

Regular Meeting Addendum

Date: Tuesday, October 11, 2022
Time: 9:30 a.m.
Location: Community Gospel Chapel
147 Vesuvius Bay Road, Salt Spring Island, BC

	Pages
9. OTHER BUSINESS - A.M.	10:05 AM - 11:05 AM
9.6. <i>Proposed Bylaw No. 526 - Farmworker Housing</i>	2
For Consideration of 4th Reading - Staff Report	
15. CORRESPONDENCE	1:00 PM - 1:05 PM
15.10. <i>SS LTC to B. Young, Chair Transition Salt Spring- Dated October 4, 2022 - Concerning Support for Watershed Stewardship Video Series</i>	6
For Information	

DATE OF MEETING: October 11, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Louisa Garbo, Acting Regional Planning Manager, Salt Spring Island Team

SUBJECT: Proposed Bylaw No. 526 – Changes to Residential Permissions in the Agricultural Land Reserve and Options for Dwellings on Large Farms

RECOMMENDATIONS

1. That the Salt Spring Island Local Trust Committee adopts Proposed Bylaw No. 526, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 3, 2021.”

BACKGROUND

Proposed Bylaw No. 526, if adopted, will amend Salt Spring Island Land Use Bylaw No. 355 (LUB) to implement the Agricultural Land Commission (ALC) residential permissions within the Agricultural Land Reserve (ALR) that came into effect at the end of 2021, which would allow farmworker dwelling units on Agriculture 1 and 2-zoned properties. Properties zoned A1 or A2 will be permitted an additional dwelling for farmworkers if the property is classified as a farm under the *Assessment Act*. The floor areas in the bylaw for a farmworker’s dwelling are consistent with permissions granted by the Agricultural Land Commission. The proposed bylaw will also amend Section 3.17 of the LUB to utilize subdivision potential for farmworker housing.

The bylaw proposes changes to the definition of a farmworker’s dwelling unit to include use by employees of the farm business, whether full time or seasonally, and for family members. The bylaw also proposes options for farms not zoned Agriculture to build additional farmworker housing by using unrealized subdivision potential to construct additional dwellings if certain conditions, such as registering covenants on the use of additional dwellings and no further subdivisions, are met.

The bylaw proposes changes to agritourist accommodation permissions to provide clarity on the total number of rooms that can be used as part of accommodation. These changes bring the Land Use Bylaw into conformity with the Agricultural Land Reserve.

The proposed bylaw was amended at second reading to reflect community input and agency comments. The proposed bylaw has followed statutory process and received three readings by the SS LTC; it is now ready for the SS LTC for consideration of adoption.

Submitted By:	Louisa Garbo, Acting Regional Planning Manager	August 20, 2022
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ATTACHMENTS

Appendix 1 Proposed Bylaw No. 526

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 526

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

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2021”.

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

2.1 By replacing the definition of “dwelling unit, farmworker’s” under Section 1.1 – Definitions – with the following:

“dwelling unit, farmworker’s” means a *dwelling unit* that is *accessory* to a *commercial farm business* on a *lot* and is used for the *residential* accommodation of farmworkers employed in that *farm business* or for family.

2.2 By replacing the table under Subsection 9.1.1 – Permitted Uses of Land, Buildings and Structures – with the following:

	A1	A2
Principal Uses, Buildings and Structures		
<i>Agriculture, farm buildings and structures</i> <i>Information Note: By definition, “agriculture” includes the processing, storage, and sale of farm products produced on that agricultural land. These uses must consistent with the Agricultural Land Reserve Use Regulation.</i>	♦	♦
<i>Single-family dwellings</i>	♦	♦
Accessory Uses		
<i>A secondary suite</i> subject to Section 3.16	♦	♦
Where a lot is classified as a farm under the <u>Assessment Act</u> , in addition to a <i>secondary suite</i> , a second <i>accessory dwelling unit</i> is permitted provided that it is:		
a) a pre-existing <i>dwelling unit</i> constructed before February 22, 2019; or		
b) a <i>manufactured home</i> constructed between July 4, 2019 and December 31, 2021; or		
c) a <i>farmworker’s dwelling unit</i> not exceeding:	♦	♦
i. 56 square metres in <i>floor area</i> on a lot between 1.2 hectares and 2 hectares in area; or		
ii. 90 square metres in <i>floor area</i> on a lot greater than 2 hectares in area; or		
iii. 186 square metres in <i>floor area</i> on a lot greater than 40 hectares in area.		

<i>Information Note:</i> For lots 40 hectares or less in area where the single-family dwelling exceeds 500 square metres in floor area, permission to construct an additional dwelling unit for farm use must be applied for and approved in writing by the Agricultural Land Commission.		
Home-based business use subject to Section 3.13	◆	◆
Commercial guest accommodation in a campground on agricultural land classified as a farm under the <u>Assessment Act</u> <i>Information Note:</i> This use requires an agri-tourism activity consistent with the <u>Agricultural Land Reserve Use Regulation</u> to be occurring on the lot.	◆	

- 2.3 By replacing the table under Subsection 9.1.2 – Siting and Density of Permitted Uses, Buildings and Structures – with the following:

	A1	A2
Lot Coverage		
Maximum combined <i>lot coverage</i> of all <i>buildings and structures, excluding greenhouses</i> (per cent)	35	35
Maximum combined <i>lot coverage</i> of all <i>buildings and structures, including greenhouses</i> (per cent)	75	75
Maximum <i>lot coverage</i> of all <i>campsites, buildings and structures</i> in a <i>campground</i> (per cent)	5	N/A
Number of Units and Site Areas		
Maximum combined number of bedrooms used in a <i>bed and breakfast home-based business and campsites</i> on any <i>lot</i> <i>Information Note:</i> The <u>Agricultural Land Reserve Use Regulation</u> only permits a <i>bed and breakfast home-based business (tourist accommodation)</i> to be operated within the <i>principal residence</i> with a maximum of four bedrooms used for accommodation. . Developing a <i>campsite</i> is only permitted if an <i>agri-tourism activity</i> consistent with the <i>Agricultural Land Reserve Use Regulation</i> is occurring on the lot.	10	N/A
Setbacks		
Despite Article 4.3.1(2), the following <i>lot line setbacks</i> apply in the <i>zone</i> indicated:		
Minimum <i>rear lot line setback</i> (metres) for <i>buildings, structures and uses</i> that are not listed in Subsections 4.3.4 through 4.3.9	4.5	4.5

- 2.4 “By replacing Section 3.17 – Dwellings on Large Farms – with the following:

- 3.17 Despite other provisions of this bylaw, where *agriculture* is a permitted *principal use* on a *lot* not in an *Agricultural zone*, additional *farmworkers’ dwelling units* corresponding with the *subdivision* potential of the *lot* are permitted provided that:
- (1) the lot is classified as a farm under the Assessment Act;
 - (2) the lot complies with Section 3.5;
 - (3) the number of additional *farmworker’s dwelling units* correspond with the *subdivision* potential of the *lot* in accordance with Subsection 5.8.1 and the zone-applicable Subdivision and Servicing Requirements of Part 9;

- (4) each *farmworker's dwelling unit* must be supplied with *potable* water in accordance with Section 5.5;
- (5) the maximum *floor area* of a *farmworker's dwelling unit* is 186 square meters;
- (6) the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting *use* of the *farmworkers' dwelling units* and prohibiting further *subdivision* of the *lot*.

Information Note: Applications should be consistent with the guidelines in H.2.1.3 of the Salt Spring Island Official Community Plan.

2.5 By inserting in Section 3.11 – Dwelling Units – the following:

3.11.5 The maximum floor area for a *dwelling unit* is 500 square metres.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS 12TH DAY OF JULY 2022

READ A SECOND TIME THIS 12TH DAY OF JULY 2022

PUBLIC HEARING HELD THIS 18TH DAY OF AUGUST 2022

READ A THIRD TIME THIS 6TH DAY OF SEPTEMBER 2022

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

5TH DAY OF OCTOBER 2022

ADOPTED THIS _____ DAY OF _____ 20_____

Chair

Secretary



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October 4, 2022

File No: 3026-01-30

via email: bryan@transitionsaltspring.com

Bryan Young
Chair, Transition Salt Spring

Re: Transition Salt Spring's request

Dear Bryan Young,

At the Salt Spring Island Local Trust Committee (SS LTC) on July 12, 2022, Trustee Patrick spoke on Transition Salt Spring's Ecological Research Network planning to develop a Salt Spring Island Watershed Stewardship video series and their request for a letter of support to generate funding for the series.

The Salt Spring Island Local Trust Committee supports this work as it aligns with the LTC's work on water sustainability and public education, we wish you every success with this project.

Yours sincerely,

Peter Luckham
Salt Spring Island Local Trust Committee Chair,
Islands Trust pluckham@islandstrust.bc.ca
250-210-2553