



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: Tuesday, June 14, 2022
Time: 9:30 a.m.
Location: Community Gospel Chapel
147 Vesuvius Bay 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 May 17, 2022 SS LTC Regular Meeting</u>	5
For Adoption	
3.2. Resolutions Without Meeting Report	14
Report dated June 2022	
3.3. Advisory Planning Commission	
3.3.1. <u>Advisory Planning Commission</u>	
3.3.1.1. <u>Draft Minutes from the May 5, 2022 Advisory Planning Commission Meeting</u>	15
For Information	
3.3.2. <u>Agricultural Advisory Planning Commission - None</u>	
3.3.3. <u>Ganges Village Planning Task Force</u>	
3.3.3.1. <u>Minutes of the May 4, 2022 Ganges Village Planning Task Force Meeting</u>	17
For Information	
3.3.3.2. <u>Draft Minutes of the May 19, 2022 Ganges Village Planning Task Force Meeting</u>	20
For Information	
3.3.4. <u>Housing Action Program Task Force</u>	
3.3.4.1. <u>Draft Minutes from the May 5, 2022 Housing Action Program Task Force Meeting</u>	23
For Information	

3.3.4.2. Meeting Notes from the May 18, 2022 Housing Action
Program Task Force Meeting

28

For Information

3.4. Local Trust Committee Public Hearing Record - None

4. BUSINESS ARISING FROM MINUTES 9:35 AM - 9:40 AM

4.1. Follow-Up Action List 29

Report dated June 2022

5. COMMUNITY INFORMATION MEETING - None

6. PUBLIC HEARING - None

7. REPORTS 9:40 AM - 10:10 AM

7.1. Policy and Standing Resolutions List 41

For Information

7.2. Work Program Top Priorities Report 52

Report dated June 2022

7.3. Projects List 55

Report dated June 2022

7.4. Applications with Status Report 58

Report dated June 2022

7.5. Expense Report 81

Report dated March 2022

7.6. Islands Trust Conservancy Board Report - None

**7.7. Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's
Report - None**

**7.8. Ganges Village Planning Task Force - Chair's
Update** 10:00 AM - 10:05 AM

Verbal Report

**7.9. Housing Action Program Task Force - Chair's
Update** 10:05 AM - 10:10 AM

Verbal Report

8. LOCAL TRUST COMMITTEE PROJECTS - None

9. OTHER BUSINESS - None at this time

9.1. New Business

10. CLOSED MEETING - None

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

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

Verbal Report

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

Verbal Report

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

Verbal Report

14. CORRESPONDENCE 12:20 PM - 12:25 PM

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

For Applications, go to: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/>

For Projects, go to: <https://islandstrust.bc.ca/island-planning/salt-spring/projects/>

14.1. M. and K. Ruurs to LTC - Dated May 6, 2022 - Concerning LTC Priorities 82

For Information

14.2. S. Stacey to LTC - Dated May 11, 2022 - Concerning SSI Variance appeal 83

For Consideration

14.3. K. Pungente, Innovation, Science and Economic Development (ISED) Canada to LTC - Dated May 17, 2022 - Concerning Rogers Telecommunication Tower Proposal, Channel Ridge, SSI 86

For Information

14.4. LTC to Innovation & Partnerships, CMHC - Dated May 27, 2022 - Concerning Letter of Support Housing Supply Challenge 88

For Information

15. DELEGATIONS

15.1. M. Krenz, ROGERS - Concerning ROGERS 12:25 PM - 12:30 PM

**Telecommunication Tower Proposal W2716
Channel Ridge, SSI**

- | | | |
|-------|--|---------------------|
| 15.2. | E. FitzZaland, Salt Spring Solutions - Concerning Proposed Bylaw No. 530 (Accessory Dwelling Units) and the Housing Task Force | 12:30 PM - 12:35 PM |
| | | |
| 16. | TOWN HALL AND QUESTIONS | 12:35 PM - 12:50 PM |
| | | |
| 17. | APPLICATIONS AND REFERRALS | 12:50 PM - 2:30 PM |
| | | |
| 17.1. | SS-DVP-2022.8 - I. Massender - 244 Rainbow Road, SSI | 90 |
| | Development Variance Permit to vary the average lot area for a subdivision, water use covenant and 10% frontage exemption - Staff Report | |
| | | |
| 17.2. | SS-DP-2021.8 & SS-DVP-2021.13 - B. Fossen, Aurora Professional Group - 371 Isabella Point Road, SSI | 111 |
| | Development Variance Permit and Development Permit application to permit an existing retaining wall in DPA 3 and to reduce the setbacks to side lot lines and the natural boundary of the sea for proposed septic field and retaining walls - Staff Report | |
| | | |
| 17.3. | SS-RZ-2021.3 - T. Chapman - 361 Sunset Drive, SSI | 167 |
| | Rezoning Application to amend Official Community Plan from Channel Ridge Residential to Residential Neighbourhoods, and Land Use Bylaw from Residential 6 (a) to Residential 8 - Staff Report | |
| | | |
| 17.4. | SS-DP-2020.15 - D. Holmberg - 106 Lower Ganges Road, SSI | 262 |
| | Development Permit application to amend existing DPA 1 (Island Villages) permit - 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 July 12, 2022 at the Community Gospel Church, 147 Vesuvius Bay Road, Salt Spring Island. | |
| | | |
| 19. | ADJOURNMENT | |



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, May 17, 2022

Location: Community Gospel Chapel
147 Vesuvius Bay Road, Salt Spring Island

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

Staff Present: Louisa Garbo, Acting Regional Planning Manager (RPM)
Jason Youmans, Island Planner
Geordie Gordon, Acting Island Planner
William Shulba, Fresh Water Specialist
Jenn Baddeley, Office Administrative Assistant
Rob Pingle, Recorder

Others Present: Gulf Islands Driftwood Reporter
Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral
Area Director
Approximately 6 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 9:31 a.m. and welcomed everyone to a meeting of the Salt Spring Island Local Trust Committee. He introduced himself, the Trustees and staff and humbly stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory.

2. APPROVAL OF AGENDA

It was proposed to add 9.1.2 Temporary Use Permit for staff housing, 9.1.3 Salt Spring Office Staff Resources, 14.3 Julian Clarke concerning Rogers Delegation Request.

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 April 19, 2022 SSI LTC Regular Meeting

Trustee Patrick provided the following clarifications regarding her Trustee Report:

- Spoke to business licences required to address Short-Term Vacation Rentals that could be implemented by the CRD
- Spoke to the Thetis Local Trust Committee relationship building with First Nations in which she is a participant.

By general consent, the minutes of April 19, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted as amended.

3.2. Resolutions Without Meeting Report dated May 2022

The reported was received.

3.3. Draft Minutes of the Advisory Planning Commissions

3.3.1. Advisory Planning Commission

3.3.1.1. Meeting Notes of the April 7, 2022 Advisory Planning Commission Meeting

The notes were received.

3.3.2. Agricultural Advisory Planning Commission - None

3.3.3. Ganges Village Area Planning Task Force

3.3.3.1. Draft Minutes of the April 21, 2022 Ganges Village Area Planning Task Force Meeting

The minutes were received.

3.3.4. Housing Action Program Task Force

3.3.4.1. Minutes of the April 7, 2022 Housing Action Program Task Force Meeting

The minutes were received.

3.3.4.2. Draft Minutes from the April 20, 2022 Housing Action Program Task Force Meeting

The minutes were received.

3.4. Salt Spring Island Local Trust Committee Public Hearing Record - None

4. BUSINESS ARISING FROM MINUTES

4.1. Follow Up Action List dated May 2022

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 dated May 2022

The report was received.

7.3. Projects List dated May 2022

The report was received.

7.4. Applications with Status Report dated May 2022

The report was received.

Staff provided a verbal update on SS-DP-2018.14 regarding the referral process timeline.

SS-2022-074

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to extend the referral deadline on SS-DP-2018.14 for sixty days to allow for First Nations review.

CARRIED

Staff provided a verbal update on SS-DVP-2020.15 regarding the change of tenant for the property.

7.5. Expense Report - None

7.6. Islands Trust Conservancy Board Report dated March 2022

The report was received.

7.7. Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report – None

7.8. Ganges Village Area Planning Task Force - Chair's Update - None

7.9. Housing Action Program Task Force - Chair's Update

Chair Heitzman provided his regrets before the start of the meeting.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1. Housing Action Program

Acting RPM Garbo presented a staff report dated May 17, 2022 concerning the public engagement process and the budget constraints.

There was discussion regarding the budgets available to the Housing Action Program, Ganges Village Planning and Protection of Coastal Douglas-fir Zones and Associated Ecosystems projects as well as the need to work with First Nations.

SS-2022-082

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to cancel the Housing Action Program Public Engagement Request For Proposal and evaluate resource options for the Housing Action Program.

CARRIED

SS-2022-083

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff upon completion of this phase of engagement to pause the Ganges Village Plan project to allow the Local Trust Committee to explore opportunities to work with First Nations.

CARRIED

SS-2022-084

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the Ganges Village Area Plan Task Force pause on the further development of objectives and goals while the Local Trust Committee works with First Nations. The Local Trust Committee requests the Task Force to provide feedback on the first phase engagement reports for gaps and opportunities for future engagement.

CARRIED

8.2. Water Sustainability

Planner Youmans and Fresh Water Specialist Shulba presented a staff report dated May 17, 2022 regarding Proof of Water at Time of Subdivision.

SS-2022-075

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to provide the following information:

- Communication materials for the introduction of the bylaw
- Potential amendments based on the discussion today including 5.5.14 and Table 1.

CARRIED

9. OTHER BUSINESS

9.1. New Business

9.1.1. Galiano Island Local Trust Committee Referral of Proposed Bylaw Nos. 231 & 232

SS-2022-076

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to respond to the referrals from the Galiano Island Local Trust Committee for Bylaws No. 231 and 232, indicating that the Salt Spring Island Local Trust Committee's interests are unaffected.

CARRIED

9.1.2. Temporary Use Permit for staff housing

Trustee Grove spoke to the need to prioritize any future Temporary Use Permits for employee housing.

SS-2022-077

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to prioritize Temporary Use Permits for employee housing.

CARRIED

9.1.3. Salt Spring Office Staff Resources

Acting RPM Garbo provided a verbal update on the response management is taking to address the staffing vacancy and changes of late in the Salt Spring Office.

10. CLOSED MEETING

10.1. Motion to Close the Meeting

SS-2022-078

At 11:25 a.m., **it was MOVED and SECONDED**, that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90 (1)

- (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.

10.2. Motion to Open the Meeting

SS-2022-079

At 11:55 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.

The meeting recessed for a lunch break at 11:55 a.m. and reconvened at 12:05 p.m.

10.3. Rise and Report

That the Salt Spring Island Local Trust Committee reappointed Stanley Shapiro to the Advisory Planning Commission for a further two-year term, effective June 1, 2022.

That the Salt Spring Island Local Trust Committee appointed Anne Gunn and Donald Carlson to the Advisory Planning Commission for a two-year term, effective June 1, 2022.

That the Salt Spring Island Local Trust Committee reappointed Gordon Brent Brochu-Ingram to the Agricultural Advisory Planning Commission for a further two-year term, effective June 1, 2022.

That the Salt Spring Island Local Trust Committee reappointed Lisa Floritto and Bob Rush to the Board of Variance for a further three-year term, effective June 1, 2022.

That the Salt Spring Island Local Trust Committee thank Advisory Planning Commissioners Francine Carlin, Mairi Wellman, and Nancy Krieg, and Agricultural Advisory Planning Commissioners Zack Hemstreet and Jan Steinman for their service.

11. TRUSTEE REPORTS

Trustee Patrick presented the following report:

- Spoke to the Salt Spring Insights report released for the Spring of 2022 highlighting the concern for the lack of affordable housing.
- Spoke to the Southern Gulf Islands Tourism Partnership virtual workshop she participated in regarding the housing challenges within the Southern Gulf Islands.
- Spoke to the housing units built in the past four years and the requirements for housing moving forward based on the current census and the diversity in housing types required.
- Spoke to the need for Accessory Dwelling Units to address the housing needs on Salt Spring Island.
- Spoke to her attendance at a number of Trust related and Salt Spring specific meetings.

Trustee Grove presented the following report:

- Spoke to his experience in Yellowknife on a recent trip where he learned housing was a main concern in their community.
- Spoke to his attendance at the ground breaking ceremony for the new Lady Minto Hospital emergency ward.

12. CHAIR'S REPORT

Chair Luckham presented the following report:

- Spoke to his attendance at the Salish Sea conference and the significant importance of water and conservation especially related to the woodlands such as cedars and how it relates to streams for salmon.
- Spoke to the upcoming Trust Council meeting and the work to complete the Islands 2050 project as well as the Governance Report.

13. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- Spoke to the agreement in principal between the CRD and the Fire District for a gas tax contribution of \$1 million to assist with the building of the new fire hall.
- Spoke to the work towards the CRD acquiring the current Ganges Fire Hall and the need for a yes vote in the upcoming Fire District referendum.
- Spoke to the work towards an operation agreement for the community compost facility which is near completion.
- Spoke to the release of the Local Community Commission (LCC) discussion paper and the opportunity to vote on the implementation of the LCC at the upcoming municipal election.
- Spoke to the work to increase the number of electric vehicle charging stations on the island.
- Spoke to the transition for CRD management of the Middle school and the high interest to use the space which should begin in August.
- Spoke to the staffing changes that will allow for focused work on the harbour boardwalk.
- Spoke to the grant provided to address the need to accommodate locums at Lady Minto Hospital.
- Spoke to the Request for Proposal for management of the Saturday Market.
- Spoke to the provisional budget work being done during an election year.

14. CORRESPONDENCE

14.1. M. Welman to LTC and staff - Dated April 8, 2022 - Concerning Advisory Planning Commission Resignation

The correspondence item was received.

14.2. SS LTC to the Honourable R. Fleming, Minister of Transportation and Infrastructure et al. - Dated March 23, 2022 - Concerning Ferry Terminal Road Congestion; Salish Sea Trail Network and; South Island Transportation Strategy

The correspondence item was received.

14.3. Julian Clarke – Concerning Rogers Delegation Request

The letter was received at the meeting and is included in the agenda package received at meeting folder.

Trustee Grove spoke to the letter and the concerns of the author to agree to have M. Krenz of ROGERS to address the LTC before M. Krenz meets with the residents of Channel Ridge.

Chair Luckham will reply to the correspondence.

15. DELEGATIONS

- 15.1. M. Krenz, ROGERS - Concerning ROGERS Telecommunication Tower Proposal W2716 Channel Ridge, SSI - DEFERRED TO THE JUNE 14, 2022 SS LTC MEETING.**

16. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:42 p.m.

A member of the public spoke to their planning experience and their concern regarding the Housing Action Program Request For Proposal. They felt there is less division in the community over housing projects at this time. They would like to have seen more action in the scope rather than research.

17. APPLICATIONS AND REFERRALS

- 17.1. SS-DP-2022.2 – K. Fergusson – Lot 7, Meyer Road, SSI**

Planner Testemale presented a staff report dated May 17, 2022.

Applicant Kelly Fergusson thanked the staff for their work and the service to the community of the Trustees.

SS-2022-080

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2022.2 (Lot 7, Meyer Road).

CARRIED

- 17.2. SS-RZ-2020.1 – Proposed Bylaw No. 525 – 1351 Mountain Road, SSI**

Planner Youmans presented a staff report dated May 2, 2022.

SS-2022-081

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 525, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021”, be adopted (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on June 14, 2022.

Please see the meeting calendar on the Islands Trust website at www.islandstrust.bc.ca for current meeting information and location.

19. ADJOURNMENT

By general consent the meeting adjourned at 1:37 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Resolutions Without Meetings Log

Salt Spring Island

Resolution Number	Action	Date
2022-006	Carried	31-May-2022
That the Salt Spring Island Local Trust Committee approve a letter from the SS LTC to Innovations & Partnerships, CMHC, dated May 27, 2022 concerning the Housing Supply Challenge, for signature by the Chair.		



Salt Spring Island Advisory Planning Commission Minutes of a Regular Meeting

Date of Meeting: Thursday, May 5, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Jeff Thompson, Chair
Jean Brouard, Commissioner
Ron Cooke, Commissioner
Stanley Shapiro, Commissioner

Regrets: Nancy Krieg, Commissioner
Leigh Large, Commissioner
Neil Morie, Commissioner

Staff Present: Geordie Gordon, Planner 2
Jenn Baddeley, Recorder

Others Present: Laura Patrick, Local Trustee

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

Chair Thompson called the meeting to order at 1:02 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Draft Minutes of the March 3, 2022 APC Meeting

By general consent, the minutes of the March 3, 2022 Salt Spring Island Advisory Planning Commission meeting were adopted.

3. BUSINESS ITEMS

3.1 Draft Bylaw No. 526 – Changes to Residential Permissions in the Agricultural Land Reserve & Bylaw Amendment Options for Dwellings on Large Farms - Staff Report

Planner Gordon presented the staff report on Draft Bylaw No. 526.

There was concern regarding the registration of covenants and the restriction that housing could only be used for farm workers, as proposed in the draft Bylaw No. 526.

There were comments that due to the need for housing on Salt Spring, the use should not be restricted for farm workers only.

It was MOVED and SECONDED,

That the Salt Spring Island Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that the proposed Bylaw No. 526 proceed, subject to the following recommendations:

- Remove the restriction that housing only be used for farm workers.

CARRIED

4. OTHER BUSINESS

There was general discussion regarding APC membership.

5. ADJOURNMENT

By general consent the meeting adjourned at 1:32 p.m.

Jeff Thompson, Chair

CERTIFIED CORRECT:

Jenn Baddeley, Recorder



Ganges Village Planning Task Force Meeting Minutes

Date: Wednesday, May 4, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Jenny McClean, Acting Chair
David Dunnison
Bob MacKie
Martin Ogilvie

Regrets: Robert Steinbach
Jennifer Maksymetz
John Gauld

Resignations: Francine Carlin

Staff Present: Rob Pingle, Recorder

Others Present: Laura Patrick, Local Trustee

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

Acting Chair McClean called the meeting to order at 5:00 p.m. and acknowledged the meeting is being held in Coast Salish First Nations treaty and traditional territory.

1. AGENDA

By general consent, the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Draft Minutes for April 21, 2022

It was **MOVED** and **SECONDED**,
That the minutes of the April 21, 2022 Ganges Village Area Task Force meeting be adopted.

CARRIED

3. ADMINISTRATIVE UPDATE

Planner Gordon spoke to the staffing changes in the office. He noted that rotating chair is not permissible due to the terms of reference and Bylaw for APCs. He explained that a minute taker

ADOPTED

1

could be appointed for the Wednesday evening meetings from within the Task Force to reduce pressures on the office staff and budget.

4. OTHER BUSINESS

4.1 General Discussion

In discussion the following items were noted:

- The ability to maintain commercial and residential activities within a single property is difficult for the landowner.
- The expansion of General Employment to allow for more residential uses within the village.
- The existing OCP encourages residential use in Ganges.
- The project could work towards amending Development Permit Area 1 – Island Villages.
- Pedestrian circulation is currently in the guidelines and discussion on how it can be implemented could be part of the discussion.
- Improvement of pedestrian access and green spaces is highlighted in the Ganges Gathers Engagement Summary.
- The identity of Ganges is hard to pin down but people are very connected to their personal vision of it.
- Commercial development and the requirements for parking should be addressed.
- The ability for the harbour walk to have commercial spaces.
- The ability for the harbour walk to go all the way to Moby's.
- The Emerging Vision from the workshop summary.
- The need to include the water elements and that it is a working harbour within the vision.
- The possibility to shorten the vision statement.
- The possibility to include education aspects within the vision.
- The ability to build buildings up to 4 to 6 stories for dwellings.
- Tourists draws such as the art galleries and Saturday Market.
- The lack of events and museums.
- Continued engagement with the Housing Task Force and establishing engagement with the Transportation Commission.
- A bypass of the Ganges core.
- Membership of the technical working group and what questions they can address.
- As an example, could the possibility of a walkable Ganges be addressed by the technical working group.

5. ADJOURNMENT

The meeting adjourned at 6:50 p.m.

Jenny McClean, Acting Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Ganges Village Planning Task Force Meeting Minutes

Date: Thursday, May 19, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Jenny McClean, Acting Chair
David Dunnison
Bob MacKie
Jennifer Maksymetz

Regrets: Martin Ogilvie
John Gauld
Robert Steinbach

Absent:

Staff Present: Geordie Gordon, Acting Island Planner
Rob Pingle, Recorder

Others Present:

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

Acting Chair McClean called the meeting to order at 10:08 a.m. and acknowledged the meeting is being held in Coast Salish First Nations treaty and traditional territory.

1. ELECTION OF CHAIR/VICE CHAIR

The small quorum and motions by the Salt Spring Local Trust Committee at their May 17, 2002 meeting were discussed.

By general consent, it was decided to defer the election to a future meeting.

2. AGENDA

By general consent, the agenda was adopted.

3. MINUTES OF PREVIOUS MEETING

3.1 Approval of Draft Minutes for May 4, 2022

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

That the minutes of the May 4, 2022 Ganges Village Area Task Force meeting be adopted.

CARRIED

4. ADMINISTRATIVE UPDATE

4.1 Workshop Summary

Planner Gordon spoke to the following resolutions passed by the Salt Spring Local Trust Committee and how they impact the work of the Task Force:

That the Salt Spring Island Local Trust Committee request staff upon completion of this phase of engagement to pause the Ganges Village Plan project to allow the Local Trust Committee to explore opportunities to work with First Nations.

That the Salt Spring Island Local Trust Committee request that the Ganges Village Area Plan Task Force pause on the further development of objectives and goals while the Local Trust Committee works with First Nations. The Local Trust Committee requests the Task Force to provide feedback on the first phase engagement reports for gaps and opportunities for future engagement.

There was general discussion about the relationship between the Islands Trust and First Nations. The indigenous community of Salt Spring were referred to as a group that should be engaged in the process of planning for Ganges Village.

In discussion the following items were noted regarding the workshop summary:

- The Draft Area Boundary was seen to have gaps for allowing the growth of Ganges specifically by excluding Merchant Mews.
- The lack of inclusion of the Japanese community.

4.2 Work Program

This item was deferred due to the motions by the Salt Spring Local Trust Committee at their May 17, 2022 meeting.

4.3 Ideas Workshop

Planner Gordon provided information on the workshops Ahne Studio has planned for June 4, 2022.

5. OTHER BUSINESS - NONE

6. ADJOURMENT

The meeting adjourned at 11:12 a.m.

Jenny McClean, Acting Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder

DRAFT



Salt Spring Island Housing Action Program Task Force Minutes of a Regular Meeting

Date of Meeting: Thursday, May 5, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Rhonan Heitzmann, Chair
Kerrie Proulx, Vice Chair
Stanley Shapiro
Bryce Chapman
Frejya Skye
Nejmah Guermoudi
Daniel Wood

Regrets: Yvonne Saunders
Maïkan Bordeleau
Jessica Terezakis

Absent: None

Staff Present: Geordie Gordon, Acting Island Planner
Rob Pingle, Recorder

Others Present: Laura Patrick, Local Trustee
Ken Nentwig, Kenwood Design Associates (by Zoom)

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

The meeting was called to order at 10:03 a.m. Chair Heitzmann welcomed the task force members and humbly stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory.

1. AGENDA

By general consent, the agenda was adopted.

2. MINUTES OF PREVIOUS MEETINGS

2.1 Draft Minutes of the April 20, 2022 Meeting

By general consent, the minutes of the April 20, 2022 Housing Action Program Task Force meeting were adopted.

3. DISCUSSION ON RAINWATER HARVESTING

3.1 Ken Nentwig – Kenwood Design Associates

Planner Gordon introduced Ken Nentwig to speak on the challenges of rainwater harvesting in residential design.

Ken spoke to his background and the efforts he is making to encourage the use of rainwater harvesting.

There was discussion about how rainwater harvesting is relevant in the discussion of increasing housing on Salt Spring.

Member Guermoudi joined the meeting at 10:14 a.m.

There was discussion about the challenges of using rainwater harvesting in multiple family dwellings. It was deemed as still being an issue with Island Health.

There was discussion about the use of rainwater harvesting for full time rental cottages in areas with abundant groundwater supply.

The Canadian Rainwater Standard was discussed as a way to regulate the use of rainwater to make its use more universal.

The cost comparison between rainwater harvesting and a well was discussed. Although each rainwater system is unique and results in cost variability the risk of well drilling also presents cost variability and so it seems costs on average are similar.

The use of a first flush system for rainwater harvesting was discussed and the maintenance required. It was noted that maintenance is a big issue as water quality can vary depending on the season as well as the efforts to maintain the system. An annual inspection program could address this issue. It's noted this is not done with wells or surface water use in single family dwellings but it is done in multi-family/use systems of those types.

There was discussion around the distinction between potable and non-potable water and the ability to have dual plumbing in a building to allow for rainwater use with less regulations as it is solely used as non-potable.

There was discussion around the volume of rainwater required for storage in our island environment. The average water use of a household was discussed.

The appropriate training for rainwater harvesting was highlighted as an issue in an ever specializing world of experts that hasn't recently addressed this use.

The use of concrete in rainwater storage and the reactions that may happen between it and rainwater. It was discussed that the concrete should be lined if the water is to be

used for potable purposes. The chance of concrete degrading when a liner isn't used is possible so a liner is advised even for non-potable uses.

There was discussion about what encouragement land use planning can make to other levels of government to embrace the use of rainwater harvesting for housing. It was suggested that rainwater harvesting needs to be identified as a tool for use as it can improve the personal and public environment.

There was discussion about statements made by BC Health on the similarities between rainwater and surface water. The aspects of storage and input source were the areas that make regulation by Island Health difficult. The idea of communal storage and point of use treatment was discussed as a method to address this issue.

The amount of water that is recommended per household per day was discussed. It was suggested that the method for calculation was not universal from region to region and could use improvement. If finer documentation of water use is applied then a more true understanding of the water storage requirement is achievable. The use of 225L of water per day was discussed as the average on Salt Spring through the combination of data from all water service providers on the island.

Member Shapiro left the meeting at 11:10 a.m.

Member Proulx left the meeting at 11:13 a.m.

The aspect of inspection of rainwater systems was discussed. The cost for inspection and the lack of inspection of well systems was noted.

4. ADMINISTRATIVE UPDATE

4.1 Project Budget

Planner Gordon noted that the Request For Proposal for consultant engagement has been extended and the Local Trust Committee will be making some decisions regarding the budget in their future meetings. It was indicated that the Accessory Dwelling Unit (ADU) Bylaw will continue to be addressed by Planner Garbo.

There was discussion about the work of the Task Force making general recommendations for staff and the consultant to find ways to produce bylaws for their implementation.

There was a request for regional data on uptake of growth in communities that have introduced bylaws similar to the ADU Bylaw.

5. OTHER BUSINESS

5.1 Minute Taking at alternate meeting

Planner Gordon presented the opportunity for the Task Force to put forward a member to take minutes at the alternate meeting. Member Guermoudi expressed an interest in taking on that responsibility.

5.2 Mayne Island Local Trust Committee Flexible Housing Project Bylaw Proposal

There was discussion of home plate zoning and the ability to conserve land on the property while creating flexible housing types in the remaining property. The potential for eco-village development creates a win-win scenario.

This is similar to the Mayne Island Bylaw that is working within a pilot area. This could be implemented here if a pilot area could be identified.

There was discussion about other areas allowing for accessory dwelling units on smaller lot sizes. It was suggested that if the size of housing is limited then a smaller lot size could be addressed.

There was discussion that the introduction of accessory dwelling units was not an increase to density.

There was discussion about the creation of villages in multiple regions on the island to maintain as much forest and field between them.

There was discussion about the current situation of illegal suites and the need to formalize them to increase the safety and sustainability of these dwellings.

It was noted the Mayne Bylaw explored many lenses including freshwater sustainability and maintaining rural character to determine where was most appropriate for this flexibility on the island.

It was noted that the current Salt Spring Official Community Plan (OCP) allows for flexible unit dwellings. There was discussion about the other areas of support for accessory dwelling units within the OCP.

5.3 Solutions Matrix

This item was not discussed due to lack of time.

6. ADJOURNMENT

The meeting was adjourned at 12:08 p.m.

Rhonan Heitzmann, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder

DRAFT



Salt Spring Island Housing Action Program Task Force

Notes of a Regular Meeting

Date of Meeting: Wednesday, May 18, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Rhonan Heitzmann, Chair
Yvonne Saunders
Maïkan Bordeleau

Regrets: Kerrie Proulx, Vice Chair
Daniel Wood
Jessica Terezakis
Stanley Shapiro

Absent: Nejmah Guermoudi
Bryce Chapman
Frejya Skye

Staff Present: Rob Pingle, Recorder

Others Present: None

At 5:30 p.m. it was determined quorum was not met and the meeting did not proceed.

The next meeting of the Task Force is scheduled for Thursday June 2, 2022 from 10:00 am – 12:00 pm at the Baptist Church Lower Hall, 520 Lower Ganges Road.



Follow Up Action Report

Salt Spring Island

14-Dec-2021

Activity	Responsibility	Dates	Status
1 OTHER BUSINESS - DRAFT BYLAW NO. 529 MEETING PROCEDURE BYLAW That the Salt Spring Island Local Trust Committee request staff to review Section 29 Order and Decorum of Bylaw No 529 for amendments to include discriminatory remarks and inclusion and respectful conduct language.	Daniela Murphy		In Progress

18-Jan-2022

Activity	Responsibility	Dates	Status
1 OTHER BUSINESS Gulf Islands Senior Residence Association - Housing Agreement Schedule "A" That the Salt Spring Island Local Trust Committee request staff and Trustee Patrick to meet with the Gulf Islands Senior Residence Association to define regular reporting to the LTC on the Gulf Islands Senior Residence Association Housing Agreements.	Geordie Gordon		In Progress

15-Feb-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
1 Housing Action Program That the Salt Spring Island Local Trust Committee request staff to proceed with research on funding and the referral process on the Tiny Homes Village Pilot Project.	Louisa Garbo		In Progress
2 Housing Action Program - Bylaw No. 528 That the Salt Spring Island Local Trust Committee request staff to amend Salt Spring Island Local Trust Committee Draft Bylaw No. 528, cited as 'Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2021' as follows: - Remove the definition of density; - Add a new definition of suites in combination with accessory building; - Permitting both kinds of suites in all zones except for islets; and - Explore appropriate conditions and restrictions to phase in and manage impacts.	Daniela Murphy Louisa Garbo		Completed



Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
3 Housing Action Program That the Salt Spring Island Local Trust Committee supports the reallocation of unspent funds within the approved Housing Action Program budget to seek consulting service to facilitate the public engagement program.	Louisa Garbo		Completed

22-Mar-2022

Activity	Responsibility	Dates	Status
1 Dormant Applications That the Salt Spring Island Local Trust Committee direct staff to close application files SS-RZ-2021.2, SS-DP-2021.5 and SS-DVP-2021.4 and provide a 6-month extension for file SS-RZ-2013.7.	Rob Pingle		Completed
2 Expansion of SS LTC Sector Meetings That the Salt Spring Island Local Trust Committee request staff to schedule a Special Meeting with the Local Trust Committee and the building, construction and trades sector at a mutually convenient time.	Louisa Garbo		In Progress



Follow Up Action Report

Salt Spring Island

22-Mar-2022

Activity	Responsibility	Dates	Status
3 J. Roe to LTC, with Trustee Grove reply - Dated February 5, and 20, 2022 - Concerning Fulford clean-up and more destruction That the Salt Spring Island Local Trust Committee request staff to prepare a letter from the Chair to the Ministry Forests, Land, Natural Resource Operations advocating for the proper disposal of replaced docks. Staff Note: TAS Director is managing this through Executive Committee as it is Trust-wide issue.	Jason Youmans Jennifer Baddeley		Completed
4 SS-DVP-2022.1 - D. Corcoran - Clamshell Islet That the Salt Spring Island Local Trust Committee refer application SS-DVP-2022.1 to First Nations who may have interest and request Senior Inter Governmental Policy Advisor for insights and advice (Clamshell Islet).	Daniela Murphy Geordie Gordon		Completed



Follow Up Action Report

Salt Spring Island

22-Mar-2022

Activity	Responsibility	Dates	Status
5 SS-DVP-2022.2 - C. Fevang - 105 McKenzie Crescent, Piers Island That Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a shoreline stabilization report completed by a geotechnical engineer/landscape architect/coastal geologist or biologist identifying the feasibility of a soft shore design for the subject property (SS-DVP-2022.2, 105 McKenzie Crescent - Piers Island).	Geordie Gordon		In Progress
6 Communications Tower (SS-CELLA-2020.1) That Salt Spring Island Local Trust Committee rescind the Statement of Concurrence (SS-CELLA-2020.1) for the proposed Rogers tower siting in Channel Ridge and reconsider siting any antenna system using the newly adopted siting protocol.	Kristine Mayes		Completed

19-Apr-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
1 PREVIOUS MEETINGS By general consent, the minutes of March 22, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted. By general consent, the minutes of March 15, 2022 Salt Spring Island Local Trust Committee Special meeting were adopted.	Jennifer Baddeley Rob Pingle		Completed
2 Housing Action Program - Draft Bylaw No. 530 - Accessory Dwelling Units That the Salt Spring Island Local Trust Committee Bylaw No. 530 on Accessory Dwelling Units, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2022," be read a first time. That the Salt Spring Island Local Trust Committee requests staff to send Bylaw No. 530 to external agencies, groups, and First Nations for referral.	Daniela Murphy Louisa Garbo		Completed



Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
3 Protection of the Coastal Douglas-fir and Associated Ecosystems - Project Charter That the Salt Spring Island Local Trust Committee request staff to review the Protection of the Coastal Douglas-fir Zone and Associated Ecosystems Project Charter v2 and project work plan shown in Appendix 1 of the staff report dated April 19, 2022 with the Capital Regional District and Salt Spring Island Fire Rescue staff.	Jason Youmans		Completed
4 Covenant Discharge for 231 Meadow Drive (SS-ALR-2021.1) That the Salt Spring Island Local Trust Committee authorize, at the owners' cost, release of restrictive covenant CA6008958 from legal LOT 7, SECTION 42, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 49877 and designate any member of the Local Trust Committee to sign the release documents.	Daniela Murphy Geordie Gordon		Completed



Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
5 Salt Spring Island Annual Report That the Salt Spring Island Local Trust Committee endorse the following text as amended for inclusion in the 2021-2022 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs: "The Salt Spring Island Local Trust Committee (SS LTC) held 11 regular business meetings in the 2021/22 fiscal year, four special meetings, one community information meeting, and one Public Hearing. The SS LTC also continued coordinating the Salt Spring Island Watershed Protection Alliance, which had five steering committee meetings, at least four subcommittee meetings and engaged in various community events. Work for this period focused on advancing the SS LTC strategic priorities. Initiatives included ensuring freshwater sustainability, protecting the Coastal Douglas-fir and associated ecosystem, increasing meaningful consultation and cooperation with citizens, agencies, and First Nations, and advancing village planning. Housing continues to be a significant challenge for Salt Spring. Key projects included advancing a Ganges Village Local Area Plan and a	Louisa Garbo		Completed

Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
Housing Action Plan, securing funding to study fire ecology in protected watersheds, providing clarity regarding the content of professional reports required to demonstrate proof of water at the time of subdivision, completing phase 1 of a Watershed Strategic Plan (a situational analysis) and funding a Weston Lake Water Availability Study. From April 1, 2021, to March 31, 2022, the SS LTC received and considered new applications for one bylaw amendment, 13 development permits, and 26 development variance permits. During the same time, staff reviewed 181 building permit referrals, three liquor and cannabis board referrals, two crown lease referrals, four subdivision referrals, and one soil deposit permit. During this fiscal period, the SS LTC proactively responded to the housing crisis and issues related to the COVID-19 pandemic. The SS LTC amended standing resolutions during the public health emergency and about deferred enforcement for all unlawful dwellings except those with specific health and safety concerns."			

17-May-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

17-May-2022

Activity	Responsibility	Dates	Status
1 By general consent, the minutes of April 19, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted as amended. Trustee Patrick provided the following clarifications regarding her Trustee Report: ·Spoke to business licences required to address Short-Term Vacation Rentals that could be implemented by the CRD. ·Spoke to the Thetis Local Trust Committee relationship building with First Nations in which she is a participant.	Jennifer Baddeley Rob Pingle		Completed
2 Applications with Status Report dated May 2022 - SS-DP-2018.14 That the Salt Spring Island Local Trust Committee request staff to extend the referral deadline on SS-DP-2018.14 for sixty days to allow for First Nations review.	Jason Youmans		Completed
3 Housing Action Program That the Salt Spring Island Local Trust Committee request staff to cancel the Housing Action Program Public Engagement Request For Proposal and evaluate resource options for the Housing Action Program.	Geordie Gordon Louisa Garbo		Completed



Follow Up Action Report

Salt Spring Island

17-May-2022

Activity	Responsibility	Dates	Status
4 Ganges Village Planning That the Salt Spring Island Local Trust Committee request staff upon completion of this phase of engagement to pause the Ganges Village Plan project to allow the Local Trust Committee to explore opportunities to work with First Nations. That the Salt Spring Island Local Trust Committee request that the Ganges Village Area Plan Task Force pause on the further development of objectives and goals while the Local Trust Committee works with First Nations. The Local Trust Committee requests the Task Force to provide feedback on the first phase engagement reports for gaps and opportunities for future engagement.	Geordie Gordon Louisa Garbo		Completed
5 Water Sustainability - Draft Proof of Water at Time of Subdivision Bylaw That the Salt Spring Island Local Trust Committee request staff to provide the following information: ·Communication materials for the introduction of the bylaw ·Potential amendments based on the discussion today including 5.5.14 and Table 1.	Jason Youmans William Shulba		In Progress



Follow Up Action Report

Salt Spring Island

17-May-2022

Activity	Responsibility	Dates	Status
6 Galiano Island Local Trust Committee Referral of Proposed Bylaw Nos. 231 & 232 That the Salt Spring Island Local Trust Committee request staff to respond to the referrals from the Galiano Island Local Trust Committee for Bylaws No. 231 and 232, indicating that the Salt Spring Island Local Trust Committee's interests are unaffected.	Daniela Murphy Louisa Garbo		Completed
7 Temporary Use Permit for staff housing That the Salt Spring Island Local Trust Committee request staff to prioritize Temporary Use Permits for employee housing.	Geordie Gordon Jason Youmans		Completed
8 SS-DP-2022.2 - K. Fergusson - Lot 7, Meyer Road, SSI That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2022.2 (Lot 7, Meyer Road).	Daniela Murphy Phil Testemale		Completed
9 SS-RZ-2020.1 - Proposed Bylaw No. 525 - 1351 Mountain Road, SSI That Salt Spring Island Local Trust Committee Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021", be adopted (SS-RZ-2020.1, 1351 Mountain Road).	Daniela Murphy Jason Youmans		Completed



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2010-02-04	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. <u>CARRIED</u>
2013-01-10	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. <u>CARRIED</u> *Bylaw 461 was adopted May 2, 2013



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2016-06-02	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. <u>CARRIED</u>



Islands Trust

SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2017-03-02	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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2018-08-16	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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2018-12-06	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. <u>CARRIED</u>
2019-04-30	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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2019-08-27	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 that 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 that 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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2019-11-26	SS-2019-253	Reconciliation	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re) introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2019-12-17	SS-2019-275	Referral of Items to the Agricultural Advisory Planning Commission	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee refer Agricultural Land Commission applications directly to the Agricultural Advisory Planning Commission, prior to consideration by the Salt Spring Island Local Trust Committee when: a) 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 b) Applications are for public recreation use and are consistent with the Official Community Plan. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2020-04-28	SS-2020-045	Policy Options for Bylaw Enforcement Compliance on Unlawful Uses	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and that staff are directed to continue with enforcement until the use is ceased. b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, temporarily cease. c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee; bylaw enforcement actions, including the issuing of notices, will continue. d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2021-06-29 Amended 2021-11-09 Amended 2022-02-15	SS-2021-109 SS-2021-214 SS-2022-017	Unlawful Dwellings	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force's recommendation to amend standing resolution SS-2021-109 to state that enforcement activities will be deferred for all existing unlawful dwellings being used for residential purposes until there are safe, secure appropriate housing options that are affordable for all demographics and household types in perpetuity, except in the following circumstances: a. there are concerns regarding health and safety; b. there are concerns that sewage is not being disposed of in an approved septic or sewage disposal system; c. there are concerns that septic or sewage disposal systems are being used in excess of capacity or ability as a result of unlawful dwellings; d. there are concerns of possible contamination of wells or other drinking water sources; e. unlawful dwellings are in environmentally sensitive areas; f. there are non-permitted campgrounds; and, g. that the Salt Spring Island Local Trust Committee may give direction to resume enforcement activities on any property that poses risk to the health and safety of the neighbouring residents and the residents on the property in question. <u>CARRIED</u>
2021-06-29	SS-2021-111	Bylaw Enforcement Policy on Portable Sawmills	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy: Enforcement on portable sawmills will be deferred while the Local Trust Committee considers amendments to the Land Use Bylaw. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2021-11-09	SS-2021-213	Residential Use in Commercial Accommodations	It was MOVED and SECONDED, That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force’s recommendation to defer enforcement of residential use in commercial accommodations, such as cabins, hotels, guest houses, and motels that provide long-term (more than 30 days) residency in order to offer an interim solution to the housing needs on Salt Spring Island. <u>CARRIED</u>
2021-12-14	SS-2021-237	First Nations Consultation for Proposed Antenna Systems	It was MOVED and SECONDED, That the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to First Nations consultation in accordance with the “Strategy for Antenna Systems” in the Local Trust Area: a. The proponent will consult with the Local Trust Area representative during the pre-consultation phase to determine proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential and obtain a list of First Nations rights and title holders; b. The proponent is recommended to undertake consultation during the pre-consultation phase with the Islands Trust and a First Nations cultural knowledge holder for the siting of the proposed antenna system as it relates to cultural and sacred sites; c. The proponent will obtain and provide a BC Archaeological Information request response from the BC Archaeology Branch to confirm proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential including permit requirements under the Heritage Conservation Act; d. The proponent will obtain and provide an Archeological Impact Assessment for antenna systems proposed to be sited on or within 100 metres of a known archaeological site or cultural/sacred site identified by a First Nations cultural knowledge holder; and e. The proponent will provide written notice – including, if applicable, the Archeological Impact Assessment – sent by regular mail or hand delivered to all First Nations rights and title holders identified during the pre-consultation phase <u>CARRIED</u>



Top Priorities Report

Salt Spring Island

1. *Water Sustainability - coordinate multiple jurisdictions in planning for water sustainability and watershed protection.*

Currently includes: Coordination of SSIWPA; Development of Proof of Water Bylaw; Weston Lake Water Availability Study; Watershed Strategic Plan; Ongoing well-monitoring.

April 2022: Draft Weston Lake Study being reviewed by staff; Contract issued for phase 2 of Watershed Strategic Plan; staff seeking LTC direction on reduced SSIWPA budget.

Nov. 19, 2021: kick off meeting with Econics for phase 1 of Watershed Strategic Plan: a Situational Analysis

July 15, 2021: Signed MOU submitted to CRD for Weston Lake Study. RFP posted (Nov. 2021)

May 25, 2021: LTC approves project charter of Watershed Protection Plan

April 27, 2021: MOU approved for Weston Lake Assessment

March 11, 2021 - TC budget approve: \$75,500 special tax requisition for 2021/22 SSIWPA; up to \$80,000 from surplus funds to spend on a watershed strategic plan and Weston Lake Watershed Assessment

Responsible

Jason Youmans
William Shulba

Dates

Rec'd: 07-Jun-2012
Target: 30-Dec-2022

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

Oct. 5, 2021 - SSLTC endorse 2022/23 business case that includes: First Nations engagement, funds for a density bonus zoning appraisal report, a fire ecology analysis and workshop, and education and communication materials.

Responsible

Jason Youmans

Dates

Rec'd: 17-Dec-2019
Target: 01-Dec-2022



Top Priorities Report

Salt Spring Island

Science Working Group Meetings: Nov. 18, 2020; April 12, 2021; June 15, 2021; July 13, 2021

April 27, 2021 - education materials received

July 28, 2020 - Project Charter endorsed. Phase 1: Information gathering and analyzing, consultation, and education.

3. *Ganges (Shiya'hwt/Syowt) Village Planning*

March 26 & 27, 2022-AHNE facilitates workshop with GVTF. Final Report of all engagement activities anticipated for April or May LTC meeting.

Nov. 9, 2021 - Ahne Studio finalizes engagement plan with SS LTC and task force. Ahne and staff begin numerous engagement activities including: survey, ideas fair, walk shops, stakeholder virtual events, school engagement, pop up engagement and community design charrette.

Task Force Meetings ongoing.

March 11, 2021-TC approved \$97,000 project budget

Nov. 10 2020 - Project Charter, Public Engagement Framework, and Task Force Terms of Reference adopted. Endorsed applying for C2C funding.

Responsible

Louisa Garbo

Dates

Rec'd: 08-Jun-2020
Target: 31-Mar-2022

4. *Housing Action Program*

Feb. 3, 2022 - report to SS LTC includes secondary suites draft bylaw, advancing tiny homes pilot project, consideration of OCP amendments-LTC request amendments to focus on accessory dwelling units

Responsible

Louisa Garbo

Dates

Rec'd: 06-Oct-2020
Target: 01-Oct-2022



Top Priorities Report

Salt Spring Island

Nov. 18, 2021 - SS LTC meet with members of agricultural community - request staff to amend Bylaw 527 (housing in the ALC and large farming properties) and send out to referrals

Nov. 9, 2021 - SSLTC pass numerous resolutions including: deferring enforcement for unpermitted residential use in specific circumstances, requesting RPC to consider expediting affordable housing applications, request potential bylaw amendments to permit accessory dwelling units (including secondary suites).

April 27, 2021-12 persons appointed to Housing Task Force. Task Force Meetings ongoing.

Jan. 22, 2021 - Project Charter. Adopted.

Dec. 15, 2020 - LTC resolves that any further consideration of Bylaw No. 471 (TUPs for Residential use) take place in the context of LTC's 'Housing Challenges and Solutions' project.



Projects Report

Salt Spring Island

1. *OCP Amendments*

Responsible

Date Received

06-Oct-2020

- First Nations Heritage and Cultural Site Protection (Jan. 2015)
- Piers Island Bill 27 OCP Update (Dec. 2015)
- Marine Environment Protection (Foreshore Audit) (June 2016)
- Official Community Plan Review (Nov. 2017)
- Development of a Music Strategy (June 2020)
- Waste Transfer Stations (Waste Management Plan) (July 2020)
- Add a map of the Salish Sea Trail (Oct. 2021)
- Add public access to lake and marine shorelines as an eligible community amenity in Section H.3.2 of the Salt Spring Island Official Community Plan (Feb. 2022)

2. *Land Use Bylaw Amendments*

Responsible

Date Received



Projects Report

Salt Spring Island

·Housing for Farm Workers and Residential Options in the ALC (Nov. 2008)	06-Oct-2020
·Outer Islands (Feb. 2015)	
·LUB Update: Affordable Housing (June 2015)	
·Accessory Buildings Without a Principle Use (Dec. 2016)	
·Technical and Minor Amendments (Mar. 2017)	
·Limit fence height to 2.4m; increase dock width from 1.2m to 1.5m; culverts as structures in waterbody setbacks	
·Reduce Permitted Lot Coverage in Rural Upland Zones (Aug. 2018)	
·Ganges Village Planning - Harbourwalk (Oct. 2019)	
·Commercial Truck Parking and Storage (July 2020)	
·Regulate Cannabis Production (Sept. 2020)	
·Portable Sawmills (Nov. 2020)	

3. *Direct Bylaw Enforcement*

	Responsible	Date Received
·Bylaw Enforcement Policies (Feb. 2015)		06-Oct-2020
·Short Term Vacation Rentals (STVRs) (May 2017)		

4. *Administrative Processes and Procedures*

	Responsible	Date Received
·Land Use Contracts (Feb. 2015)		06-Oct-2020
·Soil Removal Bylaw update (Feb. 2015)		
·Improving Communications (Mine permits for aggregate pits and quarries.) (Jan. 2020)		

Projects Report

Salt Spring Island

5. *Advocate*

Responsible

Date Received

·none listed

06-Oct-2020



Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2021.4	Moonshine Mama's Kitchens Ltd.	27-Aug-2021	Non-Farm Use - 2143 Fulford-Ganges Road

Planner: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File transferred to Planner Gordon.

Status Date: 16-Feb-2022

Applicant advised application has changed - recommended to speak to ALC whether application required

Status Date: 04-Feb-2022

Dormant application notice sent

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2021.5	Young, Kimberly	06-Oct-2021	Non-Farm Use - 181 Beddis Road

Planner: Geordie Gordon

Planning Status

Status Date: 29-Mar-2022

Forwarded to ALC

Status Date: 22-Mar-2022

Supported by LTC, forwarded to ALC

Status Date: 03-Feb-2022

Considered by AAPC - Support recommended.



Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2021.6	Fraser, Noella	30-Nov-2021	Non-Farm Use - 240 Atkins Road

Planner: Geordie Gordon

Planning Status

Status Date: 22-Mar-2022

Supported by LTC, forwarded to ALC

Status Date: 03-Feb-2022

Considered by AAPC - Support recommended.

Status Date: 18-Jan-2022

SS LTC referral to AAPC

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2018.14	Kirsten Reite Architecture	18-Sep-2018	Proposed development of 17 commercial accommodation units, 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: 17-May-2022

LTC resolution to extend First Nations referral window by further 60 days. New referral response deadline is July 19, 2022.

Status Date: 04-May-2022

Staff are in correspondence with First Nations re. site visit

Status Date: 03-Mar-2022

APC consideration of DP application



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2020.15	The Estate of Ida McManus - Deborah Holmberg & Heather Howard	18-Dec-2020	Amend Existing Permit - 106 Lower Ganges RD

Planner: Geordie Gordon

Planning Status

Status Date: 11-Mar-2022

Applicant indicates need to delay application until at least May SS LTC meeting.

Status Date: 01-Mar-2022

Applicant indicates that further information has been received from MoTI - not provided to staff yet.

Status Date: 24-Jan-2022

Applicant advises that work with MoTI is on-going

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.10	Nagel, Uta	14-Sep-2021	Carport and Shed within DPA 4, 6 & 7 - 770 Beaver Point Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 04-Apr-2022

Email regarding next steps for application to move forward

Status Date: 30-Nov-2021

Phone call regarding next steps for application to move forward



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.14	Salt Spring Island Farmland Trust Society	21-Dec-2021	Amendment to SS-DP-2011.5 & SS-DP-2015.2 - 189 Beddis Road

Planner: Jason Youmans

Planning Status

Status Date: 31-May-2022

Staff met with project team

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 08-Feb-2022

Follow-up email to applicant re. application status

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.4	UCG Universal Consulting Group LTD	15-Mar-2021	NEW TASTING ROOM, WASHROOM/ACCESSORY BUILDING, CARETAKER'S COTTAGE, 4-PLEX - 270 Furness Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 01-Feb-2022

Follow-up email to applicant re. application status

Status Date: 09-Dec-2021

DVP for retaining wall opened



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.5	Miss Crofton's Housing Corporation	19-Mar-2021	To increase density in-order to build 10 small rental cottages - 265 Lower Ganges Road
Planner: Rob Pingle			
Planning Status			
<u>Status Date:</u> 05-Apr-2022 Refund Memo sent to finance			
<u>Status Date:</u> 04-Feb-2022 Dormant application notice sent			
<u>Status Date:</u> 14-Dec-2021 Verbal update to LTC - DP dependent on RZ proceeding. Viable water source required for RZ.			
File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.8	Aurora Professional Group INC	12-Jul-2021	Development within DPA6 - DP/DVP regarding disposal field and setback to natural boundary of the sea - 371 Isabella Point Road
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 20-Sep-2021 See associated SS-DVP-2021.13			
<u>Status Date:</u> 18-Aug-2021 Email to applicant			
<u>Status Date:</u> 10-Aug-2021 Planner Gordon assigned to file - SS-DP-2021.8			



Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.4	Sawchuck, Michael	17-Mar-2022	SFD in DPA4 - 243 Tripp Road, SSI

Planner: Phil Testemale

Planning Status

Status Date: 25-May-2022

File reassigned to Planner Testemale

Status Date: 28-Apr-2022

File reassigned to Planner Gordon.

Status Date: 28-Mar-2022

Planner Mayes assigned to file - SS-DP-2022.4

File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.5	Polaris Land Surveying	04-May-2022	Permit to allow subdivision in DPA 7 - 536 Beaver Point Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 18-May-2022

File assigned to Planner Youmans

File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.6	Priority Permits LTD	18-May-2022	DPA1 - Update signage - 149 Fulford-Ganges Rd, SSI

Planner: Rob Pingle

Planning Status

Status Date:



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.13	Aurora Professional Group INC	12-Jul-2021	Development within DPA6 - DP/DVP regarding disposal field and setback to natural boundary of the sea - 371 Isabella Point Road

Planner: Geordie Gordon

Planning Status

Status Date: 09-Nov-2021

Update regarding timing of additional information requested by planner

Status Date: 15-Sep-2021

Email correspondence with applicant, applicant indicates DP/DVP will be updated to cover existing retaining wall. Application on hold pending amendment.

Status Date: 09-Sep-2021

Site Visit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.17	Nagel, Uta	13-Sep-2021	Carport and Shed within the setback - 770 Beaver Point Road

Planner: Jason Youmans

Planning Status

Status Date: 24-May-2022

Planner in correspondence with the applicant.

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 04-Apr-2022

Email regarding next steps for application to move forward



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.22	UCG	09-Dec-2021	Setback Variance for Brewery and Retaining Wall - 270 Furness Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 13-Dec-2021

File forwarded to planner for review - SS-DVP-2021.22

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.23	Shalhaf, Sina	13-Dec-2021	Variance for structure setback to a water body - 150 Margolin Drive

Planner: Phil Testemale

Planning Status

Status Date: 18-May-2022

E-mail communication with applicant - QEP report submission for September.

Status Date: 25-Apr-2022

File reassigned to Planner Phil Testemale.

Status Date: 21-Mar-2022

Awaiting QEP report in support of variance application



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.24	Kirsten Reite Architecture	20-Dec-2021	Follows on expiry of pervious permit SS-DVP-2018.17. Proposed variance to permit: The siting of sewage system tanks, sewage disposal fields, commercial guest accommodation units; and a sub-electrical room. - 2621 & 2661 Fulford-Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 10-Mar-2022

See file SS-DP-2018.14 for updates as both files are moving in parallel.

Status Date: 23-Dec-2021

Planner Youmans assigned to the file - SS-DVP-2021.24

Status Date: 12-Dec-2021

Applicant advised that DVP-SS-2018.17 would expire January 4, 2022 if work not substantially started.

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.7	Craig, Brian	26-Feb-2021	Variance for Gate House and Beach Stairs - 344 Reginald Hill Road

Planner: Stephen Baugh

Planning Status

Status Date: 25-Apr-2022

File reassigned to Planner Stephen Baugh.

Status Date: 01-Sep-2021

Revised site plan required

Status Date: 18-Jun-2021

Site Visit



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.1	Aurora Professional Group INC Planner: Geordie Gordon	06-Jan-2022	Variance regarding disposal field and setback to natural boundary of the sea - Clam Shell Island
Planning Status			
Status Date: 16-May-2022 Tsawout First Nations indicates an extension to respond to referral is required. No timeline given.			
Status Date: 05-May-2022 Cowichan Tribes indicates interest in a site visit. Requires cost recovery, staff are attempting to arrange.			
Status Date: 22-Mar-2022 SS LTC resolves to refer application to First Nations			
File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.10	Girard, Jordan Planner: Geordie Gordon	28-Feb-2022	Front lot line variance to build SFD - 322 Collins Road, SSI
Planning Status			
Status Date: 02-Mar-2022 Planner Gordon assigned to file - SS-DVP-2022.10			
File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.11	Edgar, Peter Planner: Stephen Baugh	17-Mar-2022	Lot Line Variance - 227 Roland Road, SSI
Planning Status			
Status Date: 25-Apr-2022 File reassigned to Planner Stephen Baugh			
Status Date: 01-Apr-2022 Emailed applicant - re. site visit, arch info & MoTI setback permit			
Status Date: 28-Mar-2022 Planner Mayes assigned to file - SS-DVP-2022.11			



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.12	Polaris Land Surveying	02-May-2022	Variances to allow a boundary adjustment - 744 Lower Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 06-May-2022

Planner Youmans assigned to file - SS-DVP-2022.12

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.13	Polaris Land Surveying	04-May-2022	Variances to allow subdivision - 536 Beaver Point Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 18-May-2022

Planner Youmans assigned to file

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.14	Grange, Alain	02-Jun-2022	Variance to front lot line set back - 113 Lee Ann Road, SSI

Planner: Rob Pingle

Planning Status

Status Date:



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.2	Fevang, Carol	10-Jan-2022	Variance to construct waterfront retaining wall - 105 McKenzie Cres - Piers Island

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon.

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

Status Date: 19-Jan-2022

File assigned to Planner Mayes - SS-DVP-2022.2

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.5	McDiarmid, Robert	25-Jan-2022	Variance to rear setback to construct carport - 1521 Beddis Rd, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 02-May-2022

Applicant indicates additional reports forthcoming. July SS LTC meeting targeted for staff report.

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon.

Status Date: 04-Apr-2022

Report deferred to 17MAY2022 SSILTC meeting



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.8	Massender, Ian	22-Feb-2022	Variance for minimum average lot area and siting of building within rear lot line setback - 244 Rainbow Road, SSI

Planner: Phil Testemale

Planning Status

Status Date: 27-May-2022

On June 14, 2022 agenda for consideration.

Status Date: 09-May-2022

Updated subdivision layout plan received.

Status Date: 27-Apr-2022

Applicant requesting surveyor update subdivision plan to add farm building with setback distance to new rear property line.

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
SS-LCB-2021.3	Mobys Pub	07-Dec-2021	Permanent License for Patio Space - 126 Upper Ganges Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 21-Dec-2021

File assigned to Planner Gordon - SS-LCB-2021.3



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.2	Fernando & Tammy Dos Santos	15-Feb-2017	Proposal to permit 30 affordable housing dwelling units and common building - 221 Drake Road, SSI.

Planner: Geordie Gordon

Planning Status

Status Date: 29-Apr-2022

Meeting with applicant and W. Shulba. Applicant indicates water system management/ownership work is on-going.

Status Date: 16-Dec-2021

MoTI updates referral response - road upgrade request removed

Status Date: 14-Dec-2021

Verbal update to LTC - applicant still to provide requested information (e.g. water management plan) to LTC

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

Planner: Geordie Gordon

Planning Status

Status Date: 04-Jan-2022

Bylaw referral sent out

Status Date: 14-Dec-2021

LTC gives first reading and refers bylaw

Status Date: 01-Nov-2021

Applicant provides new pump test report



Applications

Rezoning

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

Planner: Geordie Gordon

Planning Status

Status Date: 01-Feb-2022

Planner phone call with applicant - rainwater collection system work is on-going, to be finalized within 2-3 months.

Status Date: 24-Jan-2022

Applicant indicates report work is on-going

Status Date: 21-Jan-2022

Staff request file update

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2020.1	MacAlpine, Doug	29-Jan-2020	Proposal to amend zoning to permit a 60 square meter boathouse and additional dwelling - 1351 Mountain Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 04-May-2022

To be considered for adoption at May 17 LTC meeting

Status Date: 25-Apr-2022

File reassigned to Jason Youmans

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.1	Sea Isle Development Group	28-Jan-2021	Rezoning from existing R6 to R2 to permit the construction of a 6 unit Strata Development - 114 Swanson Rd

Planner: Geordie Gordon**Planning Status****Status Date:** 30-May-2022

Applicant indicates a desire to move forward with application. Staff to report to SS LTC at an upcoming meeting.

Status Date: 15-Feb-2022

Report to SS LTC. Applicant requests deferral to future meeting

Status Date: 01-Sep-2021

Email to applicant on steps to take to amend zoning application. Re-review would be required.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.2	Miss Crofton's Housing Corporation	19-Mar-2021	Increase current density to build 10 small rental cottages - 265 Lower Ganges Road

Planner: Rob Pingle**Planning Status****Status Date:** 05-Apr-2022

Refund memo sent to finance

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 18-Jan-2022

Planner requests progress update from applicant



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.3	Chapman, Bryce	14-Jun-2021	To amend OCP land use designation from Channel Ridge Residential (CRR) on the East side of the property to Residential Designation (RN) and to amend Land Use Bylaw zoning from R6(a) to R8 on same portion - 361 Sunset Drive

Planner: Georgie Gordon

Planning Status

Status Date: 22-Oct-2021

Planner response to applicant questions on density in Channel Ridge

Status Date: 24-Aug-2021

Site Visit

Status Date: 06-Jul-2021

File assigned to Planner Gordon

Soil Deposit and Removal

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2021.1	Fedje, Mark	01-Apr-2021	Deposit approximately 180 m3 of rock - 001-032-402 - Piers Island

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon

Status Date: 04-Apr-2022

QP report received from applicant

Status Date: 14-Oct-2021

BCA advises no HCA permit required



Applications

Soil Deposit and Removal

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2022.1	Corcoran, Dinny	20-May-2022	Soil deposit within 15 meters of the natural boundary of the sea - Clam Shell Island

Planner: Geordie Gordon

Planning Status

Status Date: 20-May-2022

Files forwarded to planner for review

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: 25-Apr-2022

File reassigned to Jason Youmans

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 29-Apr-2021

Advised applicant of additional reports required by CRD



Applications

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: 11-Feb-2022

MoTI has accepted the Storm Water Management Plan

Status Date: 13-Jul-2021

Revised site plan received. Strata subdivision.

Status Date: 25-Feb-2021

applicant waiting for storm water plan approval from MOTI

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2020.3	Wey Mayenburg Land Surveying Inc.	21-Dec-2020	Proposed 3 lot subdivision - 521 Mansell Road

Planner: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Geordie Gordon

Status Date: 17-Feb-2021

Applicant supplied letter from ALC advising ALC application for subdivision not required

Status Date: 22-Jan-2021

Subdivision Review Form sent to MoTI & applicant



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.1	Polaris Land Surveying Inc	19-Jan-2021	4-Lot Subdivision - 536 Beaver Point Road, SSI
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 25-Apr-2022 File reassigned to Geordie Gordon			
<u>Status Date:</u> 30-Apr-2021 PLR received from MoTI			
<u>Status Date:</u> 18-Feb-2021 Referral Response sent to MoTI			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.2	Polaris Land Surveying Inc	25-Jan-2021	Proposed 2 lot boundary adjustment and acquisition of road dedication to ensure all remains are within the cemetery boundary - 744 LOWER GANGES RD
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 25-Apr-2022 File reassigned to Geordie Gordon			
<u>Status Date:</u> 08-Jun-2021 PLR recieved from MoTI			
<u>Status Date:</u> 23-Feb-2021 Referral Response sent to MoTI			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.3	Shalbaf, Sina	31-Mar-2021	2 lot subdivision 150 Margolin Drive

Planner: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Geordie Gordon

Status Date: 10-Jun-2021

PLR received from MoTI

Status Date: 28-May-2021

Site Visit

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.4	Massender, Ian (Matthew)	27-Aug-2021	Boundary Adjustment - 244 Rainbow Road

Planner: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Geordie Gordon

Status Date: 23-Nov-2021

Septic report received

Status Date: 18-Nov-2021

PLRS received from MoTI



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.5	Polaris Land Surveying Inc	16-Sep-2021	Boundary adjustment - 1201/1231 Beaver Point Road
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 25-Apr-2022 File reassigned to Geordie Gordon			
<u>Status Date:</u> 10-Dec-2021 Revised site plan required to complete referral response			
<u>Status Date:</u> 16-Sep-2021 Planner Mayes assigned to the file - SS-SUB-2021.5			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.6	MiCo Properties	17-Nov-2021	Two Lot Subdivision - 1281 Fulford-Ganges Road
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 25-Apr-2022 File reassigned to Geordie Gordon			
<u>Status Date:</u> 14-Dec-2021 Revised site plan required to complete referral response			
<u>Status Date:</u> 19-Nov-2021 File assigned to Planner Mayes - SS-SUB-2021.6			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.7	Juengst, Patricia	13-Dec-2021	2 Lot Subdivision - 007-521-031

Planner: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Geordie Gordon

Status Date: 15-Dec-2021

Referral Response sent to MoTI

Status Date: 14-Dec-2021

Planner Mayes assigned to file - SS-SUB-2021.7

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2022.1	Martell, Roberta	31-May-2022	To Residential from Commercial Accommodation - 101 Bittancourt Rd, SSI

Planner: Jason Youmans

Planning Status

Status Date: 01-Jun-2022

Planner Youmans assigned to application

Islands Trust
 LTC EXP SUMMARY REPORT F2022
 Invoices posted to Month ending March 2022

655 Salt Spring	Invoices posted to Month ending March 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-655	LTC "Trustee Expenses"	1,985.00	268.80	1,716.20
		<u>1,985.00</u>	<u>268.80</u>	<u>1,716.20</u>
LTC Local				
65200-655	LTC - Local Exp - LTC Meeting Expenses	6,072.00	6,567.84	-495.84
65210-655	LTC - Local Exp - APC Meeting Expenses	1,110.00	1,996.45	-886.45
65220-655	LTC - Local Exp - Communications	1,500.00	25.00	1,475.00
65230-655	LTC - Local Exp - Special Projects	1,471.00	0.00	1,471.00
TOTAL LTC Local Expense		<u>10,153.00</u>	<u>8,589.29</u>	<u>1,563.71</u>
Projects				
73001-655-4020	Salt Spring Ganges Village Area Planning	93,000.00	66,995.44	26,004.56
73001-655-4034	SSIWPA Coordinator Expense	60,000.00	60,012.50	-12.50
73001-655-4035	SSIWPA Events & Communications Expense	13,740.00	3,959.50	9,780.50
73001-655-4036	SSIWPA Meetings Expense	1,760.00	1,230.00	530.00
73001-655-4037	SSIWPA Project - Weston Lake	30,000.00	0.00	30,000.00
73001-655-4038	SSIWPA Project - Watershed Protection Plan	50,000.00	20,000.00	30,000.00
73001-655-4113	Salt Spring Protect CDF Ecosystem	5,000.00	1,967.51	3,032.49
73001-655-4119	Salt Spring Housing Challenges & Solutions	45,000.00	6,575.59	38,424.41
73001-655-4122	Salt Spring Healthy Watersheds Initiative	5,000.00	4,712.23	287.77
TOTAL Project Expenses		<u>303,500.00</u>	<u>165,452.77</u>	<u>138,047.23</u>

From: Margriet Ruurs <[REDACTED]>
Sent: Friday, May 6, 2022 12:32 PM
To: SSInfo
Cc: [REDACTED]
Subject: LTC priorities

To the Trustees of the Island Trust:

Maxine Leichter's Viewpoint column in the Driftwood of May 4, 2022, hit the nail right on the head. 'Limits to Growth Ignored' sums up our growing concerns about the Trustees fixation with a housing crisis. This is not the LTC mandate nor will the proposed changes solve the issue. Overextending the capacity of land and water on the Gulf Islands will lead to a situation similar to the one we saw on Greek Islands where the land is in a deplorable state, where ships keep dropping off more and more visitors, where we saw hotel prices of over \$4,000.- per night and locals have plaques on their homes stating "We live here. Keep out of our yard and don't look in our window."

We do need to recognize the limit of our small islands. Continued development is not the answer. Cashing in at the expense of our land and water is not what we want. It is time the Trust sets the tone by protecting our environment and calling a halt to more and more accommodations that we cannot afford.

Sincerely,

Margriet and Kees Ruurs
Salt Spring Island

From: Susan Stacey <[REDACTED]>
Sent: Wednesday, May 11, 2022 8:44 AM
To: Geordie Gordon; SSIInfo
Subject: Correspondence for LTC
Attachments: SSI variance appeal May 10.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached a letter for the Local Trust Committee and Planner Geordie Gordon

Regards,

Susan Stacey

May 9, 2022

Local Trust Committee – Salt Spring Island

Re: Development Variance Permits

I would like to thank the Local Trust Committee members for your public service as stewards of the local community. I am writing with regards to the development variance process.

I am the [REDACTED] of one of the variance applications reviewed on April 19th. As an [REDACTED] property owner I was unable to attend the meeting. After receiving the notice of the Development Variance Permit, I reviewed the staff report and was alarmed to learn the extent of the unpermitted work. I contacted the planner associated with the file and shared concerns regarding the subject property. I submitted correspondence before the deadline. I also spoke to one of the three members on the local Board of Variance.

It is my understanding that the *Local Government Act*, specifically 498.1, allows only minor development variances to be granted by a local government or delegate. The staff report clearly indicated that the requested **variances related to the workshop were not minor**. Not only did the conversion of the loft of a workshop into a yoga studio essentially double the square footage of that accessory building, the main floor of the workshop was then divided into more than three rooms and included a shower and a kitchen. Information submitted in relation to the application, including letters and the applicant herself, indicated a plan to use the workshop as a dwelling.

As the development variance application related to the workshop was not considered minor, I am seeking an explanation as to why the workshop renovation was even considered to be a development variance and not denied outright. I am also requesting a review to determine if the Local Trust Committee has the authority to grant a development variance when the staff have determined the variance is not minor.

As well, in reviewing the local government regulations, a Board of Variance / local government must only grant a variance if they are of the opinion that the variance does not:

- Result in inappropriate development of the site
- Adversely affect the natural environment
- Substantially affect the use and enjoyment of adjacent land
- Vary permitted uses and densities
- Defeat the intent of the bylaw

As noted in my April 17th correspondence, it is not the structures themselves but the use of those structures that impact neighbours. This matter is not just about bylaws related to the size and features in accessory buildings, consideration should also be given to bylaws related to permitted use of properties, specifically Bylaw 355, Section 3.13. The staff report for the variance application clearly indicated the applicant for the Development Variance Permit had demonstrated excessive disregard for local bylaws. The variance application arose from issues related to numerous bylaw infractions related to activities in excess of those permitted for a home-based business.

The applicant indicated that she operates a home-based business on her property, which includes a yoga studio/ wellness center and a four-bedroom bed and breakfast. This issue is not about the integrity of the applicant or the type of business she operates. By essentially doubling the size of an accessory building, there is an increased potential that the scale of the home-based business could exceed that permitted on a single-family rural property. A home-based business on a lot the size of the applicant's property **cannot exceed 50%** of the total square area of dwelling and permitted residential accessory buildings **up to a total of 150 square meters**, which is just over 1600 square feet. The size of the upper floor of the workshop building, which is now a yoga studio, is about 1400 square feet. As reported by the applicant, the kitchen, shower and private coaching rooms on the main floor are also important in the operation of her wellness business.

In addition to using the workshop building for her home-based business, the applicant also operates a four-bedroom bed and breakfast, which uses two other accessory buildings. When granting a development permit for the now 2800 square foot workshop building, did the Trustees consider the potential impact on Bylaw Compliance and Enforcement should the applicant's home-based business activities and/or total area used for the home-based business exceed those permitted under Bylaw No. 355, Section 3.13.

Did the Trustees also consider the burden that is placed on neighbours to either (a) have their use and enjoyment of their property negatively impacted by activities in excess of those permitted for a home-based business or (b) report the unpermitted use to bylaw officers, which impacts harmonious relationships between neighbours.

Given that a variance can only be considered if it does not result in inappropriate development, vary permitted uses/ densities and substantially affect the use and enjoyment of adjacent properties and, given that:

- (a) The staff reported the workshop renovation was not considered to be minor, and
- (b) Variances can only be granted by a local government if considered to be minor,

I am respectfully asking the Local Trust Committee members to:

- (a) Rescind, or at least reconsider, the variance permit granted on April 19th for a workshop renovation not considered by staff to be minor,
- (b) Share their rationale for not referring the application to the Board of Variance for further review and feedback,
- (c) Clarify the role of the Board of Variance with regards to development permits,
- (d) Inform the public of the formal process to appeal a decision made by a local government granting a variance for a development permit not considered to be minor,
- (e) Share their rationale for not supporting the staff's recommendations to at least remove non-permitted features such as a shower and kitchen.

Respectfully submitted,

Susan Stacey



Coastal British Columbia District
Lower Mainland Office
Spectrum Management Operations
1700 – 13401 108th Ave.
Surrey, BC V3T 5V6

May 17, 2022

Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Attention: Mr. Peter Luckman
 Chair, Salt Spring Island Trust Local Trust Committee

Dear Mr. Luckman:

**Subject: ROGERS Telecommunication Tower Proposal
 W2716 at Channel Ridge, Salt Spring Island**

I am writing to address your letter dated April 6, 2022 to Rogers Communications Inc. (Rogers) and its agent Cypress Land Services (Cypress) informing them of the decision to rescind the July 27, 2021 concurrence for the above mentioned antenna tower proposal W2716 at Channel Ridge, Salt Spring Island.

Please be informed that our office does not support your decision to rescind the concurrence.

Since the issuance of concurrence, by the Salt Spring Island Local Trust Committee (SS LTC), the only change in circumstances is the SS LTC's November 9, 2021 adoption of a new antenna siting protocol. Given the date of the policy adoption, it is not to be retroactively applied.

Our review of the conduct of the consultation process also found that Rogers was in compliance with Innovation Science and Economic Development's default process. SS LTC's July 27, 2021 concurrence also implied its satisfaction with how the process was conducted and its conclusion.

In addition, SS LTC did not provide any other valid rationale to support the rescindment.

Please reach out to the undersigned if you have any further questions.

Yours truly.

Ken Pungente
Director, Coastal Offices, STS-Western Region
Innovation, Science and Economic Development Canada / Government of Canada
Ken.Pungente@ised-isde.gc.ca / Tel: 250-470-5033

Directeur, bureaux côtiers, SST-Region de l'Ouest
Innovation, Sciences et Développement économique Canada / Gouvernement du Canada
Ken.Pungente@ised-isde.gc.ca / Tél: 250-470-5033

c.c. Rogers Communications and Cypress Land Services



Islands Trust

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 1A4
Telephone: 250.537.9144
Email: pluckham@islandstrust.bc.ca

May 27, 2022

Innovation & Partnerships, CMHC
700 Montreal Road
Ottawa, Ontario, K1A 0P7 CA

ATTENTION: Dr. Brigit Knecht, Senior Manager

Re: Letter of Support Housing Supply Challenge – Pre-Development Solution presented by the Southern Gulf Islands Housing Coalition, supported by the Southern Gulf Islands Tourism Partnership

The Salt Spring Local Trust Committee understands that for real change to occur in housing supply that we must actively seek partnerships and cooperate with all levels of government, non-profits and community groups, as well as the private sector including small businesses, artists, and others in the economy who depend on a healthy environment and diverse housing options to sustain community values.

We are encouraged by and proud to support the initiative of the Southern Gulf Islands Housing Coalition and their supporting partner, the Southern Gulf Islands Tourism Partnership Initiative. Working with this coalition will help our local planning initiatives to expand the options for housing within this local trust area.

In December 2021, Trust Council declared a housing equity and workforce shortage in the Trust Area. For the past three decades, the Southern Gulf Islands (SGIs), including Salt Spring, have been embroiled in an ever-worsening housing crisis. More than half of renters endure housing costs greater than 50 percent of their incomes, the workforce necessary to support the community and its tourism-reliant local economy lacks anywhere to live, while many houses sit empty for large parts of the year or are rented illegally as vacation rentals.

The work of the Southern Gulf Islands Housing Coalition will bring island communities together and fill the gap in service between the Islands Trust and the Capital Regional District by dedicating local support to non-profit housing developers. The new community-based non-profit society would act at the intersection of local housing need, regional collaboration, housing strategies, and Island Trust's mandate to regulate land use and preserve and protect the ecosystems of the Gulf Islands. This coalition would do this by guiding and supporting local non-profit housing societies through the

*Preserving **island** communities, culture and environment*

complex pre-development process, engaging First Nations, increasing communication among housing providers, and working with Islands Trust, the Capital Regional District, Capital Region Housing Corporation planners, BC Housing, BC Non-Profit Housing Association, and other supporting and approving agencies.

Please accept this letter of support for this local island-focussed effort to address significant barriers to housing residents in our communities.

Yours truly,

A handwritten signature in black ink, appearing to read 'P. Luckham', written in a cursive style.

Peter Luckham, Salt Spring Local Trust Committee Chair
Islands Trust

*Preserving **island** communities, culture and environment*

File No.: SS-DVP-2022. 8 (Massender)
SS-SUB-2021.4

DATE OF MEETING: June 14, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Phil Testemale, Planner 2
Southern Team
COPY: Louisa Garbo, Acting Regional Planning Manager
Geordie Gordon, Acting Island Planner ,
Salt Spring Team
SUBJECT: Development Variance Permit Application
Applicant: Ian Massender
Location: 244 Rainbow Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit application SS-DVP-2022.8 (Massender).

REPORT SUMMARY

The purpose of the report is to consider a Development Variance Permit (DVP) for the minimum lot size that can be created by a boundary adjustment subdivision, and the siting of an existing building that would be rendered non-conforming with the proposed subdivision.

RATIONALE FOR VARIANCE

Granting the variances will permit the boundary adjustment subdivision to be completed and allow for a purpose-built special needs home to be constructed.

BACKGROUND

The variances are required to complete a boundary adjustment subdivision application (SS-SUB-2021.4). The subdivision would realign the configuration of two (2) existing lots located at 244 Rainbow Road as shown on Figure 2.

Specifically, the proposal is the Salt Spring Island Land Use Bylaw No. 355 (LUB) as follows:

- a) Article 9.1.2 (1) which states that the minimum *rear lot line* setback for *buildings, structures and uses* is 4.5 m is varied to permit an existing building (Farm Building) within 3.95 metres of a rear lot line on Proposed Lot 1 in accordance with Plans No. 1 and No. 2 forming part of and attached to this permit.
- b) Article 5.1.1 (2) which states that where a *subdivision* is a boundary adjustment subdivision between two existing *lots*, no *lot* may be created with an area less than 0.4 ha if serviced by a community water *service* is varied to permit Proposed Lot 1 with an area of 0.2 ha in accordance with Plan No. 1 forming part of and attached to this permit.

The current properties are 0.28 ha and 0.32 ha in size, located at **244 Rainbow Road**, fronting both Rainbow and Kanaka Roads, both with long and thin configurations. They have been used historically as a single property with the existing dwelling and accessory building straddling the current, internal property boundary. The topography of the entire site is relatively flat, rising gently from Rainbow Road toward the rear at Kanaka Road. There is established mature forest cover in the south portions, and surrounding open lawn and small cultivated areas in the north. More information and detail on the properties is provided in Attachment 1.

The proposed reconfiguration would make the two (2) existing lots more functional, useable and serviceable with a 0.20 ha proposed Lot 1, and a 0.41 ha proposed Lot 2. The proposed layout better complies with lot configuration and frontage requirements in the LUB subdivision regulations, particularly for lot depth-to-width ratios. Further, the subdivision would address the historical non-conformities with the existing dwelling (constructed in 1935) and an accessory building ('farm building'), which both straddles the boundary between the lots. The applicants have submitted a letter that provides a rationale for the subdivision and proposed variances, with the particular intention to construct a required special needs dwelling on the proposed Lot 1 (Attachment 2).

Other than the subdivision application, there is no new development proposed with this proposal. However, in addition to the existing '*Farm Building*' on proposed Lot 1, (an allowable principal use), the above-noted future dwelling, can be anticipated on that lot once the subdivision is complete.

Although the properties are zoned Agriculture 1 and designated in the Agricultural Land Reserve (ALR), the subdivision has been exempted from the requirement for ALC approval based on their regulatory provisions for undersized properties that predate the inception of the ALC.

If the application is denied, the owners could apply to the Board of Variance.

A copy of the Notice and proposed permit SS-DVP-2022.8 (Massender) are Attachments 3 & 4.

Figure 1 – Subject Property

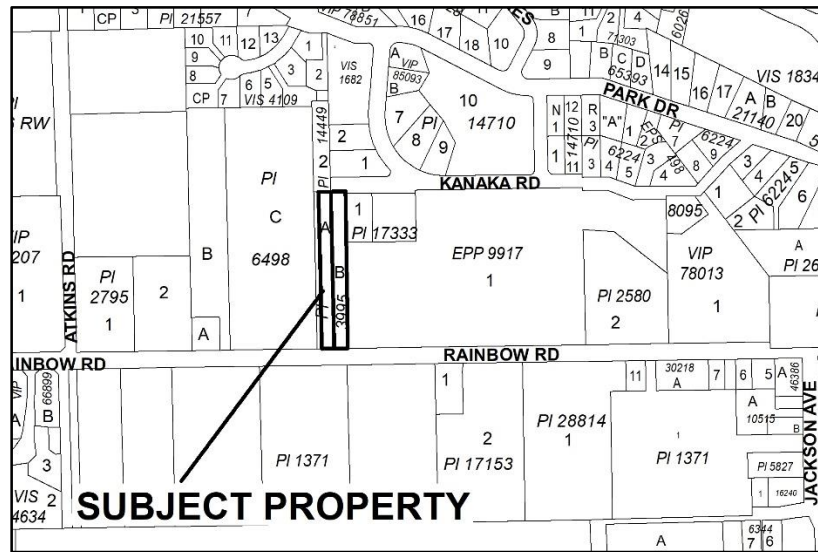
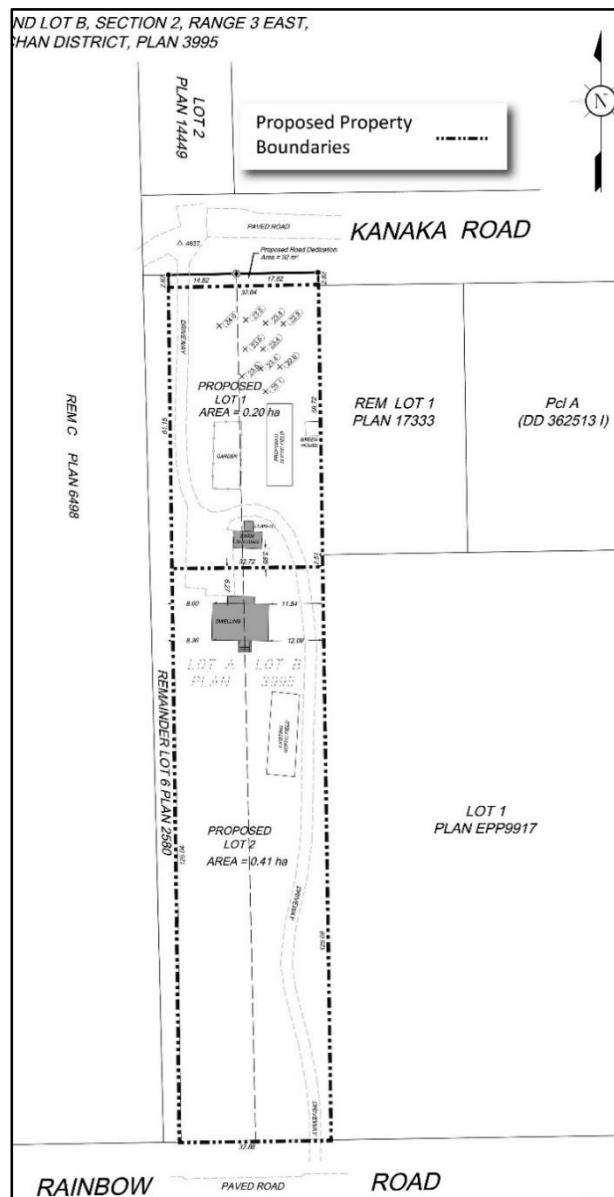


Figure 2 – Current and Proposed Lot Configuration



Figure 3 – Site Plan



ANALYSIS

Policy/Regulatory

Official Community Plan:

The property is designated **A - Agriculture** in the Salt Spring Island Official Community Plan No. 144, 2007 (OCP).

There are no Development Permit Areas designated on the subject property.

Land Use Bylaw:

The property is zoned as **Agriculture 1 (A1)** in the Salt Spring Island Land Use Bylaw No. 355 (LUB)

Issues and Opportunities

Impact Assessment

Generally, the reconfigured subdivision layout will have minimal or no impact on neighbouring properties excepting the addition of a new dwelling on proposed Lot 1 which would not be feasible with current lot configuration and existing non-conformities. Notwithstanding, the location of future development on Lot 1 would not be any closer to adjacent properties than currently permitted and would be unlikely to require any future siting variance application(s). Access for the proposed Lot 1 would be improved given its frontage on Kanaka Road, and the proposed property size would be consistent with neighbouring Residential 2 (R2) zoned properties to the north.

The specific variance for the lot size does not impact current permitted density. The siting variance for the *farm building* is non-impactful as it is minor and internal to the two proposed properties with the same owner. The variances and subdivision also would result in lot configurations that meet the depth to width and double frontage subdivision regulations, and facilitate highway right-of-way dedication on Kanaka Road for pathways.

Overall, the variance application is a reasonable and supports the subdivision application which will optimize the land use of the properties.

The Intent of the Regulation being Varied

The overall purpose of siting regulations are to minimize impacts on adjacent properties related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to development by maintaining consistent height and siting regulations.

The purpose of the minimum lot size for boundary adjustment subdivision is to:

- Establishes a base, minimum lot size based on water servicing levels.

Potential Impacts of Granting the Variance

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period ends at 4:30 p.m. on June 13, 2022. Any submissions in response to notification will be made available to the LTC.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the DVP application is consistent with respect to LTC

Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff will forward the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on *Heritage Act* directly to the applicants.

Rationale for Recommendation

Staff is recommending that the resolution on page 1 be supported for the following reasons:

- The rationale for the variances is reasonable.
- The variances are assessed as minor and/or non-impactful.
- The proposed variances do not challenge the intent of the regulation.
- The variances would allow for the completion of a subdivision which would configure the properties with improved land use outcomes.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. This should be debated in a regular meeting.

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_____.

2. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial.

Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-DVP-2022.8 (Massender) for the follows reasons _____.

Submitted By:	Phil Testemale, Planner 2	May 27, 2022
Concurrence:	Louisa Garbo, Acting Regional Planning Manager	May 27, 2022

ATTACHMENTS

1. Site Context
2. Letter from applicant
3. Notice
4. Draft Development Variance Permit SS-DVP-2022.8

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot A and Lot B, Section 2, Range 3 East, North Salt Spring Island, Cowichan District, Plan 3995
PID	006-158-005 and 006-158-056
Civic Address	244 Rainbow Road

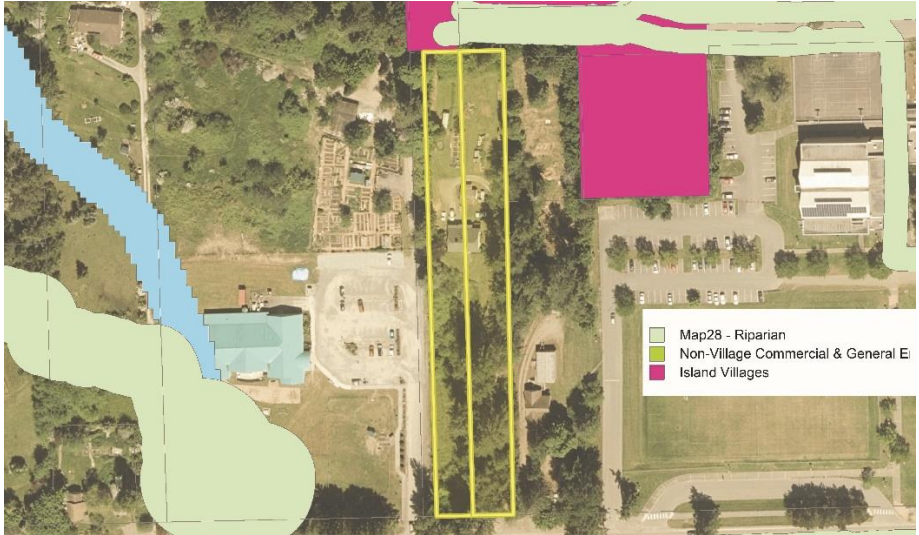
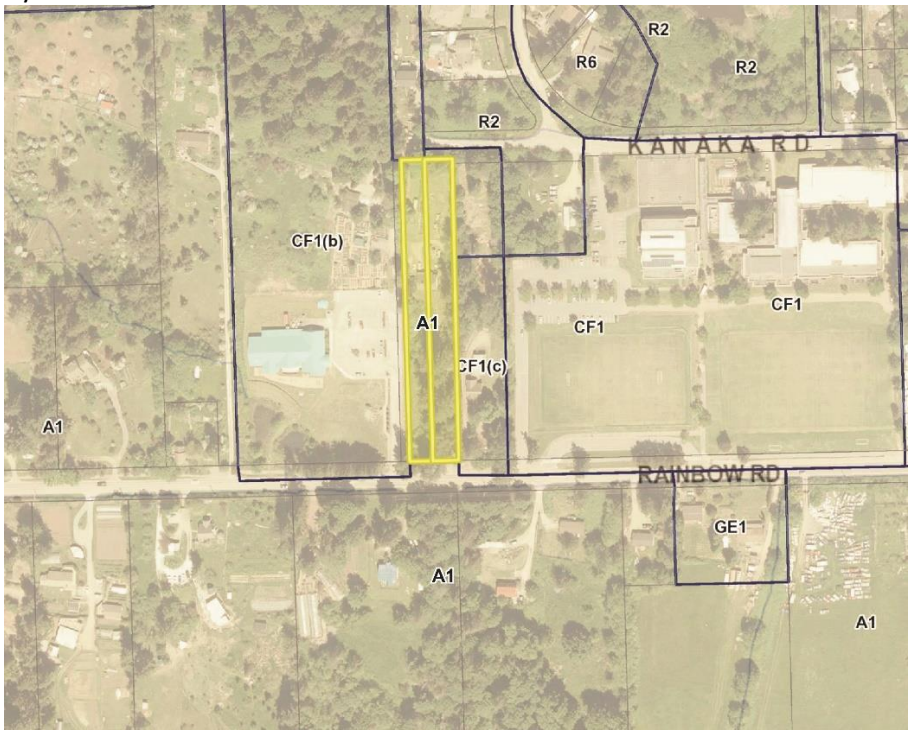
LAND USE

Current Land Use	Residential:  <i>Orthophoto</i>
Surrounding Land Use	East: Community Facility (Aquatic Centre) West: Community Facility (School) North: Residential 2 South: Agricultural 1

HISTORICAL ACTIVITY

File No.	Purpose
SS-SUB-2022.7	Boundary Adjustment to reconfigure the two properties. Current application for variances a requirement of final approval from Islands Trust
SS-SDP-2006.1	Closed - no permit issued.

POLICY/REGULATORY

Official Community Plan Designations	The property is designated as A - Agriculture in the Salt Spring Island Land Use Official Community Plan 434, 2008 (above) There are no Development Permit Areas designated on the subject properties:  <i>Development Permit Areas Mapping</i>
Land Use Bylaw	The property is zoned as Agriculture 1 (A1) in the Salt Spring Island Land Use Bylaw No. 355.  <i>Zoning Map</i>

Other Regulations	Agricultural Land Reserve (ALR – see: Main Report for ALC Regulation):  <i>ALR Mapping</i>
Covenants	S RoWs (Hydro and Telus)
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	There are no Conservancy covenants or properties in the direct area; therefore no referral has been made to the Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Conservancy Regional Conservation Strategy.
Species at Risk	None on TAPIS Mapping
Sensitive Ecosystems	Rural: 
Hazard Areas	No Steep Slope Hazard on property.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites on the property or within 100 metres. However, areas of high archaeological potential are identified on the property. As

	such, 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	Impacts from the proposed variances will have minor impacts on GHG Emissions limited to the development of a dwelling on proposed Lot 2 that may not be achievable with the current configuration. The subject property ranges in elevation from approximately 20 metres to 24 metres above sea level.

Matthew Ian Massender

Islands Trust file 2021-03820

May 20, 2022

Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC
V8K 2N8

Saltspring Island Local Trust Committee, dear Trustee's,

We kindly request your review/approval of our proposed "boundary adjustment" on our property to allow for full and proper use of both existing lot's (presently Lot A, Lot B), or as proposed (Lot 1 and Lot 2). In the present configuration (Site plan attached), our existing home, circa 1935, was constructed over a portion of both Lot A & B, making full and proper use of both lot's infeasible.

The approval of our proposal, would create no additional lot's, but allow for construction of a purpose built special needs home, [REDACTED]

I would like to note, that should the proposed application be granted, the resulting lot configuration would more closely follow today's Salt Spring Island Land Use Bylaws and neighbourhood design.

Sincerely yours,

[REDACTED]
Matthew Ian Massender

244 RAINBOW ROAD SALTSRING ISLAND V8K 2M3 [REDACTED]

Salt Spring Island Local Trust Committee

DEVELOPMENT VARIANCE PERMIT – NOTICE

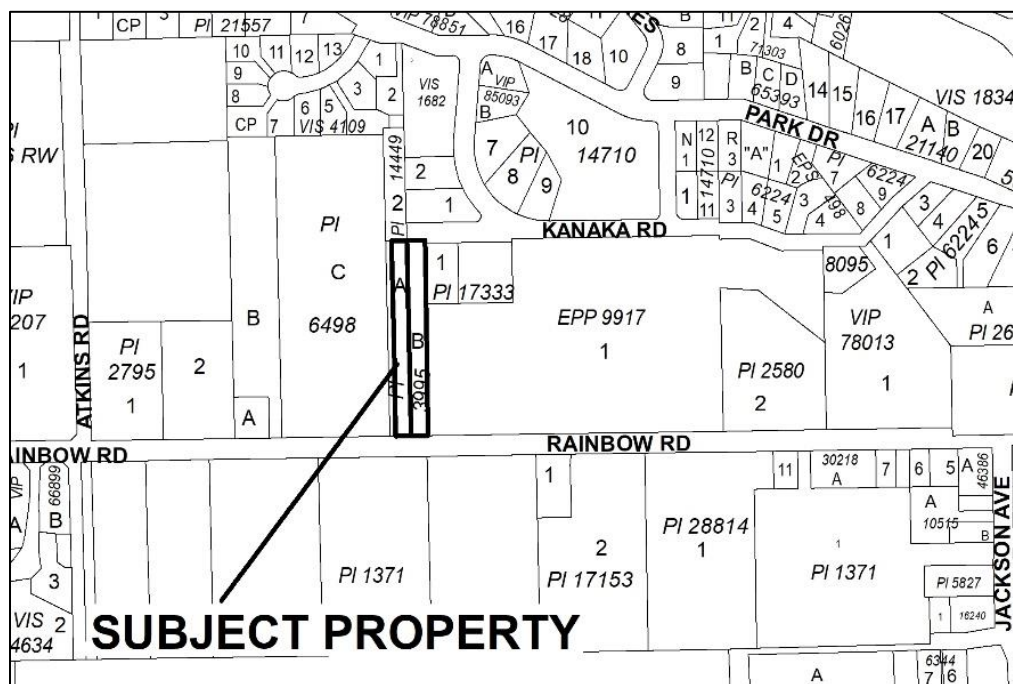
NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Salt Spring Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit.

The purpose of the proposed Permit is to vary the requirements of “*Salt Spring Island Land Use Bylaw, No. 355, 1999*” to permit a boundary adjustment which creates a lot serviced by a community water service with an area less than 0.4 hectares, and to vary the setback provisions for the siting of an existing building, both shown on the attached permit.

The subject properties are described as:

- 244 Rainbow Road, Salt Spring Island
- PID: 006-158-005
Legal Description: LOT A SECTION 2 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 3995
- PID: 006-158-056
Legal Description: LOT B SECTION 2 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 3995
- Application SS-DVP-2022.8

The location of the properties is shown on the following sketch map:



The Salt Spring Island Local Trust Committee may consider issuance of the proposed permit at its regular business meeting on **Tuesday, June 14, 2022** beginning at 9:30 a.m. at the Community Gospel Church, 147 Vesuvius Bay Road, Salt Spring Island. Typically, applications are considered in the afternoon portion of the meeting, which begins at 12 noon. Please refer to the agenda available on the Salt Spring Island Local Trust Committee Meeting Calendar webpage June 3, 2022 or later, to view the order of agenda items and the relevant Staff Report for the applications.

Questions?

Please forward questions to Planner Phil Testemale at 250-537-9144 or by email to ssiinfo@islandstrust.bc.ca

Comments?

- Written submissions are accepted until Monday, June 13, 2022 and can be sent to our office, or provided via email to ssiinfo@islandstrust.bc.ca
- Your comments are provided to the Salt Spring Island Local Trust Committee and staff. Written comments made in response to this notice will be available for public review.
- Verbal comments can be made directly to the Trustees during the Town Hall portion of the agenda which occurs after 12 noon on June 14, 2022.

More Information?

- Additional information on this application is available for review by the public after June 3, 2022.
Go to: <http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/>

A copy of the proposed Development Variance Permit is attached. The permit may also be viewed at the Salt Spring Island office of the Islands Trust at 1-500 Lower Ganges Road, SSI V8K 2N8, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, excluding statutory holidays.



Daniela Murphy,
Legislative Clerk/Deputy Secretary

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.8

TO: M. MASSENDER & J. MASSENDER

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 006-158-005
LEGAL DESCRIPTION: LOT A SECTION 2 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 3995
&
PID: 006-158-056
LEGAL DESCRIPTION: LOT B SECTION 2 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 3995
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:
Plan No. 1 Site Plan, dated May 6, 2022, by Polaris Land Surveying Inc. (enhanced)

Plan No. 2 Detail of Plan No. 1
3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:
 - a) Article 9.1.2 (1) which states that the minimum *rear lot line* setback for *buildings, structures* and *uses* is 4.5 m is varied to permit an existing building (Farm Building) within 3.95 metres of a rear lot line on Proposed Lot 1 in accordance with Plans No. 1 and No. 2 forming part of and attached to this permit.
 - b) Article 5.1.1 (2) which states that where a *subdivision* is a boundary adjustment subdivision between two existing *lots*, no *lot* may be created with an area less than 0.4 ha if serviced by a community water *service* is varied to permit Proposed Lot 1 with an area of 0.2 ha in accordance with Plan No. 1 forming part of and attached to this permit.
4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Ministry of Transportation and Infrastructure, Island Health.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.8

6. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE

THIS ____ DAY OF _____, 20____.

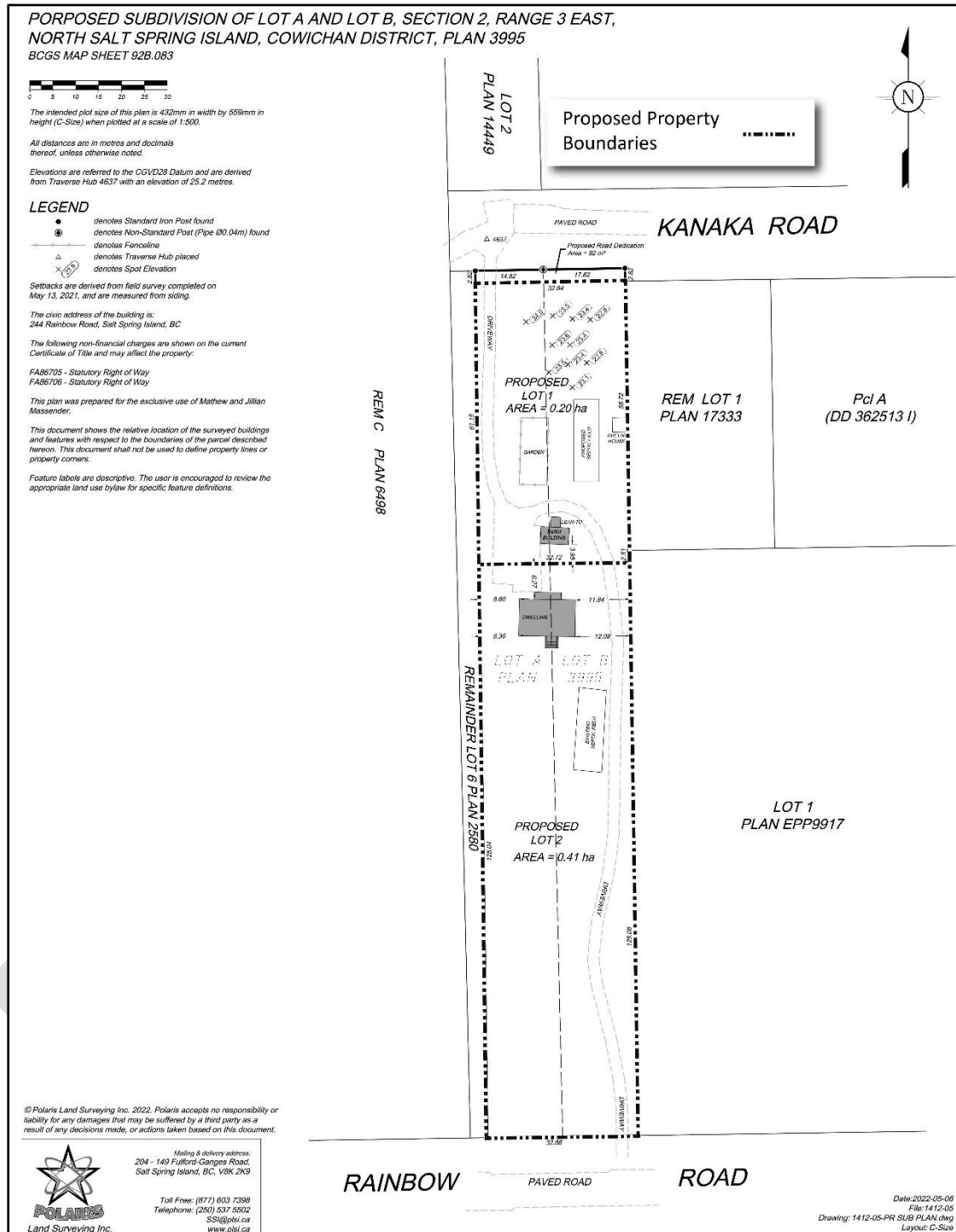
DEPUTY SECRETARY, ISLANDS TRUST

DATE OF ISSUANCE

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____,
20____, THIS PERMIT AUTOMATICALLY LAPSES.

Islands Trust

PLAN NO. 1: Site Plan

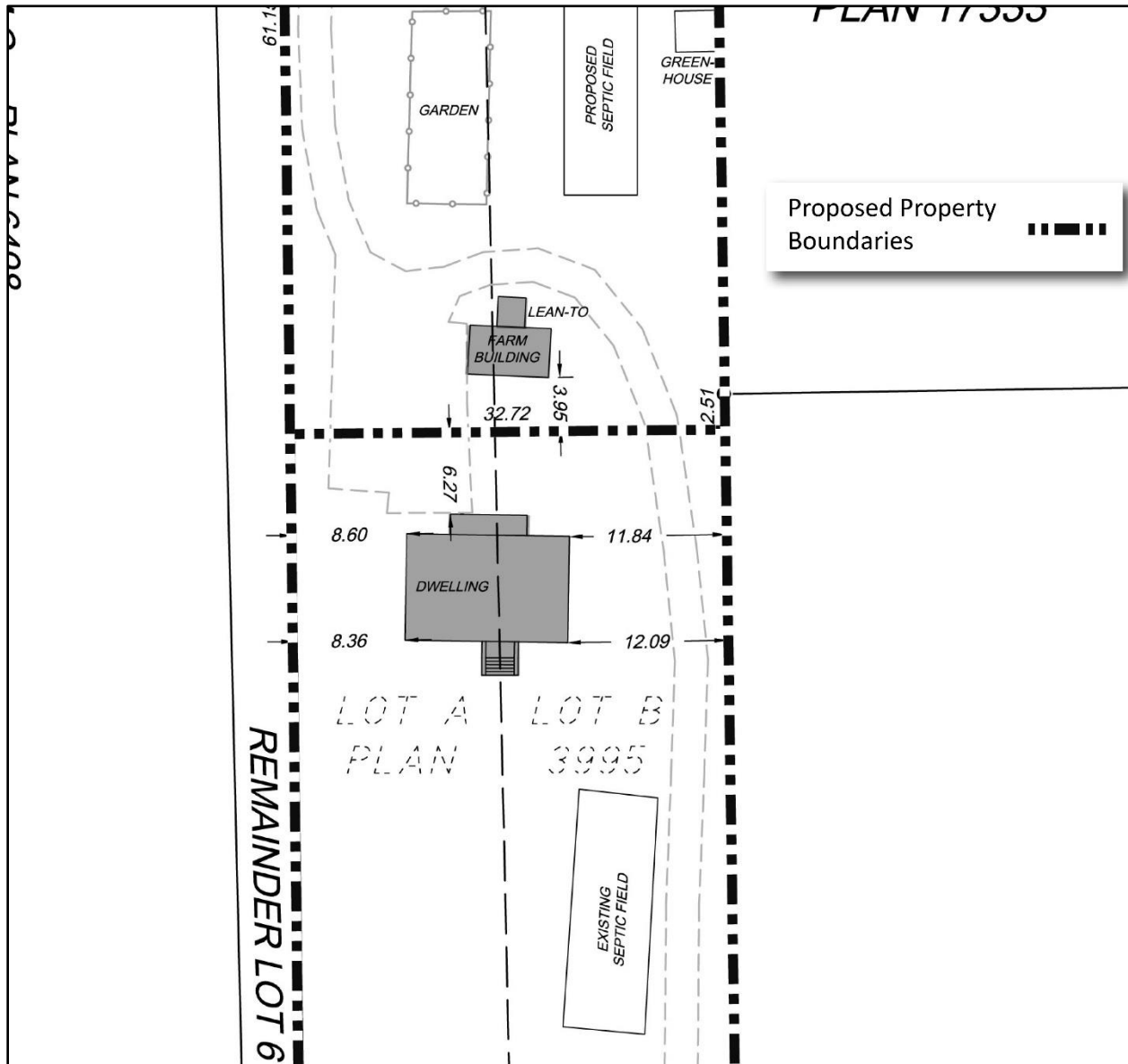


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.8

PLAN NO. 2: Detail of Plan No.1





SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.8

TO: M. MASSENDER & J. MASSENDER

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 006-158-005
LEGAL DESCRIPTION: LOT A SECTION 2 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 3995
&
PID: 006-158-056
LEGAL DESCRIPTION: LOT B SECTION 2 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN 3995
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:

Plan No. 1	Site Plan, dated May 6, 2022, by Polaris Land Surveying Inc. (enhanced)
Plan No. 2	Detail of Plan No. 1
3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:
 - a) Article 9.1.2 (1) which states that the minimum *rear lot line* setback for *buildings, structures* and *uses* is 4.5 m is varied to permit an existing building (Farm Building) within 3.95 metres of a rear lot line on Proposed Lot 1 in accordance with Plans No. 1 and No. 2 forming part of and attached to this permit.
 - b) Article 5.1.1 (2) which states that where a *subdivision* is a boundary adjustment subdivision between two existing *lots*, no *lot* may be created with an area less than 0.4 ha if serviced by a community water *service* is varied to permit Proposed Lot 1 with an area of 0.2 ha in accordance with Plan No. 1 forming part of and attached to this permit.
4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Ministry of Transportation and Infrastructure, Island Health.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.8

6. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

AUTHORIZING RESOLUTION 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.

Islands Trust

PLAN NO. 1: Site Plan

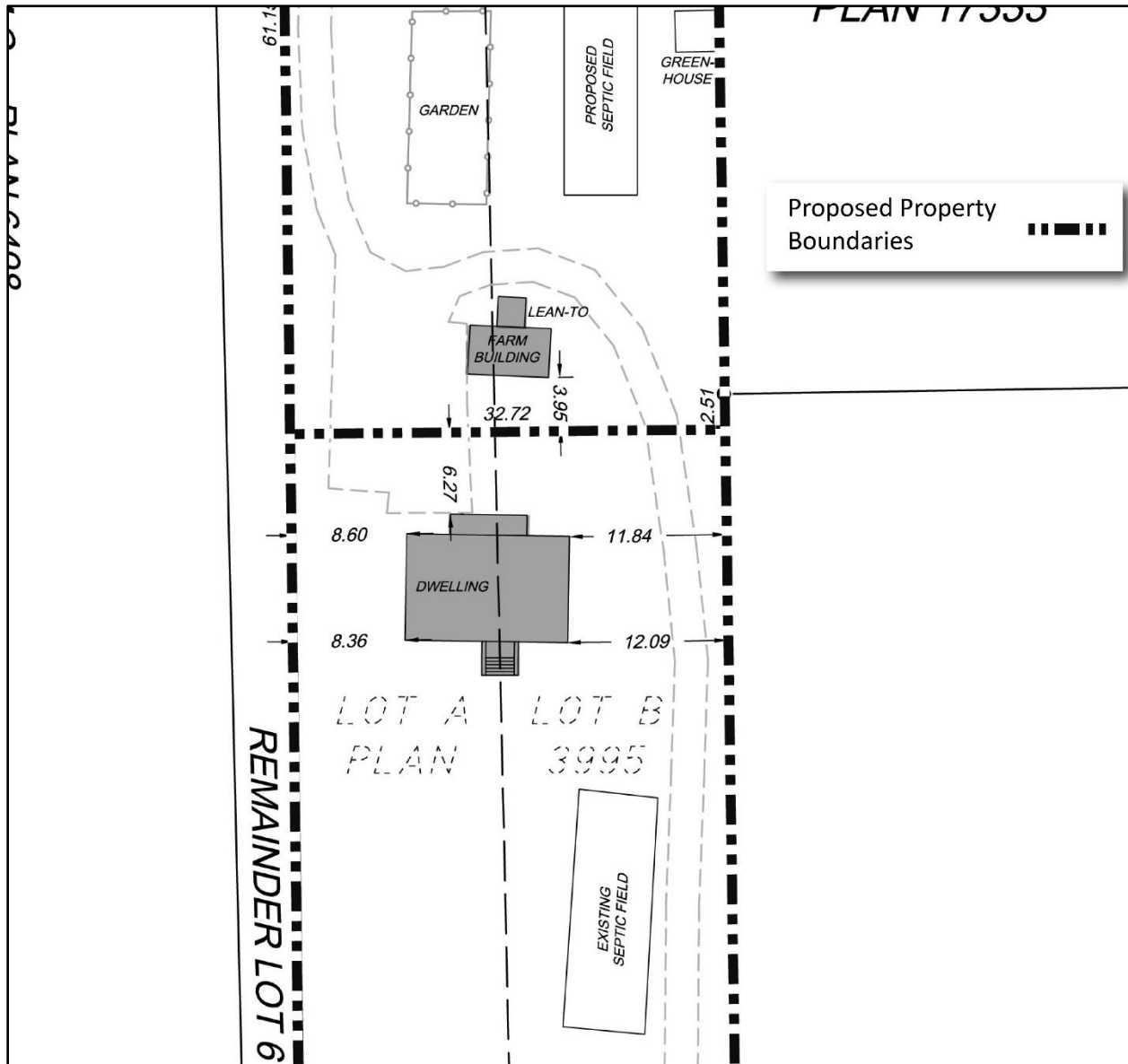


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.8

PLAN NO. 2: Detail of Plan No.1



File No.: SS-DP-2021.8 and SS-DVP-2021.13
X-Ref.: SS-BE-2021.116
SS-BE-2008.43

DATE OF MEETING: June 14, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Acting Island Planner
Salt Spring Island Team

COPY: Louisa Garbo, Acting Regional Planning Manager

SUBJECT: Development Variance Permit and Development Permit application to permit an existing retaining wall in DPA 3 and to reduce the setbacks to side lot lines and the natural boundary of the sea for proposed septic field and retaining walls
Applicant: Bradley Fossen
Location: 371 Isabella Point Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2021.13.
2. That the Salt Spring Island Local Trust Committee approve issuance of SS-DP-2021.8.

REPORT SUMMARY

This report brings forward a Development Permit (DP) required to permit the existing siting of a rock retaining wall within Development Permit Area 3 (DPA 3) – Shoreline, and an accompanying Development Variance Permit (DVP) application required for the existing retaining wall and relaxation of other setbacks — to the natural boundary of the sea for a proposed septic field, and to front and side lot lines for a retaining wall. The current owner did not construct the existing retaining wall, but would like to keep it in place and has proposed a planting plan consisting of native species consistent with DPA 3 guidelines. The retaining wall does not meet many of the applicable DPA 3 guidelines, but if the DP is refused the wall will need to be removed in favour of other shoreline stabilization works.

The reduction of the natural boundary setback from 30 m to 15 m for septic field placement is necessary to facilitate the development of the single family dwelling permitted by zoning, due to the site's constrained size and presence of existing wells. The additional retaining walls in the side and front lot line setbacks appear to be of limited adverse impact and the main consideration for refusal would likely be if there is any neighbour opposition.

Staff recommend that both the DP and DVP be issued.

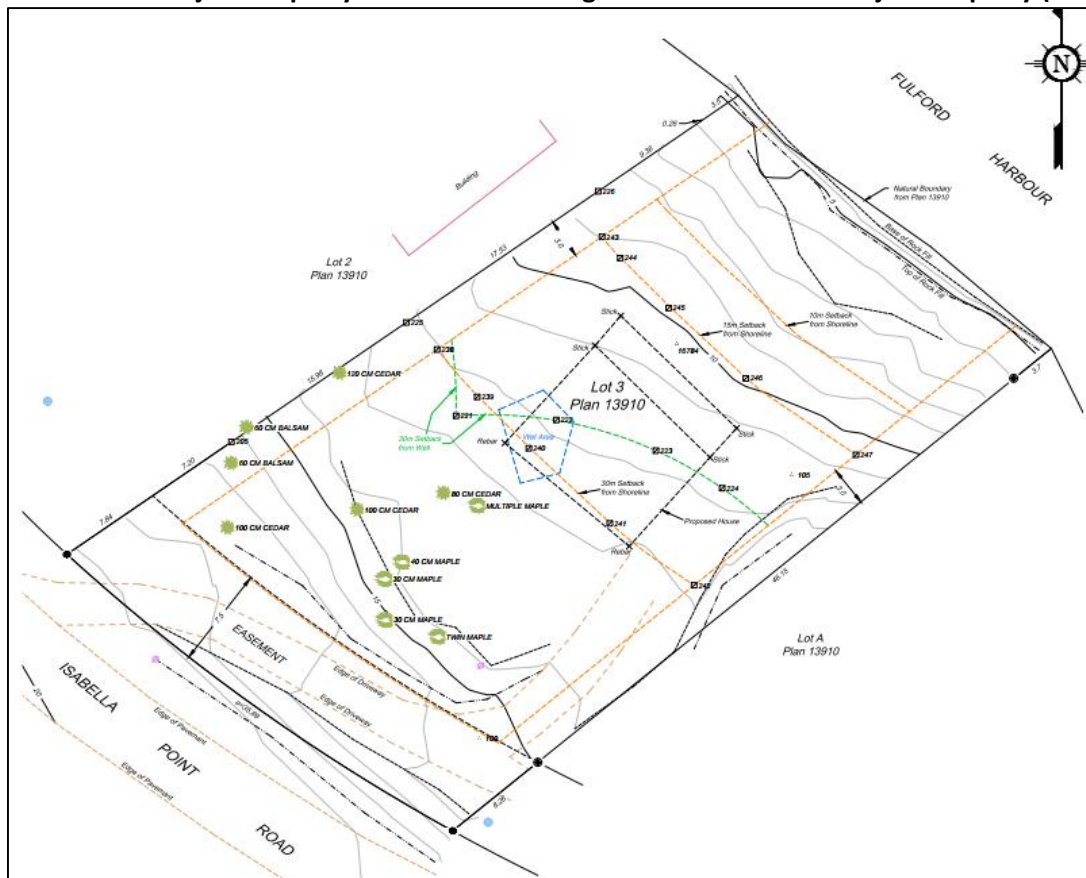
BACKGROUND

The application is proceeding as the owners of the subject property are planning to develop a single family dwelling. Since submission, the application has been amended to address Bylaw Compliance and Enforcement issues with an existing retaining wall and vegetation removal within DPA3. The applicant is proposing a relaxation of the setback to the natural boundary of the sea for a proposed septic field due to the need to achieve drinking

An onsite waste water treatment system report, two memos from a geotechnical engineer and a letter from a Registered Professional Biologist have been submitted in support of the application.



Figure 2: Air Photo Of Subject Property (2021 Data)



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ANALYSIS

Official Community Plan:

The subject property is designated Rural Neighbourhoods (RL) under Salt Spring Island Official Community Plan No. 434. The property is also contained within Development Permit Area 3 – Shoreline. Relevant OCP policies are contained within appendix 1. An evaluation of DPA 3 guidelines is presented in appendix 3.

Land Use Bylaw:

The subject property is zoned Rural (R) under [Salt Spring Island Land Use Bylaw No. 355](#). Zoning permissions and relevant regulations are contained in appendix 1.

Issues and Opportunities

Retaining Wall

The retaining wall at the natural boundary of the sea presents a predicament for the owner. The owner acquired the property in 2020 with the retaining wall already in place, with perhaps the expectation that it was permitted, when it was not. The existing wall does not meet many of the applicable DPA 3 guidelines, as the armouring of shorelines is not supported by the guidelines. However, noting that the wall is already in place, the removal of the wall and the associated remediation will likely cause more disturbance. To support this argument, the owner has provided a geotechnical memo stating that the wall should remain in place. The owner has also supplied re-vegetation plan for the shoreline that would seek to re-establish native species where some of the natural processes that shorelines typically provide. If the SS LTC would like to consider options to remove the retaining wall in favour of a Green Shores approach to shoreline development, staff have included an alternative recommendation to provide further information on this option.

Septic Field

The applicant is seeking to reduce the setback to the natural boundary of the sea to allow a septic field to service a planned single family dwelling. Given the adjacent properties being developed with single family dwellings, the location of existing wells, and the small lot size, opportunities to locate a septic field outside the setback to the natural boundary of the sea is quite limited. The intent of the setback distance is to ensure that the water quality of adjacent waterways is protected from pollution and contamination. The owner has provided a report from a professional engineer that finds a reduction in the 30 m setback to be the best option, primarily in consideration of the well setbacks. If the DVP is not granted, other options for field placement exist, though will require further study.

Consultation

In accordance with [Section 499\(3\)](#) of the *Local Government Act* and Section 8 of the [Salt Spring Island Development Procedures Bylaw No. 304](#), statutory notice of the proposed variance was mailed to all owners and tenants in occupation of properties within 100 metres of the subject property's boundaries on May 24, 2022.

No correspondence has been received at the time of preparing this report, but may be received before or during the LTC meeting. Correspondence may be sent to ssiinfo@islandstrust.bc.ca.

Agencies

This application does not require agency referrals.

First Nations

This application has not been referred to First Nations for review.

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

Given the challenging nature of the site, the proposed permits are the likely option to allow the development permitted by zoning to be carried out.

Alternatives

The SS LTC may wish to consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased cost to the applicant. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust an assessment completed by a professional engineer or geoscientist, which identifies options to replace the existing retaining wall with stabilization works incorporating Green shores Principles .

2. Deny the application

The LTC may deny one or both of the DP and DVP applications. Staff advise that the implications of this alternative are file closure. If this alternative is selected, the SS LTC must state the reasons for denial of the Development Permit. Recommended wording for the resolutions is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-DVP-2021.13 for the following reasons:

- a. The existing retaining wall is not supported by Development Permit Area 3 guidelines.*
- b. Proposed location of the septic field does not best protect water quality.*

That the Salt Spring Island Local Trust Committee deny application SS-DP-2021.8 for the following reason:

- a. The existing work is at variance with Development Permit Area 3 guidelines E.3.4.22 and E.3.3.23 regarding shoreline stabilization work. 4*

NEXT STEPS

If the SS LTC accepts staff's recommendation, the permits will be issued.

Submitted By:	Geordie Gordon, Acting Island Planner	June 1, 2022
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Concurrence:	Louisa Garbo, Acting Regional Planning Manager	June 2, 2022
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ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. DPA Guidelines
4. Geotechnical Memo May 3, 2021.
5. Site Capability Assessment Report
6. Proposed Development Permit
7. Proposed Development Variance Permit
8. Notice

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT 3, SECTION 52, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 13910
PID	004-435-401
Civic Address	371 Isabella Point Rd

LAND USE

Current Land Use	Vacant
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

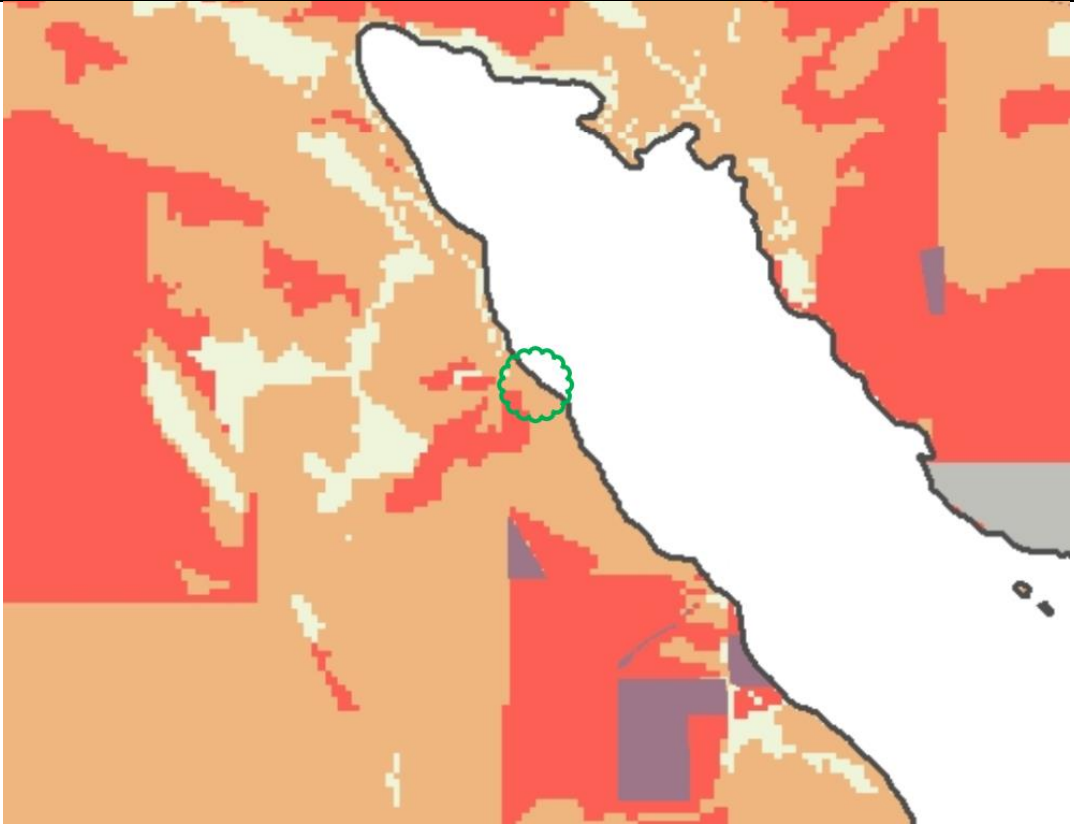
File No.	Purpose
	n/a

POLICY/REGULATORY

Official Community Plan Designations	Rural Neighbourhoods (RN) Development Permit Area 3 – Shoreline Development Permit Area 6 – High Slope Instability Hazard 
Land Use Bylaw	Rural (R)

Other Regulations	DAI bylaw
Covenants	245598G EASEMENT 245820G EASEMENT
Bylaw Enforcement	SS-BE-2008.43 – Work in DPA w/out permit SS-BE-2021.116 – Work in DPA w/out permit

SITE INFLUENCES

Islands Trust Conservancy	None identified.
Regional Conservation Strategy	

Species at Risk	 Western Painted Turtle Pacific Coast population Federal Recovery Strategies
Sensitive Ecosystems	None mapped.
Hazard Areas	 Areas of moderate (orange) and low (yellow) risk.
Archaeological Sites	No areas of concern identified. 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	Possible impacts of climate change to shoreline unknown.
Shoreline Classification	Sediment Shoreline - Boulder/Cobble
Shoreline Data in TAPIS	Forage Fish 

ATTACHMENT #2 – PHOTOGRAPHS



PHOTO 1: SUBJECT PROPERTY FROM TOP OF DRIVEWAY



PHOTO 2: SUBJECT PROPERTY LOOKING NORTH EAST

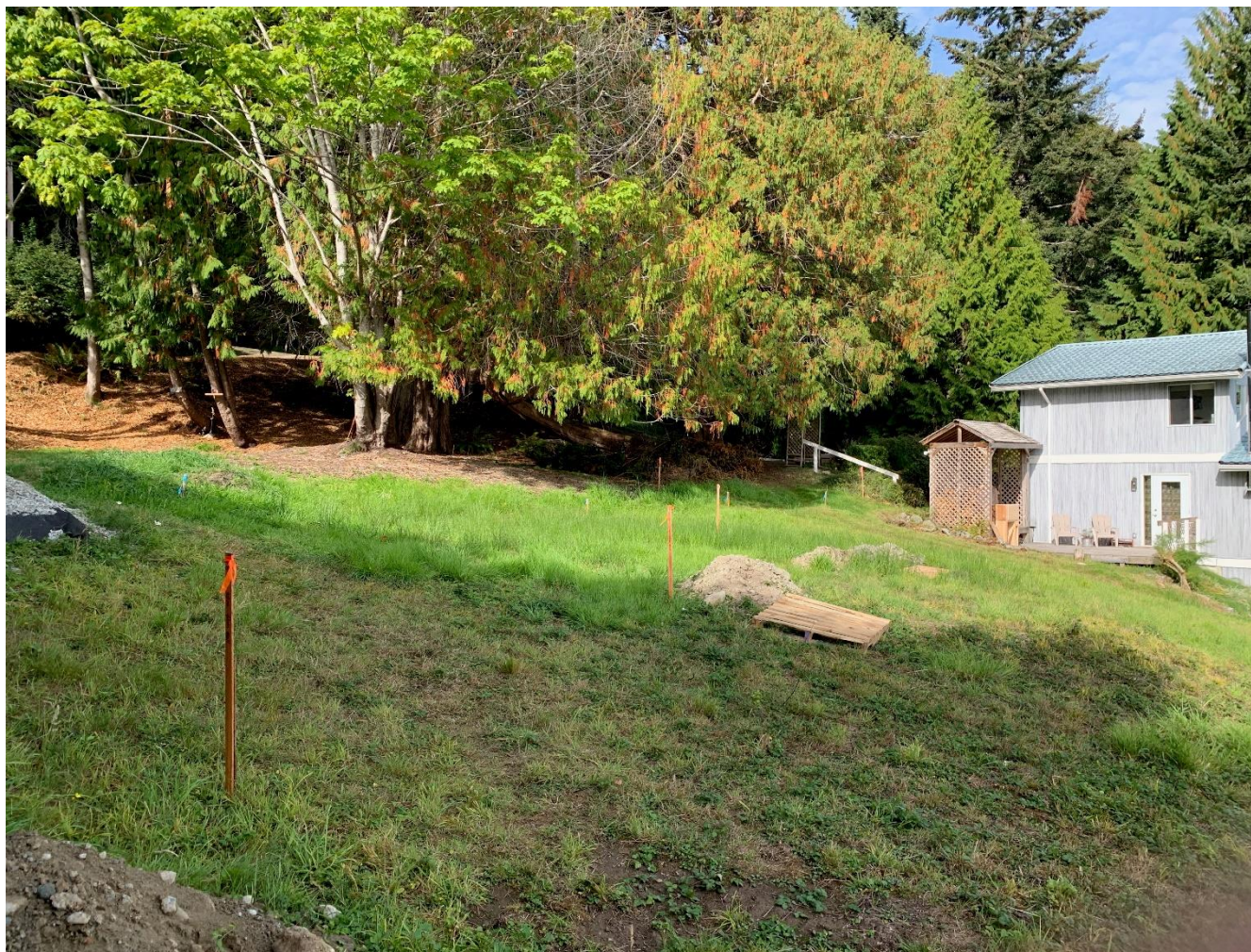


PHOTO 3: ORANGE STAKES SHOWING 30 M WELL SETBACK DISTANCE



PHOTO 4: RETAINING WALL LOOKING WEST FROM BEACH



PHOTO 5: RETAINING WALL LOOKING SOUTH

APPENDIX #3 – DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 3 – SHORELINE

Objective
E.3.3.1 To protect the quality of the tidal waters that surround Salt Spring Island.
E.3.3.2 To protect fish and wildlife habitat.
E.3.3.3 To prevent erosion and hazardous conditions that could result from interrupting the natural geo-hydraulic processes along the shoreline.
E.3.3.4 To protect development from hazardous conditions.

Guideline	Complies	Comments
E.3.4.1 All work that takes place below the natural boundary of the sea should be done in a way that minimizes degradation of water quality and disturbance of the substrate.	Yes	Staff Comments: There is no further work that is proposed below the natural boundary of the sea, though there is a small portion of the existing retaining wall that is below the natural boundary of the sea. The impact of this on water quality and substrate is unknown by staff.
E.3.4.2 All work that takes place on land within 10 m of the natural boundary of the sea should be planned and carried out in a way that is consistent with the <i>Land Development Guidelines for the Protection of Aquatic Habitat</i> (Appendix 7).	Yes	Staff Comments: The current condition of the DPA does not appear to be consistent with the referenced DFO guidelines, though the proposed work would likely bring it into greater compliance as it relates to leave strips adjacent to watercourses, prevent discharge of deleterious substances into the watercourse, and maintain fish passage in adjacent watercourses.
E.3.4.3 Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.	Yes.	Staff Comments: The current condition of the DPA has been substantially cleared of native species. The proposed work would re-introduce native species adjacent to the sea to protect banks, and protect fish and wildlife habitat.
E.3.4.4 New roads and septic systems 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 system should be supervised by a qualified professional to ensure that the objectives and guidelines of this Area are met.	n/a	Staff Comments: No new roads are proposed. Proposed septic area is outside the DPA.
E.3.4.5 Structures should provide for the thorough flushing of all enclosed water areas and should not restrict the movement of aquatic life or interfere with natural shoreline processes.	Undetermined/Yes.	Staff Comments: Unclear as to the flushing of water through the retaining wall. Unclear as to the impact on natural shoreline processes.
E.3.4.6 Open pile or floating <i>breakwater</i> designs are preferred. Solid <i>breakwaters</i> should not be used, except facilities that will accommodate a <i>marina</i> .	n/a	Staff Comments: Not proposed.

E.3.4.7 New boating facilities that provide transient moorage should not be constructed unless access is available to adequate and convenient facilities for pump-out, holding and treating of sewage from boats. New boating facilities should be designed, located, and operated in a way that ensures there will be no discharge of toxic material from boats (for example: fuels, oils, maintenance by-products).	n/a	Staff Comments: Not proposed.
E.3.4.8 There should be no dredging to create new facilities. Maintenance dredging of existing facilities should be limited to the minimum area necessary to maximize the capacity of the existing facility. Dredging should be done with the use of silt curtains to prevent siltation of adjacent areas.	n/a	Staff Comments: No dredging proposed.
E.3.4.9 The shoreline should not be filled in to create additional land, except minor areas of fill necessary to complete the boardwalk section of the Ganges Public Pathway System in Ganges Harbour.	yes	Staff Comments: Minimal amount of area likely filled in at time of retaining wall construction.
E.3.4.10 No parking areas should be located over the surface of the water, on land created by fill, or on <i>accretion shoreforms</i> .	n/a	Staff Comments: Not proposed.
E.3.4.11 Boat launch ramps should be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of geo-hydraulic processes.	n/a	Staff Comments: Not proposed.
E.3.4.12 Preference is to be given to the placement of mooring buoys and floats instead of <i>docks</i> . It is also to be given to the construction of joint use <i>docks</i> rather than individual ones. Multifamily and strata-titled developments are to construct joint use <i>dock</i> facilities. No more than one facility for mooring boats is to be located next to any parcel. An exception could be made if more than one joint facility is to be located next to the common property of a strata development.	n/a	Staff Comments: Not proposed.
E.3.4.13 <i>Docks</i> should not be located over shellfish beds or lead to the removal of any kelp or eel grass beds.	n/a.	Staff Comments: Not proposed.
E.3.4.14 Large residential <i>docks</i> should be located and designed to avoid the need for shore defence works, or <i>breakwaters</i> . If a <i>bulkhead</i> is to be constructed as a base for a <i>dock</i> , it should be constructed landward of the natural boundary of the sea.	n/a.	Staff Comments: Not proposed.

E.3.4.15 Structures in contact with the water should be constructed of stable materials, including finishes and preservatives that will not degrade water quality.	Yes	Staff Comments: Structures in water are rock
E.3.4.16 <i>Piers</i> should use the minimum number of pilings necessary, with preference to large spans over more pilings.	n/a	Staff Comments: Not proposed
E.3.4.17 <i>Piers</i> should be constructed with a minimum clearance of 0.5 m above the elevation of the natural boundary of the sea.	n/a.	Staff Comments: Not proposed
E.3.4.18 All <i>docks</i> should be constructed so that they do not rest on the bottom of the foreshore at low water levels.	n/a	Staff Comments: Not proposed
E.3.4.19 Any plastic foams or other non-biodegradable materials used in construction of floats and <i>docks</i> should be well contained to prevent escape into the natural environment.	n/a.	Staff Comments: Not proposed
E.3.4.20 Residential <i>docks</i> should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential <i>docks</i> should not accommodate boats with a draft greater than 2.2 m or have floats more than 35 m ² total surface area unless more than two parcels have legal access to the <i>dock</i> .	n/a	Staff Comments: Not proposed.

E.3.4.21 Applications for shoreline stabilization should include a report, prepared by a Professional Engineer with experience in geotechnical engineering, which describes the proposed modification and shows: a. the need for the proposed modification to protect existing structures. b. where the modification is proposed to protect new structures, the locations on the property where those structures could be built and not require shoreline modification. c. if any natural hazards, erosion, or interruption of geohydraulic processes may arise from the proposal modification, including at sites on other properties or foreshore locations. d. the cumulative effect of shoreline stabilization works along the drift sector where the works are proposed. e. whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the modification. f. whether conditions should be incorporated into the development permit to achieve the objectives of this Development Permit Area.	No	Staff Comments: The submitted geotechnical memo does not address a majority of these points, but does state that leaving the retaining wall in place is preferable to reconstructing.
E.3.4.22 Shoreline stabilization should be limited to that necessary a. to prevent damage to existing structures or an established use on adjacent upland. b. to prevent damage to a proposed public land use. New upland structures or additions should be located and designed to avoid or reduce the need for shoreline stabilization. Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land, except <i>agricultural land</i>.	No	Staff Comments: There are no established uses on the upland portion to protect at time of construction. Existing use is limited to travel trailer (which is potentially unlawful), with need for protection not adequately identified.
E.3.4.23 Shoreline stabilization works should use natural means such as vegetative stabilization or protective berms rather than structural solutions such as concrete or large riprap. Applications for structural stabilization works should provide an explanation as to the need for structural solutions. Structural solutions should not be employed in the Shoreline Conservation Designation, unless an existing <i>building</i> is threatened by wave erosion and cannot be protected by other means.	Partially	Staff Comments: The existing retaining wall does not incorporate vegetative stabilization as a primary means of retention, though the applicant has included a re-vegetation plan in an attempt to augment the retaining wall.

E.3.4.24 Materials used for shoreline stabilization should consist of inert materials. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal waters.	yes	Staff Comments: Shoreline stabilization (retaining wall) consists of inert material (rocks).
E.3.4.25 Rock weirs, <i>groins</i> and jetties should not be constructed. An exception could be made if it can be shown that they are part of a larger system that will reduce the need for overall shoreline modification and that they are intended to prevent damage to existing structures. They should not be proposed to protect new structures.	n/a	Staff Comments: Retaining wall does not include weir, groin, or jetty.
E.3.4.26 <i>Bulkheads</i> should only be constructed if no other alternative exists. Where <i>bulkheads</i> are proposed, they should not to be located where geohydraulic processes are critical to shoreline <i>conservation</i> . Feeder bluffs, marshes, wetlands, spits or hooks should be avoided. <i>Bulkheads</i> should be located parallel to and landward of the natural boundary of the sea, as close to any natural bank as possible. <i>Bulkheads</i> should allow the passage of surface or groundwater without causing ponding or saturation. They should be constructed of stable, non-erodible materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings and retention mesh should be included. Beach materials should not be used for fill behind <i>bulkheads</i> .	No/n.a	Staff Comments: Retaining wall structure is not really a bulkhead, though may function partially as a bulkhead. Does not meet “no other alternative” criteria.
E.3.4.27 Where <i>revetments</i> are proposed, they should not result in the loss of riparian vegetation or fish habitat. The size and quantity of materials used should be limited to that necessary to withstand the estimated energy of the location's hydraulic action and prevent collapse. Filter cloth should be used to aid drainage.	n/a.	Staff Comments: Not proposed
E.3.4.28 Where this Area includes unique native species dependent on a marine shoreline habitat which have been identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. If development is permitted in these areas, it should be undertaken only under the supervision of a professional who is qualified in environmental protection, with advice from the Ministry of Environment, the Department of Fisheries and Oceans, or Environment Canada.	n/a	Staff Comments: No unique native species identified.

E.3.4.29 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 qualified professional with experience in the protection of the natural environment. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and comply with the guidelines of this Development Permit Area.	n/a	Staff Comments: Not a large development project
<i>E.3.4.30 Buildings built over the water surface in areas zoned for commercial and general employment use in Ganges and Fulford Harbour should accommodate continuous pedestrian passage along the waterfront. Developments in Ganges should contribute to the development of the Ganges Public Pathway System, including the seawalk portion, shown on Map 17. New sections of the seawalk should be built in a way that is consistent with existing portions, ensuring barrier-free access along the entire route. For public safety, light fixtures should be provided at a consistent height and design.</i>	n/a	Staff Comments: No building over water proposed.
E.3.4.31 Buildings built over the water surface should not exceed the heights allowed in the local zoning bylaw. Building form in Ganges and Fulford harbours should be consistent with the guidelines in Section E.1.6.	n/a	Staff Comments: No building over water proposed.
E.3.4.32 Lighting of commercial and general employment developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should be simple and unobtrusive in design. They should be carefully chosen to focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high cut-off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.	n/a	Staff Comments: Not proposed.

E.3.4.33 Signs on commercial and general employment developments built over the water surface should not exceed the size or total area allowed by local bylaw. Signs on such sites should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.	n/a	Staff Comments: Not proposed.
E.3.5 Guidelines for Subdivision		
E.3.5.1 If a proposed land subdivision is to create additional new lots within this Development Permit Area, then any new lots, roads, building sites, septic fields and driveways should be located and constructed in a way that meets the objectives of this Area. A covenant should be registered against the part of the property that is within this Area to guide future development and meet the objectives of this Area.	n/a	Staff Comments: Not a subdivision.



Ryzuk Geotechnical
 #6-40 Cadillac Ave.
 Victoria, BC, Canada, V8Z 1T2
 ☎ 250-475-3131
 ✉ mail@ryzuk.com

GEOTECHNICAL MEMORANDUM

Project No: 10495-1

Project: Proposed Single Family Residence

Project Address: 371 Isabella Point Road – Salt Spring Island, BC

Date: May 3, 2021

Client: Geoff Maunder

Contact: as above

Email: gmaunder186@gmail.com

Distribution:

Bradley Fossen, P.Eng. - brad@thinkapg.com

As requested, we attended site recently to review the existing conditions and discuss options for construction of a proposed single family residence. 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 previously signed Terms of Engagement.

At the time of our visit we observed indications of settlement within the area of the slope crest as suggested by a small arcuate feature in the order of 100 to 200 mm differential. The slope is in the order of 10 m high, and includes a 2.5 m high stacked boulder wall at the toe, with the ground surface inclined at approximately 20 to 25 degrees from horizontal above. It is unknown if the settlement is indicative of consolidation of fills that were placed during slope remediation work prior to our past involvement at the site in 2016, or if this is possibly due to larger deep-seated instability effects. We noted that the ribbons laid out to define a possible building and deck footprint extended slightly downslope of this settlement feature.

Shallow groundwater is evident within the upper portions of the site, the presence of which may be contributing to the slope stability conditions. On our past review in 2016, we recommended a curtain drain be installed along the upper bench area to capture subsurface drainage to improve surface conditions and septic installation options. The previously proposed design included a walk-out basement thereby having deeper foundation support and better global dewatering. From discussions on-site we understand that the design approach for this project would be to construct close to the existing grade.

Given the potential slope stability issues, we would need to carry out an investigation of the area and undertake stability modeling to provide appropriate design if construction was desired to be positioned as currently proposed without surface unloading and drainage modifications associated with a basement. It is likely that deeper foundations with appropriate stiffness may be required to achieve this. Alternatively, for this at grade approach, we consider that the building could be positioned such that the footprint is shifted away from the slope crest by at least 5 m and provided the previously recommended curtain drain at least 1.8 m depth is installed to improve surface drainage conditions. The soils within the surface at the offset location were noted to consist of soft organics overlying possible dense sand (based on probing with a steel rod).

All organic soils and fills would need to be removed to prepare the area for new foundations, both for the residence and shop/garage. Even with the curtain drain installed up slope, there may be a risk of saturated sandy subgrade soils. Therefore, contingency should be considered for installation of a shallow rock mat (300 to 500 mm thick) reinforced with a heavy woven geotextile which may be required to confine the soils against erosion depending on the ground conditions encountered during excavation. This would be assessed by Ryzuk at the time of excavation, or test pits could be advanced during site preparations following installation of the curtain drain as an option. Pending review of the soils by test pitting, there may also be an option to employ helical piles for the foundation support if costing provides economy benefits, and further review in this regard could be provided subsequently.

We recommend that all collected drainage be directed to the toe of the slope at the shoreline. We consider removal of the trees including the stumps within the middle area of the site would be feasible provided the surface is

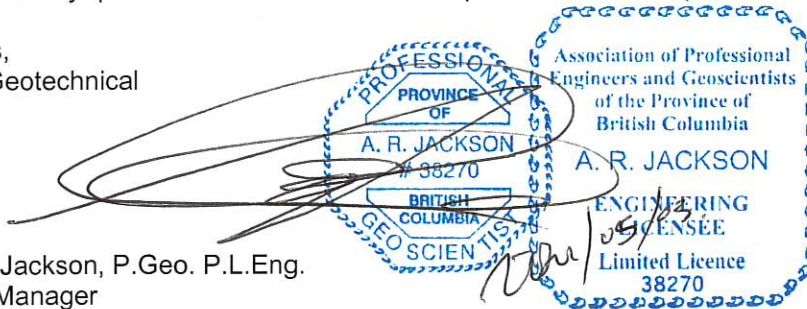
The above does not constitute approval to proceed with the noted work if such is perceived to be an extra to a Contract, or if the work requires approvals/permits from approving authorities.

recovered with compacted gravel fill. Removal of the trees within the sloped areas should be carried out such that the stumps are left in place.

If there are any questions or comments with respect to the above, please contact us.

Regards,
Ryzuk Geotechnical

Andrew Jackson, P.Geo. P.L.Eng.
Project Manager



The above does not constitute approval to proceed with the noted work if such is perceived to be an extra to a Contract, or if the work requires approvals/permits from approving authorities.



Site Capability Assessment Report

LONG FORM

PROJECT No: 2020.24

PROJECT NAME: 371 ISABELLA PT. RD.

DOCUMENT NUMBER: 2020.24-16-EFR-001

FORM No. APG-40-FRM-004

Table 0: Template Revision Log

Revision #	Date	By	Description
0	31-Oct-2020	BJGF	Issued for Use

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

Table 1: Summary Information

Project No.	2020.24	Project Name:	371 Isabella Pt. Rd.
Site Type:	☒ New Construction ☐ Replacement ☐ Repair / Alteration	Prepared by:	Chris Clark Bradley Fossen
Owners / Client:	Geoff & Tara Maunder	Jurisdiction:	Islands Trust / VIHA
Legal Description	Lot 3 Plan VIP13910 Section 52 Land District 16 Portion SOUTH SALT SPRING	PID # (Parcel Identifier Number)	004-435-401
Common Address	371 ISABELLA POINT RD	Folio. # (Tax Assessment Roll #)	01-764-00189.106
Engineer of Record	Bradley Fossen	Project Stage:	Preliminary
Owner Declaration Completed:	☐ Yes ☒ No	Required Daily Design Flow:	727 L/day
Influent Type	☒ Typical Residential ☐ Other:	Water Source:	Well (future)

Equipment Used	☒ Auger (7 cm) ☒ Clinometer ☒ Compass ☒ Engineer's Tape ☒ Excavator ☒ Field Soils Kit ☐ Infrared Camera ☐ Line Locator ☐ Pipe camera	☒ Permeameter (Pask, 101.6 mm) ☐ Range Finder ☐ Rotary Laser ☒ Survey Disto ☐ Sampling Kit ☐ Scale ☒ Sieve (10 mesh) ☒ Shovel and Hand Tools ☒ Soil Probe (4 ft)
Purpose of Report:	• Provide guidance on regulations and bylaws that may affect onsite wastewater treatment system (OSWTS) design and siting. • Recommend a location and type of onsite sewerage system. • Provide other general recommendations for site evaluation, layout, design, and construction.	
Summary of Activities:	• Site visits: multiple (x10) from Dec-2020 thru June-2021. • Desktop reviews, design, and drafting activities.	

Document Revision #	Date	By	Description
0	30-Jun-2021	BF/CC	Issued for Use

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

1 SUMMARY

The subject property, 371 Isabella Point Road (PID: 004-435-401), is a challenging site due to its small footprint, location within development permit areas, current shallow groundwater drainage conditions, stability concerns, and neighbouring water wells.

A water supply well has not yet been established onsite.

Our findings suggest that it is highly probable that the site can be serviced by an OSWTS, despite the constraints. Within, we provide additional necessary activities and mitigation measures that will be required so that an onsite wastewater system can be designed in compliance with the BC Sewerage System Regulation, land-use bylaws, and community plan bylaws.

2 GENERAL SITE OBSERVATIONS AND ASSESSMENTS

Table 2: General Observations and Assessments, by Element

Element	Assessment	Constraints & Potential Departures
Previous Professional Reviews	Ryzuk Geotechnical Report (10495-1, dated May 3, 2021)	Measures described: curtain drain, tree removal, location of building pad and foundation style
Site and System History	The site is undeveloped with no services, other than power.	
Future Site Development	A proposed 1-bdrm single family residence, complete with fence, drinking water well, and OSWTS.	
Neighbouring Property Features	There are no neighbouring property features that may constrain or impede an OSWTS.	
Title and Land Data	The Land Title and Survey Authority service was consulted for recent title documents. Noted: - Full legal description: current - lot 3, section 52, South Salt Spring Island, Cowichan district, plan 13910 - miscellaneous notes: - associated plan numbers: - subdivision plan vip13910 The lot is 0.47 acres, with an easement (25.7 feet wide, across the entire front of property) for the shared laneway with lot 4. - Subdivision, no strata - No other easements or covenants.	Entitlement matters may be required for the siting of an onsite drinking water well.

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

Element	Assessment	Constraints & Potential Departures
	Despite the shared easement with Lot 4, there are no other entitlement issues observed that complicate the site selection for an OSWTS.	
Zoning & building use bylaw	- Zoning falls under the Islands Trust. This property is zoned as 'R' – "Rural" and zoning class "Residential." - The Salt Spring Island Land Use Bylaw No. 355 requires that "no sewage disposal field or seepage pit may be located within 30 m of the natural boundary of the sea..."¹	Any dispersal (disposal) field placed within 30 m of the natural boundary of the sea will require a bylaw variance.
Protected Areas	There are no protected areas considerations that may constrain or impeded an OSWTS	
Development Permit Areas	The subject property is partially within two development permit areas: - Development Permit Area Number 3, "Shoreline - On-land portion" and "Shoreline – Foreshore," Bylaw Number 434, Volume II - Development Permit Area Number 6, "High Slope Stability Hazard Area Map14" and "High Slope Stability Hazard Area Map24" Bylaw Number 434, Volume II Noted in Development Permit Area Number 6, Bylaw Number 434, Volume II: <i>All development in this Development Permit Area is exempted from the requirement to obtain a Development Permit, except:</i> <i>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.</i> <i>b. Removal of vegetation that results in the exposure of a total area of bare soil more than 9 m2 in area.</i> <i>c. Installation of a septic disposal field in an area that has been identified as having a high hazard for slope instability.</i> <i>d. Alteration of existing drainage courses.</i> <i>e. The subdivision of land parcels that creates additional new lots within this Development Permit Area.</i>	A geotechnical professional will be required, should the parcel require development within the DPA-06 area (Note: complete). Siting of a dispersal field within the DPA-06 area should be considered a less preferential option. Doing so would require well setback reductions for both neighbouring drinking water wells, and any drinking water well placed on site.

¹ Salt Spring Island Land Use Bylaw, 1999, Bylaw No. 355, Salt Spring Island Local Trust Committee, Consolidated Version: June 2019, Part 4, Section 4.5.

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

Element	Assessment	Constraints & Potential Departures
	Highlighting has been added for emphasis on constraints relating to this site.	
Climate Considerations	Climate is classified as Warm-Summer Mediterranean. Marine weather conditions exist, with warm summers and periods of high rainfall and occasional freezing.	Significant cold weather freeze protection is not required, though components should be covered.
Archeological Areas	Archeological potential was confirmed via the Island's Trust "MapIT" service in December 2020. The subject property is within 100m of two archeological sites and has archeological potential.	While an archeological permit is not expected, an archeological site data request should be completed:
Well Registry	In this geographic area, the BC well registry is often found to be inaccurate, as is the case in our review. The well on the adjacent North property, Lot 2, is not registered, and no information is available. However, the adjacent South property, Lot 4, has a registered well: - Well Tag Number: 120097 - Spring fed ground level cistern at property gate 4 feet registered depth - No well record available Lot 1 has a registered well, though it is outside of the 30m setback requirement of the BC Sewerage System Regulation.	A well setback reduction study is required if sewerage system components are required to be sited within 30m of any drinking water wells.
Well Survey	As part of our site assessment, we informally talked with neighbours and inspected the site and neighbouring properties for wells. Noted: - The well on Lot 2: - Non-registered, dug well, spring-fed, approximately 5 feet deep. - This well is approximately 23 metres horizontal from the proposed dispersal area of the subject property, upslope 1-2m, and across the neighbour's downsloping driveway. - Lot 4, well 120097, as also noted on well registry: - Well record not available - Adjacent South - This well is approximately 13 meters horizontal from the proposed dispersal area of the subject property, upslope 2-4m, across the shared laneway. - It is fed by an upgrade spring.	A well setback reduction study is required if sewerage system components are required to be sited within 30m of any drinking water wells.

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

Element	Assessment	Constraints & Potential Departures
	- Subject property (Lot 3) - No water well exists to service the property	
Riparian Areas	As designated by Islands Trust, riparian areas have not been noted by the Islands Trust MapIT tool. No waterbodies or watercourse that would provide fish habitat were observed on the subject property at the time of this report.	
Nitrogen and Phosphorous Reduction	There are no downgrade wells or sensitive water bodies that would require nutrient removal. However, nutrient removal requirements may be required, should the sewerage system need to be placed a short-distance near up-grade wells.	Nutrient removal should be considered, should any sewerage system components be placed within the 30 m setback of up-grade wells. This measure would be the scope of a well setback reduction study, if required.
Buried Infrastructure	The site is greenfield; there is no buried infrastructure that may constrain or impede an OSWT.	
Boundary Conditions, Exposure Pathways, and Breakout Risks	Potential breakout concerns exist downslope, where the grade of the parcel abruptly changes.	An OSWTS design shall maintain a suitable distance from breakout areas and/or mitigate the breakout risk by including a “long toe” or mantle of permeable material.
Vegetation	As part of our site survey, we noted the following vegetative features near or in the proposed dispersal area site: - Presence of large mature Western Red Cedar, Fir, Balsam, and Maple trees - Presence of common horsetail The common horsetail grows in very moist to wet conditions. Its presence in certain areas of the parcel is likely owing to poor drainage conditions.	

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

3 GENERAL SITE SOILS ASSESSMENTS

Table 3: General Site Soil Assessment²

Site Slope (Suunto 360PC/360R +/- 2%)	Percent: 16% Downsloping: NE Linear Up/Down Linear Across	Proposed Dispersal Area Slope	Percent: TBC Downsloping: TBC Linear Up/Down Linear Across
Geology and Terrain	Pacific Border Province: Puget Trough (Nanaimo Lowland) // The Parcel is in a developed area with no rock outcrops. The parcel itself is not developed, however previous activities have placed fill in the downslope area of the parcel. The parcel is partially within a slope stability DPA and design and construction may require consultation with a geotechnical consultant.		
Surface Water	Surface water has been noted in seasonally saturated areas.		
Seepage, springs	Description of water sources: The available dispersal area has been observed to have a significant amount of seasonal shallow groundwater flow, receiving interflow from the Southwest. Neighbouring wells are shallow and flow artesianly. Current Water State³: Moist		
Direction of Shallow Groundwater Flow	Northeast		
Drainage⁴	Poorly Drained	Drains	A groundwater relief drain exists following the North parcel line.
Slope Condition	Erosion Condition: To be considered by geotechnical consultant.		
	Stability Condition: Scope by Geotech.		
Vegetation (Common name)	General: Maple, Red Cedar, Douglas Fir, Balsam, Horsetail, Blackberry	Dispersal: TBD	
Cover	General: Grass / Herbaceous (>50%)	Dispersal: TBD	

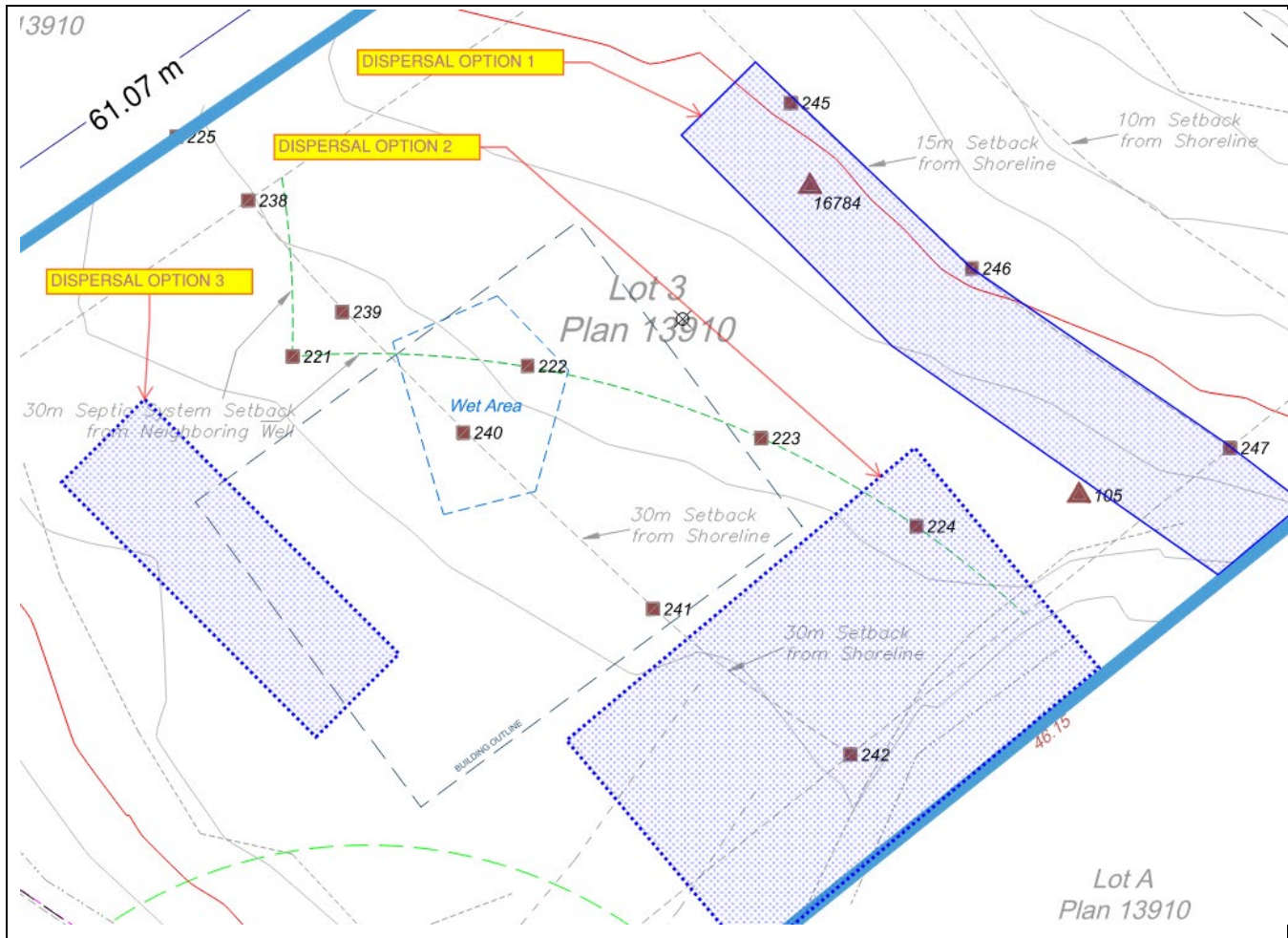
² Nomenclature and descriptions per National Soil Survey Center, US Department of Agriculture, P. J. Schoeneberger, D. A. Wysocki, and E. C. Benham. 2012. Field Book for Describing and Sampling Soils. NRCS Publications.

³ **Water State:** Wet: Non-satiated (no free water), Wet: Satiated (free water easily visible)

⁴ **Drainage:** Subaqueous Drainage (free water above soil), Very Poorly Drained (Water is at or near the soil surface during much of the growing season), Poorly Drained (The soil is wet at shallow depths periodically during the growing season or remains wet for long periods, Somewhat Poorly Drained (The soil is wet at a shallow depth for significant periods during the growing season), Moderately Well Drained (Water is removed from the soil somewhat slowly during some periods of the year), Well Drained (Water is removed from the soil readily but not rapidly), Somewhat Excessively Drained (Water is removed from the soil rapidly), Excessively Drained (Water is removed from the soil very rapidly)

	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

4 AVAILABLE DISPERSAL AREAS



Dispersal Option 1 is most preferential, as it maintains the 30 m setback distance from existing drinking water wells and also maintains a reserve area within the West portion of the parcel for a future drinking water well to serve the residence. However, a bylaw variance will be required to place the dispersal system within 30m of the natural boundary of the sea.

Dispersal Option 2 is less preferential, as it encroaches upon existing drinking water wells and any areas for a future drinking water well to serve the residence. A well setback reduction study would be required. Further, a bylaw variance will be required to place the dispersal system within 30m of the natural boundary of the sea. Lastly, the length on-contour in this location is reduced and may not be adequate for typical dispersal designs. A performance-based approach may be required.

Dispersal Option 3 is least preferred. It significantly encroaches upon existing drinking water wells and any areas for a future drinking water well to serve the residence. Further, it would

	Site Capability Assessment Report	Project: 2020.24
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restrict the placement of any future structures and require that they be placed further downslope, within areas of stability concern already noted by Ryzuk.

5 SYSTEM ADVISORY

The subject parcel experiences significant shallow groundwater flow, which impedes an OSWTS ground dispersal field. Further, the groundwater flow may contribute to site stability concerns.

Along with the measures provided by any geotechnical reviews, the following other measures are required for an OSWTS design.

- A well setback reduction study, and any prescribed measures, should a bylaw variance application be unsuccessful.
- An upslope drainage solution, consisting of both a large, reinforced curtain drain, and an upsized building perimeter drain, is required.
- Design measures prescribed from further site soils assessments, which will be conducted after a completed Land-Use Application. These measures could include raised dispersal systems, advanced treatment systems (type 2 or type 3), extended sand toe blankets, and other measures prescribed by the Engineer to ensure satisfactory wastewater treatment.

6 CONCLUSIONS AND RECOMMENDATIONS

This is a challenging site. However, we can advise that for the relatively low anticipated flows, it is highly probable that an onsite wastewater system can be designed that meets the requirements of the BC Sewerage System Regulation, with departures by a professional engineer.

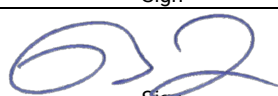
	Site Capability Assessment Report	Project: 2020.24
Form No: APG-40-FRM-004	Document No: 2020.24-16-EFR-001	Document Revision: Error! Reference source not found.

7 DISCLAIMERS

- This report relates only to sewerage system design and potable drinking water well setbacks regarding the subject parcel and is valid only at its issuance.
- Our investigations and assessments rely on public information that has the potential to be inaccurate. Further, our testing of soils cannot reveal all underground conditions. We endeavour to make all reasonable efforts to manage this uncertainty; however, it cannot be eliminated.
- Should site conditions change, this report becomes void. Therefore, setback considerations must be re-evaluated by a qualified professional.
- The use of this report shall be in its entirety; that is, assessments can not be used piecemeal.
- Any design drawings or constructed works that are based on the assessments and conclusions in this report should be provided to its author for review.

8 ATTACHMENTS

1. 371 Isabella Map
2. 371 Isabella ParcelMap
3. 371 Isabella Contours (2m)
4. 371 Isabella DPA
5. 371 Isabella Archeological Potential

Inspector, if other than Engineer of Record	Name	Sign
Engineer of Record	BRADLEY FOSSEN Name	 Sign

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8

TO: G. MAUNDER and T. MAUNDER

1. This Development Permit (the "Permit") applies to the land described below:
PID: 004-435-401
LEGAL DESCRIPTION: LOT 3, SECTION 52, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 13910

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:

Plan No. 1	Site Plan, dated April 5th, 2021, by Polaris Land Surveying Inc.
Schedule No. 1	On Site Wastewater Treatment System Design Report, dated April 5, 2022, by Brad Fossen, P. Eng.
Schedule No. 2	Geotechnical Memorandum, dated October 28, 2021, by Andrew Jackson, P. Geo, P.L. Eng.
Schedule No. 3	Registered Professional Biologist letter, dated March 6, 2022, by Kathleen Reimer, MSc., RP Biologist.

3. Development within Development Permit Area 3 (DPA3), as described and illustrated in Plan No.1 and Schedule Nos. 1, 2, and 3 is permitted in substantial accordance with the following conditions:
 - 3.1 Site Development**
 - 3.1.1 Overall site development shall be in substantial accordance with Plan No 1 and Schedule Nos. 1, 2, and 3

 - 3.2 Slope Stability**
 - 3.2.1 The existing retaining wall shall be maintained only in accordance with Schedule No. 3 of this permit.

 - 3.3 Vegetation**
 - 3.3.1 Re-vegetation of the Development Permit Area shall be in substantial accordance with Schedule No. 3.

 - 3.4 Environmental Monitoring**
 - 3.4.1 A Qualified Environmental Professional (QEP) visit is required at the time of planting, and then a minimum of one visit within the subsequent 3 years, but not earlier than one year from the initial planting visit.

 - 3.4.2 Subsequent site visits in addition to those referred to in section 3.4.1 may be required as determined by the QEP if any deficiencies are noted that require future monitoring.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8

- 3.4.3 The applicant shall submit to the Islands Trust a letter from the QEP stating that the requirements of this permit are being met following the second site visit referred to in section 3.4.1.
- 3.5 All work that takes place within 10 metres of the natural boundary of the sea shall be planned and carried out in a way that is consistent with the Department of Fisheries and Oceans *Land Development Guidelines for the Protection of Aquatic Habitat*.
4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355,1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District, Ministry of Transportation and Infrastructure, Island Health, Ministry of Environment and Climate Change Strategy, and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch).
6. Any further development, redevelopment or changes to this permit including the siting of buildings, structures, and landscaping on this property will require a new Development Permit or a Development Permit Amendment.

AUTHORIZING RESOLUTION 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-2021.8

PLAN NO. 1: Site Plan

**SITE PLAN OF LOT 3, SECTION 52, SOUTH SALT
SPRING ISLAND, COWICHAN DISTRICT, PLAN 13910**
PID 004-435-401



The intended plot size of this plan is 559mm in width by 432mm in height (C-Size) when plotted at a scale of 1:200.

All distances and elevations are in metres and decimals thereof, unless otherwise noted.

Elevations are referred to chart datum, based on the predicted tide for Fulford Harbour at 14:00, August 5th, 2016.

Contour Interval is 1 metre

LEGEND

- denotes Standard Iron Post found
- ⊙ denotes Non-Standard Post found
- △ denotes Traverse Hub placed
- ⊠ denotes Stake Placed
- denotes Tree - Coniferous
- denotes Tree - Deciduous
- ⊙ denotes Utility Pole
- ⊙ denotes Well
- denotes Top of Bank
- denotes Bottom of Bank

Setbacks are derived from field survey completed on March 22, 2021

The civic address of the building lot is:
371 Isabella Point Road

The following non-financial charges are shown on the current Certificate of Title and may affect the property:
2450380 - Easement
2450200 - Easement

This plan was prepared for building inspection purposes and is for the exclusive use of Geoffrey and Tara Maund.



© Polaris Land Surveying Inc. 2021. Polaris accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.



Mailing & delivery address:
204 - 149 Fulford-Ganges Road,
Salt Spring Island, BC, V8K 2K9

Toll Free: (877) 603 7398
Telephone: (250) 537 6502
SSIS@plsi.ca
www.plsi.ca

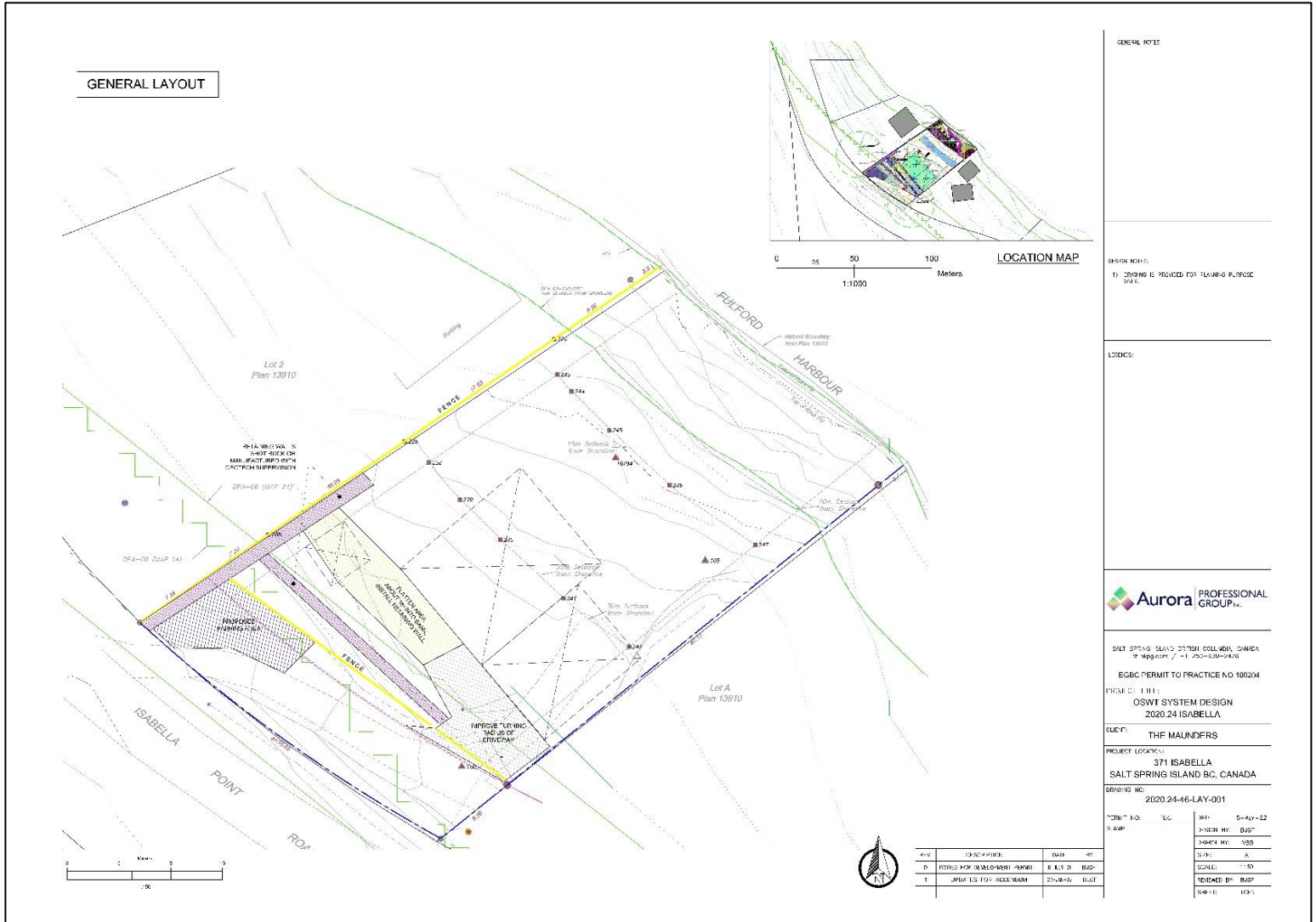
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File: 0799-02
Drawing: 0799-02_C3D.dwg
Layout: C-Size

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8

SCHEDULE NO. 1: On Site Wastewater Treatment System Design Report

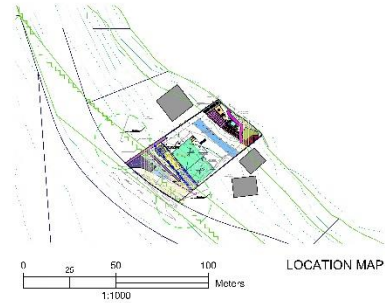


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8

TREE REMOVAL



GENERAL NOTES:

DESIGN NOTES:

1) LOCATIONS SHOWN ARE FOR PLANNING PURPOSES ONLY.

LEGEND:

TO BE REMOVED
TO BE LEFT IN PLACE
TO BE REMOVED

Aurora PROFESSIONAL GROUP INC.

SUIT: 2020-24-46-LAY-002
1/2024-24-46-LAY-002

LEGISLATION: 1/2024-24-46-LAY-002

PROJECT TITLE:
OSWIT SYSTEM DESIGN
2020.24 ISABELLA

CLIENT:
THE MAUNDERS

PROJECT LOCATION:
371 ISABELLA
SALT SPRING ISLAND BC, CANADA

DRAWING NO:
2020.24-46-LAY-002

DATE: 2020-24-46-LAY-002

DATE: 2020-24-46-LAY-002

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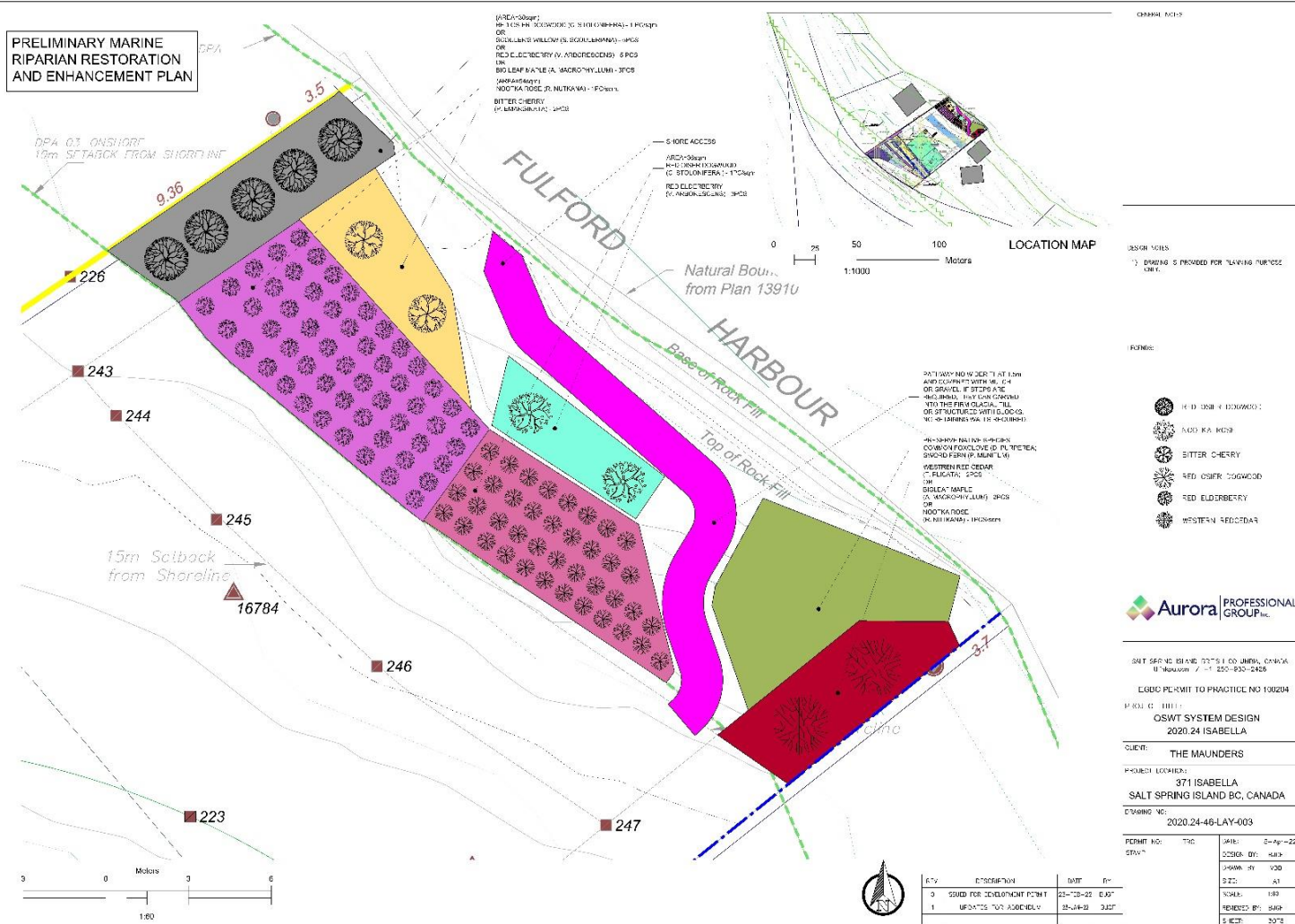
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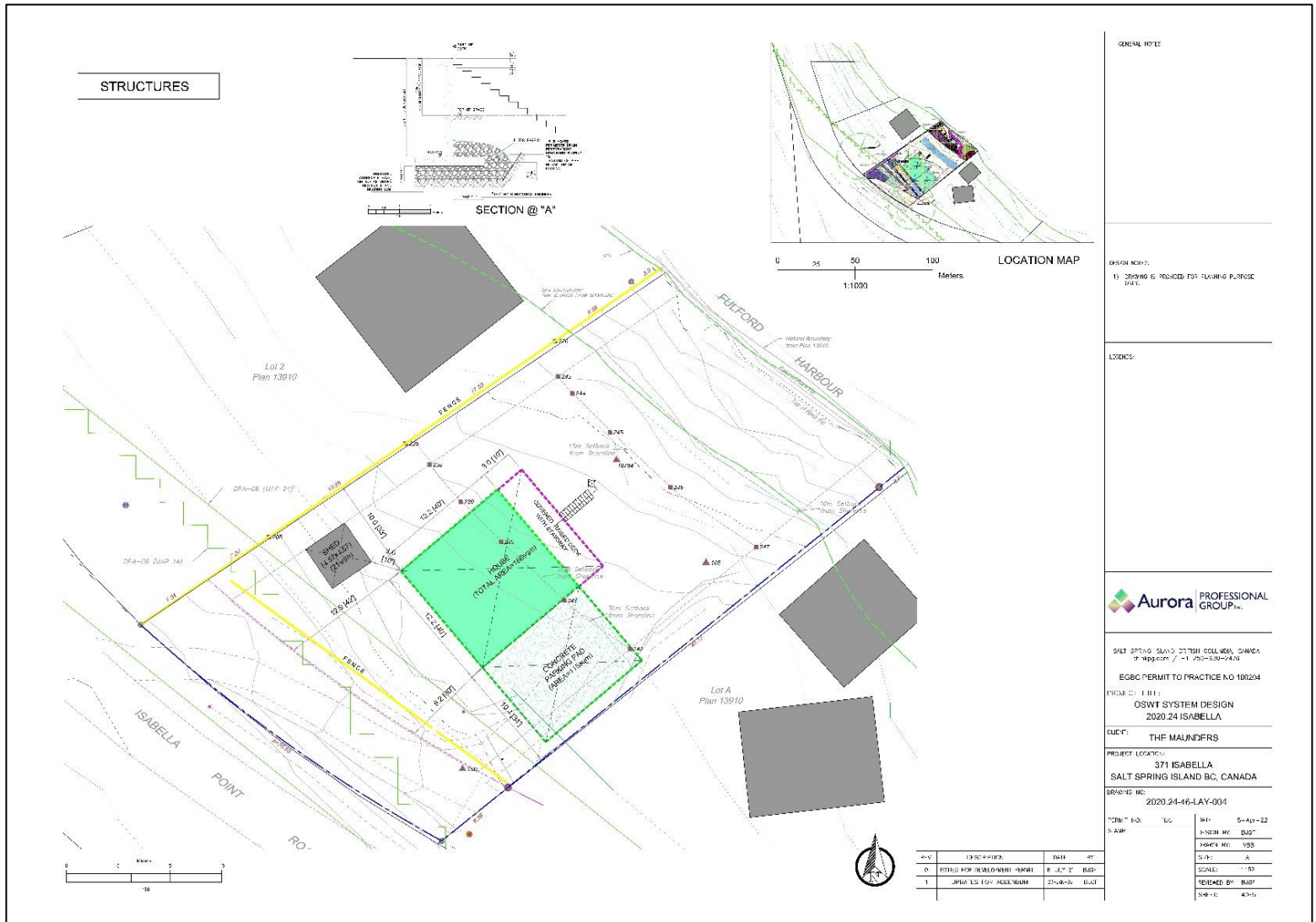
REV	DESCRIPTION	DATE	BY
0	ISSUED FOR DEVELOPMENT PERMIT	8-JULY-22	BJP
1	UPDATES FOR DEVELOPMENT PERMIT	21-JULY-22	BJP

Islands Trust



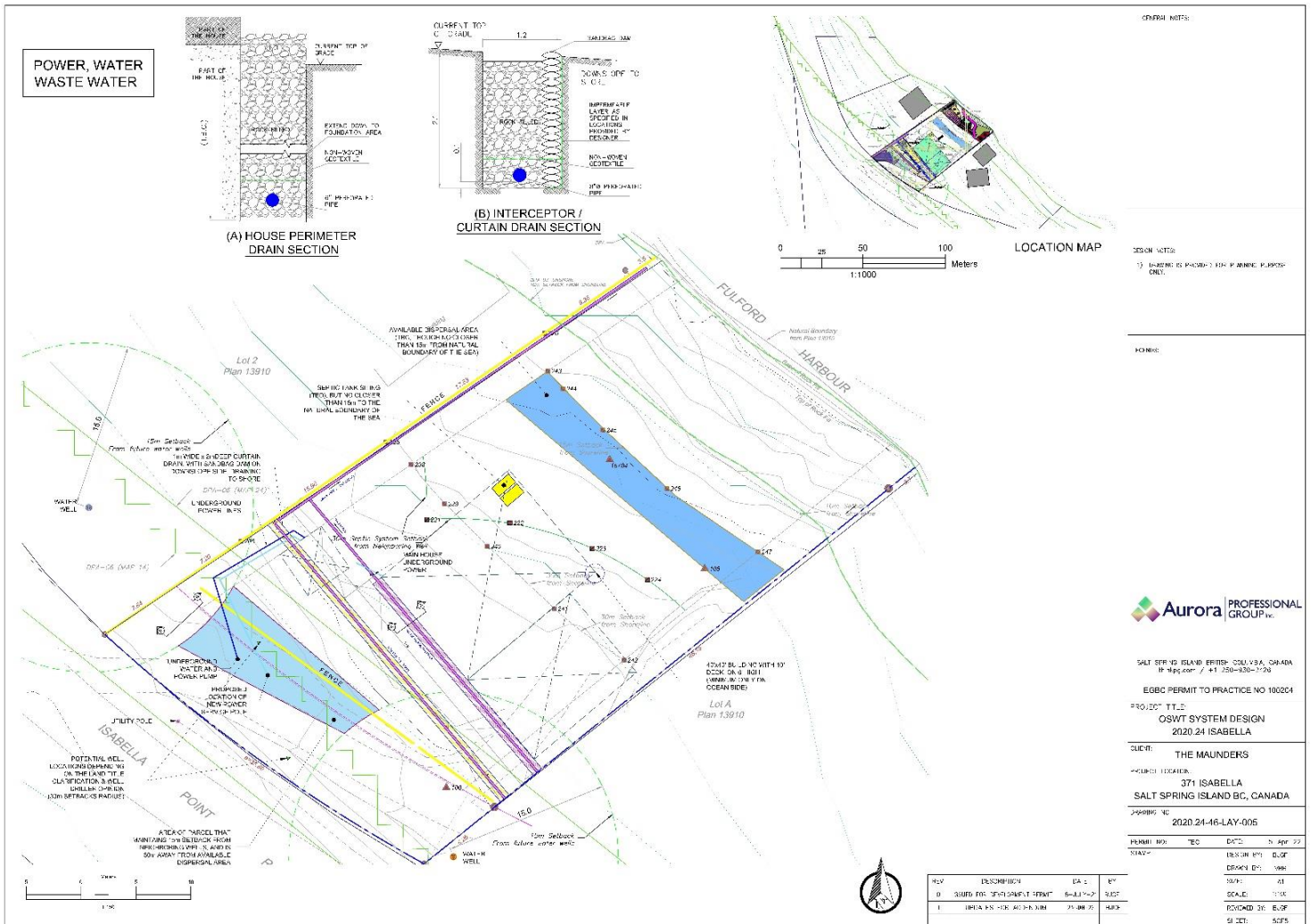


**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2021.8**





**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2021.8**



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8

SCHEDULE NO. 2: Geotechnical Memorandum



Ryzuk Geotechnical
#5-40 Cadillac Ave.
Victoria, BC, Canada, V8Z 1T2
☎ 250-475-3131
✉ mail@ryzuk.com

GEOTECHNICAL MEMORANDUM

Project No: 10495-1
Project: Proposed Single Family Residence
Project Address: 371 Isabella Point Road – Salt Spring Island, BC
Date: October 28, 2021

Client: Geoff Maunder
Contact: as above
Email: [REDACTED]

Distribution:
Bradley Fossen, P.Eng. - brad@thinkpg.com

As requested, we attended site on October 22, 2021, to review the proposed fill pad within the upper area of the site adjacent to the driveway, the recently removed trees and vegetation within the slope near the shoreline area (DPA3/6), as well as the existing conditions of the boulder stack retaining wall along the shoreline. Our associated observations, comments, and recommendations in this regard are contained herein.

We understand that the area to the north of the driveway near the access point of the road is proposed to be filled to establish a parking area and staging pad for the proposed water supply well installation. The current surface in this area is gently sloped and includes a few old stumps and anticipated loose/organic surficial soils. We consider that select blast-rock fill could be placed in this area to elevate the grade by a maximum overall thickness of approximately 0.9 m following removal of loose surficial soils and organics. The material should be placed in thin lifts and suitably compacted. Inclusion of small boulders or block/cast-in place retaining walls with a fence atop around the border of the fill may also be desired. We note that a mature cedar tree is present to the immediate east of this area and therefore filling over the root zone should only be carried out following review and approval by a qualified arborist to maintain tree health. Alternatively, the tree may be removed in entirety provided the depression is filled with the compacted blast-rock following removal.

We note that a few small conifers were cut down along the southeastern boundary and brambles/brush had been cut along the area adjacent to the stacked boulder wall back from the Present Natural Boundary. We noted that the stumps/roots had been left in place and ground disturbance was negligible. We consider that the removal/cutting has not resulted in any meaningful change to the stability conditions of the area, and we understand that the lower soil slopes will be treated with revegetation of appropriate flora in accordance with the project biologist recommendations.

The existing boulder stack retaining wall along the shoreline was reviewed and we noted that such had not changed since we were engaged in 2016 by a previous owner to review the stability of the structure which was built (and designed by others) prior to that time. This wall is in the order of 2.5 m high and inclined with a face batter between 60 and 70 degrees from horizontal. The boulders are not embedded below the beach level however we did not observe any indications of scour. Given the wall is in place and appears to be statically stable and performing adequately we consider that the structure can be left in place as such, and that reconstructing the wall would take a significant effort and energy expenditure and would be deemed a less sustainable approach from a global perspective.

If there are any questions or comments with respect to the above, please contact us.

Regards,

Andrew Jackson, P.Geo. P.L.Eng.
Project Manager



The above does not constitute approval to proceed with the noted work if such is perceived to be an extra to a Contract, or if the work requires approvals/permits from approving authorities.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8

SCHEDULE NO. 3: Registered Professional Biologist Letter



Kathleen Reimer, MSc., RPBiologist.
Island Stream and Salmon Enhancement Society
Box 289, Ganges P.O.
Salt Spring Island, B.C. V8K 2V9

email: salmonkathy@gmail.com

To: The Islands Trust, Salt Spring Island

Dear Trust planners

March 6, 2022

Regarding: 371 Isabella Point shoreline DPA restoration

We have visited the marine foreshore at 371 Isabella Point Road three times at various tidal levels. The site is located on the west side of the Fulford Harbor estuary. The lot is within Development Permit Area 6 for unstable slopes and, also inside a DPA 3 for shoreline protection. The landowner has applied for the permits to construct a residence at the top of the lot near the roadway.

The foreshore at this site has a gravel and cobblestone beach in the higher intertidal area and a productive mud flat that extends along the shoreline at low tides. In the deeper tide zone, there are important eelgrass beds all along this section of the Fulford Harbor sensitive Ecosystem (Map 3, from the Islands Trust Eelgrass inventory)

The beach supports a variety of marine invertebrate species including barnacles, oysters, limpets, mussels, and bivalves. There has been some restoration of shell-fish habitat along the intertidal areas of the beach. This section of the harbor is suitable for clam garden development and there is an existing larger historical First Nations shellfish restoration site approximately 2 kilometers to the south.

Over the years most of the foreshore of the lot has been cleared of all the trees and shrubs, so there is very little riparian vegetation remaining. Marine riparian vegetation is extremely important as it provides bank stability and prevents sediments from entering the sensitive foreshore habitat areas. It also absorbs pollution from septic fields, lawns, driveways, and other residential development that could affect the environmental health of the water in the harbor and the sea life that is present there.

In front of the subject site there is a previously constructed retaining wall along the natural boundary of the sea. The toe of the wall is at the high-water mark. The 2021 assessment by Rzik Geotechnical has found that the wall is performing adequately and does not recommend reconstructing it. From our own observations after the winter storm events we also find this preferable to further disturbance of the foreshore.

The main purpose of this survey was to determine the present environmental conditions of the property and to recommend replanting of a healthy riparian area within the shoreline DPA.

Box 289 Ganges P.O. Salt Spring Island BC V8K2V9 salmonkathy@gmail.com 250-537-7580

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8



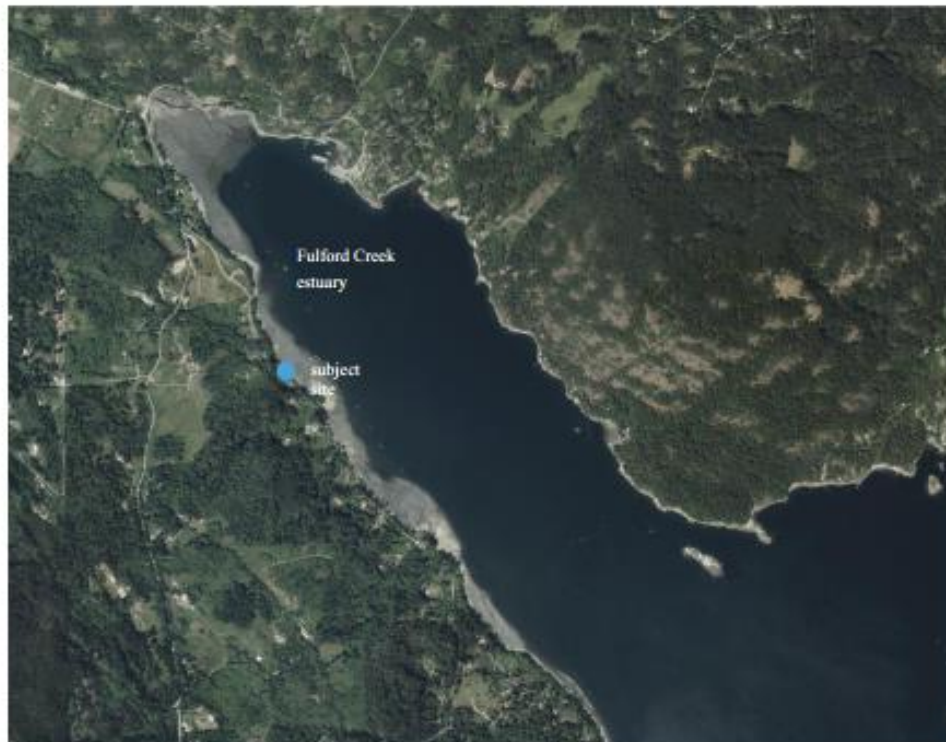
This would prevent any further degradation at the site and help ensure the future protection of the water quality in the harbor. A replanting plan has been developed (Appendix 1). The native vegetation recommended has been chosen from observing what species are presently growing in the same part of the Fulford community. It is also important that the planting areas are fenced to ensure that the result is a thriving healthy riparian zone.

There should also be future monitoring of the site to ensure that the requirements of the Development Permits are continuing to be met.

Please let me know if you need more information.

Kathleen Reimer MSc.,
Registered Professional Biologist
Riparian and foreshore QEP

Map 1. CRD Atlas showing site location and general area, Fulford Harbour, Salt Spring Island



PROPOSED



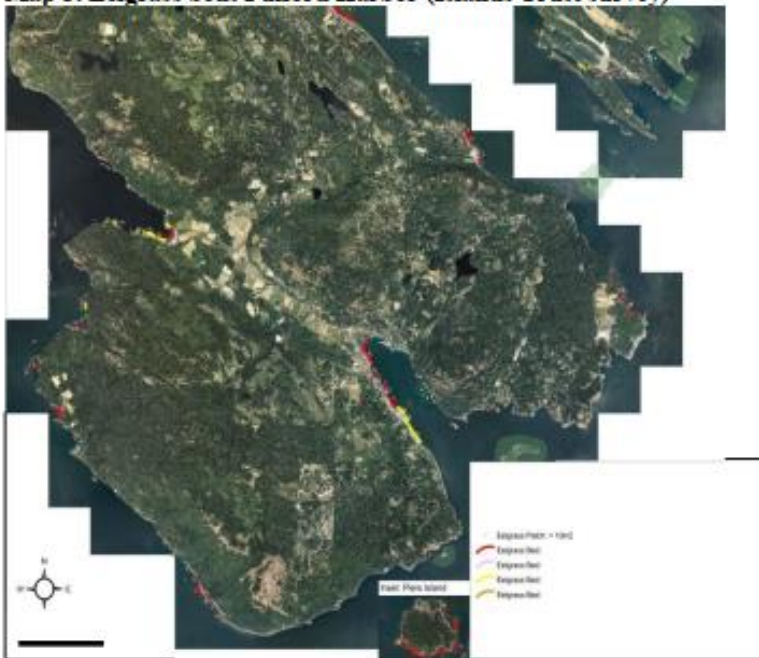
SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8



Map 2. Aerial Photo showing property lines, photograph location P1-7



Map 3. Eelgrass beds Fulford Harbor (Islands Trust survey)



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8



Photograph 1. View of Fulford Harbour from Subject site. Shows mud flats and potential clam garden restoration along the beach



Photo 2. Proposed planting area
Looking north



Photo 3. Planting area south
section



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.8



Photo 4. Looking south along the wall



Photo 5. Close-up of the base of the wall,



The line of barnacles under the rock marks the high tide level

Photo 6. Beach substrate



Photo 7. Oysters, barnacles, mussels



APPENDIX-1 Preliminary planting plan



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.13

TO: G. MAUNDER and T. MAUNDER

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 004-435-401
LEGAL DESCRIPTION: LOT 3, SECTION 52, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 13910

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:

Plan No. 1	Site Plan, dated April 5th, 2021, by Polaris Land Surveying Inc.
Schedule No. 1	General Layout - On Site Wastewater Treatment System Design Report, dated April 5, 2022, by Brad Fossen, P. Eng.
Schedule No. 2	Power, Water, Wastewater - On Site Wastewater Treatment System Design Report, dated April 5, 2022, by Brad Fossen, P. Eng.
Schedule No. 3	Geotechnical Memorandum, dated October 28, 2021, by Andrew Jackson, P. Geo, P.L. Eng.

3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:
 - 3.1 **SETBACKS FROM LOT LINES AND ACCESS EASEMENTS**
 - 4.3.1 Unless otherwise specified, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:
 - (1) Setback from *front lot line*: 7.5 m
 - (3) Setback from *interior side lot line*: 3.0 m

The above subsection is varied to reduce the setback for a proposed retaining wall from 7.5 m to 0.0 m and 3.0 m to 0.0 m in accordance with Plan No. 1 and Schedule No. 1 attached to and forming part of this permit.

 - 3.2 **SETBACKS FROM WATER BODIES**
 - 4.4.1 No *building* or *structure* except a fence, *pumphouse* or *boathouse* may be sited within 15 m of the *natural boundary* of any *water body*.

The above subsection is varied to reduce the setback between an existing retaining wall and the natural boundary of the sea from 10.0 m to 0.0 m in accordance with Plan No. 1, Schedule No. 1, and Schedule No. 3, attached to and forming part of this permit.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.13

3.3 SETBACKS FROM WATER BODIES – WATER QUALITY PROTECTION

4.5.1 No sewage *disposal* field or septage pit may be located within:

- (1) 30 m of the *natural boundary* of the sea;

The above subsection is varied to reduce the setback for the proposed sewage disposal field from 30 m to 15 m in accordance with Plan No. 1 and Schedule No. 2 attached to and forming part of this permit.

4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District, Ministry of Transportation and Infrastructure, Island Health, Ministry of Environment and Climate Change Strategy, and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch).
6. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE

THIS ____ DAY OF _____, 20____.

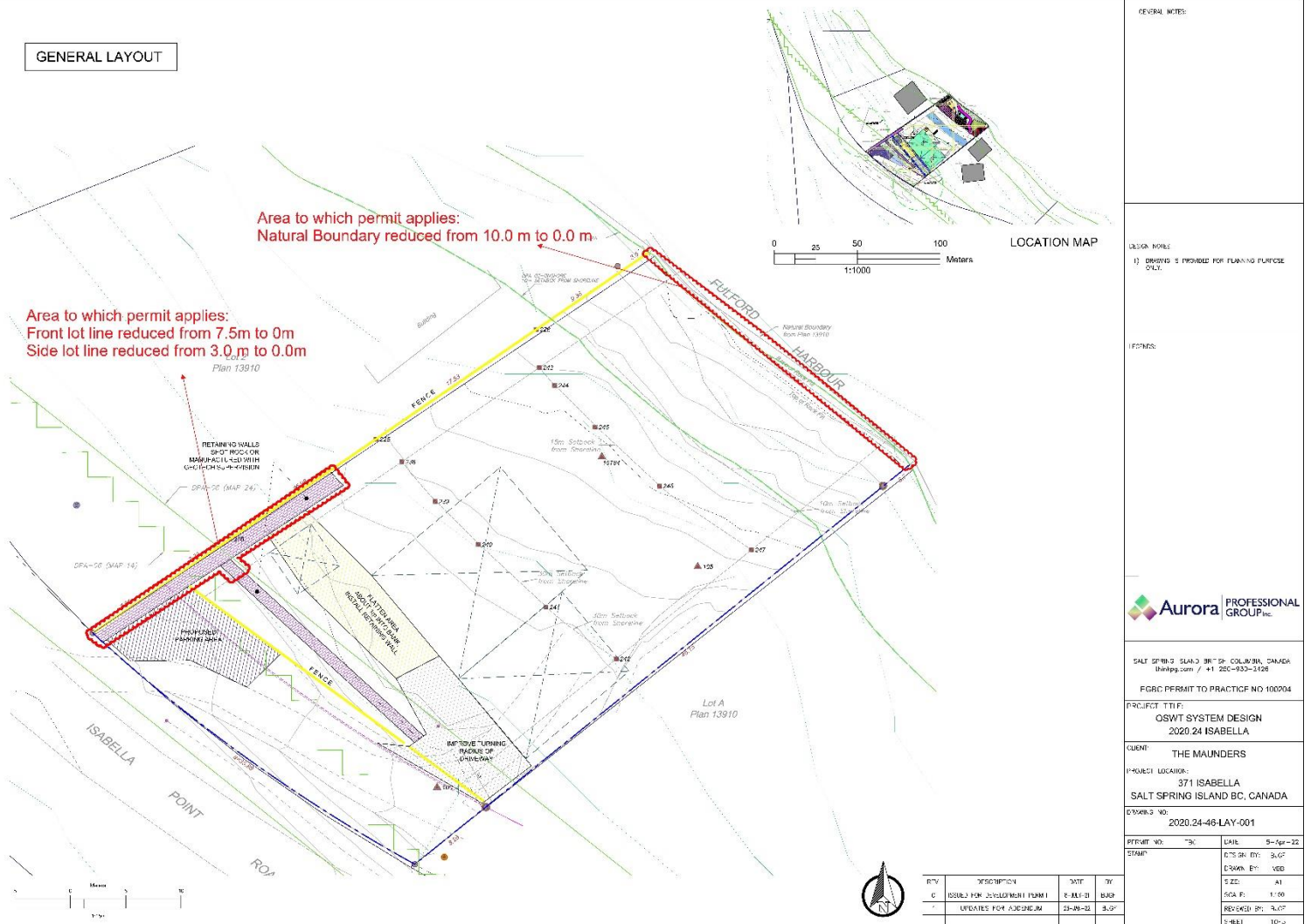
DEPUTY SECRETARY, ISLANDS TRUST

DATE OF ISSUANCE

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 20____, THIS PERMIT AUTOMATICALLY LAPSES.

PLAN NO. 1: Site Plan

SCHEDULE NO. 1: General Layout - On Site Wastewater Treatment System Design Report

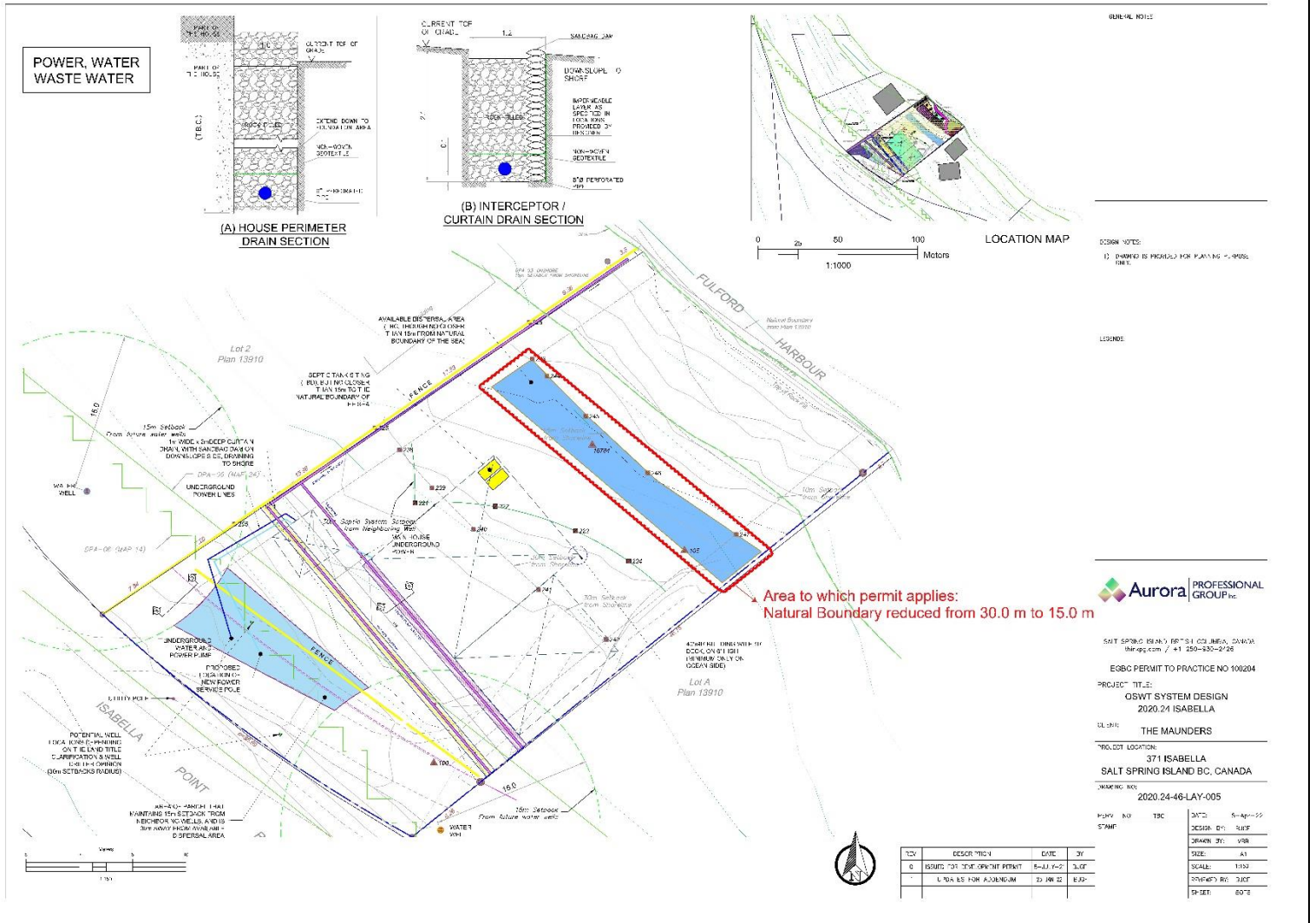


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.13

SCHEDULE NO. 2: General Layout - On Site Wastewater Treatment System Design Report



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.13

SCHEDULE NO. 3: Geotechnical Memorandum



Ryzuk Geotechnical
#6-40 Cadillac Ave.
Victoria, BC, Canada, V8Z 1T2
☎ 250-475-3131
✉ mail@ryzuk.com

GEOTECHNICAL MEMORANDUM

Project No: 10495-1

Project: Proposed Single Family Residence

Project Address: 371 Isabella Point Road – Salt Spring Island, BC

Date: October 28, 2021

Client: Geoff Maunder

Contact: as above

Email: gmaunder186@gmail.com

Distribution:

Bradley Fossen, P.Eng. - brad@thinkapg.com

As requested, we attended site on October 22, 2021, to review the proposed fill pad within the upper area of the site adjacent to the driveway, the recently removed trees and vegetation within the slope near the shoreline area (DPA3/6), as well as the existing conditions of the boulder stack retaining wall along the shoreline. Our associated observations, comments, and recommendations in this regard are contained herein.

We understand that the area to the north of the driveway near the access point of the road is proposed to be filled to establish a parking area and staging pad for the proposed water supply well installation. The current surface in this area is gently sloped and includes a few old stumps and anticipated loose/organic surficial soils. We consider that select blast-rock fill could be placed in this area to elevate the grade by a maximum overall thickness of approximately 0.9 m following removal of loose surficial soils and organics. The material should be placed in thin lifts and suitably compacted. Inclusion of small boulders or block/cast-in place retaining walls with a fence atop around the border of the fill may also be desired. We note that a mature cedar tree is present to the immediate east of this area and therefore filling over the root zone should only be carried out following review and approval by a qualified arborist to maintain tree health. Alternatively, the tree may be removed in entirety provided the depression is filled with the compacted blast-rock following removal.

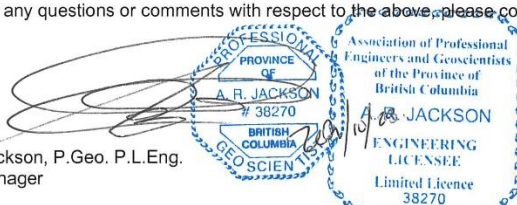
We note that a few small conifers were cut down along the southeastern boundary and brambles/brush had been cut along the area adjacent to the stacked boulder wall back from the Present Natural Boundary. We noted that the stumps/roots had been left in place and ground disturbance was negligible. We consider that the removal/cutting has not resulted in any meaningful change to the stability conditions of the area, and we understand that the lower soil slopes will be treated with revegetation of appropriate flora in accordance with the project biologist recommendations.

The existing boulder stack retaining wall along the shoreline was reviewed and we noted that such had not changed since we were engaged in 2016 by a previous owner to review the stability of the structure which was built (and designed by others) prior to that time. This wall is in the order of 2.5 m high and inclined with a face batter between 60 and 70 degrees from horizontal. The boulders are not embedded below the beach level however we did not observe any indications of scour. Given the wall is in place and appears to be statically stable and performing adequately we consider that the structure can be left in place as such, and that reconstructing the wall would take a significant effort and energy expenditure and would be deemed a less sustainable approach from a global perspective.

If there are any questions or comments with respect to the above, please contact us.

Regards,

Andrew Jackson, P.Eng. P.L.Eng.
Project Manager



The above does not constitute approval to proceed with the noted work if such is perceived to be an extra to a Contract, or if the work requires approvals/permits from approving authorities.



Salt Spring Island Local Trust Committee

DEVELOPMENT VARIANCE PERMIT – NOTICE

NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Salt Spring Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit.

The purpose of this Permit is to vary the requirements of Bylaw No. 355, cited as “*Salt Spring Island Land Use Bylaw, 1999*” to permit the siting of an existing retaining wall, to permit the siting of proposed retaining walls, and to permit the siting of a proposed sewage disposal field.

The applicant is seeking the following variances:

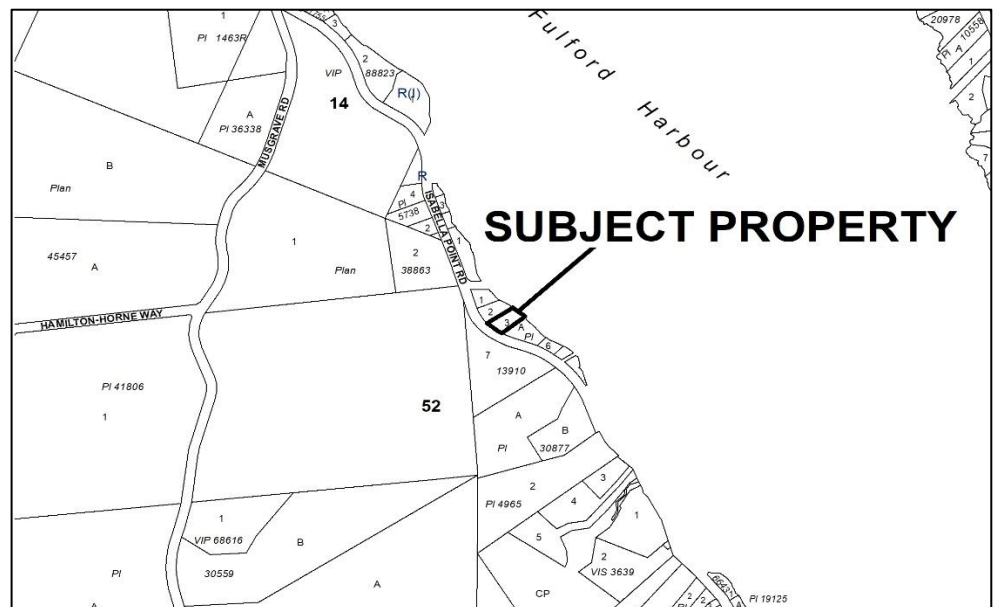
- Reduce the setback to interior side (3.0 m to 0.0 m) and front lot line (7.5 m to 0.0m) to permit the siting of a proposed retaining wall (see Section 3.1 of attached permit).
- Reduce the setback to the natural boundary of the sea from 10.0 m to 0.0 m to permit the siting of an existing retaining wall (see Section 3.2 of attached permit).
- Reduce the setback to the natural boundary of the sea from 30.0 m to 15.0 m to permit the siting of a proposed sewage disposal field (see Section 3.3 of attached permit).

This Development Variance Permit is being considered alongside a Development Permit required for the existing retaining wall and other proposed work within Development Permit Area 3 (Shoreline). A copy of the Development Permit can be found online after June 3, 2022. Please see details on the next page.

The subject property is described as:

The location of the property is shown on the following sketch map:

- 371 Isabella Point Road, SSI
- PID: 004-435-401
- Lot 3. Section 52. South Salt Spring Island. Cowichan District, Plan 13910
- Applications
SS-DVP-2021.13 and
SS-DP-2021.8



The Salt Spring Island Local Trust Committee may consider issuance of the proposed permit at its business meeting on **Tuesday, June 14, 2022** beginning at 9:30 a.m. at the Community Gospel Chapel, 147 Vesuvius Bay Road, Salt Spring Island. Typically, applications are considered in the afternoon portion of the meeting, which begins at 12 noon. Please refer to the agenda available on the Salt Spring Island Local Trust Committee Meeting Calendar webpage June 3, 2022 or later, to view the order of agenda items and the relevant staff report for the applications. A copy of the proposed Development Variance Permit is attached.

Questions?

Please forward questions to Planner Geordie Gordon at 250-537-9144 or by email to ssiinfo@islandstrust.bc.ca

Comments?

- Written submissions are accepted until Monday, June 13, 2022 and can be sent to our office, or provided via email to ssiinfo@islandstrust.bc.ca
- Your comments are provided to the Salt Spring Island Local Trust Committee and staff. Written comments made in response to this notice will be available for public review.
- Verbal comments can be made directly to the Trustees during the Town Hall portion of the agenda.

More Information?

- The proposed permit and any additional information on this application is available for review by the public after June 3, 2022.
Go to: <http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/>

A copy of the proposed Development Variance Permit is attached. The permit may also be viewed at the Salt Spring Island office of the Islands Trust at 1-500 Lower Ganges Road, SSI V8K 2N8, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, excluding statutory holidays.



Daniela Murphy,
Legislative Clerk/Deputy Secretary

DATE OF MEETING: June 14, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Island Planner (Acting)
Salt Spring Island Team

COPY: Louisa Garbo, Regional Planning Manager (Acting)

SUBJECT: Application to amend Official Community Plan from Channel Ridge Residential to Residential Neighbourhoods, and Land Use Bylaw from Residential 6 (a) to Residential 8 .
Applicant: Tyler Chapman
Location: 361 Sunset Drive

RECOMMENDATION

1. **That the Salt Spring Island Local Trust Committee proceed no further with application SS-RZ-2021.3 for the following reasons:**
 - a. **The Salt Spring Island Local Trust Committee will not undertake piecemeal rezoning of the Channel Ridge Residential designated areas.**
 - b. **The Salt Spring Island Local Trust Committee will not consider any rezoning of the Channel Ridge Residential or Channel Ridge Village area until issues related to water allocation (the North Salt Spring Water Works District moratorium policy) are resolved.**
 - c. **The application is contrary to Islands Trust Policy Statement 4.4.2 which ensures that density or intensity of land use is increased in an area of a known problem with freshwater supplies.**
 - d. **The application is contrary to Salt Spring Island Official Community Plan Policies and Objectives in Part C.3, in particular C3.1.1.1.**

REPORT SUMMARY

This report brings forward initial analysis of the proposed Salt Spring Island Official Community Plan amendment from Channel Ridge Residential to Residential Neighbourhoods and proposed Salt Spring Island Land Use Bylaw amendment from Residential 6 (a) to Residential 8. Staff have reviewed Official Community Plan policies and objectives as well as historical zoning and applicable covenants (see appendix 6). Based on the complexity of density allocation through the land use covenant as well as previous iterations of the Official Community Plan and the Land Use Bylaw, the Channel Ridge Village and surrounding residential areas has long been intended as a comprehensive planning area, piecemeal rezoning will undermine the long-standing approach to development of the area. If property owners in the Channel Ridge Residential-designated area wish to re-designate or rezone particular properties, it should be done comprehensively. The proposed rezoning will require an OCP amendment to Residential Neighbourhoods. Furthermore, given the on-going North Salt Spring Water District connection moratorium, it is inadvisable to either create or allocate additional densities at this time.

BACKGROUND

The applicant is pursuing bylaw amendments for the subject property to allow subdivision. The current R6 (a) rezoning requires lots created within this designation to be connected to community water systems. As the subject property is within the North Salt Spring Waterworks District (NSSWD) service area, connection is not possible due to the on-going [moratorium](#). The possible density to be created through subdivision is impacted by a lack of community water supply. Rezoning to R8 would remove the community water supply requirement and instead allow ground water supplies to be used for subdivision servicing.

The subject property has previously (in 2021) been utilized for unlawful commercial guest accommodation operation, though this operation was not established by the owner, only with the owner's authorization. Although some structures have been established, the use as commercial guest accommodation has not yet begun. The Channel Ridge Residential designation does not allow for Temporary Use Permits (TUPs). Amending the land use designation is required before a TUP could be sought.

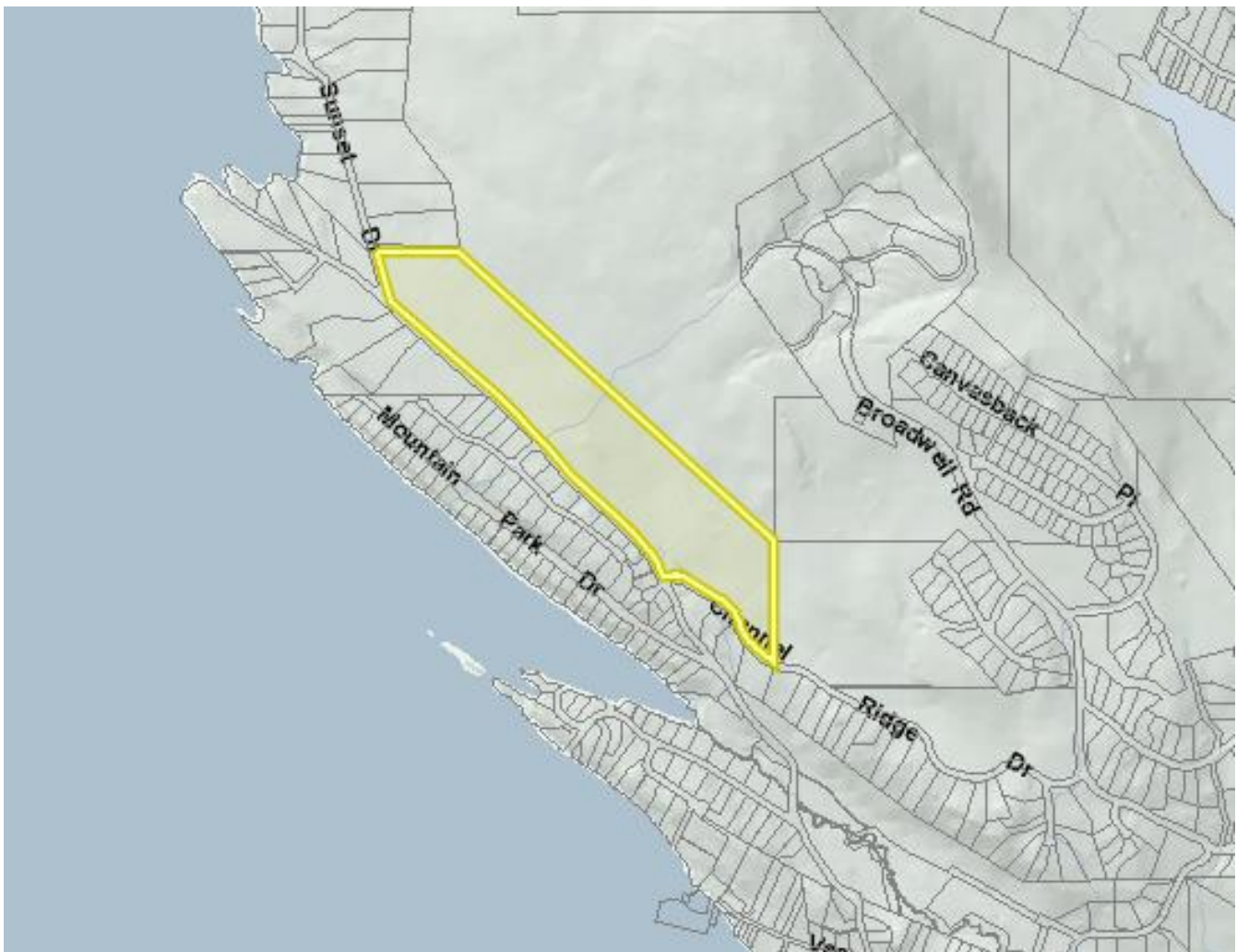


Figure 1 – Location of subject property.



Figure 2 – Orthophoto of subject property (2017 data).

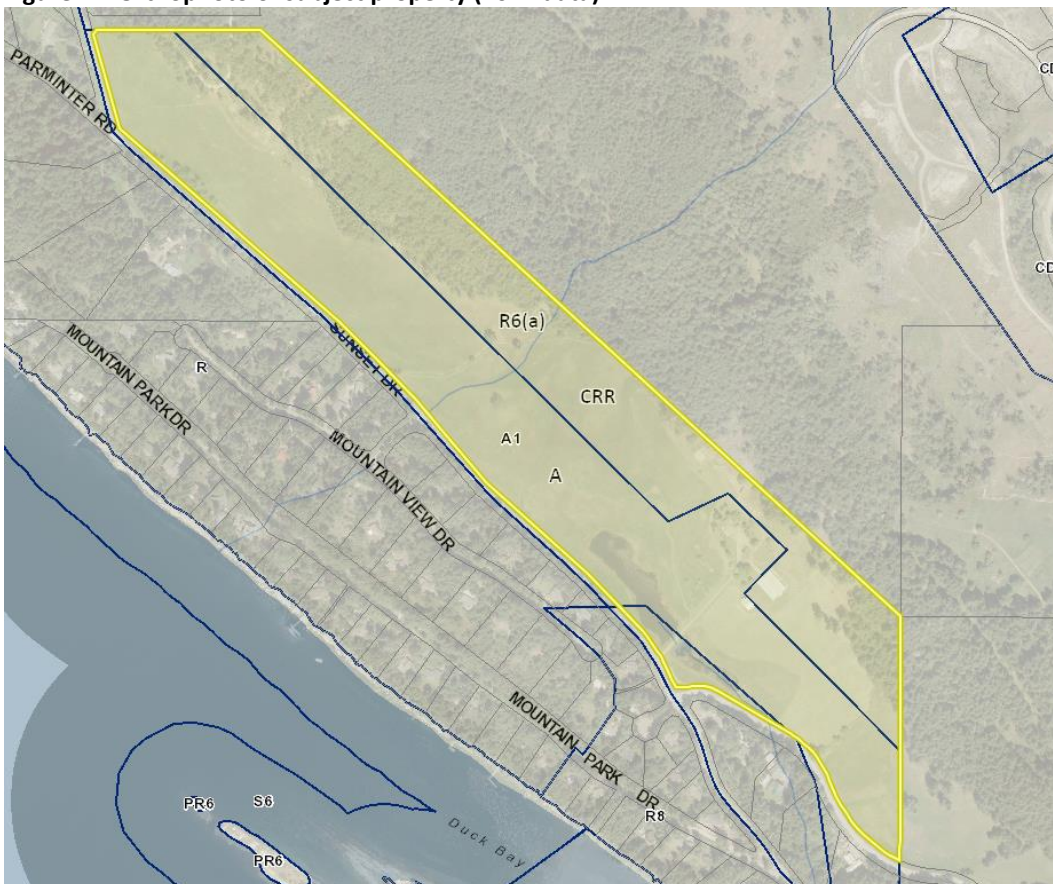


Figure 3 – Zoning (A/R6(a)) and land use designation (A/CRR) of subject property.

The planning history of the Channel Ridge area is long, complex, and somewhat convoluted. The complexity of the past planning context is further compounded by the present day NSSWD moratorium on new service connections, the resultant on-going legal action, and the splintered ownership of Channel Ridge lands made development potential challenging. At some point in the planning history of Channel Ridge, the subject property was included in the R6(a) designation, which covers all residential areas in Channel Ridge. Despite this inclusion in the R6(a) designation, the subject property was not included in the development Blocks that are to guide the subdivision of this zoning designation (see 'Block' area per Schedule 'C' of Land Use Bylaw No. 355 in appendix 1).

The applicant has provided a hydrogeologist report on an existing well on the subject property, attached as appendix 7. The applicant's letter in support of the application is attached as appendix 8.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement (ITPS)

Staff have reviewed the Islands Trust Policy Statement in consideration of the application and determined a number of policies that apply to this application (see appendix 4). At time of this initial report, staff have determined that the application is likely inconsistent with Policy 4.4.2 regarding freshwater resources. While the applicant has indicated that sufficient ground water resources are available to permit subdivision, the property is within the boundaries of NSSWD.

No significant inconsistencies with the ITPS policies were noted in this preliminary review. If the Local Trust Committee resolves to proceed with the application, more in-depth review will be provided in a future report to assess the compliance with the Policy Statement using the Directives Only Checklist in accordance with Section 1.9 of Trust Council Policy 1.3.i.

Official Community Plan

The subject property is designated Channel Ridge Residential (CRR) in Salt Spring Island Official Community Plan Bylaw No. 434 (OCP). Channel Ridge Residential policies and objectives are as follows:

- B.2.6.1.1 To continue to provide for clusters of medium density residential settlement compatible with the natural environment of the designation.
- B.2.6.2.2 Zones within the Channel Ridge Residential Designation will continue to allow clusters of medium density residential developments and the other compatible uses allowed by existing zoning.
- B.2.6.2.4 Blocks of land that may be used for residential settlement should remain generally as indicated in the Local Trust Committee's current Land Use Bylaw. The number of new lots that can be created by subdivision in the Designation should not be increased.
- B.2.6.2.5 The Local Trust Committee should consider rezoning applications that would allow owners of undeveloped property within the Channel Ridge Residential Designation to transfer their development potential to more suitable locations within the Designation or to the Channel Ridge Village Designation. Such applications should follow the guidelines in Appendix 4. The Channel Ridge Residential Designation is a Development Potential Donor Area. Proposals to transfer development potential from areas north of the Channel Ridge Village Designation could be considered if a thorough analysis of the benefits and impacts of any road network changes is provided.

The applicant is proposing an OCP amendment to Residential Neighbourhoods (RN); policies and objectives are as follows:

- B.2.4.1.1 To continue to provide for a range of medium density residential uses consistent with the community's rural character.
- B.2.4.1.2 To continue to accommodate non-residential uses that are compatible with medium density residential use.
- B.2.4.2.2 Zones within the Residential Neighbourhoods Designation will continue to accommodate the *medium density residential uses* and the other compatible land uses allowed in the existing bylaw. Existing commercial, *general employment* and multi-family zones will also remain, but zoning changes should not be made to locate more of these zones on additional lands in this Designation, with the exception of multiple-family *affordable housing* projects.
- B.2.4.2.3 The minimum size of lots that can be created by subdivision will remain the same as indicated in the existing Land Use Bylaw. However, the Local Trust Committee could consider rezoning applications that allow a slightly higher density (smaller minimum average lot sizes) as part of a proposal that provided a community amenity (see Appendix 3) or as part of a proposal to transfer development potential (see Policy B.2.3.2.1 and Appendix 4).

Applicable OCP Policies

Other relevant OCP policies that to this proposal are shown on appendix 2.

The subject property is zoned Residential 6 (a) – R6 (a) under Salt Spring Island Land Use Bylaw No. 355. The applicant is proposing a Land Use Bylaw amendment Residential 8 (R8). A comparison of the uses permitted is attached in Appendix 4.

Islands Trust Conservancy

Policy 3.3.ii, Islands Trust Conservancy and Local Planning Services Coordination does not apply to this application.

Issues and Opportunities

Density

A 1986 covenant that applies to the subject property regulates density in the Channel Ridge area by restricting the total number of dwelling units to 577. There is an issued Development Permit (SS-DP-2003.9(a)) that draws down on this number. A previous (2010) staff report for a rezoning in the Channel Ridge noted that there is a discrepancy between the number of residential dwelling units permitted outside the village area by the Land Use Bylaw (268) and the Restrictive Covenant (256), with the restrictive covenant taking precedence.

Density	Units
Total Channel Ridge Development Potential per 1986 Restrictive Covenant	577

Existing single family lots using Islands Trust GIS Mapping Data	-179
Total Dwelling Units permitted in Village per Development Permit SS-DP-2003.9(a)	-321
Remaining Potential Dwelling Units	77

The remaining subdivision potential is regulated by Block area as per Schedule 'C' of Land Use Bylaw No. 355. However, while the subject property is zoned R6(a), it is not included in any of the subdivision blocks (see appendix 2). It is unclear how the R6(a) zoning was extended to the subject property but excluded from the subdivision Blocks. The subject property may have been inadvertently included in a bylaw consolidation when the R6(a) zoning for the Channel Ridge was implemented, or inadvertently left off the Block mapping.

Although the subject property is left off the subdivision Block mapping, density is still governed by the restrictive covenant and the Land Use Bylaw. Removing the subject property from R6(a) zoning would not remove the restrictive covenant requirements. Therefore any removal of density from R6(a) by rezoning the property should be reflected by amending the Land Use Bylaw accordingly by reducing the 268 dwelling units permitted accordingly.

Given the limited number of densities available in the Channel Ridge Area, the restrictive covenant with multiple signatories, the NSSWD moratorium, and the splintered ownership of development lands in the Channel Ridge area, staff do not recommend proceeding with a rezoning on a property-by-property basis, but that any rezoning should be done comprehensively despite the challenges in achieving consensus on a rezoning given the differing ownership of land within the Channel Ridge area.

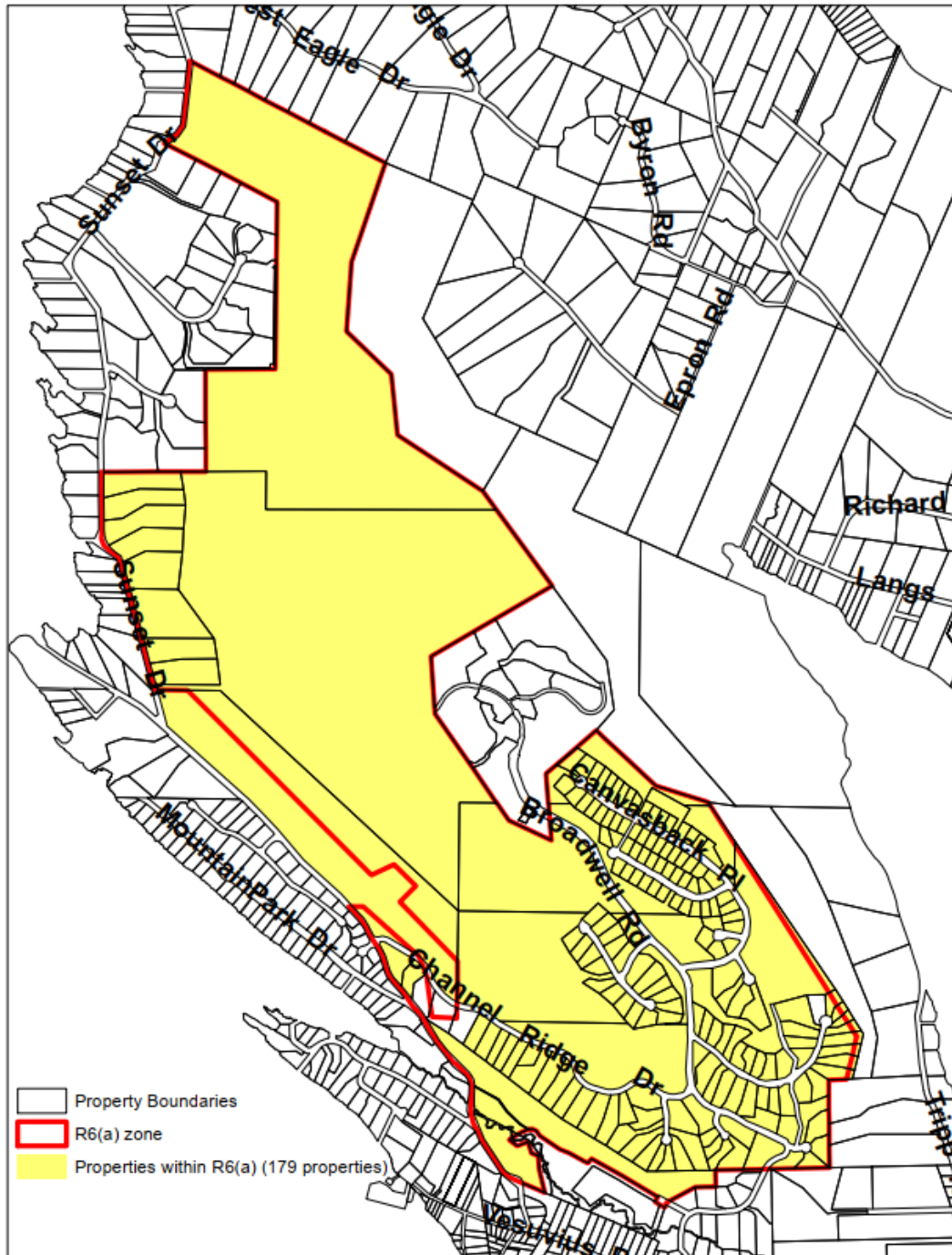


Figure 4: Properties zoned R6(a).

The proposed rezoning to R8 would also allow each lot that met a minimum of 1.2 hectares to be permitted a seasonal cottage, further drawing down the number of dwelling units permitted by bylaw and covenant. A very rough calculation of the available land area in the residential portion of the subject property shows a subdivision potential of approximately 20 lots. If the maximum number of lots is achieved, locating a seasonal cottage would not be possible on any of the lots.

Water

An adequate supply of potable water for a proposed use is typically required to be demonstrated for a rezoning. The proposed application makes it difficult to assess what level of water supply should be demonstrated as no development is actually proposed through the application, but rather the potential for future development is sought. An adequate supply of potable water will still be required to create additional lots through the subdivision process, in accordance with servicing requirements in Section 5 of Land Use Bylaw No. 355.

Although water requirements would be addressed at time of subdivision, the applicant has demonstrated some water supply by providing a well pump test detailing two wells (52445 and 50148) with significant production capacity (25-60 USgpm). The wells would therefore appear to be capable of supplying multiple lots with water required for subdivision. However, staff noted that the location of the wells tested are far removed from the area of the subject property that could be subdivided:

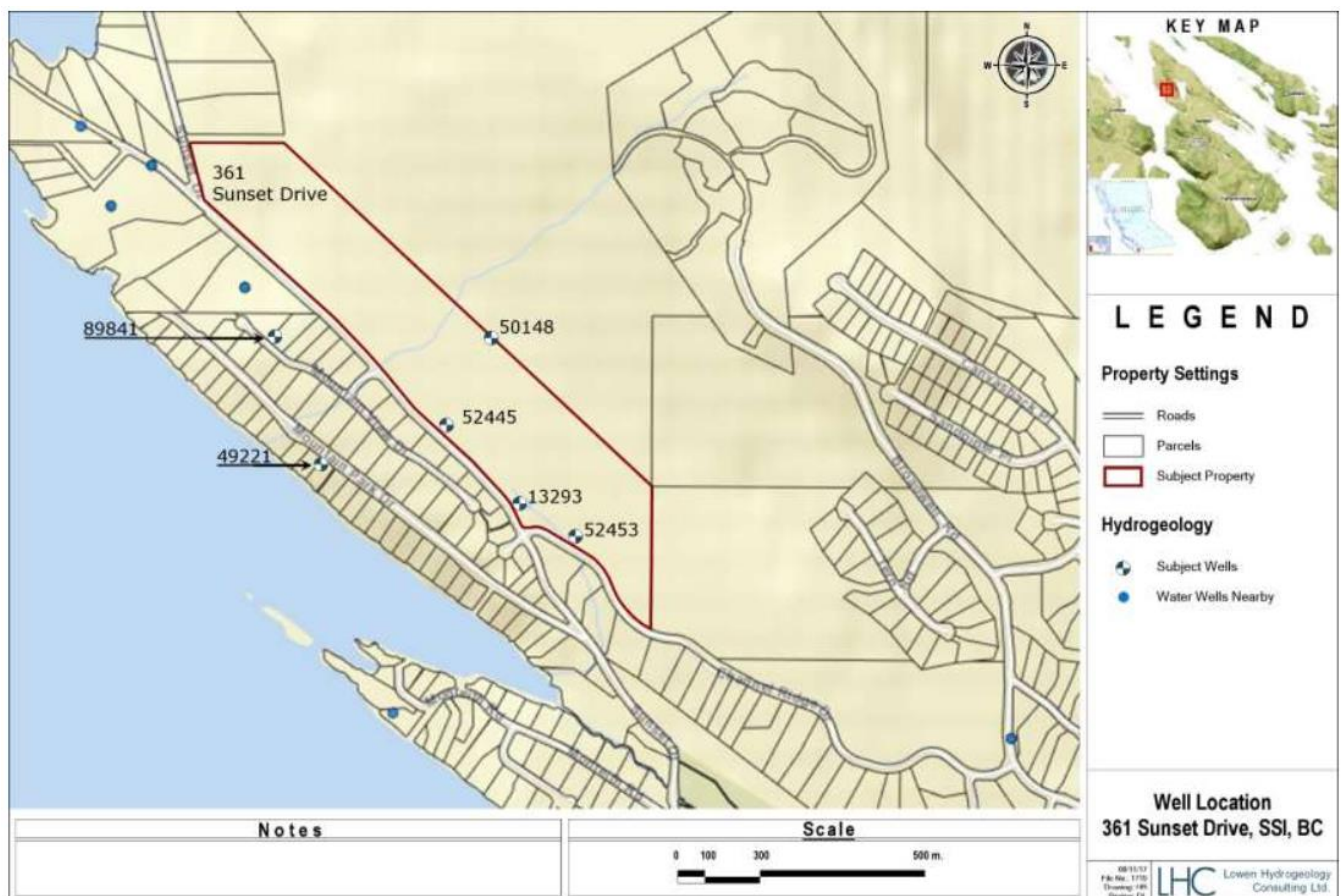


Figure 5: Well locations.

There would likely need to be significant infrastructure installed to convey water to any newly created lots. Staff also noticed that the wells are located on the agriculture-zoned portion of the property, and question the impact of water availability for agriculture use if the wells are pumped at a significant rate. Additionally, the requirement to create a water utility per the Water Utility Act would depend on the number of dwellings served if the intent is to use a single well to serve multiple properties. Finally, a ground water well drilled in the area of the subject

property where new lots could be created showed a marginal rate of 0.75 USgpm, the hydrogeologist report noted isolated issues of quantity issues in the summer months.

Temporary Use Permits

Part G of the OCP - Temporary Use Permits and Development Approval Information does not allow TUPs to be granted for the Channel Ridge Residential designation (see Section E.3.4.33). If the property designation is amended to Residential Neighbourhoods, TUPs could be issued.

As noted in the background section, the subject property is the location of a nascent commercial accommodation operation that was planned to function out of a number of purpose-built geodesic domes. The owner of the property had leased a portion of the CRR designated land to a commercial accommodation business operator, who in turn had sought an SS LTC “community need” exemption for bylaw enforcement while a rezoning was sought. The SS LTC did not take up the issue, no community need designation was granted, and the operator continued on with establishing the commercial accommodation business. At time of this report, the commercial accommodation is not operating, many of the structures are half built, and the future operation of the business is not known. If the amended land use designation sought is issued, the SS LTC might expect to see a TUP for a similar commercial accommodation use brought forward for their consideration.

Consultation

No correspondence has been received at the time of preparing this report, but may be received before or during the LTC meeting. Correspondence may be sent to ssiinfo@islandstrust.bc.ca.

As the proposed rezoning would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation if the LTC elects to move forward with the application.

Protocols

No Islands Trust protocols have been identified as relevant to this application.

Agencies

If the SS LTC elects to direct staff to draft a bylaw, the draft bylaw will be referred to agencies for comment as per SS LTC direction

First Nations

If the SS LTC elects to direct staff to draft a bylaw, the draft bylaw will be referred to First Nations for comment as per SS LTC direction.

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

Staff consider that the zoning, land use designation, covenant, NSSWD moratorium, and history of the area to create a complex regulatory situation for the subject property. In consideration of the complexity, staff

recommend that the SS LTC not proceed with piecemeal rezoning of the subject property and only undertake a comprehensive rezoning that addresses a multitude of land use and servicing issues. In addition, the rezoning and OCP amendment under current NSSWD conditions would be at variance with a number of OCP and ITPS policies and objectives regarding water supply. For these reasons, staff recommend that the SS LTC proceed no further.

ALTERNATIVES

The LTC may wish to consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased cost to the applicant. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust an [specify report type], completed by a [specify professional designation], which identifies the potential impacts of the proposed rezoning on [specify impact].

2. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc. Staff advise that the implication of this decision is that no further work will be done on the application until the conditions for abeyance are resolved. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee hold application SS-RZ-2021.3 in abeyance until [define timeframe for abeyance].

NEXT STEPS

If the LTC accepts staff's recommendation, the application will be closed and will be assessed for an applicable refund.

Submitted By:	Geordie Gordon, Acting Island Planner	June 1, 2022
Concurrence:	Louisa Garbo, Acting Regional Planning Manager	June 1, 2022

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. OCP Policies
4. LUB 355 Regulations
5. Islands Trust Policy Statement Directive Policies

6. Covenant R32170
7. Well Pump Test
8. Application letter

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT A, SECTION 13, RANGE 4 WEST, AND SECTIONS 11, 12 AND 13, RANGE 3 WEST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 44304 EXCEPT THAT PART IN PLAN 46042
PID	005-624-827
Civic Address	361 Sunset Drive

LAND USE

Current Land Use	Residential, agriculture
Surrounding Land Use	Residential, agriculture, comprehensive development zone (Channel Ridge Village).

HISTORICAL ACTIVITY

File No.	Purpose
n/a	

POLICY/REGULATORY

Official Community Plan Designations	Channel Ridge Residential (CRR) + Agriculture (A): 
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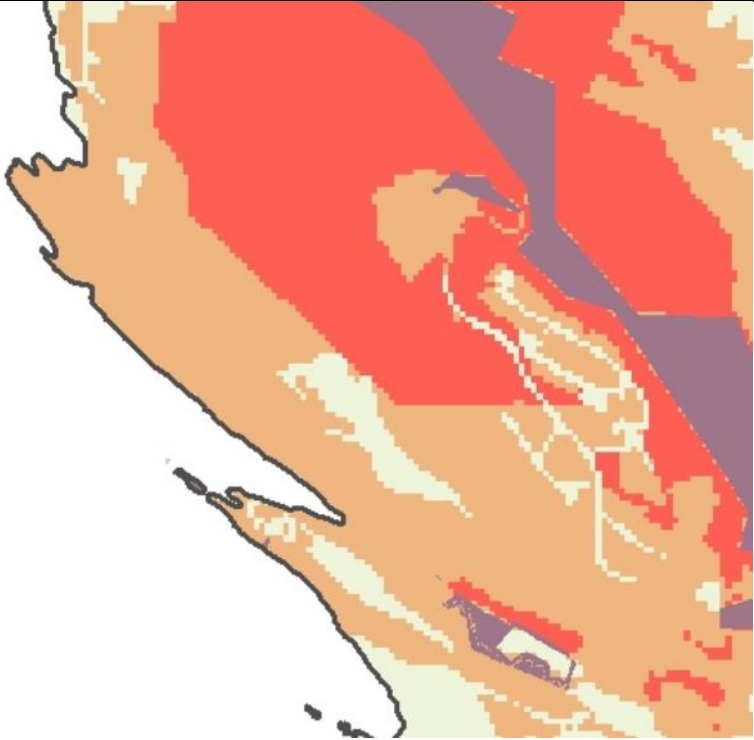
Land Use Bylaw	Residential 6 (a) – R6(a)	
		R6
	Principal Uses, Buildings and Structures	
	<i>Single-family dwellings</i>	♦
	<i>Duplexes</i>	♦
	Dental and medical office <i>services</i> for a maximum of two medical practitioners	♦
	Elementary schools, pre-schools and <i>child day care</i> centres	♦
	Hospitals and <i>public</i> health care facilities	♦
	<i>Community halls</i>	♦
	<i>Non-commercial outdoor active recreation</i>	♦
	<i>Churches</i>	♦
	<i>Public service uses</i>	♦
	Accessory Uses	
	<i>Home-based businesses</i> , subject to Section 3.13	♦
		R6
	Minimum Lot Areas and Servicing Requirements	
	Minimum water <i>service</i> required for <i>subdivision</i>:	
	Adequate supply of <i>potable</i> water	
	<i>Community water system</i>	♦
	Minimum sewage <i>service</i> required for <i>subdivision</i>:	
	Individual on-site sewage treatment system per <i>lot</i>	♦
	<i>Community sewage collection system</i>	
	Minimum area of an individual <i>lot</i> that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	N/A

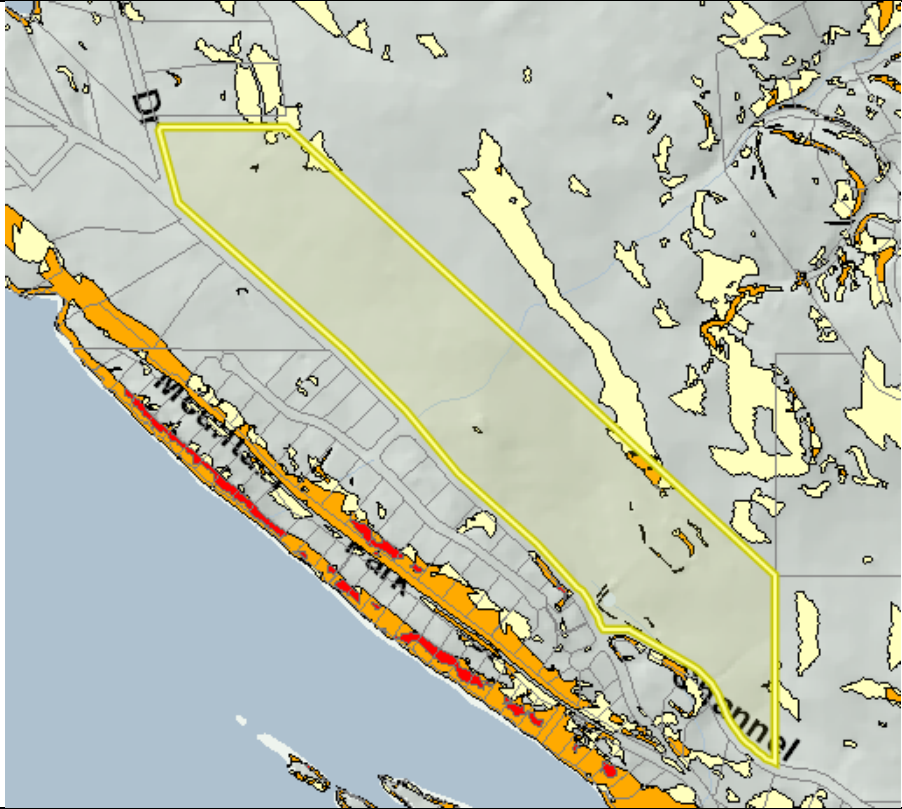
	Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water supply</i> (ha)	0.4																																	
	Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	0.11																																	
	Minimum average area of <i>lots</i> in a <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	N/A																																	
	Minimum average area of <i>lots</i> in a <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water system</i> (ha)	0.4																																	
	Minimum average area of lots in a subdivision , provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)	0.11																																	
Zone Variation – R6 (a)																																			
(18)	Duplexes are not permitted.																																		
(19)	The following additional <i>uses</i> are permitted: (a) <i>Indoor public</i> recreation facility; (b) <i>Public</i> health clinic.																																		
(20)	A maximum of one <i>dwelling unit</i> is permitted per <i>lot</i> .																																		
(21)	No more than a total of 268 <i>dwelling units</i> are permitted on all lands in this <i>zone</i> .																																		
(22)	The following regulations apply to the blocks of land indicated by letter on Schedule “C” to this Bylaw:																																		
<table><tr><th>BLOCK LOCATION</th><th>A</th><th>B</th><th>C</th><th>D</th><th>E</th><th>F</th><th>G</th></tr><tr><td></td><td colspan="7">Blocks as indicated on Schedule “C” to this Bylaw</td></tr><tr><td colspan="8">Minimum water <i>service</i> required for <i>subdivision</i>:</td></tr><tr><td>Adequate supply of <i>potable</i> water</td><td></td><td></td><td>◆</td><td>◆</td><td>◆</td><td>◆</td><td>◆</td></tr></table>				BLOCK LOCATION	A	B	C	D	E	F	G		Blocks as indicated on Schedule “C” to this Bylaw							Minimum water <i>service</i> required for <i>subdivision</i> :								Adequate supply of <i>potable</i> water			◆	◆	◆	◆	◆
BLOCK LOCATION	A	B	C	D	E	F	G																												
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Adequate supply of <i>potable</i> water			◆	◆	◆	◆	◆																												

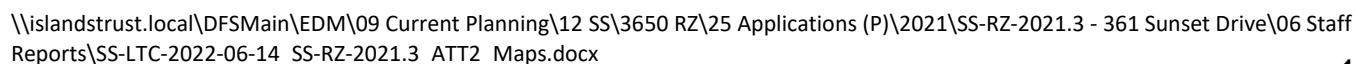
	<i>Community water system</i>	◆	◆					
	Minimum sewage service required for <i>subdivision</i> : individual on-site sewage treatment system per <i>lot</i>	◆	◆	◆	◆	◆	◆	◆
	Minimum area (in ha) of an individual lot that may be created through <i>subdivision</i> .	0.2	0.2	1.2	250	0.2	0.4	0.5
	Minimum average area (in ha) of <i>lots</i> in a <i>subdivision</i>	0.46	0.4	2	250	.57	.85	1.4
	(23)Variations of the block boundary illustrated on Schedule “C” may be permitted in order to accommodate <i>lots</i> larger than the minimum average <i>lot area</i> provided both the following conditions are met: (a) at least 10 per cent of each <i>lot</i> being created falls within the boundary of the Block defined in Schedule “C”; (b)the revised area of the Block does not exceed 110 per cent of the stated area of the Block defined in Schedule “C”.							
Other Regulations	A1 portion is within the Agricultural Land Reserve (ALR). Rezoning application is subject to Development Approvals Information (DAI) bylaw.							
Covenants	R32170 – Restrictive Covenant							
Bylaw Enforcement	One closed bylaw file, another contravention related to land use is outstanding.							

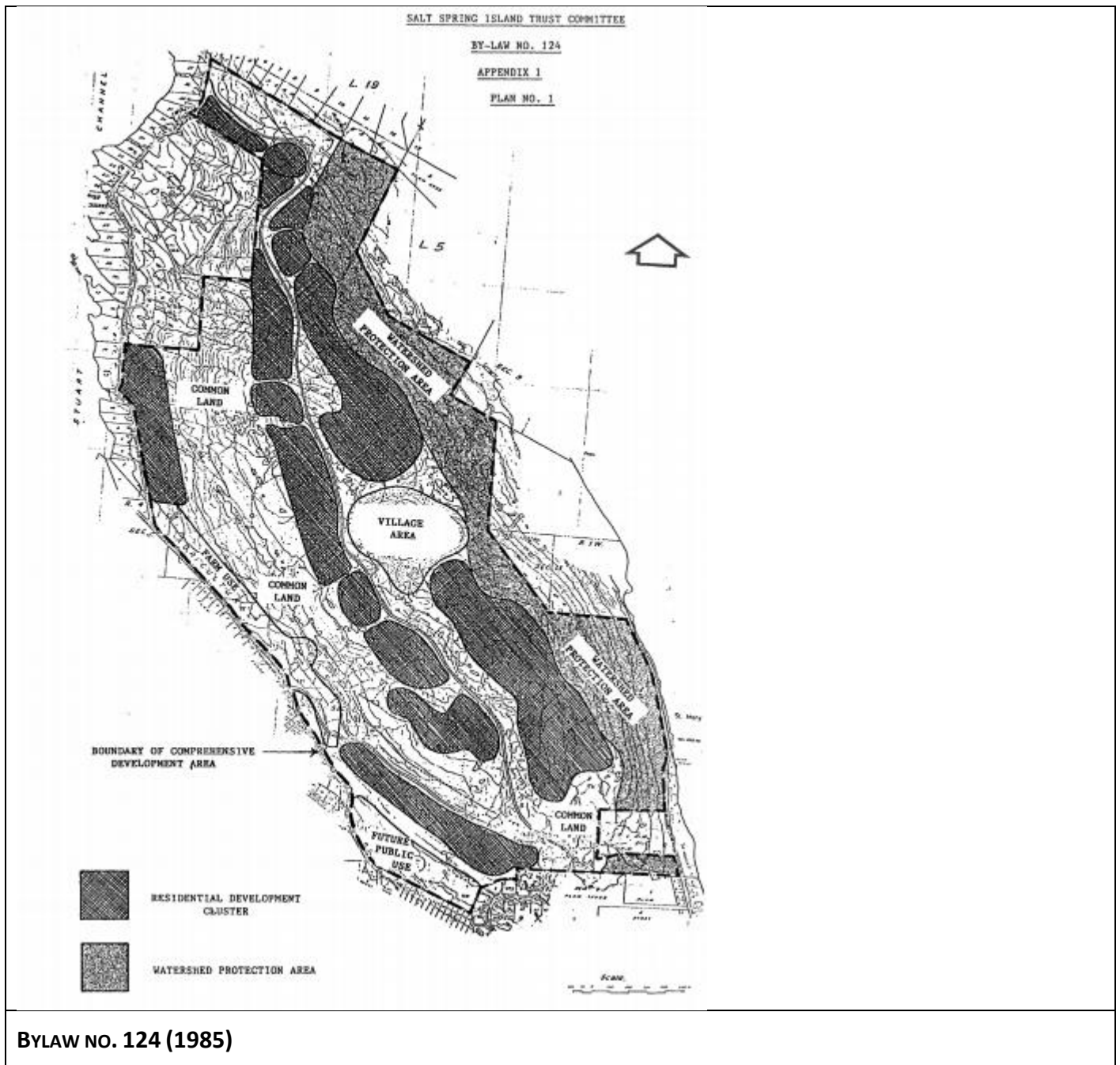
SITE INFLUENCES

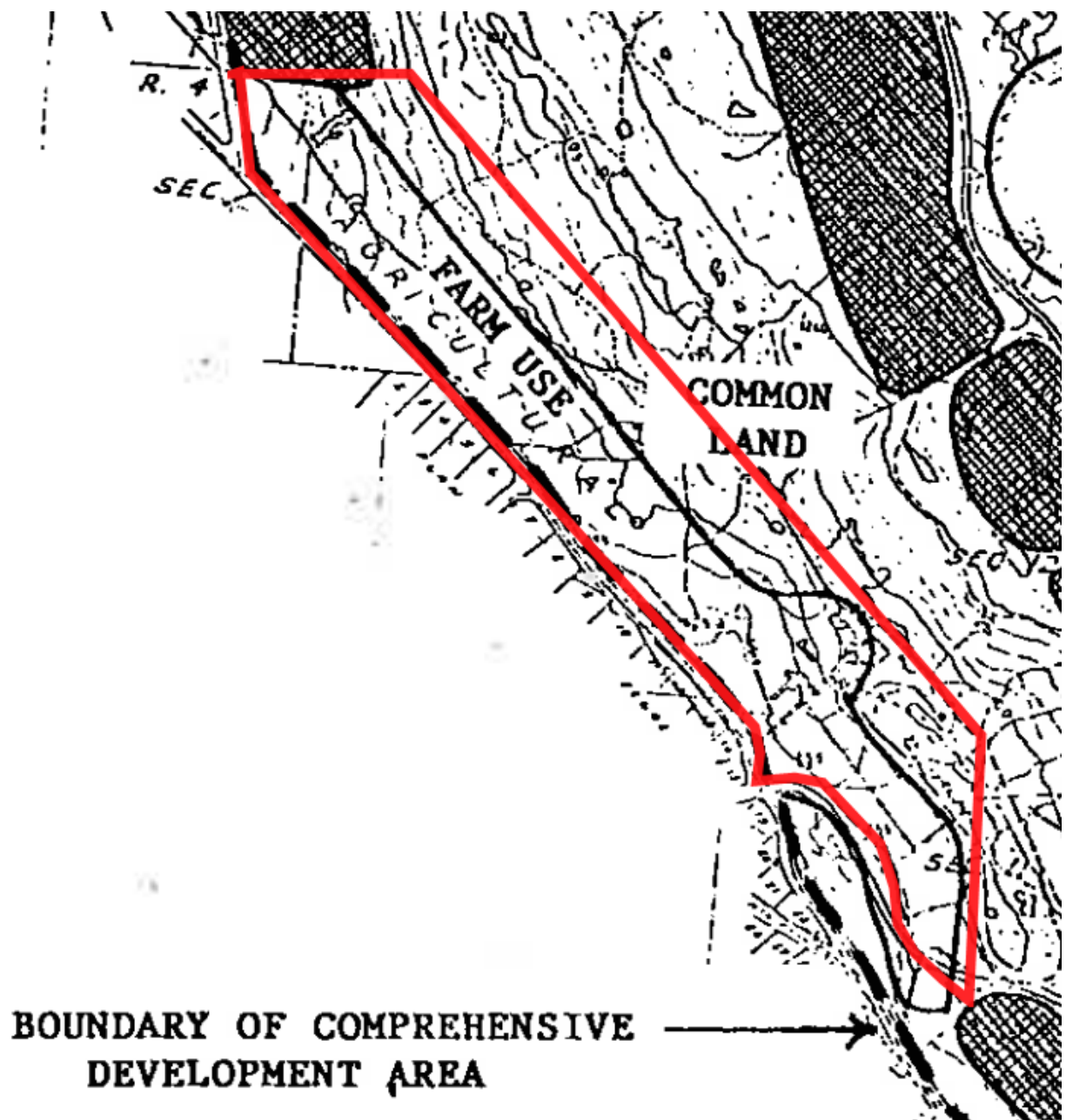
Islands Trust Conservancy	n/a
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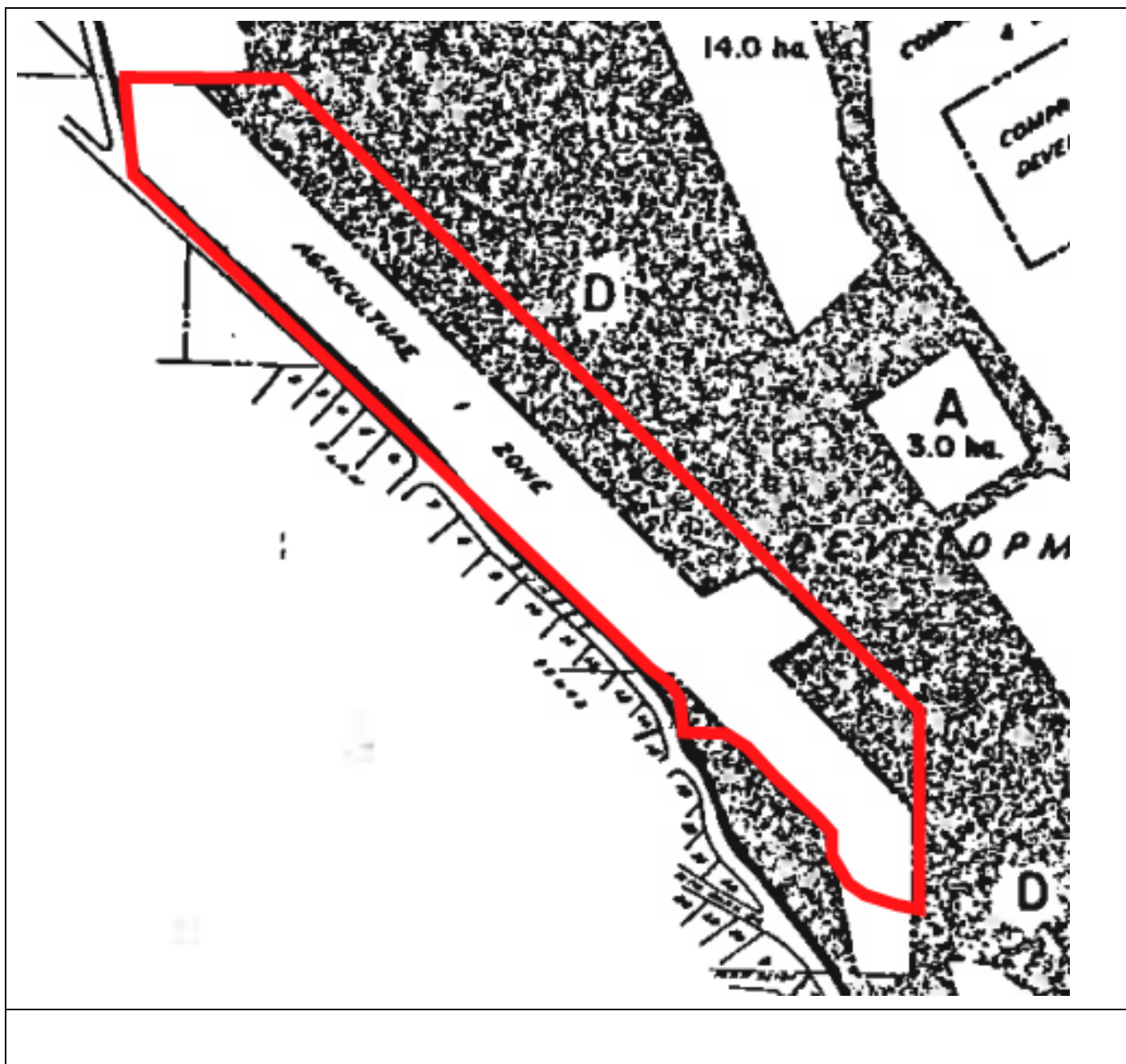
Regional Conservation Strategy	 Medium Value in RCS.
Species at Risk	 Western Painted Turtle Pacific Coast population Sharp-tailed Snake
Sensitive Ecosystems	None mapped.

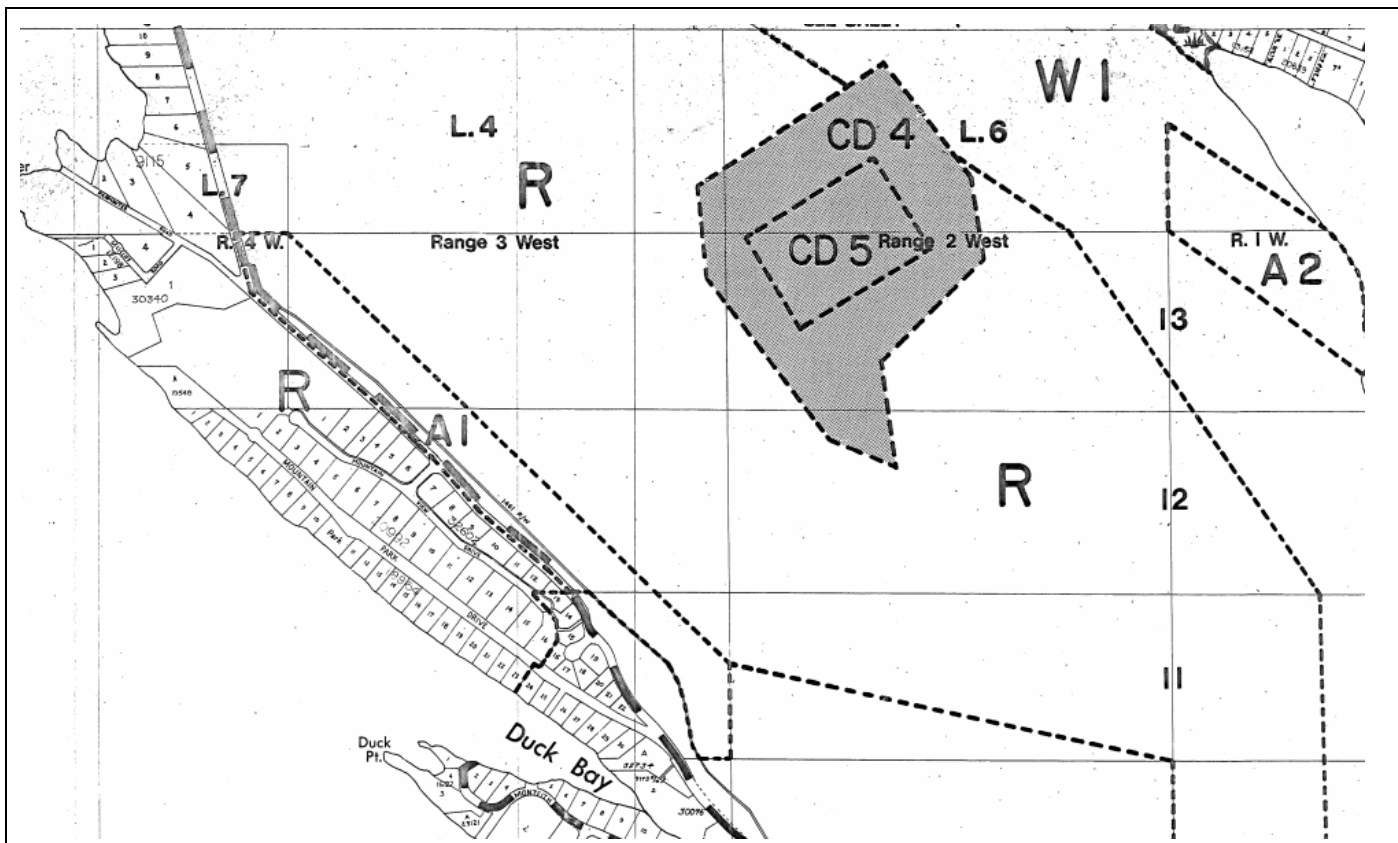
Hazard Areas	
Archaeological Sites	Potential indicated. By copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is 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	Undetermined
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



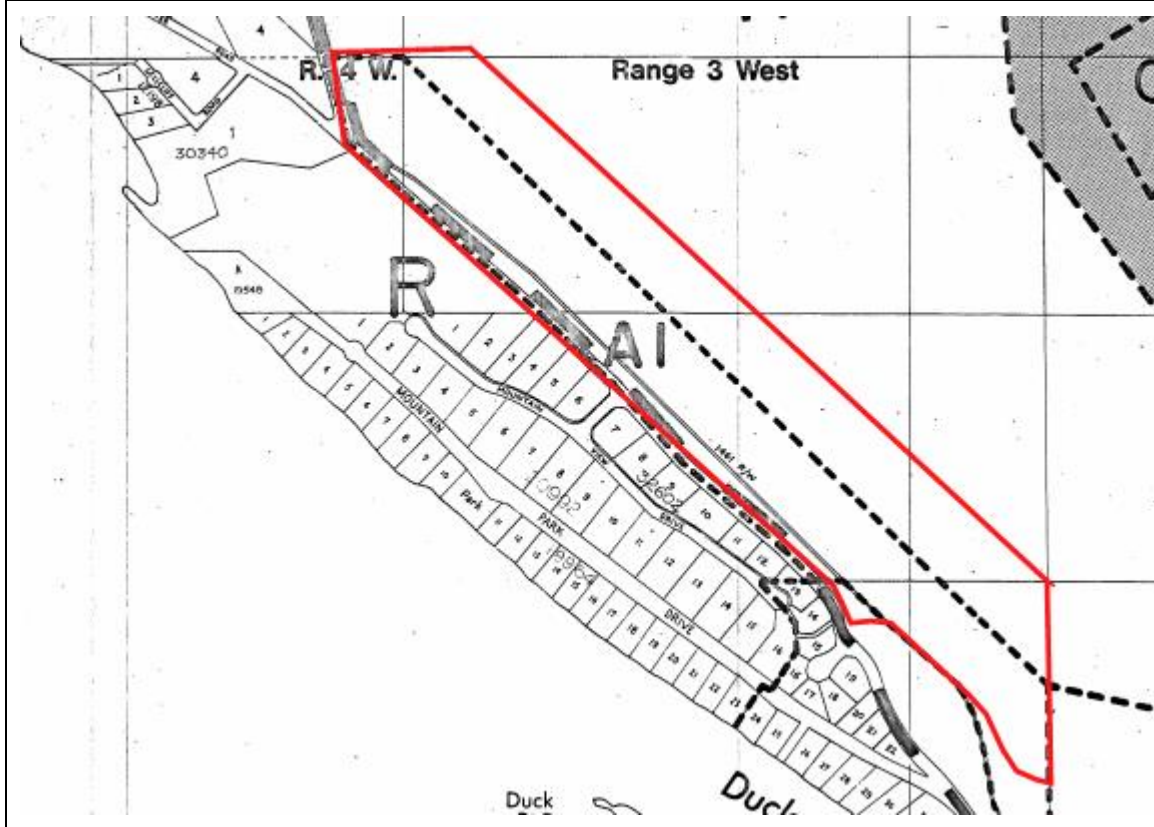


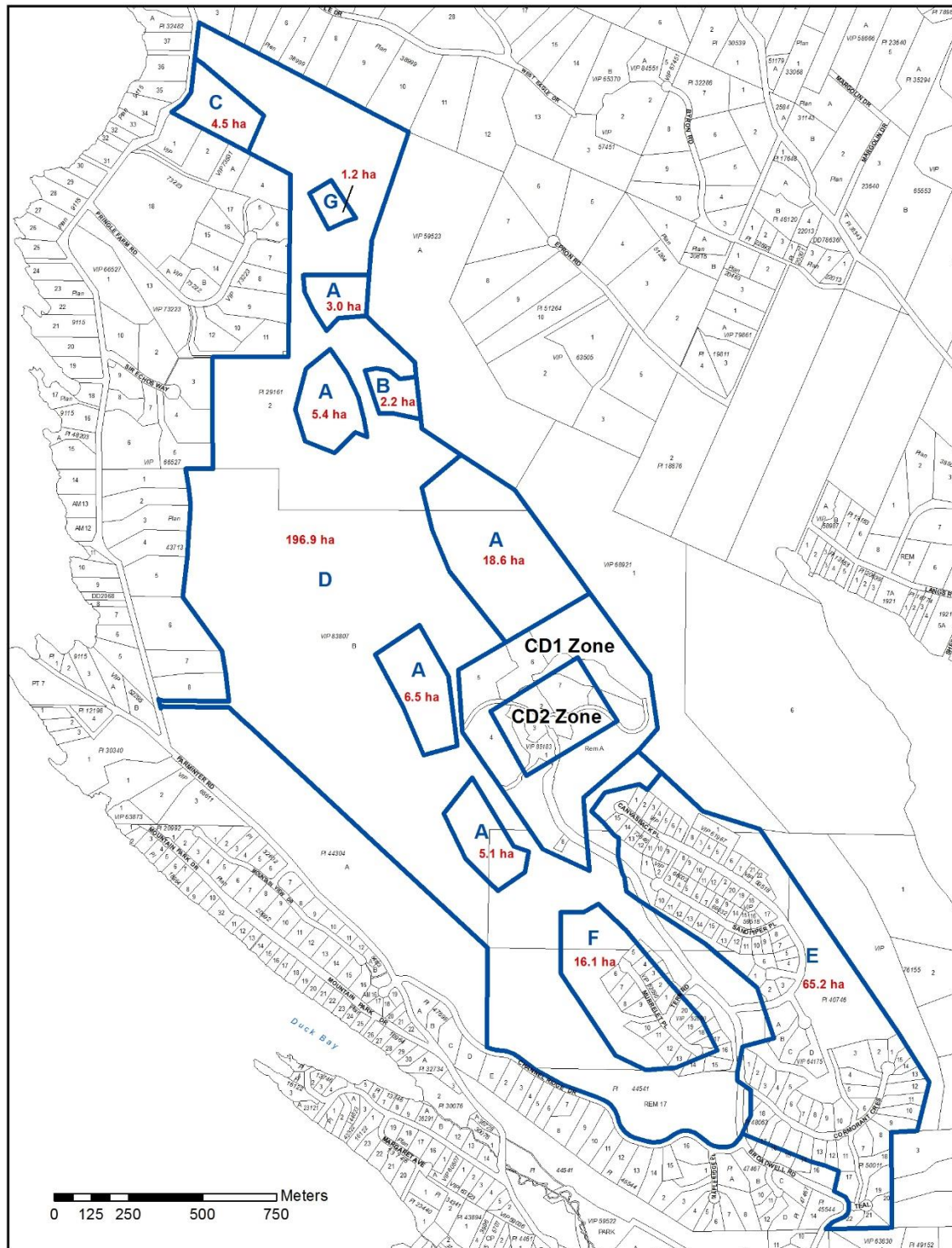






BYLAW NO. 123 (1985)





BYLAW NO. 355 (1999) SCHEDULE 'C'

ATTACHMENT #3 – OCP POLICIES

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 434

OCP Objective/Policy	
General Objectives	
A.4.1.4	To adopt the precautionary principle in the decision-making of the Local Trust Committee. The precautionary principle asserts that, when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. In this context, the essential elements of a precautionary approach to decision-making include: a. a duty to take anticipatory action to prevent harm; b. the right for the community to know complete and accurate information on potential human health and environmental impacts as best it can be determined; c. requiring the proponent to supply this information to the public; d. an obligation to consider alternatives and select the alternative with the least potential impact on human health and the environment, including the alternative of no change; e. a duty to consider broader short-term and long-term costs and benefits to the community when evaluating potential alternatives; and f. a responsibility to make decisions in a transparent, participatory manner, relying on the best available information.
Residential Neighbourhoods Designation	
B.2.4.2.2	Zones within the Residential Neighbourhoods Designation will continue to accommodate the <i>medium density residential uses</i> and the other compatible land uses allowed in the existing bylaw. Existing commercial, <i>general employment</i> and multi-family zones will also remain, but zoning changes should not be made to locate more of these zones on additional lands in this Designation, with the exception of multiple-family <i>affordable housing</i> projects.
B.2.4.2.3	The minimum size of lots that can be created by subdivision will remain the same as indicated in the existing Land Use Bylaw. However, the Local Trust Committee could consider rezoning applications that allow a slightly higher density (smaller minimum average lot sizes) as part of a proposal that provided a community amenity (see Appendix 3) or as part of a proposal to transfer development potential (see Policy B.2.3.2.1 and Appendix 4).
Channel Ridge Residential Designation	
B.2.6.2.2	Zones within the Channel Ridge Residential Designation will continue to allow clusters of medium density residential developments and the other compatible uses allowed by existing zoning.
B.2.6.2.4	Blocks of land that may be used for residential settlement should remain generally as indicated in the Local Trust Committee's current Land Use Bylaw. The number of new lots that can be created by subdivision in the Designation should not be increased.
B.2.6.2.5	The Local Trust Committee should consider rezoning applications that would allow owners of undeveloped property within the Channel Ridge Residential Designation to transfer their

	development potential to more suitable locations within the Designation or to the Channel Ridge Village Designation. Such applications should follow the guidelines in Appendix 4. The Channel Ridge Residential Designation is a Development Potential Donor Area. Proposals to transfer development potential from areas north of the Channel Ridge Village Designation could be considered if a thorough analysis of the benefits and impacts of any road network changes is provided.
Potable Water Quantity And Supply Objectives And Policies	
C.3.1.1.1	To apply the precautionary principle in ensuring that the density and intensity of land use is not increased in areas which are known to have concerns with the supply of potable water.
C.3.1.1.2	To acknowledge that the surface water supply sources on the island are finite and remain under Provincial control and that more effective use, management and sharing of the resource should be encouraged to support present commitments and future desired land use decisions.
C.3.2.1.3	To ensure that zoning changes in the North Salt Spring Waterworks District do not result in such a level of development that water cannot be supplied to needed public facilities or would not be available for firefighting purposes. In particular, to ensure that water remains available for hospital and school expansion, and <i>affordable housing</i> .
C.3.2.2.1	When the Local Trust Committee receives rezoning applications for land inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will be asked if water could be supplied to the proposed new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or under-developed properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to suggest other water supplies so that the application could be considered. Examples are rainwater catchment, groundwater use or a water conservation program. The Local Trust Committee could make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or affordable housing projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.
C.3.2.2.2	In addition to policy C.3.2.2.1, the Local Trust Committee should not make zoning changes within the North Salt Spring Waterworks District that could mean that water will not be available (under the District's existing license) for the following projects (in order of priority): - essential services such as hospitals and schools needed within the district to serve the island's projected population. - special needs and affordable housing needed by the community. The Local Trust Committee could make an exception to this policy so that one of the above projects could proceed before another of higher priority. However, it must be satisfied that the District will receive a sufficiently larger water license in time to serve the higher priority project when it is needed.

C.3.2.2.5	The Local Trust Committee will continue to cooperate with community water system operators to ensure water supply issues are considered before zoning changes are made. The Committee should also continue to assist in the development of better estimates of projected water demands and supply potential. The Committee could consider zoning changes that would limit land uses with a high water demand. The Committee particularly recognizes that this Plan could critically affect the North Salt Spring Waterworks District's ability to meet future needs and will cooperate with the District to address this issue
C.3.2.2.11	When the Local Trust Committee receives applications for zoning changes within a water system's boundaries, and the zoning change would increase the demand for water, the Committee will consider the impacts on agriculture, as further outlined in Section B.6.2
C.3.3.2.2	When considering rezoning applications, the Local Trust Committee should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. If the proposed use is expected to need more water than the uses already allowed on the property, then the Committee should ask for evidence that wells or other water supplies in the neighbourhood would not be depleted. The Committee should also consider whether water use would affect agricultural activities or deplete any springs necessary to maintain fish habitat. Should a zoning change be proposed where groundwater supplies are not adequate, the applicant could be encouraged to find other means of supplying water. Rainwater catchment or a water <i>conservation</i> program could be considered.

ATTACHMENT #4 – SALT SPRING ISLAND LAND USE BYLAW NO. 355 POLICIES

	R6	R8
Principal Uses, Buildings and Structures		
<i>Single-family dwellings</i>	♦	♦
<i>Duplexes</i>	♦	
<i>Duplexes constructed before July 31, 1990</i>		♦
<i>Multi-family dwellings</i>		
Dental and medical office <i>services</i> for a maximum of two medical practitioners	♦	♦
Elementary schools, pre-schools and <i>child day care</i> centres	♦	♦
Hospitals and <i>public</i> health care facilities	♦	♦
<i>Community halls</i>	♦	♦
<i>Non-commercial outdoor active recreation</i>	♦	♦
<i>Churches</i>	♦	♦
<i>Agriculture, excluding intensive agriculture</i>		♦
<i>Public service uses</i>	♦	♦
<i>Seniors' supportive housing complex</i>		
Accessory Uses		
<i>Home-based businesses</i> , subject to Section 3.13	♦	♦
<i>Seasonal cottages</i> subject to Section 3.14		♦

Zone Variation – R6 (a)

- (18) *Duplexes* are not permitted.
- (19) The following additional *uses* are permitted:
- (a) *Indoor public* recreation facility;
 - (b) *Public* health clinic.
- (20) A maximum of one *dwelling unit* is permitted per *lot*.
- (21) No more than a total of 268 *dwelling units* are permitted on all lands in this *zone*.

- (22) The following regulations apply to the blocks of land indicated by letter on Schedule "C" to this Bylaw:

BLOCK LOCATION	A	B	C	D	E	F	G
	Blocks as indicated on Schedule “C” to this Bylaw						
Minimum water <i>service</i> required for <i>subdivision</i> :							
Adequate supply of <i>potable</i> water			◆	◆	◆	◆	◆
<i>Community water system</i>	◆	◆					
Minimum sewage <i>service</i> required for <i>subdivision</i> : individual on-site sewage treatment system per <i>lot</i>	◆	◆	◆	◆	◆	◆	◆
Minimum area (in ha) of an individual <i>lot</i> that may be created through <i>subdivision</i> .	0.2	0.2	1.2	250	0.2	0.4	0.5
Minimum average area (in ha) of <i>lots</i> in a <i>subdivision</i>	0.46	0.4	2	250	.57	.85	1.4

- (23) Variations of the block boundary illustrated on Schedule "C" may be permitted in order to accommodate *lots* larger than the minimum average *lot area* provided both the following conditions are met:

- (a) at least 10 per cent of each *lot* being created falls within the boundary of the Block defined in Schedule "C";
- (b) the revised area of the Block does not exceed 110 per cent of the stated area of the Block defined in Schedule "C".

Notable differences are seasonal cottages permitted in R8 but not in R6, and agriculture permitted in R8 but not in R6.

Subdivision Servicing Requirements - Comparison Of Between R6(A) And R8

BLOCK LOCATION	A	B	C	D	E	F	G	R6	R8
	Blocks as indicated on Schedule "C" to this Bylaw								
Minimum water service required for subdivision:									
Adequate supply of <i>potable</i> water			♦	♦	♦	♦	♦		♦
<i>Community water system</i>	♦	♦						♦	
Minimum sewage service required for subdivision:									
individual on-site sewage treatment system per <i>lot</i>	♦	♦	♦	♦	♦	♦	♦		
<i>Community sewage collection system</i>	Not applicable								
Minimum area (in ha) of an individual lot that may be created through <i>subdivision</i> .	0.2	0.2	1.2	250	0.2	0.4	0.5	n/a	
Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)	Not Applicable							n/a	0.6
Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water supply</i> (ha)								0.4	0.2
Minimum area of an individual lot that may be created through <i>subdivision</i> provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)								0.11	0.2
Minimum average area of <i>lots</i> in a <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and an adequate supply of <i>potable</i> water (ha)								n/a	0.2
Minimum average area of <i>lots</i> in a <i>subdivision</i> , provided each <i>lot</i> has an individual on-site sewage treatment system and connection to a <i>community water system</i> (ha)								0.4	0.4
Minimum average area of lots in a subdivision , provided each <i>lot</i> has connection to a <i>community sewage collection system</i> and a <i>community water system</i> (ha)								0.11	0.4
Minimum average area (in ha) of <i>lots</i> in a <i>subdivision</i>	0.46	0.4	2	250	.57	.85	1.4	n/a	

APPENDIX #5 ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.2	Forest Ecosystems
	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
	4.2	Forests
	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
CONSISTENT	No.	DIRECTIVE POLICY
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.2	Growth and Development
	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
	5.3	Transportation and Utilities
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.

	5.7	Economic Opportunities
	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

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R 32170

(P.I.D#1's see schedule "A")

APPLICATION
LAND TITLE ACT Form 17 (Section 151, 152 (1) 220)

NOTE: Before submitting this application for interests under (1) and (2), applicants should check and satisfy themselves as to the tax position, including taxes of the Crown Provincial, a Municipality and Improvement, Water and Irrigation Districts.

NATURE OF INTEREST

() FEE SIMPLE MARKET VALUE \$ _____
☒ CHARGE COVENANT TRUE VALUE \$ NOMINAL
 () CANCELLATION OF _____ No. _____
 HERewith FOR: \$ 10.00

MCDENZIE LIBSTONE & WEST COAST TITLE SEARCH LTD.
 595 Burrard St. 318-645 Fort Street
 Vancouver B.C. Victoria, B.C. V8W 1G2
 (604-5263) *[Signature]*
 Signature of Applicant/Collector/Agent

HAVING PRIORITY
OVER MORTGAGES:

N59959
 N59960
 N59952
 N59953

AND ASSIGNMENT OF
MORTGAGE N80874

Grantor.

Channel Ridge Properties
Limited (N.C. NO. 230481)Corporate Mortgagee:
Mountain Park Farm Ltd
(inc # 102235)04/28/86 A2220 CHG NOM 10.00 *[Signature]*

FORM 1 (Section 36)
 MEMORANDUM OF REGISTRATION
 Registered on application received on
 the day and time written hereon.
 K.O. JACQUES, Registrar of the
 Victoria Land Title Office

RECEIVED
 LAND TITLE B.C.
 VICTORIA B.C.
 28 APR 86 10 34

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36RESTRICTIVE COVENANT AND AGREEMENTTHIS AGREEMENT made this 27th day of March, 1986.

BETWEEN:

CHANNEL RIDGE PROPERTIES LTD.
Third Floor
736 Broughton Street
Victoria, British Columbia
V8W 1E1,

("Grantor")

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE
OF BRITISH COLUMBIA, as represented by the
Ministry of Municipal Affairs
747 Fort Street
Victoria, British Columbia
V8W 3F1

("Grantee")

AND:

THE BOARD OF TRUSTEES OF SCHOOL DISTRICT
NO. 64,
School District Office
Lower Ganges Road
Ganges, British Columbia
V0S 1E0

("Trustees")

AND:

THE SALTSRING ISLAND WATER PRESERVATION SOCIETY
R.R. #2
Mount Maxwell Road
Ganges, B.C.
V0J 1E0

("Society")

AND:

NORTH SALTSRING WATERWORKS DISTRICT
P.O. Box 749
Ganges, B.C.
V0S 1E0

("District")

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AND:

3

RODNEY PRINGLE, NORMAN GAVIN MOUAT,
CAROLYN FLORENCE MOUAT, HARALD BERLE
FRIELE, and EVELYN WINNIFRED FRIELE,
Sunset Drive,
Ganges, British Columbia
V0S 1E0

(collectively the "Personal Mortgagees")

AND:

MOUNTAIN PARK FARMS LTD. (Inc. #102235)
800 - 1070 Douglas Street
Victoria, British Columbia
V8W 2C3

(the "Corporate Mortgagee")

AND:

THE BANK OF MONTREAL,
595 Burrard Street
Vancouver, British Columbia

(the "Bank")

W H E R E A S:

A. The Grantor desires to grant this covenant to the Grantee to limit the use of land and buildings on the land on the terms and pursuant to the conditions set out in this Agreement and further, to register this Agreement against the "Development Lands" defined herein in the Victoria Land Title Office under Section 215 of the Land Title Act;

B. The Grantor is the registered owner in fee simple of all those certain lands and premises described in Schedule A to this Agreement (the "Development Lands");

C. The Grantor desires to transfer to the Society all those certain lands and premises shown and identified as Parcels

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A, B and C on the explanatory plan attached hereto as Schedule B to this Agreement free and clear of all registered financial charges and encumbrances and on the terms and conditions and for the purposes described herein;

D. The Grantor desires to transfer to the Trustees all those certain lands and premises shown as Parcel A on the plan of subdivision attached hereto as Schedule C to this Agreement free and clear of all registered financial charges and encumbrances and on the terms and conditions and for the purposes described herein;

E. The Grantee is responsible for the administration of the Islands Trust Act R.S.B.C. 1979, c. 208;

F. The Grantor desires to subdivide and develop the Development Lands in conformance with Saltspring Island Trust Committee Bylaws and proposed Bylaws No. 124, 125, 126 and 127 and this Agreement, and to build on permitted areas of the Development Lands no more than the number of residential dwelling units permitted under the Bylaws and this Agreement;

G. The Personal Mortgagees, the Corporate Mortgagee and the Bank have charges registered against title to the Development Lands and desire to grant the Grantee, the Society and the Trustees priority for their interests described and established under this Agreement over all of the interests of each of the Personal Mortgagees, the Corporate Mortgagee and the Bank, respectively and to release and forever discharge all of the interests of each of the Personal Mortgagees, Corporate Mortgagee and the Bank against the Watershed Lands shown in the explanatory plan attached as Schedule B to this Agreement which are to be transferred to the Society and against the lands shown in the

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subdivision plan attached as Schedule C to this Agreement which are to be transferred hereunder to the Trustees;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the premises and the sum of ONE (\$1.00) DOLLAR of lawful money of Canada paid by each of the Grantee, the Trustees, the District and the Society to each of the Grantor, the Personal Mortgagees, the Corporate Mortgagee and the Bank, the receipt and sufficiency of which from each of them is hereby acknowledged by the Grantor, the Personal Mortgagees, the Corporate Mortgagee and the Bank to each of the Grantee, the Trustees, the District and the Society, the parties hereto agree as follows:

1. The Grantor shall not construct or cause to be constructed more than five hundred and seventy-seven (577) residential dwelling units on those certain lands described in Schedule A to this Agreement (the "Development Lands") provided that in the event a competent government authority permits a person other than the Grantor or a corporation associated with the Grantor within the meaning of an associated corporation under the Income Tax Act, or a director, officer, employee or agent of the Grantor or of an associated corporation to further subdivide any portion of the Development Lands and to construct upon such further subdivided lands any residential dwelling units, then such additional residential dwelling units shall not be included in calculating the number of residential dwelling units on the Development Lands for the purposes of this Agreement.

2. The Grantor shall not engage in clear cutting or logging on that part of the Development Lands to be utilized as a common area provided however that the Grantor may in its discretion cut down such trees as may be required to provide and retain views for residential dwelling units constructed or to be

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constructed upon the lands or to provide septic fields, drainage fields, sewer lines, water mains, roads or other services that may be required within, on, upon, or through the said common area or for the purposes of constructing trails, footpaths or other recreational facilities and amenities as in the judgement of the Grantor may be desirable for the benefit of residents within the Development Lands.

3. In this Agreement:

- (a) "building" means a structure used or intended to be used for sheltering a use or occupancy;
- (b) "parcel" means any lot, block or other area, including a strata lot, in which land is held or into which it is subdivided, but does not include a highway;
- (c) "residential dwelling unit" means a self-contained set of habitable rooms containing not more than one set of cooking facilities and located in a building.

4. The Grantor shall transfer to the Society the lands shown and identified as Parcels A, B, and C on the explanatory plan attached hereto as Schedule B to this Agreement (the "Watershed Lands") free and clear of all registered financial charges and encumbrances as follows:

- (a) the Grantor shall transfer to the Society the portion of the Watershed Lands commencing at the northernmost point of the Watershed Lands, which portion is shown and identified as Parcel A on the

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explanatory plan attached as Schedule B to this Agreement, on the earlier of:

- (i) within 30 days of the date a subdivision plan or plans providing for the creation or development of 150 or more parcels or residential dwelling units within the Development Lands is deposited for registration in the Victoria Land Title Office; or
 - (ii) a date five years from the date of execution of this Agreement; and then
- (b) the Grantor shall transfer to the Society a further portion of the Watershed Lands, which is shown and identified as Parcel B on the explanatory plan attached as Schedule B to this Agreement, on the earlier of:
- (i) within 30 days of the date a subdivision plan or plans providing for the creation or development of a further 150 or more parcels or residential dwelling units within the Development Lands is deposited for registration in the Victoria Land Title Office; or
 - (ii) a date ten years from the date of execution of this Agreement; and then
- (c) the Grantor shall transfer to the Society the final portion of the Watershed Lands, which portion is shown and identified as Parcel C on the

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explanatory plan attached as Schedule B to this Agreement on the earlier of:

- (i) within 30 days of the date a subdivision plan or plans providing for the creation or development of a further 200 or more parcels or residential dwelling units within the Development Lands is deposited for registration in the Victoria Land Title Office; or
 - (ii) a date fifteen years from the date of execution of this Agreement.
5. The transfer of the Watershed Lands from the Grantor to the Society shall be on the trust conditions that:
- (a) subject to this Agreement, the Watershed Lands shall be used exclusively for water preservation purposes and should the Society ever resolve to use the Watershed Lands for other than the purposes permitted herein, or should the Society resolve that any of its assets may be used for the personal benefit or profit of its members, or any of them, then in such case the Society covenants and agrees to transfer forthwith all its interest in the Watershed Lands to the District;
 - (b) the Society shall permit the construction and maintenance and use by the public of footpaths and a look out in locations in the Watershed Lands to be approved in advance by the Society within not less than 40 acres and not more than 50 acres of the Watershed Lands;

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- (c) the Society shall grant to the District easements or rights of way that may reasonably be required from St. Mary's Lake to the Development Lands for the purposes of provision of water to the Development Lands, the location and nature of such easements or right of way to be approved of in advance by the Saltspring Island Trust Committee and in any such event, the Grantor shall forthwith on demand pay any legal, land title or other expenses incurred in the granting, preparation and registration of such charges; and
- (d) the Society shall re-convey a prorated proportion of the Watershed Lands, commencing at the northernmost point, to the Grantor, to the same extent and in the same proportion as the Grantor is prevented from constructing the 577 residential dwelling units as a result of the Saltspring Island Trust Committee, or other Crown Provincial governmental authority empowered to control land use, altering permitted land uses, densities or conditions of use.
6. (a) Subject to Section 5(d) of this Agreement, the Grantors covenant and agree that the use of the Watershed Lands shall, while the Grantor retains title to them, or any portion of them, be limited to the uses permitted hereunder and shall permit the Grantee, the Society, the District and their respective officers, employees, agents and contractors free access to and over the Watershed Lands for the purposes described in this Agreement.

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- (b) The permitted uses of the Watershed Lands by the Grantor prior to transfer to the Society are limited and restricted to agricultural and animal range purposes and the Grantor shall not log or cut trees and shall leave the Watershed Lands in an undisturbed state, save and except such steps as may reasonably be required for fire prevention or the eradication of tree disease, provided however, the Grantor may top or cut such trees as may be required to provide or retain views for the residential dwelling units constructed upon the Development Lands.

7. The Grantor shall transfer to the Trustees the lands and premises shown as Parcel A on the plan of subdivision attached as Schedule C to this Agreement free and clear of all registered financial charges and encumbrances within 30 days after delivery of the plan of subdivision to the Grantor and shall forthwith sign the plan, a Transfer of the lands shown as Parcel A on the plan of subdivision and any other documentation required to transfer the lands as provided in this paragraph.

8. The District consents and agrees to the conveyance of The Watershed Lands to the Society. The District agrees that the Development lands are within the area of the District and will serve it with potable water as provided by its Letters Patent and in accordance with its Bylaws in effect at the time the Grantor submits its plan of each subdivision to the District for approval respecting a watersystem to be installed therein.

9. This Agreement shall be void and have no force and effect for all purposes in the event that the Saltspring Island Trust Committee has not before April 30, 1986 adopted Bylaws and proposed Bylaws No. 124, 125, 126 and 127 which are attached as Schedule D to this Agreement.

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10. (a) The Personal Mortgagees hereby covenant and agree that all interests of the Grantee, the Society, the District and the Trustees created under this Agreement shall rank in priority to and take precedence over any and all interests of the Personal Mortgagees;
- (b) Notwithstanding the generality of paragraph 10(a) the:
- (i) aforesaid Restrictive Covenant in favour of the Grantee; and
- (ii) rights of the Society to the transfer of the Watershed Lands free and clear of all financial charges and encumbrances
- shall rank in priority to and take precedence over Mortgages registered under Numbers N59959 and N59960 notwithstanding the said Mortgages were registered prior to the execution of these presents.
- (c) The Personal Mortgagees shall provide discharges of their interests and charges in registrable form when the Watershed Lands, or any portion thereof, are to be transferred to the Society and shall provide discharges of all their interests and charges in registrable form in the lands to be transferred to the Trustees pursuant to this Agreement and shown as Parcel A on the subdivision plan attached as Schedule C to this Agreement.

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- 11.
- (a) The Corporate Mortgagee hereby covenants and agrees that all interests of the Grantee, the Society, the District and the Trustees created under this Agreement shall rank in priority to and take precedence over any and all interests of the Corporate Mortgagee;
 - (b) Notwithstanding the generality of paragraph 11(a) the:
 - (i) aforesaid Restrictive Covenant in favour of the Grantee; and
 - (ii) rights of the Society to the transfer of the Watershed Lands free and clear of all charges and encumbrancesshall rank in priority to and take precedence over two Mortgages assigned to the Bank and registered under Numbers N59952 and N59953 notwithstanding that the said Mortgages were registered prior to the execution of these presents.
 - (c) The Corporate Mortgagee shall provide discharges of its interests and charges in registrable form when the Watershed Lands, or any portion thereof, are to be transferred to the Society and shall provide discharges of all its interests and charges in registrable form in the lands to be transferred to the Trustees pursuant to this Agreement and shown as Parcel A on the subdivision plan attached as Schedule C to this Agreement.

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12. (a) The Bank hereby covenants and agrees that all interests of the Grantee, the Society, the District and the Trustees created under this Agreement shall rank in priority to and take precedence over any and all interests of the Bank;
- (b) Notwithstanding the generality of paragraph 12(a) of this Agreement the:
- (i) aforesaid Restrictive Covenant in favour of the Grantee; and
- (ii) rights of the Society to the transfer of the Watershed Lands free and clear of all charges and encumbrances
- shall rank in priority to and take precedence over two Mortgages assigned to the Bank by way of an Assignment of Mortgages Numbered N80874 wherein Mortgages Number N59952 and N59953 are assigned to the Bank notwithstanding the said Mortgages and the Assignment were registered prior to the execution of these presents.
- (c) The Bank shall provide discharges of its interests and charges in registrable form when the Watershed Lands, or any portion thereof, are to be transferred to the Society and shall provide discharges of all its interests and charges in registrable form in the lands to be transferred to the Trustees pursuant to this Agreement and shown as Parcel A on the subdivision plan attached as Schedule C to this Agreement.

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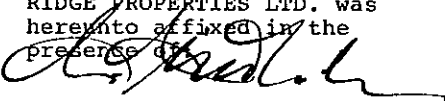
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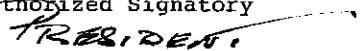
13. The Grantor, the Personal Mortgagees, the Corporate Mortgagee and the Bank shall each, at its sole expense, do, execute and deliver such further acts, assurances and documents as the Grantee, the Trustees, the District or the Society from time to time requires or demands for the assuring or confirming unto the Grantee, Trustees, the District or the Society of the rights hereby created or intended now or hereafter so to be, or for carrying out the intention or facilitating the performance of the terms of this Agreement, including the provision in registrable form of any documents required or demanded for registration in any Land Title Office.

14. It is understood and agreed by and between the parties hereto that the words "Grantor" and "Grantee" whenever used in this Agreement shall include the parties hereto and their respective heirs, executors, administrators, successors and assigns and this restrictive covenant shall be annexed to the Development Lands and run with the Development Lands and bind the Grantor and its successors in title to the said lands in perpetuity.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and corporate seals the day, month and year first above written.

THE COMMON SEAL of CHANNEL
RIDGE PROPERTIES LTD. was
hereunto affixed in the
presence of


Authorized Signatory


PRESIDENT

Authorized Signatory

C/S

Status: Registered

Doc #: R32170

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SIGNED, SEALED AND DELIVERED)
on behalf of HER MAJESTY THE)
QUEEN IN RIGHT OF THE)
PROVINCE OF BRITISH COLUMBIA)
in the presence of:)

Witness Eile Karbell)Address 530 Oliver St.)Victoria BC)Occupation Planner.)

SIGNED, SEALED AND DELIVERED)
on behalf of THE BOARD OF)
TRUSTEES OF SCHOOL DISTRICT)
NO. 64 in the presence of:)

Witness Michael Lammann)Address R.R. 3 Coombs)B.C.)Occupation Superintendent)

CHRISTOPHER L. WOODWARD
DEPUTY MINISTER OF MUNICIPAL AFFAIRS

THE SEAL of SALTSRING ISLAND)
WATER PRESERVATION SOCIETY)
was hereunto affixed in the)
presence of:)

Thomas Lammann
Authorized Signatory)

Michael Lammann
Authorized Signatory)

C/S

THE SEAL of NORTH SALTSRING)
WATERWORKS DISTRICT)
was hereunto affixed in the)
presence of:)

Thomas Lammann
Authorized Signatory)

Michael Lammann
Authorized Signatory)

C/S

Status: Registered

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SIGNED, SEALED AND DELIVERED
by RODNEY PRINGLE in the
presence of:

Witness [Signature]Address Box 540CANBESOccupation Clerk
Rodney Pringle ✓

SIGNED, SEALED AND DELIVERED
by NORMAN GAVIN MOUAT in the
presence of:

Witness [Signature]Address Box 540CANBESOccupation Clerk[Signature]
Norman Gavin Mouat

SIGNED, SEALED AND DELIVERED
by CAROLYN FLORENCE MOUAT
in the presence of:

Witness [Signature]Address Box 540CANBESOccupation Clerk
Carolyn Florence Mouat

SIGNED, SEALED AND DELIVERED
by HARALD BERLE FRIELE in the
presence of:

Witness [Signature]Address Box 540CANBESOccupation Clerk
Harald Berle Friele

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SIGNED, SEALED AND DELIVERED)
by EVELYN WINNIFRED FRIELE in)
the presence of:)

Witness *[Signature]*)Address *Box 546*)*GRANBOS*)Occupation *Chk.*)
Evelyn Winnifred Friele

THE COMMON SEAL of MOUNTAIN)
PARK FARMS LTD. was hereunto)
affixed in the presence of:)

Authorized Signatory *[Signature]*)*[Signature]*)
Authorized Signatory)

c/s

SIGNED, SEALED AND DELIVERED)
on behalf of THE BANK OF)
MONTREAL in the presence of:)

Witness *[Signature]*)

ELAINE PHEMISTER)

Address *5th Floor, 1483 DOUGLAS ST.*)*VICTORIA, B.C. V8W 3K4*)Occupation *COMMERCIAL LOANS CLERK*)

THE BANK OF MONTREAL

P48765

Per: *[Signature]*)
COMMERCIAL BANKING MANAGER)Per: *[Signature]*)
DIVISION MANAGER CREDIT)

1247 C-7

Status: Registered

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12.11.3618
LAND TITLE ACT

FORM 6

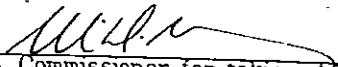
(Section 46)

PROOF OF EXECUTION BY CORPORATION

I certify that on the 27th day of March,
1986, at the City of Victoria
in British Columbia, LOUIS FREDERICK LINDHOLM
~~(whose identity has been proved by the evidence on oath of~~
~~(state full name, address and occupation)~~

who is personally known to me, appeared before me and acknowledged
to me that he/~~she~~ is the authorized signatory of CHANNEL RIDGE PROPERTIES LTD.
and that he/~~she~~ is the person who subscribed his/~~her~~ name and affixed
the seal of the corporation to the instrument, that he/~~she~~ was autho-
rized to subscribe his/~~her~~ name and affix the seal to it, and that the
corporation existed at the date the instrument was executed by the
Corporation.

IN TESTIMONY of which I set my hand and seal of office at
the City of Victoria, Province of British Columbia, this 27th day
of March, 1986.


A Commissioner for taking Affidavits for
British Columbia

WILLIAM DALE MURRAY
736 BROUGHTON ST.
VICTORIA, B.C.
SOLICITOR

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36

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SCHEDULE A

(Development Lands)

Status: Registered

Doc #: R32170

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12.11.36

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STATUTORY DECLARATION WHERE ATTORNEY IS NOT A
CORPORATION AND
CERTIFICATE OF ACKNOWLEDGEMENT OF TRANSFEROR

We R.W. Pearce and T.C. Walker
COMMERCIAL BANKING MANAGER DIVISION MANAGER CREDIT
of Vancouver, in British Columbia, do solemnly declare that:

1. We are the attorneys for Bank of Montreal under a power of attorney filed under the Land Title Act.
2. We are the persons who subscribed the name of Bank of Montreal and our names in the instrument as a transferor.
3. At the time of execution of the instrument the power of attorney had not been revoked by or on behalf of Bank of Montreal, that Bank of Montreal is legally entitled to hold and dispose of land in British Columbia, and we had not received any notice or information of the bankruptcy or dissolution of Bank of Montreal.
4. We know the contents of the instrument and subscribed the name of Bank of Montreal to it voluntarily as the free act of the transferor.

AND we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

SEVERALLY DECLARED before me
today at Vancouver, in the Province of
British Columbia,

AND I CERTIFY that today, at Vancouver, in the Province of British Columbia, the above named attorneys who are personally known to me, appeared before me and acknowledged to me that they are the persons mentioned in the instrument as attorneys of a transferor, that their names are subscribed to it, they know the content of the instrument and executed it voluntarily, and are of the age of 19 years or more.

In testimony of which I set my hand at Vancouver, British Columbia, this 3rd day of April, 19 76.

[Signature]
A Commissioner for Taking
Affidavits for British Columbia.

Status: Registered

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SCHEDULE B

(Explanatory Plan)

Status: Registered

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SCHEDULE C
(Subdivision Plan)

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
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SCHEDULE D

(Bylaws Nos. 124, 125, 126 and 127)

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36

Westcoast

Application R 3 2 1 7 0

LAND TITLE ACT
(NOTICE DECLINING TO REGISTER)

FILM

Land Title Office.
Victoria, B.C.

08:05:1986

IN THE MATTER of the above application to register a covenant

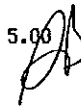
PLEASE SEE ATTACHED

Sir:

TAKE NOTICE that I refuse to effect registration in accordance with the tenor of the above application. My reason for such refusal and my requirements are as follows:

1. Form 17 - charge should be covenant pursuant to Sec. 215 Land Title Act.
2. If the covenant is to have priority over mortgages please apply for priority in the Form 17.
3. Schedule A - 2 legal descriptions appear to be incorrect.

05/21/86 A5039 DEFECT 5.00

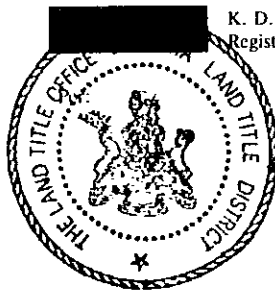


AND FURTHER TAKE NOTICE that under the provisions of Section 298 of the *Land Title Act*, this notice is deemed to have been received by you within ten days from the posting, which is the same as the date hereof; and that unless you comply with the provisions of Sections 288 and 289 of this Act, this application shall be deemed to be cancelled and void.

N.B.

See print of Sections 288 and 289 on back hereof.
Fee for this notice, \$5.00.

TO: McKenzie Lidstone
595 Burrard Street
Vancouver, B.C.



K. D. Jacques
Registrar of Title

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36

25
SCHEDULE D
SALT SPRING ISLAND TRUST COMMITTEE

BY-LAW NO. 124

A BY-LAW TO AMEND CAPITAL REGIONAL DISTRICT BY-LAW NO. 118, BEING "OFFICIAL
COMMUNITY PLAN (ELECTORAL AREA "F" - SALT SPRING ISLAND) BY-LAW, 1972"

WHEREAS the Regional Board of the Capital Regional District enacted By-law No.
118, being the "Official Community Plan (Electoral Area "F" - Salt Spring
Island) By-law, 1972";

AND WHEREAS Section 3(2)(h) of the Islands Trust Act confers on the Salt Spring
Island Trust Committee all power and authority of a municipality under Section
694 and Divisions (1), (2), (3) and (4) of Part XXI of the Municipal Act;

AND WHEREAS the Salt Spring Island Trust Committee deems it expedient to amend
the Official Community Plan;

NOW THEREFORE the Salt Spring Island Trust Committee, being the Trust Committee
having jurisdiction on and in respect of the Salt Spring Island Electoral Area
in the Province of British Columbia, pursuant to the Islands Trust Act,
R.S.B.C., 1979, Chapter 208, as amended, in open meeting assembled, enacts as
follows:

I. Schedule "A" of Capital Regional District By-law No. 118, cited as the
"Official Community Plan (Electoral Area "F" - Salt Spring Island) By-law,
1972" is amended as follows:

a. by adding to Part 1 - Proposals for the Island - Policies, a new
policy respecting comprehensive development as follows:

"2(a) Comprehensive Development Areas

A comprehensive development is one which is based upon a
detailed plan for one or more larger parcels of land. Such a
development should contribute to achievement of the goals of
this Plan. Normally such development would provide
substantial public benefits such as the preservation of large
undeveloped areas of land, enhanced watershed protection,
areas for public recreation, education, and other public
uses.

With a Comprehensive Development Area, residential
development may occur over a range of development densities
and may include a variety of housing types. In recognition
of the public benefits that may accrue from such development,
an increase in the number of lots created may be permitted,
however, such an increase should not provide for more
dwellings in the area than would otherwise be permitted under
the policies of this Plan.

Limited commercial development may be permitted in
conjunction with residential development. Activities such as
retail stores, personal services, and those which provide for
the day to day needs of residents would predominate. In
addition, facilities for the cultural, recreational,
employment, and public service needs of the area would be
permitted.

2(b) Designation of Comprehensive Development Areas

Those areas designated Comprehensive Development Areas are identified in Part 3 of this By-law. Also included in Part 3 is a statement of the principles which will guide development within particular Comprehensive Development Areas."

b. by adding a new Part 3 as follows:

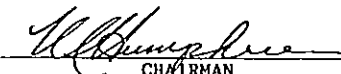
"Part 3

The land lying within the area defined in Appendix 1 is hereby designated a Comprehensive Development Area. Development and the pattern of subdivision within this area will be substantially in accordance with the attached plans and text identified as Appendix 1."

II. This By-law may be cited as "Official Community Plan (Electoral Area "F" - Salt Spring Island) By-law, 1972, Amendment By-law No. 1, 1985".

READ A FIRST TIME THIS	20th	DAY OF	March	1985
READ A SECOND TIME THIS	17th	DAY OF	May	1985
READ A THIRD TIME THIS	17th	DAY OF	May	1985
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS			12th	DAY OF
August	, 1985			
RECONSIDERED AND FINALLY ADOPTED THIS	20th	DAY OF	September	1985


MANAGER


CHAIRMAN

Certified a true and correct copy of
By-law No. 124 for Salt Spring Island.

_____ Manager	_____ Date
------------------	---------------

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36APPENDIX 1CHANNEL RIDGE COMPREHENSIVE DEVELOPMENT AREA

Development within this area will consist of clusters of residential development and a central village area. These areas will be separated by a continuous large open space area. Within the residential clusters, average building lot sizes will range from 3/4 acre to 5 acres. The area will be serviced by a community water supply, individual septic tanks, and in some cases, a community sewer based on ground disposal.

The village area will consist of an outer ring of residential and public service uses and an inner residential/commercial area around a central plaza.

The outer area will consist of a mix of residential housing types including single family dwellings on small lots, multiple family dwellings including town houses and garden apartments. Residential development would not exceed two full storeys above ground, and residential development density will not exceed one dwelling unit per one-fifth acre. The outer area could also include schools, halls, clinics, a fire hall, a theatre, and other public services.

The inner village area will surround a central public plaza which will be the focus of recreation, entertainment and community life. Buildings containing both residential and commercial uses, not exceeding 3 storeys in height will face the plaza.

Overall residential density in the village area will not exceed an average of one dwelling unit per one-fifth acre. No commercial use of land shall take place except in conjunction with a residential use of a parcel. A commercial use should not be larger than 1500 ft.² (139 m²) and there should not be more than one commercial use for each two residential uses on a parcel.

Plan No. 1 illustrates the concept, and defines the boundaries of the Comprehensive Development Area.

Status: Registered

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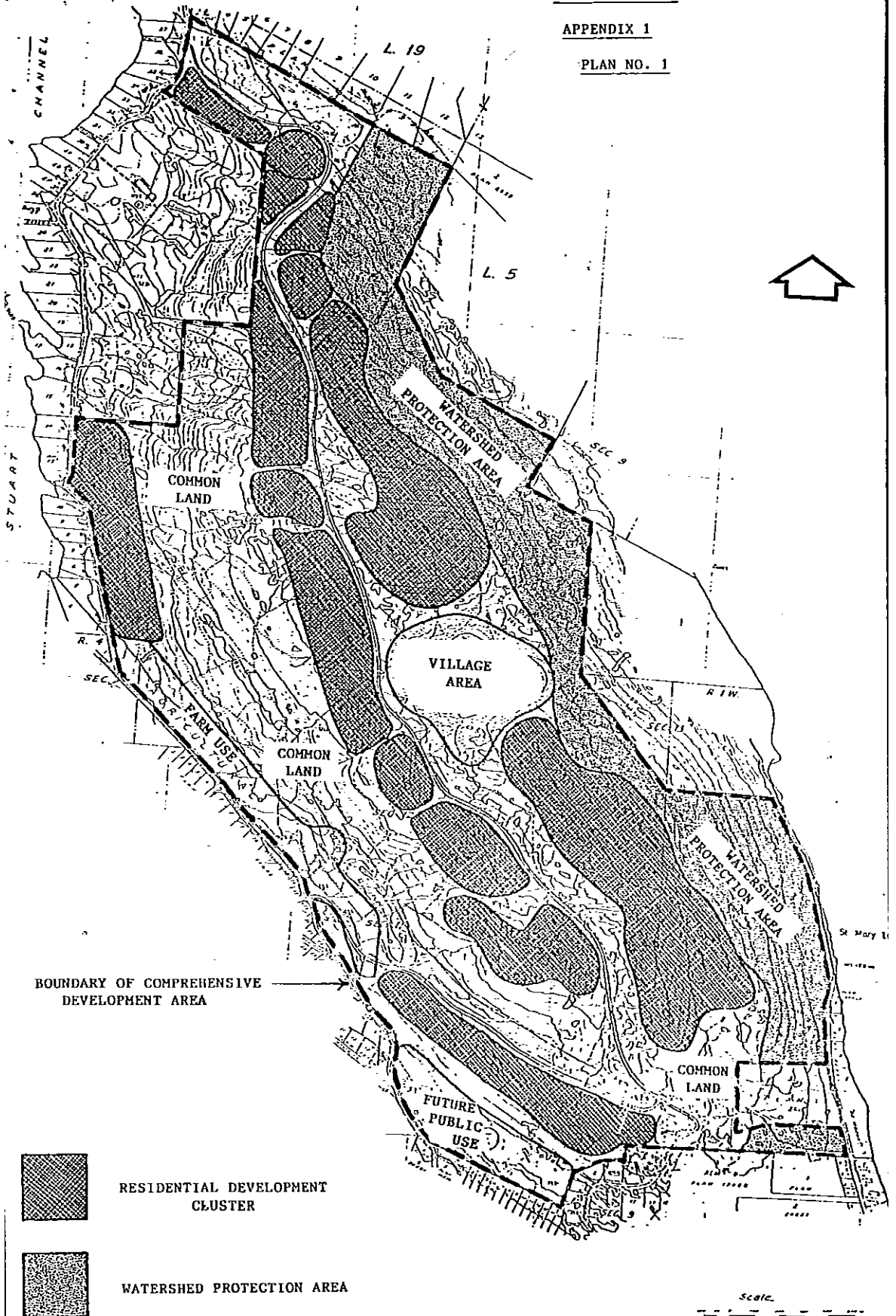
SALT SPRING ISLAND TRUST COMMITTEE

12.11.36

BY-LAW NO. 124

APPENDIX 1

PLAN NO. 1



Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36

SALT SPRING ISLAND TRUST COMMITTEE

BY-LAW NO. 125

A BY-LAW TO AMEND "ZONING BY-LAW, SALT SPRING ISLAND, 1985" BEING BY-LAW NO. 123

The Salt Spring Island Trust Committee being the Trust Committee having jurisdiction on and in respect of Salt Spring Island in the Province of British Columbia, pursuant to the Islands Trust Act, R.S.B.C., 1979, Chapter 208, as amended, in open meeting assembled, enacts as follows:

1. Salt Spring Island Trust Committee By-law No. 123 cited as "Zoning By-law, Salt Spring Island, 1985" is amended as follows:
 - a) by adding to Section 3.2 Zones a new zoning classification "Comprehensive Development (3)" Zone (CD3);
 - b) by changing the zoning classification of the following lands in accordance with Plan No. 1, attached to and forming part of this By-law.
 - 1) Lot 1, Plan 39834, R1W, Section 10, North Salt Spring Island from the Watershed 1 (W1) Zone to the Watershed Protection Zone (WP);
 - 2) Lot 1, R1W, Section 12, Plan 40746, North Salt Spring Island, Lot 2, R1W, Sections 11 and 12, Plan 40746, North Salt Spring Island, and Lot 3, R1W, Section 11, Plan 40746, North Salt Spring Island from the Watershed 1 Zone (W1) to the Watershed Protection Zone (WP);
 - 3) Lot 4, Sections 10 and 11, Plan 40746, North Salt Spring Island, from the Watershed 1 (W1) to the Watershed Protection Zone (WP).
 - 4) Lot 5, R1W, Sections 10, 11, and 12, Plan 40746, North Salt Spring Island from the Watershed 1 Zone (W1) to the Watershed Protection Zone (WP) and from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3);
 - 5) Section 11, R2W, North Salt Spring Island from the Rural Zone (R) and the Rural Residential 2 Zone (RR2) to the Comprehensive Development (3) Zone (CD3);
 - 6) Section 12, R2W, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3), and from the Rural Zone (R) to the Watershed Protection Zone (WP);
 - 7) Remainder of Section 13, R2W, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3), and from the Rural Zone (R) to the Watershed Protection Zone (WP);
 - 8) Remainder of Lot 6, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3) and from the Watershed 1 Zone (W1) to the Watershed Protection Zone (WP), and from the Watershed 1 Zone (W1) to the Comprehensive Development (3) Zone (CD3), and from the Rural Zone (R) to the Watershed Protection Zone (WP);

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- 9) Lot 2, Plan 29161, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3) and from the Watershed 1 Zone (W1) to the Watershed Protection Zone (WP), and from the Rural Zone (R) to the Watershed Protection Zone (WP), and from the Watershed 1 Zone (W1) to the Comprehensive Development (3) Zone (CD3);
 - 10) Remainder of Parcel "B" (DD 140653-1), North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3) and from the Watershed 1 Zone (W1) to the Comprehensive Development (3) Zone (CD3);
 - 11) Remainder of Lot 7, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3);
 - 12) Remainder of Section 13, R3W, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3);
 - 13) Remainder of Section 12, R3W, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (3) Zone (CD3) and from the Rural Zone (R) to the Agriculture 1 Zone (A1);
 - 14) Remainder of Section 11, R3W, North Salt Spring Island from the Rural Zone (R) and the Rural Residential 2 Zone (RR2) to the Comprehensive Development (3) Zone (CD3);
 - 15) Remainder of Parcel "B" (DD 86186-1) of Section 9, R2W and Section 10, R2 and 3 West, North Salt Spring Island from the Rural Residential 2 Zone (RR2) to the Comprehensive Development (3) Zone (CD3);
 - 16) Parcel "C" (DD 135683-1) of Section 10, R2W, North Salt Spring Island from the Rural Residential 2 Zone (RR2) to the Comprehensive Development (3) Zone (CD3);
 - 17) Remainder East 50 acres of Section 10, R2W, North Salt Spring Island from the Rural Residential 2 Zone (RR2) to the Comprehensive Development (3) Zone (CD3);
- c) by adding a new Section 25.B as follows:

"Section 25.B

Comprehensive Development (3) Zone (CD3)

25.B.1 Permitted Uses

In addition to uses permitted in Section 4.1 of this By-law, the following uses and no others shall be permitted in the Comprehensive Development (3) Zone;

- 1) One family dwelling
- 2) Public Parks and Community Recreation Facilities
- 3) Community Hall
- 4) Community Health Clinic
- 5) Public Safety use including Firehalls and Police Stations
- 6) Private Recreation and Forest Use
- 7) Home Occupations

25.B.2 Site Coverage

Buildings and structures shall not cover more than 33 percent of the parcel of land on which they are located.

25.B.3 Height

No building or structure shall exceed 7.6 metres (25 feet) and two storeys in height.

25.B.4 Setbacks

- 1) No building or structure or part thereof except a fence or pumphouse shall be located within 7.6 metres (25 feet) of any front lot line.
- 2) No building or structure or part thereof except a fence or pumphouse shall be located closer than a distance of 3.0 metres (10 feet) from an interior side lot line, nor subject to regulations adopted pursuant to the Highways Act, closer than 4.5 metres (15 feet) from an exterior lot line."

2. Schedule 'A' "Zone Schedule" is amended to include:

"Comprehensive Development (3) Zone (CD3)"

3. This By-law may be cited as "Zoning By-law, Salt Spring Island, 1985, Amendment By-law No. 1, 1985".

READ A FIRST TIME THIS	20TH	DAY OF	MARCH	1985
READ A SECOND TIME THIS	17TH	DAY OF	MAY	1985
READ A THIRD TIME THIS	5TH	DAY OF	JUNE	1985
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS				DAY OF
	, 198			
RECONSIDERED AND FINALLY ADOPTED THIS		DAY OF		198

MANAGER

CHAIRMAN

Status: Registered

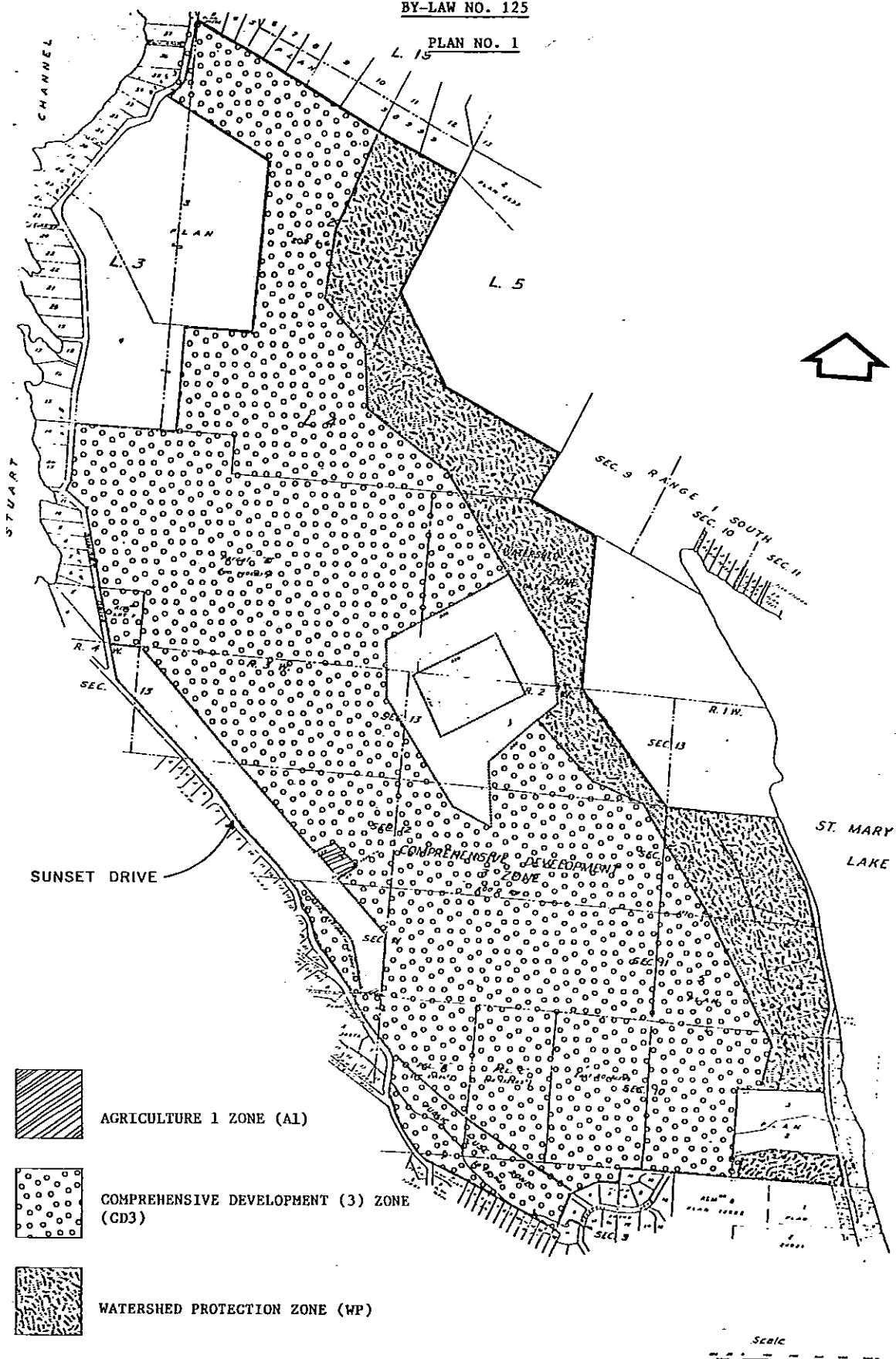
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12.11.36

SALT SPRING ISLAND TRUST COMMITTEE

BY-LAW NO. 125

PLAN NO. 1



SALT SPRING ISLAND TRUST COMMITTEE

BY-LAW NO. 126

A BY-LAW TO AMEND "ZONING BY-LAW, SALT SPRING ISLAND, 1985", BEING BY-LAW
NO. 123

The Salt Spring Island Trust Committee being the Trust Committee having jurisdiction on and in respect of Salt Spring Island in the Province of British Columbia, pursuant to the Islands Trust Act, R.S.B.C., 1978, Chapter 208, as amended, in open meeting assembled, enacts as follows:

1. Salt Spring Island Trust Committee By-law No. 123 cited as "Zoning By-law, Salt Spring Island, 1985", is amended as follows:
 - a) by adding to Section 3.2 Zones, a new zoning classification "Comprehensive Development (4) Zone (CD4);
 - b) by changing the zoning classification of the following lands (as shown on Plan No. 1 which is attached to and forms part of this By-law):
 - i) that portion of Remainder Parcel B (DD 140653-1) of Lot 4, North Salt Spring Island shown on Plan No. 1, from the Rural Zone (R) to the Comprehensive Development (4) Zone (CD4);
 - ii) that portion of Lot 6, North Salt Spring Island shown on Plan No. 1, from the Rural Zone (R) to the Comprehensive Development (4) Zone (CD4), and from the Watershed 1 Zone (W1) to the Comprehensive Development (4) Zone (CD4);
 - iii) that portion of Section 13, R3W, North Salt Spring Island, shown on Plan No. 1, from the Rural Zone (R) to the Comprehensive Development (4) Zone (CD4);
 - iv) that portion of Remainder Section 13, R2W, North Salt Spring Island, shown on Plan No. 1, from the Rural Zone (R) to the Comprehensive Development (4) Zone (CD4);
 - v) that portion of Section 12, R2W, North Salt Spring Island shown on Plan No. 1 from the Rural Zone (R) to the Comprehensive Development (4) Zone (CD4);
 - c) by designating the area above, within the Comprehensive Development (4) Zone (CD4), as a Development Permit Area pursuant to Section 717(3) and Schedule 'A' is amended accordingly;
 - d) by adding a new Section 25.C as follows:

"Section 25.CComprehensive Development (4) Zone (CD4)25.C.1 Permitted Uses

In addition to uses permitted in Section 4.1 of this By-law, the following uses and no others shall be permitted in the Comprehensive Development (4) Zone:

- 1) One family dwellings subject to Section 25.C.2
- 2) Multiple family dwelling units subject to Section 25.C.2

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3) Institutional uses as follows:

- a) Public Parks and Community Recreation Facilities
- b) Community Hall
- c) Community Health Clinic
- d) Public Safety Facilities
- e) Schools

4) Private Recreation and Forest Use

5) Home Occupations.

25.C.2 Site Density

The number of dwelling units on a parcel shall not exceed one dwelling unit per one-fifth acre (12.3 per hectare), or one dwelling unit for each legal lot into which the land can be subdivided under the terms of the Subdivision Control By-law in effect for the land; whichever is least.

25.C.3 Height

No building or structure shall exceed 7.6 metres in height.

25.C.4 Setbacks

No building or structure or part thereof shall be located within 7.6 metres of a front lot line nor within 3 metres of any other lot line."

- e) by adding to section 3.2 Zones, a new zoning classification, "Comprehensive Development (5) Zone (CD5);
- f) by changing the zoning classification of the following lands (as identified on Plan No. 1 which is attached to and forms part of this By-law):
 - i) that portion of the remainder of Lot 6, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (5) Zone (CD5);
 - ii) that portion of Section 13, R2W, North Salt Spring Island from the Rural Zone (R) to the Comprehensive Development (5) Zone (CD5);
- g) by designating the area above, within the Comprehensive Development (5) Zone (CD5) as a Development Permit Area pursuant to Section 717(3) of the Municipal Act and Schedule 'A' is amended accordingly;
- h) by adding a new Section 25.D as follows:

"Section 25.DComprehensive Development (5) Zone (CD5)25.D.1 Permitted Uses

In addition to the uses permitted in Section 4.1 of this By-law, the following uses and no others shall be permitted in the Comprehensive Development (5) Zone.

- 1) Multiple family dwellings subject to Section 25.D.2
- 2) Retail stores
- 3) Business and professional offices
- 4) Personal services, laundry, laundromats, dry cleaning and small repairs

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- 5) Restaurants
- 6) Banks
- 7) Automobile rentals
- 8) Home occupations

25.D.2 Site Density

The number of dwelling units on a parcel shall not exceed one dwelling unit per one-fifth (12.3 per hectare), or one dwelling unit for each legal lot into which the land can be subdivided under the terms of the Subdivision Control By-law in effect for the land; whichever is least.

25.D.3 Regulation of Commercial Development

- 1) Commercial use of land shall occur only in conjunction with an established residential use of a parcel.
- 2) An individual commercial use of land shall not exceed 1500 ft.² (139 m²) total floor area.
- 3) There shall not be more than one commercial use of land for each two established residential uses on a parcel.

25.D.4 Height

No building shall exceed 11 metres (36 ft.) in height.

25.D.5 Setbacks

No building or structure or part thereof shall be located within 4.5 metres (15 ft.) of any front lot line.

2. This By-law may be cited as "Zoning By-law, Salt Spring Island, 1985, Amendment By-law No. 2, 1985".

READ A FIRST TIME THIS	20th	DAY OF	March	1985
READ A SECOND TIME THIS	17th	DAY OF	May	1985
READ A THIRD TIME THIS	5th	DAY OF	June	1985
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS			12th	DAY OF
August				, 1985
RECONSIDERED AND FINALLY ADOPTED THIS	20th	DAY OF	September	1985

C. Hawthorth
MANAGER

M. Thompson
CHAIRMAN

Certified a true and correct copy of
By-law No. 126 for Salt Spring Island.

Manager

Date

Status: Registered

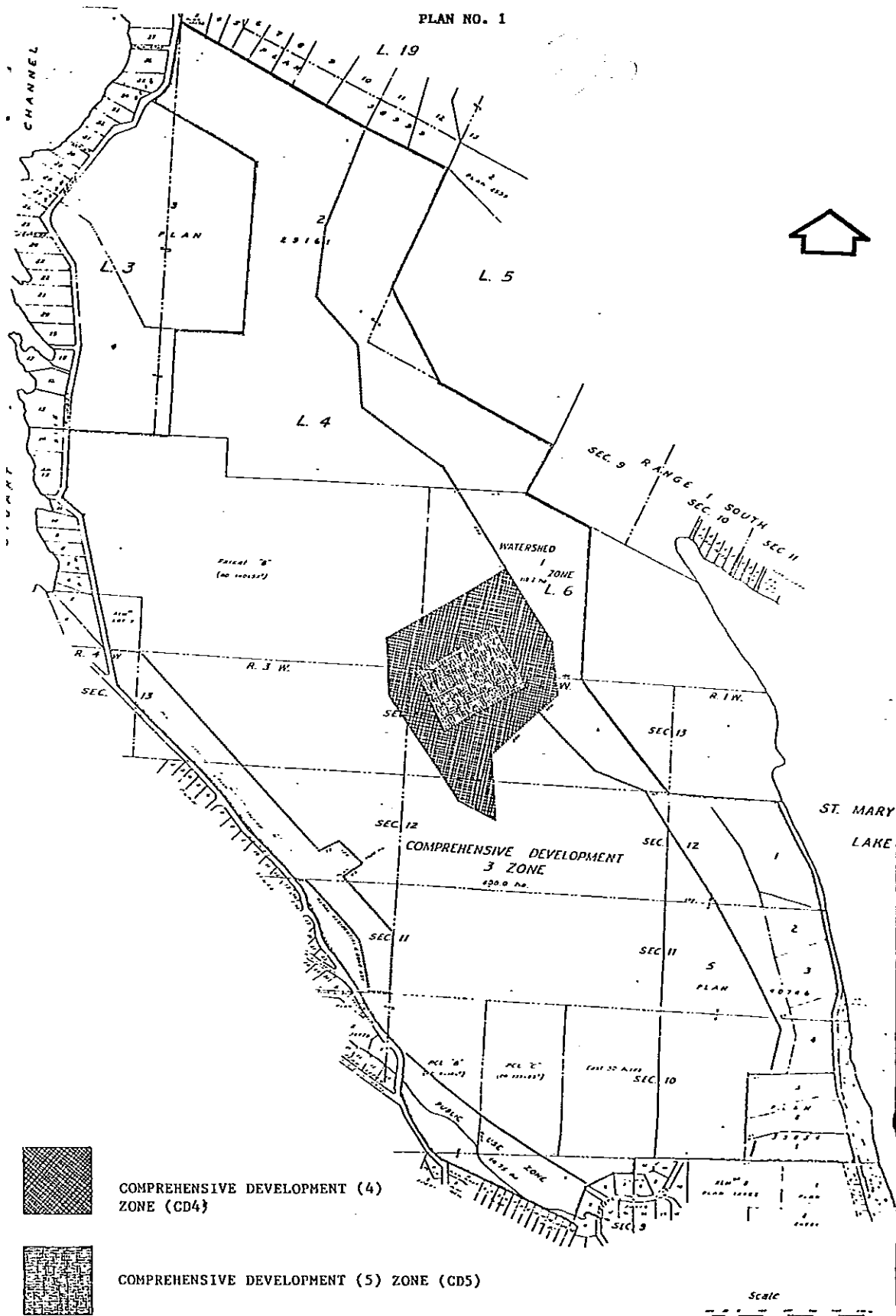
Doc #: R32170

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SALT SPRING ISLAND TRUST COMMITTEE

BY-LAW NO. 126

PLAN NO. 1



Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36

SALT SPRING ISLAND TRUST COMMITTEE

BY-LAW NO. 127

A BY-LAW TO AMEND CAPITAL REGIONAL DISTRICT BY-LAW NO. 207, "SALT SPRING ISLAND
SUBDIVISION BY-LAW NO. 1, 1975"

The Salt Spring Island Trust Committee, being the Trust Committee having jurisdiction on and in respect of Salt Spring Island in the Province of British Columbia, pursuant to the Islands Trust Act, R.S.B.C., 1979, Chapter 208, as amended, in open meeting assembled, enacts as follows:

1. Capital Regional District By-law No. 207, cited as "Salt Spring Island Subdivision By-law No. 1, 1975" is amended as follows:
 - a) to delete from Section 3.1 the words "Zoning By-law No. 2, Salt Spring Island, 1978" and substitute therefore "Zoning By-law, Salt Spring Island, 1985";
 - b) to add the words "and the Subdivision Districts defined in Schedule 'B'";
 - c) to add to Schedule 'A' as referred to in Section 3.1, the list of zones being the following:

"Comprehensive Development 3 Zone (CD3)

Within the Comprehensive Development 3 Zone (CD3) there are 4 Subdivision Districts, the boundaries of which are shown on Schedule 'B'. Subdivision shall occur generally within the Subdivision Districts defined in Schedule 'B'. Variations from the general boundaries may be permitted but no increase in the area of the individual Subdivision Districts will be permitted. The parcel area requirements and minimum service levels are listed below.

<u>Subdivision District</u>	<u>Minimum Average Parcel Area</u>	<u>Minimum Parcel Area</u>	<u>Minimum Service Level</u>
DISTRICT 'A'	0.3 ha	0.2 ha	Community Sewer Community Water
DISTRICT 'B'	0.4 ha	0.2 ha	Individual Septic Tank Community Water
DISTRICT 'C'	2.0 ha	1.2 ha	Individual Septic Tank and Well
DISTRICT 'D'	250 ha		Individual Septic Tank and Well"

- d) to add to Schedule 'A' as referred to in Section 3.1, the list of zones, being the following:

"Comprehensive Development 4 Zone (CD4)	0.08 ha	Community Water Community Sewer
Comprehensive Development 5 Zone (CD5)	0.08 ha	Community Water Community Sewer"

2. This By-law may be cited as "Salt Spring Island Subdivision By-law No. 1, 1975, Amendment By-law No. 4, 1985".

READ A FIRST TIME THIS 20TH DAY OF MARCH 1985
READ A SECOND TIME THIS 17th DAY OF MAY 1985
READ A THIRD TIME THIS 17th DAY OF MAY 1985
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS DAY OF
, 198
RECONSIDERED AND FINALLY ADOPTED THIS DAY OF 198

Manager

Chairman

Status: Registered

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R32170

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the Gulf Islands Assessment District and North Salt Spring Waterworks District, in the Province of British Columbia, more particularly known and described as:

- X Parcel Identifier 000-638-498 ✓
Lot 1, Section 10, Range 1 West, North Salt Spring Island, Cowichan District, Plan 39834;
- X Parcel Identifier 000-638-641 ✓
Section 11, Range 2 West, North Salt Spring Island, Cowichan District;
- X Parcel Identifier 000-638-536 ✓
Lot 2, District Lots 3, 4, and 5, North Salt Spring Island, Cowichan District, Plan 29161;
- X Parcel Identifier 000-638-731 ✓
Section 12, Range 3 West, North Salt Spring Island, Cowichan District, except part in Plans 18964, 20992 and 32602;
- X Parcel Identifier 000-638-587 ✓
Section 11, Range 3 West, North Salt Spring Island, Cowichan District, except part in Plans 18964, 20992 and 32602;
- Parcel Identifier 000-290-033 ✓
Parcel "B" (D.D. 86186I) of Section 9, Range 2 West and of Section 10, Ranges 2 and 3 West, except Plans 4476, 4757, 14317 and 24809 and except that part lying to the west of Duck Bay Road as said road is shown on Plan 4476;
- Parcel Identifier 000-290-131 ✓
Parcel C (D.D. 86186I), Section 10, Range 2 West, North Salt Spring Island, Cowichan District;
- X Parcel Identifier 000-290-190 ✓
The East 50 acres of Section 10, Range 2 West, North Salt Spring Island, Cowichan District;
- X Parcel Identifier 000-638-340 ✓
Section 12, Range 2 West, North Salt Spring Island, Cowichan District;
- X Parcel Identifier 000-638-391 ✓
Section 13, Range 2 West, North Salt Spring Island, Cowichan District except Parcel A (D.D. 100250-I);
- X Parcel Identifier 000-638-412 ✓
District Lot 6, North Salt Spring Island, Cowichan District, except Parcel A (DD 100250-I);
- X Parcel Identifier 000-638-463 ✓
Parcel B (DD 140653-I), District Lot 4, North Salt Spring Island, Cowichan District, except part in Plans 9115 and 29161;
- X Parcel Identifier 000-638-471 ✓
Section 13, Ranges 3 and 4 West, North Salt Spring Island, Cowichan District, except part lying to the south west of Parmister Road, as said Road was gazetted May 1, 1941, and except part in Plan 9115;

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Parcel Identifier 000-638-480

X District Lot 7, North Salt Spring Island, Cowichan District,
except part lying to the south west of Parmister Road,
as said road was gazetted May 1, 1941, and except part
in Plan 9115.

ALL AND SINGULAR those certain parcels or tracts of lands
and premises situate, lying and being in the Gulf Islands
Assessment District, in the Province of British Columbia,
more particularly known and described as:

Parcel Identifier 000-350-141

X Lot 1, Section 12, Range 1 West, North Salt Spring Island,
Cowichan District, Plan 40746;

Parcel Identifier 000-350-168

X Lot 2, Sections 11 and 12, Range 1 West, North Salt Spring
Island, Cowichan District, Plan 40746;

Parcel Identifier 000-350-150

^ Lot 3, Section 11, Range 1 West, North Salt Spring Island,
Cowichan District, Plan 40746;

Parcel Identifier 000-350-176

X Lot 4, Section 10 and 11, Range 1 West, North Salt Spring
Island, Cowichan District, Plan 40746;

Parcel Identifier 000-350-184

X Lot 5, Sections 10, 11, and 12, Range 1 West, North Salt
Spring Island, Cowichan District, Plan 40746.

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- SCHEDULE B

FIRSTLY

All those portions of

- Lot 2 of Lots 3, 4 and 5, Plan 29161,
- Lot 6 except Parcel "A" (DD 1002501),
- Section 13, Range 2 West, except Parcel "A" (DD 1002501),
- Section 12, Range 2 West, and
- Lot 5 of Sections 10, 11 and 12, Range 1 West, Plan 40746

North Salt Spring Island, Cowichan District,

lying easterly of the following described line and its productions thereof;

Commencing at the most westerly corner of Lot 11 of Lot 4, Plan 38999,

- thence 198° 31' 40", 384.357 metres;
- thence 183° 48' 50", 255.566 metres;
- thence 133° 12' 35", 226.385 metres;
- thence 173° 37' 55", 225.391 metres;
- thence 122° 55' 40", 375.288 metres;
- thence 143° 25' 35", 772.010 metres;
- thence 171° 09' 30", 182.165 metres;
- thence 220° 10' 10", 100.767 metres;
- thence 132° 24' 15", 296.582 metres;
- thence 107° 21' 15", 201.157 metres;
- thence 143° 41' 25", 491.423 metres;
- thence 147° 31' 45", 534.575 metres;
- thence 193° 29' 55", 169.196 metres more or less to a point on the northerly boundary of Lot 3, Section 10, Range 1 West, Plan 39834 bearing 86° 34' 05" and distant 88.000 metres easterly of the north-westerly corner thereof.

SECONDLY

All of Lots 1, 2, 3 and 4, of Sections 10, 11 and 12, Range 1 West, North Salt Spring Island, Cowichan District, Plan 40746.

THIRDLY

All of Lot 1, Section 10, Range 1 West, North Salt Spring Island, Cowichan District, Plan 39834.

AS SAID FIRSTLY, SECONDLY AND THIRDLY PARTS ARE SHOWN LYING WITHIN THE HEAVY BORDER OF THE PLAN HERETO ATTACHED.

[Signature]
Brian P. Wolfe-Clair, S.C.L.C.
May 22, 2020

Status: Registered

Doc #: R32170

RCVD: 1986-04-28 RQST: 2020-08-24
12.11.36



Government of British Columbia

File No. R32170

☐ Not available at time of filming.

☒ Plan not suitable for filming, see VAULT CLERK

☐ See _____

☐ _____

DO NOT PHOTOCOPY

RMB 077

241

November 9, 2017
LHC Project File: 1719

Bryce Chapman
[Redacted]
[Redacted]
[Redacted]

Dear: Mr. Chapman

Re: Certification of Groundwater Quantity and Quality - Drilled Well ID. 52453 at 361 Sunset Drive, Salt Spring Island, BC

1.0 BACKGROUND

Lowen Hydrogeology Consulting (LHC) was engaged in July 2017 to provide hydrogeology consulting services and to prove out the water supply capacity for the wells at 361 Sunset Drive, Salt Spring Island. The wells were drilled on the subject property in June 2017. Two of the wells had significant production capacity (25 - 60 USgpm) and one had marginal capacity of <1 USgpm.

The higher capacity wells are proposed to supply water for the neighboring Channel Ridge Development. One of the potential production wells has been tested for capacity and water quality. The results of which are presented herein.

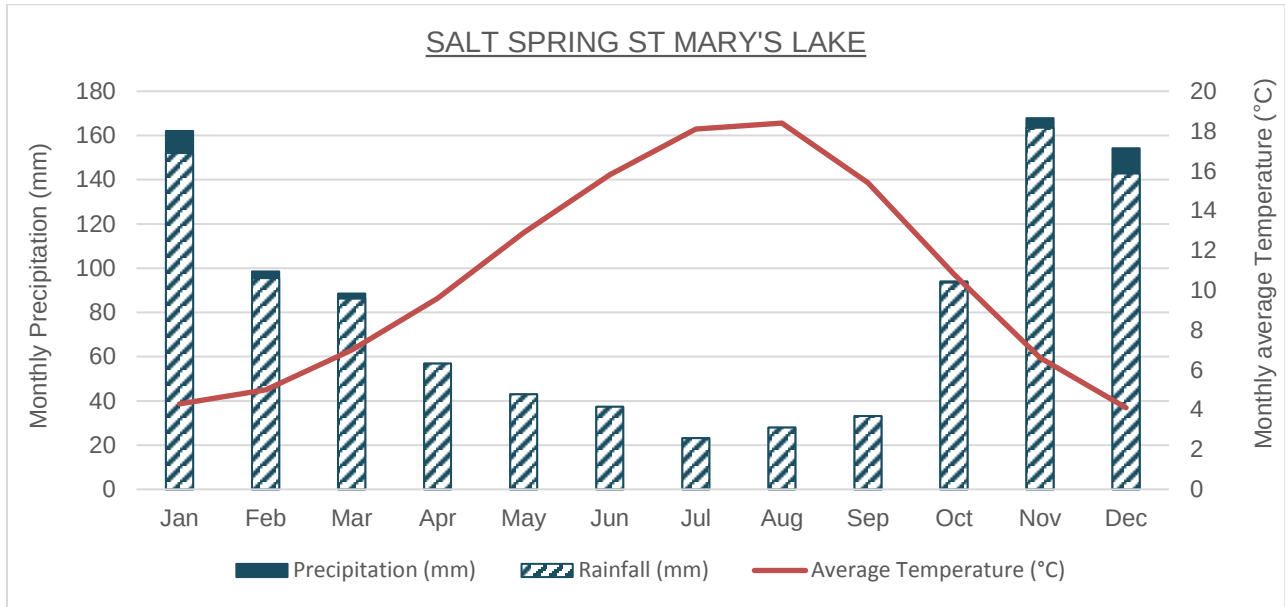
2.0 PHYSICAL AND HYDROLOGIC SETTINGS

2.1 Physiography of the Area

The subject property is located on the northern west coast of Salt Spring Island. This area is encompassed within the Nanaimo Lowland physiographic region. This region is characterized as lowlands below 2000 ft (600m) elevation and largely underlain by sedimentary rocks of the Nanaimo Group (Holland, 1976). These lowlands are flanked to the west by the Vancouver Island Range. The general landscape consists of long wooded ridges separated by narrow valleys. The subject property lies at an elevation ranging from 80 m.asl. to the west, to 100 m.asl. to the east.

2.2 Climate Data

The region of Saint Mary's Lake, north part of Salt Spring Island receives an annual average precipitation of 987 mm, with 32 cm of annual snow. The wettest months are between October to February, with over 90 mm of monthly precipitation and the driest months are between June and September with less than 40 mm of precipitation. Snow occurs between November and March, rarely in October. The average annual temperature is 10.7°C, the hottest months being July and August.



2.3 Surficial Water Bodies

The subject property is located approximately 1.8 km west of St Mary's Lake, lying at an elevation of approximately 60 m.asl. This feature is separated from the subject property by a hill culminating at a height of approximately 220 m.asl. A small unnamed channel flows southwestward from the hill to the ocean and crosses the subject property.

A large surficial water body of approximately 9 000 m² is located on the south-western side of the property and discharges its water through a stream generally flowing southward. This waterbody is listed as a wetland rather than a pond and is most likely directly fed by groundwater.

3.0 GEOLOGY AND HYDROGEOLOGICAL SETTINGS

3.1 Aquifer Description

The subject well is completed into the bedrock aquifer #0721, composed of sedimentary rocks from the Nanaimo Group (Upper Cretaceous Period, Cenozoic Era). Locally, the type of rocks mostly consists in shale and sandstone. The subject well ID. 52453 and its observation well ID. 52445 report fine to coarse-grained sandstone, with rare intercalation of shale or siltstone.

3.2 Groundwater Direction, Recharge and Discharge Areas

The regional groundwater flow direction has not been yet determined, but likely flows linearly through fractures and follows topography towards the ocean. Locally, the main direction is likely to the west. The aquifer is recharged directly by precipitation in the highlands, as the overburden is limited in the region. Hydraulic connection between St Mary's Lake and the aquifer is possible but has not been studied for the purpose of this report.

Locally, it is very likely that a hydraulic connection exists between groundwater flowing through surficial fractures and the wetland located on the south-western part of the property. This wetland is in fact not fed by any apparent surficial water body, and only discharges through a stream flowing towards the ocean.

3.3 Groundwater Quantity and Quality Issues

Isolated cases of quantity issues in local wells have been reported in the summer. The geometric mean of well production in the aquifer #0721 is 2.0 USgpm, which is sufficient for domestic purposes.

Localized quality issues have been reported also in the summer, with saltwater intrusion, which varies in the impacted wells directly with rate of pumping (Hodge, 1977).

3.4 Neighboring Wells

The well density in the immediate vicinity of the subject property is low. A 1 km radius circle around the subject well encompasses 6 wells (data shown in the next table). The water table is locally shallow, with uppermost water-bearing fractures logged around 200 ft deep.

Table 1 - Neighbouring Wells

Well	Yield (USgpm)	Static Water Level (ft.)	Well Depth (ft.)	Bedrock Depth (ft.)	Uppermost Water-bearing Fracture (ft.)
ID. 52453 (Subject Well)	60	3	440	14	160
ID. 52445 (Observation well)	25	-	401	10.5	200
#13293 (Old Cistern Well)	-	-	-	-	-
ID. 50148	0.75	25	501	13	250
#49221	6	15	182	18	175
#89841	1.5	-	150	11	112

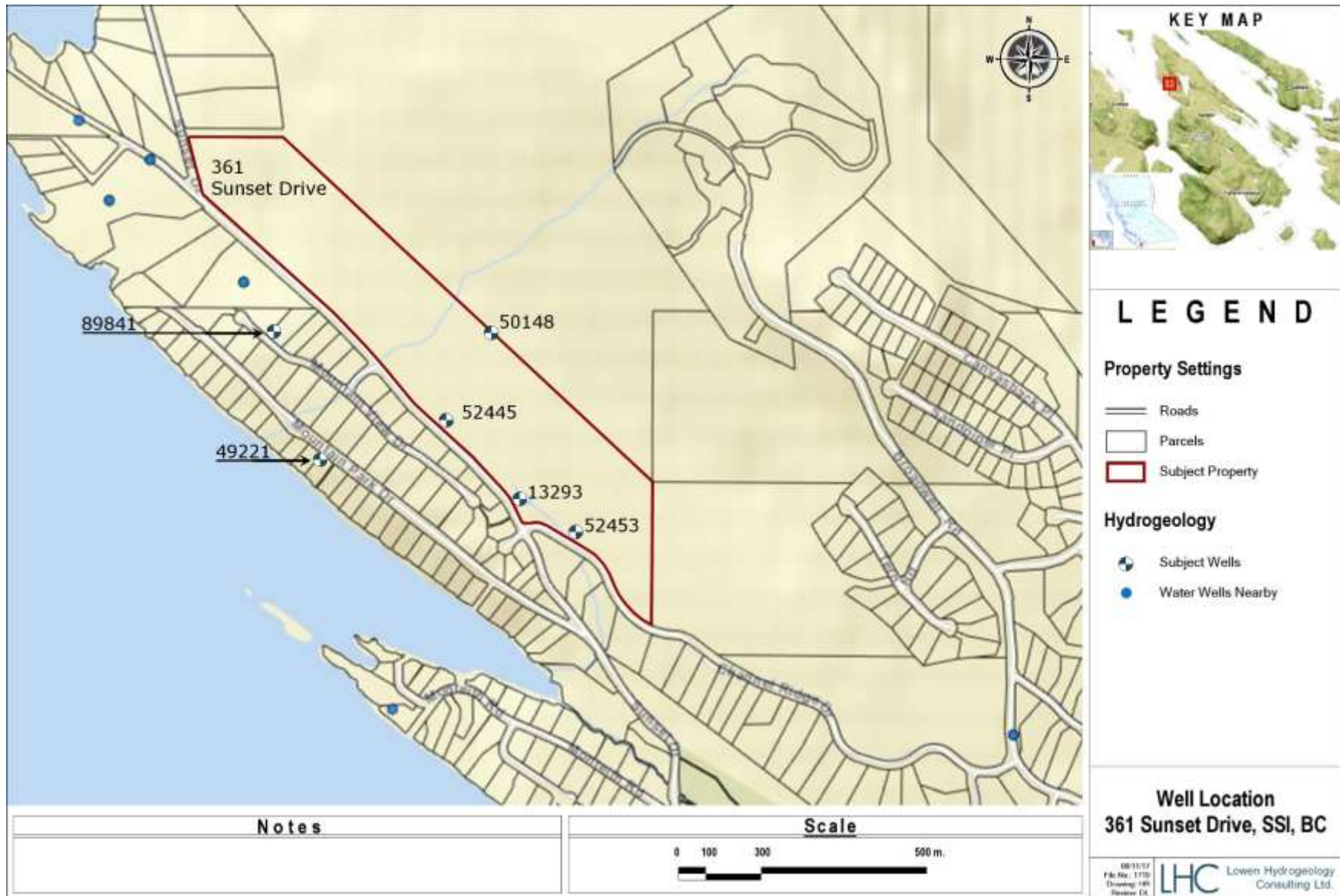
4.0 WELL CONSTRUCTION

The subject well ID. 52435 was drilled by air rotary in June 27, 2017 by Drillwell Enterprises Ltd. It is completed into bedrock to a depth of 440 ft. (134 m.). Productive fractures are located at 160 ft. (49 m.), 200 ft. (61 m.), 350 ft. (107 m.) and 400 ft. (122 m.).

The bedrock is found at a depth of 14 ft. (4.3 m.), with confining overburden consisting of gravelly clay. The estimated yield at the time of drilling was 60 USgpm. The static water level is near surface (3 ft. or 0.9 m.).

The subject well log and the observation Well ID. 52445 are provided in Appendix A.

Figure 1 - Location Plan



5.0 PUMPING TEST DISCUSSION

5.1 Pumping Test

The subject Well was tested for 72 hours at constant rate of 60 USgpm by Wellmaster Pumps in October 2017. A 3-hour recovery was also recorded. A submersible pump was temporarily installed in the Wells and the pump size matched to the anticipated pumping rate of the Well. Approximately 24 hours prior to the pumping test, the Well was disinfected with the appropriate amount of chlorine bleach (5.25 percent sodium hypochlorite). Water level measurements were taken at specific intervals using an electric well sounder. A ¾ inch diameter PVC pipe was temporarily installed in the Wells to facilitate accurate measurements. The flow rate was checked throughout the pumping test to ensure that the pumping rate was held constant. All drawdown and recovery data and plots have been shown in Appendix B.

The pumping test included water level recording at 2 observation wells:

- ID. 52445, located 402 m. to the north west
- Old Cistern Well, located 178 m to the north west

Groundwater samples were collected at the end of the test by Wellmaster and submitted to MB Labs in Sidney. Water quality is discussed in Section 8.0 and results from the lab testing are shown in Appendix C.

5.2 Well Long-term capacity

Well long-term capacity corresponds to a safe long-term yield for a well. According to this capacity, the well can sustain the determined flow rate continuously using a maximum of 70% of the total available drawdown under the lowest seasonal aquifer static level. The estimated theoretical long-term capacity of the well has been calculated as follows:

$$\text{Long-term capacity} = \text{Specific capacity @ 100-day} \times \text{safe available drawdown}$$

Where:

- Specific capacity = Pumping rate during the test / Extrapolated drawdown @ 100 days
- Safe available drawdown = 0.7 x Total available drawdown

The following Well long-term capacity is calculated as follows:

Pumping rate during the test:	327.1	m ³ /d
	60	USgpm
Extrapolated drawdown @ 100 days:	54.2	m.
↳ Specific capacity:	6.0	m ³ /d /m
Static water level:	0.9	m.
Depth to uppermost water-bearing fracture:	106.0	m.
↳ Total available drawdown:	105.1	m.
↳ Safe available drawdown:	73.6	m.
Well long-term capacity:	443.6	m ³ /d
	81.4	USgpm

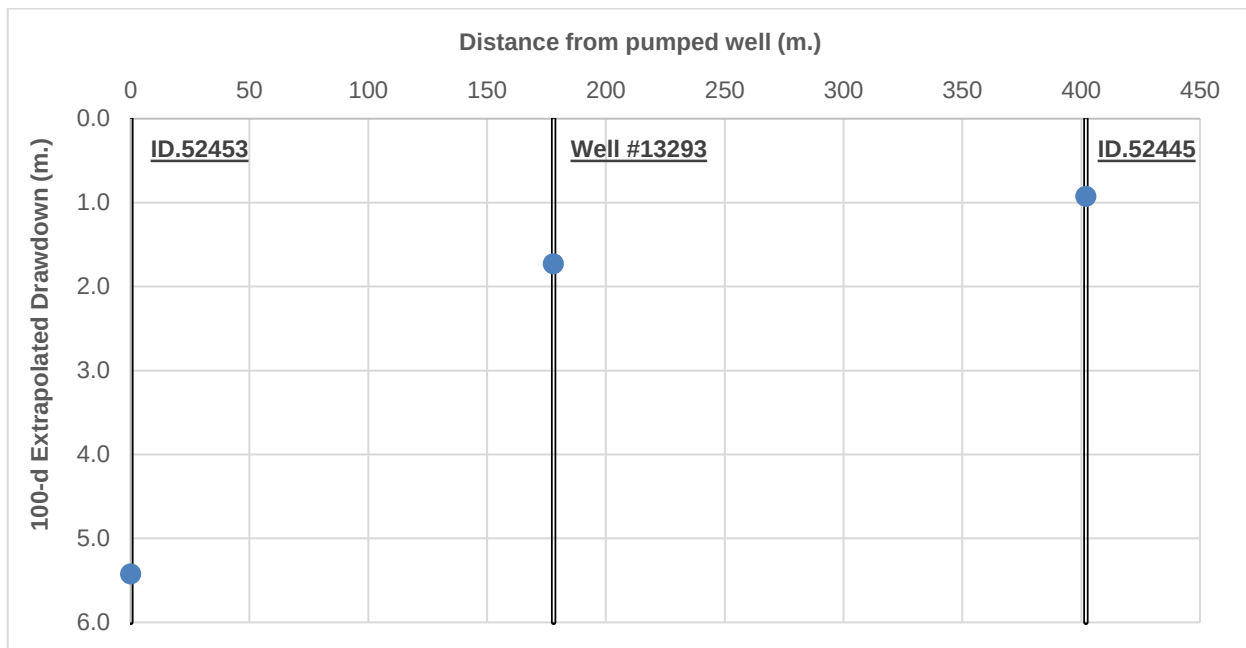
Notes:

1. The seasonal low water level measured on October 24, 2017 is used for the above capacity calculation.
2. Water level recovery was excellent, with 81% of the drawdown recovered after 180 min.

6.0 AQUIFER WATER LEVEL RESPONSE DUE TO PUMPING

The observation wells responded to the pumping at the Well ID. 52453. Extrapolated drawdown values at 100 days were projected for the 2 observation wells (Cistern well and ID.52445). These extrapolated values are displayed in the following graph.

The long-term extrapolated drawdown at the observation Well ID. 42445 located 402 m away represents 17% of the extrapolated drawdown at the pumped well. Significant drawdown interference is therefore not expected to occur beyond a radius of 500 m from the Well ID. 52453, under pumping rates averaging 60 USgpm. The interference would naturally be smaller under lower pumping rates.



7.0 WATER SUPPLY SUSTAINABILITY

The aquifer #0721 tapped by the subject well is replenished annually by precipitation. Due to the thin overburden layer, it is our opinion that an average of 20% of total precipitation reaches the underlying bedrock aquifer. Considering the annual average precipitation is 987 mm (at St Mary's Lake climate station), this equates to $987 \times 0.2 = 197.4$ mm/year of recharge.

Over the extent of the aquifer (47 km^2) this provides an annual recharge volume of $0.197 \times 47 \times 10^6 = 9.3 \times 10^6 \text{ m}^3/\text{year}$.

The subject well has the capacity to extract a maximum volume of $443.6 \text{ m}^3/\text{d}$ or $161,914 \text{ m}^3/\text{year}$, which corresponds to 2% of the aquifer annual recharge.

Considering the locally low well density, this scenario is sustainable in respect of other users and groundwater availability. However, the well being located 300 m away from the ocean, high extracting rates should be combined with high care regarding water quality control, the drawdown interference radius may extend to the shoreline under an production rate of 81.4 USgpm . However, considering the geologic trend of northwest-southeast the drawdown effect is expected to extend further in the NW-SE direction than south toward the shoreline.

8.0 WATER QUALITY DISCUSSION

Groundwater samples were collected in October 2017 and submitted to MB Labs. The results of the testing are provided in Appendix C. All parameters tested meet the Guidelines for Canadian Drinking Water Quality (December 2016; Health Canada) except for Coliform Bacteria, Arsenic and Antimony. Treatment for heavy metals and disinfection of the Well Water is recommended.

The following parameters are a guarantee of stable quality:

- The aquifer is locally confined with gravelly clay, which constitute a protection from contamination from surface.
- The area around the well, particularly upstream is mostly undeveloped. Only residential homes are built, and green spaces are predominant.
- There are no hazardous activities in the vicinity of the well.

The following aspects must be considered as they can affect water quality:

- The well is located 300 m. away from the ocean and high pumping rates (50+ USgpm) are known to affect wells up to 400 m. away. However, the pumping water level will not go below sea level and flow from the ocean will be precluded.
- The wetland near the well is believed to be fed by shallow groundwater. This nonetheless is a potential window to deeper fractures and should be protected from potential pollution.

Regular water quality monitoring is highly recommended, particularly for the pre-and post treated water to ensure treatment efficiency.

9.0 WELL PUMPING IMPACT

As seen in Sections 6 and 7 the Well pumping impact will be minor considering the available resource. Well water level impacts on existing nearby Wells or Springs must also be considered.

The nearest reported neighboring well is located 640 m. to the north west of the well, which is beyond the estimated significant drawdown interference of 500 m. No production well should be impacted from the subject well.

The local creeks flowing in the well vicinity should not be either impacted by the well, as the water-bearing fractures are located 50 m. deep and a 4-m confining layer of gravelly clay insulates the bedrock to the ground surface.

The wetland on the property which is believed to be hydraulically connected to surficial groundwater is rather likely to impact water quality (as being an open window to the aquifer) than being impacted by pumping.

Considering that no wells, springs or other surface water resources will be impacted by the subject well, therefore, no agriculture activity or fish habitat will be impacted.

10.0 CONCLUSIONS AND RECOMMENDATIONS

10.1 The Subject Well can produce a safe potable water supply of 443.6 m³/d or 81 USgpm.

10.2 Water level recovery of the well was excellent (81% recovery in 3h).

10.3 The Subject Well is located at an offset greater than 500 m. from the closest neighboring well. No significant drawdown interference is expected beyond this distance. Also, no springs or surface water

features will be impacted by the proposed pumping. No existing water consumers; domestic, agricultural, fishery or industrial will be negatively impacted by the subject well.

- 10.4 It is recommended that the water levels in the Wells be monitored periodically to ensure that any induced or regional decline in water level does not result in the water level in the well falling below the level of the pump.
- 10.5 Water quality should be monitored regularly, especially for saline intrusion (chloride and sodium level). Water treatment is recommended for heavy metals and bacteria.
- 10.6 Considering the Salt Spring Island requirement (Bylaw 355) of 2280 L/d per subdivided lot the Well #52453 can supply 194 lots.

11.0 CLOSURE / DISCLAIMER

This report has been prepared in accordance with generally accepted groundwater engineering practices. The opinions expressed herein are considered valid at the time of writing. Changes in site conditions can occur, however, whether due to natural events (e.g. climate change, earthquakes) or to human activities (e.g. recharge area modification, or blasting on this or adjacent properties). These changes may in turn impact Well yields and / or water quality. In addition, changes in regulations and standards may occur, whether they result from legislation or the broadening of knowledge. This report is therefore subject to review and revision as changed conditions are identified.

In formulating our analysis, we have relied on information provided by others; Well drilling and pumping test contractors and a certified water testing laboratory. The information provided by others is believed to be accurate but cannot be guaranteed by Lowen Hydrogeology Consulting Ltd.

Furthermore, if the recommendations in this report are not implemented, the undersigned assumes no responsibility for any adverse consequences that may occur.

Respectfully submitted,

LOWEN HYDROGEOLOGY CONSULTING LTD.


Dennis A. Lowen, P. Eng. P. Geo.

DL / MD / hr



References:

- 1 Driscoll, F. G. 1986. *Groundwater and Wells*; second edition, Johnson Division, St. Paul, Minnesota.
- 2 Hodge, W.S., *Groundwater Conditions on Salt Spring Island*, 1995, BC Ministry of Environment, Water Management Division.
- 3 Ministry of Environment. 2006. *BC Water Resources Atlas*; Province of British Columbia. Internet site <http://srmapps.gov.bc.ca/apps/wrbc/>
- 4 P. Domenico & F. Schwartz, 1990, *Physical and Chemical Hydrogeology*, J. Wiley and Sons, 551.46-dc20.
- 5 Todd, Wei et al., 2016, Guidance for Technical Assessment Requirements in Support of an Application for Groundwater Use in British Columbia

Well Log Record

WELL LOG RECORD Well ID 52453

PROJECT:	Sunset Drive, SSI	GROUND ELEVATION:	230 ft.asl
PROJECT No.	1719	WELL DEPTH:	440 ft
DRILLING DATE:	June 27, 2017	STATIC WATER LEVEL:	3 ft
ID Plate:	52453	METHOD OF DRILLING:	Air rotary
ADDRESS:	361 Sunset Dr., Salt Spring Island	METHOD OF DEVELOPMENT:	Air lifting
DRILLING CONTRACTOR:	Drillwell Enterprises Ltd.	ESTIMATED YIELD:	60 USgpm
CLIENT:	B. Chapman	LOGGED BY:	Drillwell Enterprises Ltd.

DEPTH (ft.bgl.)		GEOLOGIC FORMATION	
From	To	Description	Water
0	9	Silty clay, hard, brown	
9	14	Clay till, hard, grey	
14	32	Fine-grained sandstone, Medium, grey	
32	34	Broken sandstone, soft, brown	7 USgpm
34	84	Sandstone & shale interbedded, hard, black	
84	210	Medium-grained sandstone, hard, grey	12 USgpm @ 160' 14 USgpm @ 200'
210	440	Coarse-grained sandstone (many fractures), hard, grey	20 USgpm @ 350' 50 USgpm @ 400'

bgl: below ground level

DEPTH (ft.bgl.)		WELL CONSTRUCTION
From	To	
Ground	+1.17	Stick-up (14-in)
0	19	Casing (6-in. steel), Surface seal: bentonite clay
19	440	Open hole

NOTES

Water:
Surface seal: Bentonite, 2-in. thickness to 19 ft deep

UTM
Coordinates: 10U 458024.42 5415358.31

Pumping Test Data - Well Tag #52453

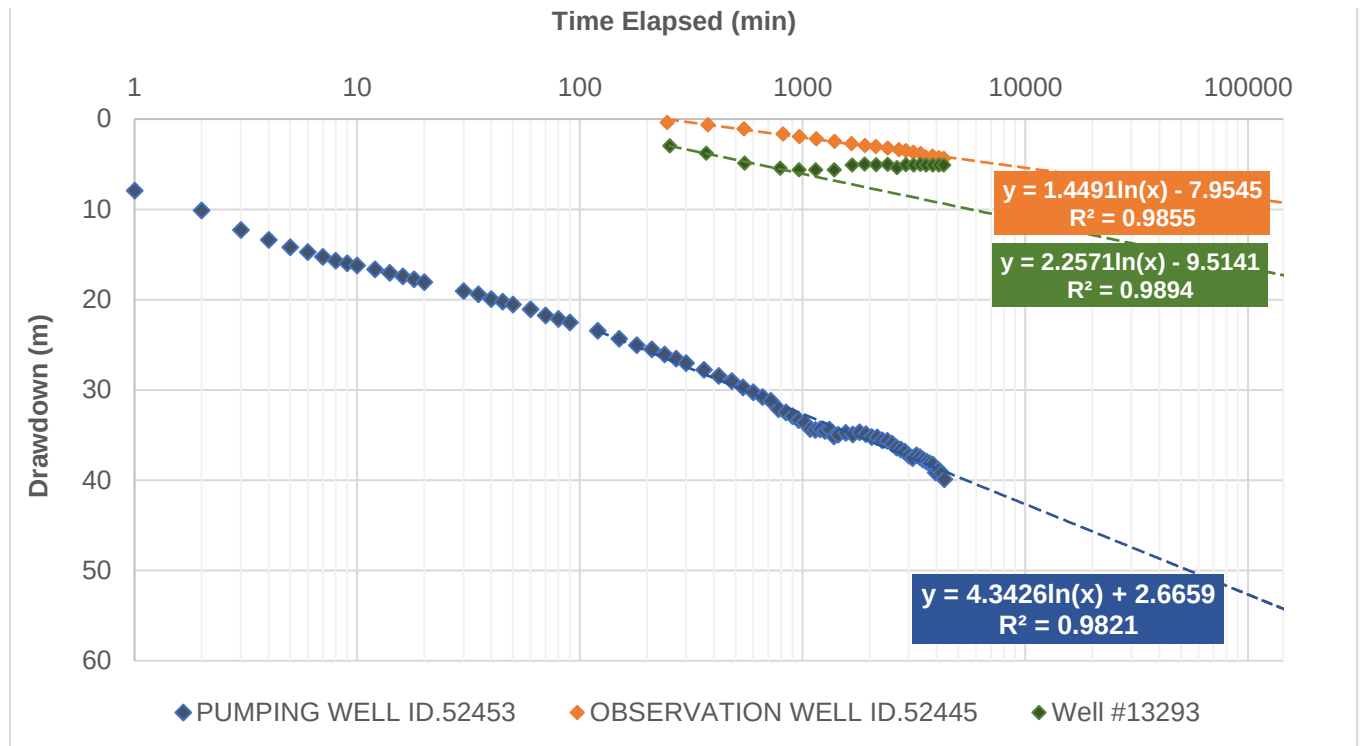
LHC PROJECT NAME:	Sunset Drive, SSI	REFERENCE POINT:	Top of Casing
LHC PROJECT No.:	1719	GROUND ELEVATION:	70 m. 230 ft.
DATE OF PUMPING:	October 24, 2017 - Start 8:00 am	PUMP INTAKE DEPTH:	N/A
WELL ID. PLATE No.:	52453	START WATER LEVEL:	0.9 m. 3 ft.
WELL TAG #:	N/A	END PUMPING LEVEL:	40.8 m. 134 ft.
LOCATION:	361 Sunset Dr., Salt Spring Island, BC	END RECOVERY LEVEL:	8.5 m. 28 ft.
PUMPING CONTRACTOR:	Wellmaster	DEPTH TO FRACTURE:	106 m. 348 ft.
CLIENT:	B. Chapman		

Elapsed Time (min.)	Pumped Well		Pumping Rate (USgpm)	Elapsed Time (min.)	Pumped Well		Pumping Rate (USgpm)
	Level (m.)	Drawdown (m.)			Level (m.)	Drawdown (m.)	
0	0.90	0.00	60	720	32.11	31.21	
1	8.82	7.92		780	33.02	32.12	
2	11.01	10.11		840	33.39	32.49	
3	13.17	12.27		900	33.81	32.91	
4	14.27	13.37		960	34.24	33.34	
5	15.10	14.20		1020	34.52	33.62	
6	15.64	14.74		1080	35.22	34.32	
7	16.16	15.26		1140	35.34	34.44	
8	16.59	15.69		1200	35.25	34.35	
9	16.86	15.96		1260	35.43	34.53	
10	17.11	16.21		1320	35.31	34.41	
12	17.56	16.66		1380	36.06	35.16	
14	17.93	17.03		1440	35.87	34.97	
16	18.33	17.43		1560	35.64	34.74	
18	18.66	17.76		1680	35.84	34.94	
20	18.96	18.06		1800	35.60	34.70	
30	19.96	19.06		1920	35.81	34.91	
35	20.31	19.41		2040	36.11	35.21	
40	20.84	19.94		2160	36.14	35.24	
45	21.14	20.24		2280	36.47	35.57	
50	21.45	20.55		2400	36.54	35.64	
60	21.96	21.06		2520	36.88	35.98	
70	22.64	21.74		2640	37.28	36.38	
80	23.05	22.15		2760	37.49	36.59	
90	23.42	22.52		2880	37.75	36.85	
120	24.34	23.44		3000	38.16	37.26	
150	25.22	24.32		3120	38.46	37.56	
180	25.96	25.06		3240	38.13	37.23	
210	26.41	25.51		3360	38.34	37.44	
240	26.99	26.09		3480	38.64	37.74	
270	27.44	26.54		3600	38.83	37.93	
300	27.93	27.03		3720	39.04	38.14	
360	28.69	27.79		3840	39.16	38.26	
420	29.36	28.46		3960	40.06	39.16	
480	29.90	29.00		4080	39.77	38.87	
540	30.61	29.71		4200	40.12	39.22	
600	31.15	30.25		4320	40.78	39.88	
660	31.68	30.78					

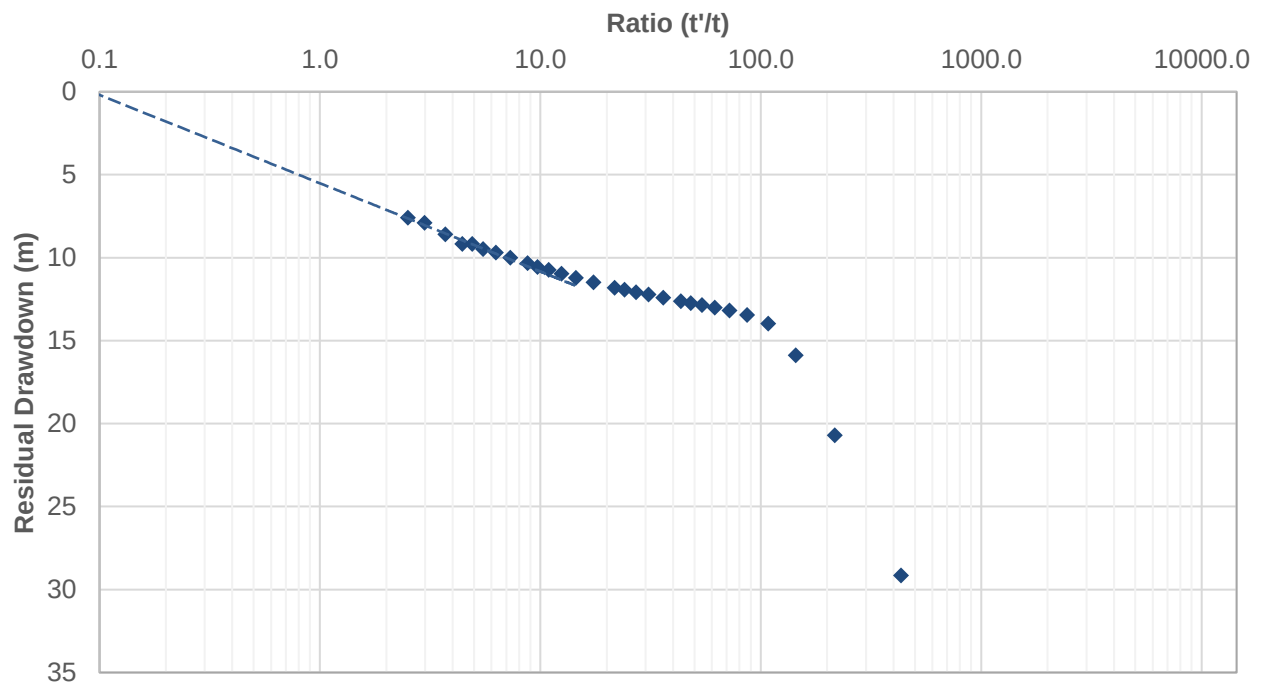
Recovery Data - Well Tag #52453

Time	Time t	Elapsed Time t'	Ratio (t/t')	Water Level	Residual Drawdown
	(min.)	(min.)		(m.)	(m.)
8:00	4321	1	4321.0	30.05	29.15
	4322	2	2161.0	21.61	20.71
	4323	3	1441.0	16.79	15.89
	4324	4	1081.0	14.87	13.97
	4325	5	865.0	14.35	13.45
	4326	6	721.0	14.08	13.18
	4327	7	618.1	13.92	13.02
	4328	8	541.0	13.77	12.87
	4329	9	481.0	13.65	12.75
	4330	10	433.0	13.53	12.63
	4332	12	361.0	13.31	12.41
	4334	14	309.6	13.13	12.23
	4336	16	271.0	12.98	12.08
	4338	18	241.0	12.83	11.93
	4340	20	217.0	12.71	11.81
	4345	25	173.8	12.40	11.50
	4350	30	145.0	12.13	11.23
	4355	35	124.4	11.88	10.98
	4360	40	109.0	11.64	10.74
	4365	45	97.0	11.46	10.56
	4370	50	87.4	11.24	10.34
	4380	60	73.0	10.91	10.01
	4390	70	62.7	10.60	9.70
	4400	80	55.0	10.39	9.49
	4410	90	49.0	10.08	9.18
	4420	100	44.2	10.08	9.18
	4440	120	37.0	9.50	8.60
	4470	150	29.8	8.80	7.90
	4500	180	25.0	8.50	7.60

Drawdown graph - Well Tag #52453



Recovery graph - Well Tag #52453



Water Quality Results

Client/Code

Weilmaster Pumps - M
*
PO Box 221
Cobble Hill, BC
V0R 1L0

Date 27Oct17 3:16p No. W136673
Source Well
Type of Sample water
No. of Samples 1

TEL:
chris@weilmasterpumps.com

Comments Arrival temp.: 12.0C

Sample: Lowen/Chapman WIN 52453

Site Code	Date	Time	CFU/100 ml		CFU/100 ml		CFU/100 mL
			TC	T-NC	FC	F-NC	E.coli
Raw Water from Well	27Oct17	07:55a	10	98	2	0	0

TC = total coliform bacteria

FC = fecal coliform bacteria (aka thermotolerant coliforms)

NC = non-coliform bacteria

CFU/100 ml = colony forming units per 100 milli-litres

Results may be adversely affected if samples are submitted to the laboratory more than 24 to 30 hours after collection.

E. coli = Escherichia coli, FDA/BAM 8th ed, 1995 + Revision A, 1998
Bergey's Manual of Systematic Bacteriology vol 1, AOAC 1984; J.Clin.Micro.,
J.Intern.Systm.Bact.

Comments:

For Interpretation of Results:

Total or Fecal Coliforms present greater than 0 CFU/100mL (0 CFU/mL):

IF Coliform numbers exceed safe limits for drinking water -
water is not suitable for drinking without treatment.

Total Non-coliform bacteria (=Lactose Fermentors) equal to or greater than
200 CFU/100mL (2.0 CFU/mL):

IF the number of organisms present exceed recommended guidelines for
drinking water: treatment is strongly recommended.

- see following page for chemistry results -

K. Paneque Martinez
Microbiologist

W. Riggs
Sr. Microbiologist



ANALYTICAL & TESTING SERVICES P.O. BOX 2103, SIDNEY, B.C. V8L 3S6

TEL: (250) 656-1334 EMAIL: info@mblabs.com

Appendix C

Certification of Groundwater Quantity and Quality
361 Sunset Drive, Salt Spring Island, B.C.

Client/Code

Wellmaster Pumps - M
*
PO Box 221
Cobble Hill, BC
V0R 1L0

Date 27Oct17 3:16p No. W136673 pg2
Source Well
Type of Sample water
No. of Samples 1

TEL: chris@wellmasterpumps.com Comments Arrival temp.: 12.0C

Sample: Lowen/Chapman WIN 52453 - Raw Water from Well 27Oct17 07:55a

ELEMENTS	SAMPLE	UNITS	Maximum Limits Permissible In Drinking Water*
1) Aluminium	Al	0.376	mg/L no limit listed
2) Antimony	Sb	17.0	ug/L 6.00 ug/L
3) Arsenic	As	43.7	ug/L 10.0 ug/L
4) Barium	Ba	<0.009	ug/L 1.00 mg/L
5) Beryllium	Be	<0.003	mg/L no limit listed
6) Boron	B	1.06	mg/L 5.00 mg/L
7) Cadmium	Cd	<0.100	ug/L 5.00 ug/L
8) Calcium	Ca	7.71	mg/L 200 mg/L
9) Chromium	Cr	<0.010	mg/L 0.050 mg/L
10) Cobalt	Co	<0.020	mg/L no limit listed
11) Copper	Cu	<0.008	mg/L 1.00 mg/L
12) Gold	Au	<0.040	mg/L no limit listed
13) Iron	Fe	0.090	mg/L 0.300 mg/L
14) Lanthanum	La	<0.020	mg/L no limit listed
15) Lead	Pb	0.540	ug/L 10.0 ug/L
16) Magnesium	Mg	1.27	mg/L 50.0 mg/L
17) Manganese	Mn	0.011	mg/L 0.050 mg/L
18) Molybdenum	Mo	<0.020	mg/L no limit listed
19) Nickel	Ni	<0.050	mg/L no limit listed
20) Phosphorus	P	<0.010	mg/L no limit listed
21) Potassium	K	0.310	mg/L no limit listed
22) Scandium	Sc	<0.050	mg/L no limit listed
23) Silicon	Si	4.74	mg/L no limit listed
24) Silver	Ag	<0.010	mg/L 0.050 mg/L
25) Sodium	Na	98.2	mg/L 200 mg/L
26) Strontium	Sr	0.093	mg/L no limit listed
27) Titanium	Ti	<0.010	mg/L no limit listed
28) Tungsten	W	<0.050	mg/L no limit listed
29) Vanadium	V	<0.010	mg/L no limit listed
30) Zinc	Zn	0.200	mg/L 5.00 mg/L
Hardness (mg/L CaCO ₃)		24.5	mg/L 0-75 mg/L = soft
pH		7.72	units 6.5 to 8.5

* As per Canadian or B.C. Health Act Safe Drinking Water Regulation BC Reg 230/92, & 390 Sch 120, 2001. Task Force of Canadian Council of Resource & Envir. Ministers Guidelines for Canadian Drinking Water Quality, 2014.

Comments:

Antimony: continous contact, inhalation or ingestion can be toxic; sources include batteries, solder & flame-retardants.

Arsenic: continuous ingestion of high amounts is toxic; sources of arsenic in water include industrial discharge, mineral dissolution and insecticides.



ANALYTICAL & TESTING SERVICES

R. Bilodeau
Analytical Chemist

P.O. BOX 2103, SIDNEY, B.C. V8L 3S6

H. Hartmann

Sr. Analytical Chemist

TEL: (250) 656-1334 EMAIL: info@mblabs.com

OCP AMENDMENT REQUEST
361 Sunset Drive
Channel Ridge Residential (R6a) -> Residential Designation (R8)

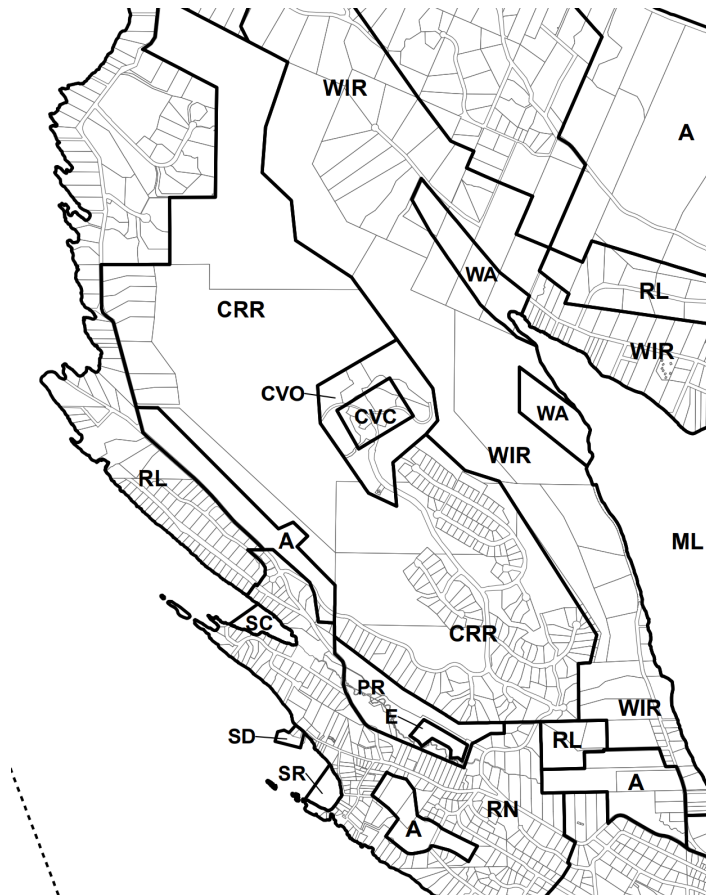
PROPERTY DETAILS

- **Address:** 361 Sunset Drive ([Google Map Link](#))
- **Legal Description:** Lot A Plan VIP44304 Section 13 Range 4W Land District 16 Portion NORTH SALT SPRING Except Plan 46042 & SECTIONS 11, 12 & 13, RGE 3 W
- **PID:** 005-624-827
- **Legal Owner:** Bryce Chapman
- **Current OCP Designation/Zoning:** Agriculture/A1 & Channel Ridge Residential/R6a

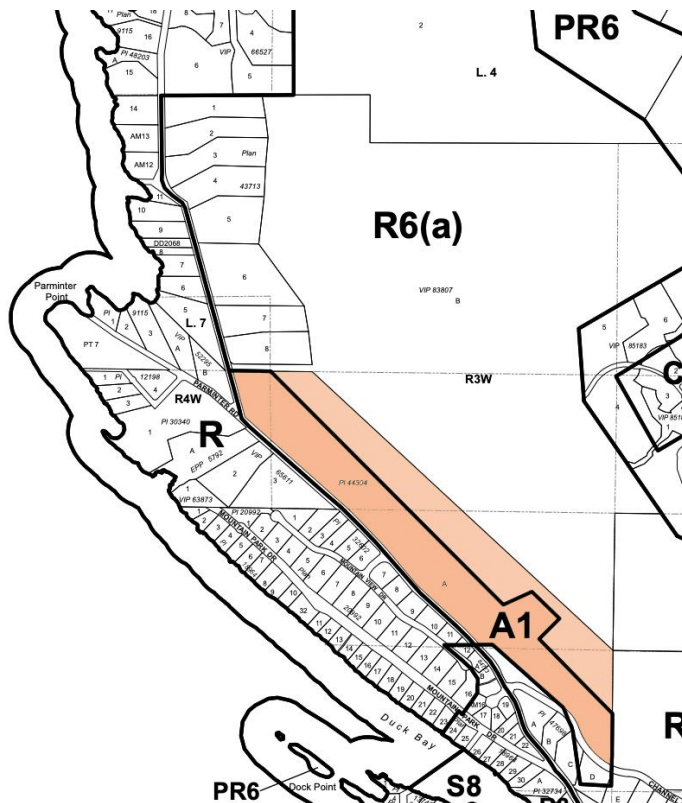
REZONING REQUEST - OCP & Rezoning Request

- Current: Channel Ridge Residential Designation (CRR) / (R6a)
- Requested: Residential Designation (RN) / (R8)

OFFICIAL COMMUNITY PLAN MAP: [Official Map here](#)



ZONING MAP: [Official Map Here](#)



CURRENT USE

- Currently this 84 acre property is used for one principal residence for one couple, as well as a barn that houses equipment needed to maintain the land.
 - Principal Residence: 2800 sqft
 - Barn: 8267 sqft

PROPOSED USE

It is my intention to create seven 1-Acre Lots on the North end of my 84 acre farm. For the purpose of setting two lots aside for [REDACTED] and five lots to hopefully find agriculturally-orientated entrepreneurs that can bring this valuable agricultural land back into production as I'm [REDACTED] now; very happy to mentor, but not so thrilled about [REDACTED].

I have tried for over 4 years now to find young agrarians to do leasing or joint ventures with, but the same problem arises – housing needs. That is why I am planning small 1-acre lots to keep the cost down. I will also be adding 22 acres of my property that is not currently agriculturally zoned into the ALR. My concept is that with my farm background and experience, we can take a portion of our land and turn it into almost an “incubator” situation for young farmers; producing all types of fruits and vegetables, livestock, nuts, berries, timber, etc. etc. Based on a serious economic business model; not glorified gardening. I will purchase the

necessary equipment so that the hopefully 5 agricultural operations on my land don't have to have that very limiting expense as well. We will co-op the equipment.

Further, to this activity, it is my wife's and my intention to help the businesses on our island/our home that have barely hung on because of Covid and the perennial decline of tourism in the winter months to create more traffic flow by holding weddings in our barn. We have met a tremendous [redacted] couple who have intelligently planned a glamping opportunity in a treed section, which in my mind, is about the greenest form of tourism housing that you could ever ask for. We are happy to lease some forest land to this clean, renewable, eco-friendly business and support them in their efforts as their customers will also support our island's businesses.

I am blessed with very abundant water and great privacy for my neighbours. We believe, that all of us on this island need to realize the economic struggles that the business owners have here. The warning signs are already happening. One of our Middle Schools has closed. Restaurants are being replaced with Food Trucks. One hardware store has already moved off island.

We need to improve the economics for our business people before this Island starts to spiral into decay and decline. We should all do our part to help our community survive financially as tourism is a wonderful, clean, renewable business resource. Many places would die for the opportunity we have here for this type of clean industry.

To that end, we hope to use our barn in the winter months to bring in more people for environmental seminars, permaculture training seminars, etc. It's not good enough to be "green," we should teach "green." But "green" has to have an economic focus or it's just a protest and nothing more. Our amazing artisans and craftspeople on this island also need more exposure for their products and services. The couple with the glamping tents fully intend to draw tourists, even during the winter months with the critical one or two overnight stays instead of day trippers, as the overnight stays spend dramatically more money on the island per day in support of our businesses.

It is sad every year, to look at the Grade 12 graduating class photo and realize that many of these graduates will not be able to stay "economically" on their own island. We need to fix this. We hope to help in our own small way to give some of them a chance to begin their own ventures in producing food locally.

Sincerely,

Bryce & Romy Chapman
[redacted]

ADDITIONAL NOTES REGARDING INTENDED USE:

Within the current CRR designation, further subdivision, small businesses rezonings, nor temporary use permits for small businesses are not allowed. Transitioning to regular Residential land will allow us to thoughtfully subdivide this land for the regenerative and community-focused uses described above. Transitioning to R8 land from R6 will also allow agricultural purposes.

PROPOSED TIMELINE:

- Once amendment is approved:
 - **Immediately after OCP amendment approval:** Temporary Use Permit application for eco-glamping accommodations
 - **0-6 months after OCP amendment approval:** Application for subdivision rezoning, and addition of 22 acres to ALR/agriculture land
 - **0-2 years after subdivision approval:** Residential + agricultural housing build on subdivided lots

REASONS IN SUPPORT OF AMENDMENT

1. OCP Alignment:

Below is a summary of the OCP bylaws that this plan is in support of:

A.4.2.2 To maintain and restore the community's natural capital represented by such items as our agricultural and forest land base, our potable water supplies, and primary value of our natural and unspoiled rural character.

A.4.4.6 To ensure the continued development of land use opportunities for non-traditional residential settlement. Opportunities that are based on the communal stewardship of land, conservation of resources and alternative forms of infrastructure are of special importance.

A.4.6.2 To maintain and encourage a diverse and creative community by providing a wide range of opportunities and locations for earning a living that are compatible with and can take advantage of the protection and preservation of the island's beauty and character. In particular, to encourage small, locally owned businesses whose revenues remain on the island, especially those which expand local production and consumption to meet the needs of islanders.

A.4.6.3 To encourage living-wage, meaningful, year-round employment and income-generating opportunities that especially enable young people and families to remain on the island.

B.3.1.1.1 To recognize and welcome the economic value to our community of tourism that is compatible with preserving and protecting the island's natural environment, authentic resident-based sense of community, and the aesthetic values that attract visitors.

B.3.1.1.2 To allow visitor accommodation to develop in a way that will best retain and distribute the resulting economic benefits and reduce any negative impacts; to avoid concentrating benefits and impacts in only a few locations.

B.3.1.1.3 To retain and maximize the economic benefits of tourism to the community.

B.3.1.1.4 To make land use decisions that would encourage tourism in the shoulder and off-seasons and discourage any significant increase in the peak period.

B.3.1.1.5 To encourage tourism that blends well with the community and complements the rural, peaceful nature of the island, and to avoid the development of tourist attractions that are unrelated to the island's natural environment, social base or cultural heritage.

Reiteration of OCP support:

- The intended plan for this land is to better allow the land to be used for regenerative/permaculture agriculture and affordable housing, and an eco-focused regenerative tourism business, while maintaining & supporting the natural assets of the land. Preserving and regenerating this land in a creative, community-focused way, is at the forefront of this application.
- The core of this intended plan is to build affordable, farm-focused housing lots, while also allowing a small eco-tourism business to run on the land. This combination of both housing, farming and small-business working together to regenerate the land is an idyllic representation of creative solutions that can support locals, tourists, and the local environment at the same time.

2. Proximity to neighbours & local businesses

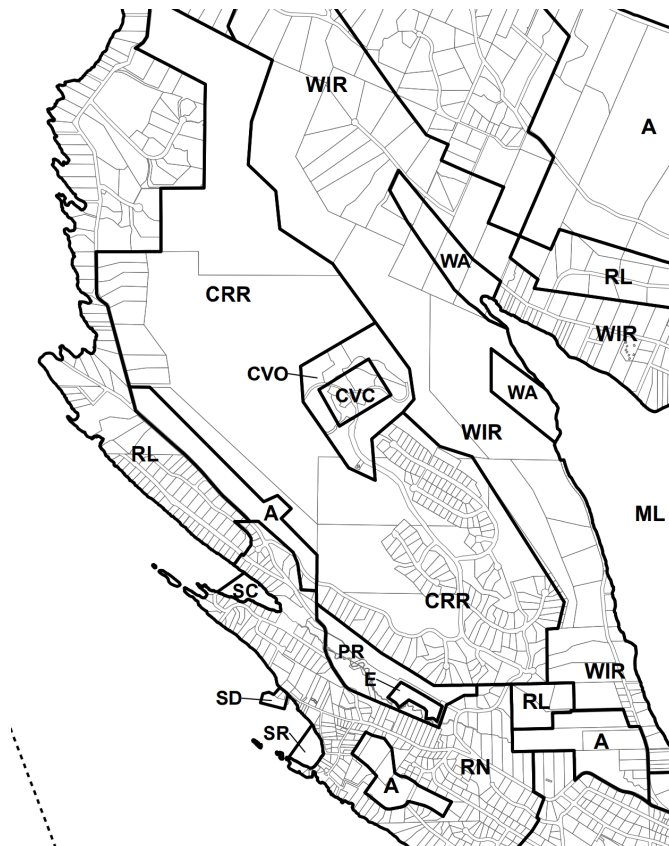
- While there are many farms on this area of the island, there are sparse tourist accommodations that can support easy access to these farms. Closest B&Bs/Resorts are between 1km-4km away
- Proximity and privacy for neighbors: The future plans would include maintaining a health vegetation screen on all business activities, while also prioritizing forest maintenance and privacy for all residents and the small glamping business.

3. Land Resources

- **Farm land:** The land has been inspected by experienced agricultural practitioners for soil, drainage, sun coverage, air movement and crop viability with enthusiastic reports on the agricultural benefits of this property.
- **Solar:** This land offers ample sunlight and winds, year round, making it an excellent location for renewable energy sources like solar, and wind.
- **Water:** A hydrologist supervised 72 hour well test has been performed on one of the wells on the south end of the property yielding 84 gpm of water with amazing recovery speed and no impact on neighbouring wells.
- **Septic & Drainage:** A septic engineer has pre-inspected the soils for drainage capacity to validate a lack of any concerns for simple septic systems for all properties that can support irrigation for the agriculture field.

EXISTING USES OF ADJACENT & NEARBY LANDS

- All adjacent properties are residential properties (CRR, RN, RL) with the exception of the land to the north east of the property which is still the undeveloped, Channel Ridge Residential trail network and unused land.





File No.: SS-DP-2020.15
X-Ref.: SS-DP-2017.13
SS-DVP-2017.13

DATE OF MEETING: June 14, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Island Planner (Acting)
Salt Spring Island Team

COPY: Louisa Garbo, Regional Planning Manager (Acting)

SUBJECT: Development Permit amendment for Development Permit Area 1
Applicant: Deborah Holmberg
Location: 106 Lower Ganges Rd

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee requests the applicant revise application SS-DP-2020.15 to provide pedestrian pathways within the boundaries of the subject property consistent with Development Permit Area 1 guidelines, in particular E.1.4.4 and E.1.4.5.
2. That the Salt Spring Island Local Trust Committee refers application SS-DP-2020.15 to the Salt Spring Island Local Trust Committee Advisory Planning Commission on the proposed Development Permit amendment application's compliance with the Development Permit Area 1 guidelines.

REPORT SUMMARY

The applicant is seeking to amend an existing Development Permit (DP) to address landscaping and pedestrian circulation issues and relevant guidelines related to changes to the subject property layout. The applicant has provided staff with an updated pedestrian path system plan, which is proposed to be located on the adjacent Right of Way (RoW). The applicant has been in contact with staff at the Ministry of Transportation and Infrastructure (MoTI), who have indicated that a painted pathway is likely acceptable, but the placement of wheel stops would not be allowed. Staff analysis of the revised plan finds that it is still deficient in meeting the guidelines for pedestrian circulation. Staff recommend that the applicant be requested to revise the application to ensure that pedestrian pathway guidelines are met, this may require accommodating pedestrians on the property as opposed to in the adjacent RoW. Staff also recommend that this application be referred to the Advisory Planning Commission for comment on conformity with the DPA 1 – Island Villages objectives and guidelines.

BACKGROUND

The SS LTC has previously considered the current application on two previous occasions. At the June 29, 2021 the SS LTC passed the following resolutions:

SS-20201-125

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Local Trust Committee a pedestrian circulation plan, consistent with Official Community Plan policy E.1.4.5, that clearly delineates a pedestrian walkway on the entire perimeter of the subject property as per the

resolutions of the Salt Spring Island Transportation Commission made at their May 31, 2021 meeting. The applicant shall consult with the Ministry of Transportation and Infrastructure if required in preparing the plan (106 Lower Ganges Road).

CARRIED

SS-20201-126

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Local Trust Committee a parking plan that includes clearly delineating the parking that presently occurs adjacent to the subject property and within the highway right-of-way on McPhillips Avenue as per the resolutions of the Salt Spring Island Transportation Commission made at their May 31, 2021 meeting (106 Lower Ganges Road)

CARRIED

SS-20201-127

It was MOVED and SECONDED,

That the Salt Spring Island request that the applicant review the proposal for Development Permit application SS-DP-2020.15 to ensure that the proposed amendment is consistent with Official Community Plan Policy E.1.6.20 to ensure areas of the property provide barrier free access for those with mobility issues (106 Lower Ganges Road).

CARRIED

Previous staff reports can be viewed online here:

<https://islandstrust.bc.ca/document/salt-spring-ltc-regular-meeting-agenda-2021-06-29/>

https://islandstrust.bc.ca/wp-content/uploads/2021/03/ss-ltc_2021-03-23_rm_agd_pkg.pdf#page=153

ANALYSIS

Policy/Regulatory

Official Community Plan:

The subject property is within Development Permit Area 1 – Island Villages (DPA 1). Previous staff analysis found that the application was deficient on a number of DPA 1 guideline requirements, primarily related to pedestrian circulation. However, the revised plan is still deficient as it relates to pedestrian circulation, amenities, and safety.

Issues and Opportunities

Pedestrian pathway

The primary issue with the proposed application remains the lack of a delineated, separated pedestrian pathway on the property. The applicant's revised plan (see appendix 1) to provide this pathway on the adjacent road Right of Way is limited as it does not allow for separation from parking and traffic. Without this separation, the pathway will likely be of limited use to pedestrians. The applicant should provide a revised plan to accommodate the pedestrian pathway on the property.



Figure 1: Staff's rendering of proposed pathway on northern lot boundary in green (to be painted in white).



Figure 2: Staff's rendering of proposed pathway on northern lot boundary in green (to be painted in white).



Figure 3: Staff's rendering of proposed pathway on eastern lot boundary in green (to be painted in white). .

MoTI

The applicant has had correspondence with the Ministry of Transportation and Infrastructure regarding the pedestrian pathway on the adjacent Right of Way on McPhillips Ave. Staff understanding of the outcome of those discussions is that the painting of a pathway boundary would be permitted, but any physical separation (e.g. concrete wheel stops) would not be allowed. Without the presence of some wheel stop structure to prevent vehicles from passing across the pathway, the likelihood that the pathway functions as indented is limited.

Parking and accessibility

The applicant has previously obtained a Development Variance Permit (SS-DVP-2017.13) to reduce the required number of parking spaces down to six. The applicant is proposing to reconfigure the previously approved parking layout through the current application by providing five of the six along the southern lot line. Reconfiguration of the parking spaces will require movement of some garbage and recycling storage area and re-painting of the stall lines as illustrated in the following photographs (note all stalls are approximately the minimum stall width according to the Salt Spring Island Land Use Bylaw is 8.53 ft or 2.6 m).



Figure 4: Proposed parking stalls



Figure 5: Proposed location of handicapped parking stall (shown by red vehicle).



Figure 6: Staff's diagram showing proposed deck expansion area.

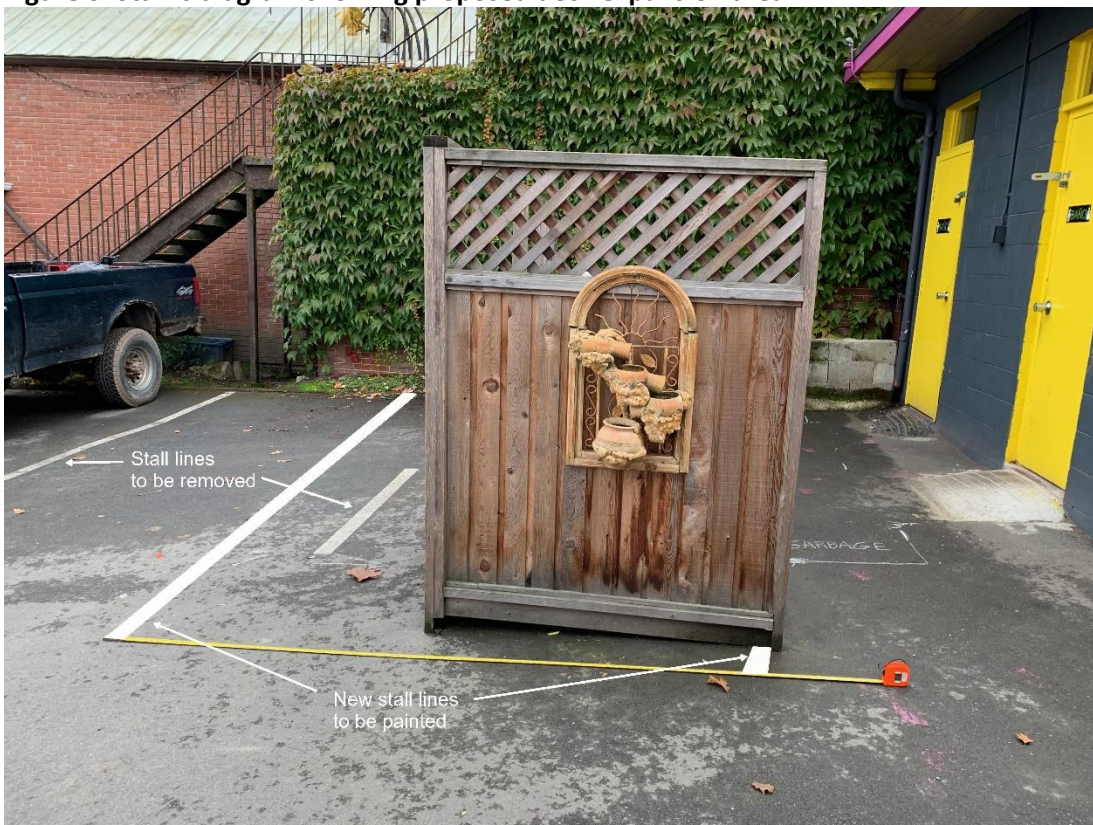


Figure 7: Staff's diagram showing space available and uses that are intended to be accommodated.



Figure 8: Staff's diagram showing proposed realignment of parking stalls.

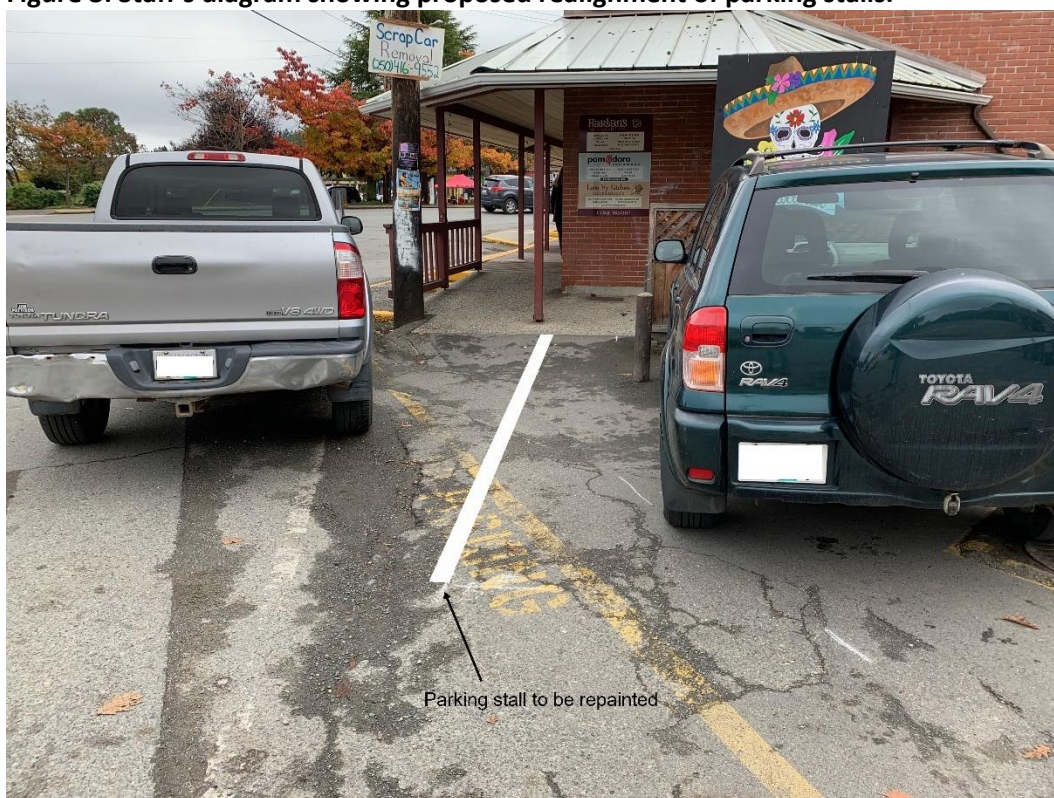


Figure 9: Staff's diagram showing proposed realignment of parking stalls.

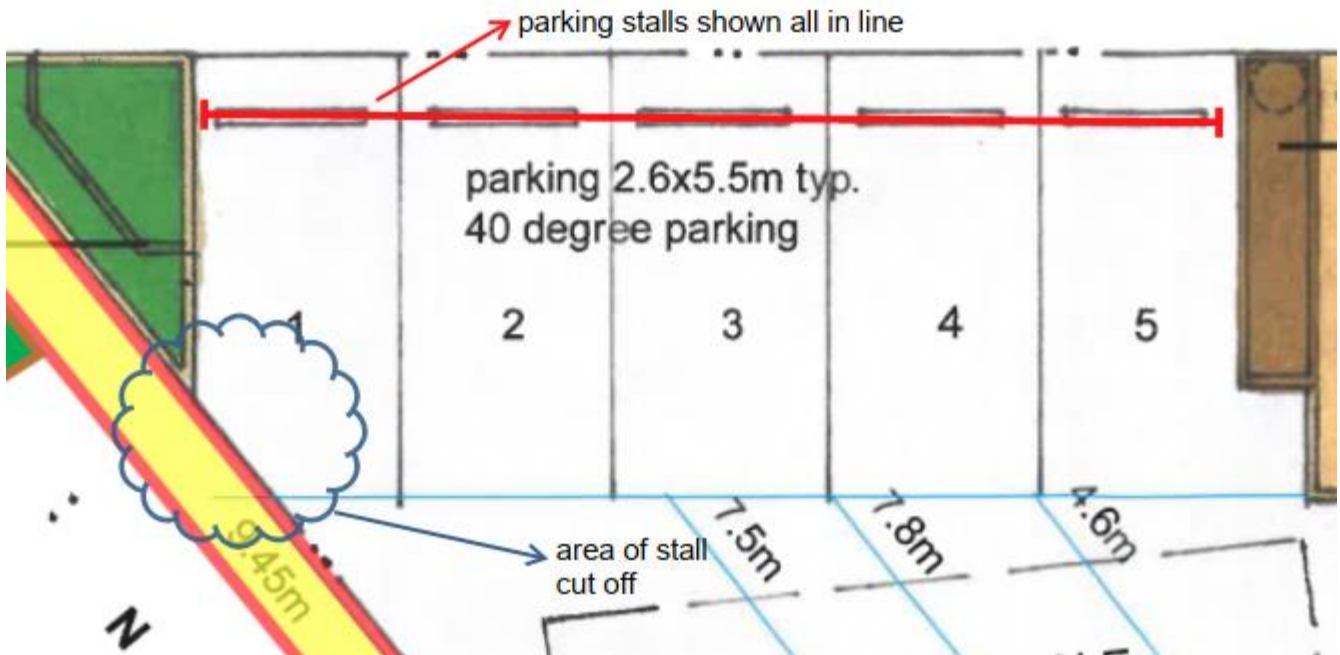


Figure 10: Detail of site plan showing parking stalls all in alignment, at odds with current on site condition.

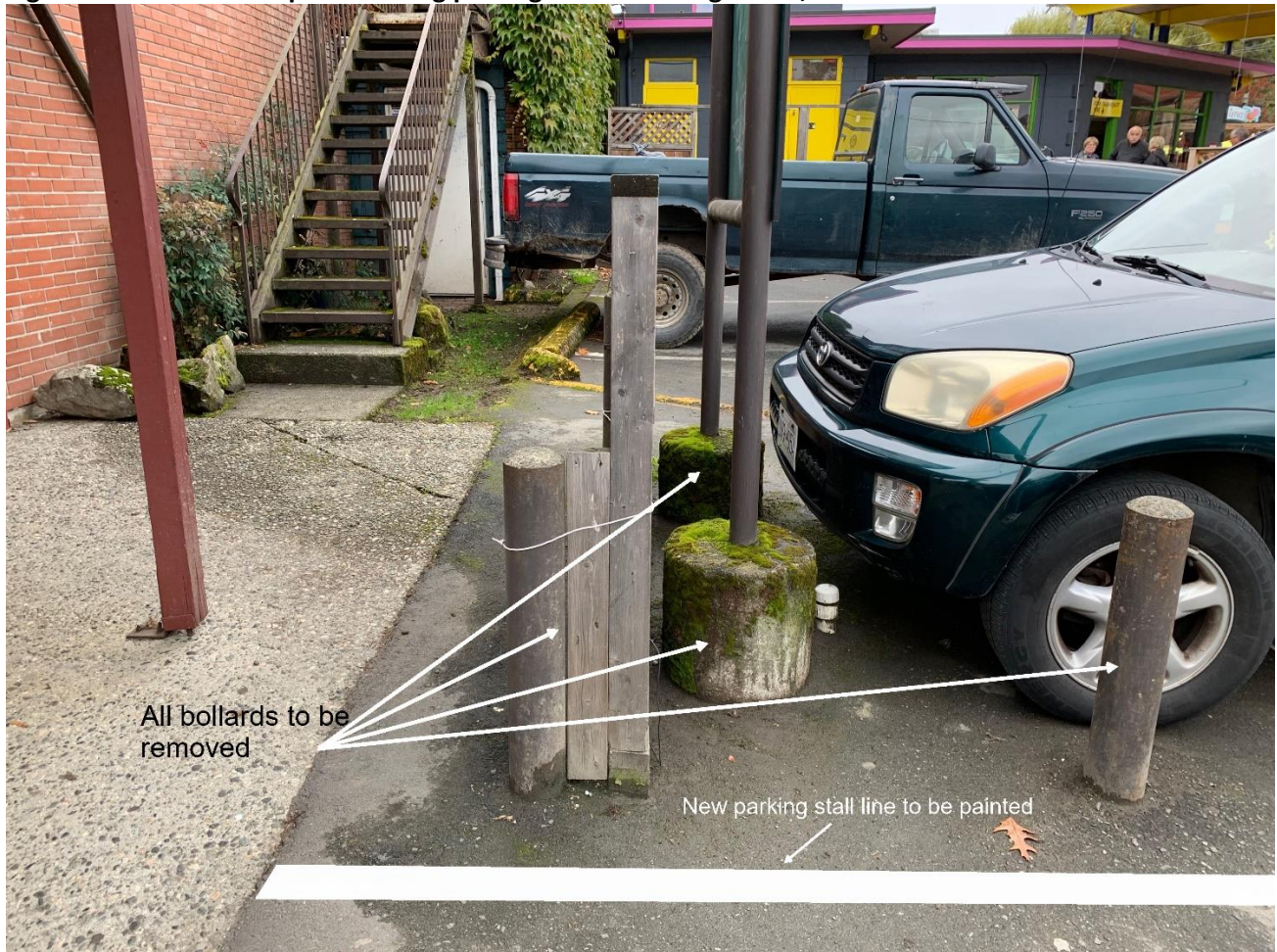


Figure 11: Photo showing current arrangement preventing full utilization of the proposed stall.

Given the plans to extend the deck to allow barrier free access to the washroom and the need to locate the garbage storage with a minimum width of 42 inches, all existing stall lines will need to be shifted and repainted. The previously issued DVP and DP did not authorize the placement of the refuse storage area currently in the parking area. Furthermore, the eastern most stall size is diminished by the presence of some concrete structures in the proposed stall (see Figure 11) and to applicant proposes to remove these structures to accommodate parking.

Consultation

Development Permit applications do not require consultation or notification; none has been undertaken.

No additional correspondence has been received at the time of preparing this report, but may be received before or during the LTC meeting. Correspondence may be sent to ssiinfo@islandstrust.bc.ca.

Agencies

The application has been reviewed by the Salt Spring Island Transportation Commission. The applicant has incorporated the recommendations to the proposed site plan to the extent possible.

The applicant has also contacted MoTI regarding the adjacent RoW.

First Nations

No ground-disturbing works have been proposed.

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Rationale for Recommendation

Staff recommend that the application be revised to better meet the pedestrian circulation guidelines of DPA 1. In revising the application, the SS LTC also has the opportunity to seek advice from the APC, and staff recommend that they do so.

ALTERNATIVES

The SS LTC may wish to consider the following alternatives to the staff recommendation:

1. Request further information

The SS LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased cost to the applicant. If selecting this alternative, the SS 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 [specify information requested].

2. Deny the application

The SS LTC may deny the application. Staff advise that the implications of this alternative that the development will not be permitted to proceed as proposed and some structures may need to be removed. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-DP-2020.15 for the following reasons [insert reasons, e.g. the proposed development permit does not satisfy pedestrian circulation guideline requirements.]

NEXT STEPS

If the SS LTC approves staff's recommendation, the applicant will be required to amend the proposed amendment. The application will be referred to the APC at the next regular meeting.

Submitted By:	Geordie Gordon, Acting Island Planner	June 1, 2022
Concurrence:	Louisa Garbo, Acting Regional Planning Manager	June 2, 2022

ATTACHMENTS

1. Updated plans
2. Updated DPA Guidelines
3. Proposed Development Permit



APPENDIX #2 – DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 1 – ISLAND VILLAGES

Guideline	Complies	Comments
E.1.4 Guidelines for General Site Design, Building Location and Access		
General Guidelines		
E.1.4.1 All commercial, industrial and multifamily sites should be designed to reduce impacts on neighbouring properties, on-site residential areas and public places, including the sea. Particular attention should be paid to locating and screening loading docks, waste containers, propane tanks, air-conditioning units and other service areas to reduce noise and visual impacts. This guideline is particularly important for development next to schools and hospitals.	Yes	Staff Comments: The building is pre-existing and no structural changes are proposed. The loading space is adjacent to public access, but minimizes impacts on traffic.
E.1.4.2 All commercial, industrial and multifamily developments should be designed so that the obstruction of views from neighbouring properties is minimized.	Yes	Staff Comments: No structural alterations are proposed. Existing views are maintained.
E.1.4.3 Additions to existing commercial and multifamily buildings should maintain the existing building setbacks from the street, unless such setbacks are markedly different from the general neighbourhood pattern.	Yes	Staff Comments: No additions are proposed.
E.1.4.4 Major new commercial, industrial and multi-family developments should include construction of a sidewalk or walking path on adjacent road rights-of-way. All sidewalks and internal site circulation routes should ensure barrier-free access.	No	Staff Comments: While not a 'new' development, the proposed amendment does not include a sidewalk/walking path on the subject property. MoTI has indicated that wheel stops are not permitted in the right of way. Without effective traffic separation, staff consider having the walkway off the property is inadvisable. Applicant Comments: Although this is not a major new commercial development a pedestrian plan has been designed to incorporate lines painted on asphalt clearly delineating a barrier free walk path around the perimeter of the property.
E.1.4.5 Site access to commercial and multi-family developments should encourage use by pedestrians and cyclists. Internal circulation routes for pedestrians and cyclists should be segregated from vehicular routes, with an emphasis given to pedestrian and cyclist safety over vehicular convenience if necessary. Site plans of large new developments should show how transit stops could be accommodated in the future. Site access in Ganges Village should be arranged to coordinate with the Ganges	Undetermined	Staff Comments: The proposed amendment does not include a sidewalk/walking path on the subject property. MoTI has indicated that wheel stops are not permitted in the right of way. Without effective traffic separation, staff consider having the walkway off the property is inadvisable. Applicant Comments: The proposed pedestrian plan provides segregation of traffic and pedestrian by way of planters on the roadside of the pathway.

Public Pathway System, including the seawalk. Potential routes for the system are shown in a conceptual way on Map 17.		
E.1.4.6 Commercial developments should provide structures for the convenient and secure parking and locking of bicycles, close to and visible from the adjacent streets. Such structures should not obstruct pedestrian movement on the site.	Yes	Staff Comments: The site plan indicates secure parking and locking of bicycles in close proximity with the adjacent streets.
E.1.4.7 Where appropriate, buildings in the Ganges Village Core, Channel Ridge Village Core and in Fulford Harbour should be connected with arbours, courtyards and pathways to make them inviting to pedestrians. Along pedestrian routes, attractive public seating and resting areas should be incorporated into project designs.	No	Staff Comments: No pedestrian amenities provided. Applicant Comments: The proposed pathway incorporates numerous planters to enhance the beautification of the area.
E.1.4.8 Where possible, buildings should be sited and designed in a way that maximizes solar gain and reduces energy loss. Obstruction of solar gain on surrounding properties should be minimized.	N/a	Staff Comments: Does not involve building siting.
Guidelines For Specific Village Locations and Situations		
E.1.4.9 To ensure a compact and pedestrian-oriented commercial area in village cores, new commercial developments in the Ganges Village Core, the Channel Ridge Village Core and in Fulford Harbour Village should ideally be located with no or little setback from the front property line. Minor variations could be included to provide small public spaces and pedestrian amenities along the streetfront. Exceptions to this guideline could be considered: a. On Hereford Avenue in Ganges where greater setbacks could reflect the location of existing structures. Building setbacks along Hereford Avenue should show a transition between new and old structures that enhances pedestrian use, and includes public space and amenities. b. On waterfront properties in the Ganges Village Core and in Fulford Harbour Village, where developments should be oriented towards the harbours and parking should be located upland of the principal use on the property.	N/a	Staff Comments: Not a new commercial development.
E.1.4.10 Where commercial developments have street frontage in the Ganges Village Core, Channel Ridge Village Core and Fulford Harbour Village, the main floor should be preferably occupied by retail stores, restaurants, and personal service uses in order to maintain the interesting and lively commercial character of the	Yes	Staff Comments: Street level frontage is used for restaurant.

villages. Most new business and professional offices and residential units should ideally be located on the upper levels of commercial developments or on a side of the building without street frontage. Access for the disabled to upper levels should be considered.		
E.1.4.11 To avoid the appearance of strip development along Lower Ganges Road in Ganges Village, new developments with frontage on Lower Ganges Road north of Upper Ganges Road should be setback 7.6 m from Lower Ganges Road and should maintain an effective vegetation screen between structures or parking lots and the road, with minor breaks for access only. Where no other frontage exists, buildings should be oriented inward around a central court. Where a secondary frontage exists with access to Lower Ganges Road, building access should be from the secondary frontage, and building orientation should be either inward or oriented to the secondary frontage. Where commercial parcels lie between Lower Ganges Road and a residential street, all access should be developed from Lower Ganges Road, to buffer the residential area from commercial traffic. Additions to existing commercial development along Lower Ganges Road should use special creative efforts to avoid continuance of the existing "strip mall" appearance. Parking and shop fronts should be screened from Lower Ganges Road with generous landscaping buffers and islands. Use of designs that face the interior of the parcel with an inner court and using scales of traditional village streetscapes should be considered.	N/a	Staff Comments: Not within specified location.
E.1.4.12 New commercial and multi-family developments along Upper Ganges Road in the Ganges Village Core, along Fulford-Ganges Road in Fulford Harbour Village and along roads entering Channel Ridge Village should enhance the entry into these villages. Parking should be screened by vegetation or structures so that it is not visible from those entering the villages. Care should be taken that buildings in these areas create a sense of entry and do not present an unattractive appearance to those entering the villages.	N/a	Staff Comments: Not within specified location.
E.1.4.13 Developments along the boundary between the Upper Ganges Village and	N/a	Staff Comments: Not within specified location.

Ganges Village Core subdesignations should encourage pedestrian linkages between these two areas.		
E.1.4.14 Developments in Channel Ridge Village and Fulford Harbour Village should include landscaping arrangements that contribute to a comprehensive pathway system similar to the Ganges Public Pathway System. Development in the Channel Ridge Village Core should be focussed on a central village green linked to the pathway system. Recommended walkways for Fulford Harbour Village are shown on Map 18.	N/a	Staff Comments: Not within specified location.
E.1.4.15 Development along Ganges and Fulford Harbours should be oriented towards village harbours. In Ganges, it should incorporate the seawalk portion of the Ganges Public Pathway System as an integral part of its design (consistent with the plan shown on Map 17). Windows, doorways, patios, decks and pathways should be positioned to overlook and provide for pedestrian access to the harbour and seawalk.	N/a.	Staff Comments: Not within specified location.
E.1.4.16 All development in the Ganges Village and Fulford Harbour Village Designations should be located so as not to interfere with existing harbour views from public areas and roadways. Particularly important harbour views to be preserved in Ganges include those from Upper and Lower Ganges Roads, the foot of Park Drive, Rainbow Road and Fulford-Ganges Road, Centennial Park and Gasoline Alley. Views to be preserved in Fulford Harbour include those from Fulford-Ganges Road and from Beaver Point Road.	Yes	Staff Comments: Does not affect existing harbor views.
E.1.4.17 Developments next to Ganges and Fulford Harbours should be massed in a way that allows sea view corridors to remain between parts of buildings. Development of Channel Ridge Village should maximize views of Stuart Channel. Consideration should be given to designs that dramatize the view by framing, or that use transparent features such as lattice work, breezeways and colonnades to retain the sea view.	N/a .	Staff Comments: Not within specified location.
E.1.4.18 Developments adjoining agricultural lands should be designed to minimize conflicts with that land. The location of access roads, the siting of structures, and the layout of subdivisions should follow the guidelines that have been developed by the Ministry of Agriculture and Lands and the Agricultural Land	N/a	Staff Comments: Not adjacent to agricultural land.

Commission as a guide to implementing the Farm Practices Protection (Right to Farm) Act (MAFF, 1996). Site designs should allow for a vegetated buffer, as outlined in Guideline E.1.7.22.		
Guidelines For Multi-Family Developments		
E.1.4.19 Developments should have staggered or recessed entrances that allow for privacy. Clusters of duplexes are preferable, so that each dwelling unit has more than a front and rear view from the interior. Clusters should use asymmetrical designs to avoid the appearance of "row housing" or "mirror image" units.	N/a	Staff Comments: Not a multifamily development
E.1.4.20 On through streets, the building setback required by local bylaws should be maintained so that a buffer remains for homes. On non-through streets, a variance of the setback could be requested (e.g. to 3 to 4.5m), to encourage human activity and create a lively, occupied character to the street.	N/a	Staff Comments:
E.1.4.21 Where developments are designed for families or seniors, all units should have direct access from the ground level. However, developments that provide special needs housing or affordable seniors' supportive housing may consist of two-storey complexes, if all dwelling units for seniors and those with special needs have ground level access or can be accessed by elevators."	N/a	Staff Comments:
E.1.4.22 Space should be provided for private and common storage and for a convenient mail kiosk.	N/a	Staff Comments:
E.1.4.23 Developments that are to be strata-titled should show the way that their required parkland dedication will be incorporated into the site design.	N/a	Staff Comments:
E.1.4.24 Internal circulation routes should integrate dwelling units with common open space and play areas and with public walkways such as the Ganges Public Pathway System. Particular attention should be paid to the development or maintenance of safe and effective pathways between multifamily developments and schools, public institutions and village services.	N/a	Staff Comments:
E.1.4.25 Developments that provide special needs housing or seniors' supportive housing should incorporate appropriate design elements such as those outlined in Appendix B – Supportive Housing Design Considerations , of the document entitled " Supportive Housing for Seniors, A Policy "	N/a	Staff Comments:

and Bylaw Guide”, prepared by the B.C. Ministry of Community Development in July, 1999. Where necessary to accommodate such design elements, other design guidelines of this Development Permit Area may be relaxed or varied by the Salt Spring Island Local Trust Committee.		
E.1.5 Guidelines for Offstreet Parking Lot Location and Design		
E.1.5.1 The preferred location for a parking lot is behind the building it serves, so that the lot cannot be seen from the main street on which the building is located. If parking behind a building is not possible, streetfront parking lots should be designed with a maximum street frontage of 10 m and an effective landscape screen. Developments on Ganges or Fulford Harbours should be considered as exceptions to this general guideline so that buildings (rather than parking lots) are located immediately next to the harbour. In these situations, parking lots would have street frontage but should be well screened from the street and incorporate effective and attractive facilities for pedestrians to access the harbour.	No	Staff Comments: The building is existing and the only area available for parking is at the road frontage. The vegetation details submitted do not provide screening. This DP application seeks to modify the layout of what was previously approved but does not seek a reduction in spaces from the applicant’s point of view. Applicant Comments: As the subject property is on a corner in the downtown core, traffic sight lines were considered, therefore, landscape to create screening was considered unsafe. Planters with lower plantings to soften the visual corridor between the street and the 6 parking spaces has been incorporated. We feel this item should be considered N/A due to traffic site lines.
E.1.5.2 To avoid an urban or "strip mall" appearance in island villages, parking lots should not be located on a corner lot or between a building and the adjacent sidewalks.	No	Staff Comments: The building exists on a corner lot and includes a parking lot and parking spaces between the restaurant and pedestrian connections. There are limited options to re-orient the parking area. Applicant Comments: A strip mall or urban feel is unlikely to be perceived due to the unique location of the building and due to the configuration of the lot. The outdoor patio areas have been designed to guide the eye to these areas and minimize the 6 parking spots.
E.1.5.3 Parking lot access lanes should be located and designed to reduce breaks along the street wall and to reduce accesses that cross sidewalks. Entrances from secondary frontages or from rear lanes are preferred. Parking lots should hold all vehicular manoeuvring requirements for entry and exit to and from individual parking spaces.	N/a	Staff Comments: Development does not contain a parking lot access lane.
E.1.5.4 Offstreet parking spaces should not be located so that cars must exit or manoeuvre by backing over a sidewalk or other pedestrian route.	No	Staff Comments: Staff have not observed egress of vehicles, but there is the possibility for backing across pedestrian routes. Applicant Comments: The plan was designed by a qualified landscape architect using the lot dimensions and requirements for parking as outlined.
E.1.5.5 In Ganges, between Jackson Avenue and Lower Ganges Road, new developments proposed along the north side of McPhillips Avenue, both sides of Hereford Avenue and	N/a	Staff Comments: Not within specified area.

the south side of Rainbow Road should allow for the development of a rear lane way (where topography permits) that provides access to parking lots in the rear and minimizes access breaks along the streets. The lane way should be about 7.5 m in width and should be landscaped and paved to make it an attractive pedestrian route. Consideration could be given to using arcades, hidden courts or other architectural features that would encourage development of secondary retail frontage along the lane.		
E.1.5.6 Parking spaces for the disabled should be plentiful, prominently marked and carefully located for maximum convenience and proximity to accessible building entrances and weather protection features. If necessary, exceptions to the guidelines for parking location may be made to maximize convenience for the disabled.	Yes	Staff Comments: Disabled parking is located for maximum convenience.
E.1.5.7 Part of the parking required for commercial developments could be located in a parking lot on another property, provided the following conditions are met besides the ones listed above: a. The offsite parking lot is within a convenient walking distance (up to about a half a kilometre) of an entrance to the building it serves. Larger parking lots in the Ganges Village Core should be located to the west of Jackson Avenue. b. Offsite parking lots for commercial uses are to be located on properties that are immediately next to the commercial use or on more distant properties zoned for non-residential use. c. Offsite parking lots must be exclusively dedicated and secured with a legal agreement that is in place before issuance of a building permit and continues for the life of the building served. d. Parking spaces for the disabled are not to be located offsite. e. Signs showing the location of offsite parking should be clearly visible from streets next to the building being served. Such signs may not be necessary if the offsite parking lot is to be used primarily by tenant employees as a condition of lease.	n/a	Staff Comments: Previous applications have indicated an inability to secure offsite parking. Parking requirements have been relaxed through previously issued DVP. Applicant Comments: The amendment application includes the 6 previously approved parking spots. If N/A this should not be counted as a noncompliant item.
E.1.5.8 Parking lots should not generally consist of more than thirty spaces, unless a considerable amount on mid-lot landscaping is incorporated into the design. Parking lots in the existing commercial part of Fulford	Yes	Staff Comments: Parking lot has six spaces.

Harbour Village should not generally consist of more than fifteen spaces. Where development requires more spaces, parking should be located in discontinuous areas or be separated by generous landscaping.		
E.1.5.9 Parking should only be at ground level or below.	Yes	Staff Comments: All parking is at ground level.
E.1.5.10 Areas should be provided for the loading and unloading of trucks. Sites should allow delivery trucks to manoeuvre without having to block or back onto an adjacent street, parking aisle or pedestrian route. Emergency vehicles should be able reach all parts of the development easily.	No	Staff Comments: Site plan does not indicate sufficient space for unloading, loading, and maneuvering of delivery trucks. Applicant Comments: Deliveries are made between 7:30 am and 10:00 am which is prior to the restaurant opening. The unloading zone provides access to the entire parking and pedestrian areas within the parking lot area and should provide sufficient turning radius for delivery trucks. All other trucks will utilize the parking area on the curbside of Lower Ganges Road as is the case for other downtown businesses.
E.1.5.11 Multi-family developments should provide parking in locations that minimize walking distances for residents. However, designs where the front elevation of units is dominated by a garage door or parking pad should be avoided. Parking areas located along the front elevation of units should be well screened by vegetation. Parking for visitors should be located close to project entries and should be assigned and marked as visitor parking. Screened parking should be provided for the storage of recreational vehicles and boats.	N/a	Staff Comments: Not a multi-family development.
E.1.6 Guidelines for Building Form		
E.1.6.1 Building height should be in keeping with local bylaws and neighbouring structures. If a third storey is allowed by zoning for residential use, it should be located as a half storey. In such a situation, a building height variance up to 10.6 m could be requested, provided other design aspects work to reduce the apparent mass of the structure.	N/a	Staff Comments: No building changes proposed.
E.1.6.2 Horizontal building modulation and articulated facades should be used to reduce the apparent mass of buildings facing the street. They should create a pedestrian scale and interest along adjacent sidewalks and along the Ganges Public Pathway System. To enhance village vitality, consideration should also be given to creating secondary retail frontage along arcades and at the rear of buildings. These ideas should especially be considered where buildings are next to the Ganges Public Pathway System.	N/a	Staff Comments: No building changes proposed.

E.1.6.3 On slopes, horizontal modulation (stepped structures) should be used so the building conforms to the site.	N/a	Staff Comments: No building changes proposed.
E.1.6.4 Existing site topography and landscape should not be significantly altered and should be complemented by proposed structures.	N/a	Staff Comments: No changes proposed.
E.1.6.5 Development next to Ganges and Fulford Harbours should be designed to conform to rather than conceal the natural contours of the harbour. Where zoning allows structures to extend over the water surface, the maximum height should not exceed 7.6 m above sea level at the natural boundary of the sea.	N/a	Staff Comments: Not within specified area.
E.1.6.6 New buildings should not have a street frontage width more than 2.5 times their height. Buildings with extensive street frontage should avoid long homogenous facades. They should have a scale, size, massing, shape, roof line and exterior finish that is sufficiently varied and articulated as to give the impression of separate small units, rather than a large mass.	N/a.	Staff Comments: Not a new building.
E.1.6.7 The existing "rhythm" of buildings along street frontages should be respected. Buildings that replace existing structures should retain the original width of the front elevation and the spacing between buildings. In Fulford Harbour particularly, the size, spacing, front elevation width and orientation of buildings along Fulford-Ganges and Morningside roads should be retained by any new development.	N/a	Staff Comments: Not a replacement/new building.
E.1.6.8 In Ganges Village, new development along Lower Ganges Road north of Upper Ganges Road, should be massed with articulation and rhythms similar to existing non-commercial development. The development of a commercial strip appearance along the road should be avoided.	N/a	Staff Comments: Not a new development.
E.1.6.9 Landmark buildings should not be created in island villages.	N/a	Staff Comments: Not a landmark building.
E.1.6.10 To encourage use of the village during all seasons, continuous weather protection should be provided for pedestrians along sidewalks. The minimum width should be 1.5 m.	No	Staff Comments: Continuous weather protection not provided, though may be impractical for subject property. Applicant Comments: This is an existing building, and the design and location is not conducive to continuous weather protection. As this is not a new build, we feel this should be N/A.
E.1.6.11 All roof-top mechanical equipment (satellite dishes, air-conditioning) should be screened from view.	Yes	Staff Comments: No rooftop mechanical visible from the street were noted.

E.1.6.12 Large areas of curtain-wall glazing should not be used.	N/a	Staff Comments: Curtain wall glazing not being used.
E.1.6.13 The use of handcrafted doors made by local artisans is encouraged.	No	Staff Comments: Not used. Building code requirements often make satisfaction of this guideline difficult. Applicant Comments: If door was to be replaced this could be considered, however, as this is not a new build, we feel this should be N/A.
E.1.6.14 The use of imaginative, handcrafted products of local craftspeople is encouraged. In Fulford Harbour Village particularly, natural and "found" materials should be incorporated into exterior details by local artisans, in keeping with existing development. More conventional or formal materials should be avoided.	Undetermined	Staff Comments: The operator of the business has changed hands since this application was made. Exterior details are undetermined at time of staff report.
E.1.6.15 A pleasant pedestrian environment in villages should be enhanced by pedestrian-oriented features.	No	Staff Comments: No pedestrian oriented features are proposed, or permitted on the MoTI right of way. Applicant Comments: The amendment application site plan provides visual focal points by incorporating interesting and varied plants in planters and hanging baskets over one patio. The pedestrian walkway also includes seven, six-foot planters and one locally handcrafted bench for pedestrians to enjoy. The existing building has multiple large windows which provide visual access to the interior of the building while outdoor seating provides an inviting environment with easy access for pedestrians.
E.1.6.16 Development along Ganges and Fulford Harbours should incorporate and retain existing docks, wharves and buildings that reflect traditional harbour uses such as freight storage and fishing fleet service.	N/a	Staff Comments: Not within specified area.
E.1.6.17 All portions of a building should be authentic, functional space - artificial or contrived architectural features (for example, artificial lighthouses, windmills or turrets) should not be included in building designs.	Yes	Staff Comments: No such artificial elements are proposed.
E.1.6.18 Blank walls visible from pedestrian routes or roadways should be treated with landscaping, architectural features or artwork. At least half of the surface should be covered.	Yes	Staff Comments: No significant blank walls identified.
E.1.6.19 Large new developments should have their electrical and telephone connections provided underground.	N/a	Staff Comments: Not a new development.
E.1.6.20 Facilities should be provided for convenient, barrier-free access for the disabled.	Yes	Staff Comments: The applicant is attempting to mitigate barriers to entry.
E.1.7 Guidelines for Landscaping and Parking Surfaces		
E.1.7.1 Informal, natural landscaping that gives a native appearance is encouraged as	Yes	Staff Comments: Increase in planting proposed over what was permitted in previous permit.

opposed to formal, decorative plantings. Hard surfacing should not be used as a substitute for vegetation.		Applicant Comments: The overall plantings for all planters are more of an informal planting including various grasses to provide a native and informal appearance. The cactus planter could be removed but it is something unique, introduces character and represents the Mexican theme of the restaurant.
E.1.7.2 Landscaping adjacent to Ganges and Fulford Harbours should be left in as natural a state as possible. Existing trees should be incorporated. Designs should display natural features such as attractive rock outcroppings, tidal pools and mature trees.	N/a	Staff Comments: Not within specified area.
E.1.7.3 Plant materials should be durable, low-maintenance types. Care should be taken not to obscure sight lines at intersections and parking lot entrances.	Yes	Staff Comments: Most plant species specified are drought tolerant once established. Plantings not anticipated to obscure sight lines.
E.1.7.4 Landscaping should be used to as an integral part of developments and should help in the function and organization of a site; to create the sense of entry into buildings and to define and enliven public spaces. While screening of unattractive building features is important, landscaping should be designed to ensure a broader function.	Yes	Staff Comments: Landscaping proposed is an increase over what was approved in earlier permit. Applicant Comments: The amended plan and pedestrian walkway provides various opportunities where the landscaping help in the function of the site. The hanging planters draw the eye to the entrance to the front patio which leads to the takeout entrance, the planters at the cantina provide a visual pathway to this entrance and side patio and the pathway planters accent the pedestrian walkway around the property.
E.1.7.5 Soft landscaping should cover a minimum of 40% of parcel areas in multifamily residential developments and at least 20% of the parcel area in commercial and industrial developments . Developments that provide special needs housing or affordable seniors' supportive housing may have a reduced area of soft landscaping if necessary to accommodate special facilities, providing that neighbouring properties are buffered by a vegetation screen and that parking lots are landscaped as outlined in Guideline E.1.7.16. The area calculated as soft landscaping does not include parking areas, vehicle lanes and manoeuvring areas, private open space and adjacent boulevards on public lands.	No/partially	Staff Comments: Staff calculate the coverage area (based on a lot size of 607 m ²) to be approximately 5% (33 m ²). Applicant Comments: The pedestrian pathway increases the soft landscaping by approximately 23 square metres. The overall plantings and use of hanging baskets provide a nice mix of landscape and required open areas while still preserving the clear site lines to allow pedestrians an unobstructed view or sight line of the downtown core. Landscaping in scale and tenor of the property available.
E.1.7.6 All landscaping work on major new developments should meet the British Columbia Landscape Standard published by the British Columbia Society of Landscape Architects and the British Columbia Nursery Trades Association and should be covered by a performance bond for a period of one year from the date of final installation, in order to ensure survival or replacement of	Yes	Staff Comments: Specified in landscaping plan.

plantings. All landscaping should be maintained in perpetuity.		
E.1.7.7 All hard and soft landscaping and paving, including sidewalks, pedestrian amenities, street furniture, cycle racks and parking lot lines on major new developments should be installed prior to issuance of any building occupancy permit. A letter of credit should be deposited for an amount equal to 150% of the cost of the work to be completed.	No/partially	Staff Comments: Building already occupied for commercial use. Islands Trust holds \$5800 deposit for landscaping works to be completed from previous DP. Staff do not recommend an increase to the security amount at this time. Applicant Comments: Although this is not a major new development the IT holds a landscaping deposit.
E.1.7.8 Plant materials should be chosen with a view to conserve water.	Yes	Staff Comments: Majority of plant species identified in landscaping plan are drought-tolerant.
E.1.7.9 Landscaping next to creeks within villages should be left natural and wild to retain fish habitat. Species with a high water demand or that may require the use of pesticides or fertilizers should not be located in this area. Bark mulches and impermeable landscape fabric should not be used. Landscaping should be consistent with guidelines in Development Permit Area 4.	N/a	Staff Comments: Property not adjacent to creek.
E.1.7.10 Special care should be taken to retain existing vegetation and incorporate it into new development. Particular attention should be paid within Channel Ridge Village to the preservation of Garry Oak and Arbutus trees and to the unique habitat that surrounds them.	N/a	Staff Comments: No significant vegetation to be retained.
E.1.7.11 Other existing natural site features such as rock formations and ground contours should be preserved.	N/a	Staff Comments: no such features
E.1.7.12 Care should be taken to ensure that new landscape features enhance, but will not block existing ocean views from roads and public areas as they mature.	Yes.	Staff Comments: Any views not anticipated to be blocked.
E.1.7.13 Fencing should be natural in appearance and coordinated with the design of the main building. Appropriate materials are those that reflect a natural, locally crafted character, such as local stone, heavy timbers or local wood.	Yes	Staff Comments: Most future wood use (i.e. planters) anticipated to be natural.
E.1.7.14 The use of trees and other vegetation along roadways in a manner that "crowds" the street, and causes automotive traffic to slow is strongly encouraged.	No, n/a	Staff Comments: No such vegetation proposed. Applicant Comments: As the subject property is on a corner in the downtown, traffic sight lines were considered, therefore, landscape that "crowds" the street was considered unsafe. Therefore, planters with lower plantings have been incorporated. We feel this item should be considered N/A due to traffic site lines requirements.
E.1.7.15 Deciduous boulevard trees should be included with a spacing of 10 m in all	No	Staff Comments: No such vegetation proposed.

large new commercial and multi-family projects in Ganges Village with frontage on Fulford-Ganges and Lower Ganges Roads.		Applicant Comments: This is not a new commercial project and it was felt large trees would impede McPhillips Avenue traffic site lines and create an unsafe situation.
E.1.7.16 Parking lots should be carefully landscaped to screen them from adjacent streets and land uses, to provide shade and to avoid large expanses of uninterrupted asphalt. The following landscape guidelines apply specifically to parking lots, including off-site parking lots: a. Parking lots with street frontage should be screened by a landscaped strip with a minimum width of 3m. The perimeter of parking lots should also be screened with a minimum width of 2 m. b. Parking lots with more than 10 spaces should include interior landscaping islands and peninsulas that occupy at least 5 per cent of the lot area besides the street frontage and perimeter strips. Irregular shapes of parking islands are encouraged, especially those incorporating existing vegetation naturally and informally. c. Reductions in parking space requirements may be requested to accommodate adequate parking lot landscaping. d. The use of permeable parking materials such as "hard grass" is strongly encouraged to soften the visual effect of parking lots and minimize changes to site drainage.	No	Staff Comments: Based on landscaping proposed, screening will be minimal. a. No such screening is proposed. b. Not applicable c. Continued reductions of parking space are not to provide landscaping. d. No permeable surfaces have been proposed. Applicant Comments: Additional planters have been added to help provide partial visual break of parking lot.
E.1.7.17 Parking lots should be surfaced and lined before issuance of an occupancy permit to ensure efficient use. Alternatives to paving such as interlocking or permeable pavers are encouraged. Unpaved parking lots may be considered in some locations provided lots have less than 10 spaces and other techniques are used to ensure efficient use. Unpaved parking lots are encouraged in Fulford Harbour Village. Driveways providing access to multifamily developments should employ speed control devices at entries.	Yes	Staff Comments: Parking spaces are delineated, re-painting may be required.
E.1.7.18 Sidewalks, patios and decks should be constructed of natural materials or interlocking pavers. Brushed concrete and asphalt should be avoided. In Fulford Harbour in particular, sidewalks should be carefully and creatively designed to ensure that the informal and somewhat irregular character of the village is retained.	Yes.	Staff Comments: Patio and planters to be constructed of natural wood. Surfacing is asphalt.
E.1.7.19 Pathways that form part of the Ganges Public Pathway System should usually consist of natural materials. Pathway width should be a minimum of 1 m.	N/a	Staff Comments: Not part of public pathway systems/

E.1.7.20 All multifamily developments should include landscaped areas for individual and group activities of a recreational or social nature. At least 9 m ² of private open space should be provided for each dwelling unit. Developments that provide special needs housing or affordable seniors' supportive housing may provide less private open space, if areas for outdoor group activities are provided.	N/a.	Staff Comments: Not a multifamily development.
E.1.7.21 Multifamily developments designed for families should also include at least 2.5 m ² of children's play area for each bedroom in the development, excluding master bedrooms.	N/a	Staff Comments: Not a multifamily development
E.1.7.22 Where the property being subdivided or developed adjoins agricultural land, a vegetated buffer is to be planted or retained. The buffer should usually be at least 3 m wide and should be consistent with the Landscaped Buffer Guidelines (ALC, 1993) developed by the Agricultural Land Commission. The buffer area should be protected from disturbance by a covenant.	N/a	Staff Comments: Not adjacent to agricultural land
E.1.8 Guidelines for Lighting		
E.1.8.1 Lighting of commercial and industrial sites should be kept to the minimum necessary for pedestrian safety and visibility. A low level of light should be maintained in the night time atmosphere of villages. Lighting in parking lots should be adequate for security purposes.	Yes	Staff Comments: No changes to the lighting plan previously approved have been proposed.
E.1.8.2 Light fixtures on commercial and industrial sites should be carefully chosen to focus light on the area to be illuminated. The spillage of light into onsite residential areas, neighbouring properties, streets or other public areas including the sea should be avoided. Fixtures should not result in glare when viewed from residential areas that overlook villages.	Yes	Staff Comments: No changes to the lighting plan previously approved have been proposed.
E.1.8.3 Light fixtures should be simple and unobtrusive in design. The use of indirect lighting mounted on the fronts and sides of village buildings is encouraged.	Yes	Staff Comments: No changes to the lighting plan previously approved have been proposed.
E.1.8.4 Incandescent fixtures are preferred	No	Staff Comments: Incandescent fixtures not in use. Current energy efficiency recommendations make satisfaction of this guideline difficult. Applicant Comments: Lights have been upgraded to reflect currently recommended energy saving fixtures.
E.1.8.5 Light fixtures mounted on masts or	Yes	Staff Comments: Existing fixtures estimated to be in

walls should be pedestrian in scale and should not exceed 3.5 m in height.		compliance with prescribed height – 3.7m. Applicant Comments:
E.1.8.6 Lighting should be provided along the Ganges Public Pathway System. Light fixtures provided along the seawalk portion of the System should be of consistent height and design.	N/a	Staff Comments: Not part of the public pathway system.
E.1.8.7 Flashing or strobe lights should not be used to attract attention to commercial uses.	Yes	Staff Comments: Several flashing lights in use on subject property were removed. Applicant Comments: The flashings lights have been removed.
E.1.9 Sign Guidelines		
E.1.9.1 Signs should be coordinated with buildings in terms of location, scale, materials, finishes and colours.	Yes	Staff Comments: Scale, location, finish of signs coordinated with building.
E.1.9.2 Signs should be kept to the minimum size and number needed to inform and direct residents and visitors. Sign size and lettering should not exceed that necessary to direct pedestrians and slow-moving traffic: letters should rarely exceed 20 cm in height; the area of individual signs should rarely exceed 2.5 m2. Total permitted sign area should not exceed that permitted by local bylaw.	Yes	Staff Comments: The previously approved permit limits the lettering to a maximum of 20 cm in height and limits the principal sign area to a maximum of 1.8 m2 in area. The existing signage may exceed this maximum. Applicant Comments: Signs have been reviewed and are within the excepted guidelines. Decorative paintings by local artist located inside and outside of the building not considered to be signs but rather decoration on the building that enhance the Mexican restaurant theme
E.1.9.3 All signs should be kept at a pedestrian viewing level. They should not obstruct pedestrian traffic. Some exceptions to the guidelines in this Section may be considered for marine-oriented businesses which offer services to marine traffic. However care must be taken to ensure that the character of the harbour as viewed from the sea is not dominated by commercial signs.	Yes	Staff Comments: Signage is primarily at pedestrian viewing level. Applicant Comments: Applicant's signs have been removed that may have obstructed pedestrian traffic. However, we note many sandwich boards from various surrounding businesses are still located within the pedestrian walk path.
E.1.9.4 Signs should be constructed of natural materials, preferably with a handcrafted look. Plastic, back lit signs should not to be used, especially those dominated by product logos and trademarks.	yes	Staff Comments: Some back-lit signs in use. Other signs are made of primarily natural materials. Applicant Comments: The one small backlit sign has been removed.
E.1.9.5 Front-lit signs with soft light levels are preferable.	n/a	Staff Comments: Front-lighting was not observed.
E.1.9.6 Signs should not move or be audible. They should not incorporate lighting that moves or flashes or gives the impression of doing so. Neon lighting should not be used outside buildings.	Yes	Staff Comments: Signs not audible – some flashing lighting signs are utilized. Applicant Comments: Flashing lights have been removed and no audible signs are utilized.
E.1.10 Guidelines Regarding Stormwater Drainage and Water Pollution		
E.1.10.1 New commercial, industrial, institutional and multi-family residential	N/a	Staff Comments: Not a new development

developments that will create more than 280 m2 of new impervious surfacing should include a report prepared by a Professional Engineer that determines the extent of changes to the natural drainage. It should identify any conditions that should be incorporated into the development permit to protect property from flooding, erosion or from other undesirable impacts as the result of changes to stormwater runoff. Particular attention should be paid to ensuring that drainage changes will not result in detrimental impacts such as flooding or reduced groundwater availability on agricultural lands or watercourses that either adjoin the development or are located in the same watershed.		
E.1.10.2 Developments that would create less than 280 m2 of impervious surface area should not alter drainage in a way that would cause detrimental impacts on other properties, including agricultural land. The Local Trust Committee could request that a drainage plan be prepared by a Professional Engineer to assist it in establishing development permit conditions related to drainage.	N/a	Staff Comments: Does not involve the creation of additional impervious surfaces.
E.1.10.3 Development should not result in the pollution of surface or groundwater supplies. Particular care should be taken to ensure that there are no detrimental impacts on agricultural land or to fishbearing watercourses because of water pollution.	N/a	Staff Comments: Not anticipated to result in pollution of groundwater.



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2020.15 (AMENDS DEVELOPMENT PERMIT SS-DP-2017.13)

To: H.A. Howard & D.J. Holmberg

1. This Development Permit (the "Permit") applies to lands described below and all buildings, structures and other developments therein:

PID: 005-229-138

Legal Description: Lot 12, Section 1, Range 4 East, North Salt Spring Island, Cowichan District, Plan 3321

2. This Permit is authorized in accordance with the following plans attached to and forming part of this Permit as signed and dated by the Deputy Secretary of Islands Trust:

Plan No. 1 Site Plan dated August 2020 prepared by Whitepine

Plan No. 2 Planting Plan dated August 2020 prepared by Whitepine

Plan No. 3 Planters dated August 2020 prepared by Whitepine

3. This Permit is subject to the following conditions, amending SS-DP-2017.3 in the following manner:

3.1 Site Layout, Parking, and Grading

The site layout and parking shall be in substantial accordance with Plan No. 1

3.2 Landscaping and Surfacing

The hard and soft landscaping and surfacing shall be in substantial accordance with Plan No. 2

3.2.1 This permit is subject to a continuance of the deposit of \$5800.00 for SS-DP-2017.3 to fulfil the landscaping requirements.

3.2.2 Upon installation of all landscaping, a landscape professional shall provide a "Landscape Certification" confirming that the landscaping is in substantial accordance with Schedule No. 2 and is consistent with the *British Columbia Landscape Standard*. Upon receipt of the "Landscape Certification", Islands Trust shall return the security to the applicant, minus \$2000 as a "Vegetation Bond".

3.2.3 Not less than one year following the submission of the Landscaping Certification, a landscape professional shall provide a "Vegetation Certification" confirming that the vegetation has been successfully established in substantial



PROPOSED

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2020.15
(AMENDS DEVELOPMENT PERMIT SS-DP-2017.13)**

accordance with Schedule 2. Upon receipt of the "Vegetation Certification", Islands Trust shall return the "Vegetation Bond".

3.3 Landscaping Planter Boxes and Patio

The landscaping planter boxes and patio shall be constructed of natural cedar and in substantial accordance with Plans No. 1 and 3.

3.4 Recycling and Waste

All waste, composting, and recycling containers shall be kept as specified in Plan No. 1 "bin storage".

4. All other conditions are continued from SS-DP-2017.3.
5. The land described herein shall be developed in substantial accordance with the terms, conditions and provisions of this Permit and in accordance with Plans No. 1, 2, and 3, attached to and forming part of this Permit, as signed and dated by the Deputy Secretary of Islands Trust.
6. This is NOT a Building Permit, nor does it remove any obligation on the Permittee to obtain other approvals necessary for the lawful completion of the development.
7. Any further development, redevelopment, or any changes to this permit may require a new Development Permit or an amendment to this Permit.

**AUTHORIZING RESOLUTION FOR THE ISSUANCE OF THIS DEVELOPMENT PERMIT PASSED BY THE
SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS ____TH DAY OF ____ 20__.**

DEPUTY SECRETARY, ISLANDS TRUST

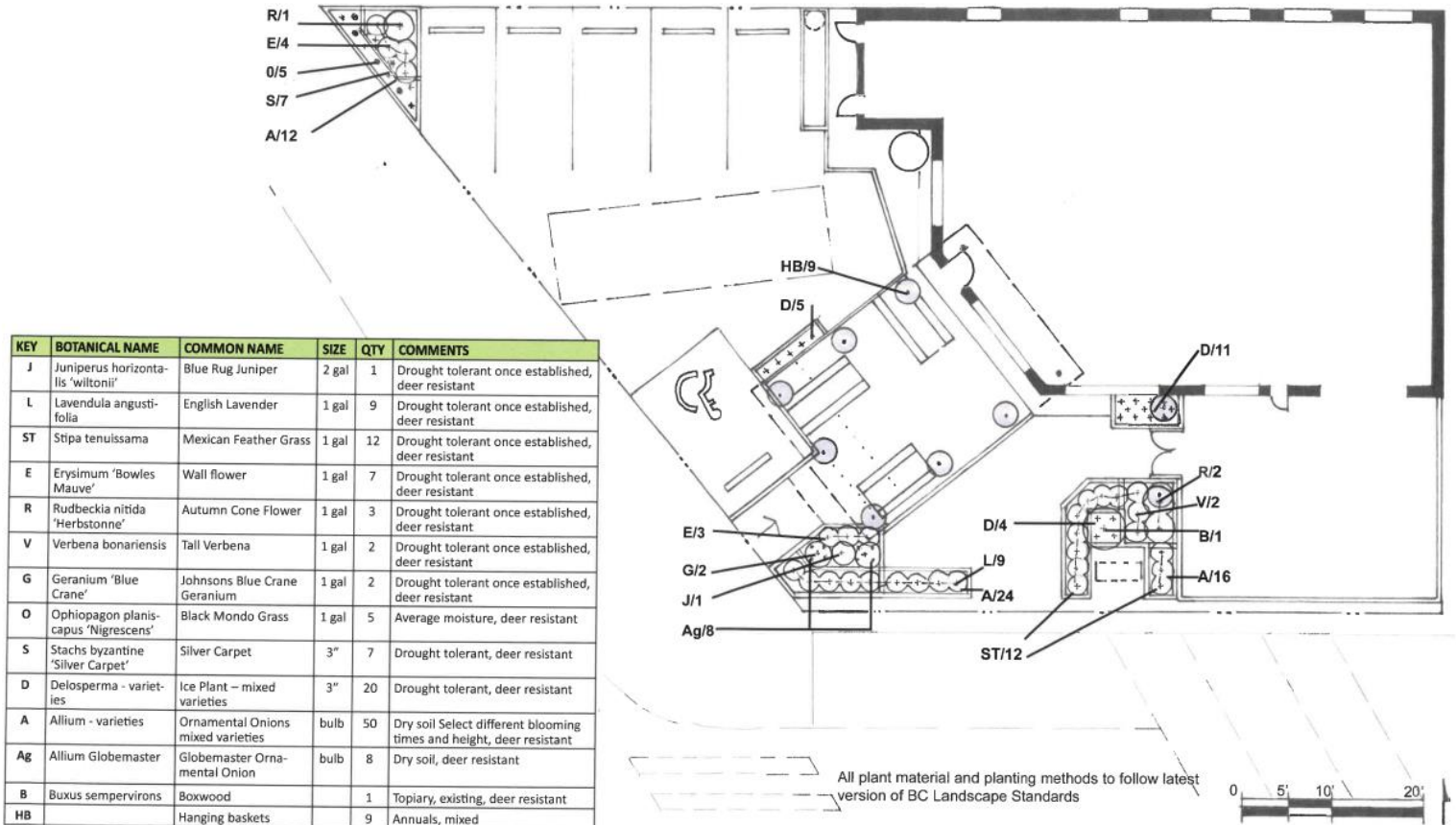
DATE OF ISSUANCE

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____TH DAY OF
____, 20__ THIS PERMIT AUTOMATICALLY LAPSES.**

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2020.15
(AMENDS DEVELOPMENT PERMIT SS-DP-2017.13)

PLAN NO. 2



El Loco Taco Mexican Restaurant August 2020 Planting Plan Site Option F

WHITEPINE

PROPOSED

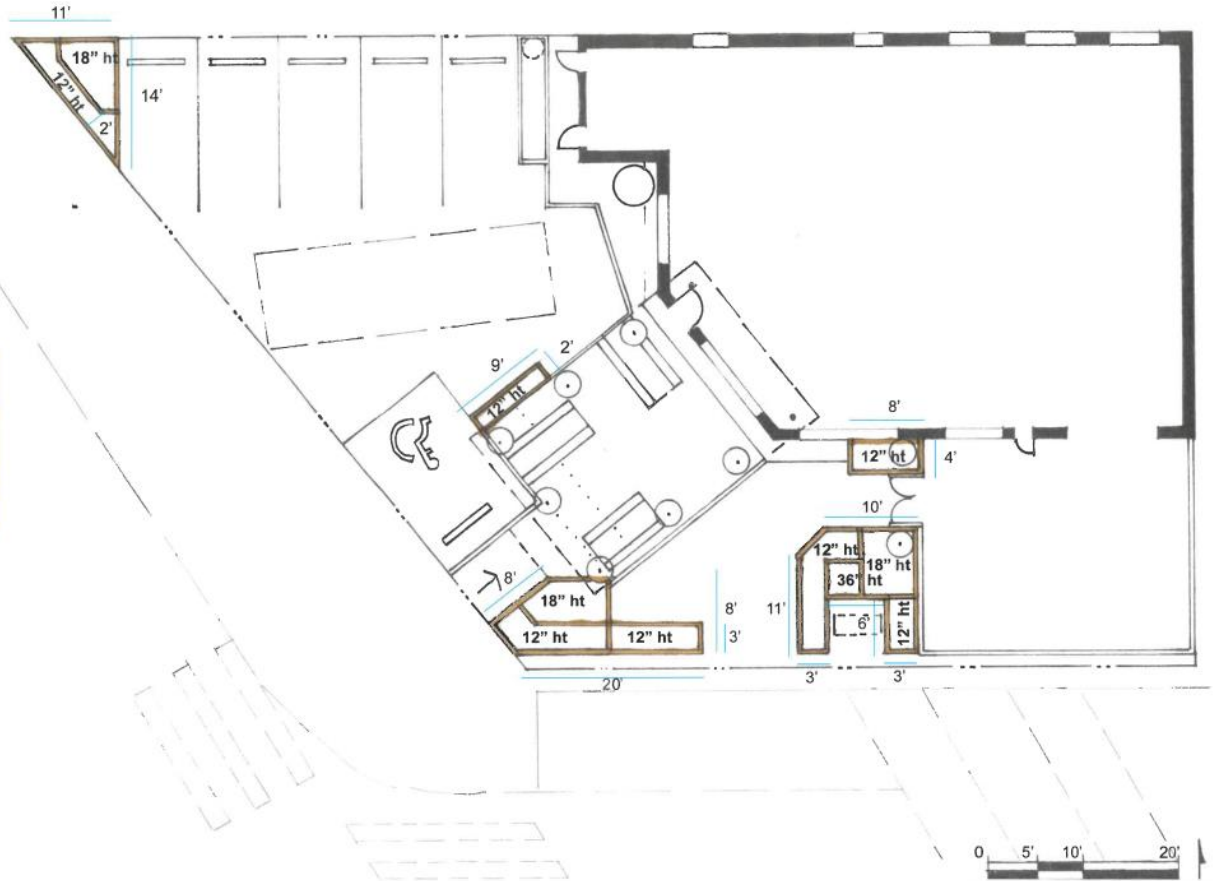
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
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PLAN NO. 3



Example of what planters will resemble in keeping with existing cedar installations on site

- height and size as per plan
- treated as per existing cedar fencing
- interior sides and base lined with geotech material to prevent rot and root penetration into asphalt paving
- 2" drainage rock on bottom covered with landscape fabric
- ensure proper drainage
- fill with container planting mix
- dimensions on plan approximate only



El Loco Taco Mexican Restaurant August 2020

Planters Site Option F

