This license change is a concerted effort to reach out to the community at large, who may not have thought that the Legion was for them. If we can show more people that the Legion is a viable part of Salt Spring Island, then perhaps some of them will become members and assist us in our charitable endeavors.

One way for Branch 92 to remain as a membership driven organization: a two-tier system for products & services. Members with valid membership card will pay discounted price, while non-members will pay list price. The Legion membership would also give members access to Legion branches and affiliates, such as Army Navy Air Force (ANAF) clubs, across Canada, USA and the Commonwealth. The Legion would still be a member of one of the largest fraternal organizations in the world.

Klaus Mortensen

President

Royal Canadian Legion Branch 92

APPLICATION TO TRANSITION FROM A LIQUOR PRIMARY CLUB LICENSE
TO LIQUOR PRIMARY LICENSE

AT: 120 BLAIN ROAD, SALT SPRING ISLAND, BC V8K 2P7

APPLICANT: ROYAL CANADIAN LEGION BRANCH 92

LETTER OF INTENT

INTRODUCTION

This letter of intent is provided in support of the application submitted to the Liquor & Cannabis Regulation Branch by the Royal Canadian Legion Branch 92, Salt Spring Island, for the conversion of the existing Liquor Primary Club License to a regular, Liquor Primary License. The proposed conversion will maintain the admission of members to take priority over the admittance of non-members. The liquor primary license will provide an added amenity for liquor service to the public and a wide variety of events, such as Fundraisers, Seasonal Parties (i.e. Christmas Parties, Sporting Events, Celebrations of Life, Meat Draw, Music Events, Karaoke, & Card Games) the license will also provide a section for members to come and play darts, shuffleboard, pool, and cards. Food service will be available during open hours.

The hours of licensing will be maintained at Monday to Saturday 11:00am – 1:00am; and Sunday 11:00am – Midnight.

TARGET MARKET

The target market for this venue will be local residents, businesses and Legion Members. The Liquor Primary license will allow the Legion to include the general public in its many functions and provide an additional venue for community events, fundraisers, and special events. It will also provide a venue for local musicians to perform and therefore support local artists.

SALT SPRING ISLAND LICENSEES

The Legion will not be increasing its seating capacity and will basically be operating in the same format as it currently is. The removal of the club endorsement will negate the requirement to sign in guests and should not result in any increase in the noise factor in the community.

OTHER FACTORS

The applicant also submits the following addition factors for consideration:

- A Liquor Primary License would be of great benefit to the Legion and the community
- The maximum licensed capacity of this facility will not be increased
- There is a need for this type of space within the community
- There will be food service available
- The applicant wishes to retain their Family Food Services endorsement
- The applicant wishes to retain their Off Premises Sales endorsement
- There should be no notable noise increase
- The Legion will continue to provide space for the many non-profits, senior groups, and fitness groups from the community
- The Legion contributed over \$41000 to Veterans, seniors, and local organizations in 2018/2019
- The Legion has been a part of Salt Spring Island community since 1931

BUSINESS CASE

APPLICATION TO TRANSITION FROM A LIQUOR PRIMARY CLUB LICENSE TO A LIQUOR PRIMARY LICENSE

BRANCH: 92

BRANCH NAME: SALT SPRING ISLAND

BRANCH ADDRESS: 120 BLAIN RD, SALT SPRING ISLAND, BC

CONTENTS:

- 1. COMMUNITY DEMOGRAPHICS**
- 2. COMMUNITY LICENSEES INCLUDING SEATING**
- 3. BUSINESS PLAN INCLUDING MEMBERSHIP RECRUITMENT & RETENTION**
- 4. ORGANIZATIONS SUPPORTED BY BRANCH IN 2018**

ADDENDUM:

- 1. SSIGM MINUTES OF MEMBERSHIP APPROVAL**
- 2. PREVIOUS YEARS FINANCIAL STATEMENTS**
- 3. PREVIOUS QUARTER FINANCIAL STATEMENTS**
- 4. 5 YEAR ANALYSIS OF BRANCH**
- 5. LCLB LETTER OF INTENT**
- 6. LCLB APPLICATION TO TRANSITION TO LP LICENSE**
- 7. LOCAL GOVERNMENT/FIRST NATIONS APPROVAL**
- 8. COPY OF EXISTING LIQUOR LICENSE**
- 9. COPY OF PROPOSED FLOOR PLAN**
- 10. PHOTOS OF BRANCH**

CONCLUSION:

It is with these thoughts in mind that Branch 92 of the Royal Canadian Legion seeks approval of BC/Yukon Administration/Finance Committee to transition to a Liquor Primary License.

MISSION STATEMENT:

Our mission is to serve veterans, which includes serving military and RCMP members and their families, to promote remembrance, and to serve our communities and our country.

MEMBERSHIP RECRUITMENT & RETENTION:

First & foremost, the goal of the Legion Branch 92 is to increase membership. Proposed methods to accomplish this are:

1. Two-tier drink pricing
2. Two-tier menu pricing
3. Two-tier event pricing
4. Member priority for event tickets
5. Member discount for banquet facilities
6. Increase awareness of Legion Mission Statement
7. Increase feeling of belonging to a worthwhile non-profit society
8. Members on benefits i.e. Belairdirect home & auto insurance

ORGANIZATIONS SUPPORTED BY BRANCH IN 2018/2019

- Lady Minto Hospital
- Meals on Wheels
- Greenwoods Eldercare Foundation
- GISS Improv Program
- Fulford Harbour Childcare Society
- Salt Spring Gymnastics Program
- SIMS Circus Program
- Salvation Army
- Wigs for Kids BC
- Royal Canadian Marine Search & Rescue – Salt Spring Society
- Salt Spring Island Ground Search & Rescue
- SSI Junior Golf & Tennis Association
- Girl Guides of Canada – Salt Spring
- Boy Scouts of Canada – Salt Spring
- Salt Spring Island Toy Run
- Pacific Salmon Foundation
- Special Olympic Athletes SSI
- Salt Spring Film Festival
- Emergency Funding
- Salt Spring Wildlife Care Centre
- SS Emergency Program
- Copper Kettle
- SWOVA
- Post Secondary Bursaries

TOTAL DONATIONS: \$41002.84

Branch 92 strives to support the community of Salt Spring Island. Funds are issued from Gaming, Poppy or General based on specific criteria of individual recipients.

5 Year Analysis

Branch 92 Salt Spring

Gross Profit Assessment

- During the 2017 year the branch lost out on \$6,537 in profits from bar sales by not hitting the high end of the gross margin percentage targets.

Contribution Margin

- For each \$1.00 of bar sales, \$0.89 was spent on variable costs (purchases, bar wages, supplies, and other costs that can vary depending on the amount of sales), leaving \$0.11 for fixed costs and other expenditures.

Wage Assessment

- During the 2017 year the branch lost out on \$19,321 due to high costs in the following area: Bar Wages
- The branch would be able to recover these profits by doing the following: Reduce Bar Wages to 25% of total bar sales.

Fixed Cost Assessment

- In 2017 the largest fixed costs were as follows (number of drinks required to pay off these costs in parentheses based on a price of \$5.00 for a drink of draught):
 - Utilities - \$28,445 (49,501 draught drinks)
 - Per Capita Tax - \$20,232 (35,208 draught drinks)
 - Insurance - \$6,694 (11,649 draught drinks)
 - Property Taxes - \$5,025 (8,745 draught drinks)
 - Telephone/Internet - \$1,920 (3,341 draught drinks)
- In 2017 the branch paid \$5,025 in property taxes.

Evaluation of Rentals, Catering, and Kitchen

- The profit (loss) in 2017 from Rentals, Catering, and Kitchen was:
 - Rentals: \$19,815
 - Kitchen: \$2,851
 - Total: \$22,666

Gaming Admin Fee

- In 2017 the branch took no gaming admin fee losing out on \$3,603 of potential profit.
- The amount of gaming donations was sufficient to take the maximum gaming admin fee of \$3,603.

Cash Position Assessment

- Over the past 5 years the branch's working capital, including cash and other short term assets, has increased by an average of \$12,735 per year.
- If the branch had invested its term deposits with a money manager or participated in branch-to-branch lending it would have increased investment income by \$1,537.

Normalized Profit Position

- In 2017 the branch earned a profit (loss) of \$134,276. This included \$128,764 in donations.
- If the branch had followed an optimal position (in terms of sales margins, wage costs, etc.) it could have attained an additional \$34,710 of profit.

**The Royal Canadian Legion
BC/Yukon Command
Salt Spring Branch No. 92**

	2013	2014	2015	2016	2017
Canteen Sales	140,278	172,480	180,581	201,787	223,269
% Change		23%	5%	12%	11%
Cost of Goods Sold	61,011	71,551	73,692	84,360	87,990
% Change		17%	3%	14%	4%
Canteen Gross Profit	79,266	100,929	106,889	117,427	135,279
% Change		27%	6%	10%	15%
% Sales	57%	59%	59%	58%	61%
Total Canteen Income	78,952	102,668	122,246	133,145	153,061
Canteen Expenses	88,518	119,647	71,598	88,891	149,615
% Change		35%	(40%)	24%	68%
Canteen Profit (Loss)	(9,566)	(16,979)	50,649	44,255	3,445
% Change		(77%)	398%	(13%)	(92%)
Breakopen Sales	-	-	27,869	13,324	12,968
Breakopen Profit	-	-	(1,663)	(859)	1,949
% Sales	0%	0%	(6%)	(6%)	15%
Membership Dues	19,778	28,183	25,964	26,690	33,043
Ways & Means	5,456	6,848	-	-	-
Investment Income	-	-	-	-	205
Rentals, Catering, and Kitchen	8,901	(940)	(13,584)	1,402	22,667
Donations	13,562	14,376	12,221	17,195	128,764
Legion Supplies	656	93	-	-	29
On Line Lottery (Keno, Poker, etc.)	-	10,855	7,319	6,777	6,445
Other Income	561	3,113	8,393	25,126	685
Canteen & Breakopen Profits	(9,566)	(16,979)	48,986	43,395	5,395
Total Branch Revenues	39,348	45,549	89,300	120,585	197,231
% Change		16%	96%	35%	64%
Branch Expenses	29,631	45,105	94,033	99,026	62,955
% Change		52%	108%	5%	(36%)
Profit (Loss) before Welfare & Amortization	9,717	444	(4,734)	21,558	134,276
% Change		(95%)	(1167%)	555%	523%
Profit per financial statement	9,717	444	(4,734)	21,558	134,276
Total Current Assets	109,939	110,114	155,973	154,693	70,976
Total Current Liabilities	(3,816)	(7,468)	(124,728)	20,389	(19,413)
Working Capital	106,123	102,646	31,245	175,082	51,563
Term Deposits	-	10,642	-	10,642	105,500
Property Taxes	2,922	3,392	4,727	5,869	5,025
Canteen Sales/Membership \$	7	6	7	8	7
Bar Wages and Benefits	46,535	58,933	61,553	66,217	79,992
Bar Wages % of Sales	33%	32%	29%	30%	33%
Kitchen Wages and Benefits	-	36,200	39,316	14,071	5,897
Kitchen Wages % of Sales	0%	21%	24%	7%	2%

**The Royal Canadian Legion
BC/Yukon Command
Salt Spring Branch No. 92**

	Draught	Liquor	Bottled Beer	Off-Sales	Wine, Mix, Cider, & Coolers	Tobacco & Sundry	Total
2013 Sales	50,481	19,572	46,130	113	16,698	7,283	140,278
COGS	20,086	4,091	19,644	59	8,227	8,905	61,011
Gross Profit	30,396	15,481	26,486	54	8,471	(1,622)	79,266
Gross Margin %	60%	79%	57%	48%	51%	-22%	57%
2014 Sales	61,324	24,722	53,645	1,599	21,490	9,700	172,480
COGS	24,135	5,775	23,636	1,131	11,223	5,650	71,551
Gross Profit	37,189	18,947	30,009	467	10,266	4,050	100,929
Gross Margin %	61%	77%	56%	29%	48%	42%	59%
2015 Sales	61,079	23,495	61,039	1,113	26,234	7,622	180,581
COGS	22,454	5,802	26,417	723	14,385	3,910	73,692
Gross Profit	38,625	17,692	34,622	390	11,848	3,712	106,889
Gross Margin %	63%	75%	57%	35%	45%	49%	59%
2016 Sales	70,354	30,800	60,523	551	30,807	8,752	201,787
COGS	27,395	8,161	28,293	483	15,158	4,871	84,360
Gross Profit	42,959	22,639	32,230	68	15,650	3,881	117,427
Gross Margin %	61%	74%	53%	12%	51%	44%	58%
2017 Sales	75,426	37,813	69,187	579	31,012	9,252	223,269
COGS	26,781	8,937	31,747	380	14,488	5,658	87,990
Gross Profit	48,645	28,877	37,440	199	16,525	3,594	135,279
Gross Margin %	64%	76%	54%	34%	53%	39%	61%
TARGETS	65%	75%	60%	20%	60%		60-65%



BC/Yukon Command

#101 – 17618 58 Avenue
Surrey, BC V3S 1L3
Tel: (604) 575-8840
Fax: (604) 575-8820
info@legionbcyukon.ca

legionbcyukon.ca

September 6, 2019

Klaus Mortensen, President and Executives
Branch 92 Salt Spring Island
Via Email

SUBJECT: Branch Advisory Approval – Liquor License Transition

Comrade Mortensen and Executives,

Thank you for submitting all the required documentation to BC/Yukon Command Branch Advisory Operations, for review and consideration. The Committee has approved your request to transition your branch's liquor license from Liquor Primary Club to Liquor Primary.

Please note that your 3-months financials are still outstanding as previously requested (May, June and July 2019). In order to meet compliance requirements, please ensure these are received in our office by no later than September 13, 2019.

On behalf of BC/Yukon Command, we offer you our congratulations and our commitment to working with you, to ensure the long term sustainability of your branch.

Please accept this letter as formal approval to proceed.

Sincerely,

Valerie MacGregor
1st Vice President, BC/Yukon Command
Chair, Branch Advisory Operations Committee

CC Veronica Brown, Executive Director, BC/Yukon Command
Richard Steele, Zone Commander, South Vancouver Island
Tony Rushworth, Branch Operations Advisor, BC/Yukon Command



DRAWING NOT TO SCALE @ 1/16"=1' SHEET 0023

LCLB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE
AND AVAILABLE FOR INSPECTION AT ALL TIMES
Date issued: November 14, 2017
LP Licence #: 123826
General Manager

PROPOSED NEW LICENSED DECK AREA = 82 m² (886.81 SF)
EXISTING MAX TRAVEL DISTANCE = 26 M (85 FT)
EXISTING NO. OF EXITS = 1
EXISTING EXIT CAPACITY = 1130 mm / 8 mm = 141 PEOPLE
ALLOWABLE OCCUPANT LOAD BASED ON
EXISTING NET FLOOR AREA = 62 m² / 1.00 m² PER PERSON = 61 PEOPLE
ALLOWABLE OCCUPANT LOAD BASED ON
BC FIRE CODE = 683.51 SF / 4 SF PER PERSON = 167 PEOPLE
OCCUPANT LOAD BASED ON
MOST RESTRICTIVE CONDITION = 61 PEOPLE
(NOT IN ADDITION TO LICENSE AREA 1)

See August 16, 2017 letter on file from Salt Spring Building
Inspector Darryl Janyk authorizing architect calculations

EXISTING 'PATRON 1' LICENSED AREA

LIQUOR CONTROL AND LICENSING BRANCH
FLOOR PLANS - APPROVAL IN PRINCIPLE
DATE October 24, 2017
ADMINISTRATOR
Maximum Capacity: Patrons: 51 persons
Unless otherwise approved by the General Manager, Liquor
Control and Licensing, approval is subject to the terms and/or
conditions of specified in the approval letter(s) dated:
PSA _____ PCA _____ AIP _____

Patio Addition
Job # 000681395-033
LP # 123826

Address:
120 Blain Road
Salt Spring Island, BC V8K 2P7

LIQUOR CONTROL & LICENSING
RECEIVED
AUG 16 2017
VICTORIA BC

archeus

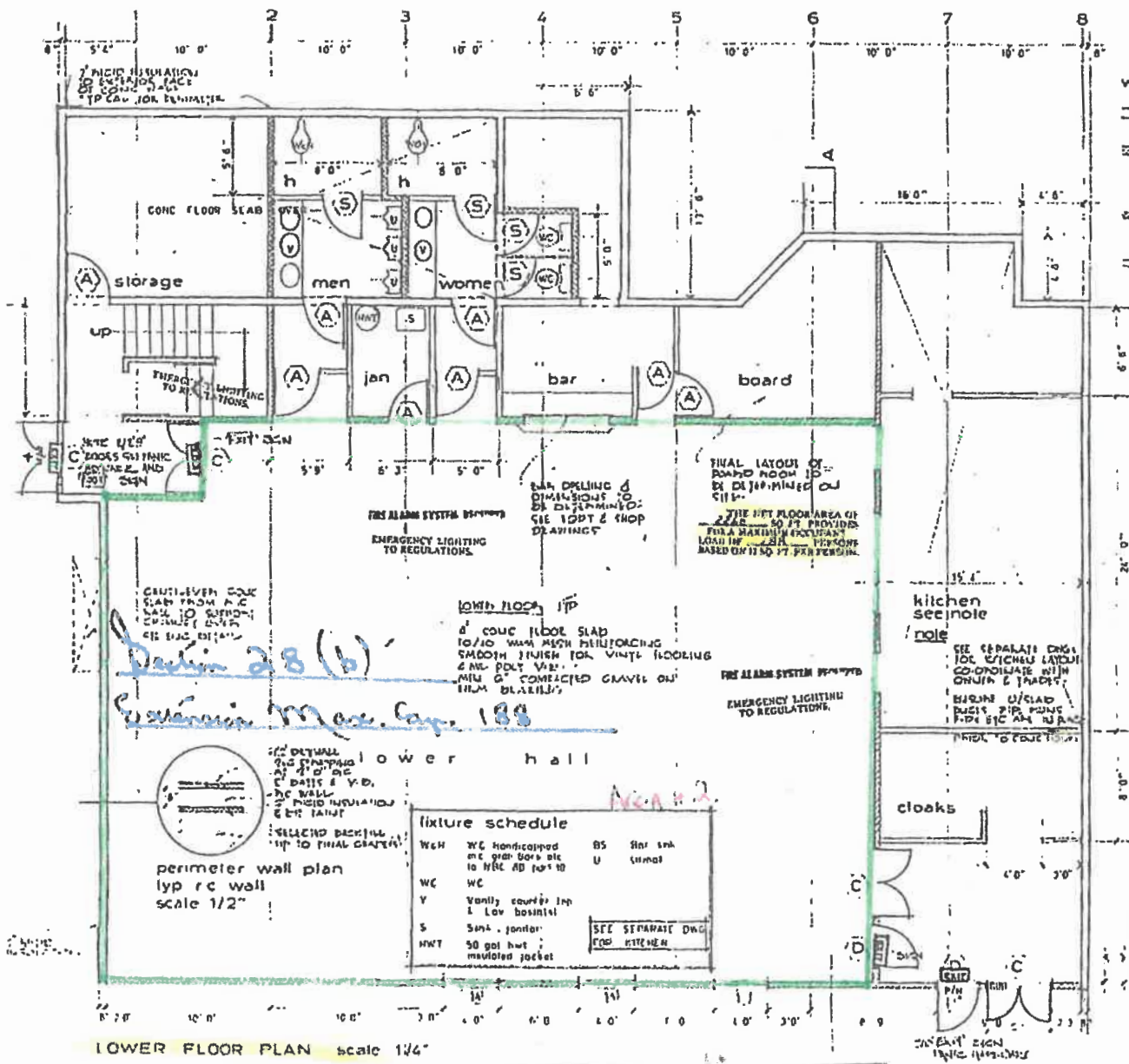
REGISTERED ARCHITECT
BRITISH COLUMBIA
AUG 17

PROPOSED DECK LICENSE AREA

LEGION WASHROOM RENOVATION
(Only Sectional at this point)
120 BLAIN ROAD, SALT SPRING ISLAND, BC V8K 2P7

17-004

A-1.00



CAPITAL REGIONAL DISTRICT
COMMUNITY HEALTH SERVICE
APPROVED
Aug 11 1987

M. MARCHENSKI, C.P.H.I.(C)
PUBLIC HEALTH INSPECTOR

* PROVIDING WALLS
& FLOORS ARE SMOOTH
AND 100% IMPERVIOUS

LCRB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE AND AVAILABLE FOR INSPECTION AT ALL TIMES
Date Issued: April 8, 1988
Licence # 123826
General Manager

scale	
date	
drawn	
drawing	3
atg	

**LCLB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE
AND AVAILABLE FOR INSPECTION AT ALL TIMES**

Date Issued: November 1, 2013

LP-club Licence #: 123826


General Manager

DATE APRIL 27/99

James M. Adams
ADAMS PATER

Maximum capacity: -50-

Unless otherwise approved by the General Manager, Liquor Control and Licensing, approval is subject to the terms and/or conditions specified in the approval letter(s) dated APRIL 27, 1999

No objection
M. Kaufman
REMO HEALTH
CAPITAL April 13/99

Paul R. DARBYSHIRE, Sgt.
NCO i/c SALTSRING

FILED DART.
APRIL 13/59.

317

DATE OF MEETING: November 26, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon
Salt Spring Island Team

COPY: Stefan Cermak, Regional Planning Manager

SUBJECT: Water Treatment Covenant for SS-SUB-2018.2
Applicant: Gregory and Marianne Campbell
Location: 347 Bridgman Rd.

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee accept a covenant under section 219 of the Land Title Act requiring treatment of water from the registered owners of LOT B, SECTION 54, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 18629, PARCEL F (DD 39041I) OF SECTION 54, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, EXCEPT THAT PART LYING TO THE WEST OF THE EASTERLY BOUNDARY OF PLAN 18629 and LOT 2 SECTION 54 SOUTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN EPP89410 and designate any member of the Local Trust Committee to sign the covenant (SS-SUB-2018.2, 347 Bridgman Road).

REPORT SUMMARY

This report brings forward the requirement that the applicant, as a condition of subdivision, register a water treatment covenant for the proposed two lot subdivision (*see appendix 1*).

BACKGROUND

The proposed water treatment covenant is associated with SS-SUB-2018.2, a proposed two-lot subdivision. The subdivision referral response from Islands Trust staff was submitted to the Ministry of Transportation and Infrastructure (MoTI) on October 21, 2019. MoTI has not yet issued a Preliminary Layout Approval (PLA) for this application. The applicant is working to satisfy the subdivision requirements of Salt Spring Island Land Use Bylaw No. 355. This water treatment covenant permit is required to satisfy, in part, conditions issued by the Islands Trust as part of the referral process. The applicant has provided a potable water report, prepared by Dave Gooding, P. Eng, dated October 2018, which specifies the parameters that require treatment in order for the water to be made potable (*see appendix 2*).

ANALYSIS

Official Community Plan:

The subject property is designated as Rural Neighbourhoods in the Salt Spring Island Official Community Plan. The intent of this designation is:

B.2.5.1.1 To continue to provide adequate land zoned for medium density residential use and other traditional and compatible rural land uses.

Land Use Bylaw:

The Land Use Bylaw specifies the following concerning water quality at time of subdivision:

5.5.8 Potable Water

Where the water supply is provided through a groundwater well or through a private surface water license, an engineer must also provide a water quality analysis that demonstrates that the surface water or the groundwater from each proposed water supply source or well is potable or can be made potable with a treatment system that is customarily used in a single-family dwelling. The certificate must include a plan of the proposed subdivision indicating each well location where a water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan. If the water to be supplied is not potable, but can be made potable with a treatment system that is customarily used in a single-family dwelling, then the Approving Officer may nonetheless approve the subdivision if the applicant grants a covenant under the Land Title Act to the Salt Spring Island Local Trust Committee that requires ongoing treatment of the water to ensure that it is potable before it is used as drinking water.

Issues and Opportunities

As a result of water testing from the wells intended to service the proposed subdivision, the applicant is required to enter into a water treatment covenant to be registered on title for the two lots proposed to be created through subdivision. This requirement is based on the findings of a hydrologist as per the conditions of subdivision specified by the Salt Spring Island Land Use Bylaw. Specifically, the hydrologist findings show that the water from both requires treatment for the following parameters shown in red (*see appendix 2 for full report*):

WATER QUALITY PARAMETER	STANDARD (less than THE following UNLESS OTHERWISE INDICATED)	WELL "A"	WELL "B"
ARSENIC	0.010 MG/L	0.00322 MG/L	0.00303 MG/L
CHLORIDE	250 MG/L	23.8 MG/L	25.1 MG/L
FECAL COLIFORM	0/100 ML	0 MG/L	0 MG/L
FLUORIDE	1.5 MG/L	0.117 MG/L	0.114 MG/L
HARDNESS (AS CaCO ₃)	80-100 MG/L	269 MG/L	246 MG/L
IRON	0.3 MG/L	0.040 MG/L	0.028 MG/L
MANGANESE	0.05 MG/L	0.243 MG/L	0.037 MG/L
NITRATE	45 MG/L	0.056 MG/L	0.054 MG/L
PH	6.5-8.5	7.37 MG/L	7.34 MG/L
RESIDUAL CHLORINE	0 MG/L	0.020 – 0 MG/L	0.020 – 0 MG/L
SODIUM	200 MG/L	17.1 MG/L	15.4 MG/L
SULPHATE	500 MG/L	12.8 MG/L	12.6 MG/L
TOTAL COLIFORM	0/100 ML	0 MG/L	0 MG/L
TOTAL DISSOLVED SOLIDS	500 MG/L	309 MG/L	309 MG/L
TURBIDITY	1 NTU	2.1	2.1

The applicant is required to register an access easement as a condition of subdivision to allow any future owners of proposed Lot B to access a well located on proposed Lot A. The draft covenant will be updated to reflect the date of the revised plan of subdivision once it is received from the surveyor. The location of this easement is not overly relevant to the water treatment covenant presented here.

Consultation

This request does not require consultation; none has been undertaken.

Rationale for Recommendation

The subdivision process requires proof of potable water for all lots that are to be created through subdivision. If testing shows that the water is not potable, but can be made potable through treatment, the applicant is required to register a water treatment covenant. As the covenant is required for subdivision to proceed, staff recommend that the LTC accept the proposed covenant.

ALTERNATIVES

The LTC may wish to consider the following alternatives to the staff recommendation.

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased timeline for processing the subdivision application as well as increased costs to the applicant. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust an Assessment Report, completed by a [insert professional designation] which

a. [list information requested].

NEXT STEPS

If the LTC accepts staff recommendation, the draft covenant will be sent to the applicant for review and final preparation. It will then be returned to the LTC for signing.

Submitted By:	Geordie Gordon, Planner 1	November 13, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	November 18, 2019

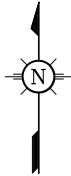
ATTACHMENTS

1. Plan of Subdivision
2. Draft Covenant

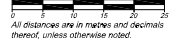
PLAN OF PROPOSED SUBDIVISION OF:
 LOT 1 AND LOT 1, PLAN EPP89410, and
 LOT 1, PLAN 11121, EXCEPT PART IN PLAN 18629,
 ALL IN SECTION 54, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT.

P.I.D. 030-800-501 and 030-800-510 and 005-126-185

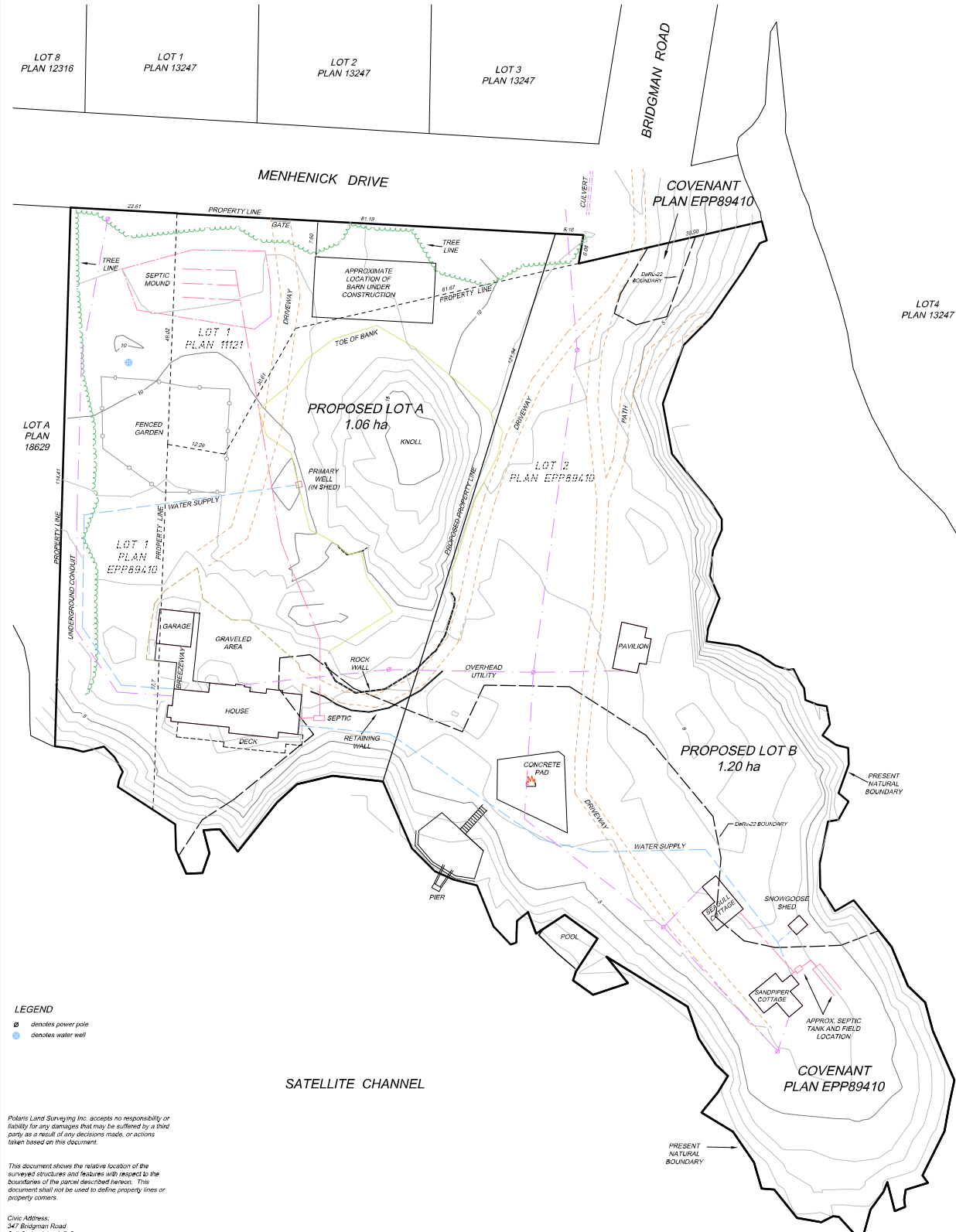
Appendix 1



Scale 1:400



All distances are in metres and decimals thereof, unless otherwise noted.
 The intended plot size of this plan is 580mm in width by 864mm in height (D Size) when plotted at a scale of 1:400.



LEGEND

- ⊙ denotes power pole
- ⊕ denotes water well

Polaris Land Surveying Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described herein. This document shall not be used to define property lines or property corners.

Civil Address:
 347 Bridgman Road
 Salt Spring Island, B.C.
 V8K 1V7

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 Email: sls@polaris.ca
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Date: 2019-10-07
 File: 0854-001
 Drawing: 0854-SITE
 Layout: D:\Portall

LAND TITLE ACT**FORM C**

(Section 233)

Province of British Columbia

GENERAL INSTRUMENT-PART 1

(This area for Land Title Office use)

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

(LEGAL DESCRIPTION)

3. NATURE OF INTEREST:*

Description

Document Reference
(page and paragraph)

Person Entitled to Interest

S.219 Covenant

Entire Instrument

Transferee

Priority Agreement

Page 10

Transferee

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

—

D.F. No.

(b) Express Charge Terms

X

Annexed as Part 2

(c) Release

—

There is no Part 2 of this Instrument.

A selection of (a) include any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

_____ [as to Covenant]

_____ [as to Priority]

6. TRANSFEE(S): (including postal address(es) and postal code(s))*

SALT SPRING ISLAND LOCAL TRUST COMMITTEE, a Corporation under the *Islands Trust Act*, R.S.B.C. 1996, c.239, with an office at 1 – 500 Lower Ganges Road, Salt Spring Island, BC, V8K 2N8

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

LAND TITLE ACT

FORM C

(Section 233)

Province of British Columbia

GENERAL INSTRUMENT-PART 1

8. EXECUTION(S):**This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature

Execution Date

Party(ies)/ Transferee Signature

Y M D
20____

_____by its authorized
signatory(ies):

(as to both signatures)

Name:

Name:

Officer Signature

Execution Date

Party(ies)/ Transferor Signature(s)

Y M D
20____

**SALT SPRING ISLAND LOCAL TRUST
COMMITTEE** by its authorized
signatory(ies):

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

PART 2 – TERMS OF INSTRUMENT

SECTION 219 COVENANT

This Agreement dated for reference the _____ day of _____, _____ is

AMONG:

GREGORY CAMPBELL, MARIANNE CAMPBELL
347 BRIDGMAN RD
SALT SPRING ISLAND, BC
V8K 1W7

(the “Owner”)

AND:

SALT SPRING ISLAND LOCAL TRUST COMMITTEE, a Corporation under the *Islands Trust Act*, R.S.B.C. 1996, c.239, with an office at 1 – 500 Lower Ganges Road, Salt Spring Island, BC, V8K 2N8

(the “Local Trust Committee”)

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of that parcel of land located on Salt Spring Island, British Columbia which is legally described as:

Parcel Identification Number 003-769-861
and Legal Description: LOT B, SECTION 54, SOUTH SALT SPRING ISLAND,
COWICHAN DISTRICT, PLAN 18629

009-743-952
PARCEL F (DD 39041I) OF SECTION 54, SOUTH SALT
SPRING ISLAND, COWICHAN DISTRICT, EXCEPT THAT
PART LYING TO THE WEST OF THE EASTERLY
BOUNDARY OF PLAN 18629

030-800-510
LOT 2, SECTION 54, SOUTH SALT SPRING ISLAND
COWICHAN DISTRICT PLAN EPP89410

(the “Land”);

AND WHEREAS the Owner proposes to subdivide the Land, according to a plan of subdivision completed and certified correct on the (date) th day of (month), (Year) by Jordan Litke, BCLS, a copy of which is attached hereto as Schedule "A", into Lots _____ as indicated on Schedule "A", which Lots are referred to as such in this Agreement.

- B. The Trust Committee's Land Use Bylaw No. 355 (the "Land Use Bylaw") requires each lot created by subdivision to have a source of potable water.
- C. The Land will not be connected to a community water system and instead, water will be supplied by a private well provided on each of Lots A and B (the "Wells").
- D. The Owner has had a report dated October 2018 prepared by Dave Gooding, P. Eng., (the "Report") a copy of which are attached hereto as Schedule "B".
- E. The Report indicates that the water does not meet the Potable Water Quality Standards (Schedule H, the Land Use Bylaw) on each of Lots A and B as indicated in Schedule "B"; and that the water would meet or exceed these standards if properly treated.
- F. Section 219 of the *Land Title Act* (British Columbia) provides that there may be registered as a charge against the title to land a covenant, whether of a negative or positive nature, in respect of the use of land, the building on land, the subdivision of land and the preservation of land or a specified amenity on the land.
- G. The Approving Officer and the Local Trust Committee require, as a condition of subdivision, that the Owner grant to the Local Trust Committee (the "Transferee") a covenant under s. 219 of the *Land Title Act* (British Columbia) to regulate the use of the Land in the interests of confirming that groundwater management and treatment methods will be implemented by the Owner and all future owners, tenants, and other occupiers of Lots A and B in the manner specified in the Report.

This Agreement is evidence that in consideration of the premises and covenants herein contained, the payment of two dollars (\$2.00) by the Local Trust Committee to the Owner, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Restriction on Use

1. The Owner shall not use the Land including any lots into which the Land may be subdivided, nor occupy any building or structure located on the Land for any residential or domestic purpose, unless the Owner is in full compliance with the terms of this Agreement.

Water Treatment System

2. The Owner shall, in respect of each of the Lots:
 - (a) install and operate in accordance with the manufacturer's and installer's instructions a water treatment system (the "Water Treatment System") which is effective to make the water from the Well on that lot potable in terms of the health and aesthetic criteria set out in the Land Use Bylaw from time to time, the Drinking Water Protection Regulation under the *Drinking Water Protection Act* and the Guidelines for Canadian Drinking Water Quality (collectively, the "Applicable Standards").
 - (b) provide documentation to the Local Trust Committee that the Water Treatment System on the lot produces water that is safe to drink and suitable for domestic purposes, and at a minimum specifically treats to the required level those water quality parameters that did not meet the Applicable Standards as identified in the Report prior to occupying any building or structure located on the Land for any residential or domestic purpose.
 - (c) be solely responsible for all aspects of the Water Treatment System, including its installation, monitoring and effectiveness.
4. In circumstances where the Owner in respect of any of the Lots is not the tenant or occupier of the Lot, the Owner shall ensure that the tenant or occupier is taking all reasonable measures required to ensure that the Owner's obligations under this Agreement are fully performed.

No Effect On Laws or Powers

5. This Agreement does not
 - (a) affect or limit the discretion, rights, duties or powers of the Transferees under any enactment or at common law, including in relation to the use or subdivision of the Land;
 - (b) impose on the Transferees any duty of care or other legal duty of any kind to the Owner or to anyone else;
 - (c) oblige the Transferees to enforce this Agreement, which is a policy matter within the sole discretion of the Transferees;
 - (d) affect or limit any enactment relating to the use or subdivision of the Land;
 - (e) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

Limitation on Obligations

6. The Owner is only liable for breaches of this Agreement caused or contributed to by the Owner, or which the Owner permits or allows, in respect of the Owner's particular lot or lots. The Owner is liable only for the covenants and obligations contained in this Agreement and breaches of this Agreement which occur while the Owner is the registered owner of any interest in the Land and then only to the extent of that interest.

Indemnity

7. The Owner hereby indemnifies and saves harmless the Transferees, and their respective elected and appointed officials, officers, employees and agents, from and against all loss, damage, cost, actions, suits, debts, expenses and harm of any kind whatsoever which the Owner may at any time suffer or incur arising out of or related to this Agreement or any breach of it.

No Liability in Tort

8. The parties agree that this Agreement creates only contractual obligations. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of or any default under or in respect of this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract.

Covenant Runs With the Land

9. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under section 219 of the *Land Title Act* (British Columbia) in respect of the Land. This Agreement burdens the Land and runs with it and binds the successors in title to the Land. This Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated.

Registration

10. The Owner agrees to do everything necessary, at the Owner's expense, to ensure that this Agreement is registered against title to the Land with priority over all financial charges, liens and encumbrances registered or pending registration in the Land Title Office at the time of application for registration of this Agreement.
11. The Owner shall be entitled to a discharge of this Agreement, upon presentation of a registrable discharge document for execution by the Transferees, in the event that the Owner's application to subdivide the Land in the manner described in Schedule "A" has been refused in writing by the approving officer having jurisdiction and the Owner has provided a copy of the refusal letter to the Transferees, or the Owner has withdrawn the application and the approving officer has confirmed the withdrawal in writing to the Transferees.

Waiver

12. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver by the Transferees of a breach of this Agreement by the Owner does not operate as a waiver of any other breach of this Agreement.

Severance

13. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

No Other Agreements

14. This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.

Binding of Successors

15. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

Further Acts

16. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

Deed and Contract

17. By executing and delivering this Agreement the Owner intends to create both a contract and a deed executed and delivered under seal.

Execution Using Form C

18. As evidence of their agreement to be bound by the terms of this instrument, the parties each have executed the Land Title Office Form C which is attached hereto and which forms part of this Agreement.

CONSENT AND PRIORITY AGREEMENT

WHEREAS:

- A. GREGORY CAMPBELL, MARIANNE CAMPBELL (the "Owner") is the registered owner of:

PID: 003-769-861

LOT B, SECTION 54, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 18629

PID: 009-743-952

PARCEL F (DD 39041I) OF SECTION 54, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, EXCEPT THAT PART LYING TO THE WEST OF THE EASTERLY BOUNDARY OF PLAN 18629; and,

PID: 030-800-510

LOT 2 SECTION 54 SOUTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN EPP89410

(the "Land");

- B. The Owner granted Royal Bank of Canada (the "Prior Chargeholder") a mortgage, which was registered against the title to the Land in the Victoria Land Title Office under number CA5605246 the "Prior Charge");
- C. The Owner granted to the Salt Spring Island Local Trust Committee (the "Subsequent Chargeholder") a Section 219 Covenant which is registered against the title to the Land under **number** _____ (the "Subsequent Charge"); and
- D. Section 207 of the *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to a subsequent chargeholder.

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT WITNESSES THAT IN CONSIDERATION OF **\$1.00** AND OTHER GOOD AND VALUABLE CONSIDERATION RECEIVED BY THE PRIOR CHARGEHOLDER FROM THE SUBSEQUENT CHARGEHOLDER (THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED):

1. The Prior Chargeholder hereby consents to the granting and registration of the Subsequent Charge and the Prior Chargeholder hereby agrees that the Subsequent Charge shall be binding upon its interest in and to the Land.

2. The Prior Chargeholder hereby grants to the Subsequent Chargeholder priority for the Subsequent Charge over the Prior Chargeholder's right, title and interest in and to the Land, and the Prior Chargeholder does hereby postpone the Prior Charge and all of its right, title and interest thereunder to the Subsequent Charge as if the Subsequent Charge had been executed, delivered and registered prior to the execution, delivery and registration of the Prior Charge.

As evidence of its agreement to be bound by the above terms of this Consent and Priority Agreement, the Prior Chargeholder has executed and delivered Part 1 of *Land Title Act* Form C which is attached hereto and forms part of this Agreement.

Schedule A

Schedule B

**Gooding
Hydrology**



**POTABLE WATER REPORT
For the property boundary adjustment at
347 Bridgman Rd, Saltspring Island**

**For Gregory Campbell
347 Bridgeman Rd
Saltspring Island, B.C.**

**By
Dave Gooding, P.Eng.
Gooding Hydrology
Saltspring Island**

October 2018

Background

The property of the Campbells at 347 Bridgman Rd, originally a residence, resort and tennis club, is comprised of three lots. The Campbells wish to reduce the three lots to two lots, with revised boundaries to fit anticipated future usage. By-laws of the Islands Trust classify a boundary adjustment as a subdivision, requiring proof of potable water and a storm drainage assessment for each of the 'new' lots. This report addresses proof of potable water.

Figure 1: Property Location



The subject property is located on the south shore of Saltspring Island, approximately 1.5 km east of the entrance to Fulford Harbour.

There are at least two wells on the combined properties, possibly three. A search of the BC groundwater database shows the locations of two wells Well A (drilled in 1966) and well C (drilled in 1968 by the same driller, Tri-K) in figure 2 below. Well B is not shown in the database.

Figure 2: Well Locations



Well A is in use for the existing main residence on the proposed west lot. Well B, recently discovered by the current owners, will be used for garden irrigation.

Well C has not been found by the current owners, if it exists. It is possible that this is an error in the placement of well B on the mapping. Well drilling logs for well A and C? are attached as appendix 3.

12 hour pump tests were performed on the wells A and B on September 6, 2018, during a period when groundwater levels were very low.

Results of the pump tests (Water Quantity)

The two proposed lots are zoned RL, Rural Neighborhood. Both lots appear to be over 1.2 ha, and will be able to have a residence and seasonal cottage constructed on them. Bylaws require 1600 liters/day for a dwelling unit, and 680 liters/day for a seasonal cottage. This puts the combined requirement for volume of potable water for a dwelling and seasonal cottage on each lot at 4560 liters/day, or 3.2 liters/minute (0.7 imp gal/min).

Well A

From the well log, well A is 148 ft deep, and was rated by the driller at 3 gpm (13.6 liters/min). A graph of the results is given in appendix 1. Static level was 15.75 ft. After the first 30 minutes at 6.5 liters/min, flow was set at 4, then 3.5 liters/min until depth readings remained the same at (inflow=outflow) at 29.7 ft depth. Flow was then increased to 8.4 liters/min, and by the end of the 12 hr test depth was again stabilizing at around 46.9 ft. After pumping the well recovered rapidly, to past the depth observed after 1 minute of pumping within 3 hours.

Conclusion on water quantity in Well A

Well A, currently utilized for the residence and cottages domestic supply, is capable of supplying more than the 3.2 liters/min required for both proposed lots.

Well B

Depth and volume rating by the driller for well B are unknown. Due to the pump and pressure tank setup, it proved difficult to maintain a steady flow rate during the pump test of well B. After the first 30 minutes the flow rate varied between 3.9 and 6.3 liters/min, averaging around 4.7 liters/min, for 8 hours. This only drew down the well 3.75 ft. Flow was increased to 12 liters/min for the last two hours, with drawdown beginning to stabilize by the end of the test at approximately 7.55 ft below the original static level, or 25 feet in depth.

Conclusion on water quantity in Well B

Well B is also capable of supplying more than the 3.2 liters/min required for both proposed lots.

Water Quality

Water samples were taken from both wells A and B during the recovery portion of the pump test by Gooding Hydrology, and delivered to Ace Courier the next morning for transport to MB Labs in Sidney. MB Labs phoned Gooding Hydrology to confirm receipt of the samples and clarify testing required.

Full results of the testing of both samples are attached as appendix 2 below. For convenience of Islands Trust planners, the parameters to be tested required by Islands Trust Bylaw 355 Schedule H are summarized in table 1 below. Parameters which do not meet the Islands Trust standards are highlighted in red.

Table 1: Islands Trust Schedule H Table Results

Water Quality Parameter	Standard	Well A	Well B
Arsenic	0.025 mg/l	0.00322 mg/l	0.00303 mg/l
Chloride	250 mg/l	23.8 mg/l	25.1 mg/l
Fecal Coliform	0/100 ml	0	0
Fluoride	1.5 mg/l	0.117 mg/l	0.114 mg/l
Hardness (as CaCO ₃)	80-100 mg/l	269 mg/l	246 mg/l
Iron	0.3 mg/l	0.040 mg/l	0.028 mg/l
Manganese	0.05 mg/l	0.243 mg/l	0.037 mg/l
Nitrate	45 mg/l	0.056 mg/l	0.054 mg/l
pH	6.5-8.5	7.37	7.34
Residual Chlorine	0 mg/l	0.020 mg/l-0 mg/l	0.020 mg/l-0 mg/l
Sodium	200 mg/l	17.1 mg/l	15.4 mg/l
Sulphate	500mg/l	12.8 mg/l	12.6 mg/l
Total Coliforms	0/100 ml	0	0
Total Dissolved Solids	500 mg/l	309 mg/l	309 mg/l
Turbidity	1 NTU	2.1	2.1

Well A Water Quality

Parameters not meeting Canadian Drinking Water Guidelines (CDWG) which were noted by MB Labs (included in Schedule H above) are:

Total non-col form bacteria (T-NC)

Well A sample contained 367 CFU/100 ml. For over 200 CFU/100 ml treatment is strongly recommended for drinking water.

Manganese

Well A sample contained 0.243 mg/l of manganese. Both Schedule H and CDWG standard is 0.05 mg/l. Manganese is not considered toxic, this guideline is established to reduce staining or possible unpleasant taste.

Hardness (as CaCO₃)

Well A tested at 269 mg/l, in the CDWG 150-300 mg/l 'hard water' range. Schedule H standard is 80-100 mg/l.

Turbidity

Turbidity of 2.1 exceeds the 1 NTU standard. Turbidity in the water can reduce the effectiveness of treatments for bacteria or contribute to bad taste or scaling.

Residual Chlorine

Many municipal water systems have a residual chlorine presence, indicating that chlorination for disinfection is complete with chlorine left over. There are no health hazards from chlorine.

See comments in well B water quality treatment section below regarding residual chlorine presence in the two samples.

Well A Treatment

This well is utilized for drinking water for both the main residence on the proposed west lot, and for the two existing cottages on the proposed east lot (formerly cabins for the historic tennis resort).

This well has a treatment system in place with filtering, water softening, and UV treatment for bacteria.

Well B Water Quality

Parameters not meeting Canadian Drinking Water Guidelines (CDWG) which were noted by MB Labs (included in Schedule H above) are:

Total non-coliform bacteria (INC)

Well B sample contained 1000 CFU/100 ml. For over 200 CFU/100 ml treatment is strongly recommended for drinking water.

Total coliform bacteria (TC) and fecal non-coliform bacteria

Well B sample contained 12 CFU/100 ml. For over 0 CFU/100 ml treatment is strongly recommended for drinking water.

Hardness (as CaCO₃)

Well B tested at 246 mg/l, in the 150-300 mg/l CDWG 'hard water' range. Schedule H standard is 80-100 mg/l.

Turbidity

Turbidity of 2.1 exceeds the 1 NTU standard. Turbidity in the water can reduce the effectiveness of treatments for bacteria or contribute to bad taste or scaling.

Residual Chlorine

Well B sample had a residual chlorine presence of 0.2 mg/l. Many municipal water systems have a residual chlorine presence, indicating that chlorination for disinfection is complete with chlorine left over. There are no health hazards from chlorine. See comments in well B water quality treatment section below regarding residual chlorine presence in the two samples.

Well B Treatment

If Well B is to be utilized for drinking water, treatment for hardness and turbidity will be needed. It is likely that the source of bacteria in this well's water is due to the well not being properly capped for years, with vegetation, insects, and airborne dust being able to enter the well. If this well is to be used for domestic use (drinking water) the well should be disinfected, pumped to clear the disinfecting agent, and then re-tested for bacteria to determine if treatment for bacteria is required. Untreated water should again be tested 6 months after this process.

Residual Chlorine in the samples

The reason this parameter is included in schedule H is to prevent bleach disinfection of the source water before sampling, to provide a test of a sample of the actual long term source water. The presence in Well A of both 367 CFU/100 ml of non-coliform bacteria and residual chlorine, and in Well B of both 1000 CFU/100 ml of non-coliform bacteria, and 12 CFU/100 ml of total coliform bacteria and fecal non-coliform bacteria, as well as

residual chlorine is contradictory. Bacterial levels show clearly that these wells were not bleach disinfected.

Bagged water samples were couriered in a plastic bucket which had been cleaned with a bleach solution. The only possible source of the residual chlorine is transfer from the outside of the sample bags when they were handled and opened. To test whether there is residual chlorine in the wells, a field strip test for free chlorine was performed on both wells. Tests showed 0 mg/l of free chlorine.

Potential impacts on neighboring wells

Figure 3: BC Groundwater well search results*



This area around Bridgman Rd and Menhinick Dr is an older established neighborhood. Well A has been in use since its drilling in 1966, supplying the residence and cottages. While the addition of a dwelling on the proposed east lot would result in an increase in groundwater use compared to current usage, the reduction of the number of lots from 3 to 2 would reduce long term potential demand.

*well B added to figure 3, well C not found on site

Both of the nearest wells to the west, on the adjoining lots south of Menhinick Dr, may draw from the same aquifer, as well A and the two wells to the west are all in the 140 foot depth range, and hit water at around 120 feet. However, these wells have been in use since their drilling in the 1966, 1969 and 1976 respectively, and appear to have an adequate supply.

This boundary adjustment could not be reasonably expected to have any negative impact on existing groundwater wells on neighboring properties.

D. Gooding

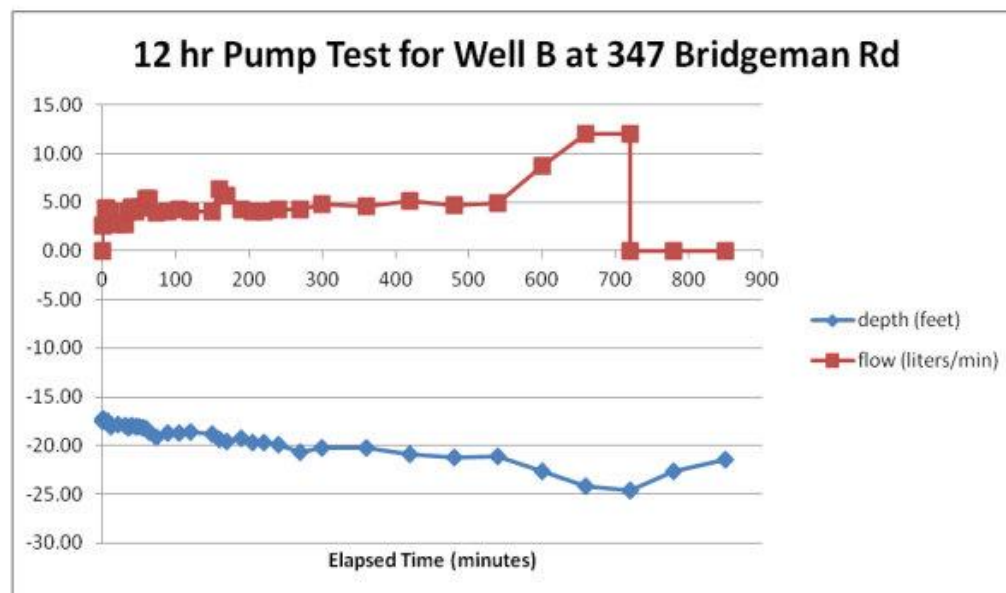
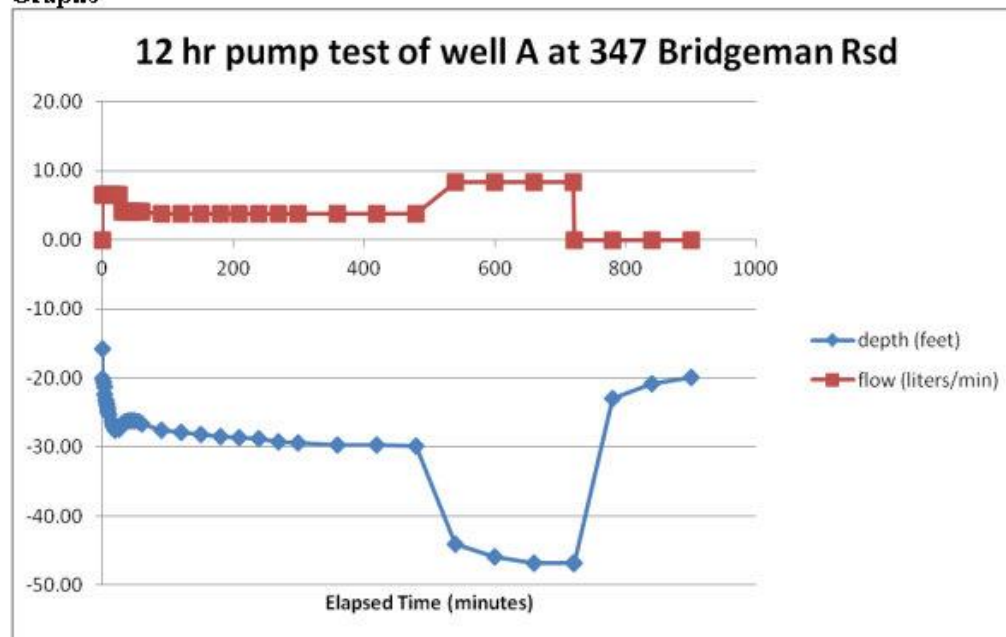


Dave Gooding, P.Eng.

**Appendix 1: Pump Test Results
Data**

Well A pump test				Well B pump test				
elapsed time	depth	flow	flow	elapsed time	depth	flow	flow	depth
(minutes)	(feet)	(liters/min)	(imp gal/min)	(minutes)	(feet)	(liters/min)	(imp gal/min)	(meters)
0	-15.75	0	0.00	0	-17.45	0	0.00	5.32
1	-20.01	6.49	1.43	1	-17.32	2.6	0.57	5.28
2	-20.67	6.49	1.43	2	-17.32	2.6	0.57	5.28
3	-21.33	6.49	1.43	5	-17.52	4.4	0.97	5.34
4	-22.31	6.49	1.43	6	-17.52	4.4	0.97	5.34
5	-23.10	6.49	1.43	8	-17.45	3	0.66	5.32
6	-23.56	6.49	1.43	11	-18.04	4	0.88	5.5
7	-23.95	6.49	1.43	21	-17.81	2.7	0.59	5.43
8	-24.41	6.49	1.43	31	-17.98	2.7	0.59	5.48
9	-24.84	6.49	1.43	35	-18.18	4	0.88	5.54
10	-25.23	6.49	1.43	40	-17.98	4.5	0.99	5.48
15	-26.41	6.49	1.43	45	-18.04	4	0.88	5.5
17	-26.90	6.49	1.43	50	-18.04	4.5	0.99	5.5
20	-27.62	6.49	1.43	55	-18.21	4.5	0.99	5.55
25	-27.40	6.49	1.43	60	-18.31	5.3	1.17	5.58
30	-26.61	4	0.88	64	-18.60	5.3	1.17	5.67
35	-26.35	4	0.88	74	-19.09	3.9	0.86	5.82
40	-26.21	4	0.88	90	-18.67	4	0.88	5.69
45	-26.12	4	0.88	105	-18.70	4.2	0.92	5.7
50	-26.25	4	0.88	120	-18.64	4	0.88	5.68
55	-26.38	4	0.88	150	-18.86	4	0.88	5.75
60	-26.67	4	0.88	160	-19.39	6.3	1.39	5.91
90	-27.59	3.75	0.83	170	-19.55	5.7	1.25	5.96
120	-27.89	3.75	0.83	190	-19.26	4.3	0.95	5.87
150	-28.18	3.75	0.83	205	-19.69	4	0.88	6
180	-28.41	3.75	0.83	220	-19.72	4	0.88	6.01
210	-28.61	3.75	0.83	240	-19.91	4.3	0.95	6.07
240	-28.74	3.75	0.83	270	-20.67	4.3	0.95	6.3
270	-29.17	3.75	0.83	300	-20.28	4.8	1.06	6.18
300	-29.46	3.75	0.83	360	-20.24	4.6	1.01	6.17
360	-29.75	3.75	0.83	420	-20.87	5.1	1.12	6.36
420	-29.63	3.75	0.83	480	-21.23	4.7	1.03	6.47
480	-29.79	3.75	0.83	540	-21.06	4.9	1.08	6.42
540	-44.00	8.4	1.85	600	-22.64	8.7	1.91	6.9
600	-45.96	8.4	1.85	660	-24.21	12	2.64	7.38
660	-46.81	8.4	1.85	720	-24.61	12	2.64	7.5
720	-46.85	8.4	1.85	721	-24.61	0	0.00	7.5
721	-46.85	0	0.00	780	-22.60	0	0.00	6.89
780	-23.03	0	0.00	850	-21.39	0	0.00	6.52
840	-20.83	0	0.00					
900	-19.91	0	0.00					

Graphs



Potable Water Assessment
347 Bridgman Rd, Saltspring Island

Gooding Hydrology
dgooding@saltspring.com

Appendix 2: MB Labs Water Quality Test Results

Client/Code

David Gooding Peng
681 Rainbow Road
Saltspring, BC
Canada

Date 07Sep18 1:33p No. W142573
Source Well
Type of Sample water
No. of Samples 2

TEL: 250-538-1869

dgooding@saltspring.com

Comments Arrival temp.: 19.0C

Paid: Visa Batch #877

Site Code	Date	Time	CFU/100 ml		CFU/100 ml	
			TC	T-NC	EC	F-NC
1) A	06Sep18	21:00p	0	367	0	0
2) B	06Sep18	21:00p	12	1000	0	12

TC = total coliform bacteria

FC = fecal coliform bacteria (aka thermotolerant coliforms)

NC = non-coliform bacteria

CFU/100 ml = colony forming units per 100 milli-litres

Results may be adversely affected if samples are submitted to the laboratory more than 24 to 30 hours after collection.

Comments:

For Interpretation of Results:

Total or Fecal Coliforms present greater than 0 CFU/100mL (0 CFU/mL):

IF Coliform numbers exceed safe limits for drinking water-
water is not suitable for drinking without treatment.

Total Non-coliform bacteria (=Lactose Fermentors) equal to or greater than
200 CFU/100mL (2.0 CFU/mL):

IF the number of organisms present exceed recommended guidelines for
drinking water; treatment is strongly recommended.

- see following page for chemistry results -

K. Paneque-Martinez
Microbiologist

W. Riggs
Sr. Microbiologist



Potable Water Assessment
347 Bridgman Rd, Saltspring Island

Gooding Hydrology
dgooding@saltspring.com

David Gooding PEng
 681 Rainbow Road
 Saltspring, BC
 Canada

Date 07Sep18 11:33p No. M142573 pg2
 Source Well
 Type of Sample water
 No. of Samples 2

TEL: 250-538-1869
 dgooding@saltspring.com

Comments Arrival temp.: 19.0C
 Paid: Visa Batch #877

Sample: 1) A 06Sep18 21:00p 2) B 06Sep18 21:00p

ELEMENTS		1	2	UNITS	Maximum Limits Permissible In Drinking Water*
		SAMPLE	SAMPLE		
1) Aluminium	Al	0.286	0.206	mg/L	no limit listed
2) Antimony	Sb	<0.500	<0.500	ug/L	6.00 ug/L
3) Arsenic	As	3.22	3.03	ug/L	10.0 ug/L
4) Barium	Ba	0.030	0.015	mg/L	1.00 mg/L
5) Beryllium	Be	<0.003	<0.003	mg/L	no limit listed
6) Boron	B	0.858	0.617	mg/L	5.00 mg/L
7) Cadmium	Cd	<0.010	<0.010	ug/L	5.00 ug/L
8) Calcium	Ca	84.2	78.5	mg/L	200 mg/L
9) Chromium	Cr	<0.010	<0.010	mg/L	0.050 mg/L
10) Cobalt	Co	<0.020	<0.020	mg/L	no limit listed
11) Copper	Cu	<0.008	<0.008	mg/L	1.00 mg/L
12) Gold	Au	<0.040	<0.040	mg/L	no limit listed
13) Iron	Fe	0.040	0.028	mg/L	0.300 mg/L
14) Lanthanum	La	<0.020	<0.020	mg/L	no limit listed
15) Lead	Pb	<0.500	<0.500	ug/L	10.0 ug/L
16) Magnesium	Mg	14.3	12.1	mg/L	50.0 mg/L
17) Manganese	Mn	0.243	0.037	mg/L	0.050 mg/L
18) Molybdenum	Mo	<0.020	<0.020	mg/L	no limit listed
19) Nickel	Ni	<0.050	<0.050	mg/L	no limit listed
20) Phosphorus	P	1.26	<0.010	mg/L	no limit listed
21) Potassium	K	5.44	0.330	mg/L	no limit listed
22) Scandium	Sc	<0.050	<0.050	mg/L	no limit listed
23) Silicon	Si	11.1	11.4	mg/L	no limit listed
24) Silver	Ag	<0.010	<0.010	mg/L	0.050 mg/L
25) Sodium	Na	17.1	15.4	mg/L	200 mg/L
26) Strontium	Sr	<0.002	<0.002	mg/L	no limit listed
27) Titanium	Ti	<0.010	<0.010	mg/L	no limit listed
28) Tungsten	W	<0.050	<0.050	mg/L	no limit listed
29) Vanadium	V	<0.010	<0.010	mg/L	no limit listed
30) Zinc	Zn	0.009	<0.001	mg/L	5.00 mg/L
Hardness (mg/L CaCO ₃)		269	246	mg/L	150-300 mg/L = hard
pH		7.37	7.34	units	6.5 to 8.5

* As per Canadian or B.C. Health Act Safe Drinking Water Regulation BC Reg 230/92,
 & 390 Sch 120, 2001. Task Force of Canadian Council of Resource & Envir. Ministers
 Guidelines for Canadian Drinking Water Quality, 2014.

Comments:

Manganese: not considered to be toxic; high amounts of Manganese can cause staining
 of laundry, porcelain and plumbing fixtures; may produce an undesirable taste.

R. Bilodeau
 Analytical Chemist

H. Hartmann
 Sr. Analytical Chemist



ANALYTICAL & TESTING SERVICES P.O. BOX 2103, SIDNEY B.C. V8L 3S8 TEL: (250) 656-1334 EMAIL: info@mbmlabs.com

Potable Water Assessment
347 Bridgman Rd, Saltspring Island

Gooding Hydrology
dgooding@saltspring.com

David Gooding PEng
 681 Rainbow Road
 Saltspring, BC
 Canada

Date 07Sep18 1:33p No. W142573 pg3
 Source Well
 Type of Sample water
 No. of Samples 2

TEL: 250-538-1869
 dgooding@saltspring.com

Comments Arrival temp.: 19.0C
 Paid: Visa Batch #877

SAMPLE	DATE	TIME	Alkalinity (mg/L)	Cl ⁻ (mg/L)	Cl ₂ (mg/L)	F ⁻ (mg/L)	NO ₃ -N (mg/L)
A	06Sep18	21:00p	230	23.8	0.020	0.117	56.5
B	06Sep18	21:00p	235	25.1	0.020	0.114	53.7
Lab Blank			ND	ND	ND	ND	ND
S _m			0.100	0.015	0.003	0.007	0.160
REF. VALUE			100	100	0.200	1.00	100
STD ± 2SD			106 ± 10.0	99.5 ± 8.88	0.205 ± 0.018	1.05 ± 0.080	97.2 ± 8.66

SAMPLE	DATE	TIME	NO ₃ -N (mg/L)	SO ₄ ²⁻ (mg/L)	T&L (mg/L)	TDS (mg/L)	Turbidity (NTU)
A	06Sep18	21:00p	0.650	12.8	0.027	309	2.10
B	06Sep18	21:00p	0.650	12.6	0.191	309	2.10
Lab Blank			ND	ND	ND	ND	ND
S _m			0.300	0.075	0.070	0.700	0.015
REF. VALUE			10.0	10.0	1.00	200	5.00
STD ± 2SD			10.2 ± 0.890	10.4 ± 0.940	1.03 ± 0.088	190 ± 17.6	5.05 ± 0.048

SD = standard deviation
 STD = secondary standard calibrated to primary standard reference material
 S_m = standard deviation at zero analyte concentration: method detection limit
 is generally considered to be 3x S_m value
 ND = none detected n/a = not applicable

R. Bilodeau
 Analytical Chemist

H. Hartmann
 Sr. Analytical Chemist



ANALYTICAL & TESTING SERVICES P.O. BOX 2103, SIDNEY, B.C. V8L 3S6 TEL: (250) 656-1334 EMAIL: info@mbmlabs.com

Appendix 3: Well Drilling Logs Well A (tag 21611)

Well Tag Number: 19747	Well Status: NEW	Observation Well Number:
Well Identification Plate Number:	Well Class:	Observation Well Status:
Owner Name: C L YOUNG	Well Subclass:	Environmental Monitoring System (EMS) ID:
Licensed Status: UNLICENSED	Intended Water Use: Unknown Well Use	Aquifer Number: 722
		Alternative specs submitted (if required): No

Sections

Location Information	Surface Seal and Backfill Details	Well Decommissioning
Well Activity	Liner Details	Comments
Well Completion Data and Artesian Flow	Screen Details	Documentation
Lithology	Well Development	Disclaimer
Casing Details	Well Yield	

Location Information

Street Address:	
Town/City:	
Legal Description:	
Lot	F
Plan	18929
District Lot	
Block	
Section	54
Township	
Range	
Land District	16 COWICHAN
Property Identification Description (PID)	

Description of Well Location:
BCGS Mapsheet Number: 0928073422



Leaflet | Powered by Esri | Government of British Columbia, DataBC, GeoBC

Geographic Coordinates - North American Datum of 1983 (NAD 83)

Latitude: 48.758524 Longitude: -123.413088
UTM Northing: 5400706 UTM Easting: 469640
Zone: 10 Location Accuracy Code: 8

Well Activity

Construction Date (YYYY-MM-DD)	Alteration Date (YYYY-MM-DD)	Decommission Date (YYYY-MM-DD)	Drilling Company
1966-01-01			Tri-K Drilling

Well Completion Data

Total Depth Drilled:	148 feet	Static Water Level (BTOC):	3 GPM	Well Cap:	
Finished Well Depth:		Estimated Well Yield:		Well Disinfected:	No
Final Casing Stick Up:		Artesian Flow:		Drilling Method:	UNK
Depth to Bedrock:	13 feet	Artesian Pressure:		Orientation of Well:	vertical
Ground Elevation:					
Elevation Determined By:					

Lithology

From (feet)	To (feet)	Lithology Raw Data	Description	Material Description	Relative Hardness	Colour	Water-Bearing Estimated Flow	Observations
0	13	OVER BURDEN						
0	60	5 GPM						
0	100	5 GPM						
0	125	2 GPM						
0	23	OF RESEVOIR						
0	148	TOTAL DEPTH						

Potable Water Assessment
347 Bridgman Rd, Saltspring Island

Gooding Hydrology
dgooding@saltspring.com

Well B, no record found

Well C

Well Summary

Well Tag Number: 21611	Well Status: NEW	Observation Well Number:
Well Identification Plate Number:	Well Class:	Observation Well Status:
Owner Name: C L YOUNG	Well Subclass:	Environmental Monitoring System (EMS) ID:
Licensed Status: UNLICENSED	Intended Water Use: Unknown Well Use	Aquifer Number: 722
		Alternative specs submitted (if required): No

Sections

Location Information	Surface Seal and Backfill Details	Well Decommissioning
Well Activity	Liner Details	Comments
Well Completion Data and Artesian Flow	Screen Details	Documentation
Lithology	Well Development	Disclaimer
Casing Details	Well Yield	

Location Information

Street Address:
Town/City:
Legal Description:

Lot	F
Plan	18929
District Lot	
Block	
Section	54
Township	
Range	
Land District	16 COWICHAN
Property Identification Description (PID)	

Description of Well Location:
BCGS Mapsheet Number: 0928073422



Leaflet | Powered by Esri | Government of British Columbia, DataBC, GeoBC

Geographic Coordinates - North American Datum of 1983 (NAD 83)

Latitude: 48.758833 Longitude: -123.412491
UTM Northing: 5400729 UTM Easting: 469684
Zone: 10 Location Accuracy Code: B

Well Activity

Construction Date (YYYY-MM-DD)	Alteration Date (YYYY-MM-DD)	Decommission Date (YYYY-MM-DD)	Drilling Company
1968-07-01			Tri-K Drilling

Well Completion Data

Total Depth Drilled:		Static Water Level (BTOC):		Well Cap:	
Finished Well Depth:	145 feet	Estimated Well Yield:	1 GPM	Well Disinfected:	No
Final Casing Stick Up:		Artesian Flow:		Drilling Method:	
Depth to Bedrock:		Artesian Pressure:		Orientation of Well:	vertical
Ground Elevation:					
Elevation Determined By:					

681 Rainbow Road, Saltspring Island, B.C. V8K 2M6

Phone: 250 538-1869

End of Document



File No.: SS-TUP-2019.6

X-Ref: SS-TUP-2016.1

DATE OF MEETING: November 26, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Jason Youmans, Island Planner
Salt Spring Island Team

SUBJECT: Temporary Use Permit to allow variety of commercial uses
Applicant: John Fraser c/o Gulf of Georgia Land and Timber Co.
Location: 151 Lower Ganges Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee decline issuance of temporary use permit SS-TUP-2019.6.

REPORT SUMMARY

The purpose of this report is to present a Temporary Use Permit (TUP) application for a range of commercial uses being carried out at 151 Lower Ganges Road. These uses were authorized by the LTC under previous Temporary Use Permit SS-TUP-2016.1.

As in 2016, staff do not recommend permit issuance for the following reasons:

- Site design and landscaping are inconsistent with applicable development permit area guidelines and extant development permit for the property;
- Proposed uses are inconsistent with several Temporary Use Permit guidelines;
- Parking is insufficient to satisfy land use bylaw requirements
- Structures and uses on the filled foreshore proposed for authorization through this permit are accessory to marine uses that are inconsistent with zoning.

The applicant's proposed TUP is attached as Appendix 1. Staff have provided a more limited alternative TUP as Appendix 2 that the LTC may wish to consider if it does not wish to endorse the proliferation of structures on the filled foreshore.

BACKGROUND

The uses proposed through this TUP application were permitted under a previous permit SS-TUP-2016.1. That permit expired April 12, 2019 and the applicants have been required to submit a new application.

The applicants state that the Industrial 1 zoning of the existing building on site does not reflect uses that have occurred there for the past several decades. Nor, they say, is the Shoreline 6 zoning that characterizes the filled

foreshore area of the property appropriate since the water area is now effectively land, not sea. As such, the applicants are seeking a Temporary Use Permit that would allow uses consistent with those permitted on Commercial 1 (C1) zoned parcels as well as under Industrial 1 (In1) zoning.

The subject property has an extensive file history with Islands Trust, including several past Temporary Use Permit applications.



Figure 1: Location of subject property outlined in red. 2017 ortho photo.

ANALYSIS

Policy/Regulatory

Official Community Plan:

Land Use Designation

The upland portion of the lot is designated Ganges Village Core (GVC). The filled shoreline portion of the lot is designated Marine Other (MO).

The GVC designation is intended to ensure that Ganges remains the commercial, social, cultural and institutional hub of the island, and that it does so in a pedestrian- and bicycle-friendly way that respects the Island's heritage. This designation seeks to make the village attractive to visitors and residents.

The MO designation is generally consistent with zoning adjacent to residential properties that would permit construction of a dock for residential use.

Temporary Use Permit Guidelines

See Appendix 6 for an assessment of proposal relative to the OCP's TUP guidelines. The application is inconsistent with several guidelines.

Development Permit Areas (DPAs)

While the proposed uses do not directly trigger the requirements for a development permit, OCP Temporary Use Permit guideline G.1.3.2 states that “Permit conditions should be generally consistent with applicable Development Permit Area guidelines.” Per appendices 7 and 8, staff have identified that the application as submitted is inconsistent with the guidelines intended to direct development in Development Permit Areas 1 and 3.

Development Permit Area 1 (DPA1 – Island Villages)

The industrial zoned upper portion of the lot is within Development Permit Area 1. (DPA 1) – Island Villages. A complete evaluation of DPA 1 policies is included in Appendix 2. The following are the relevant objectives of Development Permit Area 1:

E.1.3.1 - To encourage the development of attractive, compact villages that harmoniously combines commercial, residential, cultural and recreational facilities in a way that encourages pedestrians and enhances village economies.

E.1.3.2 - To protect and enhance views of harbours and uplands, and provide pedestrian access to parklands and Shorelines

E.1.3.3 - To encourage creative designs that continue to reflect the diversity and richness of Salt Spring Island. To avoid design controls that would make island villages appear architecturally sterile or contrived.

E.1.3.5 - To keep the secure character of villages.

E.1.3.6 - To encourage the use of local artisanship and materials.

Development Permit Area 3 (DPA3 - Shoreline)

The Shoreline 6 (S6) portion of the lot is in Development Permit Area 3. (DPA 3) – Shoreline. An evaluation of DPA 3 policies is included in Appendix 3. The following DPA 3 objectives are considered relevant to this application:

E.3.3.1 - To protect the quality of the tidal waters that surround Salt Spring Island.

E.3.3.2 - To protect fish and wildlife habitat.

E.3.3.5 - To protect the natural beauty of the island's shoreline areas where commercial and industrial developments are allowed. To ensure such development is unobtrusive and contributes to the natural, public character of the Crown foreshore.

Land Use Bylaw:

The subject property is split zoned. The upland portion of the lot is zoned Industrial 1 (In1). The filled portion is zoned Shoreline 6 (S6). The water adjacent is also zoned Shoreline 6, which permits a dock accessory to a permitted upland use. See Figure 2 in Appendix 3 for the split zone. See columns 2 and 3 in Appendix 5 for current permitted uses on the subject property.

Neither the use of the building, lower filled area, nor the moorage facility comply with zoning.

Issues and Opportunities

Parking

The subject property does not have sufficient automobile parking spaces to satisfy the requirements of the Salt Spring Island Land Use Bylaw relative to the uses proposed under this Temporary Use Permit.

Land Use Bylaw Section 7.3.1 states, “Except as provided by Section 7.7 of this Bylaw, all required off-street *parking spaces* must be located on the *lot* on which the *use, building or structure* being served is located, or on an adjoining *lot* that constitutes part of the same site or premises. *Parking spaces located on a highway may not be taken into account in determining compliance with the standards in this part*” (emphasis added). Therefore, the parking spaces fronting Lower Ganges Road cannot be included in the total calculation of parking on the subject lot, as they are within the Ministry of Transportation and Infrastructure (MOTI) right-of-way.

Because of the incremental growth to the adjacent commercial moorage facility owned and operated by the applicants,¹ parking requirements related to their commercial marina now total ten (10) automobile parking spaces.² As such, given that the total estimated parking area available on the lower portion of the lot is 11 spaces³, there is insufficient parking available to support retail commercial uses in the building, which would require a total of four parking spaces⁴, plus more related to restaurant uses should those come to fruition.

Staff could reassess parking requirements if confirmation is received from MOTI that ongoing use of the parking spaces in the right-of-way is of no concern. It is also possible that the applicant may bring forward an alternative parking configuration that does not infringe on the MOTI right-of-way. Alternatively, the applicant may provide off-site parking consistent with Section 7.7.1 of the Land Use Bylaw. Section 7.7.1 states, “With the exception of those spaces provided for bicycles and the disabled, *parking spaces* may be located on a different site from that occupied by the *use* being served provided that site is appropriately zoned. Such off-site *parking spaces* must be within 0.5 km of an entrance to the *use* being served, and *use* of the off-site *parking spaces* must be secured by a legal agreement acceptable to Salt Spring Island Local Trust Committee. If the off-site *parking spaces* cannot be accessed from a *public highway*, access to them must also be secured by such a legal agreement.”

Reports commissioned by the CRD Transportation Commission have identified Lower Ganges Road between Rainbow Road and Upper Ganges Road as an area of high pedestrian traffic and subject to future infrastructure improvements. As such, the LTC may want to consider referral of the application to the CRD Salt Spring Island Transportation Commission for comment to ensure that site access and egress is compatible with pedestrian safety.

¹ See Appendix 9.

² Land Use Bylaw 355 requires one parking space per 20 metres of berths accommodating resident boats plus 1 per two employees. The subject moorage facility has approximately 199 metres of berths, thereby requiring 10 parking spaces, assuming no staff.

³ Although the site plan submitted by applicant does not verify that parking spaces meet Land Use Bylaw No. 355 dimensions.

⁴ Under Land Use Bylaw No. 355 commercial uses require one automobile parking space per 25 m² of floor area.

Use of Existing Building

Should the parking issue be satisfactorily resolved, staff could support the following uses of the existing building on site through a TUP as staff understand the above uses to be consistent with uses carried out in the building over the years:

- Indoor retail sales and rentals
- Indoor retail services
- Indoor production of food and drink items, clothing, crafts, artwork, jewelry, and similar items for retail and wholesale sales, on or off the premises
- Restaurants

The alternative TUP attached as Appendix 2 reflects these uses.

OCP policies do not support the following proposed use of the existing building:

- Offices

Ground floor office use is inconsistent with Development Permit Area 1 guideline E.1.4.10 which states that “most new business and professional offices . . . should ideally be located on the upper levels of commercial developments or on a side of the building without street frontage.”

Additional Uses on Upper Lot

Staff recognize that installation of a structure for retail or commercial purposes at the top of the driveway entrance to the property may conflict with Development Permit Area 1 Guideline E.1.4.16, which states that “All development in the Ganges Village and Fulford Harbour Village Designations should be located so as not to interfere with existing harbour views from public areas and roadways. Particularly important harbor views to be preserved in Ganges include those from . . . Lower Ganges Roads, the foot of . . . Rainbow Road.” However, staff recognize that the Industrial 1 zoning of the lot may otherwise permit placement of a shipping container at this location for storage use, provided it does not infringe of the interior side lot line setback.

Use of Lower Filled Lot

Should the parking issue be satisfactorily resolved, OCP policies could support the following use of the lower filled area:

- Storage and rental of kayaks

Staff understand this to be a use authorized under previous Temporary Use Permits on the lot.

OCP policies do not support the following proposed uses of the filled shoreline portion of the lot:

- Sales of shipping containers

This proposed use is inconsistent with Development Permit Area 1 guideline E.1.4.1 which states that “All commercial, industrial and multifamily sites should be designed to reduce impacts on neighbouring properties, on-site residential areas and public places, including the sea. Particular attention should be paid to locating and screening loading docks, waste containers, propane tanks, air-conditioning units and other service areas to reduce noise and visual impacts.” See Image 8 in Appendix 4 for visual impact of current shipping container use.

- Storage in shipping containers

This proposed use is inconsistent with guideline E.1.4.1 as above.

- Artisan use of shipping containers

This proposed use appears to represent a potential conflict between an active parking lot and pedestrian safety. Additionally, it fails to satisfy E.1.4.1 above, unless a satisfactory landscaping plan is proposed.

Staff could revisit concerns about these proposed uses of the filled lower portion pending receipt of a satisfactory development and landscaping plan addressing screening or other mitigation measures, as well as installation of satisfactory pedestrian infrastructure.

Temporary Use Permit Guidelines

The proposed application fails to satisfy several Temporary Use Permit guidelines. Additionally, the expansive list of uses requested by the applicant is a departure from the usual targeted nature of Temporary Use Permit applications.

Recreational Vehicle

There is a large recreational vehicle parked on the property. The OCP does not currently authorize the LTC to grant TUPs for residential uses.

Industrial Lands Planning

Bylaw No. 489 in the LTC's industrial lands project reaffirmed the light industrial zoning of the building on the upland portion of the subject property. Should Bylaw 489 be adopted the subject property will be zoned General Employment 1 (GE1). The GE1 designation will contain businesses that are primarily indoors and have little to no impact on the neighbours and environment. A business with any slight impact will require mitigation to satisfy the required tolerance levels. However, retail sales are not a proposed principle use in the GE1 zone.

Ganges Boardwalk Planning

The subject property is a pivotal link in the Ganges Village Boardwalk project. It is the only private property where the boardwalk has been installed and maintained. The boardwalk on the property sits within a three-metre-wide statutory right-of-way held by the Capital Regional District (CRD).

In 2016, new uses for the lot were being explored as part of the boardwalk planning process under a proposed Commercial 7 (C7) zoning designation. These uses were largely consistent with the uses being proposed by the applicant through this TUP application. It is unclear whether further movement on LTC-sponsored foreshore rezoning will occur in the short term.

Local Government Act Section 528 (lawful non-conformity)

The owners of the subject property possess a letter from a former Salt Spring Island Regional Planning Manager indicating that retail sales in the existing building are considered to be a lawfully non-conforming use of the site. As such, this use is allowed so long as it is not discontinued for a period of six months or more, in which case its lawful non-conformity would be lost and uses of the existing building must return to those authorized by zoning. This interpretation would permit food retail (such as The Fishery), but may not permit such uses as restaurants or food production.

Development Permit SS-89-23

This development permit for the filled lower portion of the property requires (condition 2(d)) that it “is to be seeded with rye grass and clover.” The lot is in contravention of those permit terms.

Consultation

Statutory Requirements

Notice of the proposed Temporary Use Permit SS-TUP-2019.6 was published in the November 20, 2019 edition of the Gulf Islands Driftwood newspaper, consistent with statutory notification requirements under Section 494 of the *Local Government Act*.

Additionally, notice of the proposed permit was hand delivered and mailed to the owners and tenants in occupation of all properties within 100 metres of the subject lot.

At time of staff report publication, staff have received no correspondence concerning this application.

Correspondence may be sent to SaltSpringIslandLocalTrustCommittee@islandstrust.bc.ca.

Protocols

N/A

Agencies

No agency referrals are proposed.

First Nations

Temporary Use Permits do not generally trigger First Nations referrals. However, the LTC has been privy to correspondence in recent years demonstrating the value of the Ganges Harbour water and upland areas to First Nations for whom Salt Spring Island within their traditional territory.

Rationale for Recommendation

The proposed TUP is inconsistent with numerous temporary use and development permit area guidelines. Application of, and substantial adherence to, these guidelines is the mechanism used to implement the community’s vision for its preferred built form as reflected in the policies of the Official Community Plan. It is also the mechanism by which matters such as parking, pedestrian circulation, and the form and character of development are addressed.

Staff do not recommend issuance of the proposed permit. Staff could support issuance of a more limited TUP to authorize the range of uses requested for the existing building, but not for the lower filled portion where development to date has been inconsistent with both zoning and applicable development permit area guidelines. Staff have attached an alternative permit reflecting these more limited uses as Appendix 2 to this staff report.

ALTERNATIVES

1. Issue Permit

If the LTC is determines that the applicant has satisfied the applicable temporary use permit guidelines, it may issue the permit. The appropriate resolution is as follows.

THAT the Salt Spring Island Local Trust Committee issue Temporary Use Permit SS-TUP-2019.6 as shown in Appendix 1 of the staff report dated November 26, 2019.

2. Issue Alternative Permit

If the LTC does not wish to sanction the uses taking place on the filled foreshore, it can issue a permit for uses within the existing building only. The appropriate resolution is as follows:

That the Salt Spring Island Local Trust Committee issue Temporary Use Permit SS-TUP-2019.6 as shown in Appendix 2 of the staff report dated November 26, 2019.

The implications of this decision are the upland commercial uses would be permitted for three years. Uses on the filled foreshore would not be officially permitted, and could be subject to bylaw enforcement and compliance action.

3. Request additional information/plans

The LTC may determine that it has insufficient information to make a decision at the present time, or would like the applicant to address shortcomings within the application. Appropriate example resolutions are as follows:

That the Salt Spring Island Local Trust Committee request the applicant to provide . . .

That the Salt Spring Island Local Trust Committee requests the applicant to demonstrate how their plan meets TUP/DP guideline

NEXT STEPS

If the LTC does not grant SS-TUP-2019.6, certain uses on the property may be permitted to continue under the provisions of lawful non-conformity. Others, however, could be subject of bylaw compliance and enforcement action if a complaint is received or if the LTC directs proactive enforcement.

If the LTC opts to issue either the applicant's proposed, or staff's alternate TUP, that permit will be issued and those uses authorized.

Submitted By:	Jason Youmans, Island Planner	November 19, 2019
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Concurrence:	Stefan Cermak, Regional Planning Manager	November 19, 2019
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ATTACHMENTS

1. Proposed Permit SS-TUP-2019.6
2. Alternate Permit SS-TUP-2019.6
3. Site Context
4. Maps, Plans, Photographs
5. Proposed vs. Permitted Uses
6. Temporary Use Permit Guidelines
7. Development Permit Area 1 Guideline Evaluation
8. Development Permit Area 3 Guidelines Evaluation
9. Marina Expansion



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT SS-TUP-2019.6

TO: Gulf of Georgia Land & Timber Ltd.

1. This Permit applies to the land described below:

Lot A, Section 2, Range 4 East, North Salt Spring Island and District Lot 689, Cowichan District, Plan VIP65932

PID: 023-882-921

2. This Permit is issued to allow the following:

Commercial uses consisting of:

- a) Indoor and outdoor retail sales and sales and rentals;
- b) Indoor retail services;
- c) Indoor production of food and drink items, clothing, crafts, artwork, jewelry, and similar items for retail and wholesale sales, on or off the premises;
- d) Offices;
- e) Restaurants;
- f) Storage and rental of kayaks;
- g) Sales of shipping containers;
- h) Storage in shipping containers;
- i) Artisan use of shipping containers, including retail sales;
- j) Food and drink carts/trucks.

3. This Permit is valid for a period of three (3) years from the date of issuance. The uses may be carried out subject to the following conditions:

3.1 Site Layout

- 3.1.1 The buildings, landscaping, parking, and general site layout shall be in accordance with Schedule No. 1.
- 3.1.2 The permitted uses shall be carried out exclusively in the locations and structures identified for those uses on Schedule No. 1 of this permit.
- 3.1.3 This permit does not extend to the boardwalk, ramp, docks or waters adjacent to the subject property.



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT SS-TUP-2019.6

3.2 Shipping Containers

3.2.1 Shipping containers must not be stacked.

3.2.2 All shipping containers must be removed pending expiry of this permit, unless permit renewal is authorized by Salt Spring Island Local Trust Committee.

3.3 Signs

3.3.1 Any and all signs shall be in accordance with *Salt Spring Island Local Trust Committee Land Use Bylaw No. 355* and Section E.1.9 of *Salt Spring Island Official Community Plan Bylaw No. 434*.

3.4 Islands Trust staff may enter the subject property at any time during business hours to ensure compliance with the Temporary Use Permit.

All in accordance with Schedule No. 1, attached to and forming part of this permit, as signed and dated by the Deputy Secretary of Islands Trust.

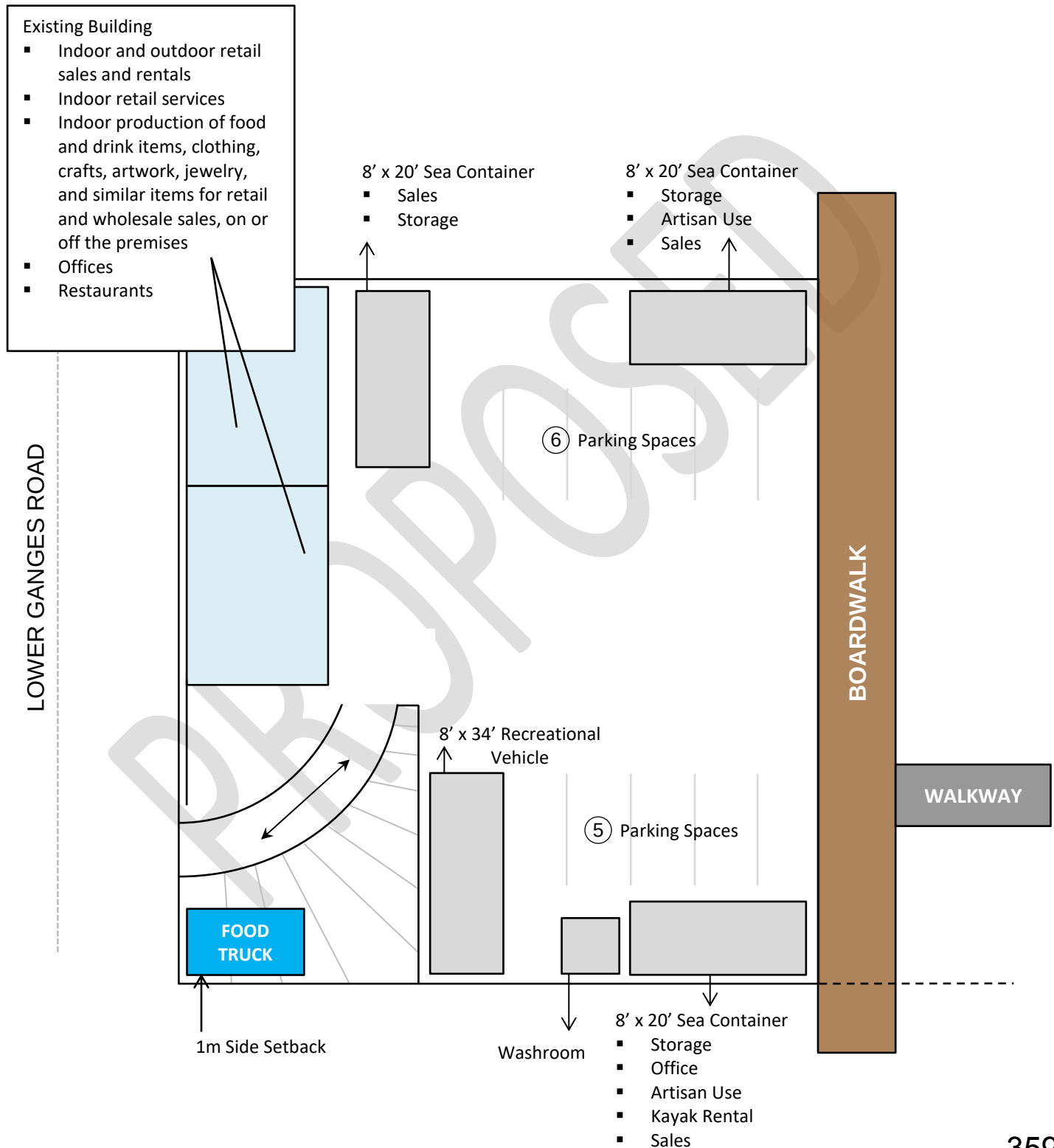
4. This Permit does not relieve the Permittee from the need to secure all other approvals necessary for the proposed uses.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE
THIS ____TH DAY OF _____, 20____.

Deputy Secretary

Date Issued

Schedule No. 1



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT SS-TUP-2019.6

TO: Gulf of Georgia Land & Timber Ltd. Inc. No. 280282

1. This Permit applies to the land described below:

Lot A, Section 2, Range 4 East, North Salt Spring Island, and District Lot 689,
Cowichan District, Plan VIP65932

2. This Permit is issued to allow the following:

Commercial uses consisting of:

- a) Indoor and outdoor retail sales and rentals;
- b) Indoor retail services;
- c) Indoor production of food and drink items, clothing, crafts, artwork, jewelry, and similar items for retail and wholesale sales, on or off the premises;
- d) Offices;
- e) Restaurants;
- f) Food and drink carts/trucks.

3. This Permit is valid for a period of three years from the date of issuance. The uses may be carried out subject to the following conditions:

3.1 Site Layout

3.1.1 The buildings, landscaping, parking, and general site layout shall be in accordance with Schedule 1.

3.1.2 The permitted uses shall be carried out exclusively in the locations and structures identified for those uses on Schedule 1 of this permit.

3.2 Signs

3.2.1 Any and all signs shall be in accordance with *Salt Spring Island Local Trust Committee Land Use Bylaw No. 355* and Section E.1.9 of *Salt Spring Island Official Community Plan Bylaw No. 434*.

3.3 Islands Trust staff may enter the subject property at any time during business hours to ensure compliance with the Temporary Use Permit.

All in accordance with Schedule 1, attached to and forming part of this permit, as signed and dated by the Deputy Secretary of Islands Trust.

PROPOSED

4. This Permit does not relieve the Permittee from the need to secure all other approvals necessary for the proposed uses.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 20__.

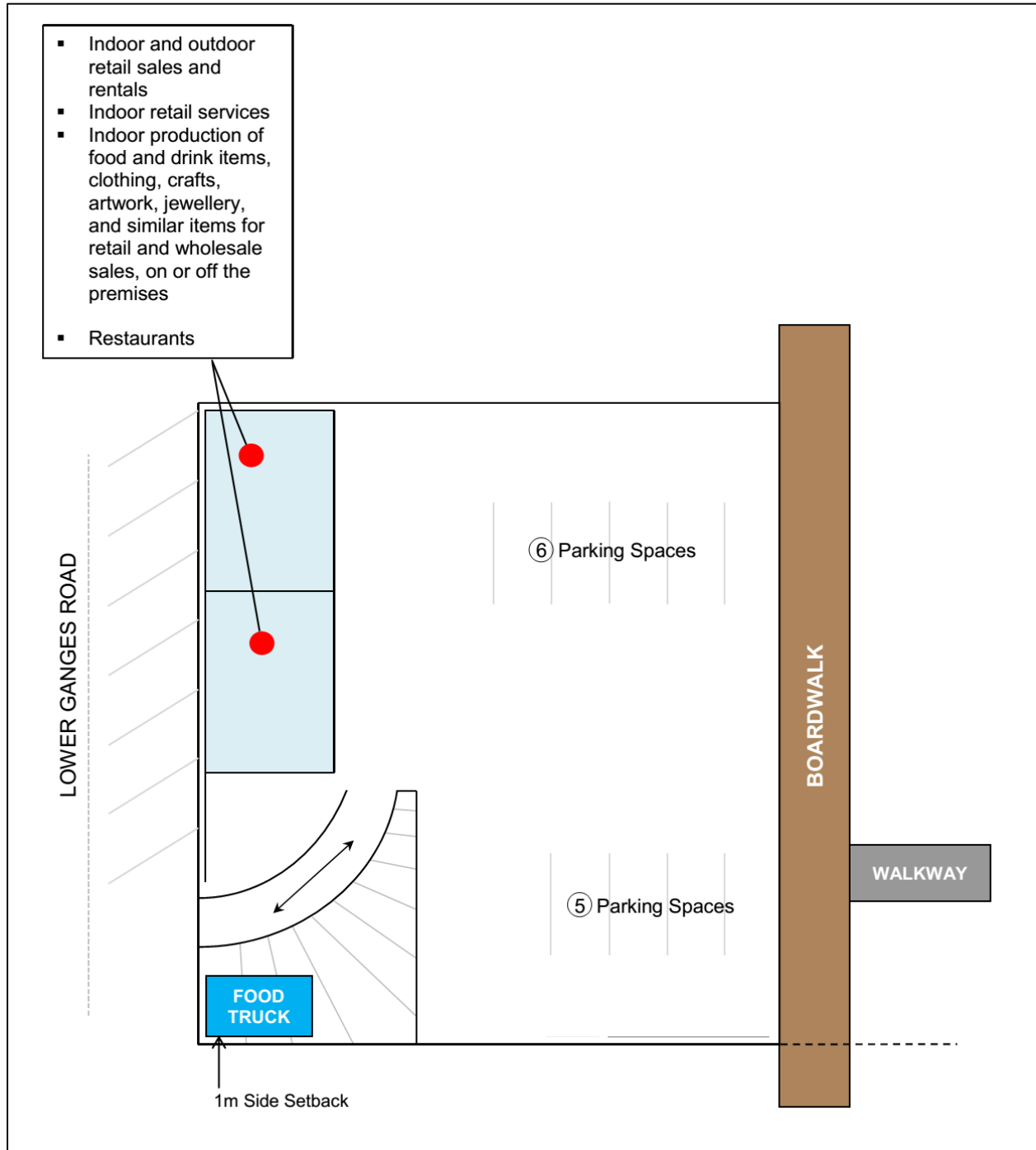
Deputy Secretary

Date Issued

PROPOSED

PROPOSED

Salt Spring Island Local Trust Committee
Temporary Use Permit
SS-TUP-2019.6
Schedule 1



ATTACHMENT 3 – SITE CONTEXT

LOCATION

Legal Description	Lot A Section 2 Range 4 East, North Salt Spring Island and District Lot 689 Cowichan District Plan VIP65932
PID	023-882-921
Civic Address	151 Lower Ganges Road

LAND USE

Current Land Use	Retail stores, storage in shipping containers, marina, marina administration
Surrounding Land Use	Adjacent properties include the Ganges Marina to the north (zoned Commercial Accommodation 1(d)), the School District 64 administrative offices to the west (zoned Community Facility 1), and a small sliver of land to the south owned by the Salt Spring Island Farmer's Institute (zoned Residential 6). Further south is Rotary Park and the Thrifty's grocery store.

HISTORICAL ACTIVITY

File No.	Purpose
SS-TUP-2016.1	To permit existing uses on property (retail, storage in shipping containers, etc)
SS-TUP-2006.2	To permit kayak rentals
SS-DP-1989.23	To authorize fill and boardwalk construction
SS-TUP-2000.5, SS-CL-1989.34, SS-RZ-1987.7, SS-DVP-1987.3	These are among the range of additional development applications made for the subject property over the decades.

POLICY/REGULATORY

Official Community Plan Designations	Upland portion = Ganges Village Core (GVC) Filled shoreline portion = Marine Other (MO) <u>Development Permit Areas</u> Upland portion = Development Permit Area 1 (Island Villages) Foreshore portion = Development Permit Area 3 (Shoreline)
Land Use Bylaw	Upland portion = Industrial 1 (In1) Filled foreshore and adjacent marine = Shoreline 6 (S6)
Other Regulations	Marina authorized under Crown Lease from B.C. Government
Covenants	N/A
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	The Islands Trust Fund as no interests in the subject property or those in the immediate vicinity.
Regional Conservation Strategy	Islands Trust Fund Regional Conservation Plan shows the subject area to be of low relative habitat composition value owing to its presence in the town center.
Species at Risk	N/A
Sensitive Ecosystems	Islands Trust sensitive ecosystem mapping does not appear to show any sensitive ecosystems in the vicinity.
Hazard Areas	The subject property is not within a known hazard area.
Archaeological Sites	The building and driveway access sit atop a known site of archaeological significance. TUP application does not propose any subsurface works.
Climate Change Adaptation and Mitigation	Increased uses may promote increased automobile traffic to the site, thereby increasing greenhouse gas emissions. CRD sea level rise mapping indicates the filled foreshore is at risk of flooding upon a 0.5 metre sea level rise and a 1.3 metre storm surge.
Shoreline Classification	Altered
Shoreline Data in TAPIS	TAPIS shoreline data does not show any eelgrass, forage fish habitat or bull kelp in the immediate vicinity. The shoreline of the subject lot consists of rip-rap and gravel fill deposited at in the late 1980s in anticipation of construction of the Ganges Harbour Boardwalk.

ATTACHMENT 4 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS



Figure 2 – Zoning Map. Upper portion of the property zoned Industrial 1 (In1). Lower filled foreshore zoned Shoreline 6 (S6).

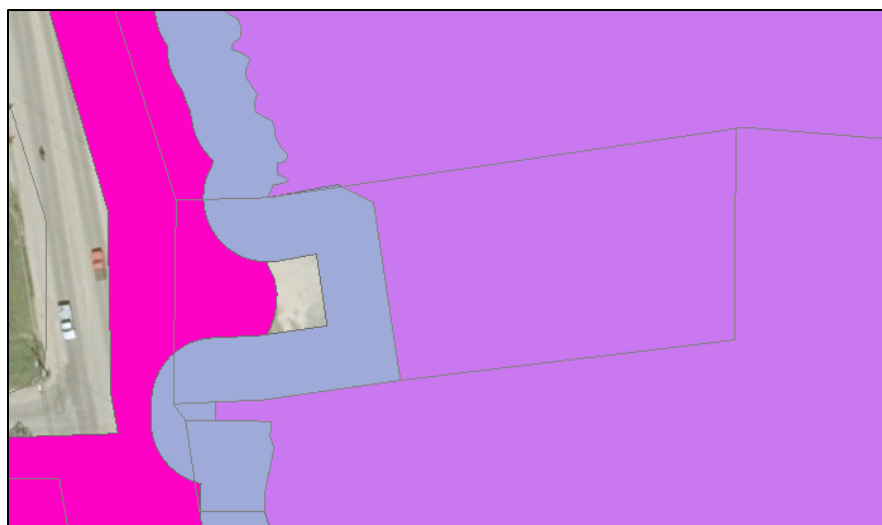


Figure 3 – Development Permit Areas on subject property. Upper portion of the property is in Development Permit Area 1 (DPA1) for form and character of village development. Lower filled foreshore and marine is in Development Permit Area 3 (DPA3) for protection of the marine environment.



Image 1 – Existing building on subject property.



Image 2 – Driveway access to filled foreshore of subject property.



Image 3 – Filled foreshore area of subject property.



Image 4 – Filled foreshore area of subject property showing seacan currently used for wholesale coffee storage and distribution.



Image 5 – Filled foreshore area of subject property showing seacan used for marina office and kayak storage and rental.



Image 6 – Filled foreshore area of subject property showing communal kitchen built on portion of Ganges Harbour boardwalk.



Image 7 – Filled foreshore area of subject property with seacan in distance and patio furniture on portion of Ganges Harbour boardwalk.



Image 8 – View of subject property from Rotary Park.

PROPOSED VS PERMITTED USES ON SUBJECT PROPERTY		
Proposed*	Permitted (Upper – In1 zone)	Permitted (Lower – S6 zone)
• <i>Indoor and outdoor retail sales and rentals</i> • <i>Indoor retail services</i> • <i>Indoor production of food and drink items, clothing, crafts, artwork, jewelry, and similar items for retail and wholesale sales, on or off the premises</i> • <i>Offices</i> • <i>Restaurants</i> • <i>Storage and rental of kayaks</i> • <i>Sales of shipping containers</i> • <i>Storage in shipping containers</i> • <i>Artisan use and sales in shipping containers</i> • <i>Food and drink wagons</i> <i>* See Schedule 1 of Appendix 1 for proposed locations of each use</i>	• <i>Light industry</i> • <i>Farm-related light industry</i> • <i>Indoor commercial, art and vocational schools</i> • <i>Funeral homes</i> • <i>Indoor sales of building supplies, appliances and furniture, with accessory outdoor sales and storage</i> • <i>Storage, with the exception of outdoor storage of derelict vehicles and equipment, commercially licensed trucks, bulk fuel products, or waste materials</i> • <i>Indoor service and repairs to vehicles, equipment, machinery and boats</i> • <i>Indoor wholesale sales</i> • <i>Veterinarian clinics and animal hospitals</i> • <i>Collection of recyclable materials, excluding outdoor sorting and storage</i> • <i>Public service uses</i> • <i>Retail sales accessory to a permitted principal use</i> • <i>One dwelling unit accessory to industrial use</i>	• <i>Navigational uses</i> • <i>Geothermal heating equipment in tidal waters only</i> • <i>Private floats and buoys for non-commercial boat moorage</i> • <i>Private docks and floats for non-commercial boat wharfage accessory to a permitted use on the adjacent upland</i>

ATTACHMENT 6 – POLICIES

G.1.2	Objectives for issuing Temporary Commercial and Industrial Use Permits (Only objectives relevant to this application included)		
	<i>Permits for temporary commercial and industrial uses should only accommodate uses that are consistent with this Plan. Permits could be issued for uses such as:</i>		
G.1.2.3	The temporary use of land for industrial or commercial uses that are compatible with land use designations, but are not specifically allowed by the local zoning bylaw. Such uses may be transitional or there may be uncertainty as to their appropriateness or viability. It may be premature or inappropriate to decide upon rezoning and long-term land use changes.		
		Guideline Met	Guideline Not Met
G.1.3	Permit Guidelines	Staff Comments	
	<i>Conditions included in Temporary Commercial and Industrial Use Permits should follow the guidelines below to achieve the objectives of this Plan.</i>		
G.1.3.1	Permits can be issued for any period up to two years and could be considered for renewal once for any further period up to two years.	<i>The Local Government Act now allows for Temporary Use Permits of a 3-year duration with the possibility of one renewal for a subsequent 3 years.</i>	
G.1.3.2	Permit conditions should be generally consistent with applicable Development Permit Area guidelines, while recognizing the temporary nature of structures and site development.	<i>This application is inconsistent with Development Permit Area 1 guidelines with respect to form and character of shoreline development, parking, and screening of storage areas from public area view.</i>	
G.1.3.3	Permit conditions should ensure that temporary commercial and industrial uses are compatible with adjacent land uses. Noise, traffic, parking, general activity levels and any disturbance that may be apparent beyond the property's boundaries should be considered.	<i>The proposed uses are generally consistent with adjacent land uses.</i>	
G.1.3.4	Permit conditions should ensure that off-street parking is provided in a way that is consistent with local bylaws.	<i>The lot does not have sufficient parking capacity to meet Bylaw 355 parking standards</i>	
G.1.3.5	Permits applications should include evidence that suitable alternate sites with appropriate zoning are not available.	<i>Permit application does not include evidence that suitable alternate sites with appropriate zoning are unavailable.</i>	
G.1.3.6	Permits should not be issued for uses in excess of 60 days unless it is a new venture that does not directly compete with an existing business in a legal zone and there is a	<i>Proposed uses will compete directly with existing businesses in legal zones. However, it is reasonable to suggest that actual uses of the</i>	

	demonstrated need or market for the proposed use. Consideration could also be given to the temporary relocation of an existing business in emergency or hardship situations.	<i>existing building over several decades are more consistent with those proposed under this application than the lot's In1 zoning.</i>
G.1.3.7	Permitted uses should be consistent with the objectives of this Plan.	<i>With the exception of storage and sales of shipping containers, the proposed uses are consistent with the objectives of the OCP.</i>
G.1.3.8	Permitted uses should not preclude or compromise future permitted uses on the land parcel affected.	<i>The proposed use does not preclude or compromise future permitted uses.</i>
G.1.3.9	Uses should not be allowed if they conflict with any ongoing or intended planning policies or programs.	<i>The proposed uses do not conflict with any ongoing or intended planning policies or programs. Move toward commercial and retail activities is consistent with trajectory of industrial lands and Ganges boardwalk planning processes See Appendix 5.</i>
G.1.3.10	Where appropriate, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with neighbouring land uses.	<i>At present the permit does not propose operational plans.</i>
G.1.3.11	Permits can include, as a condition, the provision of an undertaking by the owner of the affected land to remove buildings and restore land to a condition specified in the permit by a date specified in the permit.	<i>Staff have included in the proposed permit removal of shipping containers upon permit expiry.</i>
G.1.3.12	Permits can include, as a condition, the provision of security to guarantee the performance of the terms of the permit.	<i>As only modest site layout changes are proposed, staff find the provisions of a security unnecessary for this application.</i>

Evaluation of Development Permit Area 1 Guidelines

Note: Only applicable guidelines have been assessed

E.1	DEVELOPMENT PERMIT AREA 1 – ISLAND VILLAGES	STAFF COMMENTS
E.1.4	Guidelines for General Site Design, Building Location and Access	
General Guidelines		
E.1.4.1	All commercial, industrial and multifamily sites should be designed to reduce impacts on neighbouring properties, on-site residential areas and public places, including the sea. Particular attention should be paid to locating and screening loading docks, waste containers, propane tanks, air-conditioning units and other service areas to reduce noise and visual impacts. This guideline is particularly important for development next to schools and hospitals.	<i>Applicant is proposing placement of a number of shipping containers on lower lot.</i> <i>See Image 8 in Appendix 4 for visual impact of these structures.</i> <i>Guideline is not met.</i>
E.1.4.2	All commercial, industrial and multifamily developments should be designed so that the obstruction of views from neighbouring properties is minimized.	<i>See E.1.4.16.</i>
E.1.4.5	Site access to commercial and multi-family developments should encourage use by pedestrians and cyclists. Internal circulation routes for pedestrians and cyclists should be segregated from vehicular routes, with an emphasis given to pedestrian and cyclist safety over vehicular convenience if necessary. Site plans of large new developments should show how transit stops could be accommodated in the future. Site access in Ganges Village should be arranged to coordinate with the Ganges Public Pathway System, including the seawalk. Potential routes for the system are shown in a conceptual way on Map 17.	<i>Applicants have not submitted plan proposing internal circulation for pedestrians from Lower Ganges Road to lower lot. Guideline not met.</i> <i>Lot does, however, contain a completed portion of Ganges Boardwalk.</i>
E.1.4.6	Commercial developments should provide structures for the convenient and secure parking and locking of bicycles, close to and visible from the adjacent streets. Such structures should not obstruct pedestrian movement on the site.	<i>Development does not appear to include bicycle parking at present. Guideline not met.</i>
Guidelines for specific village locations and situations		

E.1.4.10	Where commercial developments have street frontage in the Ganges Village Core, Channel Ridge Village Core and Fulford Harbour Village, the main floor should be preferably occupied by retail stores, restaurants, and personal service uses in order to maintain the interesting and lively commercial character of the villages. Most new business and professional offices and residential units should ideally be located on the upper levels of commercial developments or on a side of the building without street frontage. Access for the disabled to upper levels should be considered.	<i>TUP application proposes ground floor office. Inconsistent with this guideline. Guideline not met.</i>
E.1.4.16	All development in the Ganges Village and Fulford Harbour Village Designations should be located so as not to interfere with existing harbour views from public areas and roadways. Particularly important harbour views to be preserved in Ganges include those from Upper and Lower Ganges Roads, the foot of Park Drive, Rainbow Road and Fulford-Ganges Road, Centennial Park and Gasoline Alley. Views to be preserved in Fulford Harbour include those from Fulford-Ganges Road and from Beaver Point Road.	<i>Shipping container proposed for top portion of the lot may impact view down Rainbow Road to Ganges Harbour.</i>
E.1.5	Guidelines for Offstreet Parking Lot Location and Design	
E.1.5.1	The preferred location for a parking lot is behind the building it serves, so that the lot cannot be seen from the main street on which the building is located. If parking behind a building is not possible, streetfront parking lots should be designed with a maximum street frontage of 10 m and an effective landscape screen. Developments on Ganges or Fulford Harbours should be considered as exceptions to this general guideline so that buildings (rather than parking lots) are located immediately next to the harbour. In these situations, parking lots would have street frontage but should be well screened from the street and incorporate effective and attractive facilities for pedestrians to access the harbour.	<i>Existing parking lot abuts shoreline. However, for practical purposes, building clients use the spaces in the highway right-of-way. Guideline not met.</i>
E.1.5.3	Parking lot access lanes should be located and designed to reduce breaks along the street wall and to reduce accesses that cross sidewalks. Entrances from secondary frontages or from rear lanes are preferred. Parking lots should hold all vehicular manoeuvring requirements for entry and exit to and from individual parking spaces.	<i>Cars back out from streetside parking spaces require crossing usual pedestrian path. Guideline not met.</i>
E.1.5.4	Offstreet parking spaces should not be located so that cars must exit or manoeuvre by backing over a sidewalk or other pedestrian route.	<i>Cars must back over pedestrian route. Guideline not met.</i> <i>Recommend referral to MOTI and CRD Transportation Commission</i>

E.1.5.6	Parking spaces for the disabled should be plentiful, prominently marked and carefully located for maximum convenience and proximity to accessible building entrances and weather protection features. If necessary, exceptions to the guidelines for parking location may be made to maximize convenience for the disabled.	<i>No marked disabled parking at present. Guideline not met.</i> <i>Should be provided prior to permit adoption</i>
E.1.5.10	Areas should be provided for the loading and unloading of trucks. Sites should allow delivery trucks to manoeuvre without having to block or back onto an adjacent street, parking aisle or pedestrian route. Emergency vehicles should be able reach all parts of the development easily.	<i>No dedicated loading area on Lower Ganges side. Loading there would block several parking areas.</i> <i>Guideline not met</i>
Details		
E.1.6.14	The use of imaginative, handcrafted products of local craftspeople is encouraged. In Fulford Harbour Village particularly, natural and "found" materials should be incorporated into exterior details by local artisans, in keeping with existing development. More conventional or formal materials should be avoided.	<i>No evidence in application package of local artisan contribution. Guideline not met.</i>
E.1.6.15	A pleasant pedestrian environment in villages should be enhanced by pedestrian-oriented features.	<i>None apparent. Guideline not met.</i>
E.1.6.20	Facilities should be provided for convenient, barrier-free access for the disabled.	<i>Site does not appear wheelchair accessible. Guideline not met.</i>
E.1.7	Guidelines for Landscaping and Parking Surfaces	
E.1.7.1	Informal, natural landscaping that gives a native appearance is encouraged as opposed to formal, decorative plantings. Hard surfacing should not be used as a substitute for vegetation.	<i>Minimal vegetative landscaping on site. Guideline not met.</i>
E.1.7.3	Plant materials should be durable, low-maintenance types. Care should be taken not to obscure sight lines at intersections and parking lot entrances.	<i>As above.</i>
E.1.7.4	Landscaping should be used to as an integral part of developments and should help in the function and organization of a site; to create the sense of entry into buildings and to define and enliven public spaces. While screening of unattractive building features is important, landscaping should be designed to ensure a broader function.	<i>As above.</i>

E.1.7.5	Soft landscaping should cover a minimum of 40% of parcel areas in multifamily residential developments and at least 20% of the parcel area in commercial and industrial developments. Developments that provide special needs housing or affordable seniors' supportive housing may have a reduced area of soft landscaping if necessary to accommodate special facilities, providing that neighbouring properties are buffered by a vegetation screen and that parking lots are landscaped as outlined in Guideline E.1.7.16. The area calculated as soft landscaping does not include parking areas, vehicle lanes and manoeuvring areas, private open space and adjacent boulevards on public lands.	<i>Lot does not include 20% soft landscaping. Guideline not met.</i>
E.1.7.6	All landscaping work on major new developments should meet the British Columbia Landscape Standard published by the British Columbia Society of Landscape Architects and the British Columbia Nursery Trades Association and should be covered by a performance bond for a period of one year from the date of final installation, in order to ensure survival or replacement of plantings. All landscaping should be maintained in perpetuity.	<i>Guideline not met.</i>
E.1.7.7	All hard and soft landscaping and paving, including sidewalks, pedestrian amenities, street furniture, cycle racks and parking lot lines on major new developments should be installed prior to issuance of any building occupancy permit. A letter of credit should be deposited for an amount equal to 150% of the cost of the work to be completed.	<i>No landscaping plan submitted. Guideline not met.</i>
E.1.7.8	Plant materials should be chosen with a view to conserve water.	<i>As above</i>
E.1.7.13	Fencing should be natural in appearance and coordinated with the design of the main building. Appropriate materials are those that reflect a natural, locally crafted character, such as local stone, heavy timbers or local wood.	<i>Lower lot is currently fenced off from Rotary Park view with corrugated metal sheeting. Guideline not met.</i>

E.1.7.16	Parking lots should be carefully landscaped to screen them from adjacent streets and land uses, to provide shade and to avoid large expanses of uninterrupted asphalt. The following landscape guidelines apply specifically to parking lots, including off-site parking lots: a. Parking lots with street frontage should be screened by a landscaped strip with a minimum width of 3 m. The perimeter of parking lots should also be screened with a minimum width of 2 m. b. Parking lots with more than 10 spaces should include interior landscaping islands and peninsulas that occupy at least 5 per cent of the lot area besides the street frontage and perimeter strips. Irregular shapes of parking islands are encouraged, especially those incorporating existing vegetation naturally and informally. c. Reductions in parking space requirements may be requested to accommodate adequate parking lot landscaping. d. The use of permeable parking materials such as "hard grass" is strongly encouraged to soften the visual effect of parking lots and minimize changes to site drainage.	<i>No landscaping plan submitted.</i> <i>Guideline not met.</i>
E.1.8	Guidelines for Lighting	
E.1.8.1	Lighting of commercial and industrial sites should be kept to the minimum necessary for pedestrian safety and visibility. A low level of light should be maintained in the night time atmosphere of villages. Lighting in parking lots should be adequate for security purposes.	<i>No lighting plan provided by applicant at this time.</i>
E.1.8.2	Light fixtures on commercial and industrial sites should be carefully chosen to focus light on the area to be illuminated. The spillage of light into onsite residential areas, neighbouring properties, streets or other public areas including the sea should be avoided. Fixtures should not result in glare when viewed from residential areas that overlook villages.	<i>No lighting plan provided by applicant at this time.</i>
E.1.8.3	Light fixtures should be simple and unobtrusive in design. The use of indirect lighting mounted on the fronts and sides of village buildings is encouraged.	<i>No lighting plan provided by applicant at this time.</i>
E.1.8.4	Incandescent fixtures are preferred.	<i>No lighting plan provided by applicant at this time.</i>
E.1.8.5	Light fixtures mounted on masts or walls should be pedestrian in scale and should not exceed 3.5 m in height.	<i>No lighting plan provided by applicant at this time.</i>
E.1.8.7	Flashing or strobe lights should not be used to attract attention to commercial uses.	<i>No lighting plan provided by applicant at this time.</i>
E.1.9	Sign Guidelines	
E.1.9.1	Signs should be coordinated with buildings in terms of location, scale, materials, finishes and colours.	<i>No sign plan provided by applicant at this time.</i>

E.1.9.2	Signs should be kept to the minimum size and number needed to inform and direct residents and visitors. Sign size and lettering should not exceed that necessary to direct pedestrians and slow-moving traffic: letters should rarely exceed 20 cm in height; the area of individual signs should rarely exceed 2.5 m ² . Total permitted sign area should not exceed that permitted by local bylaw.	<i>No sign plan provided by applicant at this time.</i>
E.1.9.3	All signs should be kept at a pedestrian viewing level. They should not obstruct pedestrian traffic. Some exceptions to the guidelines in this Section may be considered for marine-oriented businesses which offer services to marine traffic. However care must be taken to ensure that the character of the harbour as viewed from the sea is not dominated by commercial signs.	<i>No sign plan provided by applicant at this time.</i>
E.1.9.4	Signs should be constructed of natural materials, preferably with a handcrafted look. Plastic, back lit signs should not to be used, especially those dominated by product logos and trademarks.	<i>No sign plan provided by applicant at this time.</i>
E.1.9.5	Front-lit signs with soft light levels are preferable.	<i>No sign plan provided by applicant at this time.</i>
E.1.9.6	Signs should not move or be audible. They should not incorporate lighting that moves or flashes or gives the impression of doing so. Neon lighting should not be used outside buildings.	<i>No sign plan provided by applicant at this time.</i>
E.1.10	Guidelines regarding Stormwater Drainage and Water Pollution	
E.1.10.3	Development should not result in the pollution of surface or groundwater supplies. Particular care should be taken to ensure that there are no detrimental impacts on agricultural land or to fishbearing watercourses because of water pollution.	<i>No changes to drainage anticipated as a result of proposed uses. Guideline met.</i>

Evaluation of Development Permit Area 3 Guidelines

Note: Only applicable guidelines are included in this assessment and these are only being applied to the filled portion of the lot, not the adjacent moorage facility (for which no development permit appears to have ever been sought or granted).

E.1	DEVELOPMENT PERMIT AREA 3 – SHORELINES	STAFF COMMENTS
E.1.4	Guidelines for General Site Design, Building Location and Access	
General Guidelines		
E.3.4.2	All work that takes place on land within 10 m of the natural boundary of the sea should be planned and carried out in a way that is consistent with the <i>Land Development Guidelines for the Protection of Aquatic Habitat</i>	<i>Applicant has not demonstrated that proposed uses and works are consistent with the referenced document. Guideline not met.</i>
E.3.4.3	Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.	<i>Development Permit SS-DP-89.23 requires vegetation of the lower filled portion with rye grass and clover. This does not appear to have been done. Guideline not met.</i>
E.3.4.9	The shoreline should not be filled in to create additional land, except minor areas of fill necessary to complete the boardwalk section of the Ganges Public Pathway System in Ganges Harbour.	<i>Area was filled as part of the Ganges Harbour Boardwalk. Guideline met.</i>
E.3.4.10	No parking areas should be located over the surface of the water, on land created by fill, or on accretion shoreforms.	<i>Lower lot serves almost exclusively as parking lot. This appears inconsistent with DP-89.23 which appears to envision the space as a rye grass and clover lawn. Guideline not met.</i>
E.3.4.30	Buildings built over the water surface in areas zoned for commercial and industrial use in Ganges and Fulford Harbour should accommodate continuous pedestrian passage along the waterfront. Developments in Ganges should contribute to the development of the Ganges Public Pathway System, including the seawalk portion, shown on Map 17. New sections of the seawalk should be built in a way that is consistent with existing portions, ensuring barrier-free access along the entire route. For public safety, light fixtures should be provided at a consistent height and design.	<i>Subject lot hosts the only completed and maintained portion of the Ganges Harbour Boardwalk. Guideline met.</i>

E.3.4.32	Lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should be simple and unobtrusive in design. They should be carefully chosen to focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high cut-off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.	<i>No lighting plan provided by applicant. Guideline not met.</i>
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Expansion of 151 Lower Ganges Road commercial moorage facility 2005 - 2017



Image 1: Moorage facility at subject property in 2005



Image 2: Moorage facility at subject property in 2011

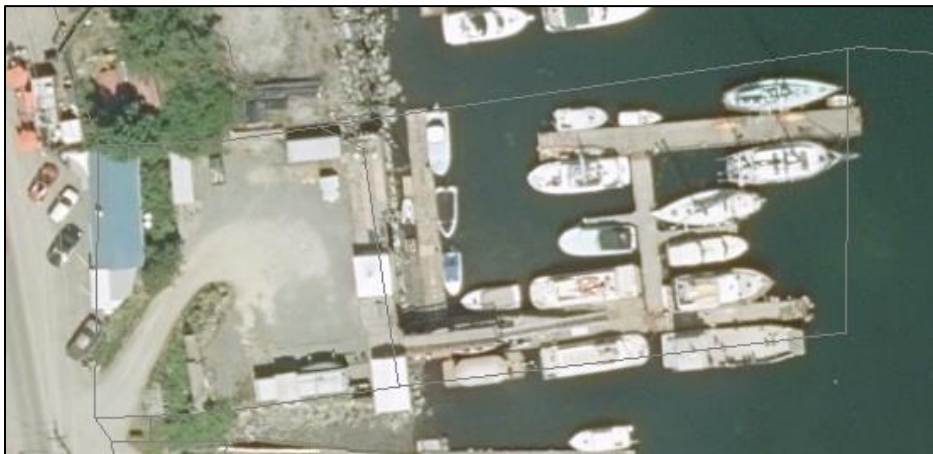


Image 3: Moorage facility at subject property in 2017

File No.: SS-DP-2019.8
(Cross Ref. No. SS-LCB-
2019.3; SS-DP-2010.17 and
SS-DP-1989.10)

DATE OF MEETING: November 26, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Serena Klaver, Planner 1
Salt Spring Island Team

SUBJECT: Exterior patio development for a restaurant establishment in Development Permit Area 1 and 4 in the Ganges Village
Applicant: **Archeus Architecture + Design Inc.**
Location: Address #110 – 150 Fulford-Ganges Road (PID: 014-852-926)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2019.8 amendment to SS-DP-1989.10

REPORT SUMMARY

During the processing of Liquor and Cannabis Regulation Branch endorsement (SS-LCB-2019.3) application, the Islands Trust determined that an exterior patio constructed for the use of the restaurant establishment (Mateada) in Ganges Village was in non-compliance with SS-DP-2010.17, amendment to SS-DP-1989.10. This is primarily in regard to the “form and character” guidelines for Development Permit Area (DPA) 1 Island Villages (OCP Map 16). The property is also identified the property to be located in Development Permit Area 4 – Lakes, Streams, and Wetlands.

This application requests that the constructed exterior patio be considered as an amendment to SS-DP-1989.10.

The site context of the property (Attachment 1 and Figures 1 - 7 below), policy review, and draft permit are attached as appendices to this report. Staff have reviewed this application to determine whether the proposal (exterior patio) meets OCP land use designation Ganges-Village-Core (GVC) policies and DPA guidelines as such:

DPA 1; whether the proposal “is compatible with existing buildings, with the natural environment and with community objectives for villages and “that the village areas “function as commercial, social and cultural centres of the community”; and

DPA 4; whether lakes and streams that provide fish and wildlife habitat and supply drinking water to individual license holders or community water systems are protected.

Staff have arrived at the determination that the exterior patio at Mateada is supported by OCP policies and compatible with DPA guidelines and therefore recommend issuance of SS-DP-2019.8.

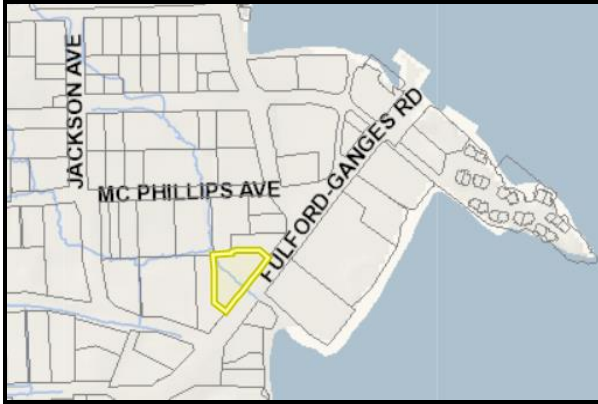


Figure 1: Context map of property



Figure 2: 2017 Orthophoto of property



Figure 3: Interior of Mateada establishment



Figure 4: Customized indoor seating area in Mateada



Figure 5: "Technology-free zoned" bar area



Figure 6: Mateada exterior patio during the summer

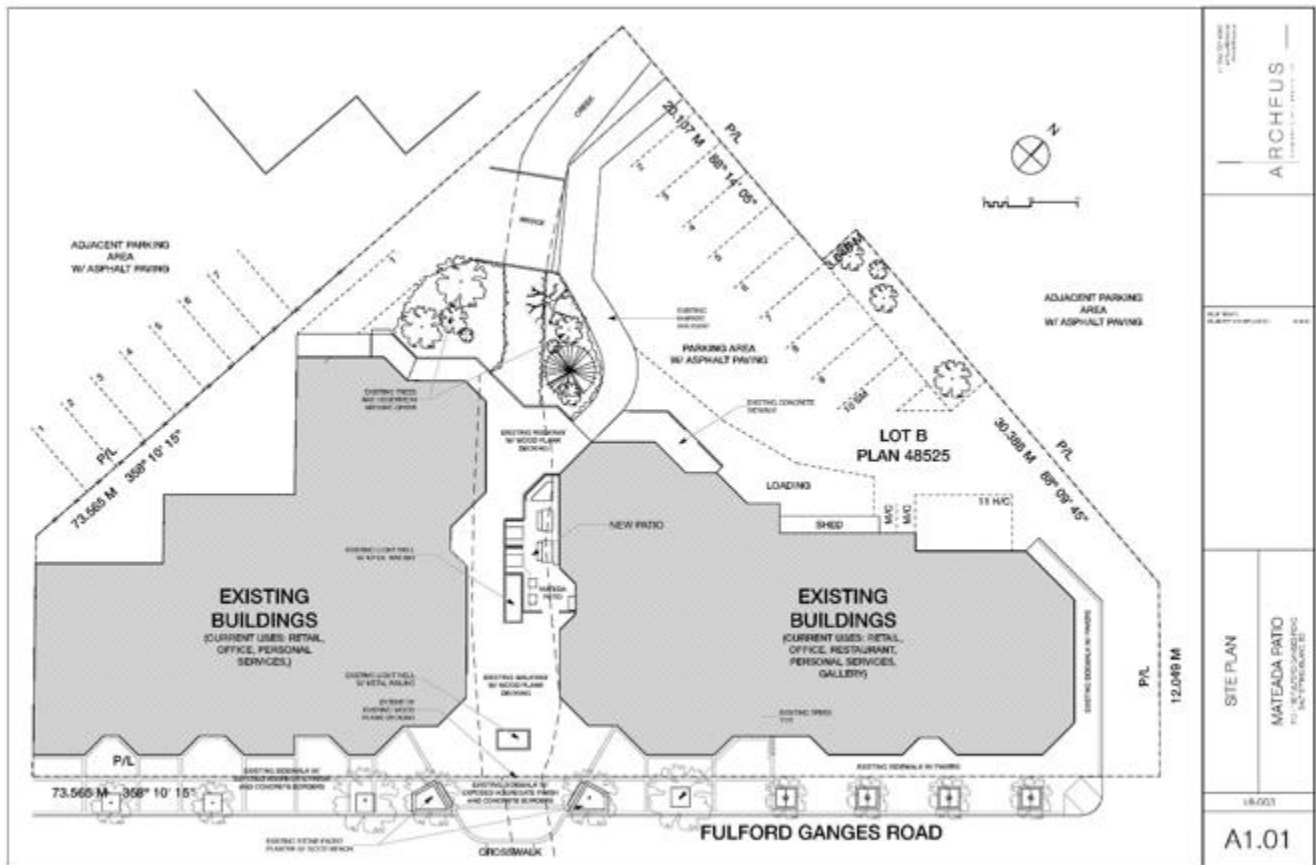


Figure 7: Site plan of property (150 Fulford-Ganges Road) with siting of exterior patio (Mateada - Unit #110)

BACKGROUND

SS-2019-226

It was **MOVED** and **SECONDED**,

that the Salt Spring Island Local Trust Committee has considered the location of the Mateada establishment and the proposed change in license to include a Patron Participation Entertainment Endorsement, and provides the following comments to the Liquor and Cannabis Regulation Branch (LCRB) in consideration of this application:

- Community members have expressed support for the change in license and that the proposal provides artistic, cultural and family-friendly entertainment options.
- Neighbouring businesses have communicated there is minimal impacts from noise from the current operation. There is support for the change in license to include Patron Participation with preference for implementation after regular business operating hours;
- The Local Trust Committee recommends the application be approved conditional that the Patron Participation Entertainment Endorsement is conducted indoors only and with operating hours of Monday to Friday after 5:00 p.m. and anytime on Saturdays and Sundays within the terms of the existing food-primary LCRB license.

CARRIED

ANALYSIS

Official Community Plan:

The commercial building that encompasses Mateada possesses the Official Community Plan No. 434 (OCP) land designation as Ganges Village Core (GVC). Section 5.3 Village Land Use Objectives and Policies provides direction for development proposals or changes in this area. All relevant OCP land designation policies can be found in Attachment No. 3 and Policy B.5.1.1.1 summarizes the land designation in a fairly comprehensive nature –

To continue to provide an adequate supply of appropriately zoned land in compact pedestrian oriented villages to support the community's larger commercial, institutional and cultural activities in combination with high and medium density residential use.

Section 490 of the *Local Government Act* requires that the authority to issue Development Permits be exercised only in accordance with the applicable guidelines. See Development Permit guideline assessment in Appendix 2. Staff assessment suggests that the application and proposed permit meet the guidelines of DPA 1 and DPA 4.

Land Use Bylaw:

The Salt Spring Island Land Use Bylaw (LUB) No. 355 zones the property Commercial 1 (C1). The existing uses carried out by Mateada and those being proposed are both permissible in the LUB.

Issues and Opportunities

Development Permit Area

The property is impacted by two Development Permit Areas; Development Permit Area 1 – Ganges Village (DPA 1) and Development Permit Area 4 – Lakes, Streams, and Wetlands (DPA 4) (see site context and associated maps in Attachment 2). The purpose of DPA 1 is to identify objectives and guidelines for the form and character of commercial, industrial or multi-family residential development in the Area. It is also designated according to protect development from hazardous conditions that could result from changes to stormwater drainage. DPA 4 is to protect lakes and streams that provide fish and wildlife habitat and supply drinking water to individual license holders or community water systems.

After review it was confirmed that the siting of the exterior patio at the Mateada establishment triggers a requirement for an amendment to SS-DP-1989.10 for DPA 1 guidelines only. The exterior patio is interpreted as a structure under the LUB, although no new impervious structures have been developed as the patio has been sited on an existing walkway overtop the Ganges Creek and was reviewed for compliance of policy guidelines and objectives at time of the previous amendment SS-DP-2010.7.

Mateada's Exterior Patio Form & Character

The applicant has provided staff with the following rationale as to how Mateada's use of an exterior patio and the design of the exterior patio aligns with the Development Permit Area 1 guidelines, most specifically the form and character guidelines associated with the landscaping and pathway connectivity for all users.

Mateada has become a popular meeting place for many who live on Salt Spring Island, as well as visitors who pass by while wandering through the Ganges Village. Both the restaurant and patio are warm and inviting and

offer a unique environment that furthers the “Salt Spring Island experience” and provide a venue for occasional music events that contribute to the enhancement of the uniqueness and cultural relevance of Mateada, which ultimately attract visitors from off-island.

The patio at Mateada is in the walkway between the two existing Creekhous buildings. It activates a historically sterile and underutilised portion of the space enlivening, energizing, and regenerating the space, as it attracts customers to surrounding businesses, and is discovered by visitors and used by local patrons. As an extension of the restaurant, the patio is an embodiment of attractive design that helps to “harmoniously combine commercial, cultural, and recreational activities in a way that encourages pedestrians and enhances village economies.”

The patio design features attractive wood materials which evoke a warm feeling that blends well aesthetically with island character. The elements are on a scale that is comfortable, it is accessible for wheelchair patrons, and blends in unobtrusively with its location. The patio is almost invisible when viewed from the street (Fulford-Ganges Road), and is a welcome surprise for locals unfamiliar with its location, and island visitors exploring the Ganges Village.

The understated design of the patio with its wood railing, beautiful wood benches and tables strongly reflects DPA1’s objective “to encourage creative designs that continue to reflect the diversity and richness of Salt Spring Island,” and it also avoids “architecturally sterile or contrived...” design. As well, the use of natural materials in the patio is very compatible with “the natural, rural character of the island.” The design and construction of the patio fully embodies DPA 1’s objective to “encourage local artisanship and materials” as it was designed locally, furnished with locally designed tables and benches, and constructed by Salt Spring Island crafts people. This is an approach that was enthusiastically and successfully utilized in the design and construction of the main restaurant and has been carried through to the patio. The use of local artisans and products also extends to the restaurant menu where locally sourced organic food is prepared and showcased along with unique yerba mate concoctions and elixirs. As an extension of the restaurant, the patio will also be a venue for serving these local organic foods which further encourages and supports local agricultural activities.

Staff have reviewed applicable Development Permit guidelines. Analysis can be found in Attachment 4 titled *Development Permit Area Guidelines*.

Impacts on Neighbouring Uses & Existing Walkway

There are office spaces and businesses in very close proximity to Mateada, some of which communicated concerns regarding noise disturbances from renovations undertaken during regular business hours during the required community consultation for an earlier application for a Patron Participation Entertainment Endorsement (SS-LCB-2019.3). Although not in opposition to the license change application, neighbouring offices and businesses did request that entertainment activities such as live music performances and karaoke be carried out outside normal business hours during the week, and if possible, for Mateada to provide advance communications should events or activities be planned during regular business hours (i.e. Monday to Friday,

between 8:00am to 5:00pm). These recommendations were captured in the resolution passed (SS-2019-226) at the October 29, 2019 LTC meeting.

The existing walkway is part of the Ganges Public Pathway System. The width of the walkway is approximately 7'-0" (~2.1 m) wide at its narrowest portion. OCP policies require a minimum of a 1.5 metre pathway width). The connection between the waterfront side of Fulford-Ganges Road is maintained as the patio encourages pedestrians to walk through to the many businesses fronting the parking area behind Creekhous, and onwards to the Salt Spring Public Library and other businesses on McPhillips Avenue.

Rationale for Recommendation

As the current and proposed business operations are consistent with Islands Trust OCP policies, DPA guidelines, bylaws, permitted land uses, and no opposition was communicated during community consultation of an earlier application (SS-LCB-2019.3) directly related to this report, staff recommend approval of this Development Permit amendment.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Refer to the Advisory Planning Commission.

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are unnecessary and not the best use of staff time, however the APC does offer a level of assurance of community and expert perspectives. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee refer SS-DP-2019.8 to the Advisory Planning Commission for review and comment on the form and character of the exterior patio at Mateada in relation to DPA 1 landscaping guidelines.

Submitted By:	Serena Klaver, MCP, Planner 1	November 19, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	November 19, 2019

ATTACHMENTS

- 1. Site Context
- 2. Maps, Plans, Photographs
- 3. OCP Policies
- 4. DPA Guidelines
- 5. Proposed Amendment to Development Permit

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT B (DD EC96013), SECTION 1, RANGE 4 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 48425
PID	014-852-926
Civic Address	150 Fulford-Ganges Road (Unit #110)

LAND USE

Current Land Use	Commercial zoned offices and business units. Subject property is a food-primary restaurant known for the focus on health-conscious menu items and mate tea products.
Surrounding Land Use	Air photos indicated that surrounding properties are predominately commercial-zone, as well as nearby Community Facility 1 and 2 lots, a Residential 6 lot across Fulford-Ganges road, and closely sited Parks Reserve 2 and 4(a) and 4(b) down the street.

HISTORICAL ACTIVITY

File No.	Purpose
SS-DP-2010.7	Development permit amendment for commercial building located in DPA 1 and DPA 4.
SS-DP-2011.8	Development permit amendment to SS-DP-2010.7.
SS-BP-2018.63	Request to alter interior construction including HVAC and plumbing.
SS-LCB-2019.3	Liquor Control & Licensing Branch Application for change to food-primary license to include a Patron Participation Entertainment Endorsement.

POLICY/REGULATORY

Official Community Plan Designations	The Salt Spring Island Official Community Plan designates the subject property within the Ganges Village Core (GVC) land Use designation. Section 5.3 Village Land Use Objectives and Policies provides direction for development proposals or changes in this area. All relevant OCP land designation policies can be found in attachment no. x and policy B.5.1.1.1 summarizes the land designation in a fairly comprehensive nature – <i>To continue to provide an adequate supply of appropriately zoned land in compact pedestrian oriented villages to support the community's larger commercial, institutional and cultural activities in combination with high and medium density residential use.</i>
Land Use Bylaw	The subject property (image below) is zoned Commercial 1 (C1). Permitted uses within the C1 zone related to this application include the following: • Indoor retail sales and rentals; • Indoor production of food and drink items; • Offices;

	• Restaurants. 
Covenants	Not applicable.
Bylaw Enforcement	No bylaw enforcement files are indicated.

SITE INFLUENCES

Islands Trust Fund	Nothing indicated.
Regional Conservation Strategy	Nothing indicated.
Species at Risk	Nothing indicated.
Sensitive Ecosystems	Nothing indicated.
Hazard Areas	The property does not contain areas designated for geotechnical hazard. Islands Trust mapping does however indicate siting in Development Permit Area 1 – Island Villages (indicated in pink hatching) and Development Permit Area 4 – Lakes, Streams, and Wetlands (indicated in blue shading). Development Permit Area 7 – Riparian is also in close proximity (indicated in green shading).

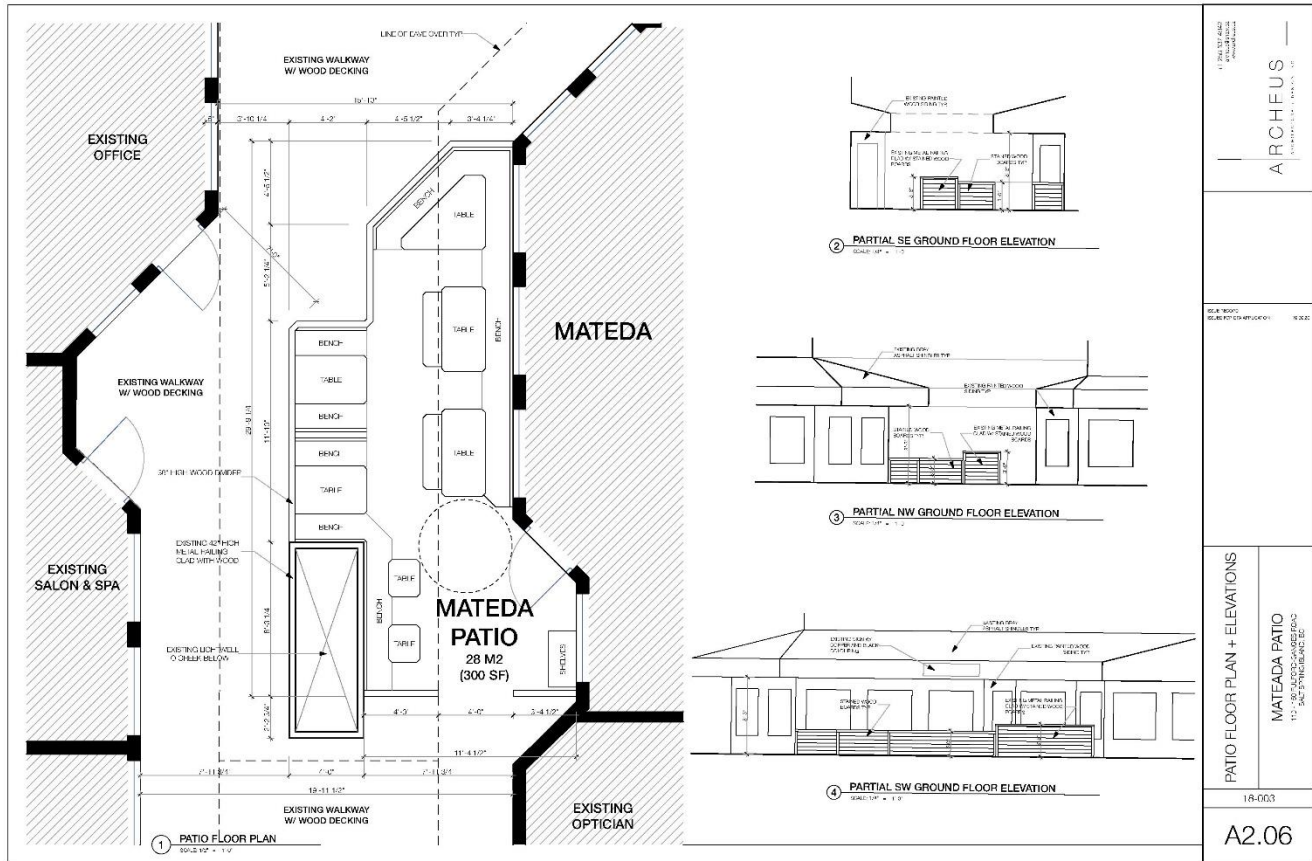
	
Archaeological Sites	Archaeological potential and a recorded Archaeological site have been identified on site. Archaeological analysis was previously conducted at time of the development permit application process. Recent construction did not further increase the ground-level building footprint.
Climate Change Adaptation and Mitigation	There are significant concerns related to sea level rise due to the siting of the lot in Ganges in relation to the close proximity to the shoreline.

ATTACHMENT 2 MAPS PLANS DRAWINGS PHOTOGRAPHS

2.1 MAP



[illegible]390



2.3 PHOTOGRAPHS



1. Mateada Patio from street side



2. Mateada Patio from parking side



2. Crafted patio furniture



3. Crafted patio furniture



4. Walkway width



5. Connection to existing Ganges Walkway



6. Connection from Fulford Ganges Road



7. Mateada Patio

B.5 VILLAGE LAND USE OBJECTIVES AND POLICIES

B.5.1 General Village Land Use Objectives and Policies

B.5.1.1 OBJECTIVES

- B.5.1.1.1 To continue to provide an adequate supply of appropriately zoned land in compact pedestrian-oriented villages to support the community's larger commercial, institutional and cultural activities in combination with high and medium density residential use.
- B.5.1.1.2 To encourage a modest scale of village development compatible with the rural character of Salt Spring Island and with the protection of the community's natural and heritage resources.
- B.5.1.1.3 To encourage the commercial viability of island villages and to retain traditional village functions.
- B.5.1.1.4 To promote mixed uses of village land.
- B.5.1.1.5 To avoid the development of commercial strips along roads leading into island villages.
- B.5.1.1.6 To ensure that village land uses continue to focus on the requirements and convenience of residents and that traditional village functions are not displaced.
- B.5.1.1.7 To consider the designation of one or more additional hamlets or villages, resulting solely from the transfer of existing development potential, and providing that the transfer results in the preservation of large areas of open space or intact resource lands.
- B.5.1.1.8 To support multiple modes of travel in and between villages, particularly bicycling, walking and public transit.
- B.5.1.1.9 To support strategies to reduce demand for automobile use within and between the villages.

B.5.1.2 POLICIES

- B.5.1.2.1 Village Designations are shown on Map 1. There are three areas: the Ganges Village Designation, the Fulford Village Designation and the Channel Ridge Village Designation. General Policies that apply to all Village Designations are outlined in this Section (B.5.1.2). Specific objectives and policies for each village are outlined in following sections of this Plan.
- B.5.1.2.2 Zoning in Village Designations will continue to allow the mix of commercial, institutional, cultural, and multi-family land uses that are currently allowed. Commercial zoning should be simplified with fewer zones and a broader range of uses allowed in each. The maximum residential density allowed on any single property will remain at 37 units per ha. However, where a multifamily development is comprised of special needs housing or affordable seniors' supportive housing, the density of development may exceed 37 units per ha, provided it does not exceed a floor space ratio of 0.6, a site coverage of 33 percent, a maximum of two storeys and a maximum of 50 units in any one development.
- B.5.1.2.3 To protect the economic vitality of island villages, the Local Trust Committee should not consider rezoning applications that would result in large new retail stores, restaurants, office complexes and multi-family developments outside Village Designations. Exceptions are: home-based businesses and industries, neighbourhood convenience stores, campgrounds, the commercial uses specifically allowed in other Designations and the potential development of a new village as outlined in Policy B. 2.3.2.2.
- B.5.1.2.4 To retain the traditional function of island villages, the Local Trust Committee should not consider rezoning applications that would result in the following land uses outside the Village Designations: post offices, banks and credit unions, liquor stores, and libraries.

- B.5.1.2.5 To retain the compact and pedestrian oriented nature and economic viability of island villages, the Local Trust Committee should only consider rezoning applications that would create more commercially-zoned land in Village Designations if the following guidelines are met:
 - a. the proposed use is compact and not land intensive.
 - b. existing commercial zones are largely developed to their practical development potential and there is evidence of a community need for additional commercial land.
 - c. the proposed rezoning would tend to concentrate development near existing commercial, industrial, institutional or multi-family land uses.
 - d. designs and site plans are consistent with the guidelines in Development Permit Area 1.
 - e. the Local Trust Committee has undertaken a review and inventory of existing commercially zoned land and development, assessed existing and future projected demand, and on the basis of this assessment, may consider re-designating and rezoning land for additional commercial uses.
 - f. the proposed development would be barrier free.
 - g. sidewalks would be provided with any new commercial or industrial development.
- B.5.1.2.6 The Local Trust Committee could consider rezoning applications that would result in some additional industrial uses in Village Designations. However, such uses should not be land intensive or result in a level of pollution that would be incompatible with commercial and high density residential development.
- B.5.1.2.7 The Local Trust Committee should consider amending local zoning within Village Designations to be more in keeping with traditional village forms and more appropriate to the small, pedestrian nature of villages.
- B.5.1.2.8 The Local Trust Committee may consider making changes to zoning to allow the creation of live-work spaces.
- B.5.1.2.9 The Local Trust Committee may consider making changes to zoning to establish maximum floor area limits on commercial and industrial uses.
- B.5.1.2.10 When considering rezoning applications, the Local Trust Committee should ensure that zoning boundaries between residential and non-residential uses are primarily created along rear parcel lines, as opposed to public roads. Non-residential uses should be well screened from residential uses.
- B.5.1.2.11 The Local Trust Committee should retain local zoning in Village Designations that does not permit drive-in commercial uses.
- B.5.1.2.12 The form and character of commercial, industrial and multi-family development in Village Designations will be guided through Development Permit guidelines in Part E.
- B.5.1.2.13 Preservation of community heritage in villages will be guided through the Heritage Conservation Area guidelines in Part F.

Others are encouraged to help achieve the objectives of this Section as follows:

- B.5.1.2.14 The Ministry of Transportation and Infrastructure is urged to develop specific policies for the development of the sidewalks and roadside walkways, shown on Maps 17 and 18, and bicycling facilities. The Ministry is further urged, in cooperation with the Salt Spring Island Transportation Commission, to consider “traffic calming” on the roads in Village Designations.

Background Note: the Ministry of Transportation and Infrastructure is not presently funded for the construction or maintenance of sidewalks.

- B.5.1.2.15 The Ministry of Transportation and Infrastructure is encouraged to cooperate with the Salt Spring Island Transportation Commission in a review of speed limits and enforcement policies in or near the villages, and to consider the licensing of electric vehicles in or near villages where safety permits.

B.5.2 Ganges Village Designation

B.5.2.1 OBJECTIVES

- B.5.2.1.1 To accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island.
- B.5.2.1.2 To encourage some additional residential use of Ganges Village in a way that adds vitality to the village. To allow more islanders to live close to village services and employment.
- B.5.2.1.3 To encourage pedestrian and bicycle trail connections and amenities throughout Ganges.
- B.5.2.1.4 To create more public open space within the Ganges Village Core.
- B.5.2.1.5 To align development potential within Ganges with the available water supply and sewage treatment capacity.
- B.5.2.1.6 To maintain the economic viability of Ganges Village by guiding development into a compact, pedestrian-friendly form within a defined containment boundary with a broad variety of complementary uses.
- B.5.2.1.7 To ensure that development respects the small-town feel and heritage aspects that make the village attractive to visitors and residents alike.



GANGES VILLAGE CAFÉ artwork: B. Curran

B.5.2.2 POLICIES

B.5.2.2.1 The Ganges Village Designation is shown on Map 1.

Background Note: The Ganges Village Designation is made up of the Ganges Village Core sub-designation, the Upper Ganges Village sub-designation, the Education Designation, the Health Services Designation and part of the Park and Recreation Designation. Objectives and policies for the Education, Health Services and Park and Recreation designations are outlined in Sections B.4.2, B.4.3, and B.7.1 respectively.

Note: Where land is located within the North Salt Spring Waterworks District, any rezoning proposals that are expected to result in a net increase in water demand must also take into account the severe restraints on the District's available water supply. Policies in Section C.3.2.2 must also be considered.

- B.5.2.2.2** Zones within the Ganges Village Designation will continue to allow the wide range of commercial, industrial, institutional land uses and the various densities of residential development allowed by existing zoning.
- B.5.2.2.3** The Local Trust Committee should consider rezoning applications that would allow the addition of some affordable and special needs housing in the Ganges Village Designation, as outlined in Section B.2.2.2.
- B.5.2.2.4** The Local Trust Committee could consider rezoning applications to allow a slightly higher density of residential development than permitted by current zoning as part of a proposal that provided an eligible community amenity (see Appendix 3) or as part of a proposal to transfer development potential (see Section B.2.3.2 and Appendix 4). The Ganges Village Designation is a Development Potential Receiving Area. However, development potential should only be transferred to the North Salt Spring Waterworks District if the District can establish that any incremental demand can be met through water conservation or expansion of licensed supply capacity, or if water is to be supplied from another source.
- B.5.2.2.5** The Local Trust Committee could consider rezoning applications to allow a higher percentage of commercial site coverage or higher floor space ratios as part of a proposal to provide an eligible community amenity (see Appendix 3).
- B.5.2.2.6** When considering rezoning applications in the Ganges Village designation, the Local Trust Committee will consider the impact that the proposed change would have on the Ganges sewer treatment plant. The Local Trust Committee should obtain confirmation from the Capital Regional District of sewage system capacity for any change to zoning within the boundaries of the sewered area that may result in a significant change in sewage volume or quality. This policy is further outlined in Section C.4.2.
- B.5.2.2.7** The Local Trust Committee will support the development of a Ganges Harbour Management Plan.
- B.5.2.2.8** The Local Trust Committee may consider developing a local area plan for Ganges Village.
- B.5.2.2.9** The Local Trust Committee may consider changing zoning to permit some 3-storey buildings in areas away from the shoreline, the Ganges Village Core and established view corridors.
- B.5.2.2.10** The Local Trust Committee will support continued development of the Ganges Public Pathway System as shown on Map 17 and proposed pathways and trails in the Urban Trails Task Force Report for Ganges Village.

Others are encouraged to help achieve the objectives of this Section as follows:

- B.5.2.2.11 Transport Canada, Fisheries and Oceans Canada, the Salt Spring Harbour Authority, and other agencies are urged to continue to support the local community in its efforts to develop a comprehensive approach to the safe use of the water surface of Ganges Harbour.
- B.5.2.2.12 The Ministry of Transportation and Infrastructure and other responsible agencies are encouraged to support efforts to create a harbour shoreline that offers access to the harbour and opportunities for walking and traditional recreational activities.

ATTACHMENT 3 – DEVELOPMENT PERMIT AREA GUIDELINES

SALT SPRING ISLAND LOCAL TRUST COMMITTEE OFFICIAL COMMUNITY PLAN 434, 2008 VOL. 2

OCP Objective/Policy	Complies	Planner Comments
E.1.3.1 To encourage the development of attractive, compact villages that harmoniously combines commercial, residential, cultural and recreational facilities in a way that encourages pedestrians and enhances village economies.	yes	
E.1.3.2 To protect and enhance views of harbours and uplands, and provide pedestrian access to parklands and shorelines.	yes	The height of the constructed patio area does not obstruct the view corridor.
E.1.3.3 To encourage creative designs that continue to reflect the diversity and richness of Salt Spring Island. To avoid design controls that would make island villages appear architecturally sterile or contrived.	yes	The patio area has been articulated and presented with a creative design.
E.1.3.6 To encourage the use of local artisanship and materials.	yes	Yes, local artisan and materials were used in the constructed of the patio.
E.1.4.1 Commercial site designed to reduce impact on neighbouring properties	yes	There could be rationale to argue that the construction of the patio imposes impacts on neighbouring properties. During the community consultation for the prior related application (SS-LCB-2019.3) the community did speak about the uses of the exterior patio and expressed no opposition and/or negative feedback.
E.1.4.2 Designed to minimized the obstruction of views from neighbouring properties	yes	Neighbouring properties' views are not obstructed by the construction of the exterior patio.
E. 1.4.3 Additions to existing buildings should maintain existing setbacks	yes	Setback requirements are met.
E.1.4.4 Development should include sidewalks on adjacent road ROW with barrier-free access.	yes	Barrier-free access is available by way of the Fulford-Ganges street level and the parking area to the subject exterior patio.
E.1.5.10 Areas should be provided for the loading and unloading of trucks. Sites should allow delivery trucks to manoeuvre without having to block or back onto an adjacent street, parking aisle or pedestrian route. Emergency	yes	Areas for loading and/or unloading has not be impeded by the siting of the exterior patio.

vehicles should be able reach all parts of the development easily.		
E.1.6.2 Horizontal building modulation and articulated facades should be used to reduce the apparent mass of buildings facing the street. They should create a pedestrian scale and interest along adjacent sidewalks and along the Ganges Public Pathway System. To enhance village vitality, consideration should also be given to creating secondary retail frontage along arcades and at the rear of buildings. These ideas should especially be considered where buildings are next to the Ganges Public Pathway System.	yes	This policy has been articulated given the relationship of the siting of the patio along the identified Ganges Public Pathway System. With requirements (minimum 1.5-metre width) has been maintained for the pathways even after the construction of the patio.
E.1.6.10 To encourage use of the village during all seasons, continuous weather protection should be provided for pedestrians along sidewalks. The minimum width should be 1.5 m.	yes	Minimum width requirements are still met.
E.1.6.14 The use of imaginative, handcrafted products of local craftspeople is encouraged. More conventional or formal materials should be avoided.	yes	Handcrafted design and materials were used in the construction of the exterior patio.
E.1.6.15 A pleasant pedestrian environment in villages should be enhanced by pedestrian-oriented features.	yes	To date no communicated nuisances or negative feedback related to the exterior patio at Mateada has been expressed or shared with planning or bylaw enforcement staff, and therefore it could be presumed that community members are not in opposition to the constructed. Staff also are in agreement that the design and matters used are attractive in nature.
E.1.10.1 New commercial, industrial, institutional and multi-family residential developments that will create more than 280 m ² of new impervious surfacing should include a report prepared by a Professional Engineer that determines the extent of changes to the natural drainage. It should identify any conditions that should be incorporated into the development permit to protect property from flooding, erosion or from other undesirable impacts as the	yes	Less than 280m ² of impervious surface was created.

result of changes to stormwater runoff. Particular attention should be paid to ensuring that drainage changes will not result in detrimental impacts such as flooding or reduced groundwater availability on agricultural lands or watercourses that either adjoin the development or are located in the same watershed.		
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