



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: Tuesday, October 1, 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 August 27, 2019 SSI LTC Regular Meeting</u>	5
For Adoption	
3.1.2 <u>Draft Minutes of the September 7, 2019 SSI LTC Special Meeting</u>	20
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	25
Report dated September 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	45
For Information	
7.2 Work Program Top Priorities Report	50
Report dated September 2019	

7.3	Projects List	57
	Report dated September 2019	
7.4	Applications with Status Report	64
	Report dated September 2019	
7.5	Expense Report	87
	Report dated July 2019	
7.6	Islands Trust Conservancy Board Report - None	
7.7	Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report	88
	Report dated September 2019	
8.	LOCAL TRUST COMMITTEE PROJECTS	10:00 AM - 10:45 AM
8.1	Proposed Bylaw No. 175 - Development Approval Information	89
	Staff Report	
8.2	Proposed Bylaw No. 512 - Affordable Rental Housing - Cottages Project	129
	Staff Report	
8.3	Proposed Cannabis Production Regulation Bylaw	169
	Staff Memorandum	
9.	OTHER BUSINESS	10:45 AM - 11:05 AM
9.1	New Business	
9.1.1	<u>BC Rural Islands Economic Forum (RIEF), November 7-8, 2019, Pender Island</u>	173
	Expression of Interest Letter	
9.2	Climate Change Adaptation and Mitigation Strategies	174
	For Information	
10.	CORRESPONDENCE	11:05 AM - 11:15 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	P. Lamb, Transition Salt Spring - Climate Action Group to LTC, Dated August 23, 2019 - Concerning Salt Spring Island Strategic Priorities for the Current Term	193
	For Consideration	
10.2	R. Heitzmann, Salt Spring Solutions to LTC, Dated September 16, 2019 - Concerning Affordable Housing and Salt Spring Island Strategic Priorities for the Current Term	194
	For Consideration	
10.3	T. Cattell et al. to LTC, Dated September 17, 2019 - Concerning October 4, 2019 Special Meeting on Prevost Island	196
	For Consideration	
10.4	A. Steel to LTC, Dated September 19, 2019 - Concerning October 4, 2019 Special Meeting on Prevost Island	198
	For Information	
10.5	I. Bliss and J. Merritt et al. to LTC, Dated September 21, 2019 - Concerning October 4, 2019 Special Meeting on Piers Island	199
	For Consideration	
10.6	T. and F. Dos Santos, Dragonfly Commons Housing Society, to LTC, Dated September 23, 2019 - Concerning Support for Salt Spring Solutions Correspondence and Affordable Housing	200
	For Consideration	
11.	CLOSED MEETING - None	
	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	E. FitzZaland on behalf of Salt Spring Solutions - Concerning Affordable Housing	207

16. TOWN HALL AND QUESTIONS

12:25 PM - 12:45 PM

Reminder, the Public Hearing for:

- Bylaw 493 (Piers Island OCP Amendment) closed on October 3, 2016;
- 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;
- Bylaws 498 and 499 (347 Bridgman Road) closed on August 16, 2018;
- Bylaws 510 and 511 (155 Rainbow Road) closed on January 29, 2019; and
- Bylaw 515 (Meadowlane) 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 - 1:15 PM

17.1 Proposed Bylaws No. 498 & 499 - SS-RZ-2017.1 - G. and M. Campbell - 347 Bridgman Road, SSI 217

For Consideration of Final Adoption - Staff Report

17.2 SS-DP-2019.5 - M. Diner and C. Storie - 141 Bishops Walk, SSI 238

Residential development in Development Permit Area 1 (Island Villages), Development Permit Area 6 (High Slope Stability/Instability) and Development Permit Area 7 (Riparian) - 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 October 29, 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, August 27, 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)
Jason Youmans, Island Planner
Serena Klaver, Planner 1
Geordie Gordon, Planner 1
William Shulba, Senior Freshwater Specialist
Karol Kudyba, Bylaw Compliance & Enforcement Officer (BCEO)
Shayla Burnham, Office Administrative Assistant
Sarah Shugar, Recorder

Media and Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island
Electoral Area Director
Gulf Islands Driftwood Reporter
Approximately 18 members of the public - a.m.
Approximately 65 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 9:35 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 additional items were presented for consideration:

- 7.4.2 Staffing Update – Verbal Report
- 9.1.3 Gabriola Island Local Trust Committee Bylaw No. 303 concerning Cannabis

The following item was presented for consideration:

- Remove Item 17.9 - SS-RZ-2013.7 - Salt Spring Ventures Inc. - Lot 10 Park Drive, 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 June 25, 2019 SSI LTC Regular Meeting

The following item was presented for consideration:

10.1.1 Add "It was noted the Salt Spring Island Local Trust Committee requested G3 Consulting Ltd. to hold a public information meeting on Salt Spring Island regarding the proposed new outfall location." following "Clay Reitsma spoke to the project via telephone conferencing."

By general consent, the minutes of the June 25, 2019 Salt Spring Island Local Trust Committee meeting were adopted as amended.

3.2 Resolutions Without Meeting Report – None

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Draft Minutes of the July 11, 2019 Advisory Planning Commission Meeting

The minutes 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

The report was received.

7.2.1 Work Program Top Priorities Summary - Quarterly Report

RPM Cermak presented a memorandum dated August 8, 2019 regarding the 2019/20 Work Program.

7.3 Projects List

The report was received.

7.4 Applications with Status Report

The report was received.

7.4.1 Applications Summary – Quarterly Report

RPM Cermak presented a memorandum dated June 14, 2019.

SS-2019-146

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to schedule a Special Business Meeting as soon as possible to consider the Gulf Islands Seniors Residence Association application.

CARRIED

Chair Luckham OPPOSED

7.4.2 Staffing Update – Verbal Report

RPM Cermak presented a verbal update.

7.5 Expense Report

7.5.1 Expense Report dated May 2019

The report was received.

7.5.2 Expense Report dated June 2019

The report was received.

7.6 Islands Trust Conservancy Board Report

Chair Luckham presented the report dated May 2019.

Islands Trust Conservancy Board Member Robin Williams reported Chair Stamford is scheduled to attend the Union of BC Municipalities 2019 Convention.

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

Planner Youmans presented a verbal report regarding the Request for Proposals for a SSIWPA coordinator.

Trustee Patrick reported at the July 5, 2019 SSIWPA meeting, SSIWPA directed the SSIWPA coordinator to send letters of invitation for steering committee membership to all agencies and organizations identified in the SSIWPA Terms of Reference. It was noted CRD Director Holman is the Co-Chair of SSIWPA.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Strategic Priorities for the 2018-2022 Local Trust Committee Term

RPM Cermak presented a staff report dated August 16, 2019 regarding Salt Spring Island Local Trust Committee 2018-2022 Strategic Priorities.

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

9. OTHER BUSINESS

9.1 New Business

9.1.1 Notice Regarding Federal Cannabis Licensing - 240 Hillcrest Drive, SSI

The notice was received for information.

9.1.2 Notice Regarding Federal Cannabis Licensing - 1867 North End Road, SSI

The notice was received for information.

9.1.3 Gabriola Island Local Trust Committee Bylaw No. 303 concerning Cannabis

Trustee Patrick presented the Gabriola Island Local Trust Committee Bylaw No. 303.

SS-2019-152

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to draft a bylaw based on the Gabriola Island Local Trust Committee Bylaw No. 303 for consideration.

CARRIED

9.2 Options Relating to Short-Term Vacation Rentals and Salt Spring Island Local Trust Committee Standing Resolution SS-2017-120

BCEO Kudyba presented a staff report dated July 16, 2019 regarding Salt Spring Island Local Trust Committee Standing Resolution SS-2017-120.

SS-2019-153

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee rescind resolution number 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 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.

CARRIED

9.3 Standing Resolution to Refer Items to the Agricultural Advisory Planning Commission (AAPC)

RPM Cermak presented a staff report dated July 23, 2019 regarding a standing resolution to refer items to the Agricultural Advisory Planning Commission (AAPC).

SS-2019-154

It was MOVED and SECONDED,

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.

CARRIED

10. CORRESPONDENCE

10.1 B. Marshall, on behalf of Salt Spring Island Farmers' Institute to Salt Spring Island Fire Rescue, c.c. LTC et al, Dated June 18, 2019 - Concerning the Use of the Old Ganges Firehall

The correspondence was received.

10.2 O. McOuat to LTC, Dated June 30, 2019 - Concerning Electromagnetic Health and SafeG

The correspondence was received.

10.3 F. Attorp to LTC, Dated July 2, 2019 - Concerning Gulf Island Driftwood Newspaper Articles

The correspondence was received.

10.4 G. Grams to LTC, Dated July 22 and 23, 2019 - Concerning Construction of Cannabis Sheds on Agricultural and Forestry Zoned Lands

The correspondence was received.

10.5 F. Attorp to LTC, Dated August 6, 2019 - Concerning Addressing the Housing Shortage on SSI

The correspondence was received.

11. CLOSED MEETING

11.1 Motion to Close the Meeting

SS-2019-155

At 11:31 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 4, Division 3, Section 90(1): (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; (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 (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.

CARRIED

11.2 Motion to Open the Meeting

SS-2019-156

At 11:52 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

The Salt Spring Island Local Trust Committee reappointed Nina Adrianna to the Board of Variance for a period of 3 years, effective June 1, 2019.

The Salt Spring Island Local Trust Committee extended appointments for Board of Variance members Lisa Floritto and Bob Rush to 3 years, effective June 1, 2019.

The meeting recessed for lunch at 11:52 a.m. and reconvened at 12:05 p.m.

12. TRUSTEE REPORTS

Trustee Patrick reported she attended meetings with the following: the North Pender Island Local Trust Committee; the Saturna Island Local Trust Committee; the Islands Trust Conservancy; Executive Committee; the Trust Programs Committee and the Local Planning Committee regarding climate action projects. She also reported the Local Planning Committee has approved funding for a saltwater intrusion mapping project and a Coastal Douglas Fir mapping project and that Penelakut Elder Auggie Sylvester shared stories and historical knowledge regarding an application at a recent Thetis Island Local Trust Committee meeting. Trustee Patrick visited Piers Island and the North Pender Associated Islands regarding local issues and concerns and also attended the North Salt Spring Waterworks District DAF Plant Open House event and a meeting hosted by MLA Adam Olsen regarding Gardom Pond on North Pender Island.

Trustee Grove reported he attended meetings regarding the Gulf Islands Seniors Association Meadowbrook project and the Vortex project on the former site of the Fulford Inn.

13. CHAIR'S REPORT

Chair Luckham reported the recent Trust Programs Committee and Local Planning Committee meetings have been held electronically as part of the Islands Trust climate change commitments. Chair Luckham reported he attended several meetings with Executive Committee and that the next Trust Council meeting is scheduled to be held September 17-18, 2019 on Bowen Island.

14. CRD DIRECTOR'S REPORT

Capital Regional District (CRD) Electoral Area Director Gary Holman reported there are plans to hold a public meeting concerning 2020 CRD budget proposals prior to the CRD Board budget meetings in October 2019. He reported he plans to recommend support continuation at existing levels or modest increases to the Regional Parks and Regional Housing tax requisitions and he plans to propose a community safety service for Salt Spring Island which would require voter approval. CRD Director Holman noted he has been appointed to the Fire Hall Advisory Committee and reported he will be advocating for the co-location of an emergency operations center to be included in plans for a new fire hall. Director Holman reported the CRD has agreed to acquire the right of way application for the Ganges Harbourwalk. Director Holman reported he sent a letter to the Minister of Transportation

and Infrastructure to request funding for Ganges Hill improvements. He reported the Ministry of Municipal Affairs and Housing awarded a \$50,000 grant to the CRD and North Salt Spring Waterworks District for a study of water management on Salt Spring Island in collaboration with the Salt Spring Island Watershed Protection Alliance (SSIWPA). Director Holman reported the Climate Action Plan and Area Farm Plan updates are in process and that he plans to send a letter to the Minister of Environment and Climate Change Strategy to express support for a BC Land Trust Alliance of British Columbia proposal for the protection of private lands.

15. DELEGATIONS

15.1 Annamarie Jones - Concerning Environmental Impact of Raw Sewage in Ganges Harbour – None

15.2 Maxine Leichter - Concerning Bylaw Compliance

Maxine Leichter spoke to concerns related to bylaw compliance and presented a written submission entitled “Correspondence to Salt Spring Island Local Trust Committee for LTC meeting August 27, 2019”.

SS-2019-157

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to forward the letter received from M. Leichter dated August 27, 2019 to the Bylaw Compliance and Enforcement Manager for comment.

CARRIED

16. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:27 p.m.

A member of the public expressed support for the Salt Spring Island Local Trust Committee’s decision to add “Update the Official Community Plan (OCP)” as a top priority and asked whether the Local Trust Committee has the authority to allocate staff and financial resources to support the project. The member of the public expressed support for the OCP review to focus on climate action and stated that climate action policies are written into the current version of the OCP and can be implemented immediately.

A member of the public expressed concerns regarding SS-DVP-2018.17 (2621 & 2661 Fulford-Ganges Road) including concerns regarding groundwater intrusion from the septic system. The member of the public also expressed concerns regarding SS-DVP-2018.15 (119 & 121 Cairns Place) and asked the Local Trust Committee to uphold the bylaws and not approve the proposed variances.

A member of the public expressed concerns regarding SS-TUP-2019.1 (784 Vesuvius Bay Road) and provided a written submission dated August 27, 2019.

Jason Griffin, Chair of Cedar Lane Water Commission expressed concerns regarding SS-DVP-2018.15 (119 & 121 Cairns Place) including groundwater availability.

Six members of the public expressed concerns regarding SS-DVP-2018.15 (119 & 121 Cairns Place) including groundwater availability and light pollution.

Salt Spring Accommodations Group president Peter Lloyd-Jones expressed support for short-term vacation rentals (STVRs) and requested the Salt Spring Island Local Trust Committee to update the Salt Spring Island Land Use Bylaw No. 355 to recognize and regulate STVRs.

A member of the public expressed concerns regarding SS-RZ-2013.7 (Lot 10 Park Drive) including, water availability, traffic, increasing density and the proposal for a three-story building.

Three members of the public expressed concerns regarding SS-TUP-2019.1 (784 Vesuvius Bay Road) including traffic and pedestrian safety, noise pollution, water availability, and the impact to existing businesses.

A member of the public expressed concerns regarding SS-TUP-2019.1 (Temporary Use Permit for Mobile Food & Drink Business in Vesuvius Bay) including concerns about the Vesuvius Bay neighbourhood and requested the Local Trust Committee to respect the zoning that is in place.

A member of the public expressed support for SS-DVP-2018.17 (2621 & 2661 Fulford-Ganges Road).

Kathy Reimer, Islands Stream and Salmon Enhancement Society expressed concerns regarding SS-DVP-2018.17 (2621 & 2661 Fulford-Ganges Road) and requested the Local Trust Committee to uphold the regulations that are in place to protect Fulford Creek as a Provincially designated sensitive creek.

Chair Luckham thanked Kathy Reimer for her years of contribution to the community.

A member of the public expressed concerns regarding groundwater in the Cedar Lane Water District.

A member of the public expressed concerns regarding the Antennae Siting Policy and submitted a letter, petitions entitled "Do not adopt the proposed Model Strategy for Antenna Systems: Create an Antenna Siting Policy that Preserves and Protects" and a petition entitled "Petition for Public Safety and Well Being".

A member of the public expressed concerns regarding the proposed CREST tower and provided a written submission dated August 27, 2019 and submitted four additional letters.

A member of the public expressed concerns regarding the proposed CREST tower and the antennae siting protocol.

A member of the public expressed concerns regarding the proposed CREST tower and requested the Local Trust Committee to base the antenna siting policy on the precautionary principle and submitted a document entitled "Cell Towers are Dangerous".

A member of the public expressed concern regarding a proposed industrial rezoning of property in the Beaver Point Road and Fulford-Ganges Road area.

17. APPLICATIONS and REFERRALS

17.1 Proposed Bylaw No. 507 & No. 513 - SS-RZ-2017.4 - J.G. Consulting Ltd. - 132 Corbett Road, SSI (Croftonbrook)

RPM Cermak presented a staff report dated August 20, 2019 regarding a proposal to rezone and allow for the development of 34 affordable dwelling units and office use and a proposed Housing Agreement for the provision of 34 units of affordable housing.

SS-2019-158

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 513, cited as "Salt Spring Island Housing Agreement Bylaw No. 513, 2018", as specified in Attachment 1, be adopted.

CARRIED

SS-2019-159

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee amend Bylaw No. 507, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2017", as specified in Attachment 2 of the staff report dated August 27, 2018.

CARRIED

SS-2019-160

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 507, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2017", be adopted, as amended.

CARRIED

Island Women Against Violence (IWAV) Chair Susan Dann thanked the Salt Spring Island Local Trust Committee, staff and funding partners for all of the work on the Croftonbrook Affordable Housing project.

The meeting recessed at 1:30 p.m. and reconvened at 1:33 p.m.

17.2 SS-DVP-2018.17 - J. Verville, Kirsten Reite Architecture - 2621 & 2661 Fulford-Ganges Road, SSI

RPM Cermak presented a staff report dated August 9, 2019 regarding a proposal to vary the siting of sewage system tanks and 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 use; and, the number and total area of signs.

Applicant Julie Verville, property owners David Fulbrook, Kris Fulbrook and representative of the applicant, Ian Ralston, spoke to the application.

SS-2019-161

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee refer Development Variance Permit SS-DVP-2018.17 to the Advisory Planning Commission and request comment regarding the accessory use and the size of the units.

CARRIED

17.3 SS-TUP-2019.1 - R. Van Hullebush - 784 Vesuvius Bay Road, SSI

Planner Klaver presented a staff report dated August 16, 2019 regarding a Temporary Use Permit application to permit a Mobile Food & Drink Business.

Applicant Rene Von Hullebush spoke to the application and submitted a document entitled "BC Ferries Traffic Statistics System" and an image of a food truck.

SS-2019-162

It was MOVED and SECONDED,

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.

CARRIED

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

Planner Klaver presented a staff report dated August 19, 2019 regarding a Liquor and Cannabis Regulation Branch (LCRB) Patron Participation Entertainment Endorsement application to permit live entertainment and to allow for dancing at special events.

SS-2019-163

It was MOVED and SECONDED,

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-2010.7).

CARRIED

17.5 SS-DVP-2019.3 - R. & S. Brunham - 64 McKenzie Crescent, Piers Island

Planner Gordon presented a staff report dated July 30, 2019 regarding a proposed variance for an existing retaining wall and accessory structure within the interior lot line setbacks.

Applicant Robert Brunham spoke to the application.

SS-2019-164

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2019.3 (64 McKenzie Crescent).

CARRIED

Trustee Patrick OPPOSED

17.6 SS-TUP-2019.5 - Islands Trust - 500 Lower Ganges Road, SSI

Planner Gordon presented a staff report dated July 29, 2019 regarding a Temporary Use Permit application to permit local government offices.

SS-2019-165

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Temporary Use Permit SS-TUP-2019.5 (500 Lower Ganges Road).

CARRIED

17.7 SS-DVP-2019.1 - J. Litke, Polaris Land Surveying Inc. - 200 Collins Road, SSI

Planner Gordon presented a staff report dated August 8, 2019 regarding an application to allow the creation of a split lot as a condition of subdivision.

Applicant Jordon Litke was present.

SS-2019-166

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2019.1 (200 Collins Road.)

CARRIED

17.8 SS-DVP-2018.15 - E. Booth - 119 & 121 Cairns Place, SSI

Planner Gordon presented a staff report dated July 30, 2019 regarding an application to reduce the setbacks for rear and interior lot lines and to allow for an increase in floor area of agricultural buildings and structures.

Property Owner Edward Bielert spoke to the application.

SS-2019-167

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee deny issuance of SS-DVP-2018.15 (119 & 121 Cairns Place.)

CARRIED

17.9 SS-RZ-2013.7 - Salt Spring Ventures Inc. - Lot 10 Park Drive, SSI – Withdrawn

This item was withdrawn from the agenda at the request of the applicant.

Trustee Patrick left the meeting at 3:47 p.m.

17.10 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI

Planner Youmans presented a staff report dated August 12, 2019 regarding a proposal to rezone 2 adjacent residential lots for commercial purposes - for Consideration of 3rd Reading.

Applicant David Brown spoke to the application.

SS-2019-168

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 510, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018" be read a third time.

CARRIED

SS-2019-169

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 511, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018," be amended in accordance with Appendix 2 of the staff report dated August 13, 2019.

CARRIED

SS-2019-170

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 511, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018" be read a third time as amended.

CARRIED

SS-2019-171

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 510, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018" and Salt Spring Island Local Trust Committee Bylaw No. 511, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

SS-2019-172

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee forward Bylaw No. 510, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018" to the Minister of Municipal Affairs and Housing for approval.

CARRIED

SS-2019-173

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee endorse staff to enter into a cost recovery agreement with the applicant for file SS-RZ-2018.1 (155 Rainbow Road), pursuant to Trust Council policy and Salt Spring Island Local Trust Committee Bylaw No. 428, for Islands Trust legal counsel review of all covenants related to the subject application.

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on October 1, 2019 at 9:30 a.m. at the Harbour House Hotel, 121 Upper Ganges Road.

19. ADJOURNMENT

By general consent the meeting adjourned at 4:05 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Salt Spring Island Local Trust Committee Minutes of Special Meeting

Date: Saturday, September 7, 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: Jason Youmans, Island Planner
Serena Klaver, Planner 1
Sarah Shugar, Recorder

Others Present: Gulf Islands Driftwood Reporter
Approximately 71 members of the public

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 11:00 a.m. He introduced himself, Trustee Patrick and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. BUSINESS ITEMS

3.1 Local Trust Committee Chair's Welcome and Opening Remarks

Chair Luckham welcomed everyone to the meeting and presented opening remarks. Chair Luckham advised this Community Information Meeting would be an opportunity for members of the public to ask questions and provide statements of opinion regarding the proposed bylaw.

3.2 Planner Presentation on SS-BL-512 – Affordable Rental Housing – Cottages Project

Planner Youmans presented an overview of proposed Salt Spring Island Local Trust Committee Bylaw No. 512. Bylaw No. 512 amends the Salt Spring Island Land Use Bylaw (LUB) to allow the full-time residential rental of accessory cottages on approximately 405 Salt Spring Island properties.

3.3 Question and Answer Period

Chair Luckham opened the question and answer period at 11:30 a.m.

A member of the public expressed concern regarding the time limit for each member of the public to present a question or comment.

A member of the public expressed concern regarding the public transit route criteria and noted that public transit routes change. The member of the public also expressed support for water availability to be a main priority and expressed concern regarding water availability issues for properties in the North End of Salt Spring Island.

Ian Peace expressed concerns on behalf of the Salt Spring Island Water Preservation Society concerning the proposed density increase in Bylaw No. 512 and recommended that properties with secondary suites be excluded from the bylaw. Mr. Peace expressed concern that the density increase could likely exceed 5% as there would likely be 2 to 3 persons living in each of the full-time rental cottages. Mr. Peace also expressed concerns regarding water availability and that Bylaw No. 512 does not adequately address the BC Drinking Water Protection Act regulations concerning water systems.

Planner Youmans reported the Secondary Suites project allowed for 500 additional secondary suites to be permitted on Salt Spring Island although the properties within the North Salt Spring Island Waterworks District (NSSWD) have not been permitted to build the secondary suites due to the moratorium on new water connections. He also reported the BC Drinking Water Protection Act considers property owners that supply water to more than one dwelling from the same source to be a community water system and are required to comply with Island Health regulations.

A member of the public expressed concerns regarding the notification of proposed Bylaw No. 512 and encouraged the Local Trust Committee (LTC) to improve project publicity. The member of the public also expressed concerns that the proposed bylaw is not a good strategy to solve the affordable housing crisis for several reasons including prohibitive building and infrastructure costs and the BC Residential Tenancy Act. The member of the public encouraged the LTC to consider affordable housing models such as Brinkworthy Estates or Chemainus Gardens.

A member of the public expressed concerns regarding the requirement for the property owner to register a covenant to ensure that properties with full time rental cottages cannot be subdivided. The member of the public recommended that the bylaw include restrictions regarding subdivision and not require the property owner to incur the costs associated with registering a covenant and asked if the LTC could require the BC Land Titles office to refer building strata subdivisions to the Islands Trust prior to approval.

Planner Youmans reported the requirement for the covenant is in addition to the language in Section 2.1 regarding “full time rental cottages” and “a single real estate entity.” and noted the requirement for a covenant is an additional protection to prevent building strata subdivisions.

A member of the public expressed concerns regarding whether the proposed will increase affordable rental housing and asked if there was any investigation regarding which of the properties identified on the Bylaw No. 512 map have existing cottages and whether the owners would be interested in renting out those cottages. The member of the public expressed concern that there was no investigation regarding whether the properties have setbacks, covenants or other restraints that would impact the ability to build cottages. The member of the public spoke to the Secondary Suites Bylaw and indicated that it was not successful in providing affordable housing. The member of the public expressed concerns that proposed Bylaw No. 512 does not ensure that the cottages will be affordable. The member of the public also expressed concerns regarding water availability and noted that the cottages should not be permitted in environmentally sensitive areas. The member of the public advised that Island Health requires property owners to be licenced water system providers when providing water to more than two dwellings.

Planner Klaver reported approximately 10 secondary suites were registered following adoption of Secondary Suites Bylaw No. 461.

A member of the public expressed concerns regarding Short Term Vacation Rentals (STVRs) and suggested that more bylaw enforcement would be required for the proposed bylaw to provide affordable housing. The member of the public expressed support for all properties with legal accessory dwellings to be permitted to have full time rental cottages. The member of the public also expressed concerns regarding the public transit route criteria.

Planner Youmans advised that the Local Trust Committee could consider housing agreements to maintain affordability although the building costs are prohibitive.

A member of the public expressed support for affordable rental housing for workers and expressed concerns regarding the impact of bylaw enforcement on illegally rented seasonal cottages. The member of the public expressed concerns regarding the proposed cottages being permitted within watershed areas.

A member of the public expressed support for the intent to provide affordable rental housing and that the bylaw should to include a definition of “affordable”. The member of the public expressed concerns regarding the impacts that Short Term Vacation Rentals (STVRs) have on water availability and added that full time rental use would likely use less water.

A member of the public asked for clarification regarding how many of the properties in proposed Bylaw No. 512 have existing seasonal cottages and how many of those cottages are currently rented out year round. The member of the public asked if tiny homes would be included in the definition of “full-time rental cottages” and whether a property owner could work in partnership with a non-profit agency to provide an affordable rental cottage.

Planner Youmans advised that staff would look into whether a tiny home could be considered a dwelling unit.

A member of the public expressed support for the intent of the bylaw as a means to increase the legal supply of rental housing and that all seasonal cottages should be permitted to be used as full time rental housing. The member of the public expressed concern regarding the requirement for a property owner to register a covenant that would restrict subdivision.

A member of the public asked for clarification regarding how many of the proposed properties in the bylaw already have existing cottages. The member of the public expressed concern regarding the costs to property owners to build the cottages and noted the proposed rental costs are extremely low. The member of the public spoke to the high cost of building.

A member of the public asked why properties within the community water system areas are included in the bylaw and asked why properties with wells are being excluded from the bylaw. The member of the public expressed concern that the community information meeting is scheduled on the same day as the Pride Events. The member of the public also expressed concern regarding the public transit route criteria and whether the proposed bylaw will have a positive impact on affordable housing.

Planner Youmans advised that properties within community water systems are excluded from Bylaw No. 512.

A member of the public expressed support for the intent to provide more affordable rental housing and asked for clarification regarding whether a seasonal cottage could be used for anything other than a “full-time rental cottage”. The member of the public asked if property owners would be required to register the covenant restricting subdivision.

Planner Youmans reported the Salt Spring Island Local Trust Committee received legal advice that stated a building could be used for seasonal use or full time use. Full time use would only be permitted if a covenant is registered. Properties that have land subdivision potential should have been excluded from Bylaw No. 512.

A member of the public expressed concerns regarding the cost to property owners and that it would cost a minimum of \$200,000 to build a cottage. The member of the public added it is likely that property owners would consider Short Term Vacation Rentals instead of a full time rental. The member of the public also advised the BC Building Code requires each dwelling unit to have a minimum of one flushing toilet and grey water systems need to be approved by an engineer or be connected to a septic system.

A member of the public suggested that composting toilets as an option and added that piped salt water could be a solution for flushing toilets.

Chair Luckham called for any further questions.

No comment sheets or written submissions were received.

3.4 Town Hall

The Town Hall was included in the question and answer period.

4. ADJOURNMENT

By general consent the meeting adjourned at 12:52 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Follow Up Action Report

Salt Spring Island

26-Mar-2019

Activity	Responsibility	Dates	Status
1 SS-DVP-2018.11 - F. dos Santos and D. Gunn - 210 Norton Road, SSI The SSILTC accept a Water Treatment System Covenant under section 219 of the Land Title Act from the registered owners of That Part of the West 6 Chains of Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Lying to the North of the Lower Ganges Road and designate any member of the Salt Spring Island Local Trust Committee to sign the covenant (SS-SUB-2017.4, 210 Norton Road).	Daniela Murphy Serena Klaver		In Progress
2 SS-DVP-2018.11 - F. dos Santos and D. Gunn - 210 Norton Road, SSI The SSILTC accept a Water Treatment System Covenant under section 219 of the Land Title Act from the registered owners of That Part of the West 6 Chains of Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Lying to the North of the Lower Ganges Road and designate any member of the Salt Spring Island Local Trust Committee to sign the covenant (SS-SUB-2017.4, 210 Norton Road).	Daniela Murphy Serena Klaver		In Progress

Follow Up Action Report

Salt Spring Island

26-Mar-2019

Activity	Responsibility	Dates	Status
3 SS-DVP-2018.11 - F. dos Santos and D. Gunn - 210 Norton Road, SSI The SSILTC accept an amendment of Section 219 Covenant CA4184187 for both Proposed Lot 1 and Lot 2, That Part of the West 6 Chains of Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Lying to the North of the Lower Ganges Road, to include Preliminary Storm Water Management Plan, Gooding Hydrology, February 2019, subject to receipt of a Letter of Credit in the amount of \$212,025.00, and designate any member of the SSILTC to sign the amended covenant (SS-SUB-2017.4, 210 Norton Road).	Daniela Murphy Serena Klaver		In Progress

30-Apr-2019

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

30-Apr-2019

Activity	Responsibility	Dates	Status
1 Proposed Siting of a Radio Antenna and Tower at 120 Blain Road (Royal Canadian Legion) The SSILTC request the following information from the proponent of the CREST radio tower: 1. additional information regarding the choice of location and to explore other potential locations; and 2. to explore options for a covenant that would ensure no additional providers would be attached to the tower without full public consultation.	Geordie Gordon		In Progress

Follow Up Action Report

Salt Spring Island

30-Apr-2019

Activity	Responsibility	Dates	Status
2 SS-RZ-2018.4 - Proposed Bylaw No. 515 - Gulf Islands Seniors Residence Association - 154 Kings Lane (Meadowlane), SSI The SSILTC Bylaw No. 515, cited as 'Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2018' not be adopted until the following conditions have been fulfilled: a. Written confirmation from the CRD Sewer Commission that the service boundaries have been amended to include the subject property and that there is sufficient capacity for the proposed development; b. Written confirmation from Island Health that they are satisfied with both the quantity and quality of the proposed potable water sources, and that future residents will be provided with a safe, potable, and sustainable source of water; c. Approved Provincial Water License for the two ground water license applications.	Daniela Murphy Stefan Cermak		In Progress



Follow Up Action Report

Salt Spring Island

30-Apr-2019

Activity	Responsibility	Dates	Status
3 SS-DVP-2018.11 & SS-SUB-2017.4 - F. dos Santos and D. Gunn - 210 Norton Road, SSI The SSILTC accept a Leave Strip Covenant under section 219 of the Land Title Act from the registered owners of That Part of the West 6 Chains of Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Lying to the North of the Lower Ganges Road and designate any member of the Salt Spring Island Local Trust Committee to sign the covenant (SS-SUB-2017.4, 210 Norton Road).	Daniela Murphy Serena Klaver		In Progress
4 SS-DVP-2018.11 & SS-SUB-2017.4 - F. dos Santos and D. Gunn - 210 Norton Road, SSI The SSILTC accept a No Further Subdivision Covenant under section 219 of the Land Title Act from the registered owners of That Part of the West 6 Chains of Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Lying to the North of the Lower Ganges Road and designate any member of the Salt Spring Island Local Trust Committee to sign the covenant (SS-SUB-2017.4, 210 Norton Road).	Daniela Murphy Serena Klaver		In Progress

28-May-2019

Activity	Responsibility	Dates	Status
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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.	Serena Klaver		In Progress



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	Serena Klaver		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.	Serena Klaver		In Progress

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.	Serena Klaver		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		In Progress



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 Draft Minutes of the June 25, 2019 SSI LTC Regular Meeting The following item was presented for consideration: 10.1.1 Add "It was noted the Salt Spring Island Local Trust Committee requested G3 Consulting Ltd. to hold a public information meeting on Salt Spring Island regarding the proposed new outfall location." following "Clay Reitsma spoke to the project via telephone conferencing." By general consent, the minutes of the June 25, 2019 Salt Spring Island Local Trust Committee meeting were adopted as amended.	Kristine Mayes		Completed
2 Applications Summary - Quarterly Report That the Salt Spring Island Local Trust Committee direct staff to schedule a Special Business Meeting as soon as possible to consider the Gulf Islands Seniors Residence Association application.	Kristine Mayes Stefan Cermak		In Progress
3 Strategic Priorities for the 2018-2022 Local Trust Committee Term That the Salt Spring island Local Trust Committee endorse the draft Strategic Priorities version 1, dated August 27, 2019.	Stefan Cermak		In Progress
4 Strategic Priorities for the 2018-2022 Local Trust Committee Term 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.	Kristine Mayes Serena Klaver Stefan Cermak		In Progress



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
5 Strategic Priorities for the 2018-2022 Local Trust Committee Term 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.	Stefan Cermak		In Progress
6 Strategic Priorities for the 2018-2022 Local Trust Committee Term That the Salt Spring Island Local Trust Committee amend the list of Strategic Priorities to include Village Planning.	Stefan Cermak		In Progress
7 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.	Stefan Cermak		In Progress
8 Gabriola Island Local Trust Committee Bylaw No. 303 concerning Cannabis That the Salt Spring Island Local Trust Committee direct staff to draft a bylaw based on the Gabriola Island Local Trust Committee Bylaw No. 303 for consideration.	Stefan Cermak		In Progress



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
9 Options Relating to Short-Term Vacation Rentals and Salt Spring Island Local Trust Committee Standing Resolution SS-2017-120 That the Salt Spring Island Local Trust Committee rescind resolution number 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;	Daniela Murphy Karol Kudyba		Completed



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
that a Short-Term Vacation Rental 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.			
10 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
11 Maxine Leichter - Concerning Bylaw Compliance That the Salt Spring Island Local Trust Committee direct staff to forward the letter received from M. Leichter dated August 27, 2019 to the Bylaw Compliance and Enforcement Manager for comment.	Karol Kudyba Shayla Burnham		Completed
12 SS-DVP-2018.17 - J. Verville, Kirsten Reite Architecture - 2621 & 2661 Fulford-Ganges Road, SSI That the Salt Spring Island Local Trust Committee refer Development Variance Permit SS-DVP-2018.17 to the Advisory Planning Commission and request comment regarding the accessory use and the size of the units.	Jason Youmans Kristine Mayes Serena Klaver		In Progress
13 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
14 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI Salt Spring Island Local Trust Committee Bylaw No. 510, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018" be read a third time.	Daniela Murphy Jason Youmans		Completed



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
15 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI That Salt Spring Island Local Trust Committee Bylaw No. 511, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018," be amended in accordance with Appendix 2 of the staff report dated August 13, 2019.	Daniela Murphy Jason Youmans		Completed
16 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI That Salt Spring Island Local Trust Committee Bylaw No. 511, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018" be read a third time as amended.	Daniela Murphy Jason Youmans		Completed
17 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI That Salt Spring Island Local Trust Committee Bylaw No. 510, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018" and Salt Spring Island Local Trust Committee Bylaw No. 511, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.	Daniela Murphy Jason Youmans		Completed



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
18 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI That the Salt Spring Island Local Trust Committee forward Bylaw No. 510, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018" to the Minister of Municipal Affairs and Housing for approval.	Daniela Murphy Jason Youmans		In Progress
19 Proposed Bylaws 510 and 511 - SS-RZ-2018.1 - D. Brown and E. Evanik - 155 Rainbow Road, SSI That the Salt Spring Island Local Trust Committee endorse staff to enter into a cost recovery agreement with the applicant for file SS-RZ-2018.1 (155 Rainbow Road), pursuant to Trust Council policy and Salt Spring Island Local Trust Committee Bylaw No. 428, for Islands Trust legal counsel review of all covenants related to the subject application.	Daniela Murphy Jason Youmans		In Progress
20 Proposed Bylaw No. 507 & No. 513 - SS-RZ-2017.4 - J.G. Consulting Ltd. - 132 Corbett Road, SSI (Croftonbrook) That Salt Spring Island Local Trust Committee Bylaw No. 513, cited as "Salt Spring Island Housing Agreement Bylaw No. 513, 2018", as specified in Attachment 1, be adopted.	Daniela Murphy Stefan Cermak		In Progress



Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
21 Proposed Bylaw No. 507 & No. 513 - SS-RZ-2017.4 - J.G. Consulting Ltd. - 132 Corbett Road, SSI (Croftonbrook) That Salt Spring Island Local Trust Committee amend Bylaw No. 507, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2017", as specified in Attachment 2 of the staff report dated August 27, 2018.	Daniela Murphy Stefan Cermak		Completed
22 Proposed Bylaw No. 507 & No. 513 - SS-RZ-2017.4 - J.G. Consulting Ltd. - 132 Corbett Road, SSI (Croftonbrook) That Salt Spring Island Local Trust Committee Bylaw No. 507, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2017", be adopted, as amended.	Daniela Murphy Stefan Cermak		In Progress
23 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		In Progress
24 SS-DVP-2019.3 - R. & S. Brunham - 64 McKenzie Crescent, Piers Island That the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2019.3 (64 McKenzie Crescent).	Daniela Murphy Geordie Gordon		Completed

Follow Up Action Report

Salt Spring Island

27-Aug-2019

Activity	Responsibility	Dates	Status
25 SS-TUP-2019.5 - Islands Trust - 500 Lower Ganges Road, SSI That the Salt Spring Island Local Trust Committee approve issuance of Temporary Use Permit SS-TUP-2019.5 (500 Lower Ganges Road).	Daniela Murphy Georgie Gordon		Completed
26 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		In Progress



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

1. Water Sustainability

Responsible

Dates

September 6, 2019 - SSIWPA coordinator contract signed by IT Finance. Coordinator work can commence.

August 13, 2019 - SSIWPA coordinator receives services contract for signature

July 30, 2019 - Draft SSIWPA service coordinator contract delivered to IT finance dept

July 25, 2019 - Staff review SSIWPA coordination RFP submissions

June 28, 2019 - RFP for SSIWPA coordination posted to BC Bid, CivicInfo and Islands Trust website

May 30, 2019 - RFP for SSIWPA coordination provided to IT finance dept. Under review.

May 28, 2019 - Report to LTC with draft SSIWPA coordination contract for 2019/20

April 2, 2019 - SSIWPA work program planning workshop

March 10, 2019 - Staff working with SSIWPA coordinator re. planned April 2 SSIWPA work planning workshop.

February 26, 2019 - LTC approves community aquifer recharge mapping project. Allocates \$5,000.

January 29, 2019 - LTC approves recommending special tax requisition of \$98,500 to Trust Council.

January 26, 2019 - CIM on special tax requisition to fund LTC's water sustainability efforts on SSI.

December 6, 2018 - LTC changed project name to Water Sustainability; endorsed amended project charter; sought feedback on special tax requisition; appointed Trustee Patrick to SSIWPA; and endorsed Water Sustainability Framework

October 18, 2018 - LTC requested a Special Tax Requisition of \$98,500 for 2019/20 for

Jason Youmans
William Shulba

Rec'd: 07-Jun-2012



Top Priorities Report

Salt Spring Island

SSIWPA Coordination; LTC endorsed SSIWPAs strategic work project and requested recommendations for allocating staff resources

August 16, 2018 - SSIWPA Annual Report to SSI LTC

The Salt Spring Local Trust Committee coordinates the Salt Spring Island Watershed Protection Authority (SSIWPA) as well as advances land use planning initiatives as a top priority. SSIWPA is an umbrella organization that coordinates the collaboration of government agencies/ improvement districts that have a role in managing water or watersheds. The SSIWPA Integrated Water Management work plan aims to quantify available freshwater and identify ways to maximize efficiency. Within this are objectives to understand Salt Spring Island's groundwater and inform land use and resource management decisions. The Ministry of Forest Lands and Natural Resources (FLNRO) is an active member of SSIWPA also modeling groundwater resources and working on a groundwater budget for Salt Spring Island. The groundwater science program (Ministry of Environment and FLNRO) has funded a two year program to revise the aquifer mapping (2016-17) and develop a groundwater budget (2017-18), with outcomes linked to the well inventory and monitoring pilot.

January 2018 - Received Real Estate Foundation for groundwater inventory and groundwater monitoring program.

December 4, 2017 - staff finalize SSIWPA information statement and forward to trustees and staff

November 22, 2017 - RWM asking staff to draft an information statement re: SSIWPA

November 2, 2017 - LTC request project charter for an assessment on Freshwater Sustainability Methodologies for Watershed Reservoirs on SSI; request special tax levy

Top Priorities Report

Salt Spring Island

of \$98,500 for 2018/19 SSIWPA coordination; approved a draft TWG ToR amendment for discussion

June 29, 2017 - LTC:

allocate \$18,000 to fund a wells inventory and groundwater monitoring pilot program
request staff to apply for a grant from REBC

endorse project charter V8.1 dated June 19, 2017

March 14-16, 2017 - Trust Council approved Special Property Tax Requisition

2. Ganges Village Area Planning - Harbourwalk

Responsible

Dates

August 8, 2019 - IT SRW application cancelled per FLNRORD direction. CRD has submitted new SRW application using IT's materials. Staff understand that CRD have developed an RFP for conceptual boardwalk designs, per FLNRORD direction.

June 13, 2019 - Trustee Grove, CRD director Holman, CRD Steering Committee Chair Matt Steffich and Planner Youmans meet Ganges Marina representatives and FLNRORD staff in Nanaimo to discuss Harbourwalk.

May 15, 2019 - Trustee Grove, CRD director Holman, CRD Steering Committee Chair Matt Steffich, IT CAO Hotsenpiller and Planner Youmans meet FLNRORD staff in Nanaimo to discuss Harbourwalk

March 15, 2019 - FLNRORD staff call to discuss marina tenure renewal

February 25, 2019 - Joint LTC/CRD meeting with Ganges Marina owners

February 7, 2019 - Staff update LTC's SRW application per request from Front Counter BC

February 4, 2019 - Staff respond to FLNRORD referral of Ganges Marina tenure renewal

January 22, 2019 - Joint LTC/CRD/Chamber of Commerce letter to FLNRORD Minister

Jason Youmans

Rec'd: 20-Jun-2013



Top Priorities Report

Salt Spring Island

January 3, 2019 - Joint LTC/CRD letter to Ganges Marina owners.

November 15, 2018 - Front Counter BC requests further info re. SRW application.

September 19, 2018 - Planner Youmans discusses project next steps with Ganges Marina rep Steve Azyan.

August 22, 2018 - Planner Youmans, LPS Director Marlor meeting CRD general manager and CRD parks manager to explore next steps.

July 20, 2018 - SRW application submitted

May 15, 2018 - Letter to FLNRORD Minister, staff working with IT map dept to complete SRW application

April 19, 2018 - IT/CRD/FLNRORD teleconference

March 16, 2018 - CRD/IT meeting in Victoria (CRD CAO, IT CAO, RPM, CRD SSI Manager, Island Planner)

March 1, 2018 - Joint CRD, FLNRO, IT conference call to discuss (CAO, LPS Director, Island Planner)

February 1, 2018 - Staff anticipate March 1, 2018 report to LTC

January 8, 2017 - Staff anticipate February 8, 2018 report to LTC

November 30, 2017 - Consultant Report received summarizing community event; LTC direct staff to review regulatory compliance; request province to consult with Islands Trust before tenure renewals; direct staff to report back with options for next steps

November 4, 2017 - Community Event held

September 18, 2017 - Contract awarded.

August 3, 2017 - RFP for community consultation around size, siting and use of buildings on the harbourwalk upland to be posted August 4, 2017.

June 1, 2017 - LTC receives Ganges Marina preliminary development plans. LTC directs staff to undertake community engagement on density and intensity of development of lots affected by project.



Top Priorities Report

Salt Spring Island

3. LUB Update - Industrial Zones

Responsible

Dates

September 17, 2019 - Submission of Bylaw 488 (and 489 and 490) to MMAH for approval

Jason Youmans

Rec'd: 07-Jun-2012

Target: 30-Mar-2017

August 14, 2019 - EC approval of Bylaws 488, 489 and 490

June 28, 2019 - 3rd reading of Bylaws 488, 489 and 490

May 14, 2019 - Public Hearing on Bylaws 488, 489 and 490

May 7, 2019 - CIM on Bylaws 488, 489 and 490

January 3, 2019 - Referred Bylaws 488, 489 and 490 to CRD waste management, Mines ministry, MOE and ALC.

October 11, 2018 - PH scheduled for October 16, 2018. **CANCELLED via RWM Oct. 15, 2018**

September 19, 2018 - Staff to report back with amended bylaws at September 27 meeting per direction given at August 16 LTC meeting.

August 8, 2018 - Report on findings from secondary consultations to LTC for August 16 regular meeting.

July 5, 2018 - Staff are consulting individual property owners re. Bylaw 489. Anticipate CIM in August.

May 10, 2018 - LTC direct staff to make the Industrial Land Use project a priority for assigning staff resources

March 1, 2018 - LTC gives 3rd reading to all bylaws; direct staff to engage in secondary public consultations with affected property owners for the purpose of identifying any outstanding concerns

February 16, 2018 - Public Hearing

Top Priorities Report

Salt Spring Island

October 5, 2017 - LTC give second reading to all bylaws, direct staff to schedule Public Hearing (anticipated Feb. 1-15, 2018)

July 24 & 31, 2017 - Open Houses held.

June 1, 2017 - LTC approve minor amendments to Bylaw 489; direct staff to hold 'Open Houses'. Tentatively scheduled July 24 and July 31

March 2, 2017 - LTC review of draft Bylaw Nos. 488, 489 and 490. Bylaws given first reading after minor amendments. Blackburn Road site removed from BL 490. Minor changes to BL Nos 488 and 489. Bylaws to be referred to agencies and FN.

December 15, 2016 - Blackburn waste transfer site visit

December 5, 2016 - Island tour of industrial sites

November 15, 2016- Planner Milne assumes file

4. Affordable Rental Housing - Cottages

Responsible

Dates

September 7, 2019 - Community Information Meeting on Bylaw No. 512

August 19, 2019 - Bylaw 512 land owner mail-out sent

August 8, 2019 - Planner meets Salt Spring Solutions re. Bylaw 512

July 30, 2019 - Online consultation closes. More than 500 unique responses received.

July 4, 2019 - Online consultation launched

April 30, 2019 - Bylaw 512 amended to address mapping issues

March 27, 2019 - Project reassigned to Planner Youmans

February 26, 2019 - Staff Report with Bylaw 512 to LTC: LTC revised bylaw in accordance with legal review and referral feedback, amended Bylaw 512 to remove agricultural component, gave amended Bylaw 512 second reading, and requested staff to schedule a public hearing.

Jason Youmans

Rec'd: 20-Jul-2017
Target: 31-May-2019



Top Priorities Report

Salt Spring Island

September 27, 2018 - Staff Report with draft bylaw to LTC; LTC gave Bylaw 512 first reading, indicated that Bylaw 512 is consistent with the Trust Policy Statement, referred Bylaw 512 to agencies; requested staff to schedule a CIM; requested staff to engage a legal review; and approved a revised Project Charter.

August 1, 2018 - Planner Wright working with GIS to identify properties in accordance with OCP policies

June 25, 2018 - Planner Wright assigned project

February 8, 2018 - LTC direct staff to research and report back on possible approaches and options to allow full-time residential use of Seasonal Cottages which would result in an incremental, and verifiable, population increase of less than 5%.

January 17th, 2018 - Legal opinion requested on proceeding with LUB amendments in the absence of an OCP amending bylaw.

November 22, 2017 - Staff revise mapping to correct split-zoning error.

October 5, 2017 - LTC approve project charter and direct staff to draft a bylaw.

July 20, 2017 - LTC add project to Top Priority list.



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

10-Nov-2008

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

·/span>

·Housing Needs Assessment Required as per Provincial Regulations.

June 2015 - LTC considers project on hold pending NSSWD hydrology reports

·Oct. 24, 2013 - LTC request staff to review the fees bylaw and in particular the application fee for a Temporary Use Permit in order to make small housing applications more affordable.

·March 2010 - initial scope of work, to follow suites and other priorities.

·February 2010 - LTC resolution directing staff to pursue creation of Community

Affordable Housing Strategy (done), to investigate and report back on opportunities with CRD Housing to manage housing agreements (done), request MoU with CRD on housing agreements (Nov 2014 staff report - focus on operational terms), bring forward recommendations for amendments to LUB to enable creation of affordable housing (ongoing).



Projects Report

Salt Spring Island

3. Piers Island Bill 27 OCP Update

Responsible

Date Received

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.

17-Dec-2015

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).

4. Proposed National Marine Conservation Area Reserve - Internal Boundaries

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. Integrated Community Sustainability Plan

Responsible

Date Received



Projects Report

Salt Spring Island

24-Jul-2014

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

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).

April 5, 2016 - EOI submitted.

March 31, 2016 - Grant Administrator forward potential funding opportunity via BC Rural Dividend. EOI due April 7.

March 22, 2016 - staff discussion with Sebastion Moffat (ICSP pioneer) regarding possible development of a Project Charter and/or planning/facilitation of visioning sessions. Mr. Moffat unavailable but will respond with other similar contacts.

January 21, 2016 - UBCM refuse grant (only forwarded to staff March 9, 2016)

September 15, 2015 - staff contacted UBCM- no announcement till late winter 2015 or early 2016.

September 3 2015 - LTC include project in Proposed 2016/17 Project Budget

July 16, 2015 - Grants Administrator following up with UBCM regarding status

April 16, 2015 - LTC supports in principle the Terms of Reference for the Integrated Community Sustainability Plan and funding in amount of \$115,000 from UBCM Strategic Priorities fund. Grant proposal includes \$15,000 Water Management Planning. Work pending UBCM funding decisions in June.

Foundation includes: Feb 2015 LTC Strategic Directions; Trust Council Strategic Plan focus on Community Economic Sustainability and Security; LTC proposal in 2015/16 budget;

Projects Report

Salt Spring Island

CRD Economic Development Commission June 24 2014 workshop, workshop, actions regarding long term planning, addressing infrastructure deficit, fostering community resilience; Flood Management Guideline Update 2014 in Province of BC; 2010 Climate Change Adaptation Plan; Reduction of GHG Emissions; refer to correspondence from Transitions Salt Spring and Climate Action Salt Spring.

6. <i>First Nations Heritage Sites</i>	Responsible	Date Received
February 9, 2017: Staff report to LTC. LTC provide staff with direction.	Jason Youmans	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. <i>Bylaw Review and Procedural Updates</i>	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. <i>Marine Environment Protection</i>	Responsible	Date Received
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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)

Miles Drew

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>Cannabis Regulations - Production of</i>	Responsible	Date Received

Projects Report

Salt Spring Island

Aug. 16, 2018 - LTC to receive report on cannabis regulation

19-Apr-2018

July 13, 2018 - the ALC amend regulations such that local governments will not be able to outright prohibit:

1. Open-air cannabis production not within a structure;
2. Cannabis production in a new or existing structure with a soil base;
3. Cannabis production in an existing structure with a concrete base, whether or not that facility was originally constructed for the production of medical marihuana or for some other crop; or
4. Cannabis production in a facility with a concrete base which is currently under active construction for the growing of any crop, so long as that facility is compliant with all applicable regulations.

April 19, 2018 - SSILTC added to project list

16. *Reduce Permitted Lot Coverage in Rural Upland Zones*

Responsible

Date Received

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

17. *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*

Responsible

Date Received

December 6, 2018 - LTC added to project list

06-Dec-2018



Islands Trust

Print Date: September 24, 2019

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2017.3	Bullock Lake Farm LLC Planner: Jason Youmans	14-Sep-2017	To diversify income stream, increase customer base and contribute to the local community with on-farm events - 360 Upper Ganges Road, SSI
Planning Status			
Status Date: 25-Jun-2019 ALC site visit			
Status Date: 17-Apr-2019 Cheque received from Accounts Payable - letter drafted & sent to ALC.			
Status Date: 28-Mar-2019 PTA Mayes sent cheque requisition request to Accounts Payable			
File Number	Applicant Name	Date Received	Purpose
SS-ALR-2018.2	Green City Builders Planner: Serena Klaver	19-Nov-2018	Proposal to cultivate legal cannabis within an existing (former) equestrian arena - 988 North End Road (192 Vesuvius Bay Road), SSI
Planning Status			
Status Date: 24-Sep-2019 ALC planner called to advised Islands Trust that ALC management are likely requesting that the application be cancelled as the additional of the concrete slab appears to be a permissible farm use in the ALR.			
Status Date: 16-Aug-2019 ALC Update from Judson Young confirming application (no. 58304) was received on August 5, 2019 and to date no application deficiencies were noted.			
Status Date: 31-Jul-2019 Cheque received from Accounts Payable - letter drafted & sent to ALC.			
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

Applications

Planner: Geordie 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: 20-Aug-2019

SS-ALR-2019.2 reassigned to Planner Klaver

Status Date: 08-Jul-2019

Noted lack of information, inconsistencies and issues in application. Contacted ALC Soil staff, applicant, and applicant for 'origin' site of imported material. ALC staff noted file was incomplete and their processing would remain on hold until a complete application is submitted. Requires confirmation of current farm operation in order to confirm compliance with Soil Bylaw and DPA7 requirements

Status Date: 25-Jun-2019

Planner Miller assigned to SS-ALR-2019.2

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.

Applications

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-2019.1	Seward Developments Inc.	05-Jul-2019	BOV Application to Rebuild House on Existing Footprint which requires setbacks to be varied for Front/Rear Lot Line (Natural Boundary) - 336 Cusheon Lake Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 17-Sep-2019

Meeting scheduled for 03OCT2019

Status Date: 18-Jul-2019

SS-BOV-2019.1 assigned to Planner Gordon

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



Applications

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.

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: 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.

Status Date: 02-Nov-2018

Assessment reviewed by FLNRO

File Number	Applicant Name	Date Received	Purpose
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Applications

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

Planner: Serena Klaver

Planning Status

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.

Status Date: 06-Jun-2019

Scheduled site visit - applicant did not show up

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: Geordie 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 Geordie Gordon

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.4	Gulf Islands Seniors Residence Association	11-Jun-2019	Constructing a 48-Unit Seniors Facility in DPA1 - 154 Kings Lane, SSI

Planner:

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
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Applications

SS-DP-2019.5 Diner & Storie, Mark & Cheryl 18-Jul-2019 Constructing a Single Family Dwelling in DPA7 (setback reduction from 15m to 10m) - 141 Bishops Walk Road, SSI

Planner: Serena Klaver

Planning Status

Status Date: 19-Jul-2019

Planner Klaver assigned to SS-DP-2019.5

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.6	Hayden Services Inc.	18-Jul-2019	Proposed Boundary Adjustment (SS-SUB-2019.1) in DPA1 - 118 Jackson Avenue, SSI

Planner: Serena Klaver

Planning Status

Status Date: 18-Jul-2019

Planner Klaver assigned to SS-DP-2019.6

File Number	Applicant Name	Date Received	Purpose
SS-DP-2019.7	Akerman, Kerry	07-Aug-2019	Proposed 2 Lot Subdivision (SS-SUB-2018.3) in DPA7 - 183 Beaver Point Road, SS

Planner: Geordie Gordon

Planning Status

Status Date: 15-Aug-2019

SS-DP-2019.7 assigned to Planner 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:

Planning Status

Status Date:

Development Variance Permit

**Applications**

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: 28-Aug-2019

SS-DVP-2019.17 reassigned to Planner Youmans

Status Date: 27-Aug-2019

LTC resolution to refer the application to the APC for consideration of the accessory commercial uses and size of commercial accommodation units. File transferred to Planner Jason Youmans

Status Date: 19-Aug-2019

Applicant emailed staff indicating they wish to proceed to the August 27th LTC meeting, and that they are willing to make changes to the submission.

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2018.19	Morgan, Glyn	04-Oct-2018	Proposed variance of setback for existing shed as it encroaches on riparian area - 341 Reynolds Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 03-Apr-2019

File from Planner IC to GG.

Status Date: 20-Feb-2019

Planner and B.E. to email applicant/owner advising of the need to provide requested information (including companion DP application) to avoid file closure.

Status Date: 25-Jan-2019

Applicant unresponsive to request for RAR report to fulfill needed DP. See email from planner to applicant dated October 17, 2018 regarding need for combined DP/DVP.

**Applications**

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-2019.4	Weis, Nicholas	24-Jul-2019	Proposed Variance for the Front Lot Line Setback (Greenhouse) & Interior Side Lot Line Setbacks (Woodshed & Tool Shed) - 381 Toynbee Road, SSI

Planner: Georgie Gordon**Planning Status****Status Date:** 15-Aug-2019

SS-DP-2019.7 assigned to Planner Gordon

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
SS-LCB-2019.2	Philp, Charles	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

Planner: Georgie Gordon**Planning Status**

Applications

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-2019.3	Rising Tide Consultants	16-Jan-2019	Proposal to Amend LCB License to Allow for Patron Participation During Special Musical Events/Performances - 150 Fulford-Ganges Road, SSI
Planner: Serena Klaver			

Planning Status

Status Date: 24-Sep-2019

LTC passed resolution to defer consideration of application until a development permit amendment has been opened to include the newly developed exterior patio at Mateada. Application received and staff waiting on payment to be cleared.

Status Date: 20-Aug-2019

Staff report finalized and concurred in preparation for consideration by the LTC on Aug. 27.

Status Date: 15-Aug-2019

Open House at Mateada from 4-5pm.

File Number	Applicant Name	Date Received	Purpose
SS-LCB-2019.4	Royal Canadian Legion Branch 92	13-Jun-2019	Proposal to Transition from Liquor Primary Club Licence to Liquor Primary Licence - 120 Blain Road, SSI (Royal Canadian Legion)
Planner: Geordie Gordon			

Planning Status

Status Date: 08-Jul-2019

Planner Gordon assigned to SS-LCB-2019.4

Rezoning

File Number	Applicant Name	Date Received	Purpose
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**Applications**

SS-RZ-2013.6 Island Marine 08-May-2013 Proposal to Amend OCP (Shoreline DPA Increase) & LUB (S2 Zoning Construction Services Expansion) - 2850 Fulford-Ganges Road, SSI (Fulford Landing) Ltd.
Planner: Jason Youmans

Planning Status

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.

Status Date: 19-Sep-2018

Ministry says decision forthcoming very shortly

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: 27-Aug-2019

Applicant pulls application from LTC meeting agenda

Status Date: 27-May-2019

Planner site visit

Status Date: 20-May-2019

Applicant has requested meeting with planning staff

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

Applications

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	Campell, 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

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.

Applications

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: Georgie 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

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.5	Breed, Amie	16-May-2017	Rezoning. Please see application for more information. 127 Orchard Road.

Planner: Stefan Cermak

Planning Status

Status Date: 10-Sep-2019

Applicant requested file closure. Request for refund.

Status Date: 29-Sep-2017

This file is being held in abeyance pending the applicant's decision whether to proceed or not. Refer to SS-DVP-2017.10

Status Date: 24-May-2017

Planner Palmer assigned to SS-RZ-2017.5

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

Applications

Planning Status

Status Date: 23-Sep-2019

LSR to Islands Trust legal counsel for review

Status Date: 10-Jun-2019

Applicant delivers draft legal agreement re. parking for staff review

Status Date: 19-Feb-2019

Planner working w/ applicant on appropriate legal instrument to address parking

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.

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: 24-Sep-2019

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

Applications

Status Date: 11-Sep-2019

SS-RZ-2018.3 reassigned to Island Planner Claire Negrin

Status Date: 20-Aug-2019

SS-RZ-2018.3 reassigned to Planner Klaver.

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

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

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

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. Planner: Claire Negrin	11-Mar-2019	Proposal to change current zoning to allow 'Liquor Store' as Permitted Use - 127 Lower Ganges Road, SSI

Planning Status

Applications

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.

Status Date: 16-Apr-2019

Made introductions and discussed preliminary components and processes of rezoning with the applicant.

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

Applications

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: Geordie 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

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: Georgie Gordon			
Planning Status			
Status Date: 24-Jul-2018			
File assigned to Planner Georgie Gordon			
Status Date: 29-Nov-2017			
File transferred to Planner Klaver.			
Status Date: 12-Jun-2017			
Email sent to applicant - follow up re: File status.			
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: Georgie Gordon			
Planning Status			
Status Date: 24-Jul-2018			
File assigned to Planner Georgie Gordon			
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			
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			

Applications

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: Geordie 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 Geordie Gordan

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

Applications

Planner: Geordie Gordon

Planning Status

Status Date: 24-Jul-2018

File assigned to Planner Geordie Gordon

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.

File Number	Applicant Name	Date Received	Purpose
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Applications

SS-SUB-2018.5 Polaris Land Surveying 28-Aug-2018 Proposed 3 Lot Subdivision - 200 Collins Road, SSI Inc.

Planner: Geordie Gordon

Planning Status

Status Date: 03-Jan-2019

DVP for split lot submitted

Status Date: 18-Oct-2018

Referral to MOTI

Status Date: 20-Sep-2018

Site Visit

File Number	Applicant Name	Date Received	Purpose
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SS-SUB-2018.6 Polaris Land Surveying 18-Sep-2018 Proposed 3 Lot Boundary Adjustment - 389, 293 & 289 Armand Way, SSI Inc.

Planner: Geordie Gordon

Planning Status

Status Date: 29-Jan-2019

DVP approved by LTC

Status Date: 21-Sep-2018

Planner Gordon assigned to SS-SUB-2018.6

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

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.

Applications

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 Planner: Geordie Gordon	20-Sep-2018	Proposed 2 Lot Subdivision - Beaver Point Road, SSI
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

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2019.1	Polaris Land Surveying Inc. Planner: Serena Klaver	13-May-2019	Proposed 2 Lot Boundary Adjustment - 118 Jackson Avenue, SSI
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. Planner: Geordie Gordon	22-Aug-2019	Proposed 2 Lot Subdivision - 250 Furness Road, SSI
Planning Status			

Applications

Status Date: 22-Aug-2019
Planner Gordon assigned to SS-SUB-2019.2

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-2019.2	Bullock Lake Farm LLC	02-May-2019	Temporary Use Permit for a Seasonal Farm Cafe - 360 Upper Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 25-Jun-2019
ALC site visit

Status Date: 03-May-2019
Planner Youmans assigned to SS-TUP-2019.2

File Number	Applicant Name	Date Received	Purpose
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Applications

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: 24-Sep-2019

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

Status Date: 29-May-2019

SS-TUP-2019.3 assigned to Planner Klaver

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

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

655 Salt Spring	Invoices posted to Month ending July 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-655	LTC "Trustee Expenses"	3,969.00	324.35	3,644.65
		<u>3,969.00</u>	<u>324.35</u>	<u>3,644.65</u>
LTC Local				
65200-655	LTC - Local Exp - LTC Meeting Expenses	6,747.00	2,599.63	4,147.37
65210-655	LTC - Local Exp - APC Meeting Expenses	1,233.00	1,300.96	-67.96
65220-655	LTC - Local Exp - Communications	1,500.00	0.00	1,500.00
65230-655	LTC - Local Exp - Special Projects	1,471.00	0.00	1,471.00
TOTAL LTC Local Expense		<u>10,951.00</u>	<u>3,900.59</u>	<u>7,050.41</u>
Projects				
73001-655-4014	Salt Spring watershed management	0.00	5,000.00	-5,000.00
73001-655-4015	Salt Spring industrial land use bylaw	2,850.00	1,526.50	1,323.50
73001-655-4098	Salt Spring Affordable Rental Housing - Cottages	5,300.00	0.00	5,300.00
TOTAL Project Expenses		<u>8,150.00</u>	<u>6,526.50</u>	<u>1,623.50</u>



Date: 2019-09-19

Date of Meeting: 2019-10-01

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

REPORT:

The SSIWPA Steering Committee held a meeting July 5, 2019 and made three resolutions to direct its coordinator. These are summarized below:

1. SSIWPA 2019-05: SSIWPA coordinator to send letters of invitation for steering committee membership to all agencies and organizations identified in the SSIWPA Terms of Reference (January 19, 2018). - **Completed Sept. 20. 2019**
2. SSIWPA 2019-06: SSIWPA coordinator to work with Islands Trust staff to develop a strategy to engage and invite First Nations to participate in SSIWPA.
3. SSIWPA 2019-07: SSIWPA coordinator to send letters of invitation for members-at-large to the following: SSI Water Preservation Society, Cusheon Lake Stewardship Committee, SSI Conservancy, Salt Spring Agricultural Alliance, Housing Council, Salt Spring Water Company. And create a reserve invitation list for members at-large: Island Stream and Salmon Enhancement Society and Transition Salt Spring Society. - **Completed Sept. 20. 2019**

Islands Trust conducted a request for proposals process in July, 2019 for the SSIWPA coordination contract.

The SSIWPA coordination contract was awarded to Shannon Cowan and the fully executed contract came into effect as of September 6, 2019.

A SSIWPA Steering Committee meeting has been called for Thursday October 3, 2019 at 10:00 am - 12:00 pm. Meetings of the steering committee are open to public observers and meeting location and agenda are posted on the SSIWPA website a week prior.

- Acting SSIWPA Chair, Laura Patrick and SSIWPA co-Chair, Gary Holman



DATE OF MEETING: October 1, 2019
TO: Salt Spring Island Local Trust Committee
FROM: Stefan Cermak, Regional Planning Manager
Salt Spring Island Team
SUBJECT: Development Approvals Information; Bylaw No. 175

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee endorse Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018 and refer it to Trust Council.

REPORT SUMMARY

This report presents the Salt Spring Island Local Trust Committee (SSI LTC) with a draft Development Approvals Information (DAI) Bylaw for endorsement and referral to Trust Council.

BACKGROUND

A DAI Bylaw is a land-use planning tool the SSI LTC can use to implement strategic policy – especially with respect to addressing the impact of proposed developments. A DAI Bylaw is an administrative bylaw that will enable the SSI LTC to require information from an applicant of a development permit, rezoning or temporary use permit, as to the impacts of the proposed developments. The aim of a DAI Bylaw is to establish a clear and transparent standard for the request of this information. Without a DAI Bylaw, this type of information is often still requested of applicants because it may be necessary for properly evaluating an application, but there is no clear and standard process and provision of such materials could be considered voluntary.

As noted below, in March 2013, Trust Council passed a resolution encouraging Local Trust Committees to consider a DAI bylaw. In accordance with the *Islands Trust Act* s. 29(3.1), a DAI bylaw is adopted by Trust Council on behalf of a Local Trust Committee.

Summarized below is a brief history of the process for advancing a Development Approvals Information (DAI) Bylaw for the SSI LTC:

- September 3, 2009 - The Salt Spring Local Trust Committee (SSI LTC) directed staff to provide advice regarding the merits of pursuing the Trust Council model Development Approval Information (DAI) Bylaw.
- November 5, 2009 - A draft DAI Bylaw was presented to SSI LTC.
- December 3, 2009, - SSI LTC passed a motion to give notice to Trust Council that it intends to forward a DAI for TC's consideration at its March 2010 meeting.
- February 4, 2010 – SSI LTC directed staff to continue work on the DAI Bylaw and to clarify the authority of the SSI LTC and report back March 4, 2010.
- March 4, 2010 – SSI LTC further discussed the draft DAI and requested additional information.

- April 2010 – further consideration of the draft DAI Bylaw was deferred.
- March, 2013 – Islands Trust Council passed a resolution encouraging LTCs to consider adoption of a DAI Bylaw.
- July 20, 2017 - The SSI LTC approved a project charter for preparation of a DAI Bylaw.
- September 2017 -the project was placed in abeyance pending staffing transition and resources. These issues have recently been mostly resolved.

ANALYSIS

Policy/Regulatory

In accordance with the *Islands Trust Act* s. 29(3.1), a DAI bylaw is adopted by Trust Council on behalf of a LTC. Trust Council Policy 2.1.viii (1998) Development Approvals Information Bylaw Procedures lays out Trust Council procedures for considering DAI Bylaws. A sample bylaw was also prepared at that time. The substantial elements of the Trust Council policy include the following:

- Each DAI bylaw may vary according to LTC needs.
- The criteria for Trust Council approval include financial, procedural and policy considerations.
- The LTC is responsible for initiating the creation of the bylaw.
- The purpose for the bylaw must be stated in the bylaw.
- The bylaw must be in the general form of the model bylaw.
- The assigned planner will prepare the substance of the bylaw.
- The LTC must give notice to Trust Council that it intends to forward a bylaw to it for adoption.
- Application for approval will be in the form of an RFD.
- Consideration by Trust Council will be at a regular quarterly meeting.
- The LTC may address Trust Council for a period not exceeding 5 minutes.
- If the bylaw is not approved it will be returned to the LTC with reasons.

Islands Trust Council has approved DAI bylaws for the following Local Trust Areas (hyperlinks are embedded):

- [Ballenas-Winchelsea Islands Local Trust Area](#) (2016)
- [Hornby Island](#) (2015)
- [Gabriola Island](#) (2014)
- [North Pender Island](#) (2009)
- [Denman Island](#) (1998);

Local Government Act (LGA)

The LGA (s. 484 and 485) enables a local government to establish a DAI bylaw in order to acquire information regarding the anticipated impact of a proposed development or activity on the community. These provisions are in addition to and complementary to those that address development permit area guidelines, particularly as set out in LGA s. 490 (2) (*“the authority under subsection (1) must be exercised only in accordance with the applicable guidelines specified under section 488 in an official community plan or zoning bylaw”*). Key benefits of a DAI bylaw are establishing authority for a local government to request information regarding anticipated

impacts and providing greater procedural clarity for an applicant by establishing more certainty and consistency in the content and nature of the reports needed to support a development application.

Key provisions of the Act are:

- If a local government wishes to adopt a DAI bylaw, the OCP must designate areas and describe the specific conditions or objectives that justify the designation.
- Development approval information may be required to support applications for zoning amendments, development permits, or temporary use permits. NOTE: the LGA does not authorize requiring DAI for development variance permits.
- A DAI bylaw can address the following matters but are not limited to: transportation patterns and traffic flow, infrastructure, public facilities, community services, and the natural environment.
- The bylaw must establish procedure and policies for requiring development approval information.
- The bylaw may establish that the SSI LTC would determine the scope of information required for each application. Alternatively it may authorize a public official(s) to require the development approval information and in doing so, the bylaw must establish procedures for reconsideration by the local government at no charge to the applicant.
- When an official is authorized to determine whether and to what extent development approval information is required, they must communicate the requirement to the applicant in writing within a timeframe specified in the bylaw (s. 10 of Draft Bylaw No. 175 – Attachment 1).
- An applicant may request that the SSI LTC reconsider the extent of development approval information required by an official.
- Development approval information is to be provided at the applicant's expense.
- A proposed activity or development that is a reviewable project under the *Environmental Assessment Act* is not required to provide development approval information.

The Local Government Act underwent major amendments (2015) including revisions to the sections dealing with the designation of development permit areas. It added three new purposes for which a development permit area can be designated (energy conservation, water conservation and reduction of GHG emissions). The SSI Official Community Plan (2008)(OCP) has not been updated to include DPAs designated for such purposes.

Islands Trust Policy Statement

A DAI bylaw is a land use planning tool that would support implementation of the Islands Trust Policy Statement.

Official Community Plan

Section G.1.4 of the SSI OCP (Attachment 2) establishes that the SSI LTC should consider a DAI bylaw. It also sets out the parameters for a development approval information bylaw as follows:

- Area designated – all of Salt Spring Island (Map 1, Plan Area)
- Applications to which DAI may be required - rezoning, development permit and temporary use permit applications
- Objective - ensure consistent and comprehensive information is obtained regarding the potential impacts of a proposed development on the:
 - environment
 - infrastructure and services

- energy efficiency and security
- local community

The OCP (Schedule “A”, Vol. 2) establishes the following development permit areas:

DPA	Objectives
DPA 1 - Island Villages	• Form and character • Protection from hazardous conditions
DPA 2 – Non-Village Commercial and Industrial	• Form and character • Protection of farming on adjacent lands
DPA 3 – Shoreline	• Form and character for commercial and industrial developments • Protection of the natural environment • Protection from hazardous conditions
DPA 4 – Lakes, Streams and Wetlands	• Protection of the natural environment
DPA 5 – Community Well Capture Zones	• Protection of the natural environment
DPA 6 – Unstable Slopes and Soil Erosion Hazards	• Protection from hazardous conditions • Protection of the natural environment
DPA 7 – Riparian Areas	• Protection of the natural environment, its ecosystems and biological diversity

OPTIONS

There are two main considerations that a local government must take into account when drafting a DAI bylaw:

- whether to authorize a public official to implement a DAI bylaw or else to implement the bylaw directly – i.e., the SSI LTC would make decisions for every development application regarding the extent of DAI an applicant would be required to provide
- whether to use a terms of reference approach for all types of development applications, including development permits or to provide more specific direction regarding information requirements.

Local Trust Committees that have adopted DAI bylaws, have delegated decision-making authority to an official and provide specific direction for development permit applications and terms of reference approaches for zoning and temporary use permit applications.

Draft Bylaw No.175 (Attachment 1) is based on the premise that the SSI LTC would authorize an official to implement the bylaw. This approach has been taken because it would be significantly more efficient and timely than having SSI LTC set out all the terms of the DAI requirements for specific applications. This is due to the following:

- Staff time and resource would still be required to prepare the terms of the DAI requirements for SSI LTC to consider when making a decision
- Additional staff time would be required to prepare the accompanying staff report
- SSI LTC meeting schedule results in lag-times for the applicant before a decision is made regarding specific DAI requirements
- Setting out the information requirements for development applications can require complex and nuanced discussions- it involves a process of negotiation based on the expectation that both parties act

in good faith and that information requirements are reasonable. Generally such discussions are more effectively and efficiently held between staff and the applicant rather than in a political context. The decision-making processes for development applications themselves – rather than information needed to assess potential impacts – offer opportunities for consideration of community and political concerns. As well, if the bylaw authorizes an official to implement the DAI bylaw, an applicant may request SSI LTC to reconsider the requirements as set out by the official.

Secondly, Draft Bylaw No. 175 sets out specific information requirements for development permit applications areas based on the objectives of the development permit area guidelines. This approach is favored by staff as it provides clarity with respect to information requirements and the quality standards that must be adhered to. Staff considers that a terms of reference approach is more appropriate for rezoning and temporary use permits applications because the range of considerations may be greater and should take into consideration any relevant OCP objectives, policies and guidelines. It is noted that s. 28 of the draft bylaw identifies the range of matters that the DAI report may address and s. 29 sets out the general content that the DAI report shall address.

Advantages and Disadvantages

A DAI bylaw provides numerous potential benefits:

- It is the legal mechanism for the SSI LTC to obtain information on the potential impacts of a proposed activity or development at the applicant's expense. This is especially pertinent for development permit applications where the SSI LTC has limited discretion in refusing an application. It may then be faced with approving an application with only limited understanding of potential impacts.
- A DAI bylaw provides increased certainty and consistency for applicants, staff and SSI LTC regarding the information required to assess the potential impact of a development proposal.
- Ensures that reports are provided by qualified consulting professionals or otherwise by persons with demonstrated appropriate experience and knowledge.
- Provides comfort to SSI LTC that reasonable precautions have been taken to identify potential impacts before making a decision on an application.
- Adoption of a DAI bylaw has the potential to increase the efficiency of the decision-making process because it relies upon a thorough identification of information needed to address anticipated impacts prior to an application proceeding and clear communication of those requirements to applicants early in the application process.

A DAI bylaw may also result in numerous potential disadvantages:

- Information required under a DAI to assess the potential impact of a proposal may be confused with that required to evaluate how well a DP application addresses specific DPA guidelines. Thus, implementation should involve a communications and education strategy. This is discussed later in the communications section of this report.
- The bylaw would need to address applications for a range of developments that vary in scale and scope and potential impacts. Applications for minor developments may have to provide costly reports that are not necessary. The draft DAI bylaw (s. 9) mitigates this possibility by allowing the authorized official to exercise discretion in requiring all of the information based on the specifics of an application. Section 24 of the draft bylaw also gives the official discretion in accepting submission of information from a person having different qualifications than those listed as consulting professionals provided they have demonstrated relevant experience and qualifications. Further, the Act requires that provision be

made for an applicant to request consideration by the SSI LTC of a request from an official regarding the extent of information required to support the application (see sections 11-15 of Draft Bylaw No. 175).

- Information required to support an application is to be identified early in the application process. Sometimes the need arises for additional information especially after consultation with other agencies and the public. The official may request additional information in such cases as per s.25 of the draft bylaw provided it is “reasonably required to comply with the bylaw”.
- Some applicants may be hesitant to provide impact information without some indication of a favourable income. However, this is a normal risk associated with making a development application.
- The DAI Bylaw may need to be amended and/or updated when amendments are made to the OCP or when the OCP is replaced with an updated version. This situation is a normal factor in administering bylaws that relate to one another.

Consultation

This is an administrative bylaw and so there is no requirement for a public hearing or formal notification or consultation. Nonetheless, to ensure that the bylaw is as clear as possible, Salt Spring Island planners, the Islands Trust hydrogeologist and several relevant professionals (ex: surveyor, hydrogeologist, geoscientist, biologist, etc) have been consulted regarding the content of the draft DAI Bylaw. The draft bylaw has also undergone a legal review. Numerous changes have been made based on the information received from the various stakeholders and legal comment.

COMMUNICATIONS

Implementing a DAI Bylaw should involve communications as to what the new process is, why it was developed, and how to manage or navigate it. To start this process, SSI staff have been educated on the bylaw and process both in 2017 when most of the work was done, and most recently leading up to this staff report. A draft checklist for DAI requirements for development permit applications was developed and is attached to this report for information purposes (Attachment 3). The checklist is being cross-referenced with work updating application forms to ensure clarity and consistency.

Further communications will involve updating the website, sending out information via subscribers notification, and inviting members of the land use development community members (builders, realtors, building inspectors etc) to a communication information meeting. Current key messages include:

- Implementing a DAI Bylaw introduces a new administrative process. The purpose of the bylaw is to add clarity and certainty for applicants, planners, and elected officials when considering potential impacts resulting from proposed rezoning applications, temporary use permits, and development permits.
- Information required in the DAI bylaw is distinct from information required to address DPA guidelines

RATIONALE

Staff recommend SSI LTC endorsement of the Draft DAI Bylaw for the following reasons:

DAI Bylaws are recommended by Trust Council

In March 2013, Islands Trust Council passed a resolution encouraging LTCs to consider adoption of a DAI Bylaw. The draft DAI bylaw is generally consistent with Trust Council Development Approvals Information Bylaws [Policy](#)

[2.1.8](#). More recently, on August 22, 2019, the Local Planning Committee of Trust Council requested staff to develop a draft model DAI bylaw.

A DAI Bylaw is recommend in Salt Spring Islands Official Community Plan

Trust Council DAI Bylaw No. 175 has been drafted in order to implement OCP policy G.1.4 (and similar policies) and to take advantage of the provisions of the *LGA* that allow a local government to require an applicant to provide information regarding the impact(s) of a development application.

A DAI Bylaw will improve application processing

Adoption of the bylaw will help clarify development application processes and information requirements and will help ensure greater consistency in the quality and content of information needed to evaluate the potential impacts of a proposed development. In the absence of a DAI bylaw, SSI LTC continues to run the risk of being challenged when requiring development impact information. Moreover, when information is provided, the SSI LTC continues to run the risk of debating the quality of information provided (especially for development permit applications).

NEXT STEPS

If the SSI LTC concurs with the recommendation, staff will forward Draft Bylaw No. 175 to Trust Council for consideration. Staff will continue in-house training and educate the land development community of the proposed bylaw and potential impacts.

Submitted By:	Stefan Cermak, Regional Planning Manager	September 20, 2019
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ATTACHMENTS

1. Draft SSI LTC DAI Bylaw No. 175, 2018
2. Salt Spring Island Official Community Plan Policies
3. Draft SSI LTC DAI Development Permit Checklist

**ISLANDS TRUST COUNCIL
BYLAW NO. 175**

**A Bylaw to Establish Policies and Procedures for Requiring Development Approvals Information for
the Salt Spring Island Local Trust Area**

WHEREAS the Salt Spring Island Local Trust Committee, pursuant to ss. 484 and 485 of the *Local Government Act*, has specified in an official community plan areas and circumstances for which development approval information may be required;

NOW THEREFORE the Islands Trust Council, pursuant to sections 486 of the *Local Government Act* and s. 29(3.1) of the *Islands Trust Act*, enacts as follows:

PART 1 TITLE

1. This bylaw may be cited for all purposes as "Salt Spring Island Local Trust Committee Development Approval Information Bylaw No. 175, 2018".

PART 2 PURPOSE

2. The purpose of this bylaw is to allow the Local Trust Committee to obtain information on the anticipated impact of proposed activities or development on the community.

PART 3 DEFINITIONS

3. In this Bylaw, the following definitions shall apply:

"Agriculture Impact Assessment" means an assessment and identification of potential impacts on agricultural activities or water supplies on the subject or adjacent land that are zoned for agriculture or located within the Agricultural Land Reserve (ALR), and includes a summary of the methodology used to assess pre-development conditions, potential post-development impacts as well as recommended mitigation measures.

"Business Day" means a day that is not Saturday or Sunday or a public holiday in the province of British Columbia.

"Conservation Assessment" means an evaluation to identify environmentally valuable features on or near the proposed development based on current best practices, such as, but not limited to, the "Resources Information Standards Committee Standards for Describing Terrestrial Ecosystems in the Field" and "Best Management Practices for Raptor Conservation during Urban and Rural Land Development in British Columbia."

"Development Application" means an application for:

- (a) Amendments to a bylaw of the Salt Spring Island Local Trust Committee enacted under section 479 of the *Local Government Act*;
 - (b) A development permit; or,
 - (c) A temporary use permit,
- if the activity or development that is the subject of the application is a circumstance or an area specified for the provision of development approval information in Salt Spring Island Official Community Plan Bylaw No. 434, 2008 (the "Official Community Plan")

“DAI Report” means a report that contains the information and assessments required for a decision on the approval of a *Development Application*.

“Impact Mitigation Measures” means recommended measures to limit, mitigate and manage the impacts of the proposed development on terrestrial, aquatic, and marine habitats, as well as geomorphic, hydrological and coastal processes, and includes a description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.

“Lighting Assessment” means an assessment and identification of lighting impacts due to spillage and includes a summary of the methodology for assessing pre-development light levels and for estimating post-development light impacts and recommended mitigation measures.

“Monitoring Requirements” means any recommended *monitoring requirements*, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.

“Noise Assessment” means an assessment and identification of noise generated by the proposed development, and includes a summary of the methodology used to measure pre-development noise levels and to estimate post-development noise levels impacts and recommended mitigation measures.

“Preliminary Water Supply Study” means a preliminary water supply study prepared by a professional (civil) engineer to assess whether sufficient groundwater supply is available through an approved well water license to support all water demand types for the proposed development in accordance with the requirements of the regional health authority. Where the total water demand for a proposed development exceeds approved groundwater supply, as set out in the provincial *Design Guidelines for Rural Residential Community Water Systems*, the preliminary water supply study shall:

- (a) Identify all proposed water sources;
- (b) Identify how each type of water demand will be serviced;
- (c) estimate the total number of occupants the available groundwater will support based on the sustainable yield of the well (as approved in the well water license) and use of supplementary water sources (e.g., greywater, rainwater); and
- (d) Estimate how many dwelling units the proposed water supply system would service based on occupancy rates consistent with the provincial *Design Guidelines for Rural Residential Community Water Systems* or the BC census.

“Professionally certified” means a professional certification by a Qualified Environmental Professional that they are qualified to carry out the assessment and that appropriate assessment methods have been followed in the preparation of a professional opinion in an evaluation and impact assessment report.

“Restoration Assessment” means an assessment with recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.

“Site Background Analysis” means a *site background analysis* that is based on applicable databases such as, but not limited to, the Species and Ecosystems Explorer Tool and the Sensitive Ecosystem Inventory from the Ministry of Environment, and the Wildlife Tree Stewardship Atlas from the Community Mapping Network, and includes a description of the context of the site, including the use of adjacent lands and proximity to protected areas and a check for water licenses, and the results from a site assessment for observed species and ecosystems at risk, and a site assessment for the presence of raptor and heron nests and the presence of fish-bearing watercourses.

“Site Impact Assessment” means an assessment of the nature and extent of the impact of the proposed development, in particular, anticipated impacts on identified site conditions, including but not limited to:

- (a) Marine
- (b) Aquatic habitat;
- (c) Terrestrial habitat;
- (d) Site hydrology;
- (e) Marine sediment transport;
- (f) Aquatic sediment transport; and,
- (g) Public access to and along the foreshore,

and includes impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area, and the identification of potential impacts on adjacent sites and proximate sensitive areas.

“Site Inventory” means a *site inventory* providing information on the following:

- (a) Existing plant communities;
- (b) Marine habitats;
- (c) Aquatic habitats;
- (d) Terrestrial habitat;
- (e) Current on-site and adjacent land uses;
- (f) Slope stability;
- (g) Erosional processes;
- (h) Hydrology;
- (i) Topography;
- (j) Aquatic sediment transport; and
- (k) Marine sediment transport.

The *site inventory* may require the involvement of several suitably qualified professionals.

“Site Plan” means *site plan* prepared by a BC land surveyor or other professional as approved by the officer, at an appropriate scale, delineating the proposed development and associated features, including:

- (a) Topographic features showing natural slope contours at appropriate contour intervals;
- (b) Significant natural features;
- (c) The development permit area boundary;
- (d) Current and proposed buildings, structures, signage, and all supporting infrastructure;
- (e) Roads, driveways, vehicular and bicycle parking areas, and loading areas;
- (f) Pedestrian pathways or sidewalks;

- (g) Proposed site grading and post development contours.

“Vegetation Assessment” means an assessment and identification of vegetative screening for adjoining lands, including agricultural land, parking lots, loading docks and service infrastructure; potential impacts to viewsheds of neighbouring properties, harbours and/or uplands, and includes a summary of the methodology used to assess pre-development conditions and for identifying post-development impacts and recommended mitigation measures.

“Watercourse Assessment” means an identification and assessment of any proposed changes to existing natural and human made watercourses, as well as potential drainage hazards to the surface and groundwater that may affect the subject site and neighbouring properties, and includes a summary of the methodology and the level of field work, statements demonstrating that pre and post development flows remain constant, inclusion of any off-site drainage hazards mitigation, and identification of maintenance requirements.

PART 4 APPLICATION

4. This Bylaw applies to all *Development Applications*, subject to the exceptions listed in this Bylaw.
5. Any application for an activity or development that is a reviewable project under the *Environmental Assessment Act* is exempted from this Bylaw.

PART 5 PROCEDURE

6. An official assigned from time to time to provide planning services to the Salt Spring Island Local Trust Committee is the official for the purposes of this bylaw.
7. Where a *DAI Report* is required, the information for the *DAI Report* shall be provided to the official by the applicant and at the applicant's cost.
8. The applicant shall provide the *DAI Report* to the official in the format specified by the official. The official may determine that all or part of the *DAI Report* shall be provided in digital form.
9. The official may, on a case-by-case basis and at their sole discretion, amend specific requirements for a particular *DAI Report*. Any amendments to the requirements for a particular *DAI Report* must be communicated by the official to the applicant in writing.
10. Within 30 *Business Days* of receipt of a complete application, the official shall determine to what extent a terms of reference and/or development approval information will be required in accordance with this bylaw and shall communicate the requirement to the applicant in writing.
11. An applicant may request that the Local Trust Committee reconsider a decision of an official under this bylaw within 30 *Business Days* of the date on which the official's decision is communicated to the applicant.

12. A request for reconsideration must be delivered in writing to the Legislative Clerk and must set out the grounds on which the applicant requests a reconsideration of a decision and what, if any, requirement the applicant considers the Local Trust Committee ought to substitute.
13. The Legislative Clerk must place each request for reconsideration on the agenda of the next meeting of the Local Trust Committee following the date on which the request for reconsideration was delivered, provided the request is received at least 10 *Business Days* prior to that meeting.
14. The Legislative Clerk must reasonably notify the applicant and any other person who the Legislative Clerk reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
15. At the meeting, the Local Trust Committee may either confirm the requirement or decision of the official or substitute its own requirement or decision.

PART 6 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

16. For *Development Applications* that require **construction of a water supply system**, including *Development Applications* under Part 7, the official may require a *Preliminary Water Supply Study*.
17. For *Development Applications* in respect of **Development Permit Area 1 – Island Villages**, as designated in the Official Community Plan and in accordance with sections 488 (1)(b), (c) and (f) of the *Local Government Act* for protection of development from hazardous conditions, protection of farming, and form and character of commercial, industrial or multi-family residential development, the *DAI Report* shall contain the following information:
 - (a) Description of the proposed development including illustrations drawn to an appropriate scale that show building siting, massing, scale and modulation.
 - (b) *Site Plan*
 - (c) *Noise Assessment*
 - (d) Solar Assessment, which is an assessment and identification of solar orientation or any obstructions of solar gain and includes a summary of the methodology used to assess the potential for solar gain and recommended mitigation measures, if needed.
 - (e) *Lighting Assessment*
 - (f) *Vegetation Assessment*
 - (g) *Agriculture Impact Assessment*
 - (h) For developments with greater than 280 m² of impervious surface, a *Watercourse Assessment*
 - (i) Viewshed Assessment, which is an identification of views of harbors and uplands from neighbouring properties and public roads and lands and an assessment of the impact of the proposed development on views
18. For *Development Applications* in respect of **Development Permit Area 2 – Non-Village Commercial and Industrial**, as designated in the Official Community Plan and in accordance with sections 488 (1)(c) and (f) of the *Local Government Act* for protection of farming, and form and character of commercial and industrial development, the *DAI Report* shall contain the following information:

- (a) Description of the proposed development including illustrations drawn to an appropriate scale that show building siting, massing, scale and modulation;
- (b) *Site Plan*;
- (c) *Vegetation Assessment*;
- (d) *Noise Assessment*;
- (e) *Agriculture Impact Assessment*;
- (f) *Lighting Assessment*;
- (g) *Watercourse Assessment*.

19. For *Development Applications* in respect of **Development Permit Area 3 – Shoreline**, as designated in the Official Community Plan and in accordance with sections 488 (1) (a), (b) and (f) of the *Local Government Act* for protection of natural environment, protection of development from hazardous conditions, and form and character of commercial and industrial development, the *DAI Report* shall contain the following information:

- (a) Description of the proposed development including information regarding construction, timing of development activity, lighting, signage, cut and fill, blasting, road or driveway construction, boat ramps, parking lots, vegetation clearing or trimming, dredging, alteration to underwater bathymetry, hydrological systems, shoreline stabilization works, bulkheads, alterations affecting the marine foreshore, sewage disposal system installation, landscaping, and non-toxic and inert construction materials;
- (b) *Site Plan*, with the following additional information included:
 - (i) Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended post-development conditions;
 - (ii) Existing and proposed clearances of piers from the natural boundary;
 - (iii) Dock clearances from the foreshore;
- (c) *Site Inventory*;
- (d) For land based developments, a *Site Background Analysis*;
- (e) *Conservation Assessment*;
- (f) *Site Impact Assessment*;
- (g) *Impact Mitigation Measures*;
- (h) *Monitoring Requirements*;
- (i) *Restoration Assessment*;
- (j) *Lighting Assessment*;
- (k) A description of how the proposed development will mitigate and adapt to potential impacts of climate change, including but not limited to sea level rise, storm surges and severe weather events.

20. For *Development Applications* in respect of **Development Permit Area 4 – Lakes, Streams, and Wetlands**, as designated in the Official Community Plan and in accordance with section 488 (1)(a) of the *Local Government Act* for protection of natural environment, the *DAI Report* shall contain the following information:

- (a) A description of the proposed development;
- (b) *Site Plan* that contains the following additional information that is based on a current legal survey:
 - (i) Location of existing and proposed sewage installation;
 - (ii) Location of the top of bank; and,

- (iii) Location of natural boundary of the lake(s), stream(s) and wetlands;
- (c) *Site Inventory*;
- (d) For land based developments, a *Site Background Analysis*;
- (e) *Conservation Assessment*;
- (f) *Site Impact Assessment*;
- (g) *Impact Mitigation Measures*;
- (h) *Monitoring Requirements*;
- (i) *Restoration Assessment*;
- (j) A *Professionally certified* opinion that, if the development is implemented as proposed, there will be no harmful alteration, disruption or destruction of environmentally valuable features, functions and conditions.

21. For applications in respect of **Development Permit Area 5 – Community Well Capture Zones**, as designated in the Official Community Plan and in accordance with section 488 (1)(a) of the *Local Government Act* for protection of natural environment, the *DAI Report* shall contain the following information:

- (a) A description of the proposed development;
- (b) A *Site Plan* that includes the following additional information:
 - (i) Location of sewage disposal system installations; and
 - (ii) Location of fuel tank installations;
- (c) Exposed soil management plan, which means an estimate of the amount of exposed bare soil and a stormwater management plan if more than 280 m² of bare soil is proposed to be exposed;
- (d) Groundwater impact assessment, which means an assessment of impacts to groundwater, and mitigation measures including a spill containment plan for non-residential buildings that propose to store materials that could impact groundwater.

22. For Development Applications with respect to Development Permit Area 6 – Unstable Slopes and Soil Erosion, as designated in the Official Community Plan and in accordance with sections 488 (1)(a) and (b) of the *Local Government Act* for protection of the natural environment and protection of development from hazardous geological conditions, the *DAI Report* shall contain the following information:

- (a) A *Site Plan* that contains the following additional information:
 - (i) An estimate of the area of bare soil resulting from vegetation removal; and
 - (ii) Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development;
- (b) A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, including the identification of trees to be removed that are greater than 20 cm diameter, alterations to hydrological systems, alterations affecting the marine foreshore, sewage disposal system installation, landscaping, or other land alteration during or after the development phase;
- (c) A geotechnical assessment, which means an assessment prepared by a professional engineer or geoscientist of potential geotechnical hazards that may affect the subject site and neighbouring properties including all issues related to site drainage, surface or deep seated soil slippage, rock fall hazards, seismic constraints, site clearing and vegetative retention, and includes a summary of the hazard analysis methodology and the level of field work;

- (d) An assessment of whether the proposed development would result in an accepted probability of a geotechnical hazard, accompanied by a supporting rationale;
- (e) Where an unacceptable level of hazard is identified, recommendations for measures to reduce hazards on the subject site and neighbouring properties;
- (f) Where applicable, the report must meet the Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia, May 2010, including submission of Schedule D (Landslide Assessment Assurance Statement); and,
- (g) *Monitoring Requirements*.

23. For *Development Applications* in respect of **Development Permit Area 7 – Riparian Areas**, as designated in the Official Community Plan and in accordance with section 488 (1)(a) of the *Local Government Act* for protection of the natural environment, the *DAI Report* shall contain the following information:

- (a) Description of the proposed development detailing construction methodology, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the watercourse, sewage disposal system installation, landscaping, or other land alteration during or after the development phase, as well as identification of alternative development option(s);
- (b) *Site Plan* that contains the following additional information:
 - (i) The locations of the top of bank and high water marks;
 - (ii) Streamside Protection and Enhancement Areas (SPEA) widths;
 - (iii) Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included.
- (c) *Site Inventory* that includes additional information about the biological function of the riparian zone, including species of fish that frequent the waterbody, stream magnitude and values of connected downstream habitat;
- (d) For any impacted streams, as defined under the *Riparian Areas Regulation*, an assessment of the nature and extent of the impact of the proposed development that includes the following information:
 - (i) The results of a riparian assessment using a detailed or simple assessment as indicated in the *Riparian Areas Regulation*, and establishing the SPEA width for the subject parcel as well as a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate, assessment and treatment of danger trees, windthrow, slope stability, tree protection during construction, encroachment, sediment and erosion control, as well as appropriate stormwater management techniques as a development-related measure.
- (e) *Monitoring Requirements* that contain the following additional information:
 - (i) Actions to ensure that all SPEA protective measures are implemented appropriately;
 - (ii) A monitoring schedule to ensure compliance can be assessed and to allow for modifications to occur, as appropriate, to ensure adequate protection of the SPEA; and,
 - (iii) A process for resolving any non-compliance.
- (f) *Restoration Assessment*;

(g) For any impacted streams, as defined under the *Riparian Areas Regulations* professionally certified opinion that, if the development is implemented as proposed:

- (i) There will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area; or,
- (ii) The measures identified in the *DAI Report* are adequate to protect fish life processes in the affected area from the development;
- (iii) If the streamside protection and enhancement areas identified in the *DAI Report* are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

24. Where a particular type of information is required for a *DAI Report*, as identified in sections 16 through 23 of this Bylaw, that information must be prepared by a consulting professional with qualifications listed in the table below, or as otherwise approved in writing by the official.

TYPE OF INFORMATION	CONSULTING PROFESSIONAL
Agriculture	- Agrologist (Registered with BC Institute of Agrologists)
Anthropological Study	- Post-graduate degree in anthropology
Archaeological Assessment	- Registered Professional Consulting Archaeologist (BC Association of Professional Archaeologists)
<i>Conservation Assessment</i>	- Registered Professional Biologist (College of Applied Biology)
Environmental Assessment	- Registered Professional Biologist (College of Applied Biology)
Geological Hazard	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC)
Groundwater Assessment	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC)
Heritage Assessment	- Registered Planning Professional (Planning Institute of BC) - Registered Architect or Architectural Technician (Architectural Institute of BC) - Full Member BC Association of Heritage Professionals
Landscape Plan	- Registered Landscape Architect (BC Society of Landscape Architects)
Land Use	- Register Professional Planner (Planning Institute of BC)
Legal Survey	- Land Surveyor (Registered with the Association of British Columbia Land Surveyors)
Raptor Nest	- Registered Professional Biologist (College of Applied Biology)

Riparian Areas	- Qualified Environmental Professional (Biologist, Agrologist, Forester, Geoscientist, Engineer, or Technologist registered with an appropriate BC professional association)
Sensitive Ecosystem	- Registered Professional Biologist (College of Applied Biology)
Sewage disposal system Systems	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Shoreline and Marine	- Geotechnical/hydrological and marine considerations; - Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC) - Biological/environmental considerations: - Registered Professional Biologist (College of Applied Biology)
Shoreline Stabilization	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC)
Site Background Analysis	- Registered Professional Biologist (College of Applied Biology)
Site Plan	- Land Surveyor (Registered with the Association of British Columbia Land Surveyors) - Professional Civil Engineer (Registered with Engineers and Geoscientists BC) - Registered Architect or Architectural Technician (Architectural Institute of BC)
Spill Containment	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Stormwater Drainage	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Traffic Impact Assessment	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC) - Transportation Planner (Post-graduate degree in urban planning or a related discipline)
Tree & Native Vegetation Protection	- Registered Professional Biologist (College of Applied Biology) - Registered Professional Forester (Association of BC Forest Professionals)

25. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the requirements of this Bylaw, either in scope, level of detail, accuracy or in any other respect, or does not address any particular information requirements that are identified in or arise from any applicable guidelines in the Official Community Plan, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the bylaw.

PART 7 TERMS OF REFERENCE

26. For a *Development Application* involving amendments to a bylaw of the Salt Spring Island Local Trust Committee enacted under s.479 of the *Local Government Act*, or a temporary use permit, the official may require an applicant to provide Terms of Reference for the preparation of the *DAI Report*.

27. Where Terms of Reference are required, the applicant shall provide to the official, Terms of Reference that consider the following information:
- (a) Information requirements identified in or that arise from any applicable objectives, policies and guidelines in the Official Community Plan;
 - (b) Information requirements specified in this bylaw;
 - (c) That the information in the *DAI Report* will be prepared by a person having professional expertise and relevant experience in the matters included in the Terms of Reference;
 - (d) The identity, qualifications and experience of the person or persons who the applicant proposes to engage to prepare the *DAI Report*;
 - (e) The date by which the *DAI Report* is to be provided to the official; and,
 - (f) The form and the number of copies in which the *DAI Report* will be provided.
28. Where Terms of Reference are required, the applicant shall provide to the official, Terms of Reference that identify the scope of the information that is to be prepared in the *DAI Report*, to the extent that the proposed activity or development can be reasonably expected to have an appreciable impact on any of the following matters:
- (a) The natural environment of the area affected, including sensitive ecosystems and the habitat of rare or threatened species, including surrounding terrestrial, marine or freshwater habitats impacted by the development activity;
 - (b) Hazards, including geological, flood, stormwater, and wildfire hazards;
 - (c) Greenhouse gas emissions, climate change impacts, anticipated energy usage, and carbon emissions;
 - (d) Freshwater resources, including groundwater;
 - (e) Local infrastructure, including highways, ferry, water supply and sewage systems, fire protection systems, solid waste disposal and recycling facilities, utilities, local parking facilities and any other affected public infrastructure;
 - (f) Local public or community facilities;
 - (g) Local commercial services;
 - (h) Supply and demand for local commercial space;
 - (i) Local and off-island employment opportunities;
 - (j) Affordable and seniors housing needs;
 - (k) Agricultural reserve lands and agricultural and forestry uses in the vicinity of the development;
 - (l) Cultural heritage resources including resources of historical, cultural, archaeological, paleontological or architectural significance whether on land or underwater; and
 - (m) Aesthetic values including the visual appearance of the development from adjacent properties, public lands, or the sea, and the effect of any artificial lighting proposed
 - (n) The use or enjoyment of residential property.
29. For every matter within the scope of section 28 of this Bylaw that is included in the Terms of Reference, the applicant shall:
- (a) Identify relevant baseline information for existing conditions and document the nature of the resource or other matter on which the proposed activity or development may have an impact;

- (b) Identify and describe the potential and likely impacts of the activity or development, including any cumulative effects when combined with other projects proposed or under development;
 - (c) Evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated;
 - (d) Make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimized or avoided; and
 - (e) Make recommendations as to measures that may restore or enhance natural functions or features that have been damaged or degraded prior to development or that would be impacted by the proposed development, all in accordance with generally accepted impact assessment methodology.
- 30. The applicant may include in the Terms of Reference any additional matter that the applicant considers information that ought to be provided to the Local Trust Committee to permit a full understanding of the impact of the proposed activity or development on the island community affected.
- 31. The official may require that the Terms of Reference or a *DAI Report* provide additional information on the relationship between the proposed activity or development, and
 - (a) The object of the Islands Trust set out in the *Islands Trust Act*;
 - (b) The Islands Trust Policy Statement;
 - (c) The Regional Conservation Plan; and,
 - (d) In the case of a proposed amendment to a bylaw enacted under s. 479, the Official Community Plan of the Local Trust Committee.
- 32. Within 20 *Business Days* of receipt of the Terms of Reference, the official must indicate in writing to the applicant that
 - (a) The Terms of Reference submitted by the applicant are acceptable;
 - (b) The Terms of Reference submitted by the applicant are acceptable if additional matters specified by the official and within the scope of section 26 of this bylaw are included;
 - (c) The Terms of Reference submitted by the applicant are acceptable if a person other than one who has been proposed by the applicant in the Terms of Reference, whose selection has been approved in writing by the official, prepares the impact information; or,
 - (d) The Terms of Reference are unacceptable and must be replaced by the applicant.
- 33. For the purposes of section 28(b), when accepting Terms of Reference the official may advise the applicant of other projects proposed or under development in the area that may be affected by the applicant's proposed activity or development.
- 34. If the official does not provide information pursuant to section 32 within 20 *Business Days*, the official is deemed to have accepted the proposed Terms of Reference.
- 35. Upon receipt of notice accepting the Terms of Reference, or where the Terms of Reference have been deemed to be accepted, the applicant must prepare, at its sole expense, the impact

information in accordance with the accepted Terms of Reference and must provide it to the official within the time specified in the Terms of Reference.

36. If Terms of Reference approved under section 32 specifies professional expertise in the preparation of impact information, prior to authorizing the preparation of the information by any person, the applicant must deliver to the official information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information, unless that information was included in the approved Terms of Reference.
37. Within 10 *Business Days* of receipt of the information pursuant to section 36, the official must advise the applicant whether the proposed person is acceptable. If the proposed person is not acceptable, the official must advise the applicant in writing of the reason and may propose one or more alternative acceptable persons. If such advice is not provided by the end of the tenth day, the official is deemed to have accepted the proposed person.
38. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the Terms of Reference, either in scope, level of detail, accuracy or in any other respect, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the Terms of Reference.

PART 8 INDEPENDENT REVIEW

39. If the official considers that the impact information provided by the applicant, or any portion of it, requires an independent review prior to being considered by the Local Trust Committee, the official may require the applicant to provide such a review of the information including the methodology used in its preparation.
40. The official may specify that the independent review be conducted by a member of the relevant professional association and may specify terms of reference for the review.
41. The applicant must arrange for the independent review to be conducted and submitted in writing to the official, at the applicant's expense, and within the time specified by the official.

PART 9 PROPRIETARY RIGHTS IN INFORMATION

42. The information that is provided to the official pursuant to this bylaw is required by the Local Trust Committee in the exercise of its powers under the *Local Government Act* and the *Islands Trust Act*. Every report or other document provided to the official pursuant to this bylaw must accordingly contain an express grant of permission to the Islands Trust to use and reproduce the information contained in the report or other document for non-commercial purposes.

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.

Secretary

Chair

DRAFT

ATTACHMENT 2 – POLICIES

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN

OCP Objective/Policy	
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.
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.
A.7.2.10	The Local Trust Committee should develop improved methods of determining and assessing the impact potential hazards to development when considering relevant applications, including requiring development approval information as designated and specified in s. G.1.4.
A.8.2.14	The Local Trust Committee should, in cooperation with First Nations and other agencies, develop improved methods of determining and assessing impacts on potential archaeological sites, or other First Nations cultural sites, when it is considering land use applications and referrals. The Local Trust Committee should obtain comprehensive development approval information as provided for in s. G.1.4.
D.3.3	Areas where the Local Trust Committee could consider issuing Temporary Commercial and Industrial Use Permits and adopting a Development Approval Information Bylaw are identified in Part G
G.1.4.1	The Plan Area, as described in 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 application.
G.1.4.2	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.1.4.3	The Local Trust Committee should consider a development approval information bylaw, and forward such a bylaw to the Trust Council for adoption, as required by s.29(3.1) of the <i>Islands Trust Act</i> .

Salt Spring Island Local Trust Committee

Development Approvals Information Checklist for

Development Permit Area Applications

Salt Spring Island Local Trust Committee Development Application Information (DAI) Bylaw No.175 sets out information required to assess anticipated impacts of proposed development or activities on the community pursuant to section 486 of the *Local Government Act*. The attached checklists are intended to assist consulting professionals in submitting complete and relevant reports for a Development Permit (DP) application. A completed checklist(s) for each relevant Development Permit Area should be submitted to the Islands Trust along with all professional reports. In addition, the applicant should refer to the Islands Trust website to ensure that all information as set out in the [application guide](#) for DPs and that is required to address the [DPA Guidelines](#) is provided in full at the time of application.

INSTRUCTIONS

Applicants are encouraged to meet with an Islands Trust planner prior to submitting a DP application to review information requirements for the proposal. Applicants should ensure that:

1. All relevant information is submitted with the application.
2. The relevant checklist(s) is provided to all their consulting professionals
3. A completed checklist is submitted with the professional reports
4. If not all information is provided in the report or with the application, that the professional has consulted with, and obtained prior approval, of the Islands Trust.

Consulting Professionals:

1. Complete and attach the relevant checklist(s) to your professional report indicating that the report has addressed all relevant development approval information requirements.
2. Where a site is designated within two or more DPAs, all relevant checklists should be completed.
3. Where the professional is of the opinion that because of the nature of the site or the development proposal specific information is not relevant, the professional should:
 - a. Contact the planner as early as possible and consult on the need for the particular information;
 - b. Describe clearly in the report why the particular information is not relevant; and
 - c. Indicate on the checklist that the information is not applicable (N/A)

The determination of whether and/or to what extent specific development approval information is required is at the discretion of the Islands Trust official. If the applicant disagrees with the official's decision, they may request the Local Trust Committee (LTC) to reconsider the decision of the official within 30 business days of the date on which the decision was communicated to the applicant.

Note: Failure to provide complete information without prior consultation with and the approval of the Islands Trust may result in delays in processing an application or requirements for additional information.

File
No: _____

ALL DEVELOPMENT PERMIT AREAS

Water Supply

In addition to the information requirements set out for each development permit area, the following information may also be required:

1. For development permits that require construction of a water supply system, a preliminary water study prepared by a professional engineer (civil) shall be submitted that confirms a sufficient groundwater supply is available through an approved well water license to support all water demand types for the proposal in accordance with the requirements of the regional health authority.
2. Where total water demand as set out in the provincial Ministry of Forests, Land, Natural Resource Operations and Rural Development (MFLNRORD) *Design Guidelines for Rural Residential Community Water Systems, 2012* (*Design Guidelines*) exceeds approved groundwater supply, the preliminary water study shall:
 - (a) identify all proposed water sources
 - (b) identify how each type of water demand will be serviced
 - (c) estimate the total number of occupants the available groundwater will support based on the sustainable yield of the well (as approved in the well water license) and use of supplementary water sources (e.g., greywater, rainwater)
 - (d) estimate how many dwelling units the proposed water supply system would service based on occupancy rates consistent with the *Design Guidelines* and/or the BC Census for Salt Spring Island.

FORM AND CHARACTER DEVELOPMENT PERMIT AREAS (DPAs ONE to TWO)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, delineating the proposed development and associated features and containing the following:		
	▪ The development permit area boundary		
	▪ Existing and proposed buildings and structures		
	▪ Existing and proposed roads and driveways		
	▪ Existing and proposed sidewalks, bike paths and walking paths		
	▪ Topographic features including natural slope contours at 1-5 m intervals		
	▪ Significant natural features, including vegetation		
	▪ Proposed site grading and post development contours		
Development Proposal	A description of the proposed development including professionally prepared illustrations that depict the streetscape, building siting, massing, scale and modulation, signage, lighting, and materials list for exterior building finishes.		
Noise Impact Assessment	Identification and of assessment noise generated by the proposed development, and includes a summary of the methodology used to measure pre-development noise levels and to estimate post-development noise levels impacts and recommended mitigation measures.		
Lighting Impact Assessment	Identification and assessment of lighting impacts due to spillage and includes a summary of the methodology for assessing pre-development light levels and for estimating post-development light impacts and recommended mitigation measures.		
Agricultural Impact Assessment	Identification and assessment of potential impacts on agricultural activities or water supplies on adjacent land that is zoned for agriculture or located within the Agricultural Land Reserve (ALR), and includes a summary of the methodology used to assess pre-development conditions, potential post-development impacts as well as recommended mitigation measures.		
Watercourse Impact Assessment	Assessment of the following:		
	▪ any proposed changes to existing natural and human made watercourses		
	▪ potential drainage hazards to the surface and groundwater that may affect the subject site and neighbouring properties		
	▪ a summary of the methodology and the level of field		

FORM AND CHARACTER DEVELOPMENT PERMIT AREAS (DPAs ONE to TWO)			Office Use only
	Information and Documentation Required	✓	
	work		
	statements demonstrating that pre and post development flows remain constant		
	inclusion of any off-site drainage hazards mitigation; and		
	identification of maintenance requirements.		
Viewshed Assessment	Identification of pre-development views of harbours and uplands from neighbouring properties and public roads and lands		
	Illustrations of post-development views of harbours and uplands from neighbouring properties and public roads and lands		
Identify Opportunities	A description of all recommended measures to optimize opportunities to:		
	improve vehicular, bicycle and pedestrian connectivity and access to shorelines, parklands, institutions and services		
	capture solar energy		
Mitigation Measures	A description of all recommended measures to limit, mitigate and manage potential negative impacts of the proposed development on neighbouring properties.		
Monitoring	Recommended monitoring and maintenance requirements to address potential off-site drainage hazards.		

SHORELINE DEVELOPMENT PERMIT AREA (DPA3)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, delineating the proposed development and associated features and containing the following:		
	▪ The development permit area boundary		
	▪ Existing and proposed buildings and structures		
	▪ Existing and proposed roads and driveways		
	▪ Existing and proposed pedestrian pathways and sidewalks		
	▪ Location of existing and proposed sewage installations		
	▪ Topographic features including natural slope contours at 1-5 m intervals		
	▪ Significant natural features identified in the site inventory		
	▪ Proposed site grading and post development contours		
	▪ Existing and proposed clearances of piers from the natural boundary		
	▪ Dock clearances from the foreshore		
Development Proposal	Description of the proposed development including information regarding:		
	▪ construction		
	▪ timing of development activity		
	▪ lighting		
	▪ signage		
	▪ cut and fill		
	▪ blasting		
	▪ road or driveway construction		
	▪ boat ramps		
	▪ parking lots		
	▪ vegetation clearing or trimming		
	▪ dredging		
	▪ alteration to underwater bathymetry		
	▪ hydrological systems		
	▪ shoreline stabilization works		
	▪ bulkheads		
	▪ alterations affecting the marine foreshore		
	▪ sewage disposal system installation		
	▪ landscaping		
▪ non-toxic and inert construction materials.			
Development			

SHORELINE DEVELOPMENT PERMIT AREA (DPA3)			Office Use only
	Information and Documentation Required	✓	
Proposal			
Site Inventory	A site inventory providing information on the ecosystem classification, based on current best practices, providing information on:		
	▪ existing plant communities		
	▪ marine, aquatic and terrestrial habitats		
	▪ sensitive ecosystems		
	▪ nesting trees		
	▪ the presence of rare species and rare plant communities		
	▪ current on-site and adjacent land uses		
	▪ slope stability		
	▪ erosional processes		
	▪ hydrology and flood potential		
	▪ topography		
	▪ aquatic sediment transport		
	▪ marine sediment transport		
Site Background Analysis	For land based developments, a site background analysis based on applicable databases such as, but not limited to, the Species and Ecosystems Explorer Tool and the Sensitive Ecosystem Inventory from the Ministry of Environment, and the Wildlife Tree Stewardship Atlas from the Community Mapping Network. Including:		
	▪ a description of the context of the site, including the use of adjacent lands and proximity to protected areas		
	▪ a check for water licenses		
	▪ the results from a site assessment for observed species and ecosystems at risk,		
	▪ a site assessment for the presence of raptor and heron nests and the presence of fish-bearing watercourses		
Conservation Assessment	A conservation assessment that identifies environmentally valuable features on or near the proposed development. The evaluation should be based on current best practices, such as the based on current best practices, such as, but not limited to, the "Resources Information Standards Committee Standards for Describing Terrestrial Ecosystems in the Field" and "Best Management Practices for Raptor Conservation during Urban and Rural Land Development in British Columbia."		
Site Impact Assessment	An assessment of the nature and extent of the impact of the proposed development, consisting of, but not limited to, anticipated impacts on the following:		

SHORELINE DEVELOPMENT PERMIT AREA (DPA3)			Office Use only
	Information and Documentation Required	✓	
	▪ Sensitive ecosystems (marine, aquatic and/or terrestrial) ▪ Rare plant communities ▪ Rare species habitat ▪ Site hydrology ▪ Public access to and along the foreshore		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development on adjacent site and proximate sensitive areas		
Lighting Impact Assessment	An assessment and identification of lighting impacts due to spillage and includes a summary of the methodology for assessing pre-development light levels and for estimating post-development light impacts and recommended mitigation measures.		
Impact Mitigation Measures	A description of all recommended measures to limit, mitigate and manage the impacts of the development on environmentally valuable features (terrestrial, marine and/or aquatic), and on geomorphic, hydrological and coastal processes.		
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.		
Restoration Assessment	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		
Monitoring Requirements	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, a monitoring schedule and a process for resolving any non-compliance		
Climate Change Adaptation and Mitigation	A description of how the development will mitigate and adapt to the anticipated impacts of climate change such as sea level rise, increased frequency of severe weather events and associated impacts such as flooding and drought.		

LAKES, STREAMS AND WETLANDS DEVELOPMENT PERMIT AREA (DPA4)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, delineating the proposed development and associated features and containing the following:		
	▪ the development permit area boundary		
	▪ existing and proposed buildings and structures		
	▪ existing and proposed roads and driveways		
	▪ existing and proposed pedestrian pathways and sidewalks		
	▪ location of existing and proposed sewage installations		
	▪ topographic features including natural slope contours at 1-5 m intervals		
	▪ significant natural features identified in the site inventory		
	▪ proposed site grading and post development contours		
	▪ location of top of bank		
	▪ location of natural boundary of lake(s), stream(s) and wetlands		
Development Proposal	Description of the proposed development including information regarding:		
	▪ construction		
	▪ timing of development activity		
	▪ lighting		
	▪ signage		
	▪ cut and fill		
	▪ blasting		
	▪ road or driveway construction		
	▪ boat ramps		
	▪ parking lots		
	▪ vegetation clearing or trimming		
	▪ dredging		
	▪ alteration to underwater bathymetry		
	▪ hydrological systems		
	▪ shoreline stabilization works		
	▪ bulkheads		
	▪ alterations affecting the foreshore		
	▪ sewage disposal system installation		
	▪ landscaping		
▪ non-toxic and inert construction materials.			

LAKES, STREAMS AND WETLANDS DEVELOPMENT PERMIT AREA (DPA4)			Office Use only
	Information and Documentation Required	✓	
Site Inventory	A site inventory providing information on the ecosystem classification, based on current best practices, providing information on:		
	▪ existing plant communities		
	▪ aquatic and terrestrial habitats		
	▪ sensitive ecosystems		
	▪ nesting trees		
	▪ the presence of rare species and rare plant communities		
	▪ current on-site and adjacent land uses		
	▪ slope stability		
	▪ erosional processes		
	▪ hydrology and flood potential		
	▪ topography		
	▪ aquatic sediment transport		
Site Background Analysis	For land based developments, a site background analysis based on applicable databases such as, but not limited to, the Species and Ecosystems Explorer Tool and the Sensitive Ecosystem Inventory from the Ministry of Environment, and the Wildlife Tree Stewardship Atlas from the Community Mapping Network. Including:		
	▪ a description of the context of the site, including the use of adjacent lands and proximity to protected areas		
	▪ a check for water licenses		
	▪ the results from a site assessment for observed species and ecosystems at risk		
	▪ a site assessment for the presence of raptor and heron nests and the presence of fish-bearing watercourses		
Conservation Assessment	A conservation assessment that identifies environmentally valuable features on or near the proposed development. The evaluation should be based on current best practices, such as the based on current best practices, such as, but not limited to, the “Resources Information Standards Committee Standards for Describing Terrestrial Ecosystems in the Field” and “Best Management Practices for Raptor Conservation during Urban and Rural Land Development in British Columbia.”		
Site Impact Assessment	An assessment of the nature and extent of the impact of the proposed development, consisting of, but not limited to, anticipated impacts on the following:		
	▪ Water quality		
	▪ Sensitive ecosystems (aquatic and/or terrestrial)		

LAKES, STREAMS AND WETLANDS DEVELOPMENT PERMIT AREA (DPA4)			Office Use only
	Information and Documentation Required	✓	
	▪ Rare plant communities		
	▪ Rare species habitat		
	▪ Site hydrology and natural drainage flows		
	▪ Erosion		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development on adjacent site and proximate sensitive areas.		
Impact Mitigation Measures	A description of all recommended measures to limit, mitigate and manage the impacts of the development on environmentally valuable features (terrestrial and/or aquatic), and on geomorphic and hydrological processes.		
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.		
Monitoring Requirements	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, a monitoring schedule and a process for resolving any non-compliance.		
Restoration Assessment	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.		
Professional Opinion	Professionally certified opinion that if the development is implemented as proposed, there will be no harmful alteration, disruption or destruction of environmentally valuable features, functions and conditions.		

COMMUNITY WELL CAPTURE ZONE DEVELOPMENT PERMIT AREA (DPA 5)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, delineating the proposed development and associated features and containing the following:		
	▪ The development permit area boundary		
	▪ Existing and proposed buildings and structures		
	▪ Existing and proposed roads and driveways		
	▪ Existing and proposed pedestrian pathways and sidewalks		
	▪ Location of existing and proposed sewage disposal installations		
	▪ Topographic features including natural slope contours at 1-5 m intervals		
	▪ Proposed site grading and post development contours		
	▪ Significant natural features identified in the site inventory		
	▪ Fuel tank installation		
Development Proposal	Description of the proposed development including information regarding:		
	▪ construction		
	▪ timing of development activity		
	▪ cut and fill		
	▪ blasting		
	▪ road or driveway construction		
	▪ parking lots		
	▪ vegetation clearing or trimming		
	▪ dredging		
	▪ hydrological systems		
	▪ sewage disposal system installation		
	▪ landscaping		
	▪ non-toxic and inert construction materials.		
	For developments where more than 280 m ² of bare soil will be exposed, an exposed bare soil management plan and stormwater management plan are required.		
Groundwater Impact Assessment	An assessment of impacts to groundwater should identify impacts stemming from the construction phase and the intended long-term use of the site.		
Impact Mitigation	A description of all recommended measures to limit, mitigate and manage the impacts of the development on		

COMMUNITY WELL CAPTURE ZONE DEVELOPMENT PERMIT AREA (DPA 5)			Office Use only
	Information and Documentation Required	✓	
Measures	groundwater including a spill containment plan for non-residential buildings that propose to store materials that could impact groundwater.		
Monitoring Requirements	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, a monitoring schedule and a process for resolving any non-compliance.		

UNSTABLE SLOPES AND SOIL EROSION DEVELOPMENT PERMIT AREA (DPA 6)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, delineating the proposed development and associated features and containing the following:		
	▪ The development permit area boundary		
	▪ Existing and proposed buildings and structures		
	▪ Existing and proposed roads and driveways		
	▪ Existing and proposed pedestrian pathways and sidewalks		
	▪ Topographic features including natural slope contours at 1-5 m intervals		
	▪ Significant natural features identified in the site inventory		
	▪ Proposed site grading and post development contours		
	▪ An estimate of the area of bare soil resulting from vegetation removal		
	▪ Profiles and cross-sections demonstrating terrain conditions prior to disturbance and intended conditions post development		
	▪ Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended post-development conditions.		
Development Proposal	Description of the proposed development including information regarding:		
	▪ construction		
	▪ cut and fill		
	▪ blasting		
	▪ road or driveway construction		
	▪ parking lots		
	▪ vegetation clearing including identification of trees to be removed that are greater than 20 cm diameter,		
	▪ alteration to hydrological systems		
	▪ alterations affecting the marine foreshore		
	▪ sewage disposal system installation		
	▪ landscaping or other land alteration during or after the development phase.		
Geotechnical Assessment	An assessment prepared by a professional engineer or geoscientist of potential geotechnical hazards that may affect the subject site and neighbouring properties including all issues related to:		
	▪ site drainage		

UNSTABLE SLOPES AND SOIL EROSION DEVELOPMENT PERMIT AREA (DPA 6)			Office Use only
	Information and Documentation Required	✓	
	▪ surface or deep seated soil slippage		
	▪ rock fall hazards		
	▪ seismic constraints		
	▪ site clearing and vegetative retention		
	▪ a summary of the hazard analysis methodology and the level of field work		
	▪ whether the proposed development would result in an accepted probability of a geotechnical hazard, accompanied by a supporting rationale.		
Impact Mitigation Measures	Where an unacceptable level of geotechnical hazard is identified, recommendations for measures to reduce hazards on the subject site and neighbouring properties.		
Monitoring Requirements	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, a monitoring schedule and a process for resolving any non-compliance.		

OFFICE USE ONLY

**File
No:** _____

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 7)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, delineating the proposed development and associated features and containing the following:		
	▪ The development permit area boundary		
	▪ Existing and proposed buildings and structures		
	▪ Existing and proposed roads and driveways		
	▪ Existing and proposed sidewalks, bike paths and walking paths		
	▪ Topographic features including natural slope contours at 1-5 m intervals		
	▪ Significant natural features, including vegetation		
	▪ Proposed site grading and post development contours		
	▪ Top of bank and high water mark locations		
	▪ Streamside Protection and Enhancement Area (SPEA) widths		
	▪ Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included.		
Development Proposal	Description of the proposed development detailing:		
	▪ construction methodology		
	▪ cut and fill		
	▪ blasting		
	▪ road or driveway construction		
	▪ vegetation clearing		
	▪ alteration to hydrological systems		
	▪ alterations affecting the watercourse		
	▪ sewage disposal system installation		
	▪ landscaping, or other land alteration during or after the development phase		
	▪ identification of alternative development option(s).		
Site Inventory	A site inventory providing information on the ecosystem classification, based on current best practices, providing information on:		
	▪ existing plant communities		
	▪ aquatic and terrestrial habitats		
	▪ sensitive ecosystems		

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 7)			Office Use only
	Information and Documentation Required	✓	
	▪ nesting trees		
	▪ the presence of rare species and rare plant communities		
	▪ current on-site and adjacent land uses		
	▪ slope stability		
	▪ erosional processes		
	▪ hydrology and flood potential		
	▪ topography		
	▪ aquatic sediment transport		
	▪ the biological function of the riparian zone, including species of fish that frequent the waterbody		
	▪ stream magnitude		
	▪ values of connected downstream habitat.		
Riparian Area Impact Assessment	An assessment of the nature and extent of the impact of the proposed development that includes the following information:		
	▪ the results of a riparian assessment using a detailed or simple assessment as indicated in the Riparian Areas Regulation		
	▪ establishment of the SPEA width for the subject parcel		
	For any impacted streams, as defined under the <i>Riparian Areas Regulation</i> , a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate, assessment and treatment of:		
	▪ danger trees		
	▪ windthrow		
	▪ slope stability		
	▪ tree protection during construction		
	▪ encroachment, sediment and erosion control		
	▪ appropriate stormwater management techniques as a development-related measure.		
	For watercourses that do not meet the definition of a stream under the <i>Riparian Areas Regulation</i> , an assessment of anticipated impacts on: the biological function of riparian habitat and features, the watercourse, and site hydrology that includes the following information:		
	▪ impacts stemming from the construction phase		
	▪ the intended long-term use of the site		
	▪ any cumulative impacts of development		
Impact Mitigation	Recommendations of measures to limit, mitigate and manage the impacts of proposed development on the biological function of riparian habitat, the watercourse, and site hydrology.		

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 7)			Office Use only
	Information and Documentation Required	✓	
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all SPEA protective measures are implemented appropriately, including a monitoring schedule and process for resolving any non-compliance.		
Restoration Assessment	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.		
Certification	Professional certification by a Qualified Environmental Professional preparing the report that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and provides his or her professional opinion that:		
	if the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or		
	if the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.		

CREDENTIALS

DAI Bylaw No. 175 establishes that consulting professionals must be credentialed as set out in the following table. The Islands Trust official may vary these requirements on a case by case basis at their sole discretion.

TYPE OF INFORMATION	CONSULTING PROFESSIONAL
Agriculture	Agrologist (Registered with BC Institute of Agrologists)
Anthropological Study	Post-graduate degree in anthropology
Archaeological Assessment	Registered Professional Consulting Archaeologist (BC Association of Professional Archaeologists)
Conservation Assessment	Registered Professional Biologist (College of Applied Biology)
Environmental Assessment	Registered Professional Biologist (College of Applied Biology)
Geological Hazard	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC)
Groundwater Assessment	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC)

Heritage Assessment	- Registered Planning Professional (Planning Institute of BC) - Registered Architect or Architectural Technician (Architectural Institute of BC) - Full Member BC Association of Heritage Professionals
Landscape Plan	Registered Landscape Architect (BC Society of Landscape Architects)
Land Use	Register Professional Planner (Planning Institute of BC)
Legal Survey	Land Surveyor (Registered with the Association of British Columbia Land Surveyors)
Raptor Nest	Registered Professional Biologist (College of Applied Biology)
Riparian Areas	Qualified Environmental Professional (Biologist, Agrologist, Forester, Geoscientist, Engineer, or Technologist registered with an appropriate BC professional association)
Sensitive Ecosystem	Registered Professional Biologist (College of Applied Biology)
Sewage disposal system Systems	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC) - Registered Onsite Waste Water Practitioner
Shoreline and Marine	- Geotechnical/hydrological and marine considerations; - Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC) - Biological/environmental considerations: - Registered Professional Biologist (College of Applied Biology)
Shoreline Stabilization	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist
Site Background Analysis	Registered Professional Biologist (College of Applied Biology)
Site Plan	- Land Surveyor (Registered with the Association of British Columbia Land Surveyors) - Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Spill Containment	Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Stormwater Drainage	Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Traffic Impact Assessment	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC) - Transportation Planner (Post-graduate degree in urban planning or a related discipline)
Tree & Native Vegetation Protection	- Registered Professional Biologist (College of Applied Biology) - Registered Professional Forester (Association of BC Forest Professionals)

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

DATE OF MEETING: October 1, 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 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.
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 to remove all properties adjacent to water bodies in the Shoreline Conservation (SC) designation of the Salt Spring Island Official Community Plan.
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 amended to prohibit the use of cottages for full-time residential rental on properties that contain a secondary suite.
4. 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.
5. 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.
6. 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.

REPORT SUMMARY

The “Affordable Rental Housing Cottages” project enables the establishment of approximately 400 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 2).

This staff report follows consideration of Bylaw 512 by the LTC at its regular meeting of April 20, 2019, as well as a number of community consultation initiatives. At its April meeting, the LTC amended Bylaw 512 to ensure that existing Residential 7 (R7) and Rural Upland 1 (RU1) zoned properties proposed for inclusion in Bylaw 512 were

zoned appropriately and that all properties included in the bylaw met the minimum lot area requirement to accommodate a seasonal cottage.

This staff report recommends a number of amendments to Bylaw No. 512 that will help the bylaw maintain consistency with OCP Policy B.2.2.2.16.

BACKGROUND

At its regular meeting of April 20, 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-2019-83

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee rescind second reading of Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018”.

CARRIED

SS-2019-84

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 512, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2018” be amended as attached to this staff report, dated April 30, 2019.

CARRIED

SS-2019-85

It was MOVED and SECONDED,

that the 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.

CARRIED

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

ANALYSIS

Policy/Regulatory

Potable Water

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:

- a. Full time residence of cottages should only be allowed in areas with an adequate supply of potable water.”

On the basis of the foregoing policy, properties within the Island’s community water systems (North Salt Spring Waterworks District, Beddis Water System, etc) have been excluded from Bylaw No. 512. Upon bylaw referral, the North Salt Spring Waterworks District indicated that they had insufficient water to accommodate increased density in their service areas. The Capital Regional District indicated that water systems under its management would require a build-out assessment to determine their position on increased residential density. Out of caution, planning staff removed all community water system areas from consideration. Doing so means that full-

time rental cottages included in the Bylaw No. 512 area would have to be serviced by either groundwater, private surface water license, or rainwater catchment.

However, online survey responses and other correspondence received by the LTC suggests that there is concern about approving increased residential density in areas where there is insufficient available groundwater information. Anecdotal evidence suggests that there may already be water shortages in some north end areas that have been included in Bylaw No. 512.

Staff concur that data gaps exist in determining where there may be an “adequate supply of potable water” as OCP Policy B.2.2.2.16 recommends.

Islands Trust Policy Statement policy B.4.4.2 states, “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.”

On this basis, staff recommend that the LTC require installation of rainwater catchment infrastructure as a condition of full-time residential rental of cottages that would be permitted under Bylaw No. 512.

Rainwater Catchment

Land Use Bylaws on Galiano and Saturna Islands contain requirements for the installation of rainwater catchment systems in certain areas, although these apply only to new construction.

The Galiano Island Land Use Bylaw states:

13.22 – “A new building permit shall not be issued for a building to be used as a dwelling including a cottage, in the water management area depicted on Schedule C or in an area zoned Community Housing 1, unless the building is equipped with a cistern for the storage of rainwater having a capacity of at least 16,000 litres.”

The Saturna Island Land Use Bylaw states:

2.17 – “Water Storage - A building permit shall not be issued for any new residential building, visitor accommodation unit, or addition to a residential building or visitor accommodation unit in the water management area depicted on Schedule C unless a building on the lot is equipped with a water catchment system and cistern(s) for the storage of rainwater.

Minimum cistern capacity is required as follows: A minimum cistern capacity of 21820 litres (4800 gallons) is required for any new construction of a residence or visitor accommodation unit, or any addition to a residence or visitor accommodation unit that exceeds 11.6 square metres (125 square feet) of floor area.”

It may be possible to amend Bylaw No. 512 such that full-time rental of cottages cannot be carried out in existing cottages without the installation of a rainwater catchment cistern. Ultimately, however, it may only prove legally feasible to require rainwater collection systems for new builds.

Alternatively, staff can also report back to the LTC with more detailed information about the implications of requiring installation of rainwater cisterns.

Groundwater Research

If the LTC is prepared to pause advancement of Bylaw No. 512 based on groundwater data gaps, it can direct staff to undertake further research under the LTC's top priority Water Sustainability project.

The LTC is currently awaiting the results of a groundwater recharge study that it commissioned through its top priority Water Sustainability project. Upon receipt of this study, the LTC may wish to consider further research on the island's groundwater potential using a "water balance" model.

A regional groundwater balance is an assessment of water inputs and outputs at the watershed scale. These assessments are desktop studies that use existing data and information, including but not limited to; groundwater recharge, environmental flow needs, domestic water use, meteorology, hydrology, geoscience, land use, development potential, and the influence of a changing climate.

Regional groundwater budgets may offer a useful tool to identify regions for conservation and protection in addition to regions with potential for community groundwater supply wells and desirable locations for increased residential density.

If the LTC undertakes a water balance assessment, the results may be used to inform discussion of where it is most appropriate to locate cottages for full-time residential use.

Sensitive Ecosystems

Staff review of the Bylaw 512 map suggests that amendments could be made to better protect the Island's sensitive ecosystems and bring the bylaw into line with OCP Policy B.2.2.2.16 which states:

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

- c. New construction of cottages for full time residence should not be allowed in areas containing sensitive ecosystems or areas that are hazardous for development.

Staff recommend that Bylaw 512 be amended to remove all waterfront properties adjacent to tidal water that falls under the Shoreline Conservation (SC) land use designation in the OCP. Shoreline Conservation areas under the OCP have been established with the following objective:

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."

In accordance with OCP objective B.9.2.1.1, the LTC should not increase the density or intensity of land use adjacent to these areas. This would require the removal of properties from Bylaw No. 512 adjacent to Long Harbour Basin, Booth Canal, Walter Bay and Bullock Lake.

Removing these properties would result in a reduction of 25 properties from the mapped area.

Secondary Suites Pilot Area

One-hundred and thirty-three properties (133) that will be permitted full-time rental cottages under Bylaw 512 also fall within the mapped area where secondary suites are currently permitted under the Land Use Bylaw (see Appendix 3).

The Land Use Bylaw currently states that:

*“3.14.3 - A seasonal 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.**”*

Applying the regulation above, a seasonal cottage would not be permitted on a lot occupied by a single-family dwelling and secondary suite. However, no such restriction appears to apply to “full-time rental cottages” as Bylaw 512 is currently drafted. Therefore, it is probable that adoption of Bylaw 512 will open the way for the construction of a single-family dwelling with secondary suite in addition to a full-time rental cottage on 133 island properties.

If the LTC is satisfied that affected properties should be allowed a single-family dwelling, secondary suite, and full-time rental cottage, then no further action is required. Potential impacts of doing so may be increased strain on unstudied groundwater reserves and possible neighbourhood character and compatibility issues. Staff also caution that this approach may be inconsistent with OCP policy B.2.1.2.1 which states that “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.”

Through the LTC’s introduction of the secondary suites pilot area, recent and ongoing rezoning applications for multi-family housing in the Ganges core, and the full-time rental cottages proposed under Bylaw 512, the LTC risks exceeding the “few and minor” exceptions advised under policy B.2.1.2.1.

Staff recommend that the LTC direct staff to amend Bylaw No. 512 to introduce regulations that would restrict the ability to have both a secondary suite and a full-time rental cottage on a property.

Seasonal vs. Full-time Rental Use

Some property owners affected by Bylaw 512 have inquired as to whether they would be permitted to carry out uses currently permitted under the seasonal cottage regulations (such as a home-based bed and breakfast). Islands Trust legal counsel has suggested that the bylaw as currently drafted would allow land owners to move between “seasonal” and full-time rental uses as such are defined in the land use bylaw.

Staff recommend that if the purpose of the LTC’s project is to create more rental housing, then home-based businesses be prohibited from operation in cottages zoned for full-time rental. In this way, the cottages could continue to be used for friends and family, as the Land Use Bylaw currently allows, as well as for full-time rental, but would remove the option of using the cottage for the potentially more lucrative bed-and-breakfast use.

Home-based businesses operating from seasonal cottages at the time the bylaw is adopted would be able to continue the use in accordance with [Division 14](#) of the *Local Government Act*, which lays out the limits of lawful non-conformity.

Inclusion/Exclusion Applications

Staff have received a number of inquiries from land owners about potential inclusion, and in some cases, exclusion, from Bylaw No. 512.

There may be merit so some of these requests. Staff recommend that the LTC direct staff to amend Bylaw No. 512 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.

Seasonal Cottage Regulations

Section 3.14 of the Land Use Bylaw contains a number of size, siting and other regulations specific to seasonal cottages (see Appendix 4). They state, for example:

- Seasonal cottages may not have basements, garages or carports
- Seasonal cottages must be located at least 6 metres from other buildings

Currently, no such regulations have been considered for full-time rental cottages. The LTC may wish to consider whether it wishes to apply such regulations to the full-time rental cottages proposed under Bylaw 512.

Staff recommend that the LTC direct staff to report back with recommendations in this regard.

First come, first served

Staff have heard concern that rather than pre-determining properties for full-time rental cottages, the LTC should instead allow property owners with existing seasonal cottages the first chance to benefit from the opportunity to use them for full-time rental.

Staff have considered this option, and suggest that there are two approaches the LTC could consider in this regard:

- 1) Promote that the LTC is accepting applications for properties to be considered for a zone that would permit full-time rental of seasonal cottages and ask land owners with existing seasonal cottages to submit their properties for consideration of rezoning.
- 2) Determine which properties already have built seasonal cottages and rezone them to permit full-time rental. The CRD Building Inspection Manager has indicated that CRD building permits for seasonal cottages are simply catalogued as dwelling units thus suggesting that there is no convenient way to determine where existing cottages are already built. Staff can explore this further with CRD Building Inspection.

A challenge facing both options 1 and 2 is that the lens of OCP Policy B.2.2.2.16 should still be applied, in doing so filtering out the community water system areas, sensitive ecosystems, etc., with the ultimate effect that the eventual map created and recommended by staff may not look substantially different from the current Bylaw No. 512 map, except that it would contain only properties where existing cottages have been built.

Staff further note that the analysis that has underpinned Bylaw No. 512 to date was meant to provide the LTC with a means to rezone potentially hundreds of properties in one swift action, rather than establishing a process whereby staff must assess individual properties on a lot-by-lot basis.

Housing Agreements/Affordable Housing

At its November 2, 2017 regular meeting the LTC was presented with an option to direct staff to undertake research on the viability of using housing agreements to control rental rates for full-time rental cottages. The LTC did not take this option.

However, it has been observed in both the online survey results and at the September 7, 2019 Community Information Meeting, that Bylaw 512 does not guarantee the affordability of the rental units, as such term is defined in both the Official Community Plan and Land Use Bylaw.

The OCP defines affordable housing as:

“... rental or owned housing that can be acquired with 30 per cent of the median gross income of families or individuals on Salt Spring Island.”

The Land Use Bylaw defines an affordable housing dwelling unit as:

“... a deed restricted and/or a rent controlled dwelling unit that is secured by a housing agreement registered on title, and may include special needs housing and seniors dwelling units.”

Meanwhile, 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:

- 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.

Furthermore, OCP Housing Policy B.2.1.2.1 states:

“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.” (emphasis added)

If the LTC wishes to learn more about how the use and administration of housing agreements might work, it can direct staff to provide this information.

The use of housing agreements would also enable the LTC to more easily monitor the number of cottages being put to full-time rental use, which would be consistent with OCP Policy B.2.2.2.16 which states, “Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:

- 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.”

Proximity to Transit

Community feedback to Bylaw No. 512 has revealed concern about the high relative weighting given to proximity to public transit as a condition for property inclusion in the Bylaw.

This evaluation criteria was included on the basis of OCP Policy B.2.2.2.16 which 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 may also consider limits on the location of cottages to minimize dependency on private automobiles.”

Staff recognize that based on its rural character and historic development pattern, Salt Spring is a generally automobile-dependent community. Staff also recognize that applying a public-transit proximity criteria to the bylaw means that the south end of the island is significantly underrepresented on the map. Nonetheless, as with Policy B.2.2.2.16 above, the OCP strongly encourages the LTC to make decisions that might have the effect of reducing reliance on cars. See the following additional objectives and policies from the OCP that speak to this subject:

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.2.3.1.5 – “To create future settlement patterns that minimize energy and resource use.”

B.5.1.1.9 – “To support strategies to reduce demand for automobile use within and between the villages.”

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.”

If the LTC would prefer that transit proximity is not used as a filtering criteria, it can direct staff to amend Bylaw No. 512 so that properties are not filtered out based on proximity to transit.

Restrictive “No-Subdivision” Covenant

Some community members have indicated that the requirement for a “no subdivision” covenant to prevent building strata subdivisions that allow for the creation of a separate title for cottages may deter people from using their cottages for full-time rental.

The requirement for such a covenant was proposed based on a unique situation that arose elsewhere in the Islands Trust area.

Bylaw No. 512 already defines a full-time rental cottage as one, “that comprises, with the single family dwelling to which it is accessory, a single real estate entity.” So the bylaw itself already precludes the LTC from entertaining the building strata subdivision of a cottage from principal dwelling on the property.

However, certain types of building strata subdivisions bypass the LTC and can be registered directly at the Land Title Office. In these cases, the Land Title Office (LTO) does not look at local government bylaws to determine whether the proposed strata is, or is not, permissible. 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.

Incremental Density Increases

Some community members have questioned whether a bylaw that authorizes the full-time residential use of 400 of what have heretofore been seasonal cottages can be considered an “incremental” increase as OCP Policy B.2.2.2.16 guides. That policy states, “Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:

- k. 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.”

Bylaw review by Islands Trust legal counsel has suggested that a five percent increase to the number of full-time dwelling units on the islands may be defensible as consistent with the OCP. For this reason the LTC has considered a cap of approximately 405 cottages within Bylaw No. 512. However, this five percent is obviously at the very high end of what the courts might consider to be an incremental increase, particularly as the LTC authorized approximately 500 additional potential residential units through its secondary suites pilot area in 2013, and has recently/is currently considering a number of rezoning applications that will add more than 100 units to the Island’s affordable and seniors housing stock. There is no reason that the LTC must hit the five percent dwelling unit ceiling through Bylaw No. 512, beyond its own desire to address community concern about housing availability and affordability.

If the LTC wishes to reduce the number of properties to be included in Bylaw 512 it can direct staff to do so.

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:

- 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.”

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.

OCP Amendment

At its August 27, 2019 meeting, the LTC directed staff to “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,” as a priority project.

If the LTC is planning to amend the OCP with a focus on affordable housing, with the potential for subsequent Land Use Bylaw amendments, it may wish to reconsider advancing Bylaw 512 until such time as it has undertaken that OCP review.

Other Policy/Regulatory

See staff reports of [September 27, 2018](#), [February 26, 2019](#) and [April 20, 2019](#) for further discussion of policy consistency.

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

General Survey

An online survey concerning Bylaw No. 512 was conducted using the Survey Monkey website. The survey was live between July 4 and July 30, 2019. It received 540 unique visitors. See Appendix 5 for summary of survey responses and central themes.

Comments generated through the survey have been aggregated and are available online [here](#).

Following is a summary of the main survey questions:

- 86 percent of survey respondents expressed support for increasing the affordable housing inventory by allowing full-time residential rental of cottages.
- 78 percent of survey respondents expressed support for Bylaw No. 512 as a tool to allow full-time residential rental of cottages.
- 42 percent of survey respondents indicated that the Bylaw No. 512 map locates full-time residential cottages in the appropriate areas. 39 percent answered “maybe.”
- 58 percent of survey respondents indicated that the LTC had considered all relevant information in the development of Bylaw No. 512. 28 percent answered “maybe.”
- 70 percent of respondents expressed support for the requirement of a “no-subdivision” restrictive covenant.
- 75 percent of survey respondents did not own a property zoned to permit a seasonal cottage.
- 82 percent of respondents did not own a property that would be permitted a full-time residential cottage under Bylaw No. 512.
- 7 percent of survey respondents with existing cottages indicated that they would use their existing cottage for full-time residential rental if Bylaw No. 512 were passed. 7 percent indicated that they would not. 8 percent responded “maybe.” The remainder indicated the question was not applicable to them.

Staffs summary of the above survey is that the majority of respondents were supportive of the bylaw permitting land owners to build full-time residential cottages although most respondents did not own property affected by the proposed bylaw.

Land-Owner Survey

Included in the land owner notification for the September 7, 2019 Community Information meeting was a link to a survey specifically for the 405 land owners that would be directly affected by Bylaw No. 512. The survey was live between August 22 and September 12, 2019. It received 22 unique responses.

See Appendix 6 for the survey results.

Comments generated through the survey have been aggregated and are available online [here](#).

Following is a summary of the main survey responses:

- 36 percent of the 22 survey respondents stated they have an existing seasonal cottage on their property. 63 percent do not.
- 19 percent of the 22 survey respondents indicated they already use their cottage for full-time residential rental. 24 percent indicated they do not. 57 percent said the question was not applicable to them.
- 33 percent of the 22 survey respondents indicated that Bylaw No. 512 would encourage them to use their cottage for full-time residential use. 5 percent indicated that it would not.
- 28 percent of the 22 survey respondents that do not already have an existing seasonal cottage indicated that Bylaw No. 512 would encourage them to construct one for full-time residential use. 33 percent said that it would not. 39 percent indicated “maybe.”

Community Information Meeting/Public Hearing

A Community Information Meeting on Bylaw 512 was held on Saturday, September 7. Approximately 70 members of the public were in attendance.

See the draft minutes of the meeting attached as Appendix 7.

Comments and questions that arose during the meeting included the following:

- Concern that there has been insufficient attention paid to potential impacts on groundwater quantity
- Concern that too much emphasis placed on proximity to public transit in development of the zone map
- Concern that rental cottages will not meet the definition of affordable
- Concern that requirement for a restrictive covenant will deter people from using their cottages as the bylaw would permit
- Concern that high cost of building means new cottages for full-time rental unlikely to be constructed

RATIONALE FOR RECOMMENDATION

1. 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.

Staff Comment: See “Potable Water” heading in “Analysis” section above.

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 to remove all properties adjacent to water bodies in the Shoreline Conservation (SC) designation of the Salt Spring Island Official Community Plan.

Staff Comment: See “Sensitive Ecosystems” heading in “Analysis” section above.

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 amended to prohibit the use of cottages for full-time residential rental on properties that contain a secondary suite.

Staff Comment: See “Secondary Suites Pilot Area” heading in “Analysis” section above.

4. 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.

Staff Comment: See “Seasonal vs. Full-Time Rental Use” heading in “Analysis” section above.

5. 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.

Staff Comment: See “Inclusion/Exclusion Applications” heading in “Analysis” section above.

6. 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.

Staff Comment: See “Seasonal Cottage Regulations” heading in “Analysis” section above.

ALTERNATIVES

1. As discussed under the “Potable Water” heading in the “Analysis” section above, there are large data gaps concerning groundwater quality and quantity on Salt Spring Island. In light of this, and the fact that many cottages for full-time rental will be serviced by groundwater, the LTC may wish to consider the following resolution:

That the Salt Spring Island Local Trust Committee defer consideration of Bylaw No. 512 until such time as further information is available regarding groundwater supplies on Salt Spring Island.

The implication of this resolution is that further advancement of Bylaw No. 512 would be put on hold until such time as additional information becomes available through the LTC’s “Water Sustainability” project.

NEXT STEPS

If the LTC accepts staff's recommendations, staff will return at a subsequent meeting with an amended version of Bylaw 512 reflecting the LTC's directions.

Staff will undertake any alternative direction the LTC gives.

Submitted By:	Jason Youmans, Island Planner	September 23, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	September 24, 2019

ATTACHMENTS

1. Bylaw 512 – Second Reading
2. OCP policy B.2.2.2.16
3. Secondary Suite Pilot Area
4. Land Use Bylaw - Section 3.14
5. Online Survey Results – General
6. Online Survey Results – Property Owners
7. Special Meeting Minutes – Community Information Meeting – September 7, 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

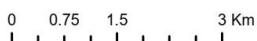
SALT SPRING ISLANDS LOCAL TRUST COMMITTEE BYLAW NO.512



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



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.

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 461
Schedule I
Secondary Suites Map**

Appendix 3

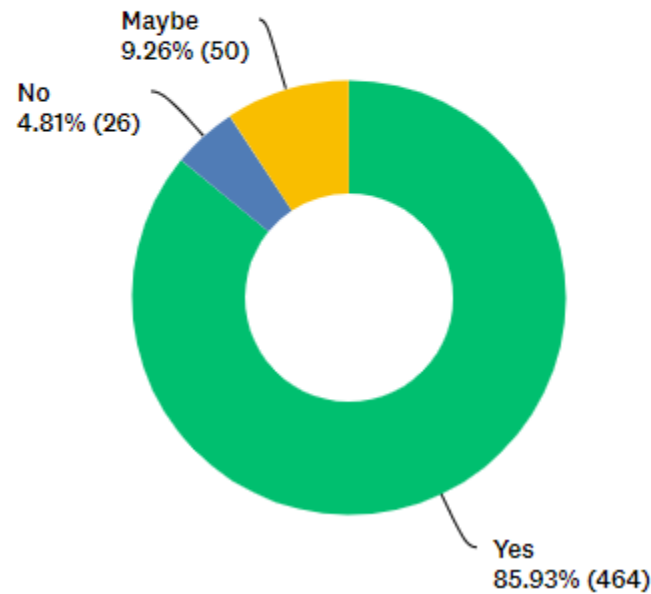
1:20,000
0 250 500 1,000 1,500 2,000
Meters

 Lots that allow Secondary Suites

BYLAW REVISIONS
Bylaw 477 June 2015

In general, do you support increasing the affordable housing inventory on the Island by allowing full-time residential rental of cottages?

Answered: 540 Skipped: 25

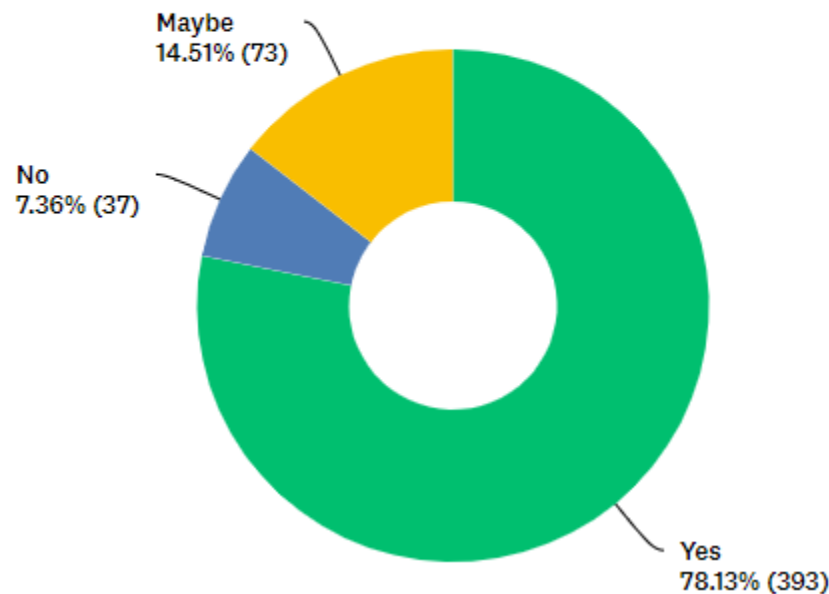


If you answered "no" or "maybe" to question 1 (In general, do you support increasing the affordable housing inventory on the Island by allowing full-time residential rental of cottages?), what concerns do you have?

Affordability	Density	EcoProtection	Infrastructure	Noise	GOIV Oversight	STVRs	Traffic	Water
11	17	3	6	5	8	9	7	29

Do you support Bylaw 512 as a means to increase the affordable housing inventory on the Island by allowing full-time residential rental of cottages?

Answered: 503 Skipped: 62

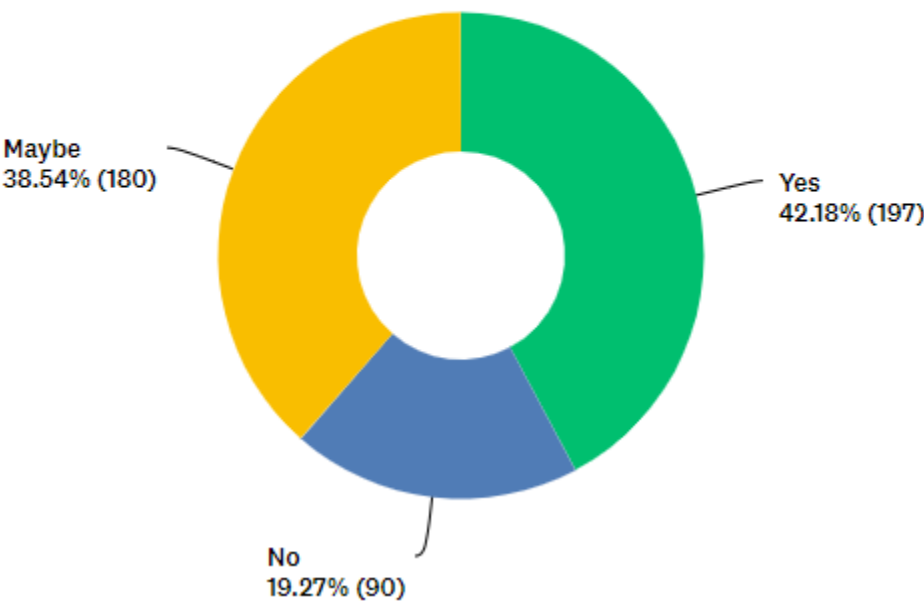


If you answered “no” or “maybe” to question 3 (Do you support Bylaw 512 as a means to increase the affordable housing inventory on the Island by allowing full-time residential rental of cottages?), what concerns do you have about Bylaw 512 ?

Affordability	Cost	Density	EcoProtection	Expand Scope	GOV Oversight	Housing Locals	Infrastructure	Mapping	Noise	Restrictive	STVRs	Transit	Water
7	1	3	3	16	10	3	2	3	2	13	4	6	14

Does the map for Bylaw 512 permit full-time residential rental cottages in the right areas?

Answered: 467 Skipped: 98

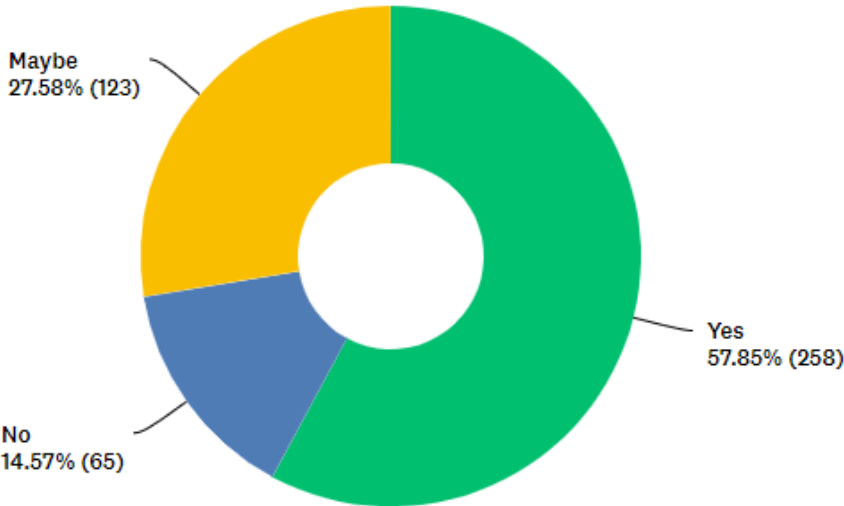


If you answered “no” or “maybe” to question 5 (Does the map for Bylaw 512 permit full-time residential rental cottages in the right areas?), where should full-time residential rental cottages be permitted?

Island wide	Island wide (w/Limits)	Villages	North End	South End	ALR Land	Properties w/E.Cottages	Large Properties (Rural)	No Transit Restrictions
75	21	29	1	11	4	3	7	14

Do you feel that the LTC has considered all relevant information (ie. water availability, sensitive ecosystems, etc) in the development of Bylaw 512? For more information refer to Staff Reports: September 27, 2018 / February 26, 2019 / April 30, 2019

Answered: 446 Skipped: 119

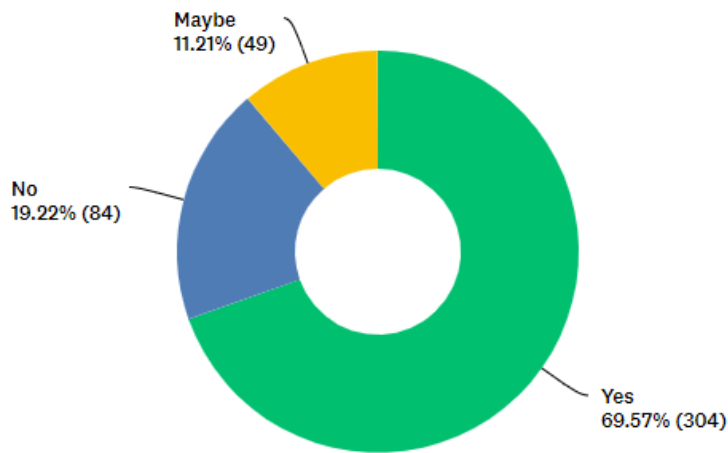


If you answered “no” or “maybe” to question 7 (Do you feel that the LTC has considered all relevant information (ie. water availability, sensitive ecosystems, etc) in the development of Bylaw 512? For more information refer to Staff Reports: September 27, 2018 / February 26, 2019 / April 30, 2019), what additional information should the LTC consider?

Affordability	Alter Rental Housing	Bylaw Enforcement	Climate Change	Concerns about GOV	Density	Ecosystems	Incentives	Noise	Traffic	Transit	Septic	Water	Water (Alternative)
5	12	1	2	7	5	4	2	3	2	3	5	40	13

Bylaw 512 currently contains a clause that requires land owners to enter into a restrictive covenant that prohibits creating separate titles for the principal dwelling and a cottage on affected properties. This will ensure that the principal dwelling unit and the cottage remain under a single owner. Do you support this clause?

Answered: 437 Skipped: 128

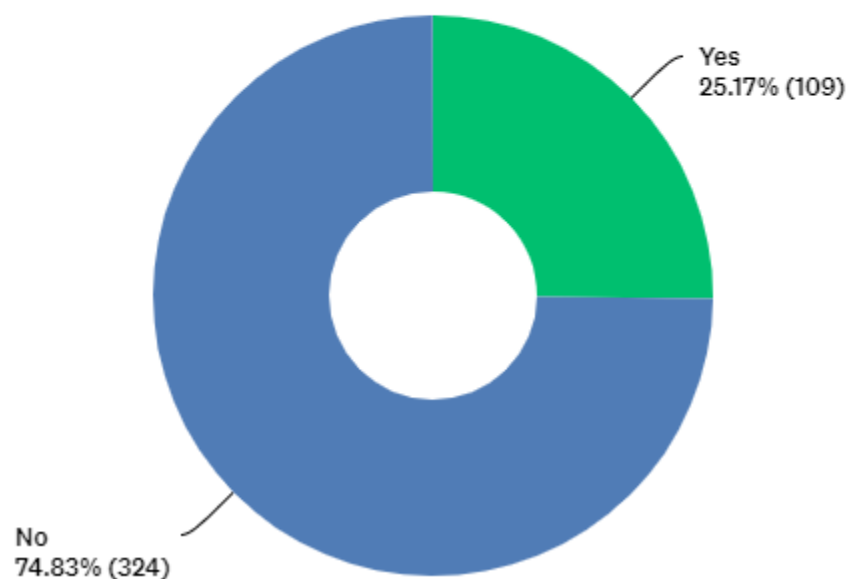


If you answered “no” or “maybe” to question 9 (Bylaw 512 currently contains a clause that requires land owners to enter into a restrictive covenant that prohibits creating separate titles for the principal dwelling and a cottage on affected properties. This will ensure that the principal dwelling unit and the cottage remain under a single owner. Do you support this clause?), what concerns do you have?

Do Not Support	Unnecessary/Unenforceable	Support	Support with Conditions	Support Home Ownership	Family Home Ownership	Onerous to Property Owner
19	19	2	9	35	4	8

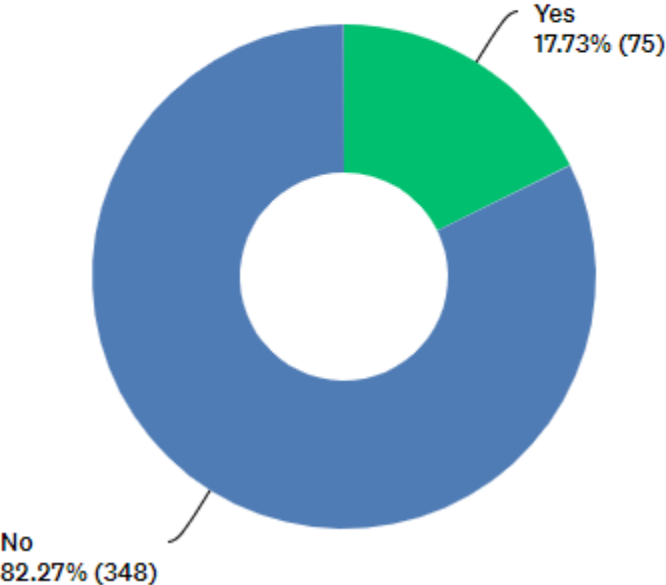
The next six questions concern your Salt Spring Island property and how Bylaw 512 might impact you. Do you own a property that is currently permitted a “seasonal cottage”?

Answered: 433 Skipped: 132



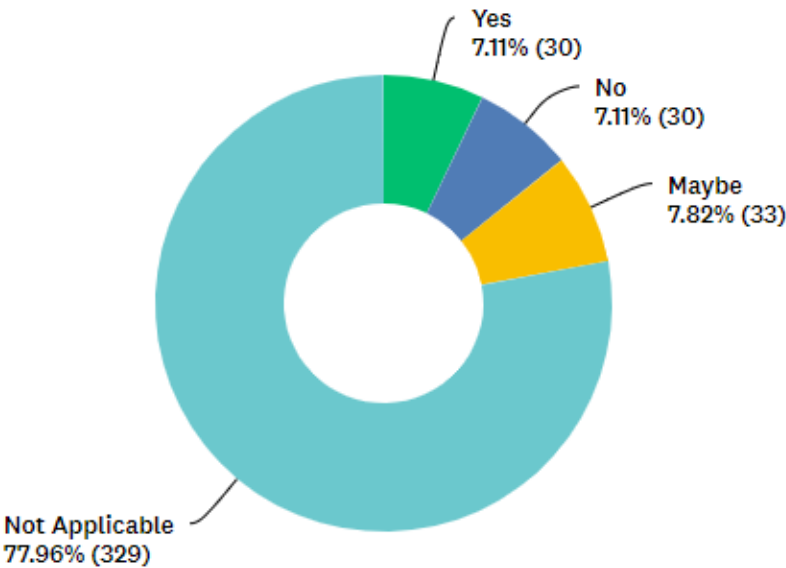
Do you own a property that would be permitted a full-time residential rental cottage under Bylaw 512?

Answered: 423 Skipped: 142



If you own a property with an existing lawful seasonal cottage, will you convert your cottage to full-time residential rental use if Bylaw 512 is adopted?

Answered: 422 Skipped: 143

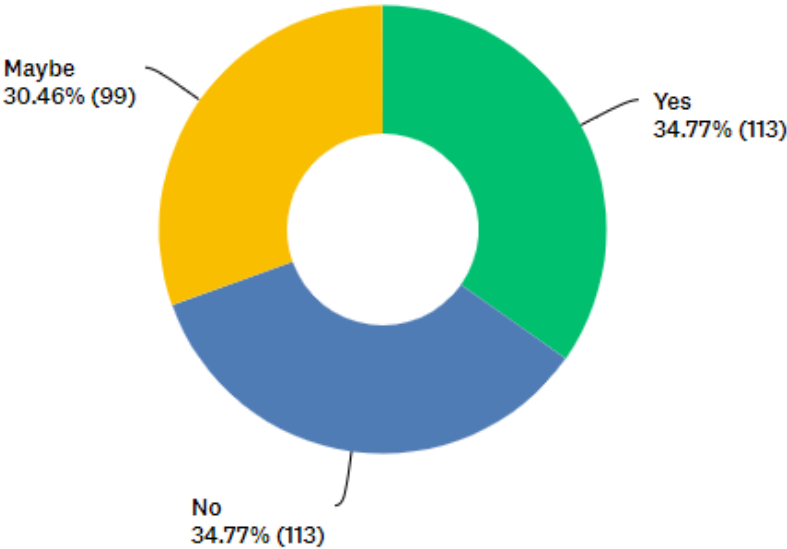


If you answered “no” or “maybe” to question 13 (If you own a property with an existing lawful seasonal cottage, will you convert your cottage to full-time residential rental use if Bylaw 512 is adopted?), why won’t you use your existing cottage for full-time residential rental once Bylaw 512 is adopted?

Unbuilt/Potentially	Not In Proposed Area	Would Convert to LTR	Already Using for LTR	Prefer Sea. Cottage Use	Onerous/Regulations	Risk to Property Owner	Cost	Privacy	Water
6	13	3	4	6	12	9	1	4	1

If your property is permitted a seasonal cottage, but you have not yet built one, will Bylaw 512 encourage you to build a cottage for full-time residential rental?

Answered: 325 Skipped: 240



If you answered “no” or “maybe” to question 15 (If your property is permitted a seasonal cottage, but you have not yet built one, will Bylaw 512 encourage you to build a cottage for full-time residential rental?), why won’t you build a cottage for full-time residential rental once Bylaw 512 is adopted?

Cost	Risk to Property Owner	Privacy	Water	Restrictive Covenant	No – Comm./Eco Impacts	Support Home Ownership	Not Interested Presently	Not In Proposed Area
35	9	9	1	1	3	1	6	21

The next two questions concern your general thoughts on proposed Bylaw 512 and affordable housing on Salt Spring Island generally. What improvements could the LTC make to Bylaw 512?

Increase Proposed Area	60
Alternative Housing	16
Affordability	7
Densify Closer to Villages	8
Increase Floor Area	9
Housing for Families/Workers	10
Remove Transit Restrictions	6
Remove No Sub. Covenant	15
Update Bylaws re. STVRs	9
Bylaw Enforcement	10
Water (Alternative)	13
Water	13
Proceed No Further	9

Is there anything else you'd like to share with the LTC regarding Bylaw 512 or affordable housing in general on Salt Spring Island?

Need Affordable Housing	52
Define "Affordable"	3
Need Housing for Workers/Families	19
Alternative Housing	20
Increase Secondary Suites	3
No Secondary Suites + LTR Cottage	1
Densify Closer to Villages	8
Enforcement Bylaws/STVRs	15
Environment	5
Water	15
Water (Alternative)	3
Remove Transit Restriction	3
Applicability Island Wide	7
Allow on Larger Properties	4
Allow on ALR/Farmworker Housing	2
Smaller SFD Sizes	2
Trust Mandate	3
Issue is Complex	7

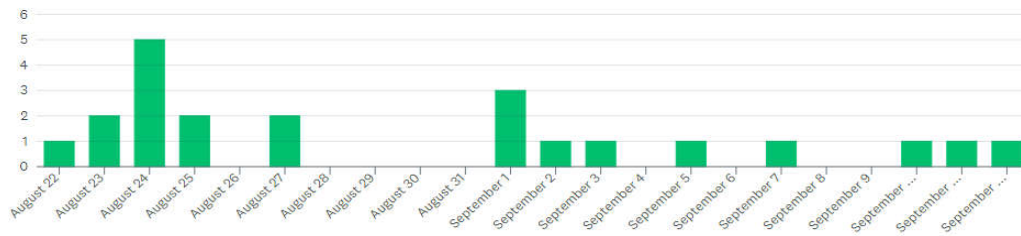
22
Responses

91%
Completion rate

3 mins
Typical time spent

Responses Volume

8/22/2019 - 9/12/2019

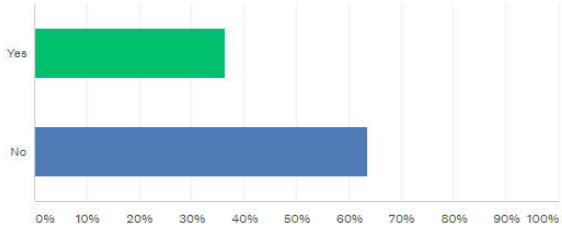


Q1

 Customize Save as ▼

In addition to a single-family dwelling, do you currently have a seasonal cottage on your property?

Answered: 22 Skipped: 0

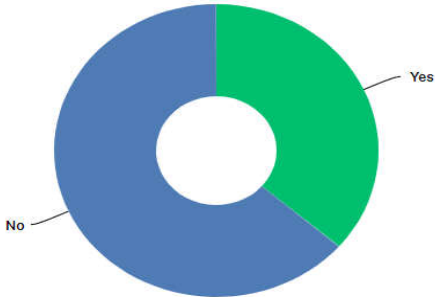


ANSWER CHOICES	RESPONSES	
▼ Yes	36.36%	8
▼ No	63.64%	14
TOTAL		22

ALTERNATIVE

In addition to a single-family dwelling, do you currently have a seasonal cottage on your property?

Answered: 22 Skipped: 0



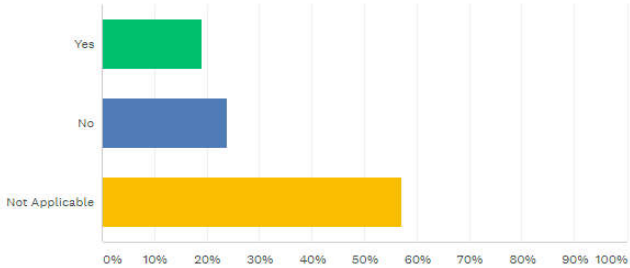
Q2

 Customize

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Do you currently rent out or otherwise use your seasonal cottage for full-time residential use?

Answered: 21 Skipped: 1

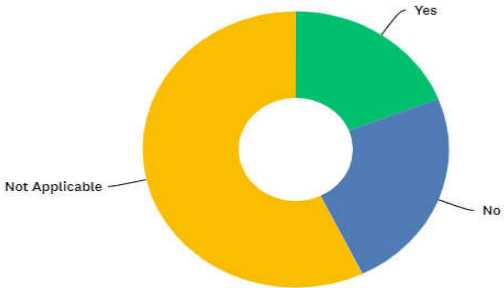


ANSWER CHOICES	RESPONSES	
Yes	19.05%	4
No	23.81%	5
Not Applicable	57.14%	12
TOTAL		21

ALTERNATIVE

Do you currently rent out or otherwise use your seasonal cottage for full-time residential use?

Answered: 21 Skipped: 1

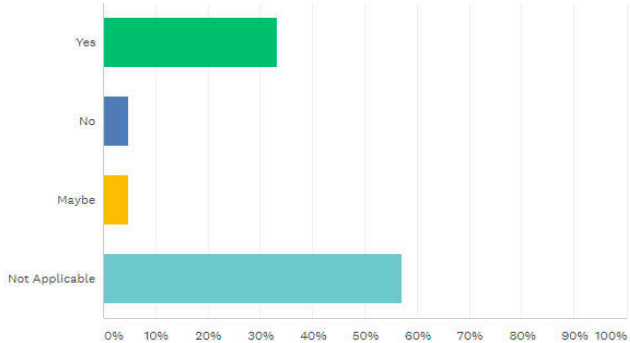


Q3

 Customize Save as ▾

If you don't already do so, will the adoption of Bylaw No. 512 encourage you to rent out or otherwise use your existing cottage for full-time residential use?

Answered: 21 Skipped: 1

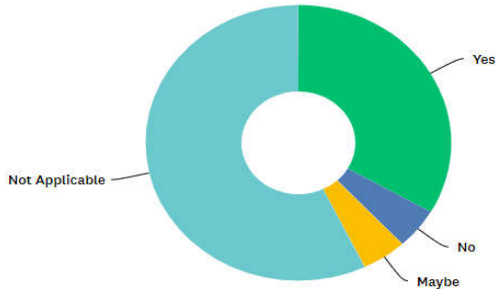


ANSWER CHOICES	RESPONSES	
Yes	33.33%	7
No	4.76%	1
Maybe	4.76%	1
Not Applicable	57.14%	12
TOTAL		21

ALTERNATIVE

If you don't already do so, will the adoption of Bylaw No. 512 encourage you to rent out or otherwise use your existing cottage for full-time residential use?

Answered: 21 Skipped: 1

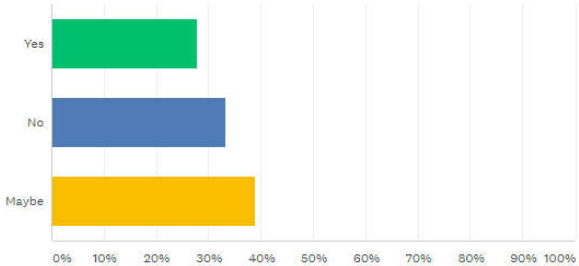


Q4

 Customize Save as ▼

If you don't already have a seasonal cottage on your property, will the adoption of Bylaw No. 512 encourage you to construct a cottage for full-time residential use?

Answered: 18 Skipped: 4

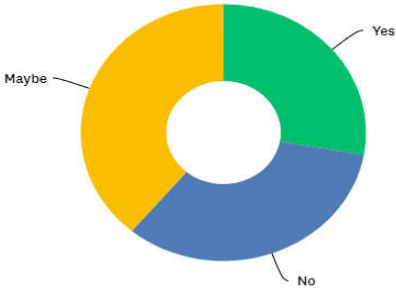


ANSWER CHOICES	RESPONSES	
Yes	27.78%	5
No	33.33%	6
Maybe	38.89%	7
TOTAL		18

ALTERNATIVE

If you don't already have a seasonal cottage on your property, will the adoption of Bylaw No. 512 encourage you to construct a cottage for full-time residential use?

Answered: 18 Skipped: 4



Affordable Rental Housing Cottages - Bylaw No. 512 - Property Owner Survey

Answered 9
Skipped 13

Is there anything further you would like the LTC to know about Bylaw No. 512, full-time residential use of cottages, or affordable housing on Salt Spring Island more generally?
Alternatively, you can contact Island Planner Jason Youmans at ssiinfo@islandstrust.bc.ca or 250-537-9144.

Respondents	Response Date	Responses
1	Sep 12 2019 07:05 PM	Please allow more full-time housing options to be available for islanders by passing this bylaw This bylaw would allow owners who already have a cottage that they are renting out full time, not seasonal, to be in compliance and therefore not helping with new cottages for rent. This puts the property owner on the hook for affordable housing, who is to say what that rent may be. How do you control that? I can see an increase in Property taxes on said properties even if you don't build and rent out a cottage, being penalized so to speak. And who knows if the said properties even have enough water to support a second full time dwelling not to mention now becoming a small water system and the responsibilities and laws around that. Not to mention the high cost of construction and low return in rent. I don't see many people taking on the many challenges involved in this.
2	Sep 07 2019 06:17 PM	We have a cottage we have always rented as if it was for full-time use. At tenant's discretion.
3	Sep 03 2019 04:18 PM	too bad you took your time on this, most do not have the money to do this now when the trust told us this could not be done....many have done this illegally as they have the money. We have been asking for this for a long time to help alleviate the housing crisis as I have seen some of the units rented to others were not fit for animals much less for humans.
4	Sep 02 2019 09:32 AM	This is great. I have no interest whatsoever in a managing a seasonal rental, but definitely would like to have the ability to put a full-time rental cottage here.
5	Aug 28 2019 10:12 AM	It is essential that any changes that increase population and result in increased energy and water consumption not be approved until adequate supplies of both are proven to exist and whose consumption not affect adjacent properties.
6	Aug 28 2019 09:40 AM	It is essential that this proposal be successfully supported by Islands Trust trustees. Affordable housing may be the single most important issue facing Salt Spring Island.
7	Aug 25 2019 07:48 PM	Make it happen. Bylaw 512 should allow for the larger sized cottages on all properties where they are currently permitted vs. restricting the larger size cottage to larger acreages. Where the cottages are currently permitted there is already enough water allowance for one kitchen and one bathroom but the smaller cottages are prohibitive as long-term homes for anyone but a couple or less. If you really want to help families and encourage land owners to either build or rent, then allow all of us who currently have seasonal cottages to have the larger 90 square metres dwellings. We fully support this bylaw change.
8	Aug 24 2019 06:27 PM	I am a resident of [REDACTED]. This gravel-surfaced road already suffers damage each year, especially during the wet winter and spring months, from the existing number of residents of [REDACTED] and must be repaired extensively each spring. I am concerned that additional residents could further impact the already low quality of our road. If this road was paved with asphalt, this issue could be mitigated. In addition, I am very concerned about our water table. There are several residences on our road that have illegal permanent rental buildings, and adding more residences could negatively impact the volume of water that we all share. We are extremely careful with our water use, but live in fear each summer of running out of potable water.
9	Aug 24 2019 01:25 PM	Despite all of these concerns, I support a move to increase rental units on SSI. If my concerns were addressed, I would be fully in support of this new bylaw.

- (6) Off-street parking for *bed and breakfast home-based business uses* must be supplied as outlined in Part 7 and screened from view from abutting *lots, highways or parks* by a *landscape screen*.
- (7) Despite Section 6.1, *signs* for *bed and breakfast home-based businesses* may be indirectly illuminated by a non-flashing light source, external to the *sign*. Where illumination is provided, it must consist of a maximum 150 watt PAR lamp mounted between 1 and 1.5 meters from each *sign* face.

3.14 SEASONAL COTTAGES

- 3.14.1 Unless otherwise specified, no *seasonal cottage* may be constructed or occupied on a *lot* less than 1.2 ha in *area*.
- 3.14.2 The maximum *floor area* of a *seasonal cottage* is 56 square metres.
- 3.14.3 A *seasonal 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*.
- 3.14.4 A *seasonal 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*.
- 3.14.5 A *seasonal cottage* may not have a *basement*, or a garage or *carport* that is physically attached or functions as part of the *seasonal cottage*.
- 3.14.6 A *seasonal cottage* may only be used for *temporary* occupation by a person or persons having a permanent residence elsewhere and using the cottage for recreational or vacation purposes. A *seasonal cottage* may be used as part of a *bed and breakfast home-based business* as set out in Subsection 3.13.8, but is not to be used as a separate *commercial guest accommodation unit* that is not operated as a *home-based business*.

Information Note: Those wishing to use a *seasonal cottage* on Salt Spring Island as a legal full-time residential dwelling unit may apply for a zoning amendment specific to their property. Policies in the Salt Spring Island Official Community Plan indicate such use can be considered, subject to available water supplies and neighbourhood consultation.

- 3.14.7 Where a *lot* on Salt Spring Island is between 0.6 ha and 1.2 ha in *area* and contains a *seasonal cottage* not exceeding 56 square metres in total *floor area* and built prior to March 21, 1979, one *single-family dwelling* may also be permitted on the *lot*.
- 3.14.8 Where a *lot* on Salt Spring Island is greater than 0.6 ha in *area* and was split by a *public highway* prior to January 1, 1980, resulting in each side of the split *lot* exceeding 0.2 ha, then a *single-family dwelling* is permitted on one portion of the split *lot* and a *seasonal cottage* is permitted on the other portion across the *highway*.
- 3.14.9 A *seasonal cottage* may be a *mobile home* or a *manufactured home*.



Salt Spring Island Local Trust Committee Minutes of Special Meeting

Date: Saturday, September 7, 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: Jason Youmans, Island Planner
Serena Klaver, Planner 1
Sarah Shugar, Recorder

Others Present: Gulf Islands Driftwood Reporter
Approximately 71 members of the public

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 11:00 a.m. He introduced himself, Trustee Patrick and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. BUSINESS ITEMS

3.1 Local Trust Committee Chair's Welcome and Opening Remarks

Chair Luckham welcomed everyone to the meeting and presented opening remarks. Chair Luckham advised this Community Information Meeting would be an opportunity for members of the public to ask questions and provide statements of opinion regarding the proposed bylaw.

3.2 Planner Presentation on SS-BL-512 – Affordable Rental Housing – Cottages Project

Planner Youmans presented an overview of proposed Salt Spring Island Local Trust Committee Bylaw No. 512. Bylaw No. 512 amends the Salt Spring Island Land Use Bylaw (LUB) to allow the full-time residential rental of accessory cottages on approximately 405 Salt Spring Island properties.

3.3 Question and Answer Period

Chair Luckham opened the question and answer period at 11:30 a.m.

A member of the public expressed concern regarding the time limit for each member of the public to present a question or comment.

A member of the public expressed concern regarding the public transit route criteria and noted that public transit routes change. The member of the public also expressed support for water availability to be a main priority and expressed concern regarding water availability issues for properties in the North End of Salt Spring Island.

Ian Peace expressed concerns on behalf of the Salt Spring Island Water Preservation Society concerning the proposed density increase in Bylaw No. 512 and recommended that properties with secondary suites be excluded from the bylaw. Mr. Peace expressed concern that the density increase could likely exceed 5% as there would likely be 2 to 3 persons living in each of the full-time rental cottages. Mr. Peace also expressed concerns regarding water availability and that Bylaw No. 512 does not adequately address the BC Drinking Water Protection Act regulations concerning water systems.

Planner Youmans reported the Secondary Suites project allowed for 500 additional secondary suites to be permitted on Salt Spring Island although the properties within the North Salt Spring Island Waterworks District (NSSWD) have not been permitted to build the secondary suites due to the moratorium on new water connections. He also reported the BC Drinking Water Protection Act considers property owners that supply water to more than one dwelling from the same source to be a community water system and are required to comply with Island Health regulations.

A member of the public expressed concerns regarding the notification of proposed Bylaw No. 512 and encouraged the Local Trust Committee (LTC) to improve project publicity. The member of the public also expressed concerns that the proposed bylaw is not a good strategy to solve the affordable housing crisis for several reasons including prohibitive building and infrastructure costs and the BC Residential Tenancy Act. The member of the public encouraged the LTC to consider affordable housing models such as Brinkworthy Estates or Chemainus Gardens.

A member of the public expressed concerns regarding the requirement for the property owner to register a covenant to ensure that properties with full time rental cottages cannot be subdivided. The member of the public recommended that the bylaw include restrictions regarding subdivision and not require the property owner to incur the costs associated with registering a covenant and asked if the LTC could require the BC Land Titles office to refer building strata subdivisions to the Islands Trust prior to approval.

Planner Youmans reported the requirement for the covenant is in addition to the language in Section 2.1 regarding “full time rental cottages” and “a single real estate entity.” and noted the requirement for a covenant is an additional protection to prevent building strata subdivisions.

A member of the public expressed concerns regarding whether the proposed will increase affordable rental housing and asked if there was any investigation regarding which of the properties identified on the Bylaw No. 512 map have existing cottages and whether the owners would be interested in renting out those cottages. The member of the public expressed concern that there was no investigation regarding whether the properties have setbacks, covenants or other restraints that would impact the ability to build cottages. The member of the public spoke to the Secondary Suites Bylaw and indicated that it was not successful in providing affordable housing. The member of the public expressed concerns that proposed Bylaw No. 512 does not ensure that the cottages will be affordable. The member of the public also expressed concerns regarding water availability and noted that the cottages should not be permitted in environmentally sensitive areas. The member of the public advised that Island Health requires property owners to be licenced water system providers when providing water to more than two dwellings.

Planner Klaver reported approximately 10 secondary suites were registered following adoption of Secondary Suites Bylaw No. 461.

A member of the public expressed concerns regarding Short Term Vacation Rentals (STVRs) and suggested that more bylaw enforcement would be required for the proposed bylaw to provide affordable housing. The member of the public expressed support for all properties with legal accessory dwellings to be permitted to have full time rental cottages. The member of the public also expressed concerns regarding the public transit route criteria.

Planner Youmans advised that the Local Trust Committee could consider housing agreements to maintain affordability although the building costs are prohibitive.

A member of the public expressed support for affordable rental housing for workers and expressed concerns regarding the impact of bylaw enforcement on illegally rented seasonal cottages. The member of the public expressed concerns regarding the proposed cottages being permitted within watershed areas.

A member of the public expressed support for the intent to provide affordable rental housing and that the bylaw should to include a definition of “affordable”. The member of the public expressed concerns regarding the impacts that Short Term Vacation Rentals (STVRs) have on water availability and added that full time rental use would likely use less water.

A member of the public asked for clarification regarding how many of the properties in proposed Bylaw No. 512 have existing seasonal cottages and how many of those cottages are currently rented out year round. The member of the public asked if tiny homes would be included in the definition of “full-time rental cottages” and whether a property owner could work in partnership with a non-profit agency to provide an affordable rental cottage.

Planner Youmans advised that staff would look into whether a tiny home could be considered a dwelling unit.

A member of the public expressed support for the intent of the bylaw as a means to increase the legal supply of rental housing and that all seasonal cottages should be permitted to be used as full time rental housing. The member of the public expressed concern regarding the requirement for a property owner to register a covenant that would restrict subdivision.

A member of the public asked for clarification regarding how many of the proposed properties in the bylaw already have existing cottages. The member of the public expressed concern regarding the costs to property owners to build the cottages and noted the proposed rental costs are extremely low. The member of the public spoke to the high cost of building.

A member of the public asked why properties within the community water system areas are included in the bylaw and asked why properties with wells are being excluded from the bylaw. The member of the public expressed concern that the community information meeting is scheduled on the same day as the Pride Events. The member of the public also expressed concern regarding the public transit route criteria and whether the proposed bylaw will have a positive impact on affordable housing.

Planner Youmans advised that properties within community water systems are excluded from Bylaw No. 512.

A member of the public expressed support for the intent to provide more affordable rental housing and asked for clarification regarding whether a seasonal cottage could be used for anything other than a “full-time rental cottage”. The member of the public asked if property owners would be required to register the covenant restricting subdivision.

Planner Youmans reported the Salt Spring Island Local Trust Committee received legal advice that stated a building could be used for seasonal use or full time use. Full time use would only be permitted if a covenant is registered. Properties that have land subdivision potential should have been excluded from Bylaw No. 512.

A member of the public expressed concerns regarding the cost to property owners and that it would cost a minimum of \$200,000 to build a cottage. The member of the public added it is likely that property owners would consider Short Term Vacation Rentals instead of a full time rental. The member of the public also advised the BC Building Code requires each dwelling unit to have a minimum of one flushing toilet and grey water systems need to be approved by an engineer or be connected to a septic system.

A member of the public suggested that composting toilets as an option and added that piped salt water could be a solution for flushing toilets.

Chair Luckham called for any further questions.

No comment sheets or written submissions were received.

3.4 Town Hall

The Town Hall was included in the question and answer period.

4. ADJOURNMENT

By general consent the meeting adjourned at 12:52 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



File No.: 6500-20
Cannabis Production

DATE OF MEETING: October 1, 2019
TO: Salt Spring Island Local Trust Committee
FROM: Stefan Cermak, Regional Planning Manager
Salt Spring Island Team
SUBJECT: Cannabis Production Bylaw Report

SUMMARY

The purpose of this memorandum is to present a draft Cannabis Production Bylaw as directed.

BACKGROUND

On August 27, 2019, the Salt Spring Island Local Trust Committee (SSI LTC) passed the following (draft) resolution:

SS-2019-152

It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee direct staff to draft a bylaw based on the Gabriola Island Local Trust Committee Bylaw No. 303 for consideration. CARRIED

On April 19, 2018, the SSI LTC added “Regulation of Cannabis Production” to the Projects List.

ANALYSIS

None

ISSUES AND OPPORTUNITIES

Strategic Priorities

On August 27, 2019, the SSI LTC amended and endorsed the draft strategic priorities that include:

- 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

It is assumed that regulation of cannabis production, could feasibly protect and enhance agriculture thus be aligned with SSI LTC’s strategic priorities.

Available Time and Assigned Resources

In general, drafting a bylaw is a technical exercise that varies with the complexity of the subject matter. Drafting bylaws accounts for a small percentage of the time projects take to reach completion. The table below is a general guide of time estimates when staff are budgeting resources.

Table 1 Estimated Percent of Staff Time per Project Phase

Estimate % of Staff Time	Phases	Actions
1	Project Identified	Added to projects list
5	Project Initiation	LTC resolution requesting an initial report; Initial staff report with project charter and strategic priorities analysis; Resolution requesting funding; Funding allocated
30	Analysis	Background research to understand an issue, Solve a problem, or make a decision (ex: white papers), Follow up staff reports, Mapping, etc
25	Consultation	Early referrals (APCs, agencies, community groups); First Nations engagement; Community meetings (Open houses, site visits, IAP2 considerations); Agency engagement; Communications Plan if required
5	Bylaw Drafting	Draft bylaw(s)
29	Legislative	1-3 Readings; Referrals; Amendments; CIM; FN consultation; Public Hearing; EC approval; Ministerial approval; Adoption
5	Implementation	Bylaw consolidation, Lessons learned; Community communications; Bylaw enforcement; Administrative updates
	Closed	No further work
100		

Regulation of Cannabis Production has not been dedicated as a Top Priority project, nor a Special Project. Projects not listed as a top priority normally receive very little or no staff attention as per Islands Trust policies ([Policy 5.9.i](#)) and ([Policy 6.7.i](#)). Staff should proceed no further with the draft bylaw unless the SSI LTC replace one of the existing top priorities with Regulation of Cannabis Production or replace Affordable Housing - Temporary Use Permits (Bylaw 471 at second reading) as a Special Project.

Draft Bylaw

The attached draft bylaw has not been reviewed by administrative staff thus the bylaw has not been given a bylaw number or official citation. Therefore, it is not feasible for the SSI LTC to give any readings at this time. Overall, the purpose of this report and bylaw was to meet the SSI LTCs resolution as expediently as possible without offending established policies and procedures.

Submitted By:	Stefan Cermak, Regional Planning Manager	September 20, 2019
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DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO.

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 as for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. [], 2019.”
2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999” is amended as follows:

2.1 Section **1.1 DEFINITIONS**, Subsection 1.1.1 is amended as follows:

- 2.1.1 The definition of “**farm based business**” is amended to include (the exclusion from the definition of *farm operation*):

(n) Cannabis Production

- 2.1.2 Adding the following definitions:

“**Cannabis Production**” means the production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products but excludes the growing of cannabis by an individual for their personal use and consumption.

“**Cannabis Products**” means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for consumption.

2.2 Section **3.1 USES PROHIBITED IN ALL ZONES**, Subsection 3.1.1 is amended by adding:

- (8) *Cannabis Production* except as permitted on land within the Agricultural Land Reserve.

2.3 Section **4.3 SETBACKS FROM LOT LINES AND ACCESS EASEMENTS**, is amended by adding:

- 4.3.10 The minimum setback for buildings, structures or greenhouses used for cannabis production is 60 metres from any lot line and 1,000 metres from any school, park, public institution or community facility zone.

2.4 Section **9.1 Agricultural Zones**, Subsection **9.1.2 Size, Siting and Density of Permitted Uses, Buildings and Structures**, is amended by adding:

(2) The maximum combined coverage of buildings and structures used for the purpose of cannabis production is 200 square metres.”

2.5 And by making such consequential numbering alterations to effect all changes in this bylaw.

READ A FIRST TIME THIS DAY OF , 20

READ A SECOND TIME THIS DAY OF , 20

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



Dear Fellow Rural Islander:

On November 7-8, 2019, the Rural Islands Economic Forum (RIEF) will bring together leaders from 16+ Rural Island communities and 10+ First Nations, who have traditional or reserve land on rural islands, for the purpose of advancing enduring local and regional economic resilience and community economic health. Representatives from First Nations and other rural island community economic capacity building organizations are being invited to the Forum, which takes place at Poet's Cove, Pender Island, BC.

This is a critical and essential time for our rural island and First Nations communities to come together to collectively address long-term community economic health all within the context of climate change.

Through the Forum we invite you to engage together to address the following topics:

- Fostering Sustainable Entrepreneurial Strategies
- Mobilizing Local Capital for Rural Island Economic Revitalization
- Protecting & Sustaining Rural Island Cultures
- Attracting & Retaining Green and Low Impact Business
- Addressing Community Issues that Impact Rural Economic Well-Being

The Forum provides an opportunity to network with like-minded people; participate and set the agenda for economic capacity building in the rural islands, shape the future for sustainability, and make a difference in framing new rural inter-island partnerships.

The Executive Committee of the Forum is pleased to invite you, as a representative of your organization, to respond with an expression of interest for attending the Forum.

Please Note: As space is limited, we're asking you visit the RIEF website: <https://www.ruralislandsforum.com/pre-registration> to express your interest in attending. We only have a capacity of 110. Therefore, we want to insure that all rural islands will be represented; acceptance is not guaranteed. All accepted invitees will be contacted in mid-September and sent a registration link to officially register.

Together, through a shared rural islands lens, we will create a platform for facilitating organization, collaboration, communication, and advocacy to achieve and sustain community economic resilience on behalf of BC's rural islands.

In Gratitude for the Islands,

RIEF Executive Committee:

Noba Anderson – Cortes

Francine Carlin – Salt Spring

Pat English – Cormorant & Malcolm

Mike Hoebel – Galiano

Rod Marsh – Bowen

DATE OF MEETING: Various

TO: Local Trust Committees

FROM: David Marlor, Director,
Local Planning Services

SUBJECT: Climate Change Adaptation and Mitigation Strategies

PURPOSE

At its regular business meeting in June 2019, Trust Council passed the following resolution:

TC-2019-043

It was Moved by Trustee Fast and Seconded by Trustee Peterson,

That Trust Council direct staff to add agenda items 6.4 and 8.4 regarding climate emergency tools and strategies to all Local Trust Committee's upcoming agendas and suggest to the Bowen Island Municipality.

NEXT STEPS

The two reports "Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust" and "Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation" are provided for information on the local trust committees, and to assist when determining local actions to take in response to Trust Council's climate emergency declaration.

Submitted By:	David Marlor, MCIP, RPP Director, Local Planning Services	August 29, 2019
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ATTACHMENTS

1. Attachment 1: Items 6.4 and 8.4 from June 2019 Trust Council

BRIEFING

To: Trust Council **For the Meeting of:** June 19, 2019
From: CAO **Date Prepared:** May 23, 2019
SUBJECT: Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust

PURPOSE: To provide Trust Council a summary report on current and past actions, and policies adopted by the Islands Trust to address climate change. This report is a companion report to the land use actions report on the current agenda and is offered to provide context for Trust Council as they contemplate a range of potential options to address climate change within the Trust Area.

BACKGROUND: On March 13, Trust Council passed the following resolution:

That the Islands Trust Council:

1. Declare a Climate Change Emergency in the Islands Trust Area.
2. Add climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project.
3. Direct the Trust Council Chair to write to the Chairs of Regional Districts in the Islands Trust Area asserting Trust Council's full support for declarations of a Climate Emergency;
4. Direct the Trust Council Chair to write to the Provincial Minister of the Environment, asserting the Islands Trust Council's support to help the Province close the 25% emissions gap in the Clean BC Plan, and calling on the Province to provide the powers and resources to local governments;
5. Direct the Trust Council Chair to write to the Federal Minister of the Environment, asserting the Islands Trust Council's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments.
6. Direct staff to report back to the June 2019 Trust Council meeting on measures and land-use planning actions that the Islands Trust can take to advance progress toward Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations.
7. Direct staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning to provide guidance and support for the Trust Area's efforts to transition away from fossil fuels in ways that prioritize those most vulnerable to climate impacts and most in need of support in transitioning to renewable energy.
8. Trust Council directs staff to work with First Nations and First Nations government agencies to seek support for the climate change emergency and to engage to coordinate climate action strategies with First Nations within the Islands Trust Area.

While the Islands Trust, as a function of its mandate and authority, has included climate change adaptation and mitigation measures in its decision making, including Bill 27 OCP implementation and the application of land use regulations, this briefing provides an overview of specific climate actions that the organization has taken.

1. **Anticipated climate changes within the Trust Area:** Given accessible climate change information for the region, it is anticipated that with an increase in global warming at or above 1.5 C the Trust Area would be impacted in the following ways.
 - i. Wetter fall seasons
 - ii. Dryer, hotter summers, drought conditions
 - iii. More inclement weather, extreme weather events
 - iv. Warmer winters
 - v. No frost
 - vi. Rise in sea level
 - vii. Species shift
2. The following table provides a timeline of key climate change actions by the Islands Trust and Islands Trust Conservancy over the last 15 years.

Table 1. Timeline of climate change actions

2005	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
passed resolution for advocacy on climate change	Signed BC Climate Action Charter	developed "Trust Area Climate Vulnerabilities" document	Bill 27 requirements, develop OCP amendments: Climate Smart Islands Program	over 2 year span, the majority of OCPs are amended to incorporate Bill 27			adoption of Carbon Neutral Operations Policy 7.4.v		Letter to Prime Minister Trudeau re Paris Climate Accord	State of the Islands Report	initiated groundwater workshops	delivered seal level rise workshops	declared climate emergency
		adopted Corporate Climate Action Plan					Corporate Sustainability Advisory Group Initiated					Adopted CDF toolkit	

3. BC Climate Action Charter

The Islands Trust is a signatory to the BC Climate Action Charter and has taken a number of steps to honor that commitment. Since 2007, we have reported on our website on our plan to achieve our climate action goals. We participate in the Climate Action Revenue Incentive Plan (CARIP) that requires we summarize our GHG emissions and energy consumption and detail our programming towards carbon neutrality. To summarize, the Islands Trust as an organization generates between 55 and 65 tCO₂e per year. We have traditionally then purchased carbon credits to achieve carbon neutrality from the Community Carbon Marketplace, which we been doing since 2012.

Using 2017 CARIP report as an example, key emissions measures are the following:

- a) Direct emissions
 - a. Vehicles fuel 14652 L
 - b. Stationary gigajoule 346
- b) Indirect Emissions
 - a. Purchased energy gigajoule 506
 - b. Purchased reported gigajoule 126
- c) Scope 3 emissions
 - a. Office paper packages 608

Please note that while the Province committed to providing Community Energy and Emission Inventory data for local governments, there is insufficient data for the Islands Trust specifically, requiring that we use a conversion factor to approximate some of our emissions measures.

4. **Bill 27 OCP Greenhouse Gas amendments**

Under separate cover a report will be provided to the June 2019 Trust Council meeting that will include the amendments to local trust committees OCPs required by Bill 27. Generally, each LTC/Bowen Island Municipality (except Piers Island) adopted target reductions for their area, either a 50% or 33% reduction by 2020 and a greater, 85% reduction by 2050. Land use bylaws have not been comprehensively updated to reflect OCP direction. There has been no sustained performance measurement of each local trust area/island municipality to determine how successful the OCP amendments have been in reducing emissions. Datasets are limited on an LTA/IM by LTA/IM basis for specific GHG reductions.

5. **Corporate Actions**

- i. In 2007, the Islands Trust adopted a **Corporate Climate Action Plan**. From a corporate perspective, the three areas effecting our emissions levels are travel, paper and building heating and maintenance. The Climate Action Plan provides a reasonably rigorous analysis of these target emission sources as well as others and make recommendations for mitigations. The Action Plan has led to a number of business practices that are still in place including:
 - a. Reduction of printing
 - b. Reduction of color printing
 - c. Double siding of documents
 - d. Not producing paper agendas
 - e. Support for employees to commute by bike
 - f. Increased ride sharing to staff and Trust meetings
 - g. Replacement of the windows and shading of Victoria office
 - h. Revised purchasing policy to emphasize energy efficiency

The plan is now somewhat dated and could be refreshed to find new points of emphasis and education for staff and trustees.

Since 2007 the Trust has monitored its GHG generation and in support of the Action Plan.

- ii. Adoption of **Policy 7.4.5 Carbon Neutral Operations**. This policy formalized a number of Trust wide operations dedicated to GHG reduction, including a carbon reduction goal, identification of carbon emission sources, dedication to using offsets to achieve carbon neutrality (including purchasing criteria) and reporting requirements.
- iii. In January 2013, a Corporate Sustainability Advisory Group (Green Team) was identified consisting of one member of Trust Council and a department representative across the organization. The term was for 12 months and the terms of reference included develop innovating ways to address climate change impacts and GHG reductions and to implement the Corporate Action Plan.

From the available data on Islands Trust operations, it is reasonable to conclude that we are a low carbon producing organization.

6. **Regional and National Context**

It would be impractical to provide a comprehensive overview of regional climate change initiatives; however, it is worth noting that there have been 16 declarations of a climate emergency in BC. Prominent among them is the City of Vancouver who have recently unanimously approved a motion recognizing the climate emergency and passing an ambitious set of six “Big Moves” that will guide

the City's response to Climate Change. The goal is to meet the objective of limiting warming to 1.5C as per the Paris Agreement.

The initial wave of climate emergency declarations occurred in Quebec (2018-2019), with over 300 communities having taken this step.

7. Issues and Opportunities

The following items provide a list of issues, amongst many, that could form the basis for further discussion by Trust Council.

- We do not have accurate Community Energy and Emissions Inventory information which limits our ability to accurately measure how emissions programing is reducing carbon levels.
- Issue of built form density is central to lessening climate change impacts and GHG production within the Trust Area.
- The Islands Trust does not have climate change policy in the Policy Statement but does in Official Community Plans and a variable level of climate regulation in LUBs.
- Corporate opportunities: electronic meetings, carbon friendly foods, further policies on travel.
- We have not liaised with First Nations on climate change in any substantial manner and will need to include this issue in our Policy Statement discussions.

ATTACHMENT(S):

- 1. N/A**

FOLLOW-UP: As directed by Trust Council

Prepared By: R Hotsenpiller

Reviewed By/Date: May 28, 2019



Islands Trust Council Plan for Continuous Learning

(What other topics would trustees like to propose?)

Updated May 9, 2019

Year	Trust Council Meeting	Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2019	December (Victoria)				
	September (Bowen)				
	June (Galiano)	Strategic Plan	What Elected Officials Need to Know about FOI & Protection of Privacy Training (LGMA) June 25 th webinar.		Chair, Vice Chair, Committee Chairs & ITC Chair training
	March 2019 (Gabriola)	Strategic Plan	Young/Anderson Introduction Bill Buholzer		
	January 2019 Nanaimo	Orientation	Orientation		NA
2018	November (Victoria)	Orientation	Orientation	Orientation	Orientation
	September (Gambier/Keats)	Lessons Learned 2014 -2018	Implications of the Water Sustainability Act		
	June (Saturna)	Strategic Plan	<i>Islands Trust Act</i> Amendments		Agricultural Land Commission/Islands Trust
	March (Salt Spring)	(Freshwater Specialist) (Water Sustainability Act) Regional Conservation Plan		Adapting to Climate Change	March (Salt Spring)

BRIEFING

To: Trust Council **For the Meeting of:** June 18, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 30, 2019

SUBJECT: **Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation**

PURPOSE:

To provide an initial approach in response to Trust Council's Climate Change Emergency Declaration in respect to local planning tools to address climate change.

BACKGROUND:

At its regular business meeting in March 2019, Trust Council declared a Climate Change Emergency. As part of that declaration, Trust Council requested that staff:

"report back to June 2019 Trust Council meeting on measures and land use planning actions that the Islands Trust can take to advance progress towards Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations".

This briefing focuses on land use planning actions that the local trust committees and Bowen Island Municipality could take to advance progress towards greenhouse gas reduction targets and to adapt to the effects of climate change.

Following the implementation of new mandatory requirements for official community plans to include targets and policies for greenhouse gas reductions, all local trust committees and Bowen Island Municipality amended their official community plans to include those targets and policies.

The following table includes a summary of the targets established by each local trust committee and Bowen Island Municipality in their official community plans. Each local trust committee and Bowen Island Municipality also adopted related policies on how to achieve those targets.

Local Trust Committee/Island Municipality	Reduction By 2015	Reduction By 2020	Reduction By 2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions

• Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
• DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
• Associated	-	20%	85%	Reduction over 2007 emissions
• Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
• Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
• Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

A. Local Planning Actions Since 2010

Since 2010, planning Staff regularly include consideration of climate change mitigation and adaptation in staff reports on planning applications and projects. As a result, all planning decisions by local trust committees over the past eight years have included a climate change lens. In addition to this, local trust committees adopted specific policies in their official community plans related to climate change mitigation and adaptation. Many of these policies have been implemented through land use bylaw amendments. A list of these implemented policies is included in Appendix 1.

Appendix 2 lists the official community plan policies that have not yet been implemented in the land use bylaws.

The remainder of this briefing provides information on land use planning actions that can be undertaken in relation to climate change. Section B addresses actions related to climate change mitigation and Section C addresses actions related to climate change adaptation.

B. Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be

effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

C. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. **Sea Level Rise Adaptation Tools**

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for

buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. **Longer Periods of Drought Adaptation Tools**

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

ATTACHMENTS:

- 1. Summary of Local Trust Committee OCP climate change policies already implemented
- 2. Summary of Local Trust Committee OCP climate change policies not yet implemented

FOLLOW-UP:

Further work in specified areas as indicated in the briefing, or as requested by the Trust Council, Executive Committee, Local Planning Committee or local trust committees.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/

Summary of Official Community Plan policies, listed by local trust area, that have been implemented in the land use bylaws.

Ballenas-Winchelsea Local Trust Area

- Shoreline Development Permit Area (applicable to 30 m upland of the natural boundary of the sea).
- Regulations in the land use bylaw exempts solar collectors, wind generators and water storage tanks from height restrictions.

Denman Island Local Trust Area

- Climate change impacts are considered in staff.
- Providing the dedication of conservation area, consistent with OCP policies for density transfer.

Gabriola Island Local Trust Area

Gabriola Island

- Climate change impacts are considered in staff reports.
- Providing for rainwater collection and storage, trail/path connections and dedication of 300+ acres of parkland.
- Development Approval Information (DAI) Bylaw amended (2013) to include option to address GHG emissions, anticipated energy usage, carbon emissions and groundwater resources in conjunction with bylaw amendment or TUP applications [Criteria for assessing OCP/LUB applications developed.
- Land Use Bylaw (parking regulations and Village DPA guidelines) amended to encourage public transit, smaller vehicles, non-polluting vehicles, and permeable parking surfaces and increase walkability.
- Land Use Bylaw amended to measure the footprint of buildings and structures from the interior walls instead of the outer perimeter of the foundation of the building, so increased insulation is encouraged, and to exclude cisterns from floor area calculation.
- Official Community Plan and Land Use Bylaw amended to encourage local food production.

Mudge Island

- Climate change impacts considered in staff reports.
- Land Use Bylaw amended to exclude from the calculation of lot coverage in the RR zone: cisterns and similar structures for rainwater collection and storage; fire-fighting towers; pervious paths, driveways and parking spaces; and garden beds.

DeCourcey Island

- Climate change impacts considered in staff reports.

Galiano Island Local Trust Area

- Climate change impacts considered in staff reports, and inclusion of a policy in the Land Use Policies section of the Official Community Plan applicable to consideration of all applications.
- Amendments to shoreline development permit area to include guidelines to consider and address sea level rise impacts.
- Changes to zoning regulations to permit small-scale renewable energy, specifically height regulations amended.

Gambier Island Local Trust Area

- Climate change impacts considered in staff reports.

Hornby Island Local Trust Area

- Climate change impacts considered in staff reports.
- Official Community Plan Water Supply Protection and Water Resource Protection Development Permit Area includes guidelines to protect water resources.
- Official Community Plan Community Service Use Development Permit Area includes guidelines to provide rainwater catchment and storage; and hydrology study.
- Official Community Plan Commercial Development Permit Area includes guidelines to maintain natural vegetation and reduce light pollution.
- Water storage tanks and wind turbines exempt from Land Use Bylaw height regulations.

Lasqueti Island Local Trust Area

- Climate change impacts considered in staff reports.

Mayne Island Local Trust Area

- Climate change impacts considered in staff reports.
- Zoning amended to exclude solar collectors, wind generators and water tanks from maximum height regulations.
- Geothermal heating systems permitted.
- Amendments to Land Use Bylaw to permit mixed use (second storey residential) in commercial zones.
- Zoning for employee accommodation in commercial resorts.
- Secondary suites permitted.

North Pender Island Local Trust Area

North Pender Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted.
- Temporary use permit guidelines amended to include climate change impacts.

North Pender Associated Islands

- Climate change impacts considered in staff reports.
- Shoreline DPAs include erosion provisions.

Salt Spring Island Local Trust Area

Salt Spring Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted in select areas.
- Amenity Zoning includes implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.
- Climate change considered when evaluating suitability of density transfer.
- Rezoning application supporting local food production and storage as a community amenity
- Coordination with local and provincial agencies regarding fresh water demand and supply in relation to climate change.
- Land use regulations require 15m setbacks from natural bodies of water; 1.5 m elevation above natural body of water.
- Pathways and bikeways dedication at time of subdivision as per OCP Cycle Route map.

- DAI Bylaw including development permit checklist (both are drafted but not yet implemented).

Piers Island

- Climate change impacts considered in staff reports.
- 3.0 m elevation of buildings required if within 30m of water body.

Prevost Island

- Climate change impacts considered in staff reports.

Saturna Island Local Trust Area

- Climate change impacts considered in staff reports.
- Geothermal heating permitted.
- Secondary dwelling units (secondary suites amendment in process).
- Sustainability checklist.
- TUP guidelines amended to include consideration of climate change impacts.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.
- Although not a Bill 27 requirement, LUB was amended to limit dwelling floor area and overall floor area on residential lots.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.

Thetis Island Local Trust Area

Thetis Island and Valdes Island

- Climate change impacts considered in staff reports.

Thetis Associated Islands

- Climate change impacts considered in staff reports.
- Land Use Bylaw definition of floor area excludes any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection.
- Land Use Bylaw permits the following uses in all zones: conservation; water supply facilities for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures; solar collectors; wind turbines; and ocean geothermal loop exchange systems.
- Solar collectors are exempt from Land Use Bylaw height regulations.

Summary of Local Trust Committee Official Community Plan Policies that have yet to be implemented.

The following is a summary of Official Community Plan policies on climate change that have not yet been enacted in the land use bylaw regulations or through development permit areas. For actual wording of the policies, please consult that relevant official community plan bylaw.

Ballenas-Winchelsea Local Trust Area

- Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

Denman Island Local Trust Area

- Review zoning to ensure provisions encourage energy efficiency and the greenhouse gas emissions reduction in new construction.
- Review development permit area guidelines and incorporate provisions to promote energy conservation, water conservation and greenhouse gas emissions reduction.
- Encourage renewable energy, limit fossil fuel consumption, encourage energy-efficient and carbon-efficient building construction.

Gabriola Island Local Trust Area

Gabriola Island

- Consider new development permit area guidelines that promote low impact land uses, alternative transportation, energy conservation, water conservation, and the reduction of GHGs.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping both for their environmental values as well as carbon sequestration areas.
- Amend LUB to consider setbacks from the ocean in relation to sea level rise.

Mudge Island

- Establish climate change as a fundamental factor in land use decision making.
- Encourage on-island agriculture and sharing of local food production.
- Encourage all new construction be built at the highest possible energy-efficiency standards.
- Further policies and actions to be considered as part of a future review of the OCP.

DeCourcey Island

- Encourage on-island agriculture and the sharing of local food production.
- Encourage new construction built at highest possible standards to reduce energy needs.
- Specific policies and actions to be included in a future OCP review.

Galiano Island Local Trust Area

- Amendments to parking requirements to require alternatives to parking spaces.
- Requiring new development to utilize building technology that minimizes energy use.

Gambier Island Local Trust Area

Gambier Island

- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support protection of forest resources.
- Require water storage with every dwelling unit.

Gambier Associated Islands

- Support actions to minimize GHG emissions.
- Recognize importance of forested lands in removing carbon dioxide from the atmosphere.
- Consider potential impacts on global climate change and GHG reduction targets when considering applications.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Reduce extent of infrastructure (e.g. development of common docks).
- Zoning regulations should support small scale residential solar and wind power generation on residential lots.

Keats Island

- Promote use and development of renewable energy sources.
- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support cluster development appropriate for Keats Island.
- Encourage energy efficient buildings.
- Encourage use of alternative energy.
- Encourage water storage for every dwelling unit

Hornby Island Local Trust Area

- Develop criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.
- Encourage retention of forest cover except for the clearing of land for farming in the ALR.
- Limit size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- Encourage green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing.
- Encourage safe multi-use trails and bike lanes to facilitate non-motorized forms of travel.
- Encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods.
- Support the local provision of services that residents presently travel off-island to access.
- Review LUB to provide for community gardens and community food processing and storage.
- Encourage local food production.

Lasqueti Island Local Trust Area

- Develop criteria for assessing OCP or zoning applications from the perspective of climate change adaptation and mitigation.
- Encourage energy conserving buildings.
- Encourage cycling and walking trails to permit non-automobile based forms of travel.
- Encourage water conservation and rainwater catchment.

Mayne Island Local Trust Area

- Permitting attached dwellings.
- DPA to manage lot layout.
- DPA for energy conservation.
- Amendments to amenity zoning and density transfer policies.

North Pender Island Local Trust Area

North Pender Island

- A review of overall development potential to consider amendments to zoning where changes could limit or reduce emissions.
- Permitting attached dwellings.
- Amending parking requirements.
- DPA to manage subdivision layout (conservation subdivision design project started but later abandoned by LTC).
- Second storey residential over commercial.
- Requiring cisterns or other water conservation measures in new development.
- Permitting community wood chipping or composting.
- Amend existing DPA to include energy conservation provisions.

North Pender Associated Islands

- Specific policies and actions to be included in a future review of the plan.

Salt Spring Island Local Trust Area

Salt Spring Island

- Calculation of carbon budget at time of rezoning or demonstrated conformity with LEED or similar.
- GHG or energy efficiency specific DPA.
- Amend fees bylaw to support energy efficient building design.
- Mapping and analysis to anticipate potential impacts of climate change on land use.
- Height relaxation for solar and wind power generation on residential lots.

Piers Island

- In progress of updating OCP for Climate Change.

Prevost Island

- No policies on climate change – bylaw requires updating

Saturna Island Local Trust Area

- Amending zoning to allow mixed use, including second storey residential in commercial designation.
- Amending parking requirements.
- Include energy conservation measures in DPA.
- Implement DPA for lot layout and tree removal.
- Permitting attached dwellings.
- Limit floor area of dwellings.

South Pender Island Local Trust Area

- Permit community gardens.

Thetis Island Local Trust Area

Thetis Island

- Develop new criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.

- Promote land use that supports local food production to reduce food transportation costs and GHGs.
- Support new forms of housing that include clustering and zero emission housing.
- Encourage local, small-scale generation of alternative non-polluting energy sources.
- Regulate the size, siting and height of wind turbines to minimize environmental impacts and safety risks.

Thetis Associated Islands

- Consider the potential impacts on climate change GHG emissions in bylaw provisions and review of development applications.
- Identify significant un-fragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Through bylaw provisions, support residential renewable energy (e.g. micro hydro, solar, wind, waste heat, etc.) use.
- Promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

Valdes Island

- Establish climate change as a fundamental factor in land use decision-making.
- Policies and actions with respect to climate change mitigation will be considered as part of a future review of the Rural Land Use Bylaw.

From: "plamb" <[REDACTED]>
Date: August 23, 2019 at 9:24:11 PM PDT
To: "Peter Luckham" <pluckham@islandstrust.bc.ca>, "Laura Patrick" <lpatrick@islandstrust.bc.ca>, "Peter \ (IT\) Grove" <pgrove@islandstrust.bc.ca>
Cc: "Stefan Cermak" <scermak@islandstrust.bc.ca>
Subject: Climate Emergency-strategic priorities

Trustees, we note that the LTC will be considering a staff report on draft strategic priorities for the current term at your meeting next week.

Naturally, we were delighted to see that staff is recommending that the top priorities include "Implement climate change mitigation and adaptation measures" and that "the LTC assign this priority as its next top priority as soon as resources are available." We are in full support of the staff recommendations.

We sincerely hope that, given the Trust Council's declaration of a Climate Emergency, the LTC recognise that this needs to be **THE** top priority among the list and that significant staff and financial resources will be made available urgently. We will be closely following progress on this issue.

As you are aware, we have received funding from the CRD to begin immediate work on priority climate actions on Salt Spring for the CRD and Islands Trust. We have established a community Steering Committee with supporting Working Groups that are now active.

Thank you,

Peter Lamb
Transition SS-Climate Action Group

From: Rhonan <[REDACTED]>
Sent: Monday, September 16, 2019 1:33 PM
To: Laura Patrick <lpatrick@islandstrust.bc.ca>; Peter Grove <pgrove@islandstrust.bc.ca>; Peter Luckham <pluckham@islandstrust.bc.ca>
Cc: Stefan Cermak <scermak@islandstrust.bc.ca>; Lori Foster <lfoster@islandstrust.bc.ca>
Subject: Trust Council Strategic Plan-Housing

Dear Laura, Peter and Peter,

Please read the attached letter of support from Salt Spring Solutions for a letter sent to Trust Council Sept. 10th by Nancy Peirce on behalf of a regional coalition of non profit housing organizations. This is a very important and pressing issue and we appreciate your leadership and representation of our island's acute concern.

Some personal observations in addition to those expressed formally in the letter by our group:

The Trust Council has declared a climate emergency and climate change is another top priority for our region. Yet on Salt Spring Island we have a growing dependency on workers commuting here from Vancouver Island to fill jobs that should be filled by locals, but cannot because there is no where to live. This trend is growing rapidly and is not going to slow down. We can reduce GHG emissions by housing people locally who are needed to work in providing services necessary to sustain healthy vibrant island communities, a goal expressed by the Islands Trust policy.

The planning pattern of a single family dwelling on large lots combined with today's housing market forces and construction costs means that homes are now un-affordable to purchase for any household earning under \$100,000 per year! This is not just low income earners but most of the middle class. Sustainable communities are underpinned by working families owning their own homes, providing stability. We need to plan for smaller homes and co-housing situations that are more affordable by design as well as increased available rental supply so that the full spectrum of housing needed by our community is achieved sustainably. Smaller homes also reduce GHG emissions by being more efficient to operate and less resource intensive to build.

Failure to plan for adequate housing needed by our community is already resulting in a collapse of services and producing significant stress in most sectors of our community. Consider that anyone who does not own their home is vulnerable to becoming homeless and often forced to leave the island....this includes business owners, teachers, nurses, carpenters...many people normally considered to be able to have secure housing. The current situation is all the more dire when one considers that many people who currently serve our community do live in homes they own, purchased at a time when they were more affordable. Many of these people will be retiring over the next 10 or 20 years. Most of these people could not afford to buy their own home at today's market rates. Where will the younger generations required to take their place find a home?

The solutions to housing crisis on the Gulf Islands is linked to local solutions to the climate emergency. If creative planning solutions are not implemented rapidly, the hollowing out and collapse of our unique island communities will occur well before the rising of the sea level.

Please express this urgency to your colleagues on the Trust Council and reinstate housing solutions as part of its Strategic Plan.

Islands Trust reports going back to at least 2003 have provided many strategies for local trust committees to implement, most recently expressed and summarized in March 2019 by http://www.islandstrust.bc.ca/media/347400/a1_2019-01-24_affordablehousingstrategicactions_final.pdf

Please urge the Trust Council to follow through with recommendations from its own reports, providing housing options for our working communities and reducing GHG emissions at the same time, leading the way for resilient, sustainable island communities for generations to come.

Thank you, Sincerely.

Rhonan Heitzmann
Salt Spring Water Co.
250-538-0102
<http://www.saltspringwaterco.com/>

Salt Spring Solutions

saltspringsolutions.com

September 16, 2019

To: Salt Spring Island Local Trust Committee
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Dear Trustees,

Re: Reinstatement of Housing Objective to Trust Council's 2018 – 2022 Strategic Plan

Dear Trustees,

We are writing to voice our support for the letter sent to you and other Trustees on September 10, 2019 by a regional coalition of non-profit housing organizations, and to request your leadership.

As you know, Affordable Housing was the top community issue during the 2018 Salt Spring Island Local Trust Committee election. Trustee Grove and Trustee Patrick committed to working hard at the local and regional levels of the Islands Trust to protect and expand the opportunities for affordable housing on Salt Spring Island. As stated in the September 10 letter, we cannot expect that “the serious needs of affordable housing [will] receive any time and attention from the Trust Council and staff in the next few years” without a related objective within the 2018 - 2022 Strategic Plan. With that in mind, we are requesting your leadership, voice and persistence to ensure that such an objective is reinstated.

Since receiving a copy of the September 10 letter last week, we have shared it with other Salt Spring Island-based housing groups. Many of us will be joining the new regional coalition and any future regional advocacy efforts. We hope this adds weight to the good work you are doing on-behalf of our local community and the wider region. We are truly in a housing crisis and require your bold and steady leadership now more than ever to create an equitable and healthy community.

Respectfully,

Salt Spring Solutions

From: Herb Crawley <[REDACTED]>
Sent: Wednesday, September 18, 2019 8:27 AM
To: Terry Cattell <[REDACTED]>
Cc: ssiinfo <ssiinfo@islandstrust.bc.ca>; Carson Drayson <[REDACTED]>; Karin & Rick Wunderlich <[REDACTED]>; [REDACTED]
Subject: Re: meeting Friday 4th October

A very well written and appropriate response to their suggested meeting time and lack of agenda, Terry. When they plan such a time you wonder if it is because they want to be able to say 'we tried but no one showed up' and 'there was very little response to our agenda'. Thank you very much for your input to this meeting

Herb Crawley

*Please note my preferred email address:

[REDACTED]

On Sep 17, 2019, at 9:59 PM, Terry Cattell <[REDACTED]> wrote:

Salt Spring Island Local Trust Committee

I received your notice of a meeting to be held on Prevost Island on the 4th October. Firstly, may I commend you on soliciting the views of local stake holders on 'Planning' issues in your mandate area.

However, if you truly intend to solicit local input from those on Secret Island, you could not have possibly chosen a more inconvenient and inappropriate time and location for such a meeting. No owners live on Secret Island, we all have to travel from afar, many are employed during day time hours.

The intent that owners attend a one hour meeting on a working day, with no agenda, is patently not reasonable.

On Secret Island there are 38 properties represented by 31 owners, a significant community in that part of the Gulf Islands. I would hope that a consultive meeting of owners, together with those owners on Prevost Island, could be organised to allow maximum participation of stake holders.

I have [REDACTED], and this is the first and only occasion in the past [REDACTED] years that the Trust authority has had any communication with me [REDACTED]. I would appreciate an explanation for the calling of this meeting, we might be able to be prepared for the subject of concern.

Owners on Secret Island have long and often considered the possible future of the farm on Prevost Island given the ownership structure.

Speaking solely for myself, there are a number of issues that are of concern should a change in land use be under consideration;

1. We draw our water supply for Secret Island from a bore hole that taps in to an aquifer of unknown capacity below Prevost Island. We are aware of other areas of the Gulf Islands where excessive draw down of the aquifer has brought about salinity of the water supply.
2. We are aware of areas (Saanich Inlet) where septic and surface contaminants have polluted the adjoining sea water.
3. Forest cover has been revealed as a major factor in maintaining a climatic balance.

Once again, thank you for starting a dialogue, I trust you will see a way clear to have greater participation.

The names I have copied this letter to represent the **Secret Island Water District** and the **Secret Island Property Owners Association**.

Terry Cattell

From: Anne Steele <[REDACTED]>
Sent: Thursday, September 19, 2019 2:56 PM
To: ssiinfo <ssiinfo@islandstrust.bc.ca>
Subject: Meeting Prevost Island

Dear Mssrs. Mesdames,

[REDACTED], I received your announcement of a SSI Local Trust meeting to be held at the Prevost Farm dock on October 4 with surprise as this has almost never happened in over thirty years that I have been there, and consequently concerned that there might be some urgent call for this meeting. Therefore, I regret very much that I will not be able to be there due to prior arrangements. I will have someone there to represent me at the meeting, but may I Inquire about the purpose or agenda for this? I should like to know if there is anything urgent or requiring a proxy vote or what have you. Thank you for your time and interest in Prevost Island.

Sincerely,
Anne Steele (Buettner)

From: isabel bliss <[REDACTED]>
Sent: Saturday, September 21, 2019 11:44 AM
To: ssiinfo <ssiinfo@islandstrust.bc.ca>
Cc: bb@piersinfo.com
Subject: SSI Special Business Meeting on Piers Island - Oct. 4, 2019

[REDACTED]
[REDACTED]
[REDACTED]

Sept. 21, 2019

Dear Trustees,

We are pleased that the Salt Spring Island Local Trust Committee will be holding a Special Business Meeting on Piers Island. However, due to travel we will not be able to attend.

Per my phone call earlier this week, I was asked to supply our feedback in writing to the SSI Local Trust Committee. Accordingly, we are writing today to request that the Committee kindly consider remitting the monies paid to SSI by all Piers Islanders on their annual property tax bills be returned to Piers Island as a "grant in lieu" for our various infrastructure needs. Such projects include the replacement of our aging water tower.

Thank you very much for your consideration of our request.

Yours truly,

Isabel Bliss & Jim Merritt

cc Piers Island community via the online bulletin board

From: Laura Patrick <lpatrick@islandstrust.bc.ca>
Date: September 23, 2019 at 8:04:24 PM PDT
To: Dragonfly Commons <[REDACTED]>, Peter Grove
<pgrove@islandstrust.bc.ca>, Peter Luckham <pluckham@islandstrust.bc.ca>, Stefan Cermak
<scermak@islandstrust.bc.ca>, Elizabeth FitzZaland <[REDACTED]>
Subject: RE: Letter of Support

Tami and Fernando,

I want to begin with an apology. I am deeply sorry for the response a Trustee made to Nancy Peirce regarding the September 10, 2019 letter to Trust Council that you were a signatory to. Trust Council received the letter at its meeting last week, and housing was added to the strategic plan.

Thank you for your ideas. I am committed to responding to the housing crisis on Salt Spring with responsible and creative ideas. I agree action is more important than words. Today I visited the Reidman Residences in Vancouver. These residences were the first temporary modular housing units to constructed in BC and they received considerable community push back. Now they house 78 people who were homeless or at risk of being homeless. Today, staff shared stories about the positive impacts this project has had on many of its residents. I visited these residences with other rural government representatives who are calling on BC housing to accommodate rural needs.

Please continue to hold me accountable for working with you and all the countless volunteers who want solutions for Salt Spring's housing crisis.

Laura Patrick

From: Peter Grove Islands Trust <pgrove@islandstrust.bc.ca>
Date: September 23, 2019 at 8:37:33 PM PDT
To: Dragonfly Commons <[REDACTED]>
Subject: Re: Letter of Support

Thank you Tami and Fernando. This will certainly be brought to LTC for discussion and, i hope, implementation.

Saludos

Peter

Peter Grove
Tel: 250-537-1117
Cell:604-341-6710

Sent from my iPhone

From: Dragonfly Commons [REDACTED]
Sent: Monday, September 23, 2019 3:23 PM
To: Peter Grove; Laura Patrick; Peter Luckham; Stefan Cermak; Elizabeth FitzZaland
Subject: Letter of Support

Dear Laura, Peter and Peter,

We fully support the attached letter from Salt Spring Solutions in its entirety.

In addition, here are a few ideas of what we feel are top priorities from our perspective - trying to develop affordable workforce housing:

1. Create a Senior Planner position that is dedicated to affordable housing projects.
2. Amend the 1600 L/d household requirement to a per bedroom rate that is the same or similar to cottage "proof of sufficient supply" that is in current practice at the CRD Building Office - for affordable housing projects.
3. Advocated for an amendment to the NSSWD water moratorium to enable the construction of affordable houses which use alternative water sources within the NSSWD catchment area, such as rainwater harvesting.
4. Advocated for improvements to Drake Rd so as to be able accommodate the affordable housing projects currently underway and potential future ones.

It is patently obvious that the housing crisis is already resulting in a collapse of services and creating untold suffering on our island. To this point the bulk of the work to try and create affordable housing in our community has been borne by volunteers and we need support that is more than just words from our political leaders.

In conclusion we want to emphasize the final point in the Salt Spring Solutions letter, that "Further planning studies are not required. All we need to make real changes is your leadership and dedicated resources." We can not overstate this enough.

Tami and Fernando Dos Santos

Dragonfly Commons Housing Society
An Affordable Neighbourhood on Salt Spring Island

Salt Spring Solutions

saltspringsolutions.com

July 9, 2019

To: Salt Spring Island Local Trust Committee
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Dear Trustees,

Re: Immediate Actions for Addressing the Housing Crisis

We, Salt Spring Solutions, respectfully submit this letter to the Salt Spring Local Trust Committee (LTC) and request an prompt response. Salt Spring Solutions is a grassroots network of residents, employers, workforce members and affordable housing advocates concerned about our community's Housing Crisis and its relationship to the Climate Emergency declared by the Islands Trust earlier this year. This letter seeks to reiterate the urgency for action and provides a list of actions the LTC can take immediately to address the Housing Crisis and Climate Emergency.

Salt Spring Solution's vision is **that every Salt Spring resident has a safe, long-term home they can afford and that is designed to minimize human impacts on the natural environment.** Our vision responds to the many pressing issues we face today – the Climate Emergency, water shortages, large-scale land clearing, a declining workforce, limited medical services, reduced school enrollment, increased traffic and commuting, closing businesses and so on – and looks ahead to a better way to care for our island environment and fellow islanders. Our vision recognizes that the environmental, economic and social wellbeing of our community are intrinsically connected, and that creating and protecting safe, affordable and ecologically sound homes is essential to our existence as an intact and sustainable community. Our vision is in harmony with that of the Islands Trust which seeks to preserve and protect this incredible place. Unfortunately, the status quo of hoping things will not change is failing all of us. Change is happening regardless and in unintended ways that are hurting our community, our ecosystem and our planet. Action is required immediately to set us on a better path.

July 9, 2019

There are actions the LTC can take now to address the Housing Crisis and Climate Emergency.

The LTC and its planning team have the ability help increase the supply of long-term, rental housing and affordable homeownership, and improve all the related issues of undersupply through existing planning tools. Below is a brief description of these specific actions which are endorsed by Salt Spring Solutions, the Salt Spring Island Housing Council Society, the Dragonfly Commons Housing Society and several other local organizations. We have kept the text concise for the purpose of this initial request but hope to spur further conversations in which we can provide fuller documentation and engage in dialogue with you, staff, the co-endorsers and other stakeholders. We also note that this list is not comprehensive and that additional opportunities to address affordable housing exist – such as a clear approach for short term vacation rentals (STVRs).

Actions that SSI Local Trust Committee Can Take Now

1. **Create a *Senior Planner* position that is dedicated to affordable housing projects, policies and bylaws on Salt Spring Island.** (ie. cottages, suites and multi-unit housing solutions for families, workforce, youth and seniors, etc.)
2. **Consider and integrate these changes to proposed Bylaw 512 - Affordable Housing - Cottages:**
 - a) Provide incentives within the mapped R(f) zones for provision of rental housing that is rent-controlled.
 - b) Provide incentives within the mapped R(f) zones for "alternative sources" of potable water for cottages.
 - c) Remove floor area limit based arbitrarily on lot sizes, and return floor area limits to general regulations.
 - d) Consider removal or revision of item 2.2 (8) (as written, April 2019) to allow appropriately-sized stratas within R(f) zones. (See recommendation #7 in Affordable Housing Strategic Actions report, January 2019)
3. **Review and update Secondary Suites Bylaw 461:**
 - a) Amend the 1200 L/d suite internal water requirement to a per bedroom rate that is the same or similar to cottage "proof of sufficient supply" that is in current practice at the CRD Building Office.

- b) State explicitly that use of stored rainwater for secondary suites, with suitable plumbing is permitted following rainwater storage and use guidelines, including Bylaw 461 properties that fall within North Salt Spring Waterworks District (NSSWD)
 - c) Stipulate in Bylaw 461 that suites in accessory buildings are a possibility in all or designated appropriate zones.
 - d) Designate zones in Bylaw 461 for caretaker suites within commercial buildings in appropriate "village" areas of Salt Spring Island.
 - e) Advocate for an amendment to the NSSWD water moratorium to enable the construction of secondary suites and caretaker suites that use water alternative sources within the NSSWD service area
4. **Develop a new bylaw to enact a zoning model that goes by the name "Ecovillage" or "Home Plate" in other jurisdictions.**
- In essence, the residential/commercial land uses are designated within a footprint of the total lot area and remaining lot area is put into protection/conservation covenant.
 - Allows for clustered housing for 1 principal residence and 2 or more secondary dwellings (suite, cottage, tiny homes, farmworker housing) as well as specified food production or other home-based business/commercial uses.
 - Pre-existing DPAs apply.
 - Floor area ratio for dwellings and/or number of secondary dwellings could increase in a manner that matches lot size increases. (ie. Either greater total floor area allocated to secondary residence, or a number and type of secondary residences stipulated in the bylaw).
 - In other regions, such zoning models give the landowner "eco-credits" (also known as "density bonus in exchange for amenities") (e.g. rainwater use, permaculture design, zero energy, composting toilets, etc.).
5. **Create local "Rainwater Harvesting and Use Guidelines".**
- For potable and non-potable uses of rainwater across all land use zones, and in approved dwellings (and any water deemed as "greywater").
6. **Undertake locally-adapted actions based on the 2019 Islands Trust Affordable Housing Strategic Actions report** (http://islandstrust.bc.ca/media/347400/a1_2019-01-24_affordablehousingstrategicactions_final.pdf).

7. **Identify resources and publicly communicate a timeline for updating the Official Community Plan and Land Use Bylaw.** It is time to undertake comprehensive updates of the Official Community Plan (OCP) and Land Use Bylaw (LUB) because:
- The OCP and LUB were adopted in 2008 and 1999 respectively. The LUB does not successfully implement the existing OCP. Both documents are out-of-date. They have only remained current through piecemeal amendments that fail to comprehensively integrate new legislation and best practices in land use planning, conservation, transportation or housing.
 - Neither documents prioritize the Housing Crisis or Climate Emergency. Setting strong direction and providing a greater level of detail is required to make the meaningful, timely and lasting changes we need.
 - Salt Spring Island is nearly 2 years out from the referendum on incorporation which was both decisive and divisive. It's time to come back together as a whole community to renew our vision for tackling important issues while protecting this island we all hold dear.

Substantial background research and analysis that supports implementation of actions #1 - #6 is already completed by Islands Trust staff and/or professional consultants (see *References* below plus staff reports related to bylaws 461 and 512). *Further planning studies are not required.* All we need to make real change is your leadership and dedicated resources.

We urge your quick response and look forward to working with you on implementation.

Respectfully,

Salt Spring Solutions

References

Islands Trust. 2019. **Affordable Housing in the Islands Trust Area**. Available here:
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Salt Spring Solutions

saltspringsolutions.com

July 9, 2019

To: Salt Spring Island Local Trust Committee

1-500 Lower Ganges Road

Salt Spring Island, BC V8K 2N8

Dear Trustees,

Re: Immediate Actions for Addressing the Housing Crisis

We, Salt Spring Solutions, respectfully submit this letter to the Salt Spring Local Trust Committee (LTC) and request an prompt response. Salt Spring Solutions is a grassroots network of residents, employers, workforce members and affordable housing advocates concerned about our community's Housing Crisis and its relationship to the Climate Emergency declared by the Islands Trust earlier this year. This letter seeks to reiterate the urgency for action and provides a list of actions the LTC can take immediately to address the Housing Crisis and Climate Emergency.

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July 9, 2019

1

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Actions that SSI Local Trust Committee Can Take Now

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We urge your quick response and look forward to working with you on implementation.

Respectfully,

Salt Spring Solutions

References

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Salt Spring Solutions

saltspringsolutions.com

September, 2019

To: Salt Spring Island Local Trust Committee
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Dear Trustees,

Re: Addendum to July 9, 2019 "Immediate Actions for Addressing the Housing Crisis"

Please accept this letter as an addendum to the letter Salt Spring Solutions submitted to the Local Trust Committee (LTC) in July 9, 2019. We have updated our list of actions to integrate additional strategies we discussed with planning staff and community members since July 2019. These additions are underlined in the list below.

We look forward to presenting all of these actions to the LTC on October 1, 2019.

Actions that SSI Local Trust Committee Can Take Now:

- 1. Create a *Senior Planner* position that is dedicated to affordable housing projects, policies and bylaws on Salt Spring Island.** (ie. cottages, suites and multi-unit housing solutions for families, workforce, youth and seniors, etc.)
- 2. Consider and integrate these changes to proposed Bylaw 512 - Affordable Housing - Cottages:**
 - a) Provide incentives within the mapped R(f) zones for provision of rental housing that is rent-controlled.
 - b) Provide incentives within the mapped R(f) zones for "alternative sources" of potable water for cottages.
 - c) Remove floor area limit based arbitrarily on lot sizes, and return floor area limits to general regulations.

July 9, 2019

- d) Consider removal or revision of item 2.2 (8) (as written, April 2019) to allow appropriately-sized stratas within R(f) zones. (See recommendation #7 in Affordable Housing Strategic Actions report, January 2019)
- e) In order to maximize the potential impact and uptake of allowing year round use of only 400 of some 1300 properties currently zoned for a “seasonal” cottage, we propose that the permitted use be granted on a first come first serve basis to applicants who meet a basic set of criteria:
 - Notice of Intent to rent cottage on a full time basis
 - Proof of sufficient water supply and safe waste management. The water supply must be from a sustainable alternative source if property is located in an area with known supplies issue
 - Commitment to build and/or rent cottage within a reasonable time frame

3. Review and update Secondary Suites Bylaw 461:

- a) Amend the 1200 L/d suite internal water requirement to a per bedroom rate that is the same or similar to cottage "proof of sufficient supply" that is in current practice at the CRD Building Office.
- b) State explicitly that use of stored rainwater for secondary suites, with suitable plumbing is permitted following rainwater storage and use guidelines, including Bylaw 461 properties that fall within North Salt Spring Waterworks District (NSSWD)
- c) Stipulate in Bylaw 461 that suites in accessory buildings are a possibility in all or designated appropriate zones.
- d) Designate zones in Bylaw 461 for caretaker suites within commercial buildings in appropriate "village" areas of Salt Spring Island.
- e) Advocate for an amendment to the NSSWD water moratorium to enable the construction of secondary suites and caretaker suites that use water alternative sources within the NSSWD service area
- f) Expand the area of eligible properties for a secondary suite to areas within current and potential bus routes, and areas of known abundant ground or surface water supply. Consider creating a target number of suites that can be applied for on a first come first serve basis according to a set criteria as suggested above (see 2.e)

4. Develop a new bylaw to enact a zoning model that goes by the name "Ecovillage" or "Home Plate" in other jurisdictions.

- a. In essence, the residential/commercial land uses are designated within a footprint of the total lot area and remaining lot area is put into protection/conservation covenant.
- b. Allows for clustered housing for 1 principal residence and 2 or more secondary dwellings (suite, cottage, tiny homes, farmworker housing) as well as specified food production or other home-based business/commercial uses.
- c. Pre-existing DPAs apply.
- d. Floor area ratio for dwellings and/or number of secondary dwellings could increase in a manner that matches lot size increases. (ie. Either greater total floor area allocated to secondary residence, or a number and type of secondary residences stipulated in the bylaw).
- e. In other regions, such zoning models give the landowner "eco-credits" (also known as "density bonus in exchange for amenities") (e.g. rainwater use, permaculture design, zero energy, composting toilets, etc.).

5. Create local "Rainwater Harvesting and Use Guidelines".

For potable and non-potable uses of rainwater across all land use zones, and in approved dwellings (and any water deemed as "greywater").

6. Undertake locally-adapted actions based on the 2019 Islands Trust Affordable Housing Strategic Actions report (http://islandstrust.bc.ca/media/347400/a1_2019-01-24_affordablehousingstrategicactions_final.pdf).

7. Identify resources and publicly communicate a timeline for updating the Official Community Plan and Land Use Bylaw.

It is time to undertake comprehensive updates of the Official Community Plan (OCP) and Land Use Bylaw (LUB) because:

- a. The OCP and LUB were adopted in 2008 and 1999 respectively. The LUB does not successfully implement the existing OCP. Both documents are out-of-date. They have only remained current through piecemeal amendments that fail to comprehensively integrate new legislation and best practices in land use planning, conservation, transportation or housing.
- b. Neither documents prioritize the Housing Crisis or Climate Emergency. Setting

strong direction and providing a greater level of detail is required to make the meaningful, timely and lasting changes we need.

- c. Salt Spring Island is nearly 2 years out from the referendum on incorporation which was both decisive and divisive. It's time to come back together as a whole community to renew our vision for tackling important issues while protecting this island we all hold dear.

8. **Advocate loudly and persistently at the regional Trust Council and to senior staff at the Islands Trust head office in Victoria for sustainable, affordable housing to be recognized and resourced as regional planning priority.**

Substantial background research and analysis that supports implementation of actions #1 - #6 is already completed by Islands Trust staff and/or professional consultants (see *References* below plus staff reports related to bylaws 461 and 512). *Further planning studies are not required.* All we need to make real change is your leadership and dedicated resources.

We urge your quick response and look forward to working with you on implementation.

Respectfully,

Salt Spring Solutions

References

Islands Trust. 2019. **Affordable Housing in the Islands Trust Area**. Available here:
<http://islandstrust.bc.ca/media/347398/baseline-affordable-housing-policies-updated-2019.pdf>

Islands Trust. 2019. **Affordable Housing Strategic Actions**. Available here:
http://islandstrust.bc.ca/media/347400/a1_2019-01-24_affordablehousingstrategicactions_final.pdf

JG Consulting. 2015. IWAV and the Salt Spring Island Foundation. **Salt Spring Island Affordable Housing Needs Assessment**. Available here:
<http://www.islandstrust.bc.ca/media/340146/ssi-housing-needs-assessment-update-2015.pdf>

Islands Trust. **Salt Spring Community Affordable Housing Strategy (CAHS)**.
(Coordinated by JG Consulting Services Ltd., 2011) Available here:
[http://www.islandstrust.bc.ca/media/254661/CAHS%20report%20\(FINAL%20approved%20by%20SC%2031-Mar-2011\).pdf](http://www.islandstrust.bc.ca/media/254661/CAHS%20report%20(FINAL%20approved%20by%20SC%2031-Mar-2011).pdf)

JG Consulting Services. 2010. Islands Trust. **Community Housing "Toolkit" "A Guide to Tools Available to Support the Development of Affordable Housing in the Trust Area"**. Available here:
<http://www.islandstrust.bc.ca/media/338859/2010-community-housing-tool-kit.pdf>

JG Consulting Services. 2015. **Salt Spring Island Affordable Housing Needs Assessment**. Available here:
<http://islandstrust.bc.ca/media/340146/ssi-housing-needs-assessment-update-2015.pdf>

Normandy Daniels. 2003. **Options for Affordable Housing: *New Solutions to the Housing Crisis in the Islands Trust Area***

City of Maple Ridge. n.d. **Farm Home Plate: Residential Development in the Agricultural Land Reserve**. Available here: Farm Home Plate,
<http://www.mapleridge.ca/DocumentCenter/View/13994/Farm-Home-Plate-Guide-PDF>.

File No.: SS-RZ-2017.1
X-Ref.: SS-SUB-2018.3

DATE OF MEETING: October 1, 2019

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Planner 1
Salt Spring Island Team

COPY: Stefan Cermak, Regional Planning Manager

SUBJECT: OCP Amendment and Rezoning from Commercial Accommodation to Rural zone variant
Applicant: G. & M. Campbell
Location: 347 Bridgman Road

RECOMMENDATION

1. That resolution SS-2019-56, that the Salt Spring Island Local Trust Committee Bylaw No. 498, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2017", be adopted upon registration of the draft covenant, be rescinded.
2. That resolution SS-2019-57, that the Salt Spring Island Local Trust Committee Bylaw No. 499, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2017", be adopted upon registration of the draft covenant, be rescinded.
3. That Salt Spring Island Local Trust Committee Bylaw No. 498, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2017", be adopted.
4. That Salt Spring Island Local Trust Committee Bylaw No. 499, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2017", be adopted.

REPORT SUMMARY

This Staff Report follows three readings, public hearing, approval by Islands Trust Executive Committee, and approval by the Minister of Municipal Affairs and Housing. The rezoning will apply to three lots – currently developed as a single property – from the Commercial Accommodation 2 zone to a new Rural zone variant that will allow a total of two seasonal cottages on the subject properties. The application is also to remove the three properties from Development Permit Area 2(Non-Village Commercial and Industrial). Previous resolutions by the Salt Spring Island Local Trust Committee (LTC) approved the proposed bylaws conditional upon registration of a covenant on title of the subject property. While the applicant has worked to satisfy this condition, final registration of the covenant has proven to be logistically difficult.

BACKGROUND

As an LTC-required condition of rezoning, the applicant has sought to register a covenant requiring protection of the registered archaeological site on the subject property.

The intent of the rezoning is to facilitate a subdivision application to allow a change in lot boundaries from three to two lots to better correspond to current land uses. The applicant has already applied for this subdivision/boundary adjustment to amalgamate the current three lot configuration into two more equally-sized lots (*see appendix 1*).

The proposed covenant has been prepared in accordance with the procedure established by the Archaeology Branch (*see appendix 2*). Under typical circumstances, this type of covenant is signed by the Ministry of Transportation and Infrastructure. However, because the covenant was requested by the LTC as a condition of rezoning, MOTI staff have indicated that they are unable to sign as covenant Transferee at this time. The associated boundary adjustment that the applicant is has not proceeded to a point whereby MOTI would require an archaeological covenant to be registered.

Based on initial review of the boundary adjustment applicant, MOTI has identified archaeological concerns as an item to be addressed through subdivision. Staff discussions with MOTI indicate that a covenant, such as the draft attached here (*see Appendix 3*) will be required to be registered at time of subdivision. MOTI has indicated that covenants are signed at time of subdivision registration.

The applicant has submitted a letter of undertaking (*see appendix 3*), prepared by their lawyer, stipulating that the draft covenant will be registered at time of subdivision.

Issues and Opportunities

Signing and registration of the covenant has proven to be logistically challenging for the applicant, as the expected signatory (MOTI) is unwilling to sign the covenant prior to subdivision registration. As a way out of this bureaucratic predicament, the LTC could issue the rezoning to allow the subdivision application to proceed. Once the subdivision is complete, MOTI can sign the proposed covenant and will be registered on title at time of subdivision as per the letter of undertaking.

Rationale for Recommendation

The applicant has undertaken the actions requested by the previous LTC resolution to register the archeological covenant. However, the intended signing agency, MOTI, is unable to be a signatory to a covenant they have not yet requested. Accepting the letter of undertaking in place of the previous direction to register the covenant will allow the applicant to rezone and pursue the subdivision application. While the covenant will not be registered prior to rezoning, the covenant is intended to be signed at time of subdivision.

ALTERNATIVES

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 processing time for the application. 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:
a. *[list required information]*

2) Approve the application with conditions

The LTC may approve the application with conditions. Staff advise that the implication of this alternative is that the applicant will be required to fulfil conditions prior to approval of the rezoning. Trustees should ensure conditions are clear and attainable.

- a. *That the Salt Spring Island Local Trust Committee approve issuance of SS-RZ-2017.1 conditional upon [insert conditions].*

3) Request staff to draft a restrictive covenant

The LTC may request staff to draft a covenant designating themselves as Grantees. The implications of this alternative would lead to required legal review of the covenant leading to extra cost and time to the applicant. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request staff to draft a restrictive use covenant protecting the registered archaeological site on the subject property.

NEXT STEPS

If the LTC chooses to adopt the proposed bylaws, the rezoning will be complete. Staff will proceed with processing the subdivision application. The applicant will be required to register the proposed covenant at time of subdivision as expressed in the letter of undertaking.

Submitted By:	Geordie Gordon, Planner 1	September 20, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	September 20, 2019

ATTACHMENTS

1. Site Plans
2. Archeology Branch Memo
3. Draft Covenant
4. Letter of Undertaking
5. Bylaw 498 & 499



Ref: 11300-60

Issued: June 5, 2007

Revised: September 19, 2011

To: Provincial Approving Officers
Ministry of Transportation and Infrastructure
Association of BC Land Surveyors
BC Association of Professional Archaeologists

Re: Development of Restrictive Covenants for the Protection of Archaeological Sites

Restrictive covenants are often used in the property subdivision approval process as the mechanism to safeguard archaeological sites protected under the *Heritage Conservation Act*. Although the covenant registration process is led by the Ministry of Transportation and Infrastructure, the covenants are with the Minister of Forests, Lands and Natural Resource Operations. Under this arrangement, the Archaeology Branch is a partner in developing, tracking and modifying these documents.

Archaeological restrictive covenants may be requested as a condition of subdivision approval to protect recorded archaeological sites identified using the Remote Access to Archaeological Data (RAAD) system. The following points and process are required for the implementation of restrictive covenants to ensure they are effective and noted on the archaeological site record:

- Archaeological restrictive covenants must use the attached [template](#).
- The covenant is prepared by the land owner for review by the Province.
- The area containing the archaeological site must be defined by a qualified professional consulting archaeologist and surveyed by a British Columbia Land Surveyor.
 - In cases where there is an existing description of the archaeological site boundary (e.g., the site is recorded and mapped in RAAD), the accuracy and currency of the site boundary information must be confirmed by a qualified professional consulting archaeologist before the boundary is surveyed.
 - The archaeologist may also determine the need for a buffer around the site for adequate protection.
 - A letter from the archaeologist confirming site boundary accuracy and currency and other comments pertinent to site protection, such as the recommendation for

additional restricted activities, must accompany the draft restrictive covenant

- The [restricted activities list in Part 2](#), Section 2 of the covenant template is adequate in most situations to protect the site. Occasionally, additional terms may be required (e.g., a site with preserved organic remains will have to be protected from drying out). Therefore, the Archaeology Branch is available to review these restrictions and conditions to determine if they will achieve the goal of site protection. The draft of the restrictive covenant and letter from the archaeologist may be sent to:

Archaeological Site Inventory Section
Archaeology Branch
PO Box 9816, Stn Prov Govt
Victoria BC V8W 9W3

Re: MOTI Restrictive Covenant (Non-permit)

Or emailed to: ARCWEBFEEDBACK@gov.bc.ca

- A signed copy of the accepted restrictive covenant must be sent to the Archaeology Branch to form part of the archaeological site record.
- Modifications and release of the restrictive covenant are the responsibility of the Archaeology Branch.

Restrictive covenants may also be developed as a site management strategy following an archaeological impact assessment. The covenant development process differs slightly as the Archaeology Branch identifies the need for a covenant and reviews covenant restrictions before the proponent passes the document to Ministry of Transportation and Infrastructure (MOTI) for final approval. However, in these cases the Archaeology Branch still requires a copy of the signed restrictive covenant for inclusion in the archaeological site record. A cover letter from MOTI should identify the heritage permit number of the archaeological impact assessment to assist record keeping.

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

_____ (Signature of Authorized Agent)

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *
(PID) (LEGAL DESCRIPTION)

[to be inserted]

3. NATURE OF INTEREST:

Description	Document Reference (Page and paragraph)	Person Entitled to Interest
Section 219 Covenant	Entire Document	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 | ☒ | Annexed as Part 2 |
| (c) Release | ☐ | There is no Part 2 of this instrument |

A selection of (a) includes 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):

[to be inserted]

6. TRANSFeree(S): (Including postal address(es) and postal code(s))

HER MAJESTY THE QUEEN in Right of the Province of British Columbia as represented by the Minister of
_____ Parliament Buildings, Victoria, British Columbia V8V 1X4

7. ADDITIONAL OR MODIFIED TERMS:

N/A

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(s)	Execution Date			Party(ies) Signature(s)
	Y	M	D	

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.

SECTION 219 COVENANT

TERMS OF INSTRUMENT – Part 2

WHEREAS:

- A. The land contains archaeological site(s) [insert site number(s)] protected under the provisions of the *Heritage Conservation Act*.

NOW THEREFORE in consideration of the premises and the sum of \$1.00 now paid by the Transferee to the Transferor (the receipt and sufficiency of which is acknowledged by the Transferor), the parties agree as follows:

1. In this Part

[where the archaeological site(s) encompass(es) all land described in item 2 of Part 1 of this General Instrument:]

“Land” means the land described in item 2 of Part 1 of this General Instrument.

[Or, where the covenant is to apply to only a select area within the land described in item 2 of Part 1 of this General instrument:]

“Covenant Area Land” means a portion of the land described in item 2 of Part 1 of this General Instrument containing archaeological site(s), as identified by [insert label] on the attached plan [insert plan number].

2. The Transferor covenants with the Transferee that it will not:

- (a) deposit on the Land [or Covenant Area Land], or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Land [or Covenant Area Land];
- (b) remove, destroy, damage or disturb any Heritage Conservation Act protected archaeological object;
- (c) remove or displace any soil [or beach material] from the Land [or Covenant Area Land];
or
- (d) construct, erect or place any building, modular home, mobile home or unit, improvement or structure on the Land [or Covenant Area Land];

or permit any of the foregoing to be done without the prior written consent of the Transferee, which consent may be withheld at the absolute discretion of the Transferee.

3. The Transferor acknowledges and agrees with the Transferee that in order for the Transferee to provide its consent to the Transferor to undertake any of the activities set out in section 2, it may, among other things, require the Transferor to carry out appraisals, inspections, inventories, surveys, studies, analyses and other investigations of the Land [or Covenant Area Land] and the potential archaeological impact of any such activity on the Land [or Covenant Area Land] and the Transferor will carry out all such appraisals, inspections, inventories, surveys, studies, analyses and other investigations at its expense.
4. The Transferor will indemnify and save the Transferee harmless from all actions, causes of actions, claims, demands, suits, losses, damages, debts, accounts, liabilities, costs, expenses and compensation of any kind, including fees of solicitors and other professional advisors, arising out of any breach, violation or non-performance by the Transferor of the covenants set out in sections 2 and 3.
5. No term, condition, covenant or other provision or breach of this Agreement will be considered to have been waived by the Transferee unless such waiver is expressed in writing by the Transferee and any such waiver is not a waiver of any other term, condition, covenant, or other provision or any other breach of this Agreement.
6. This Agreement extends to, is binding upon and enures to the benefit of the parties and their respective heirs, executors, administrators, successors and assigns.
7. In this Agreement, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.
8. This Agreement will be interpreted according to the laws of the Province of British Columbia.
9. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference includes a reference to any subsequent enactment of the Province of British Columbia of like effect and, unless the context otherwise requires, all statutes referred to in this Agreement are enactments of the Province of British Columbia.
10. If any section of this Agreement, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will be considered separate and severable and the remaining parts or sections, as the case may be, will not be affected and will be enforceable to the fullest extent permitted by law.
11. This Agreement will be registered as a charge against the Land pursuant to section 219 of the *Land Title Act*.

END OF DOCUMENT

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 6 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

MACKENZIE FUJISAWA LLP

BARRISTERS & SOLICITORS

1600 - 1095 W. PENDER STREET

VANCOUVER

BC V6E 2M6

604-689-3281 LTO#10479

FILE: C4866-004 August 2019

ATTENTION: Patrick M. Holmes/AD

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

030-800-510

**LOT 2 SECTION 54 SOUTH SALT SPRING ISLAND COWICHAN DISTRICT
 PLAN EPP89410**

STC? YES ☐

3. NATURE OF INTEREST

Covenant

CHARGE NO.

ADDITIONAL INFORMATION

Section 219

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

GREGORY MARK CAMPBELL AND MARIANNE KARIN CAMPBELL

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

N/A

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(s)

Transferor(s) Signature(s)

Execution Date		
Y	M	D
19	—	—

GREGORY MARK CAMPBELL

MARIANNE KARIN CAMPBELL

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.

EXECUTIONS CONTINUED

Execution Date

MINISTER OF FORESTS, LANDS,
NATURAL RESOURCE OPERATIONS
AND RURAL DEVELOPMENT by its
authorized signatory(ies):

Print Name: _____

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.

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

6. TRANSFEREE

MINISTER OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL
DEVELOPMENT
PARLIAMENT BUILDINGS
VICTORIA, BRITISH COLUMBIA
CANADA
V8V 1X4

TERMS OF INSTRUMENT – Part 2

WHEREAS the land contains archaeological site DeRu-22 protected under the provisions of the *Heritage Conservation Act*.

NOW THEREFORE in consideration of the premises and the sum of \$1.00 now paid by the Transferee to the Transferor (the receipt and sufficiency of which is acknowledged by the Transferor), the parties agree as follows:

1. In this Part 2, “**Covenant Area Land**” means that portion of the land described in Item 2 of Part 1 of this General Instrument, containing the archaeological site identified as DeRu-22 and outlined in bold on the attached Reference Plan EPP89411 as “COVENANT AREA 1” and “COVENANT AREA 2”.
2. The Transferor covenants with the Transferee that it will not:
 - (a) deposit on the Covenant Area Land, or any part of it, any earth, fill or other material for the purpose of filling in or raising the level of the Covenant Area Land;
 - (b) remove, destroy, damage or disturb any *Heritage Conservation Act* protected archaeological object;
 - (c) remove or displace any soil from the Covenant Area Land;
 - (d) construct, erect or place any building, modular home, mobile home or unit, improvement or structure on the Covenant Area Land; or
 - (e) permit any of the foregoing to be done without the prior written consent of the Transferee, which consent may be withheld at the absolute discretion of the Transferee.
3. The Transferor acknowledges and agrees with the Transferee that in order for the Transferee to provide its consent to the Transferor to undertake any of the activities set out in section 2, it may, among other things, require the Transferor to carry out appraisals, inspections, inventories, surveys, studies, analyses and other investigations of the Covenant Area Land and the potential archaeological impact of any such activity on the Covenant Area Land and the Transferor will carry out all such appraisals, inspections, inventories, surveys, studies, analyses and other investigations at its expense.

4. The Transferor will indemnify and save the Transferee harmless from all actions, causes of actions, claims, demands, suits, losses, damages, debts, accounts, liabilities, costs, expenses and compensation of any kind, including fees of solicitors and other professional advisors, arising out of any breach, violation or non-performance by the Transferor of the covenants set out in sections 2 and 3.
5. No term, condition, covenant or other provision or breach of this Agreement will be considered to have been waived by the Transferee unless such waiver is expressed in writing by the Transferee and any such waiver is not a waiver of any other term, condition, covenant, or other provision or any other breach of this Agreement.
6. This Agreement extends to, is binding upon and enures to the benefit of the parties and their respective heirs, executors, administrators, successors and assigns.
7. In this Agreement, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.
8. This Agreement will be interpreted according to the laws of the Province of British Columbia.
9. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference includes a reference to any subsequent enactment of the Province of British Columbia of like effect and, unless the context otherwise requires, all statutes referred to in this Agreement are enactments of the Province of British Columbia.
10. If any section of this Agreement, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will be considered separate and severable and the remaining parts or sections, as the case may be, will not be affected and will be enforceable to the fullest extent permitted by law.
11. This Agreement will be registered as a charge against the Land pursuant to section 219 of the *Land Title Act*.

REFERENCE PLAN OF COVENANT OVER PARTS OF LOT 2, SECTION 54,
SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN EPP89410.

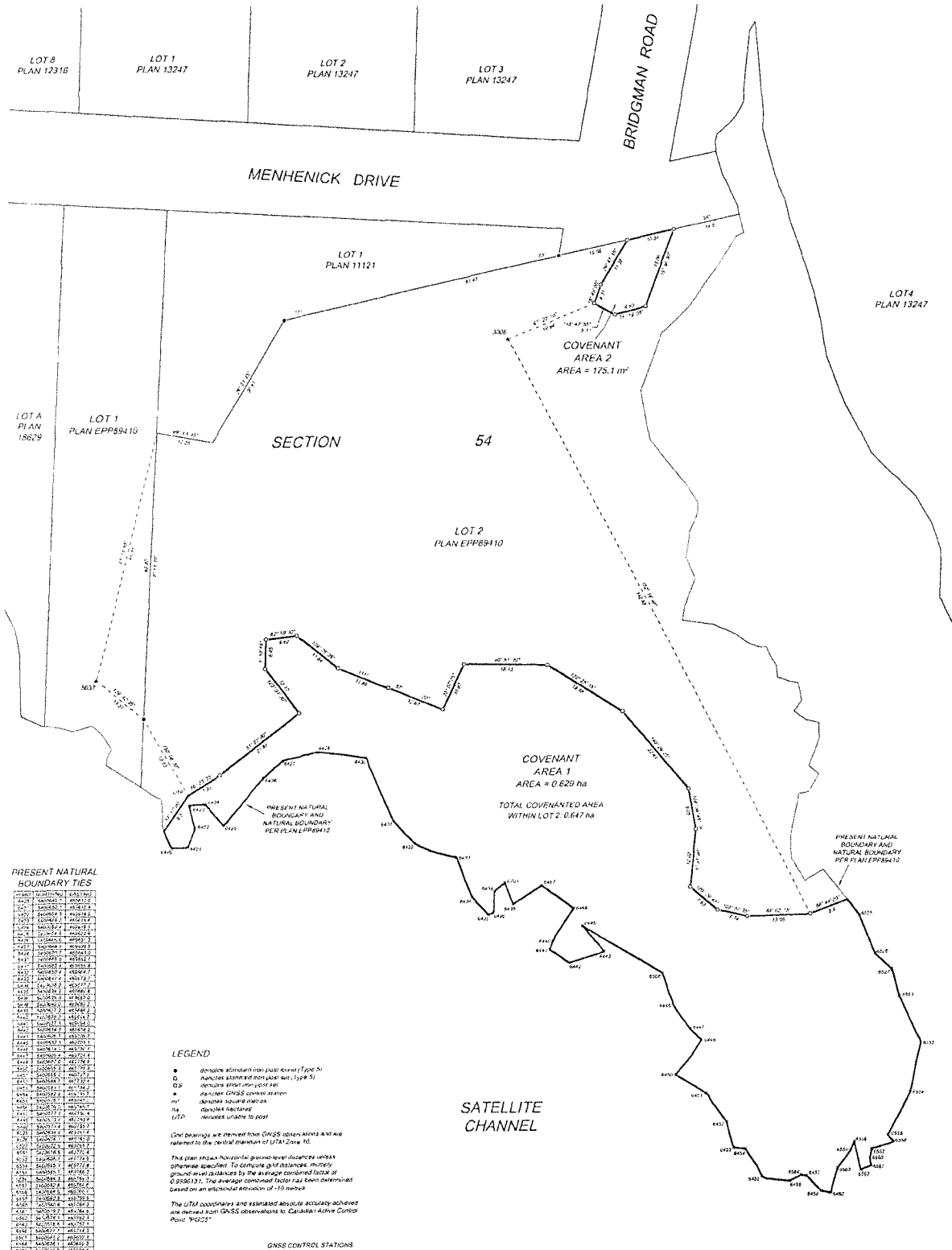
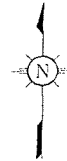
PLAN EPP89411

Pursuant to Section 99(1)(e) of the Land Title Act.

BCGS MAP SHEET 92B.073

ALL DIMENSIONS ARE IN METRES AND DECIMAL THEREOF, UNLESS OTHERWISE NOTED.

The existing plot size of this plan is 580mm in width by 860mm in height (D: Scale) when printed at a scale of 1:400.



PRESENT NATURAL
BOUNDARY TIES

1	1000000.0	1000000.0
2	1000000.0	1000000.0
3	1000000.0	1000000.0
4	1000000.0	1000000.0
5	1000000.0	1000000.0
6	1000000.0	1000000.0
7	1000000.0	1000000.0
8	1000000.0	1000000.0
9	1000000.0	1000000.0
10	1000000.0	1000000.0
11	1000000.0	1000000.0
12	1000000.0	1000000.0
13	1000000.0	1000000.0
14	1000000.0	1000000.0
15	1000000.0	1000000.0
16	1000000.0	1000000.0
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LEGEND

- complete monument (Type A)
- monument (Type B)
- boundary (Type C)
- △ boundary (Type D)
- ▽ boundary (Type E)
- ▽ boundary (Type F)
- ▽ boundary (Type G)
- ▽ boundary (Type H)
- ▽ boundary (Type I)
- ▽ boundary (Type J)
- ▽ boundary (Type K)
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- ▽ boundary (Type M)
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- ▽ boundary (Type P)
- ▽ boundary (Type Q)
- ▽ boundary (Type R)
- ▽ boundary (Type S)
- ▽ boundary (Type T)
- ▽ boundary (Type U)
- ▽ boundary (Type V)
- ▽ boundary (Type W)
- ▽ boundary (Type X)
- ▽ boundary (Type Y)
- ▽ boundary (Type Z)

UTM bearings are derived from GNSS observations and are referred to the central meridian of UTM Zone 10.

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.999937. The average combined factor has been determined based on an ellipsoidal elevation of 10 metres.

The UTM coordinates and estimated absolute accuracy achieved are derived from GNSS observations to Canadian Active Control Point "WGS84".

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GNSS CONTROL STATIONS
UTM ZONE 10, NAD83(CRS) 1987.0

STATION	NORTHING	EASTING	COMBINED SCALE FACTOR	ESTIMATED ABSOLUTE ACCURACY
1000	500000.00	400000.00	0.999937	0.05
1001	500000.00	400000.00	0.999937	0.05

Polaris Land Surveying Inc.

241 Furlong-Gallop Rd.

San Juan Island, BC, V8N 2K7

File: 054-001

Drawing: 054-001-1.DWG

Date: 2019-06-14

This plan lies within the Capital Regional District

The plan survey represented by this plan was completed on the 1st day of May, 2019.

Author: EMM-LIN BCL S 100

PATRICK M. HOLMES*
 DIRECT LINE: 604 443 1215
 EMAIL: pholmes@macfuj.com
 WEB: www.macfuj.com

MACKENZIE FUJISAWA LLP

 BARRISTERS & SOLICITORS

*Law Corporation

OUR FILE NO. C4866-004

September 24, 2019

VIA EMAIL: ggordon@islandstrust.bc.ca

Islands Trust
 Attention: Georgie Gordon

Dear Sir:

Re: Gregory and Marianne Campbell

We write further to our recent telephone conversation and confirm that we are the solicitors for Gregory and Marianne Campbell.

We have been assisting our clients with respect to negotiating a form of Archeological Restrictive Covenant with representatives of the Minister of Forests, Lands, Natural Resource Operations and Rural Development as represented by the Ministry of Transportation and Infrastructure.

The form of the Archeological Restrictive Covenant that has been approved by the Ministry is attached.

As part of our clients application for the subdivision of their property on Salt Spring Island, we provide you with our undertaking that:

- a) we will submit this form of Archeological Restrictive Covenant for signature to the Ministry of Transportation once the Ministry of Transportation requests that from us as part of our clients' subdivision of their property; and
- b) once a signed copy of the Archeological Restrictive Covenant has been returned to us by the Ministry of Transportation once the Ministry of Transportation, we will register the Archeological Restrictive Covenant in the Land Title Office at time of subdivision of our client's property and thereafter provide you with registered copies and an updated Land Title Office searches in due course.

Yours truly,

MACKENZIE FUJISAWA LLP

Per:

PATRICK M. HOLMES

PMH:js
 Encl.

C4866/0004/00415955

1600 - 1095 West Pender Street | Vancouver, BC V6E 2M6
 T 604.689.3281 | F 604.685.6494 | www.macfuj.com

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 498

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

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 Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2017”.

- Salt Spring Island Local Trust Committee 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	1ST	DAY OF MARCH	2018
READ A SECOND TIME THIS	12TH	DAY OF JULY	2018
PUBLIC HEARING HELD THIS	16TH	DAY OF AUGUST	2018
READ A THIRD TIME THIS	16TH	DAY OF AUGUST	2018
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	5TH	DAY OF SEPTEMBER	2018
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS	28TH	DAY OF NOVEMBER	2018
ADOPTED THIS	_____	DAY OF _____	20_____

Chair

Secretary

PROPOSED

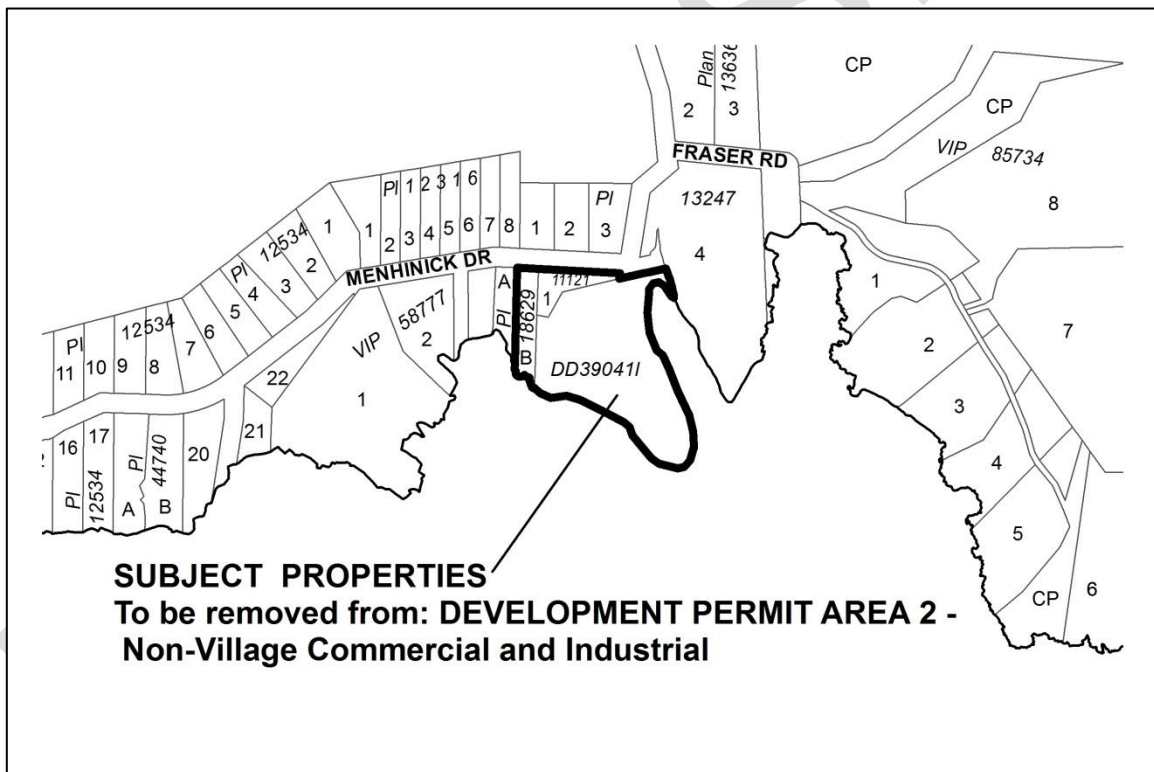
SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 498

SCHEDULE NO. 1

1. Schedule "A", Volume 2 is amended as follows:

- 1.1 Map 19 – Development Permit Area 2 – Non-Village Commercial and Industrial is amended by removing Lot 1, Section 54, South Salt Spring Island, Cowichan District, Plan 11121, Except Part in Plan 18629; Lot B, Section 54, South Salt Spring Island, Cowichan District, Plan 18629; and 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, as shown on Plan No. 1 of this bylaw.

PLAN NO. 1



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 499

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. 1, 2017”.

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

2.1 **Schedule “A” – Zoning Map**, is amended by changing the zoning classification of Lot 1, Section 54, South Salt Spring Island, Cowichan District, Plan 11121, Except Part in Plan 18629; Lot B, Section 54, South Salt Spring Island, Cowichan District, Plan 18629; and Parcel F (DD 390411) of Section 54, South Salt Spring Island, Cowichan District, Except that Part Lying to the West of the Easterly Boundary of Plan 18629 from Commercial Accommodation (CA2) to new Zone Variation Rural (o) - R(o), 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.

2.2 **Section 9.10 - Rural, Upland, Watershed and Smaller Island Zones**, Subsection 9.10.4 - Exceptions in Particular Locations is amended by adding a new Zone Variation as follows:

“Zone Variation – R(o)

(18) Despite Subsection 3.14.1 and Subsection 3.14.3, a maximum of two *seasonal cottages* are permitted on all lands zoned R(o).”

(19) Despite Article 9.10.3(1), the minimum average size of a *lot* that may be created by *subdivision* is 1 ha.

2.3 This bylaw is further amended by making such consequential numbering alterations to effect all changes.

PROPOSED

SS-BL-499

READ A FIRST TIME THIS 1ST DAY OF MARCH 2018

READ A SECOND TIME THIS 12TH DAY OF JULY 2018

PUBLIC HEARING HELD THIS 16TH DAY OF AUGUST 2018

READ A THIRD TIME THIS 16TH DAY OF AUGUST 2018

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
5TH DAY OF SEPTEMBER 2018

ADOPTED THIS _____ DAY OF _____ 20____

Chair

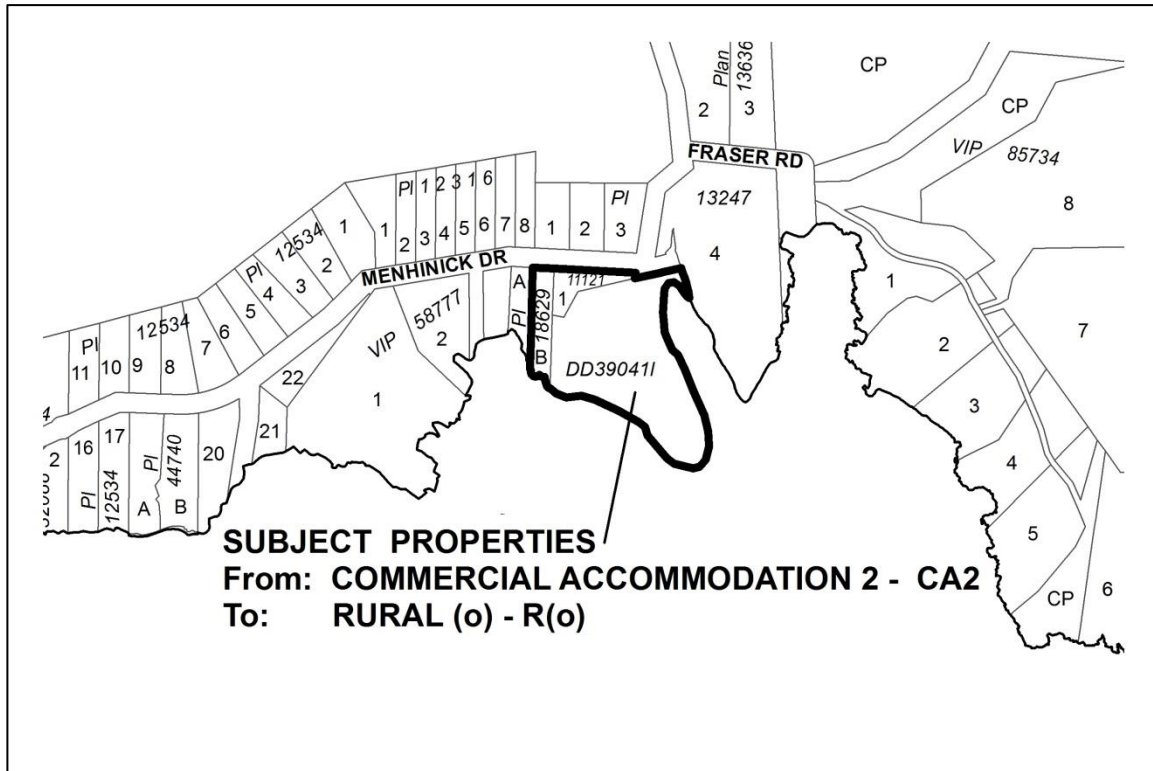
Secretary

PROPOSED

SS-BL-499

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 499

Plan No. 1



File No.: SS-DP-2019.5

DATE OF MEETING: October 1, 2019
TO: Salt Spring Island Local Trust Committee
FROM: Serena Klaver, Planner 1
Salt Spring Island Team
SUBJECT: Residential development within Development Permit Area 1, 6, and 7.

Applicant: Mark Diner & Cheryl Storie

Location: 141 Bishops Walk Road, Salt Spring Island, BC

PID: 028-104-587

Legal Description: Strata Lot 6 District 24 North Salt Spring Island Cowichan District Strata Plan VIS6864 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Permit (SS-DP-2019.5) upon receipt of security for required silt fencing and environmental monitor pursuant to recommendation of Riparian Area Regulation Assessment dated June 28, 2019, by David Gooding, P. Eng.

REPORT SUMMARY

This staff report concerns application SS-DP-2019.5, an application to undertake the following works:

- a) Siting of a single-family dwelling in the vicinity of Development Permit Area 7 (Riparian Area) and Development Permit Area 6 (High Slope Stability/Instability Hazard Area).

Staff recommend that the Salt Spring Island Local Trust Committee (LTC) approve issuance of the development permit application.

BACKGROUND

The application involved is for a 0.46 hectare (1.13) parcel of bare land situated in the Bishops Walk strata subdivision on Salt Spring Island at 141 Bishop's Walk Road. The development permit is a result of a building permit referral that was submitted to the Islands Trust office in April 2019 for the construction of a residential single-family dwelling unit. Due to the topography of the land, the recommended siting proposed by various professionals including surveyors, engineers, and contractors, and agreed upon by the owners of the property, is located within Development Permit Area (DPA) 6 (High Slope Stability Hazard Area) and Development Permit Area 7 (Riparian Areas). Analysis of the corresponding DPA guidelines have been reviewed against the proposed residential development and required professional reports are affixed to the proposed Development Permit in

Attachment No.1. The subject property is also within the boundaries of Development Permit Area 1, however, the nature of the residential development is exempt from requiring a Development Permit for DPA 1.

Figures 1 – 3 below and the site context conducted by Islands Trust planning staff and affixed as Attachment No. 2 provide detailed context analysis of the subject property.

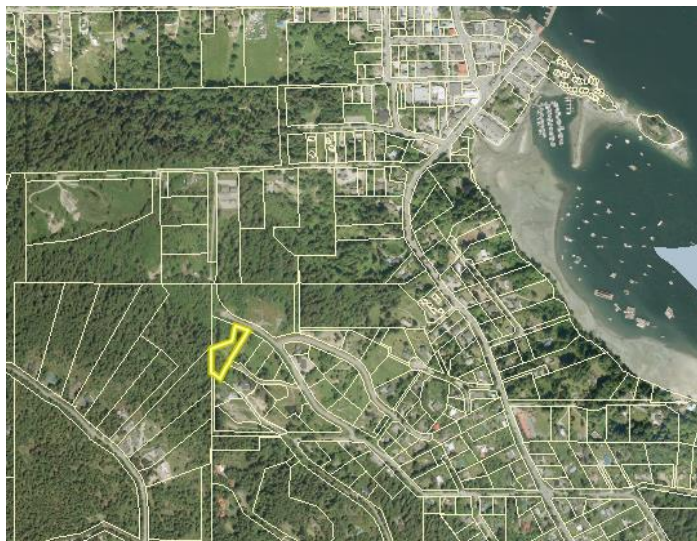


FIGURE 1: 2017 ORTHOPHOTO OF PROPERTY

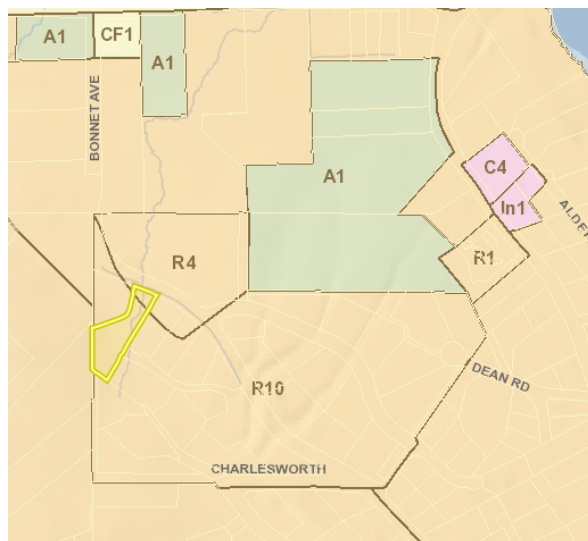


FIGURE 2: ZONING MAP – PROPERTY SPLIT ZONED R4 & R10

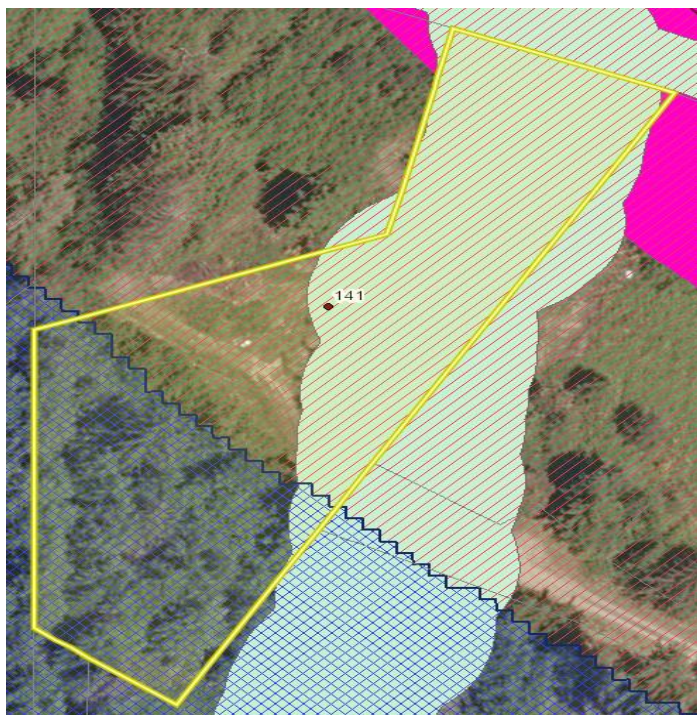


FIGURE 3: DEVELOPMENT PERMIT AREAS (1, 6, & 7)

ANALYSIS

Policy/Regulatory

Official Community Plan (OCP)

The property is designated Residential Neighbourhoods (RN) in the Salt Spring Island Official Community Plan (OCP). This designation is intended to “provide adequate land zoned for medium density residential use and other traditional and compatible rural land uses.” The subject property in question is located in one of the subdivisions on the island identified as an affordable housing area due to its proximity to Ganges Village Core and community water and sewer servicing which was identified at time of rezoning through the mechanism of a housing agreement to ensure the pricing of the sale of the lots were priced at fair market rates.

This neighbourhood and more specifically the property in question is impacted by three different development permit areas; Development Permit Area (DPA) 1, 6, and 7. The context of each of these DPAs are outlined below.

Development Permit Area 1 – Island Villages

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.

Proposed residential development for subject property is exempt

Development Permit Area 6 – Unstable Slopes and Soil Erosion Hazards

E.6.1.1 Development Permit Area 6 is shown on Maps 23 and 24. It is made up of areas that have been identified as having high hazard for soil erosion (Map 23) or a high hazard for slope instability (Map 24). Development Permit Area 6 is identified according to Section 491 (1) of the Local Government Act to protect natural environment and to protect development from hazardous conditions.

Applicant submitted Ryzuk Geotechnical Report dated November 22, 2016 with a DPA 6 exemption. The proposed development permit conditions encapsulates the Ryzuk Geotechnical report.

Development Permit Area 7 – Riparian Areas

E.7 Development Permit Area 7 is designated according to the Local Government Act to protect the natural environment, its ecosystems and biological diversity. Terms used in Section E.7 that are defined in the provincial *Riparian Areas Regulation* are intended to be interpreted in accordance with the definitions given in the Regulation, as it may be amended from time to time.

Development Permit Area 7 contains streams, lakes, and wetlands, and their associated riparian areas, which have been identified as potential fish habitat or waterbodies connecting to potential fish habitat.

This designation is intended to protect riparian areas from development so that these areas can provide natural features, functions and conditions that support fish life processes. The application requires a Development Permit under DPA 7, pursuant to the following clauses in the OCP:

- E.4.1 The following residential, commercial, and/or industrial activities shall require a development permit whenever they occur within Development Permit Area 7, unless specifically exempted under Section E.7.5:
- a. Construction of, addition to, or alteration of a building or other structure.
 - b. Removal, alteration, or destruction of vegetation.
 - c. Soil removal, soil deposit, or soil disturbance.
 - d. Development of drainage systems.
 - e. Creation of non-structural impervious or semi-imperious surfaces.
 - f. Subdivision, as defined in the *Local Government Act*;
 - g. Development, as that term is defined under the provincial *Riparian Areas Regulation*.

Land Use Bylaw (LUB) No. 355

The property is split zoned Residential 10 (R10) and Residential 4 (R4). The proposed development is occurring within the R10 zoned portion of the lot. A single-family dwelling is a permitted principal use on R10 zoned properties.

Sensitive Ecosystems and Hazard Areas

Islands Trust Sensitive Ecosystem Mapping does not indicate that a sensitive ecosystem overlaps the subject property. The mapping does however indicate that the property is located in a Hazard Area, or in this case, Development Permit Area 6 – High Slope Stability/Instability Hazard Areas (OCP maps 14 and 24).

The regulatory tool in place to manage the concerns with DPA 6 include the establishment of policies and guidelines set out in the Official Community Plan, 434, 2008, Volume 2. A Development Permit is required for DPA 6 when there is a removal of trees with a trunk diameter greater than 20 cm (measured 1.5 m above the ground) on areas that have been identified as having a high hazard for slope instability; removal of vegetation that results in the exposure of a total area of bare soil more than 9 m² in area; installation of a septic disposal field in an area that has been identified as having a high hazard for slope instability; alteration of existing drainage courses, and subdivision. A geotechnical engineer assessed the property for the proposed residential development (affixed to Attachment No. 1) and provided a professional substantive rationale for an exemption of the Development Permit. Staff have included the geotechnical report as a Schedule in the Development Permit.

Archaeological Sites

Remote Access to Archaeological Data (RAAD) indicates no known archaeological sites or archaeological potential on each of the properties.

Notices on Title

The Title Certificate for the property indicates that there are various covenants registered on title including the Salt Spring Island Local Trust Committee Housing Agreement from time of rezoning. The terms of the housing

agreement relate more to the sale of the lot which is not applicable for the proposed construction or development permit application. Onus of the property owners to meet all conditions of all notices on title.

Bylaw Enforcement

There are no open bylaw violation files.

CORRESPONDENCE

Development Permits have no statutory notification requirement; accordingly, no notification has occurred.

ISSUES AND OPPORTUNITIES

Geotechnical Concerns

The property is located within Development Permit Area 6 (OCP Maps 14 and 24 – High Slope Stability/Instability). A visual geotechnical assessment of the property where a single-family residential development is proposed was assessed by A. Jackson, P. Geo of Ryzuk Geotechnical on October 27, 2016. A final report dated November 22, 2016 has been included with this development permit application, attached as a Schedule in the proposed Development Permit (Attachment No. 1). The geotechnical assessment concludes that an exemption of the Development Permit may be granted provided that the work for the development is carried out in accordance with the professional geotechnical recommendations. A stack boulder retaining wall was referenced in the body of the geotechnical report. Staff have highlighted this recommendation as a retaining wall is interpreted as a *structure* in the Salt Spring Island Land Use Bylaw No. 355 and is required to be included in the property site plan and be in compliance with Islands Trust bylaw regulations. Staff discussed this subject with the property owner and recently on September 19, 2019 the Professional Geoscientist that originally conducted the geotechnical assessment provided the following additional comments:

Per request of Yager Construction, we confirm that the construction of a landscape retaining wall along the side of the roughed in driveway, as noted in our previous report, is not critical for the safe development of the residential lot. It would make sense from an aesthetic and yard maintenance perspective to have this wall, however, the recommendations included for the design of such was strictly to provide detains for the wall per request of the previous client and does not significantly contribute to the over all site stability. I trust this email will suffice to provide the clarity information for approval as per the development permit requirements.

Riparian Area

The property is also located within Development Permit Area 7 (OCP Map 28 – Riparian Area) and proposed siting has been identified as being at a 10m setback from the Riparian Area as per the submitted surveyed site plan (see Site Context in Attachment No. 2). Pursuant to development permit area guidelines (see Attachment No. 3) an assessment by a Qualified Environment Professional is required and must be registered and approved by the province's *Riparian Area Regulations*. See Attachment No. 1 for a copy of the proposed Development Permit and affixed submitted RAR assessment submitted to the Islands Trust upon receiving registration and approval from the province. Specific recommendations from the report comprise the conditions of the Development Permit.

Rationale for Recommendation

Staff recommend approval of the proposed Development Permit as all development permit guidelines have been met for Development Permit Area 6 and 7, the proposed residential development is exempt from Development Permit Area 1, and the proposed meets the province's *Riparian Area Regulations* and has been registered and approved by the province. Staff also recommend a security for the silt fencing and environmental monitor be required as a condition of the Development Permit to ensure these recommendations are met prior to construction.

ALTERNATIVES

1. Approve issuance of Development Permit SS-DP-2018.3 without requiring a security.

The applicant is anxious to move forward with the application and the surveyed siting of the residential development has been assessed by a Qualified Environmental Professional to meet both the Development Permit Area 7 (Riparian Areas) guidelines and registration and approval with the province's *Riparian Area Regulations*. If the LTC is inclined to issue the proposed permit, recommended wording for resolution is as follows:

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2019.5 for Strata Lot 6 District 24 North Salt Spring Island Cowichan District Strata Plan VIS6864 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V as indicated in Attachment No. 1.

Submitted By:	Serena Klaver, Planner 1	September 24, 2019
Concurrence:	Stefan Cermak, Regional Planning Manager	September 24, 2019

ATTACHMENTS

1. Draft Development Permit
2. Site Context
3. Development Permit Area Guidelines



PROPOSED
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
SS-DP-2019.5

To: M. J. Diner & C. L Storie

1. This Development Permit (the "Permit") applies to lands described below and all buildings, structures and other developments therein:

PID: 028-104-587

Legal Description: Strata Lot 6 District 24 North Salt Spring Island Cowichan District Strata Plan VIS6864 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V

2. This Permit is authorized in accordance with the following schedules attached to and forming part of this Permit as signed and dated by the Deputy Secretary of Islands Trust:

Schedule No. 1 Ryzuk Geotechnical Report, dated November 22, 2016, by Andrew Jackson, P. Geo.

Schedule No. 2 Riparian Areas Regulation Assessment Report, dated June 28, 2019, by David Gooding, P.Eng.

3. Development within Development Permit Area (DPA) 6, as illustrated in Plan No. 1 of this Permit and described in the Ryzuk Geotechnical Report is permitted in accordance with the following conditions:

3.1 All foundations will be required to be supported by native soils or bedrock and therefore the thickness of fill within the slope area will need to be determined at the time of construction to extend footings through this non-select fill. All foundations should be reviewed by a qualified professional at time of construction. Excavation cutslopes should be carried out in conformance with WorksafeBC criteria.

3.2 Collected roof drainage and driveway discharge may be directed via a solid pipe into the existing drainage course. Recommendations identified in the Riparian Areas Regulations Assessment Report, dated June 28, 2019 by David Gooding, P. Eng. must be considered.

4. Development within Development Permit Area (DPA) 7, as described and illustrated in the site plan on page 7 of the aforementioned Riparian Area Regulations Report (RAR Report) is permitted in accordance with the following conditions:

4.1 Slope Instability

- 4.1.1 The fill slope of the residence excavation (outside the SPEA) must be revegetated with native grasses prior to the autumn rains pursuant to Ryzuk Geotechnical Report, dated November 22, 2016 submitted by Andrew Jackson, P. Geo & Riparian Area Regulations Assessment Report

PROPOSED
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
SS-DP-2019.5

submitted by D. Gooding, P.Eng, dated June 28, 2019, and attached to this Permit as Schedule No. 2.

4.2 Sediment and Erosion Control

- 4.2.1 A filter fabric silt fence (shown on site plan) should be constructed along the base of the construction site fill slope which drains towards the stream, and maintained until the slope is revegetated.

4.3 Drainage and Storm Water Management

- 4.3.1 Stormwater from the ditches is adequately managed. The Ryzuk Geotechnical field review recommends discharge of the roof and perimeter drainage onto a rock splash pad which drains to the stream channel. The slope towards the stream must be kept well vegetated, including grasses, to slow and disperse flow, filter, and allow infiltration. This method is preferable to infiltration to a rock pit infiltration bed on the 20% slope downhill of the residence.

4.4 Environmental Monitoring

- 4.4.1 Prior to construction, the environmental monitor must be contacted and consulted in the placement and proper installation of filter fabric silt fencing as shown in the site plan included in the Riparian Area Regulations assessment.
- 4.4.2 Disturbed and bare soil must all be grassed and revegetated by October 31 or as soon as possible. The environmental monitor will be contacted to confirm revegetation and for silt fence removal.
5. All work that takes place within 10 metres of the natural boundary of a lake or stream (or within 300 metres of Maxwell Lake) or within a wetland should be planned and carried out in a way that is consistent with the *Land Development Guidelines for the Protection of Aquatic Habitat*.
6. Development and revegetation authorized by this Permit is to be concluded within 2 years of the issuance of the Permit.
7. This Permit is authorized in accordance with Plan No. 1, Schedule No. 1 and Schedule No. 2 attached to and forming part of this Permit as signed and dated by the Deputy Secretary of Islands Trust and requires a final sign-off in the form of a report by a Qualified Environmental Professional to provide confirmation that Permit conditions have been met.



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SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2019.5

8. Any further development, redevelopment or changes to this Permit including the siting of buildings, structures, and landscaping on this property may require a new Development Permit or a Development Permit Amendment.
9. This is not a Building Permit, nor does it remove any obligation on the Permittee to obtain all other necessary approvals for the lawful completion of the proposed development.
10. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.

**AUTHORIZING RESOLUTION FOR THE ISSUANCE OF THIS DEVELOPMENT PERMIT PASSED BY THE
SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 20__.**

DEPUTY SECRETARY, ISLANDS TRUST

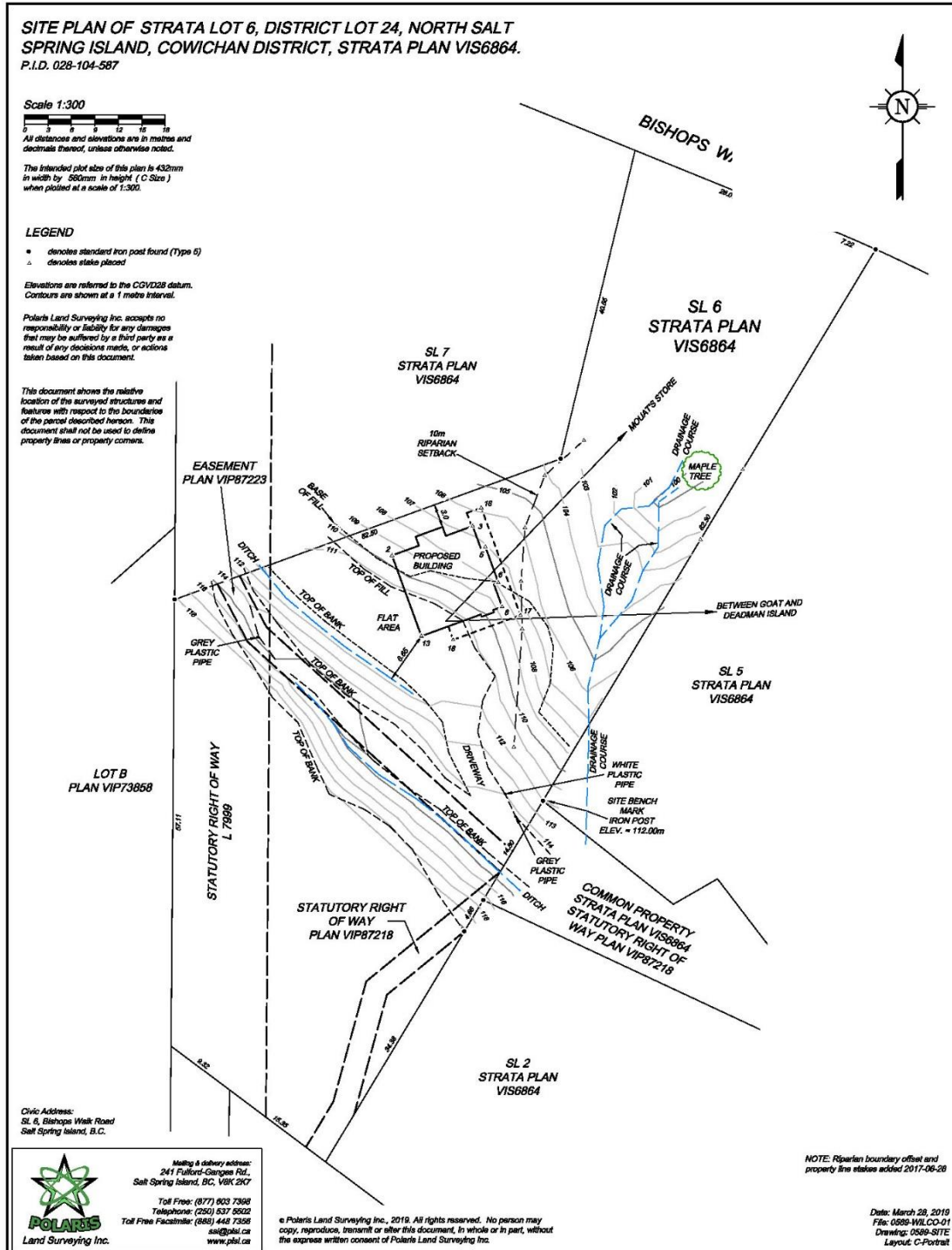
DATE OF ISSUANCE

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____,
20__, THIS PERMIT AUTOMATICALLY LAPSES.**

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2019.5

PLAN NO. 1





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SCHEDULE NO. 1



RYZUK GEOTECHNICAL
ENGINEERING & MATERIALS TESTING

Geotechnical Field Review / Site Instruction

Project No: 8-1057-16
Project: Proposed Residence - Lot 6 Bishops Walk - Salt Spring Island, BC
Client: Wilco Construction
Contact: Trevor Wilson
Email / Fax No: Trevor@wilcoconstruction.ca
Date: November 22, 2016

28 Crease Avenue
Victoria, B.C.
V8Z 1S3
Tel: 250-475-3131
Fax: 250-475-3611
mail@ryzuk.com

Copy to:

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Email / Fax:

As requested we attended the referenced site October 27th, 2016, to carry out a visual geotechnical assessment of the property where development of a single family residence is proposed. The site is located within Development Permit Area 6 (DPA-6 Unstable Slopes), within the Salt Spring Island Official Community Plan (OCP). Pursuant to Section 6.1.3(e) of Bylaw 434, a permit exemption may be granted provided that the work for the development is carried out in accordance with professional recommendations. Our associated observations, comments and recommendations in this regard are contained herein. Our work has been carried out in accordance with, and is subject to, the attached Terms of Engagement.

The site is located within the central portion of Salt Spring Island, within the Bishops Walk subdivision. The property is generally bounded along the east, west, and south by similar undeveloped residential properties, as well as localized right-of-way's and common property areas for the strata, and Bishops Walk Road to the north. The property slopes down moderately from the southern portions at an inclination of around 30-35 degrees. The central portions of the site include a gently sloped to level benched area, and the terrain within the northern portions continues sloping downward to the north at a variable inclination between 10-30 degrees. The site is vegetated with intermittent trees and local ground cover and brush, while the central portions are generally clear. We note that an existing drainage course bisects the eastern portions of the property within a local gully, however the channel of the drainage course is not significantly incised and we expect that this drainage is ephemeral in nature.

We observed native soils within a local cut along the southern portions of the benched area to consist of very dense clayey fine sand. Conglomerate bedrock was also noted a little above and to the south of the benched area within the slope, and we consider that the upper portions of the site are bedrock controlled while soils overlying the bedrock within the lower portion are considered to be controlling the terrain expression. We also consider that the northern area of the benched portion of the site would likely include some fill within the slope crest area.

We understand that the proposed residence location would generally extend from the central northern area of the benched location to the north, creating a walk out type home construction with the lower levels cut into the hillside. We consider that this construction would be feasible, however we note that all foundations will be required to be supported by native soils or bedrock and therefore the thickness of fill within the slope area will need to be determined at the time of construction to extend footings through this non-select fill. All foundations should be reviewed by a qualified professional at the time of construction. Excavation cutslopes should be carried out in conformance with WorksafeBC criteria.

We also expect that a stack boulder retaining wall may be desirable along the toe of the locally steeper cut bounding the southern area of the benched location, which will likely be in the order of 2 to 3 m high. We recommend that the boulders consist of 1 m diameter sound durable rock and that the boulders are placed

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Wilco Construction
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November 22, 2016

atop the native soil subgrade, embedded by 0.3 m at the toe. The boulder stack should be well keyed and interlocked with a face batter not exceeding 1/2:1 (Horizontal: Vertical).

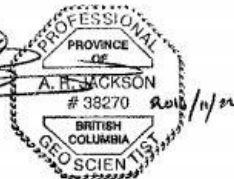
We expect that collected roof drainage and driveway discharge can be directed via a solid pipe into the existing drainage course, with provisions for a rock splash pad at the bottom of the outfall pipe. While the drainage course is not considered to be a riparian area, we recommend that care be taken not to allow significant silt ingress into the drainage channel during the construction and a degree of silt abatement may be required within the low side of the construction area to address this as required. All fills placed in and around the landscaping areas should be compacted in thin lifts and should not exceed a 2:1 (Horizontal: Vertical) inclination and should be revegetated as soon as possible following construction.

In summary, we consider that the proposed development is feasible from a geotechnical perspective. We consider that the location of the proposed residence would not be subject to adverse effects of slope instability associated with a design seismic occurrence with a 2% probability of exceedance in 50 years. We therefore consider that the land may be used safely for the use intended, pursuant to Section 56 of the Community Charter. Provided the construction is carried out in accordance with our recommendations, we consider that the work will be achievable in conformance with the guidelines of the OCP and we support a development permit exemption in this regard.

We trust the proceeding is suitable for your current requirement. Please call if you have any questions.

Kind regards,


Andrew Jackson, P. Geo.
Geoscientist



Attached: Terms of Engagement

RYZUK GEOTECHNICAL

The above does not constitute approval to proceed with the noted work if the work is perceived to be an extra to the Contract. Such can only be authorized by the Contract Manager.



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TERMS OF ENGAGEMENT

GENERAL

Ryzuk Geotechnical (the Consultant) shall render the Services, as specified in the agreed Scope of Services, to the Client for this Project in accordance with the following terms of engagement. The Services, and any other associated documents, records or data, shall be carried out and/or prepared in accordance with generally accepted engineering practices in the location where the Services were performed. No other warranty, expressed or implied is made. The Consultant may, at its discretion and at any stage, engage sub-consultants to perform all or any part of the Services.

Ryzuk Geotechnical is a wholly owned subsidiary of C. N. Ryzuk & Associates Ltd.

COMPENSATION

All charges will be payable in Canadian Dollars. Invoices will be due and payable by the Client on receipt of the invoice without hold back. Interest on overdue accounts is 24% per annum.

REPRESENTATIVES

Each party shall designate a representative who is authorized to act on behalf of that party and receive notices under this Agreement.

TERMINATION

Either party may terminate this engagement without cause upon thirty (30) days' notice in writing. On termination by either party under this paragraph, the Client shall forthwith pay to the Consultant its Charges for the Services performed, including all expenses and other charges incurred by the Consultant for this Project.

If either party breaches this engagement, the non-defaulting party may terminate this engagement after giving seven (7) days' notice to remedy the breach. On termination by the Consultant under this paragraph, the Client shall forthwith pay to the Consultant its Charges for the Services performed to the date of termination, including all fees and charges for this Project.

ENVIRONMENTAL

The Consultant's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater. The Consultant will cooperate with the Client's environmental consultant during the field work phase of the investigation.

PROFESSIONAL RESPONSIBILITY

In performing the Services, the Consultant will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices and procedures normally provided in the performance of the Services contemplated in this engagement at the time when and the location in which the Services were performed.

INSURANCE

Ryzuk Geotechnical is covered by Professional Indemnity Insurance as follows:

1. \$ 2,000,000 each and every claim
2. \$ 4,000,000 aggregate
3. \$ 5,000,000 commercial/general liability coverage

LIMITATION OF LIABILITY

The Consultant shall not be responsible for:

1. the failure of a contractor, retained by the Client, to perform the work required for the Project in accordance with the applicable contract documents;
2. the design of or defects in equipment supplied or provided by the Client for incorporation into the Project;
3. any cross-contamination resulting from subsurface investigations;
4. any Project decisions made by the Client if the decisions were made without the advice of the Consultant or contrary to or inconsistent with the Consultant's advice;
5. any consequential loss, injury or damages suffered by the Client, including but not limited to loss of use, earnings and business interruption;
6. the unauthorized distribution of any confidential document or report prepared by or on behalf of the consultant for the exclusive use of the Client
7. Subsurface structures and utilities



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The Consultant will make all reasonable efforts prior to and during subsurface site investigations to minimize the risk of damaging any subsurface utilities/main. If, in the unlikely event that damage is incurred where utilities were unmarked and/or undetected, the Consultant will not be held responsible for damages to the site or surrounding areas, utilities/main or drilling equipment or the cost of any repairs.

The total amount of all claims the Client may have against the Consultant or any present or former partner, executive officer, director, stockholder or employee thereof under this engagement, including but not limited to claims for negligence, negligent misrepresentation and breach of contract, shall be strictly limited to the amount of any professional liability insurance the Consultant may have available for such claims.

No claim may be brought against the Consultant in contract or tort more than two (2) years after the date of discovery of such defect.

DOCUMENTS AND REPORTING

All of the documents prepared by the Consultant or on behalf of the Consultant in connection with the Project are instruments of service for the execution of the Project. The Consultant retains the property and copyright in these documents, whether the Project is executed or not. These documents may not be used on any other project without the prior written agreement of the Consultant.

The documents have been prepared specifically for the Project, and are applicable only in the case where there has been no physical alteration to, or deviation from any of the information provided to the Consultant by the Client or agents of the Client. The Client may, in light of such alterations or deviations, request that the Consultant review and revise these documents.

The identification and classification as to the extent, properties or type of soils or other materials at the Project site has been based upon investigation and interpretation consistent with the accepted standard of care in the engineering consulting practice in the location where the Services were performed. Due to the nature of geotechnical engineering, there is an inherent risk that some conditions will not be detected at the Project site, and that actual subsurface conditions may vary considerably from investigation points. The Client must be aware of, and accept this risk, as must any other party making use of any documents prepared by the Consultant regarding the Project.

Any conclusions and recommendations provided within any document prepared by the Consultant for the Client has been based on the investigative information undertaken by the Consultant, and any additional information provided to the Consultant by the Client or agents of the Client. The Consultant accepts no responsibility for any associated deficiency or inaccuracy as the result of a miss-statement or receipt of fraudulent information.

JOBSITE SAFETY AND CONTROL

The Client acknowledges that control of the jobsite lies solely with the Client, his agents or contractors. The presence of the Consultant's personnel on the site does not relieve the Client, his agents or contractors from their responsibilities for site safety. Accordingly, the Client must endeavor to inform the Consultant of all hazardous or otherwise dangerous conditions at the Project site of which the Client is aware.

The client must acknowledge that during the course of a geotechnical investigation, it is possible that a previously unknown hazard may be discovered. In this event, the Client recognizes that such a hazard may result in the necessity to undertake procedures which ensure the safety and protection of personnel and/or the environment. The Client shall be responsible for payment of any additional expenses incurred as a result of such discoveries, and recognizes that under certain circumstances, discovery of hazardous conditions or elements requires that regulatory agencies must be informed. The Client shall not bring about any action or dispute against the Consultant as a result of such notification.

FIELD SERVICES

Where applicable, field services recommended for the Project are the minimum necessary, in the sole discretion of the Consultant, to observe whether the work or a contractor retained by the Client is being carried out in general conformity with the intent of the Services. Any reduction from the level of services recommended will result in the Consultant providing qualified certifications for the work.

DISPUTE RESOLUTION

If requested in writing by either the Client or the Consultant, the Client and the Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of thirty (30) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the rules of the arbitrator appointed by agreement of the parties or by reference to a Judge of the British Columbia Court.

V.1.1



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2019.5

SCHEDULE NO. 2

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date 2019-06-28

I. Primary QEP Information

First Name	David	Middle Name	Douglas
Last Name	Gooding		
Designation	P.Eng.	Company	Gooding Hydrology
Registration #	22102	Email	dgooding@saltspring.com
Address	681 Rainbow Rd		
City	Salt Spring Island	Postal/Zip	V8K 2M6
Prov/state	B.C.	Country	Canada
Phone #	250 538-1869		

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
Phone #			

III. Developer Information

First Name	Mark	Middle Name	
Last Name	Diner		
Company			
Phone #	780 9199588	Email	markdiner@gmail.com
Address	10503 75 Ave NW		
City	Edmonton	Postal/Zip	T6E 1J5
Prov/state	Alberta	Country	Canada

IV. Development Information

Development Type	Construction: Single family residential		
Area of Development (ha)	0.06	Riparian Length (m)	262
Lot Area (ha)	0.46	Nature of Development	new
Proposed Start Date	2019-07-15	Proposed End Date	2020-03-15

V. Location of Proposed Development

Street Address (or nearest town)	141 Bishop's Walk		
Local Government	Islands Trust, CRD	City	Ganges
Stream Name	Ganges Creek		
Legal Description (PID)	028-104-587	Region	1
Stream/River Type	Stream	DFO Area	South Coast
Watershed Code	925-258500-69591 id 1097260		
Latitude	48	50	48.7
Longitude	123	30	27.8

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.



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FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

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2. Results of Riparian Assessment (SPEA width)	4-11
3. Site Plan	12
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
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3. Slope Stability.....	13
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FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

Ganges Creek runs into Ganges Harbour through the town of Ganges on the east coast of Salt Spring Island. There is no data available for Ganges Creek in the FISS database. Colloquial information has a few salmon (Chum?) spotted returning to spawn in Ganges Creek, and personal conversation with the most knowledgeable of fish biologists on the island (Kathy Reimer, RPBio) has sea run trout utilizing the Ganges Creek's Swanson Creek tributary lower reach for spawning and incubation.

The lower portion of the Ganges Creek tributary downstream of the subject property is urbanized, with the stream channel modified, extensive culverting, and many ditch lines diverting and extending the channel system. After discussions between the Islands Trust and FLNRO, portions of the drainage system have been classified as ditches. Mapping of stream channels (blue) and ditches (pink) from the Islands Trust's stream mapping for the RAR bylaw is shown below.



The Ganges Creek tributary which flows through the subject lot is ephemeral, at 15 to 25%, with few pools. It drains into a ditch along Drake Rd, then a ditch along an easement down to Seaview Avenue. The lower portion of the flow path to Seaview is in a 0.5 m diameter culvert at 7% to 10% down to Seaview Ave, where it then enters a storm drainage culvert system down to Ganges Creek. This urban stormwater system culvert drops for around 45 m at 20%.

No fish will be able to negotiate this stormwater pipe, and then the culvert on the easement upstream, to access the marginal seasonal habitat in the stream through the subject lot. The tributary does supply flow and nutrient to lower Ganges Creek.

Riparian vegetation on the lot varies in composition. The upstream 25 m of the stream's SPEA is large alder with a few conifers. The middle portion of the stream's SPEA is

grassed, with blackberry and scattered young conifers. The downstream end of the stream, and ditches D1 and D3, are surrounded by thick young alder regen. Ditch D2 is more recent, with the SPEA on the south side mainly grass, with some scattered very young bush and tree beginning.

Development planned is construction of a single family residence, starting in July 2019, with completion by October 30, 2019.

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FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2019-06-23

Description of Water bodies involved (number, type)

Ganges Creek tributary and 3 ditches

Stream	1
Wetland	
Lake	
Ditch	3
Number of reaches	
Reach #	S1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	I, David D Gooding PEng, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the Fish Protection Act; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Mark Diner (name of developer); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
starting point	2.3	25	
upstream	2.44	25	
	1.83	25	
	2.13	25	
	1.52	25	
downstream	2	25	
	2	25	
	2.13	24	
	2.3	23	
	2.44	22	
	2.44	21	
Total: minus high /low	19.5	219	
mean	2.17	24	
	R/P	C/P	S/P
Channel Type			X

Site Potential Vegetation Type (SPVT)

SPVT Polygons	Yes	No	X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
Polygon No:	S1			Method employed if other than TR
SPVT Type	LC	SH	TR	
			X	
Polygon No:				Method employed if other than TR
SPVT Type	LC	SH	TR	

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FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Polygon No:		Method employed if other than TR	
SPVT Type			

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1E	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons		
LWD, Bank and Channel Stability ZOS (m)	10			
Litter fall and insect drop ZOS (m)	10			
Shade ZOS (m) max	6.5	South bank	Yes	No
			☒	☐
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)			
Ditch Fish Bearing	Yes	No	If non-fish bearing insert no fish bearing status report	
	☒	☐		
SPEA maximum	10	(For ditch use table3-7)		

Segment No:	1W	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons		
LWD, Bank and Channel Stability ZOS (m)	10			
Litter fall and insect drop ZOS (m)	10			
Shade ZOS (m) max	6.5	South bank	Yes	No
			☒	☐
SPEA maximum	10	(For ditch use table3-7)		

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons		
LWD, Bank and Channel Stability ZOS (m)				
Litter fall and insect drop ZOS (m)				
Shade ZOS (m) max		South bank	Yes	No
			☐	☐
SPEA maximum		(For ditch use table3-7)		

I, David D Gooding PEng, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the Fish Protection Act;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Mark Diner (name of developer);

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

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FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Reach #	D1		
Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)			
Channel Width(m)	Gradient (%)	I, <u>David D Gooding PEng</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner</u> (<i>name of developer</i>); g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.	
starting point	0.79		
upstream	0.89		
	0.84		
	0.71		
downstream	0.79		
	0.81		
	0.97		
	0.99		
	0.94		
	0.76		
	0.79		
	7.58		
Total: minus high /low mean	0.84		
Channel Type	R/P		
	X		

Site Potential Vegetation Type (SPVT)			
	Yes	No	
SPVT Polygons	☐	☐	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>David D Gooding PEng</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner</u> (<i>name of developer</i>); g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:	D1		Method employed if other than TR
SPVT Type	LC	SH	
	☐	☐	X
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	
	☐	☐	☐
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	
	☐	☐	☐

PROPOSED

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FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	D1-S	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	5				
Litter fall and insect drop ZOS (m)	5				
Shade ZOS (m) max	5	South bank	Yes	X	No
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				
Ditch Fish Bearing	Yes	X	No	If non-fish bearing insert no fish bearing status report	
SPEA maximum	5	(For ditch use table 3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table 3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table 3-7)			

I, David D Gooding PEng, hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Mark Diner (*name of developer*);

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2019.5

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Reach #		D2	
Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)			
	Channel Width(m)	Gradient (%)	I, <u>David D Gooding PEng</u> , hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner</u> (<i>name of developer</i>); k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
starting point	1.02		
	0.61		
upstream	0.76		
	0.86		
	0.66		
	0.99		
	1.35	0	
	0.91		
	0.91		
	1.04		
downstream	0.84		
	7.99		
	0.89		
Total: minus high /low mean			
	R/P	C/P	S/P
Channel Type	☒		

Site Potential Vegetation Type (SPVT)			
	Yes	No	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>David D Gooding PEng</u> , hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner</u> (<i>name of developer</i>); k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
SPVT Polygons		☒	
Polygon No:	D2		Method employed if other than TR
SPVT Type	LC SH TR ☐ ☐ ☒		
Polygon No:			Method employed if other than TR
SPVT Type	LC SH TR ☐ ☐ ☐		
Polygon No:			Method employed if other than TR
SPVT Type	LC SH TR ☐ ☐ ☐		

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Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	D2-S	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	5				
Litter fall and insect drop ZOS (m)	5				
Shade ZOS (m) max	5	South bank	Yes	X	No
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				
Ditch Fish Bearing	Yes	X	No	If non-fish bearing insert no fish bearing status report	
SPEA maximum	5	(For ditch use table 3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table 3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table 3-7)			

I, David D Gooding PEng, hereby certify that:

i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

j) I am qualified to carry out this part of the assessment of the development proposal made by the developer Mark Diner (name of developer);

k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

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Reach #	D3		
Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)			
	Channel Width(m)	Gradient (%)	I, <u>David D Gooding PEng</u> , hereby certify that: m) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; n) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner</u> (<i>name of developer</i>); o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and p) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
starting point	0.66		
upstream	0.74		
	0.43		
	0.56		
	0.46		
downstream	0.76	1	
	0.69		
	0.71		
	0.61		
	0.58		
	0.64		
Total: minus high /low	5.65		
mean	0.63		
Channel Type	R/P X	C/P S/P	
Site Potential Vegetation Type (SPVT)			
	Yes	No	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>David D Gooding PEng</u> , hereby certify that: m) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; n) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner</u> (<i>name of developer</i>); o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and p) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
SPVT Polygons			
Polygon No:	D3-S		Method employed if other than TR
SPVT Type	LC	SH	
	X		
Polygon No:	D3-N		Method employed if other than TR
SPVT Type	LC	SH	
	X		
Polygon No:			Method employed if other than TR
SPVT Type			

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Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	D3-S	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	5				
Litter fall and insect drop ZOS (m)	5				
Shade ZOS (m) max	5	South bank	Yes	X	No
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				
Ditch Fish Bearing	Yes	X	No	If non-fish bearing insert no fish bearing status report	
SPEA maximum	5	(For ditch use table 3-7)			

Segment No:	D3-N	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	5				
Litter fall and insect drop ZOS (m)	5				
Shade ZOS (m) max	5	South bank	Yes		No
SPEA maximum	5	(For ditch use table 3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table 3-7)			

I, David D Gooding PEng, hereby certify that:

m) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

n) I am qualified to carry out this part of the assessment of the development proposal made by the developer Mark Diner (name of developer);

o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

p) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

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Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF before inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	There are no danger trees in or around the SPEA. A large maple at mid-slope by the channel has some dead tops, and may eventually require pruning.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (name of developer)</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	The development does not increase the windthrow hazard to riparian vegetation.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (name of developer)</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Slope Stability	There are no existing slope stability concerns along the incised gully around the stream channel. The SPEA extends past the top of slope. Development will not create any slope instability in the SPEA. The fill slope of the residence excavation (outside the SPEA) must be revegetated with native grasses prior to the autumn rains. Confirmed by Ryzuk Geotech field review (sent as appendix file).
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (name of developer)</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Protection of Trees	There are no development activities near the treed uphill portion of the SPEA. The upper middle SPEA nearest the construction is grass and blackberry. No buffer zone along the SPEA is required for protection of trees.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (name of developer)</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Encroachment	Encroachment into the uphill half of the SPEA length, from the west side which is to be developed, is extremely difficult due to the thick blackberries which cover not just the SPEA but also the RAA. There will be very little traffic around the

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	lower half of the SPEA length due to the thick young alder vegetation around the ditch and lower stream at the downstream (N) lot boundary. No additional measures are necessary. If removal of the invasive blackberries within the SPEA is proposed, a planting plan must be submitted for revegetation.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (same of developer)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Sediment and Erosion Control	A filter fabric silt fence (shown on site plan) should be constructed along the base of the construction site fill slope which drains towards the stream, and maintained until the slope is revegetated.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (same of developer)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Stormwater Management	Stormwater from the ditches is adequately managed. The Ryzuk Geotech field review recommends discharge of the roof and perimeter drainage onto a rock splash pad which drains to the stream channel. The slope towards the stream must be kept well vegetated, including grasses, to slow and disperse flow, filter, and allow infiltration. This method is preferable to infiltration to a rock pit infiltration bed on the 20% slope downhill of the residence, which could create a local slope instability.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (same of developer)</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Floodplain Concerns (highly mobile channel)	There is no significant floodplain or channel mobility in the incised gulley, and no floodplain concerns.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: f. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; g. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Mark Diner (same of developer)</u> ; h. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	



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Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF before inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

SPEA boundaries have been staked. Prior to construction, the environmental monitor will be contacted, and consulted in the placement and proper installation of filter fabric silt fencing as shown on the site plan. Disturbed and bare soil must all be grassed and revegetated by October 31 or as soon as possible. The environmental monitor will be contacted to confirm revegetation and for silt fence removal.

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Section 6. Photos

Photo 1: Stream channel near where it enters the subject property near the SE corner.



Photo 2: Looking upstream at more mature riparian around stream S1 on upper (S) of the lot.



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Photo 3: Looking downstream (N) from upper middle of lot. Stream from lower left towards left side of large maple.



Photo 4: Looking from on stream channel by large maple north down swale. Young alder riparian by stream and Bishop's Walk ditch D1 visible in background



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Photo 5: Stream S1 channel and young alder riparian, looking from the ditch and the downstream (N) property boundary.



Photo 6: Young alder riparian along the uphill side of Bishop's Walk ditch D1



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Photo 7: Looking west at ditch D2.



Photo 8: Ditch D3 near east edge of property.





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Photo 9: Young alder around old logging rd ditch D3. SPEA stake at upper center.





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Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date 2019-06-28

1. I/We David D Gooding

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Mark Diner (name of developer), which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

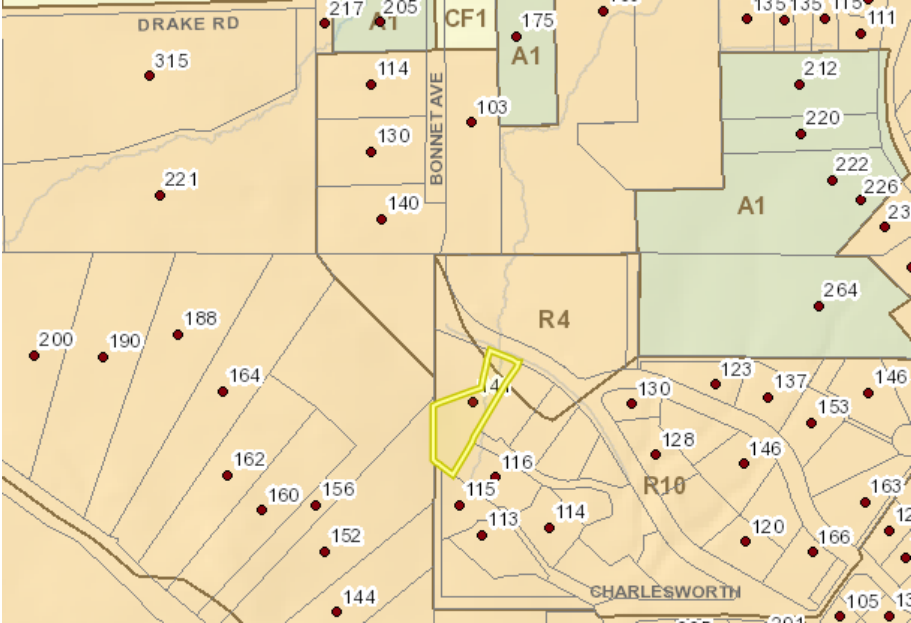
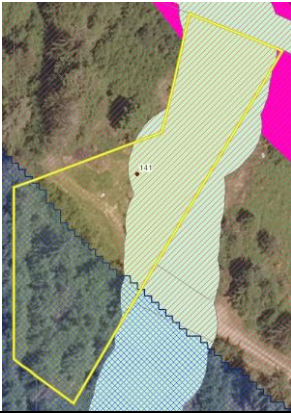
[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if
(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
(c) the individual is acting within that individual's area of expertise.]

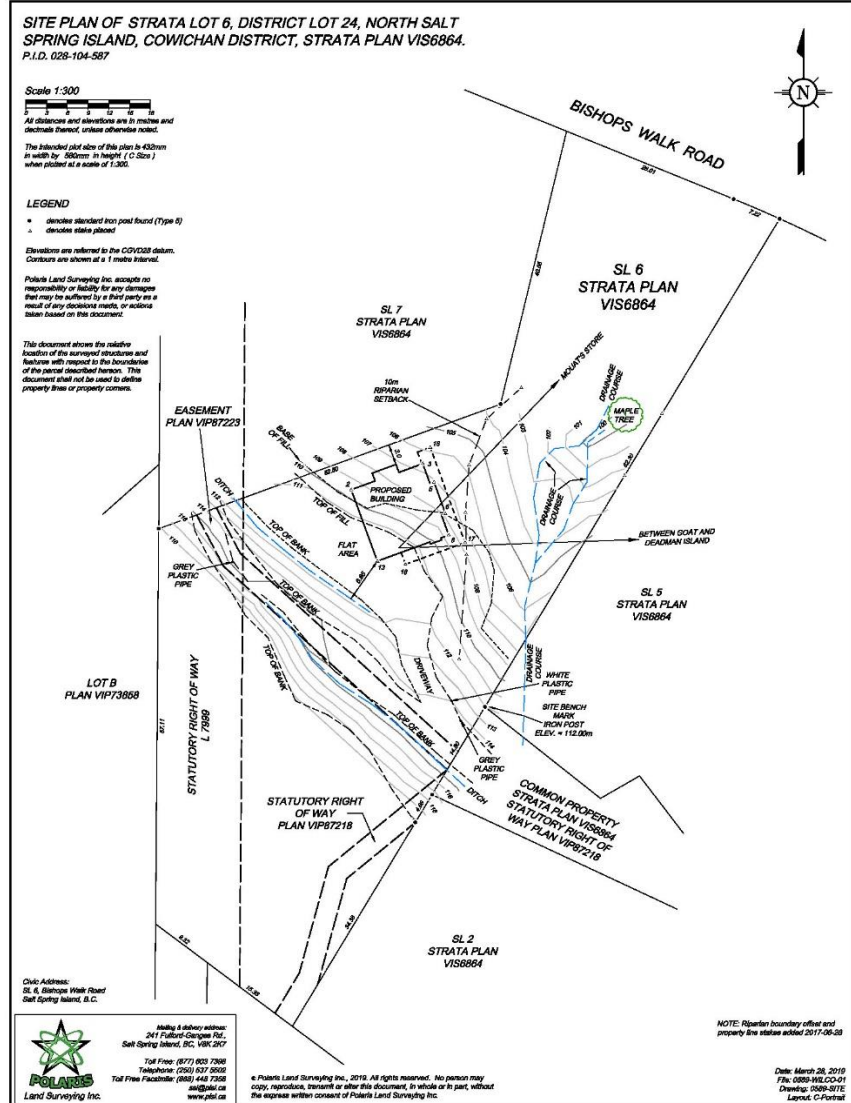
ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	Strata Lot 6 District 24 North Salt Spring Island Cowichan District Strata Plan VIS6864 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V
PID	028-104-587
Civic Address	141 Bishop’s Walk

LAND USE

Current Land Use	Residential 10 (R10) with a small Residential 4 (R4) split zoned portion
Surrounding Land Use	Predominate Residential 4 and Residential 10 zoned lots including the affordable “Bishops Walk” housing development in close proximity on Bishops Walk Road. There are also a few larger Agricultural 1 zoned lots in the vicinity.   



HISTORICAL ACTIVITY

File No.	Purpose
1. SS-ALR-1989.3	To remove land from ALR under S.9(2) for purpose of subdivision.
2. SS-RZ-1992.28	Rezoning of lots from Agriculture to Residential zone
3. SS-SUB-1996.20	
4. SS-SUB-1997.6	
5. SS-SUB-2005.8	Bishops Walk. 2 lot subdivision. This Sub set out the initial layout and dedicated the Ganges Alternative Route with a road dedication. Associated with SS-SUB-2005.10 and SS-SUB-2005.11.
6. SS-SUB-2005.10	Bishops Walk. 15 lots - Charlesworth. Cross Reference with SS-SUB-2005.11 and SS-SUB-2005.8.
7. SS-SUB-2005.11	14 lot bare land strata, Charlesworth, Bishop's Walk. Cross Reference with SS-SUB-2005.10 and SS-SUB-2005.8.
8. SS-BP-2008.28	

9. SS-BP-2019.26	Residential single-family dwelling development. Development permit required for siting within 15m riparian area setback.
10. SS-DP-2019.5	Development permit for residential single-family dwelling with siting with 15m riparian area setback. RAR assessment dated June 28, 2019 conducted by a professional engineer/Qualified Environmental Professional (QEP) has been submitted and registered with the province.

POLICY/REGULATORY

Official Community Plan Designations	Residential Neighbourhoods (RN) Development Permit Area 1 – Island Villages 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. **Proposed residential development for subject property is exempt** Development Permit Area 6 – Unstable Slopes and Soil Erosion Hazards E.6.1.1 Development Permit Area 6 is shown on Maps 23 and 24. It is made up of areas that have been identified as having high hazard for soil erosion (Map 23) or a high hazard for slope instability (Map 24). Development Permit Area 6 is identified according to Section 491 (1) of the Local Government Act to protect natural environment and to protect development from hazardous conditions. Development Permit Area 7 – Riparian Areas E.7 Development Permit Area 7 is designated according to the Local Government Act to protect the natural environment, its ecosystems and biological diversity. Terms used in Section E.7 that are defined in the provincial <i>Riparian Areas Regulation</i> are intended to be interpreted in accordance with the definitions given in the Regulation, as it may be amended from time to time.
Land Use Bylaw	Split Zoned Residential 10 (R10) and Residential 4 (R4)
Covenants	SSI LTC Housing Agreement Covenant registered on title. Terms of covenant pertain to the market rates of each of the lots; to be priced at an affordable market rate.
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	Not Applicable.
Regional Conservation Strategy	Not indicated as a significant area for conservation purposes.
Species at Risk	Islands Trust's mapping indicated no known public Species or Ecological Community.
Sensitive Ecosystems	Mature Forest: Conifer

Hazard Areas	DPA 6 – High Soil Erosion. An assessment by Ryzuk Geotechnical was conducted by a Professional Geoscientist on November 22, 2016.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) indicated no archaeological potential or archaeological sites. 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	Not Applicable
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

ATTACHMENT 3 – DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 6 – UNSTABLE SLOPES AND SOIL EROSION HAZARDS

Guideline	Complies	Comments
E.6.4.1 All development that takes place in this Development Permit Area should be done in a way that prevents disturbance to unstable slopes and soils with high erosion hazards.	Yes	Applicant Comments: The property owners are aware. Staff Comments: Ryzuk geotechnical assessment (dated November 22, 2016) conducted on subject property. A retaining wall was referenced in the assessment. Follow-up email dated September 19, 2019 from A. Jackson, P. Geo, Eng. L stated the following: <i>“Per request of Yager Construction, we confirm that the construction of a landscape retaining wall along the south side of the roughed in driveway, as noted in our previous report, is not critical for the safe development of the residential lot. It would make sense from an aesthetic and yard maintenance perspective to have this wall, however, the recommendations included for the design of such was strictly to provide detains for the wall per request of the previous client and does not significantly contribute to the overall site stability. I trust this email will suffice to provide the clarity information for approval as per the development permit requirements.”</i>
E.6.4.2 If a tree with a trunk diameter greater than 20 cm is to be removed, or if the removal of vegetation results in an area of bare soil greater than 9 m2 in area, or if a natural drainage course is to be altered, then a plan should be developed to prevent slope instability and to control soil erosion. Vegetation and trees are to be retained and replaced as necessary to control erosion and protect banks.	Yes	Applicant Comments: The property owners have confirmed that no further tree removal is required for the proposed residential development on the subject property. Staff Comments: No further tree removal is required for the proposed residential development on subject property.
E.6.4.3 New roads and septic fields should not be located in this Development Permit Area. If such a location cannot be avoided, then the design and construction of the road or septic field should be supervised by a professional engineer to ensure that the objectives and guidelines of this Area are met.	Yes	Staff Comments: Driveway access was previously developed and subject property is connected to community sewer servicing.
E.6.4.4 New structures should not be located in areas that have been identified on Map 24 as having a high hazard for slope instability. If such a location cannot be avoided, then the design, construction and storm drainage design of the	Yes	Staff Comments: Ryzuk geotechnical assessment (dated November 22, 2016) was conducted in full for the proposed residential development.

structure should be supervised by a professional engineer to ensure that the objectives and guidelines of this Area are met.		
E.6.4.5 To assist in the preparation of development permits for larger projects, the Local Trust Committee could request an applicant to provide a report, prepared by a professional engineer. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and meet the guidelines of this Development Permit Area.	Yes	Staff Comments: Ryzuk geotechnical assessment (dated November 22, 2016) completed and submitted to Islands Trust in conjunction with development permit application.

DEVELOPMENT PERMIT AREA 7 – RIPARIAN AREAS

Guideline	Complies	Comments
E.7.6.1 The property owner shall be required, in addition to any other application requirements enacted or imposed by the Local Trust Committee, to provide at their expense an assessment report from a Qualified Environmental Professional which has been submitted per the <i>Riparian Areas Regulation</i> .	Yes	Staff Comments: RAR Assessment Report, Dave Gooding, 06-28-2019 submitted and registered with the province.
E.7.6.2 The Local Trust Committee may impose permit conditions based on the assessment report including: a. Require specified natural features or areas to be preserved, protected, restored or enhanced in accordance with the permit. b. Require natural water courses to be dedicated. c. Require works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features of the environment. d. Require protection measures, including that vegetation or trees be planted or retained in order to: i. preserve, protect, restore or enhance fish habitat or riparian areas; ii. control drainage, or; iii. control erosion or protect banks.	Yes	Staff Comments: RAR Assessment Report, Dave Gooding, 06-28-2019 submitted and registered with the province provides recommendations at time of development such as the installation of silt fencing. Recommendations set out in the RAR assessment will be included as conditions of development permit.
E.7.6.3 The Local Trust Committee shall require a security for developments clearing greater than 280m ² (3,012 ft ²) of land within the Development Permit Area. Security shall be returned upon confirmation by a Qualified Environmental Professional that assessment report conditions have been satisfactorily	n/a	Staff Comments: Proposed residential development is less than 280m ² .

addressed.		
E.7.6.4 Security shall be provided to secure satisfactory completion of habitat protection works, restoration measures, or other works for the streams and streamside habitat (the “required works”). The security shall be 150% of the estimated value of the required works as determined by the Local Trust Committee.	Yes	Applicant Comments: The property owners are willing to meet all requires of the RAR assessment and development permit. Staff Comments: Silt fencing is required only.
E.7.6.5 The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the Qualified Environmental Professional and the property owner should be required to follow any measures identified by the Qualified Environmental Professional for protecting the Streamside Protection and Enhancement Area over the long term and these measures should be included as conditions of the development permit. The width of the Streamside Protection and Enhancement Area may be less than the width of the Development Permit Area.	Yes	Applicant Comments: The property owners are well aware of the SPEA having been identified by the QEP as 10m. Staff Comments: RAR Assessment Report, Dave Gooding, 06-28-2019 submitted and registered with the province identifies SPEA as 10m.
E.7.6.6 Where a Qualified Environmental Professional or other professional’s report describes an area within the Development Permit Area as suitable for development, that is, where the Streamside Protection and Enhancement Area is less than the width of the Development Permit Area, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a Qualified Environmental Professional or other professional at the property owner’s expense should be required during construction and development phases, as specified in a development permit.	Yes	Applicant Comments: Property owners are aware of this policy and applicable development permit conditions. Staff Comments: RAR Assessment Report, Dave Gooding, 06-28-2019 submitted and registered with the province is affixed as a Schedule in the development permit and correlates with surveyed site plan identifying the 10m SPEA.
E.7.6.7 If the nature of the proposed project within the Development Permit Area changes after the professional report has been prepared such that it is reasonable to assume that the professional’s assessment of the impact of the development may be affected, the Local Trust Committee may require the property owner to have the professional update the assessment at the property owner’s expense and development permit conditions may be amended accordingly.	Yes	Applicant Comments: The property owners are aware of this guideline and recommendations set out in RAR Assessment Report, Dave Gooding, 06-28-2019 submitted and registered with the province. Staff Comments: This guideline and applicable recommendations established by the QEP in the RAR Assessment Report, Dave Gooding, 06-28-2019 submitted and registered with the province are included as development permit conditions.