



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: March 22, 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. COMMUNITY INFORMATION MEETING - None	
4. PUBLIC HEARING	9:30 AM - 9:50 AM
4.1. Recess for Public Hearing	
Proposed Bylaw No. 525 - SS-RZ-2020.1 - 1351 Mountain Road, SSI	
Rezoning to permit an oversized boathouse and establish a setback.	
4.2. Recall to Order	
5. PREVIOUS MEETINGS	9:50 AM - 9:55 AM
5.1. Draft Minutes of the Salt Spring Island Local Trust Committee	
5.1.1. <u>Draft Minutes of the February 15, 2022 SS LTC Regular Meeting</u>	7
For Adoption	
5.1.2. <u>Draft Minutes of the February 10, 2022 SS LTC Special Meeting</u>	21
For Adoption	
5.2. Resolutions Without Meeting Report	24
Report dated March 2022	
5.3. Draft Minutes of the Advisory Planning Commissions	
5.3.1. <u>Agricultural Advisory Planning Commission</u>	
5.3.1.1. <u>Minutes of the February 3, 2022 Agricultural Advisory Planning Commission Meeting</u>	25
For Information	
5.3.2. <u>Ganges Village Area Planning Task Force</u>	

5.3.2.1.	<u>Draft Minutes of the February 17, 2022 Ganges Village Area Planning Task Force Meeting</u>	29
	For Information	
5.3.3.	<u>Housing Action Program Task Force</u>	
5.3.3.1.	<u>Minutes from the February 3, 2022 Housing Action Program Task Force Meeting</u>	33
	For Information	
5.3.3.2.	<u>Draft Minutes from the February 16, 2022 Housing Action Program Task Force Meeting</u>	37
	For Information	
5.4.	Local Trust Committee Public Hearing Record - None	
6.	BUSINESS ARISING FROM MINUTES	9:55 AM - 10:10 AM
6.1.	Follow-Up Action List	42
	Report dated March 2022	
7.	REPORTS	
7.1.	Policy and Standing Resolutions List	57
	For Information	
7.2.	Work Program Top Priorities Report	68
	Report dated March 2022	
7.3.	Projects List	71
	Report dated March 2022	
7.4.	Applications with Status Report	74
	Report dated March 2022	
7.5.	Expense Report	98
	Report dated January 2022	
7.6.	Islands Trust Conservancy Board Report	99
	Report dated January 2022	
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	

- ## Verbal Report

9. OTHER BUSINESS

9.1.1. Dormant Applications

Staff Report

9.1.2. Expansion of SS LTC Sector Meetings

Consideration of expanding sector meetings to building construction and trades. Verbal report by Trustee Patrick - For Discussion

9.1.3. Proposed Bylaw No. 527 - Fees Bylaw

For Consideration of Adoption - Staff Report

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

Verbal Report

Verbal Report

Verbal Report

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/>

13.1. J. Roe to LTC, with Trustee Grove reply - Dated February 5, and 20, 2022 - Concerning Fulford clean-up and more destruction

For Consideration

13.2.	O. Phillips to LTC - Dated February 6, 2022 - Concerning changes to the Land Use Bylaw and Official Community Plan		136
	For Information		
13.3.	R. Ballantyne to LTC - Dated February 7, 2022 - Concerning enforcement of Islands Trust housing by-laws		137
	For Consideration		
13.4.	M. Kellow to LTC, with Trustee Patrick reply - Dated February 9, 2022 - Concerning BC Ferries		140
	For Consideration		
13.5.	Trustee Patrick to LTC - Dated February 18, 2022 - Concerning sharing her notes on SS-BL-528 (Secondary Suites)		141
	For Information		
13.6.	AP Dorazio to LTC, with Trustee Patrick reply - Dated February 20, 2022 - Concerning way to improve		149
	For Consideration		
13.7.	B. and G. Ruckle to LTC - Dated February 21, 2022 - Concerning Standing Resolution SS-2021-109		151
	For Consideration		
13.8.	D. Courtney - Dated March 8, 2022 - Concerning BC Ferries service to Salt Spring Island		153
	For Information		
13.9.	R. Jenkinson on behalf of Cycle Salt Spring Committee, Island Pathways to LTC - Dated March 10, 2022 - Concerning LTC support for Federal Active Transportation Network Planning Grant		160
	For Consideration		
14.	DELEGATIONS		
14.1.	R. Kelln - Concerning the review of an Affordable Housing Agreement	12:25 PM - 12:30 PM	161
15.	TOWN HALL AND QUESTIONS	12:30 PM - 12:50 PM	
	Reminder, the Public Hearing for:		
	• Proposed Bylaw No. 525 (1351 Mountain Road) (will have) closed on March 22, 2022.		
	Per Meeting Procedure Bylaw No. 529, the Local Trust Committee must not permit a delegation to address a meeting of the Committee regarding a bylaw in respect of which a public hearing has been held.		

16. APPLICATIONS AND REFERRALS

12:50 PM - 3:30 PM

- | | | |
|--------------|---|------------|
| 16.1. | SS-LCB-2021.3 and SS-DP-2021.12 - D. Schweighardt - 126 Upper Ganges Road, SSI (Moby's Marine Pub) | 162 |
| | Liquor and Cannabis Regulation Branch application to permit permanent use of outdoor patio – Staff Report | |
| 16.2. | SS-DVP-2022.1 - D. Corcoran - Clamshell Islet | 201 |
| | Development Variance Permit to reduce the setback to the natural boundary of the sea for a retaining wall and septic field - Staff Report | |
| 16.3. | SS-ALR-2021.5 - K. Young and E. Lundstrom - 181 Beddis Road, SSI (Beddis Road Garage) | 241 |
| | Non-farm Use to permit temporary parking of vehicles on agricultural land - Staff Report | |
| 16.4. | SS-ALR-2021.6 - N. Fraser - 240 Atkins Road, SSI (Gulf Island Automotive Ltd.) | 250 |
| | Non-farm Use to permit automotive repair shop on agricultural land - Staff Report | |
| 16.5. | SS-RZ-2020.1 - SS-BL-525 - D. MacAlpine - 1351 Mountain Road, SSI | 259 |
| | Proposed Bylaw No. 525 for Consideration of Third Reading and forward to Executive Committee (Rezoning from R to R(p) to permit an oversized boathouse) – Staff Report | |
| 16.6. | SS-DVP-2021.21 - D. McKerrell, Island Marine Construction Services Ltd. - Lot 12 and Lot 13, Secret Island | 265 |
| | Development Variance Permit to: | |
| | <ul style="list-style-type: none">• vary the setback to the natural boundary of the sea for a proposed dock platform and walkway structure;• vary the setback from the projection of an interior side lot line for the siting of a proposed docking facility;• permit one float exceeding 12 metres in length and 3.6 metres in width, and;• to increase the length of the draft adjacent to a float at low tide for a private moorage dock. | |
| | - Staff Report | |
| 16.7. | SS-DVP-2022.2 - C. Fevang - 105 McKenzie Crescent, Piers Island | 320 |
| | Development Variance Permit to vary the setback to the Natural Boundary of the Sea for a retaining wall structure – Staff Report | |
| 16.8. | SS-DVP-2022.4 - B. Fossen, Aurora Professional Group Inc. - 777 Vesuvius Bay Road, SSI | 334 |

Development Variance Permit to:

- vary the setback to the Natural Boundary of the Sea for a septic field;
 - vary the setback for two retaining wall structures to the interior side lot lines
- Staff Report

16.9. SS-DP-2021.13 - J. Desrochers, Priority Permits Ltd. - 116 Fulford-Ganges Road, SSI (BMO Bank)

362

Development Permit for DPA1 (Installation of signs that do not comply with the local Sign Bylaw and signs that are to be placed more than 5 metres above the ground) - Staff Report

17. CLOSED MEETING - None

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on April 19, 2022 at the Community Gospel Chapel, 147 Vesuvius Bay Road, Salt Spring Island.

19. ADJOURNMENT



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, February 15, 2022

Location: Electronic Meeting and
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: Stefan Cermak, Regional Planning Manager (RPM)
Louisa Garbo, Island Planner
Jason Youmans, Island Planner
Geordie Gordon, Planner 2
Kristine Mayes, Planner 1
Rob Pingle, Planning Team Assistant
Sarah Shugar, Recorder

Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral
Area Director
Approximately 35 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 9:30 a.m. and welcomed everyone to an electronic meeting of the Salt Spring Island Local Trust Committee. Chair Luckham 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

The following additional item was presented for consideration:

17.2.1 Ganges Village Planning

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 January 18, 2022 SSI LTC Regular Meeting

By general consent, the minutes of January 18, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted.

3.2 Resolutions Without Meeting Report dated February 2022

The report was received.

3.3 Draft Minutes of the Advisory Planning Commissions – None

3.4 Salt Spring Island Local Trust Committee Public Hearing Record – None

4. BUSINESS ARISING FROM MINUTES

4.1 Follow Up Action List dated February 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.

SS-2022-014

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to review the Policy and Standing Resolutions List for resolutions related to the Provincial Emergency order and report back on options.

DEFEATED

RPM Cermak reported the Standing Resolutions related to the Provincial Emergency Order have expired and are no longer included in the Standing Resolutions report.

7.2 Work Program Top Priorities Report dated February 2022

The report was received.

7.3 Projects List dated February 2022

The report was received.

7.4 Applications with Status Report dated February 2022

The report was received.

7.5 Expense Report dated December 2021

The report was received.

7.6 Islands Trust Conservancy Board Report - None

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

Trustee Patrick reported SSIWPA received an update regarding the Watershed Governance Coordination Situation Analysis at the regular meeting on January 28, 2022.

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

7.9 Housing Action Program Task Force - Chair's Update

Housing Action Program Task Force Heitzmann presented a statement on behalf of the Housing Action Program Task Force entitled "HAPTF Chair report to LTC Feb. 15, 2022 Re: Communications". He reported the Task Force is taking environmental concerns very seriously and considering the islands carrying capacity as well as balancing the need to provide planning for a healthy and diverse demographic that preserves the rural island character of our community.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Water Sustainability

Planner Youmans presented a staff report dated February 4, 2022 regarding a special property tax requisition for Salt Spring Island Local Trust Committee to continue funding the coordination of watershed protection and planning initiatives through the Salt Spring Island Watershed Protection Alliance (SSIWPA).

SS-2022-015

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee endorse the attached Request for Decision and authorize staff to forward it for consideration to Islands Trust Council.

CARRIED

8.2 Housing Action Program

Planner Garbo presented a staff report dated February 3, 2022 regarding Housing Action Program proposed measures including a proposed tiny homes village pilot project, a report on Accessory Dwelling Unit/Secondary Suite Draft Bylaw No. 528, and a proposed amendment to Standing Resolution No. SS-2021-109.

SS-2022-016

It was MOVED and SECONDED,

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.

CARRIED

Trustee Grove requested the minutes include that he supports adding the word “existing” although he does not support the words “in perpetuity” in the motion.

SS-2022-017

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee amend standing resolution SS-2021-109 to state - 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.

SS-2022-018

It was MOVED and SECONDED,

That the motion be amended as follows: remove “in perpetuity”.

DEFEATED

Chair Luckham called the question on the motion.

SS-2022-017

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee amend standing resolution SS-2021-109 to state - 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.

CARRIED

Trustee Grove OPPOSED

Trustee Patrick presented a statement regarding Draft Bylaw No. 528 and it was noted Trustee Patrick would circulate the statement to Trustees. There was discussion regarding mechanisms to set a limit on the additional dwellings that would be allowed as a result of draft Bylaw No. 528. There was discussion regarding amending the bylaw further prior to first reading.

SS-2022-019

It was MOVED and SECONDED,

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, 199, 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.

CARRIED

Planner Garbo reported there was a plan to hire a student planner to assist with the Housing Action Program public engagement plan although this option is no longer available. Staff recommend reallocation of unspent funds to hire a consultant to facilitate the Housing Action Program public engagement plan.

The meeting moved to the closed meeting at this time. See items 9.1 and 9.2.

SS-2022-020

It was MOVED and SECONDED,

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.

CARRIED

The meeting returned to item 8.3 at 3:20 p.m.

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

Planner Mayes and Planner Gordon presented a staff report dated February 1, 2022 regarding draft Bylaw No. 526 – changes to residential permissions in the Agricultural Land Reserve and bylaw amendment options for dwellings on large farms.

SS-2022-021

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 526, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 3, 2021”, be read a first time.

CARRIED

SS-2022-022

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff refer Proposed Bylaw No. 526 to agencies, organizations and First Nations, as identified in this staff report dated February 15, 2022.

CARRIED

9. CLOSED MEETING

9.1 Motion to Close the Meeting

SS-2022-23

At 11:34 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;
- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and that staff be invited to remain.

CARRIED

9.2 Motion to Open the Meeting

SS-2022-24

At 11:47 a.m., **It was MOVED and SECONDED**, that the Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter.

CARRIED

9.3 Rise and Report

The Salt Spring Island Local Trust Committee made no appointments to the Ganges Village Planning Task Force at this time and will reconsider the make up of the Task Force and appointments will be made at a later date.

The minutes of the January 18, 2022 Salt Spring Island Local Trust Committee In-Camera meeting were adopted.

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

10. TRUSTEE REPORTS

Trustee Grove presented the following report:

- Expressed appreciation to CRD Director Holman for his efforts on housing issues;
- Spoke to the documentary film, "Jane Goodall: The Hope";
- Expressed support for working together.

Trustee Patrick presented the following report:

- Spoke to housing the diverse population the community needs to survive and thrive and shared responsibility to solve housing issues;
- Spoke to the Accessory Dwelling Units/Secondary Suite Draft Bylaw No. 528. The intent is to cast a wide net across the island to find islanders that are willing to house islanders;
- Spoke to the Ganges Village Area Plan as an important planning project that will be accomplished by leaning into the "in cooperation with" part of the Islands Trust mandate;
- Attended Local Trust Committee meetings on North Pender Island and South Pender Island;
- Attended a Salt Spring Island Watershed Protection Alliance (SSIWPA) meeting regarding the Watershed Governance Coordination Situation Analysis. The consultant presented a number of options regarding Watershed Governance Coordination;
- Attended a Salt Spring Island Transportation Commission meeting regarding the Ganges Hill upgrading project;
- Attended a Salt Spring Island Economic Sustainability Commission meeting regarding housing issues;
- A Rural Island Economic Partnerships Discussion regarding the value of art to rural island communities;
- Attended a Financial Planning Committee meeting;
- Attended an Executive Committee meeting;
- Attended a Regional Planning Committee meeting regarding a Request for the Province to help form an entity to help fund housing projects and solutions on the islands.

11. CHAIR'S REPORT

Chair Luckham presented the following report:

- Expressed appreciation to all those who participated in the public survey regarding the 2022/23 draft budget;
- Attended several meetings in preparation for the next Trust Council to be held March 8 to 10, 2022;
- Attended Local Trust Committee meetings for Ballenas-Winchelsea and Lasqueti Island;
- Attended a Southern Gulf Islands Forum meeting;
- Attended a Vancouver Island Climate Change Leadership Committee meeting.

12. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- Spoke to recent progress regarding affordable housing projects;
- Spoke to recent developments regarding the Warming Space Collective and reported the CRD would need a non-profit agency to manage a facility such as a warming centre;
- The CRD Board received a staff report regarding options for a business license program for short-term vacation rentals and noted the estimated cost of implementing a local business licence program would be up to \$200,000 per year;
- Director Holman has requested CRD staff to provide a report regarding the BC Speculation and Vacancy Tax to identify mechanisms to promote the use of existing housing stock for long-term housing;
- Director Holman will meet with MLA Olsen and Honourable Rob Flemming Minister of Transportation and Infrastructure regarding transportation issues including the Vesuvius and Fulford ferry routes, emergency road repairs, and proactive maintenance of roads;
- The Southern Gulf Islands were excluded from the South Island Transportation Strategy.

13. CORRESPONDENCE

13.1 D. Courtney to LTC et al - Dated January 17, 2022 - Concerning 2 Ferry Service for Vesuvius Bay to Crofton - The Fix for Route Six

SS-2022-25

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee advocate to the Ministry of Transportation and Infrastructure to update the South Island Transportation Strategy by including the Southern Gulf Islands within the study region.

CARRIED

13.2 D. Courtney to LTC et al - Dated January 18, 2022 - Concerning Two Way Road Access at BCF Terminals

13.3 K. Marr, President, Windsor Plywood to LTC - Dated January 18, 2022 - Concerning Ganges Village Area Planning Task Force and business location

- 13.4 J. Harkema, Assistant Manager, Windsor Plywood to LTC - Dated January 18, 2022 - Concerning Ganges Village Planning Task Force Meeting Minutes
- 13.5 S. Moffatt, Ganges Village Planning Task Force Member to J. Harkema, Assistant Manager, Windsor Plywood, cc. LTC et al - Dated January 27, 2022 - Concerning Windsor Plywood rebuilding options
- 13.6 K. Marr, President, Windsor Plywood to S. Moffatt, Ganges Village Area Planning Task Force Member, cc: LTC et al - Dated January 28, 2022 - Concerning Windsor Plywood rebuilding options
- 13.7 E. FitzZaland to LTC - Dated January 18, 2022 - Concerning Draft Accessory Dwelling Bylaw
- 13.8 E. FitzZaland to LTC - Dated January 20, 2022 - Concerning Draft Accessory Dwelling Bylaw
- 13.9 M. McSwiney, Communications Branch, BC Housing to LTC - Dated January 20, 2022 - Concerning Supportive housing for Salt Spring Island
- 13.10 J. McClean to LTC and Islands Trust staff - Dated January 21, 2022 - Concerning GISRA rental rates
- 13.11 A. Beddoes, Beddoes Litigation, to The Honourable Josie Osborne, Minister of Municipal Affairs, cc. LTC - Dated January 28, 2022 - Concerning the Proposed Telecommunications Tower in Channel Ridge
- 13.12 F. Carlin to LTC - Dated January 30, 2022 - Concerning resignation from the Advisory Planning Commission
- 13.13 J. Speirs to LTC, and Trustee Patrick response - Dated February 2, 2022 - Concerning Live aboard vessels and harbour contamination

The correspondence items were received.

14. DELEGATIONS

14.1 M. Leichter - Concerning "the Vortex"

Dennis Lucarelli presented on behalf of Maxine Leichter, and expressed concerns regarding the Vortex application. A delegation letter was presented in the agenda package entitled "Delegation to be presented to LTC on February 15, 2022".

14.2 D. Rapport - Concerning Development and Climate Change for Proposed Development Projects

David Rapport presented concerns regarding the Vortex application and a delegation letter was presented in the agenda package entitled "Delegation to SSI LTC Meeting of February 15, 2022 Presentation Topic: Implications of Climate Change for Proposed Development Projects on Salt Spring Island".

14.3 K. Reimer, Island Stream and Salmon Enhancement Society - Concerning "the Vortex"

David Astill expressed opposition regarding the proposed Vortex Development on behalf of the Island Stream and Salmon Enhancement Society. A delegation letter was presented in the agenda package entitled "Island Stream and Salmon Enhancement Society delegation to the SSI LTC- February 15, 2022".

15. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:53 p.m.

A member of the public expressed concerns regarding the proposed Vortex development and requested the Local Trust Committee to consider alternative options for the property including an estuary conservation site.

A member of the public expressed support regarding the proposed Vortex development including benefits for a community gathering place and the community need for commercial accommodations.

A member of the public expressed concerns regarding the proposed Vortex development including cumulative effects on the estuary environment and asked whether the Local Trust Committee has determined if the applicant has adequately addressed concerns.

A member of the public expressed concerns regarding the proposed Vortex Development including impacts to affordable housing.

A member of the public expressed support for an estuary restoration project in Fulford Harbour including Fulford Creek and Soule Creek and asked whether the Vortex applicant would consider revising the application to become a restoration site.

A member of the public spoke to declining population of freshwater mussels in Fulford Creek, specifically the Western Pearlshell mussel species.

16. APPLICATIONS AND REFERRALS

16.1 SS-DVP-2021.24 - J. Verville, Kirsten Reite Architecture, 2621 & 2661 Fulford Ganges Road, SSI (The Vortex)

Planner Youmans presented a staff report dated January 31, 2022 regarding a development variance permit application to authorize reductions of setbacks from lot lines, water bodies, and the natural boundary of the sea.

Property owner David Fullbrook and representatives of the applicant Julie Verville, Lehna Malmkvist, Ian Ralston, Jennifer Kaye and Ian Sander spoke to the application. The project website was presented.

SS-2022-26

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee refer applications SS-DVP-2021.24 and SS-DP-2018.14 to First Nations with treaty and territorial interests on Salt Spring Island with a request to comment on the proposed permits (2621 and 2661 Fulford Ganges Road).

CARRIED

16.2 SS-DP-2018.14 - J. Verville, Kirsten Reite Architecture - 2621 & 2661 Fulford Ganges Road, SSI (The Vortex)

A staff report dated February 3, 2022 regarding a development permit application to construct 17 commercial guest accommodation units, a restaurant, and accessory facilities at the former site of the Fulford Inn at 2621 and 2661 Fulford-Ganges Road was included in the agenda package. The item was not dealt with due to the decision to refer applications SS-DVP-2021.24 and SS-DP-2018.14 to First Nations in item 16.1.

16.3 SS-LCB-2021.2 - B. Webster - 529 Fulford-Ganges Road, SSI

Planner Gordon presented a staff report dated February 1, 2022 regarding a referral from the Liquor and Cannabis Regulation Branch to transition the establishment at 529 Fulford Ganges Road (Ciderworks) from a Temporary Expanded Service Area to a permanent Lounge endorsement and outdoor patio space.

Applicant Brian Webster spoke to the application.

SS-2022-27

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to send a response to the Liquor and Cannabis Regulation Branch regarding the lounge license and outdoor patio applications for 529 Fulford Ganges Road (Ciderworks) that states:

- a. The potential impact of noise on the community in the immediate vicinity of the establishment would be minimal;
- b. The impact on the community if the application is approved would be negligible;
- c. The lounge and patio is a permitted use within the Agricultural Land Reserve;
- d. The Local Trust Committee recommends the application be approved.

CARRIED

SS-2022-28

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to include a record of community consultation with the response to the Liquor and Cannabis Regulation Branch regarding the Ciderworks application (529 Fulford Ganges Road).

CARRIED

16.4 SS-RZ-2021.1 - D. Rivers - 114 Swanson Road, SSI

Planner Gordon presented a staff report dated February 3, 2022 regarding a rezoning application update to permit an increase in residential density to 18 units.

Representative of the applicant Leigh Large requested that the application be tabled.

SS-2022-29

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee defer application SS-RZ-2021.1 to a future meeting (114 Swanson Road).

CARRIED

16.5 SS-DVP-2021.18 - V. Warrior - 82 McKenzie Crescent, Piers Island

Planner Mayes presented a staff report dated February 3, 2022 regarding a development variance permit application to vary the setback to the natural boundary of the sea for an existing retaining wall structure.

Applicant Velvet Warrior spoke to the application.

SS-2022-30

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.18 (82 McKenzie Crescent, Piers Island).

CARRIED

16.6 SS-RZ-2020.1 - D. MacAlpine - 1351 Mountain Road, SSI

Planner Mayes presented a staff report dated February 1, 2022 regarding proposed Bylaw No. 525 for consideration of second reading to make lawful an oversized boathouse and to establish a 15-metre setback from the natural boundary of the sea.

Applicant Doug MacAlpine spoke to the application.

SS-2022-31

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 read a second time (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-32

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021" is not contrary to or at variance with the Islands Trust Policy Statement (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-33

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021" (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-34

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant send the Archaeological Overview Assessment to the Tsawout First Nation (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

17. OTHER BUSINESS

17.1 New Business

17.1.1 Draft Bylaw No. 527 - Fees Bylaw

RPM Cermak presented a staff report dated January 14, 2022 regarding draft Fees Bylaw No. 527.

SS-2022-35

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee Bylaw No. 527, cited as "Salt Spring Island Local Trust Committee Fees Bylaw, 2021", be given first, second and third reading.

CARRIED

SS-2022-36

It was MOVED and SECONDED,

That the Salt Spring Island Local Committee Bylaw No. 527, cited as "Salt Spring Island Local Trust Committee Fees Bylaw, 2021", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

SS-2022-37

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee add “Public access to lake and marine shorelines, and local agricultural processing and local agricultural processing excluding cannabis as an eligible community amenity in Section H.3.2 of the Salt Spring Island Official Community Plan” to the Projects List.

CARRIED

17.2 Old Business

17.2.1 Ganges Village Planning

Trustee Patrick spoke to representation on the Ganges Village Planning Task Force.

SS-2022-38

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to determine the representative make up of the Ganges Village Planning Task Force to be representative of stakeholder groups, the local business community and residents.

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on March 22, 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 3:45 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Salt Spring Island Local Trust Committee Minutes of a Special Meeting

Date: Thursday, February 10, 2022

Location: Electronic Meeting

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

Regrets: Peter Grove, Local Trustee

Staff Present: Kristine Mayes, Planner 1
Rob Pingle, Planning Team Assistant
Sarah Shugar, Recorder

Others Present: Ken Byron, Agricultural Advisory Planning Committee
Bradley Dammsgard, Agricultural Alliance
Theresa Duynstee, Agricultural Alliance
Bree Eagle, Agricultural Advisory Planning Committee
Marguerite Lee, Agricultural Alliance
Anne Macey, Agricultural Alliance
Doug Pepper, Ministry of Agriculture
Conrad Pilon, Agricultural Advisory Planning Committee
Brian Webster, Agricultural Alliance

Media Present: Gulf Island Driftwood Reporter

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 4:13 p.m. and welcomed everyone to an electronic meeting of the Salt Spring Island Local Trust Committee. Chair Luckham introduced himself, the Trustees, staff and attendees and humbly stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory. Introductions were carried out.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. BUSINESS ITEMS

3.1 Local Trust Committee Chair's Welcome and Opening Remarks

Chair Luckham advised this meeting is an opportunity for the Salt Spring Island Local Trust Committee to have a discussion with the members of the Salt Spring Island Agricultural Advisory Planning Commission (AAPC) and representatives of the Salt Spring Island Agricultural Alliance on agriculture related issues.

3.2 AAPC Membership

A notice entitled "The Salt Spring Island Local Trust Committee (SS LTC) seeks applications for its Advisory Planning Commissions and Board of Variance" was presented. Planner Mayes reported the application deadline is April 30, 2022 and requested attendees circulate the notice to agricultural contacts.

3.3 Frequency of Meetings

The next meeting is scheduled on July 7, 2022.

3.4 General Discussion

There was a question regarding draft Bylaw No. 526 "Changes to Residential Permissions in the Agricultural Land Reserve and Bylaw Amendment Options for Dwellings on Large Farms." Appreciation was expressed to staff for incorporating the AAPC and Salt Spring Island Agricultural Alliance feedback regarding draft Bylaw No. 526. Planner Mayes reported draft Bylaw No. 526 will be presented at the February 15, 2022 SS LTC meeting and staff have recommended the draft bylaw be re-referred to agencies following first reading.

There was a comment that approximately 50% of the land being farmed on Salt Spring Island is not within the Agricultural Land Reserve (ALR), and that the small farms not within the ALR are excluded from proposed updates regarding additional housing permissions and composting permissions. There was a suggestion that ALR and non-ALR agriculture use be considered together.

Trustee Patrick spoke to the Salt Spring Island Official Community Plan No. 434 (OCP) priorities regarding farmland. The SS LTC recognizes that agriculture is important in all zones. It was noted the Islands Trust Policy Statement update public engagement will begin soon. Trustee Patrick encouraged everyone to participate in the public engagement survey and provide feedback regarding agriculture. Trustee Patrick spoke to draft Bylaw No. 528 and that the intention of the bylaw is to provide accessory dwelling units primarily to create additional rental dwellings.

4. ADJOURNMENT

By general consent the meeting adjourned at 4:40 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

DRAFT

Resolutions Without Meetings Log

Salt Spring Island

Resolution Number	Action	Date
2022-004 That the Salt Spring Island Local Trust Committee direct staff to schedule a Special Business Meeting as soon as possible, in order to facilitate a Closed Meeting subject to Community Charter Section 90 (1) - (a) Personal information about individuals appointed to or being considered for appointment as an officer, employee or agent of the local government; ...and that staff be invited to remain.	Carried	01-Mar-2022
2022-003 Regarding the Vortex - Development Permit SS-DP-2018.14: That the Salt Spring Island Local Trust Committee refer application SS-DP-2018.14 to the Salt Spring Island Advisory Planning Commission for its review and comment on the application's consistency with the development permit area guidelines marked yellow in Appendix 2 of the staff report dated February 15, 2022.	Carried	23-Feb-2022



Salt Spring Island Agricultural Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting:	Thursday, February 3, 2022
Location:	Baptist Church, Lower Level Meeting Room 520 Lower Ganges Road, Salt Spring Island
Members Present:	Bree Eagle, Chair Brent Brochu-Ingram, Vice Chair Nathan Roberson, Commissioner
Regrets:	Ken Byron, Commissioner Zack Hemstreet, Commissioner Conrad Pilon, Commissioner
Staff Present:	Geordie Gordon, Planner 2 Sarah Shugar, Recorder
Media and Others Present:	Trustee Laura Patrick Applicant Lorna Fraser Applicant Eric Lundstrom Applicant Kim Young

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

Chair Eagle called the meeting to order at 3:10 p.m.

1. APPROVAL OF AGENDA

By **general consent** the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1. Draft Minutes of the October 21, 2021 AAPC Meeting – For Adoption

By **general consent**, the minutes of the October 21, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were adopted.

2.2. Meetings Notes of the November 25, 2021 AAPC Meeting – For Information

By **general consent**, the minutes of the November 25, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were received.

3. BUSINESS ITEMS

3.1 SS-ALR-2021.5 - K. Young - 181 Beddis Road, SSI

Planner Gordon presented a memorandum dated December 20, 2021 regarding a non-farm use application to permit the use of Agricultural Land Reserve (ALR) land for vehicle parking in support of an automotive repair shop.

Applicants Kim Young and Eric Lundstrom spoke to the application.

In discussion the following comments and questions were noted:

- Support was expressed for supporting small businesses and that there is a community need for automotive repair service. It was noted several automotive repair shops have closed in the past year.
- There was a question regarding whether the vehicles are moved regularly and is the area used as a salvage yard. The applicants reported the intended use of the new parking area is to hold vehicles until they are picked up after repairs are done and that it will not be used as a salvage area. It was noted there is currently no metal recycling service on Salt Spring Island and the applicant makes regular trips to transport salvage vehicles off island.
- Support was expressed for the new parking area to be used for the temporary parking of vehicles.
- There was a comment that it is important that the topsoil remains intact on the property. The applicants reported the topsoil has been moved to berms on either side of the parking area. There was no placement of fill and the area contains a layer of ¾ inch crushed gravel.
- Support was expressed for a farm plan that may include fruit trees.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommends that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.5 to the Agricultural Land Commission with support subject to the following conditions:

- The applicants submit a farm plan for the portion of the property used for vehicle parking that includes best practices for protecting the agricultural value including maintaining the soil on site;
- Insuring a protection and prevention plan for soil contamination;
- There is no impact to surrounding properties;
- There is a community need for automotive repair service.

CARRIED

Applicants K. Young and E. Lundstrom left the meeting at 3:45 p.m.

3.2 SS-ALR-2021.6 – N. Fraser and M. Fraser – 240 Atkins Road, SSI

Planner Gordon presented a memorandum dated January 20, 2022 regarding an application for non-farm use in the Agricultural Land Reserve for an automotive repair shop.

Applicant Noella Fraser spoke to the application.

In discussion the following comments and questions were noted:

- Support was expressed for the site plan the applicants provided.
- Support was expressed for the soil quality report.
- There was a comment that the area has been identified for General Employment Use in the Official Community Plan.
- Support was expressed for the community need for automotive repair service businesses.
- There was a question regarding how many campsites will be developed. The applicant reported seven campsites would be developed.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.6 to the Agricultural Land Commission with support for the following reasons:

- The work the applicants have done to provide a farm plan.
- The soil quality report that indicates limited agricultural use for Zone 3 (the workshop area).
- There is a community need for automotive repair service.
- The area has been identified for General Employment Use in the Official Community Plan.

CARRIED

Applicant N. Fraser left the meeting at 4:13 p.m.

3.3 Draft Bylaw No. 527 – Fees Bylaw Staff Memorandum

Planner Gordon presented a memorandum dated regarding Referral of Draft Fees Bylaw – Consideration of Community Benefit

In discussion the following comments and questions were noted:

- Support was expressed for agricultural initiatives.
- Support was expressed for making the distinction of an agricultural initiative that is a private enterprise when considering reduced fees.
- There was a comment that application fees should not be waived for vineyards or cannabis.
- Support was expressed for food processing and production to support the goals of food sovereignty.
- There was a comment that farm private enterprise can pay the same way that a successful artisan can pay fees.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee include the following in the Community Amenity Section of the Official Community Plan: local agricultural processing and local agricultural production excluding cannabis.

CARRIED

4. OTHER BUSINESS

4.1 2022 AAPC Meeting Schedule For Information

The 2022 AAPC Meeting Schedule was received for information.

5. ADJOURNMENT

By general consent the meeting adjourned at 4:40 p.m.

Bree Eagle, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Ganges Village Area Planning Task Force Meeting Minutes

Date: Thursday, February 17, 2022

Location: Baptist Church, Lower Hall
520 Lower Ganges Road

Members Present: Bob MacKie
David Dunnison
Jenny McClean
Sebastian Moffatt
John Gauld
Jesse Brown

Regrets: None

Absent: None

Staff Present: Louisa Garbo, Island Planner (by phone)
Geordie Gordon, Planner 2
Rob Pingle, Recorder

Others Present: Peter Grove, Trustee
Lucas Ozols-Mongeau, Ahne Studio (by zoom)

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

Staff Garbo called the meeting to order at 10:03 a.m.

1. ELECTION OF CHAIR/VICE CHAIR

Staff spoke to the APC bylaw and recommended that although a chair should be elected annually as new members may be joining shortly, recommendation is to wait until LTC made the appointments. It was also recommended that the agenda be amended to include discussion of the make up of the task force membership.

There was discussion about attendance.

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force have an election of the chairperson.

DEFEATED

Acting Chair McLean resumed duties as chair.

2. AGENDA

2.2 Approval of the Agenda

It was proposed that the agenda be amended to include:

5.3 Proposed Work plan

5.4 Review of 2007 Ganges Focus Group Report

5.5 Relationship with CRD technical working group

By general consent, the agenda was adopted as amended.

3. MINUTES OF PREVIOUS MEETINGS

3.1 Approval of Draft Minutes for December 16, 2021

It was requested that the attendance of members be moved from Absent to Regret and to change the previous minutes to state such. Staff explained that the two have separate meaning and the minutes from previous record cannot be changed.

Member Brown left the meeting at 10:31 a.m.

It was MOVED and SECONDED,

That the minutes of the December 16, 2021 Ganges Village Area Task Force meeting be adopted as presented.

CARRIED

4. ADMINISTRATIVE BUSINESS

4.1 Ganges Village Planning Task Force Resolutions

The resolutions were received.

4.2 2022 Meeting Schedule

There was discussion about the timing of the meetings. There was discussion about the frequency of meetings each month. It was suggested that staff participation at meetings outside the work day would require consultation with the Regional Planning Manager. There was a suggestion that adding a second meeting per month would be beneficial after that

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force accept the agenda as presented.

CARRIED

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force ask staff to investigate the timing of meetings on the scheduled dates from 4-6pm.

CARRIED

4.3 Planning for Two-day Workshop with Ahne Studio

Lucas Ozols-Mongeau spoke to creating technical documents in advance and the details sought for the workshop. The first day was proposed for foundations to establish a vision for the village to then create a set of goals which will set design options. Staff could present constraints and opportunities. Day two was proposed to focus on landing ideas for the village, including a walking tour of the village as well as physical mapping around design concepts for the village. The day could be wrapped up with an invitation to the public at large or a review of the work by the task force.

It was suggested that a walk around should occur on the first day rather than the second. The people to participate in the workshop was discussed. It was suggested that more work needs to be accomplished in advance of the workshop to ensure that landing of the ideas happens within the time constraints. It was suggested that the members of the task force wouldn't need a walk around. It was suggested that inviting the community into the meeting was too early in the process. It was suggested that the focus should be on land use planning rather than design and form for the village. It was discussed that there would be a benefit to explore the four corners of the area within the plan.

There was discussion about the date of the workshop. Staff recommended it be held as soon as possible and referred to the upcoming community design charrette. It was discussed about including members of the Housing Action Program Task Force. The timing of new members joining the task force was discussed and how that impacts the meeting for the workshop.

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force schedule a two day workshop be held on Saturday March 26 and Sunday March 27 and have it organized around the remarks made in the meeting.

CARRIED

It was suggested that the workshop focus on transportation and housing issues as a larger discussion may be overwhelming. It was suggested that Ahne Studio is well positioned to create an agenda that could then be reviewed to create consensus on the focus of the workshop. The inclusion of First Nation consultation was discussed. There was discussion about the invitation of other groups to participate for some portion of the workshop. It was discussed that the inclusion of the engagement summary will be helpful to develop the vision.

By general consent, it was agreed that representatives from the Salt Spring Island Transportation Commission and the Housing Action Program Task Force be invited to the workshop to discuss their opinions on the Ganges area plan.

It was suggested that land use is the area that Islands Trust has control and it should be the focus of the workshop. There was reference to the 2007 report as providing the key areas that Islands Trust can expect to have the most control over.

Lucas Ozols-Mongeau left the meeting at 11:39 a.m.

5. OTHER BUSINESS

5.1 Monthly updates to LTC through Chair

The item was not discussed due to a lack of time.

5.2 Instruction on maps printing

The item was not discussed due to a lack of time.

5.3 Proposed Work plan

The item was not discussed due to a lack of time.

5.4 Review of 2007 Ganges Focus Group Report

The item was not discussed due to a lack of time.

5.5 Relationship with CRD technical working group

The item was not discussed due to a lack of time.

6. ADJOURNMENT

The meeting adjourned at 12:04 p.m.

Jenny McClean, Acting Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Salt Spring Island Housing Action Program Task Force Meeting Minutes

Date: Thursday, February 3, 2022

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

Members Present: Rhonan Heitzmann, Chair
Maïkan Bordeleau
Stanley Shapiro
Daniel Wood
Bryce Chapman
Yvonne Saunders
Frejya Skye

Absent: None

Regrets: Kerrie Proulx, Vice Chair
Nejmah Guermodi
Jessica Terezakis

Staff Present: Stefan Cermak, Regional Planning Manager
Louisa Garbo, Island Planner (by phone)
Geordie Gordon, Planner 2
Rob Pingle, Recorder

Others Present: Laura Patrick, Islands Trust Salt Spring Island Trustee

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

The meeting was called to order at 10:03 AM Chair Heitzmann welcomed the task force members and acknowledged the meeting is being held in Coast Salish First Nations treaty and traditional territory.

1. CALL TO ORDER

1.1 Approval of Agenda

The following items we suggested for inclusion:

4.2 Tiny Home Update

4.3 Meeting Logistics

It was MOVED and SECONDED,
That the agenda be adopted as amended.

CARRIED

ADOPTED

1

2. MINUTES OF PREVIOUS MEETINGS

2.1 Approval of Draft Minutes for December 15, 2021

It was MOVED and SECONDED,

That the minutes of the December 15, 2021 Housing Action Program Task Force meeting be adopted.

CARRIED

3. ADMINISTRATIVE UPDATE

3.1 Housing Action Program Task Force Resolutions

There was conversation regarding the wording for resolution 7.

3.2 Conversation with RPM

RPM Cermak introduced himself.

There was discussion about the current communication practice of the members of the Task Force.

- It was noted that when members make public statements they are providing them as individuals not for the Task Force as a whole.
- It was noted that members are also tasked with fact finding and this requires communication.
- It was noted that members are to be good listeners.
- There was discussion about the ability for the Task Force to educate the public about the rationale behind their ideas through public communication.
- There was discussion about the ability for the Task Force members to respond to comments in the public sphere that are deemed inaccurate.
- It was suggested that responses to issues such as this should be directed through the Chair and to the locally elected officials.
- There was discussion about the process for ensuring a quick resolution of issues raised by the Task Force members. The legislative procedure for passing new Bylaws within the Trust area was described.

There was discussion about the about the Secondary Suites Bylaw being created.

- It was discussed how it can avoid the issues that the Bylaw No. 512 (Affordable Rental Housing—Cottages Project) experienced.
- It was described that Bylaw No. 512 was changed after a legal review showed the original was in contravention of the Official Community Plan (OCP).
- A member asked which part of the OCP caused the issue. It was explained that the OCP must be taken as a whole.
- There was discussion about the location of secondary suites in accessory buildings.

- There was discussion about the work being done to update the OCP through early and ongoing discussions with First Nations so that an amendment can be made to consider allowing secondary suites in accessory buildings.
- There was discussion if a cap was made on the creation of accessory buildings as secondary suites per year, would that avoid a need to change the OCP. It was noted that previous legal opinion and limitations on the administrative function of the Trust make this difficult.
- There was discussion about the use of tiny homes and it was noted that property owners with tiny homes on wheels can apply for a Temporary Use Permit to allow them as dwellings in most zones.
- There was discussion about the creation of mapping for the Secondary Suite Bylaw to provide better numbers of the dwellings that will be created.
- There was discussion about the number of First Nations that need to be consulted on the OCP process.
- There was discussion about the possibility to increase the number of multi-family dwellings on the island. It was noted that water and sewer was the main factor holding back projects like these.
- There was discussion about the creation of eco-villages. It was noted that the LTC has addressed many rezoning applications to create a variety of multi-family dwellings of all styles.
- There was a recognition that the process driven structure of the Trust has its benefits.
- There was discussion about how a secondary suite within a primary dwelling is not considered an increase to density, but a suite in an accessory building is - and this is where the OCP would need an amendment.
- There was discussion about the timeline for the OCP amendment and the pros and cons of having more than one issue addressed in the amendment.

3.3 LTC's resolution SS 2021-160

It was requested that members consider this resolution.

3.4 OCP review matrix

It was requested that members fill their names on the matrix. There was discussion that all comments of the OCP review should be provided to staff by the end of February.

3.5 Public Engagement process

Due to time constraints this item was not discussed. But staff mentioned that the webpage update is in progress to include OCP information and that the Task Force should start thinking about planning for the Open House.

4. OTHER BUSINESS

4.1 Updates to LTC through Chair's monthly reporting

Staff explained that it will be a standing item on future agenda for the group as a whole to offer input on what the Chair could report to the LTC.

4.2 Tiny Home Update

There was a comment that this process is nearing completion.

4.3 Meeting Logistics

Due to time constraints this items was not addressed.

5. ADJOURNMENT

The meeting was adjourned at 12:06 PM.

Rhonan Heitzmann, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Salt Spring Island Housing Action Program Task Force Meeting Minutes

Date: Wednesday, February 16, 2022

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

Members Present: Rhonan Heitzmann, Chair
Kerrie Proulx, Vice Chair
Maïkan Bordeleau
Bryce Chapman
Nejmah Guermoudi
Yvonne Saunders
Stanley Shapiro
Frejya Skye
Jessica Terezakis
Daniel Wood

Staff Present: Sarah Shugar, Recorder

Others Present: Laura Patrick, Islands Trust Salt Spring Island Trustee
Jenny McClean, Ganges Village Planning Task Force Chair

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

The meeting was called to order at 5:00 p.m. Chair Heitzmann welcomed the task force members and acknowledged the meeting is being held in Coast Salish First Nations treaty and traditional territory.

1. CALL TO ORDER

1.1 Approval of Agenda

By general consent, the agenda was adopted.

2. MINUTES OF PREVIOUS MEETINGS

2.1 Approval of Draft Minutes of the February 3, 2022 Meeting

By general consent, the minutes of the February 3, 2022 Housing Action Program Task Force meeting were adopted.

There was a request to only discuss task force members when the member is present at the meeting.

3. ADMINISTRATIVE UPDATE

3.1 Housing Action Program Task Force Resolutions

The Housing Action Program Task Force Resolutions to December 15, 2021 document was presented.

4. OTHER BUSINESS

4.1 Updates to LTC through Chair's monthly reporting

Chair Heitzmann reported he presented a Chair report to the LTC at the February 15, 2022 meeting. Chair Heitzmann reported this will be a standing item and members can forward items to be included in the next Chair report.

M. Bordeleau and N. Guer mou di arrived at the meeting at 5:13 p.m.

4.2 Solutions Matrix v.2 update

- A draft Housing Action Program: Strategic Priorities Matrix was presented. Chair Heitzmann asked members to track their comments/ideas regarding the OCP review and provide their comments to staff by the end of February 2022. Member Guer mou di, Member Terezakis and Chair Heitzmann are maintaining the matrix document and will update as needed.

In discussion the following items were noted:

- It is important to identify what needs to change in the OCP and LUB to enable these ideas and whether the ideas are feasible;
- It is important to conduct a general review of the OCP including housing, climate change, and Coastal Douglas Fir ecosystem perspectives;
- There was a comment that the OCP document is supportive of housing;
- There was a comment that the OCP is supposed to inform the LUB in a positive way although is often interpreted as being restrictive of new ideas;
- There was a question regarding grey water use, grey water/black water separation and humanure composting. These items should be included in the inter-jurisdictional issues section and potentially in the OCP as a value;
- Support was expressed for staff to use simple, clear, and specific language and noted language such as "in a healthy and sustainable way" is difficult to define and measure for success.

4.3 Suites Bylaw Update Staff Report to LTC

Chair Heitzmann reported the staff report was presented at the February 15, 2022 meeting. The LTC directed staff to amend the draft bylaw and bring back to a future

meeting for consideration of first reading. The LTC directed staff to amend the bylaw to include: Remove the definition of density; add a new definition of suites in combination with accessory building; allow both kinds of suites in all zones except for islets; and explore appropriate conditions and restrictions to phase in and manage impacts. The draft bylaw will be considered by the LTC at a future meeting and the amended draft bylaw will be referred to the Housing Task Force for comment.

In discussion the following items were noted:

- Approximately 1900 units were added within the Cottages bylaw (400 units) and Secondary Suites bylaw (1500 units) although a low number of units were actually built;
- There was a comment that the units could be redistributed island wide and permits could be issued on a first come, first served basis;
- Support for a strategy to look for landlords that will provide housing and a “use a carrot, not a stick” approach;
- There was a comment that it is important to have rent control to ensure the units would be used as affordable housing and not as short-term vacation rentals;
- There was a comment that it is important to find ways to make things easier for landlords to provide long term rentals;
- There was a comment that housing agreements and covenants may impact a property owner or purchaser’s ability to access financing and could reduce property values;
- There was a comment that it is important to address the social reasons why homeowners choose short-term vacation rentals versus long term rentals;
- There was a comment to keep things simple and not complicated;
- The Housing Needs Assessment identified the need for 600 units based on 2016 data;
- Trustee Patrick spoke to 2021 real estate data;
- Support was expressed to work with existing infrastructure and to bring it up to a safe living standard;
- There was a question regarding whether there is anything within the task force mandate to liaise with Federal levels of government regarding affordable housing;
- There was a comment that the recent announcement regarding a BC Housing project on Drake Road is an example of inter-agency jurisdiction;
- There was a comment that the average cost of subdivision in BC is between \$60,000 to \$70,000 and Salt Spring Island is at the high end of this range. Application costs and delays are part of the problem;
- There was a comment that there is pressure on this region as a desirable place to live;
- Support was expressed to provide more flexibility to what is being proposed such as options to allow for strata subdivisions.
- There was a comment that home plate zoning options would restrict the footprint of total dwelling space and provide flexibility within that dwelling space. The cost of the land could be shared and impacts to the land could be reduced;
- There was a comment that a hamlet concept such as one main house with a small village of cottages surrounding the main house could be an option;

- There was a comment that the disbursement of affordable housing options island wide would create more equity;
- There was a comment that infilling can be low impact and reduce the need for new infrastructure such as adding a suite to an existing barn or garage;
- There was a comment there was a historical plan for the development of villages including Ganges, Channel Ridge and Burgoyne Bay;
- There was a comment to cluster housing where there is water;
- There was a comment that water infrastructure is difficult to install and maintain in terrain such as Salt Spring Island;
- There was a question regarding the timeline of the bylaw. Chair Heitzmann reported the draft bylaw could proceed through three readings quickly and the goal is to adopt the bylaw by October 2022. It was noted Trustee elections are in October 2022.
- Support for use of accessory dwelling unit (ADU) as it is a common used language in planning and secondary suites is dated language. The language should be updated to align with BC housing and BC building codes.
- There was a comment that the secondary suites bylaw was introduced as a pilot project using one type of accessory dwelling unit and that it could it be scaled up based on the pilot project.
- There was a question regarding whether there is an accelerated process. The process could be reduced by two months if the public hearing stage was not needed.

J. McClean arrived at 6:50 p.m.

- Trustee Patrick advised this is a response to a housing emergency and that long term planning needs to consider bus routes and clustering density in villages.

By general consent, the task force agreed to have a motion prepared that supports Accessory Dwelling Units in all zones with a mechanism to provide a cap to provide feedback when the draft bylaw is referred to the task force for comment.

4.4 Tiny Home Project Update – Member Bordeleau - No update

Member Bordeleau will present an update at the next meeting. Please forward contacts regarding tiny homes. Member Guermoudi will forward the contact for the Wagon Wheel Housing Society to member Bordeleau.

M. Bordeleau left the meeting at 6:10 p.m.

4.5 ALR Housing Bylaw – Member Skye

Member Skye presented an update regarding draft Bylaw No. 526 – Changes to Residential Permissions in the ALR & Bylaw Amendment Options for dwellings on large farms. The LTC gave first reading to draft Bylaw No. 526 at the February 15, 2022 meeting.

In discussion the following items were noted:

- Support was expressed for more flexibility than the current draft bylaw as currently the draft bylaw is more restrictive than the Agricultural Land Commission (ALC);
- Support was expressed for more flexibility for the number of farmworker housing units and that if a farm can prove the need for farmworker housing to ALC then it should be allowed;
- There was a comment that the campsite limitations are too strict and that agri-tourism is a necessary source of revenue;
- Trustee Patrick advised the Agricultural Alliance would like to ensure that large farms continue to be farmed.

Member Skye will provide a summary of recommendations regarding draft Bylaw No. 526 for the next meeting. Chair Heitzmann asked everyone to review the draft bylaw for comment at the next meeting.

5. ADJOURNMENT

The next meeting will be held on March 3, 2022 at 10:00 a.m.

The meeting was adjourned at 7:13 p.m.

Rhonan Heitzmann, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

Follow Up Action Report

Salt Spring Island

09-Nov-2021

Activity	Responsibility	Dates	Status
1 NEW BUSINESS Meadowbrook Rental Charges That the Salt Spring Island Local Trust Committee request the Gulf Islands Seniors Residential Association provide a completed Schedule A to Bylaw No. 364.	Geordie Gordon Gillian Nicol		In Progress
2 Housing Action Program and Other Updates That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force's recommendation and request staff to report back on potential bylaw amendments to permit accessory dwelling units in all zones.	Louisa Garbo		Completed

14-Dec-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

14-Dec-2021

Activity	Responsibility	Dates	Status
1 GANGES VILLAGE AREA PLAN That the Salt Spring Island Local Trust Committee endorses the re-allocation of funding within the Ganges Village Area Plan Project budget and additional staff time to have the consultant, Ahne Studio, facilitate a two-day workshop for the Ganges Village Area Plan Task Force. That the Salt Spring Island Local Trust Committee request staff to include a session on Housing in the two-day workshop and invite the Housing Action Task Force to participate.	Louisa Garbo Rob Pingle		Completed
2 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 Stefan Cermak		In Progress

Follow Up Action Report

Salt Spring Island

14-Dec-2021

Activity	Responsibility	Dates	Status
3 APPLICATIONS AND REFERRALS - SS-ALR-2021.5 - K. Young - 181 Beddis Road, SSI That the Salt Spring Island Local Trust Committee refer application SS-ALR-2021.5 to the Agricultural Advisory Planning Commission for comment on the application generally as well as specifically on the following aspects: a. Existing and future agricultural use and/or potential of the subject property; b. The zoning of the property and intended use; c. The surrounding land uses of the subject property; d. Whether the Salt Spring Local Trust Committee should support the non-farm use application.	Geordie Gordon Rob Pingle		Completed
4 APPLICATIONS AND REFERRALS - SS-RZ-2017.3 - J. Colligan - 2188 North End Road, SSI That the Salt Spring Island Local Trust Committee has reviewed the Directives Only Policy Checklist and determined that proposed Draft Bylaw No. 521 is not contrary to or at variance with the Islands Trust Policy Statement.	Geordie Gordon		In Progress

Follow Up Action Report

Salt Spring Island

18-Jan-2022

Activity	Responsibility	Dates	Status
1 WATER SUSTAINABILITY/PROTECTION OF THE COASTAL DOUGLAS-FIR ZONE AND ASSOCIATED ECOSYSTEMS PROJECT That the Salt Spring Island Local Trust Committee request staff to amend the Protection of Coastal Douglas-fir Zones and Associated Ecosystems Project Charter v1.1 to prioritize wildfire risk mitigation.	Jason Youmans		In Progress
2 Water Sustainability/Protection of the Coastal Douglas-fir Zone and Associated Ecosystems That the Salt Spring Island Local Trust Committee request staff to provide an updated Protection of Coastal Douglas-fir Zones and Associated Ecosystems project workplan based on the deliverables proposed under the 2022/23 business case submitted to Trust Council and other potential approaches to advancing the objective of wildfire risk mitigation.	Jason Youmans		In Progress

Follow Up Action Report

Salt Spring Island

18-Jan-2022

Activity	Responsibility	Dates	Status
3 SS-ALR-2021.6 - N. Fraser and M. Fraser - 240 Atkins Road, SSI That the Salt Spring Island Local Trust Committee refer application SS-ALR-2021.6 (240 Atkins Road) to the Agricultural Advisory Planning Commission for comment on the application generally as well as specifically on the following aspects: a. Existing and future agricultural use and/or potential of the subject property; b. The zoning of the property and intended use; c. The surrounding land uses of the subject property; d. Whether the Salt Spring Local Trust Committee should support the non-farm use application.	Geordie Gordon Rob Pingle		Completed
4 OTHER BUSINESS SS-ALR-2021.5 - K. Young and E. Lindstrom - 181 Beddis Road (Beddis Road Garage) Community Need Request That the Salt Spring Island Local Trust Committee request bylaw enforcement staff to not enforce as per Standing Resolution No. SS-2020-045 at 181 Beddis Road.	Geordie Gordon Warren Dingman		In Progress

Follow Up Action Report

Salt Spring Island

18-Jan-2022

Activity	Responsibility	Dates	Status
5 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
6 OTHER BUSINESS 2022 Salt Spring Island Local Trust Committee Regular Meeting Schedule That the Salt Spring Island Local Trust Committee next regular business meeting of February 15, 2022 be held electronically.	Jennifer Baddeley Rob Pingle		Completed

15-Feb-2022

Activity	Responsibility	Dates	Status
1 Draft Minutes of the January 18, 2022 SSI LTC Regular Meeting By general consent, the minutes of January 18, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted.	Jennifer Baddeley Rob Pingle		Completed

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
2 Water Sustainability That the Salt Spring Island Local Trust Committee endorse the attached Request for Decision and authorize staff to forward it for consideration to Islands Trust Council.	Jason Youmans		Completed
3 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

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
4 Housing Action Program That the Salt Spring Island Local Trust Committee amend standing resolution SS-2021-109 to state - 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.	Daniela Murphy Stefan Cermak		Completed

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
5 Housing Action Program - Bylaw 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, 199, 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		In Progress
6 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		In Progress

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
7 Housing Action Program - Bylaw 526 That Salt Spring Island Local Trust Committee Bylaw No. 526, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 3, 2021", be read a first time. That the Salt Spring Island Local Trust Committee request staff refer Proposed Bylaw No. 526 to agencies, organizations and First Nations, as identified in this staff report dated February 15, 2022.	Daniela Murphy Geordie Gordon Kristine Mayes		Completed
8 Rise and Report The minutes of the January 18, 2022 Salt Spring Island Local Trust Committee In-Camera meeting were adopted.	Jennifer Baddeley Rob Pingle		Completed
9 Correspondence - D. Courtney to LTC et al - Dated January 17, 2022 - Concerning 2 Ferry Service for Vesuvius Bay to Crofton - The Fix for Route Six That the Salt Spring Island Local Trust Committee advocate to the Ministry of Transportation and Infrastructure to update the South Island Transportation Strategy by including the Southern Gulf Islands within the study region.	Jason Youmans Jennifer Baddeley Stefan Cermak		In Progress

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
10 SS-DVP-2021.24 - J. Verville, Kirsten Reite Architecture, 2621 & 2661 Fulford Ganges Road, SSI (The Vortex) That the Salt Spring Island Local Trust Committee refer applications SS-DVP-2021.24 and SS-DP-2018.14 to First Nations with treaty and territorial interests on Salt Spring Island with a request to comment on the proposed permits (2621 and 2661 Fulford Ganges Road).	Jason Youmans		Completed

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
11 SS-LCB-2021.2 - B. Webster - 529 Fulford-Ganges Road, SSI That the Salt Spring Island Local Trust Committee directs staff to send a response to the Liquor and Cannabis Regulation Branch regarding the lounge license and outdoor patio applications for 529 Fulford Ganges Road (Ciderworks) that states: a. The potential impact of noise on the community in the immediate vicinity of the establishment would be minimal; b. The impact on the community if the application is approved would be negligible; c. The lounge and patio is a permitted use within the Agricultural Land Reserve; d. The Local Trust Committee recommends the application be approved. That the Salt Spring Island Local Trust Committee directs staff to include a record of community consultation with the response to the Liquor and Cannabis Regulation Branch regarding the Ciderworks application (529 Fulford Ganges Road).	Geordie Gordon		In Progress
12 SS-RZ-2021.1 - D. Rivers - 114 Swanson Road, SSI That the Salt Spring Island Local Trust Committee defer application SS-RZ-2021.1 to a future meeting (114 Swanson Road).	Daniela Murphy Geordie Gordon Rob Pingle		In Progress

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
13 SS-DVP-2021.18 - V. Warrior - 82 McKenzie Crescent, Piers Island That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.18 (82 McKenzie Crescent, Piers Island).	Daniela Murphy Kristine Mayes		Completed
14 SS-RZ-2020.1 - D. MacAlpine - 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 read a second time (SS-RZ-2020.1, 1351 Mountain Road). That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021" is not contrary to or at variance with the Islands Trust Policy Statement (SS-RZ-2020.1, 1351 Mountain Road). That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021" (SS-RZ-2020.1, 1351 Mountain Road).	Daniela Murphy Kristine Mayes		Completed

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
15 SS-RZ-2020.1 - D. MacAlpine - 1351 Mountain Road, SSI That the Salt Spring Island Local Trust Committee request that the applicant send the Archaeological Overview Assessment to the Tsawout First Nation (SS-RZ-2020.1, 1351 Mountain Road).	Kristine Mayes		Completed
16 Draft Bylaw No. 527 - Fees Bylaw That the Salt Spring Island Local Trust Committee Bylaw No. 527, cited as "Salt Spring Island Local Trust Committee Fees Bylaw, 2021", be given first, second and third reading. That the Salt Spring Island Local Committee Bylaw No. 527, cited as "Salt Spring Island Local Trust Committee Fees Bylaw, 2021", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.	Daniela Murphy Stefan Cermak		Completed
17 Ganges Village Planning Task Force That the Salt Spring Island Local Trust Committee request staff to determine the representative make up of the Ganges Village Planning Task Force to be representative of stakeholder groups, the local business community and residents.	Geordie Gordon Louisa Garbo		In Progress

Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
18 Draft Bylaw No. 527 - Fees Bylaw That the Salt Spring Island Local Trust Committee add "Public access to lake and marine shorelines, and local agricultural processing and local agricultural processing excluding cannabis as an eligible community amenity in Section H.3.2 of the Salt Spring Island Official Community Plan" to the Projects List.	Stefan Cermak		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>



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.

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.

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

Responsible

Jason Youmans

Dates

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

Top Priorities Report

Salt Spring Island

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*

Responsible

Dates

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 engage3ment 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.

Louisa Garbo

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

4. *Housing Action Program*

Responsible

Dates

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

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

Louisa Garbo

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

Top Priorities Report

Salt Spring Island

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

- 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)

06-Oct-2020

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

Applications

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: Kristine Mayes			
Planning Status			
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			
Status Date: 18-Nov-2021			
Follow-up email to applicant re. application status - no response received			
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: 03-Feb-2022			
Considered by AAPC - Support recommended.			
Status Date: 06-Jan-2022			
AAPC meeting canceled due to weather			
Status Date: 14-Dec-2021			
LTC referral to AAPC			

Applications

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: 03-Feb-2022			
Considered by AAPC - Support recommended.			
Status Date: 18-Jan-2022			
SS LTC referral to AAPC			
Status Date: 20-Dec-2021			
Site visit			

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: 03-Mar-2022			
APC consideration of DP application			
Status Date: 01-Mar-2022			
First Nations referrals made.			
Status Date: 23-Feb-2022			
LTC RWM to refer DP application to APC			

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2020.15	El Loco Taco	18-Dec-2020	Amend Existing Permit - 106 Lower Ganges RD

Planner: Georgie Gordon

Planning Status

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

Status Date: 21-Jan-2022

Staff request update from applicant

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: Kristine Mayes

Planning Status

Status Date: 30-Nov-2021

Phone call regarding next steps for application to move forward

Status Date: 29-Oct-2021

Site Visit

Status Date: 14-Sep-2021

Planner Mayes assigned to file - SS-DP-2021.10

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.12	Schweighardt, Dale	07-Dec-2021	Amendment for expanded patio space - 126 Upper Ganges Road

Planner: Georgie Gordon

Planning Status

Status Date: 21-Dec-2021

File assigned to Planner Gordon - SS-DP-2021.12

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.13	Priority Permits LTD	17-Dec-2021	DPA1 - signs - 116 Fulford-Ganges Road

Planner: Kristine Mayes

Planning Status

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

Status Date: 18-Jan-2022

Emailed applicant re. questions

Status Date: 21-Dec-2021

File assigned to Planner Mayes SS-DP-2021.13

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: Kristine Mayes

Planning Status

Status Date: 08-Feb-2022

Follow-up email to applicant re. application status

Status Date: 01-Feb-2022

Site Visit

Status Date: 21-Jan-2022

Zoom meeting with applicant

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.4	UCG Universal Consulting Group LTD Planner: Kristine Mayes	15-Mar-2021	NEW TASTING ROOM, WASHROOM/ACCESSORY BUILDING, CARETAKER'S COTTAGE, 4-PLEX - 270 Furness Road
Planning Status			
Status Date: 01-Feb-2022 Follow-up email to applicant re. application status			
Status Date: 09-Dec-2021 DVP for retaining wall opened			
Status Date: 30-Nov-2021 Vegetation & Watercourse reports submitted			
File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.5	Miss Crofton's Housing Corporation Planner: Geordie Gordon	19-Mar-2021	To increase density in-order to build 10 small rental cottages - 265 Lower Ganges Road
Planning Status			
Status Date: 04-Feb-2022 Dormant application notice sent			
Status Date: 14-Dec-2021 Verbal update to LTC - DP dependent on RZ proceeding. Viable water source required for RZ.			
Status Date: 05-Oct-2021 Staff request update from applicant			

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.8	Aurora Professional Group INC Planner: Georgie Gordon	12-Jul-2021	Development within DPA6 - DP/DVP regarding disposal field and setback to natural boundary of the sea - 371 Isabella Point Road
Planning Status			
Status Date: 20-Sep-2021 See associated SS-DVP-2021.13			
Status Date: 18-Aug-2021 Email to applicant			
Status Date: 10-Aug-2021 Planner Gordon assigned to file - SS-DP-2021.8			
File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.1	Email and phone for rep Spencer Purdy Planner: Georgie Gordon	31-Jan-2022	Amendment to alter use - 319 Upper Ganges Road, SSI
Planning Status			
Status Date: 03-Mar-2022 Site visit			
Status Date: 02-Feb-2022 File assigned to Planner Gordon - SS-DP-2022.1			
File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.2	Fergusson, Kelly Planner: Kristine Mayes	05-Feb-2022	DPA7 - utility trench and driveway across stream - Lot 7 Meyer Road, SSI
Planning Status			
Status Date: 11-Feb-2022 Planner Mayes assigned to file - SS-DP-2022.2 + SS-DVP-2022.7			

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.3	Gunn-Allard, Joan	08-Feb-2022	DPA5 - siting of septic in community well capture zone - 266 Little Mountain Road, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 11-Feb-2022

Planner Gordon assigned to file - SS-DP-2022.3

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: Georgie 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

Applications

Development Variance Permit

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: Kristine Mayes

Planning Status

Status Date: 30-Nov-2021

Phone call regarding next steps for application to move forward

Status Date: 29-Oct-2021

Site Visit

Status Date: 14-Sep-2021

Planner Mayes assigned to file - SS-DVP-2021.17

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.21	Island Marine	02-Nov-2021	DVP for marine float size - Lot 12 & 13 Secret Island

Construction

Planner: Kristine Mayes

Planning Status

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

Status Date: 27-Jan-2022

Additional information & photos received from applicant

Status Date: 23-Dec-2021

Requested photos and additional information from applicant

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: Kristine Mayes

Planning Status

Status Date: 13-Dec-2021

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

Applications

Development Variance Permit

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

Planner: Kristine Mayes

Planning Status

Status Date: 16-Feb-2022

Requested photos and additional information from applicant

Status Date: 21-Dec-2021

File Assigned to Planner Mayes - SS-DVP-2021.23

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.

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.4	Welsh, Greg	18-Feb-2021	To build a garage of the same size, quality and kind as the one which burned down in 2020, on the same foundation - 150 Drake Road

Planner: Kristine Mayes

Planning Status

Status Date: 10-Mar-2022

Dormant Applications Report to 22MAR2022 SSILTC meeting

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 02-Dec-2021

Follow-up on closure request

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: Kristine Mayes

Planning Status

Status Date: 01-Sep-2021

Revised site plan required

Status Date: 18-Jun-2021

Site Visit

Status Date: 04-Mar-2021

File assigned to Planner Mayes - SS-DVP-2021.7

Applications

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: 07-Jan-2022 File assigned to Planner Gordon - SS-DVP-2022.1			
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-2022.2	Fevang, Carol Planner: Kristine Mayes	10-Jan-2022	Variance to construct waterfront retaining wall - 105 McKenzie Cres - Piers Island
Planning Status			
Status Date: 10-Mar-2022 Report to 22MAR2022 SSILTC meeting			
Status Date: 19-Jan-2022 File assigned to Planner Mayes - SS-DVP-2022.2			

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.3	Howard, Dori	17-Jan-2022	Variances for three accessory buildings - 116 Collins Road, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 04-Mar-2022

Report delayed until at least April meeting to resolve outstanding permit issues.

Status Date: 31-Jan-2022

Site Visit

Status Date: 19-Jan-2022

Planner Gordon assigned to file - SS-DVP-2022.3

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.4	Aurora Professional Group Inc	25-Jan-2022	Variance regarding disposal field and setback to natural boundary of the sea - 777 Vesuvius Bay Road

Planner: Kristine Mayes

Planning Status

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

Status Date: 18-Feb-2022

Site Visit

Status Date: 01-Feb-2022

Planner Mayes assigned to file - SS-DVP-2022.4

Applications

Development Variance Permit

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: Kristine Mayes

Planning Status

Status Date: 18-Mar-2022

Meeting following site visit with applicant

Status Date: 11-Feb-2022

Site Visit

Status Date: 26-Jan-2022

File assigned to Planner Mayes - SS-DVP-2022.5

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.6	Wynne-Edwards, Alexander	02-Feb-2022	retaining wall within setback to the natural boundary of the sea - 14 McKenzie Cres, Piers island

Planner: Kristine Mayes

Planning Status

Status Date: 11-Feb-2022

Planner Mayes assigned to file - SS-DVP-2022.6

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.7	Fergusson, Kelly	05-Feb-2022	DPA7 - utility trench and driveway across stream - Lot 7 Meyer Road, SSI

Planner: Kristine Mayes

Planning Status

Status Date: 11-Feb-2022

Planner Mayes assigned to file - SS-DVP-2022.7 & SS-DP-2022.2

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: Kristine Mayes

Planning Status

Status Date: 22-Feb-2022

Planner Mayes assigned to file - SS-DVP-2022.8

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.9	Wolf, Lucas	28-Feb-2022	Variance to expand Full-time Rental Cabin to 90m2 without rainwater catchment system - 123 Deer Park Road, SSI

Planner: Kristine Mayes

Planning Status

Status Date: 02-Mar-2022

Planner Mayes assigned to file - SS-DVP-2022.9

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
SS-LCB-2021.2	Salt Spring Apple Company LTD	18-Oct-2021	LCRB Lounge and Patio Endorsement - 529 Fulford-Ganges Road

Planner: Geordie Gordon

Planning Status

Status Date: 28-Feb-2022

Response sent to LCRB

Status Date: 15-Feb-2022

SS LTC recommends support.

Status Date: 27-Jan-2022

Open house

Applications

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: Georgie Gordon			
Planning Status			
Status Date: 21-Dec-2021			
File assigned to Planner Gordon - SS-LCB-2021.3			

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: Georgie Gordon			
Planning Status			
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			
Status Date: 01-Dec-2021			
Discussion w/ MoTI and applicant re: Drake Rd upgrades. MoTI to provide further info.			

Applications

Rezoning

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

Planner: Georgie Gordon

Planning Status

Status Date: 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

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: Georgie 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

Applications

Rezoning

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: Kristine Mayes

Planning Status

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

Status Date: 03-Feb-2022

Report to 15FEB2022 SSILTC meeting

Status Date: 25-Nov-2021

Proposed Bylaw No. 525 considered at 25NOV2021 APC meeting (recommended bylaw proceed)

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: 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.

Status Date: 07-Jun-2021

CRD indicates sewer capacity request must come from applicant

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.2	Miss Crofton's Housing Corporation Planner: Georgie Gordon	19-Mar-2021	Increase current density to build 10 small rental cottages - 265 Lower Ganges Road
Planning Status			
Status Date: 04-Feb-2022 Dormant application notice sent			
Status Date: 18-Jan-2022 Planner requests progress update from applicant			
Status Date: 14-Dec-2021 verbal update to LTC - staff do not consider current ground water source to be viable due to salt water intrusion.			

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.3	Chapman, Bryce Planner: Georgie Gordon	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
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			

Applications

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: Kristine Mayes

Planning Status

Status Date: 14-Oct-2021

BCA advises no HCA permit required

Status Date: 23-Sep-2021

BCLS site plan received

Status Date: 12-May-2021

Advised applicant BCLS site plan required (geotech site plan inconsistent with photos/TAPIS property boundaries)

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: Kristine Mayes

Planning Status

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 29-Apr-2021

Advised applicant of additional reports required by CRD

Status Date: 09-Mar-2021

Corresponded with BCLS over phone/email re. strata plan

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-2020.1	Polaris Land Surveying Inc	26-Aug-2020	Proposed 3 Lot Subdivision - 455 Blackburn Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 24-Sep-2021

Applicant indicates other covenant work is required by MoTI, letter of undertaking to be provided once that covenant is finalized.

Status Date: 20-Sep-2021

email to applicant regarding some outstanding subdivision requirements.

Status Date: 29-Jun-2021

LTC approves several requests required for subdivision (DP/DVP/frontage/water treatment)

Applications

Subdivision

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: Kristine Mayes

Planning Status

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

Status Date: 22-Dec-2020

File assigned to Planner Mayes - SS-SUB-2020.3

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: Kristine Mayes

Planning Status

Status Date: 30-Apr-2021

PLR received from MoTI

Status Date: 18-Feb-2021

Referral Response sent to MoTI

Status Date: 08-Feb-2021

Site Visit

Applications

Subdivision

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: Kristine Mayes			
Planning Status			
<u>Status Date:</u> 08-Jun-2021 PLR recieved from MoTI			
<u>Status Date:</u> 23-Feb-2021 Referral Response sent to MoTI			
<u>Status Date:</u> 08-Feb-2021 Site Visit			

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.3	Shalbaf, Sina	31-Mar-2021	2 lot subdivision 150 Margolin Drive
Planner: Kristine Mayes			
Planning Status			
<u>Status Date:</u> 10-Jun-2021 PLR received from MoTI			
<u>Status Date:</u> 28-May-2021 Site Visit			
<u>Status Date:</u> 28-May-2021 Referral Response sent to MoTI			

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.4	Massender, Ian (Matthew)	27-Aug-2021	Boundary Adjustment - 244 Rainbow Road
Planner: Kristine Mayes			
Planning Status			
<u>Status Date:</u> 23-Nov-2021 Septic report received			
<u>Status Date:</u> 18-Nov-2021 PLRS received from MoTI			
<u>Status Date:</u> 18-Oct-2021 Referral Response sent to MoTI			
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: Kristine Mayes			
Planning Status			
<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			

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.6	MiCo Properties	17-Nov-2021	Two Lot Subdivision - 1281 Fulford-Ganges Road

Planner: Kristine Mayes

Planning Status

Status Date: 14-Dec-2021

Revised site plan required to complete referral response

Status Date: 19-Nov-2021

File assigned to Planner Mayes - SS-SUB-2021.6

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

Planner: Kristine Mayes

Planning Status

Status Date: 15-Dec-2021

Referral Response sent to MoTI

Status Date: 14-Dec-2021

Planner Mayes assigned to file - SS-SUB-2021.7

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

655 Salt Spring	Invoices posted to Month ending January 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-655	LTC "Trustee Expenses"	<u>1,985.00</u>	<u>0.00</u>	<u>1,985.00</u>
		<u>1,985.00</u>	<u>0.00</u>	<u>1,985.00</u>
LTC Local				
65200-655	LTC - Local Exp - LTC Meeting Expenses	6,072.00	4,837.45	1,234.55
65210-655	LTC - Local Exp - APC Meeting Expenses	1,110.00	1,826.14	-716.14
65220-655	LTC - Local Exp - Communications	1,500.00	25.00	1,475.00
65230-655	LTC - Local Exp - Special Projects	<u>1,471.00</u>	<u>0.00</u>	<u>1,471.00</u>
TOTAL LTC Local Expense		<u>10,153.00</u>	<u>6,688.59</u>	<u>3,464.41</u>
Projects				
73001-655-4020	Salt Spring Ganges Village Area Planning	65,000.00	57,593.24	7,406.76
73001-655-4034	SSIWPA Coordinator Expense	60,000.00	49,442.50	10,557.50
73001-655-4035	SSIWPA Events & Communications Expense	13,740.00	884.37	12,855.63
73001-655-4036	SSIWPA Meetings Expense	1,760.00	984.00	776.00
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	10,000.00	40,000.00
73001-655-4113	Salt Spring Protect CDF Ecosystem	5,000.00	1,106.11	3,893.89
73001-655-4119	Salt Spring Housing Challenges & Solutions	45,000.00	3,948.00	41,052.00
73001-655-4122	Salt Spring Healthy Watersheds Initiative	<u>5,000.00</u>	<u>1,951.91</u>	<u>3,048.09</u>
TOTAL Project Expenses		<u>275,500.00</u>	<u>125,910.13</u>	<u>149,589.87</u>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JANUARY 25, 2022 BOARD SPECIAL MEETING (OPEN PORTION)

*NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit
<https://islandstrust.bc.ca/whats-happening/meetings-and-events/>*

1. ORGANIZATION UPDATES/TEAM

- Chair and Vice chair elections were held. Trustee Stamford was acclaimed as Chair of the ITCB. Trustee Fast was acclaimed as Vice-Chair of ITCB.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Manager presented the Board with a 2022-23 ITC Work Planning package and request for decision. The ITC has a small team that is working to meet existing commitments with respect to current conservation proposals and land management projects. Woven through all its work, the ITCB has committed to strengthening relationships with First Nations. The ITC is also working on a new Climate Change Project to prepare for effects of climate change on lands that are managed by the ITC, and a new Species at Risk Program aimed at species threatened by extinction in the islands. To enable creation of work programs that can successfully meet these commitments, the ITCB directed staff to focus on these new program areas in 2022. ITC will continue to act on high priority conservation opportunities, but will hold other less urgent work until the spring of 2023.
- The ITCB had three readings of Islands Trust Conservancy Bylaw No. 3, cited as “Islands Trust Conservancy Meeting Procedures Bylaw, 2019, Amendment Bylaw No. 1, 2022.” The bylaw will allow the ITC board members to attend meetings electronically.
- The ITCB approved the attendance for Trustees Fast, Fenton, Stamford and Smith to attend the Salish Sea Ecosystem Conference
- The ITCB approved attendance at e-Summit of the Pan Canadian Parks and Protected Areas Research Network for Trustees Stamford and Smith.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITBC noted for the public in the 'rise and report' of the in camera meeting, that it has approved signing of a conservation covenant on Lasqueti Island that is the subject of a Natural Area Protection Tax Exemption Proposal application.
- The Ecosystems Protection Specialist presented a conservation proposal to donate a 2.45 ha NAPTEP covenant on Salt Spring Island, to protect mature forests, wetlands, and connectivity to other protected areas. Decision was made to approve the proposal but defer this securement project until late 2022/early 2023 due to staff capacity constraints.
- The Public Acquisitions and Covenants reports were presented to and accepted by the ITCB.

4. COVENANT AND PROPERTY MANAGEMENT

- The ITC Property Management Specialist presented the Moore Hill Management Plan. Board discussed the cultural significance and public opinion regarding closure of public access and relationship building with First Nations and approved the management plan.
- The ITC Covenant Management & Outreach Specialist provided a slide presentation to Board members, highlighting the top six projects completed in 2021. The ITCB commented this was a great learning experience and requested that these presentations be communicated more broadly to the public.
- The ITC Property Management Specialist presented a slide presentation to Board members highlighting the top restoration projects completed in 2021, noting partners, local conservancies and volunteers have been instrumental in doing this work.

5. COMMUNICATIONS AND OUTREACH

- The ITC Manager advised that an outreach letter had been sent to Gabriola landholders in January in collaboration with the Gabriola Land and Trails Trust. The Gabriola Island Local Trust Committee was notified.
- The ITCB received a letter from Sheila Harrington regarding a book she is developing about land trusts in the islands.
- The ITCB received a building permit referral for information for a greenhouse on a covenanted property on North Pender Island. As the greenhouse is well distanced from the covenant boundary, the ITC Manager advised that staff did not have concerns.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- Trustee Smith provided a verbal update noting that Galiano Island recently completed the new Cable Bay conservation area, including 25 hectares, linking to other conservation areas, totalling 500 hectares of Coastal Douglas-fir forests, and wetlands. There will be a celebration in the spring. The ITCB provided an Opportunity Fund Grant to kick start the project in 2019.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

- The Budget Report was presented and accepted by the ITCB.
- Trustee Fenton advised that the Thetis Island Local Trust Committee is trying to pull together a program to bring community engagement, stewardship and education. Thetis is working towards community composting.
- Trustee Adams advised she signed up for Land Trust Alliance of BC Indigenous Engagement session and will provide an update.

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)

DATE OF MEETING: March 22, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
SUBJECT: Dormant Applications

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee direct staff to close application files SS-RZ-2013.7, SS-RZ-2021.2, SS-DP-2021.5 and SS-DVP-2021.4.

REPORT SUMMARY

This staff report provides the Salt Spring Island Local Trust Committee (SS LTC) with details regarding four dormant applications. The dormant applications (SS-RZ-2013.7, SS-RZ-2021.2, SS-DP-2021.5 and SS-DVP-2021.4) discussed in this report have not progressed in a timely manner and are considered dormant. Staff recommend closing these applications in support of effective and efficient staff time management, and to ensure development proposals are evaluated based on current bylaws.

BACKGROUND

Islands Trust applications are considered dormant when they have not been advanced within one year (i.e. prior to March 2021). Subdivision referral files are considered dormant if they were opened more than three years ago (i.e. prior to March 2019), have received none, one or more Preliminary Layout Review extensions but lack evidence of work having commenced.

ANALYSIS

Policy

Section 3.1 of [Trust Council Policy 7.1.1](#) states “parties whose interests may be affected by a decision or action should be notified in a timely and adequate manner about the decision-making process and opportunities to participate in it”. Applicants for the two potentially dormant applications detailed in this report were contacted by email on February 4, 2021. Applicants were advised that their applications have been identified as dormant and that they would be included in a dormant application report for consideration at the March 22, 2022 SS LTC meeting. Applicants were given an opportunity to make a case to keep their application open. The correspondence indicated that if staff did not receive a response or see progress on the application before February 28, 2022, staff may recommend closing the application file.

Issues and Opportunities

Bylaw Amendment (Rezoning) Applications

Bylaw Amendment (rezoning) applications require a fee (\$4,400 to \$5,500, depending on whether a LUB amendment and/or OCP amendment are required) paid to the Islands Trust per [Salt Spring Island Local Trust Committee Fees Bylaw No. 428](#). Rezoning applications require significant staff time, local advertising, public consultation, referral to agencies and advisory bodies and multiple considerations by the SS LTC.

SS-RZ-2013.7 – 193 Park Drive, SSI

Application SS-RZ-2013.7 proposes an amendment to the [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) and [Salt Spring Island Official Community Plan No. 434](#) (OCP) to increase the residential density on the subject

property from 33 to 49. The application was opened on August 9, 2013 and has been open for over eight years. The rezoning application has not progressed since the application was considered in a dormant applications reports in October 2021 and as such, staff recommend closing the file. The applicant has been granted multiple extensions to supply the required potable water volumes and to await the lifting of the [North Salt Spring Island Waterworks District \(NSSWD\) moratorium](#). Below is a summary of application milestones:

- *October 2013* – [preliminary staff report](#) to SS LTC.
- *June 2015* – considered on dormant application staff report (application not closed per SS LTC).
- *June 2016* – [staff report #2](#) to SS LTC.
- *February 2019* – provincial water license approved.
- *August 2019* – [staff report #3](#) to SS LTC.
- *May 2020* – [staff report #4](#) to SS LTC where the application was put in abeyance for 6-months (SS-2020-060).
- *February 2021* – [staff report #5](#) to SS LTC where the application was put in abeyance for (an additional) 6-months (SS-2021-047).
- *October 2021* – considered on dormant application staff report (application not closed per SS LTC).
- *February 2022* – dormant application notice sent to applicant (response received, see Appendix No. 1).

If this file were closed, the applicant would need to submit a new Rezoning application and pay the application fee to have their application processed again by staff. If the SS LTC direct staff to close this file, a refund, if applicable, will be issued.

SS-RZ-2021.2 & SS-DP-2021.5 – 265 Lower Ganges Road, SSI

Application SS-RZ-2021.2 proposes an amendment to the LUB to increase the residential density on the subject property from 2 (duplex permitted) to 10. Application SS-DP-2021.5 was applied for in combination with SS-RZ-2021.2 for multi-family development within Development Permit Area 1 – Island Villages. Both applications were opened on March 19, 2021 and have been open for one year. The rezoning application has not progressed since August 2021. Below is a summary of application milestones:

- *October 2021* – staff requested progress update from applicant.
- *December 2021* – verbal update to SS LTC regarding viable water source due to salt water intrusion.
- *January 2022* – staff requested progress update from applicant.
- *February 2022* – dormant application notice sent to applicant (applicant advised no longer working on file and forwarded to new applicant; no further responses received).

If these files were closed, the applicant would need to submit new Rezoning and Development Permit applications and pay the application fees to have their applications processed again by staff. If the SS LTC direct staff to close these file, a refund, if applicable, will be issued.

Development Variance Permit Applications

Development Variance Permit (DVP) applications require a fee of \$715 paid to the Islands Trust per [Salt Spring Island Local Trust Committee Fees Bylaw No. 428](#). DVP applications require public notification and consideration by the SS LTC.

SS-DVP-2021.4 – 150 Drake Road, SSI

Application SS-DVP-2021.4 seeks to vary the LUB to permit the construction of a garage (replacing a garage that burnt down) within a front lot line and interior lot line setbacks. The application was opened on February 18, 2021 and has been open for over a year. The rezoning application has not progressed since the application was removed from consideration at the request of the applicant at the August 31, 2021 SS LTC meeting. Below is a summary of application milestones:

- *April 2021* – [staff report #1](#) to SS LTC.
- *August 2021* – [staff report #2](#) to SS LTC; application removed from consideration at the request of the applicant.
- *September 2021* – staff requested progress update from applicant.
- *December 2021* – staff requested progress update from applicant.
- *February 2022* – dormant application notice sent to applicant (no response received).

If this file were closed, the applicant would need to submit a new DVP application and pay the application fee to have their application processed again by staff. If the SS LTC direct staff to close this file, a refund, if applicable, will be issued.

Rationale for Recommendation

Staff recommend closing application file SS-RZ-2013.7 as the application has not proceeded in a timely manner and in consideration of the considerable staff time that has been allocated to this application. The SS LTC has granted the applicant multiple extensions and the application has been in abeyance for almost two years (since May 2020). Staff recommend closing applications SS-RZ-2021.2 & SS-DP-2021.5 as neither application has progressed and the applicant has not responded to repeated requests for progress updates since August 2021. Lastly, staff recommend closing application SS-DVP-2021.4 as the applicant has not responded to repeated requests for progress updates since September 2021.

ALTERNATIVES

The SS LTC may consider the following alternative to the staff recommendation:

1. Receive for information

The SS LTC may receive the staff report for information and keep all applications and outstanding resolutions open. If this alternative is chosen, staff will continue to work with the applicants on progressing their application.

NEXT STEPS

If the SS LTC concurs with staff's recommendation, the four application files will be closed. Staff will notify the applicants of their closed application file status and process refunds, if applicable.

Submitted By:	Kristine Mayes, Planner 1	March 8, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 9, 2022

APPENDICES

1. Applicant Letter for SS-RZ-2013.7

From: [REDACTED]
Sent: Monday, February 14, 2022 8:57 AM
To: [Kristine Mayes](#)
Cc: patrick@islandstrust.bc.ca.readnotify.com;
pluckham@islandstrust.bc.ca.readnotify.com; [Peter Grove](#)
Subject: RE: Dormant Application Status for 193 Park Drive, SSI
Attachments: [Lot 10, Park Drive Rezoning.pdf](#)

Hi Kristine,

Attached please find my response.

Thanks.

Eric

From: Kristine Mayes
Sent: Friday, February 4, 2022 12:21 PM
To: [REDACTED]
Cc: Geordie Gordon
Subject: Dormant Application Status for 193 Park Drive, SSI

Dear Eric Booth,

Re: Dormant Application Status for 193 Park Drive, Salt Spring Island
PID: 004-255-500
Legal Description: Lot 10, Section 2, Range 3 East, North Salt Spring Island, Cowichan District, Plan 14710

Application SS-RZ-2013.7, for the above noted property, has been identified as dormant. This application is scheduled to be included in a dormant application report at the March 22, 2022 Salt Spring Island Local Trust Committee Meeting. The Salt Spring Island Local Trust Committee can decide to close dormant application files.

If you wish to make a case to keep this application open, please provide the following information before February 28, 2022:

- A detailed rationale for why the file should remain open.
- The estimated timeframe that you require to move forward with the application.
- Documentation confirming that the development has progressed within the six months.

If a response is not received or progress is not made on the application before February 28, 2022, staff may recommend closing the application file.

Please do not hesitate to contact our office should you have any questions.

Yours Truly,

Kristine Mayes

Planner 1

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

T: 250-538-5607 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKEĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəḡən məsteyəxʷ, Scia'new, səliłwəḡə, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, S7ÁUTW, Stz'uminus, ʔaḡəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁŁP, WSIKEM, Xeláltxw, Xwémalhkww/ḡop qaymıxʷ, and xʷməḡkʷəḡəm.

Re - SS-RZ-2013.7

Dear Laura, Peter and Peter

As I assume you are aware, North Salt Spring Waterworks has still not yet completed its moratorium review for Lake Maxwell, the water supply for Ganges.

Since the last time Staff brought forward a report on this application, the following progress (taken directly from the NSSWD minutes and/or agenda packages) has occurred at NSSWD with respect to the moratorium review:

September:

Maxwell Lake:

*At a special open board meeting on June 7 the Board received the Final Maxwell Hydrology Study by KWL and staff was directed to release the report on the District website. **Chair McAllister forwarded all four hydrology reports to be peer reviewed.***

The peer review consultant has completed a draft report. Staff are currently reviewing this report and will forward comments to the peer review Consultant shortly.

October

Maxwell Lake:

At a special open board meeting on June 7 the Board received the Final Maxwell Hydrology Study by KWL and staff was directed to release the report on the District website. Chair McAllister forwarded all four hydrology reports to be peer reviewed.

The peer review consultant has completed a draft report. Staff have reviewed this report and forwarded comments to the peer review Consultant.

November

Maxwell Lake:

At a special open board meeting on June 7 the Board received the Final Maxwell Hydrology Study by KWL and staff was directed to release the report on the District website. Chair McAllister forwarded all four hydrology reports to be peer reviewed.

The peer review consultant has completed a draft report. Staff have reviewed this report and forwarded comments to the peer review Consultant and are awaiting the final peer review document. Once this is received, the document will be forwarded to the Consultant for review and comment.

December

Maxwell Lake:

At a special open board meeting on June 7 the Board received the Final Maxwell Hydrology Study by KWL and staff was directed to release the report on the District website. Chair McAllister forwarded all four hydrology reports to be peer reviewed.

The peer review consultant has finalized their report. Staff forwarded this report along with Trustee comments to the Consultant. The Consultant is expected to comment on the peer review, finalize their report and then present the findings.

Participate in facilitated workshop to understand the risks of increasing withdrawals from St Mary and Maxwell Lakes	Q1 2022	Consultant - \$20,000
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January

Maxwell Lake:

Hydrology Studies

At a special open board meeting on June 7 the Board received the Final Maxwell Hydrology Study by KWL and staff was directed to release the report on the District website. Chair McAllister forwarded all four hydrology reports to be peer reviewed.

The peer review consultant has finalized their report. Staff forwarded this report along with Trustee comments to the Consultant. The Consultant is expected to comment on the peer review, finalize their report and then present the findings.

As you are aware, I have been publicly pushing for the review of the moratorium for several years, and, it appears we are finally getting close to the review being completed, with a decision being made on whether the moratorium on the Lake Maxwell system can be lifted.

Based on the 2021 updated hydrology study of Lake Maxwell, which was provided to NSSWD in June of last year (and which has now been peer-reviewed) the mathematics indicate that **52,432,750** gallons/year (which includes the 5 year average of water usage from Lake Maxwell AND the estimated, additional, future usage from undeveloped properties in the area) is the total amount currently required to meet all present and future needs of the Lake Maxwell service area. That represents ONLY 36.3% of the entire licensed amount – 144,000,000 gallons per year.

The most recent updated hydrology study which has now gone through the peer review process, suggests limiting withdrawals to a maximum of 52% of the total licensed amount = 74,880,000 gallons. That is the recommended safety factor to cover off the possibility of a 1 in 100 year drought.

$74,880,000 - 52,432,750 = 20,447,250$ gallons/year which are available, OVER AND ABOVE current and future usage. That means there is, in live storage, an amount equal to 38.9% of our current and future usage available to be utilized for housing in the Ganges area.

It is on that mathematical basis, put forward by the consultants, that I am confident the lifting of the moratorium will occur.

Clearly the moratorium is actively undergoing review as NSSWD has budgeted \$20,000 for it.

It is with all of the above in mind that I, once again, respectfully request the rezoning application, which would see the creation of anywhere from 8 to 49 affordable housing units, be put in abeyance until such time as NSSWD has made a decision on the moratorium.

Thank you.

Eric Booth

PS - I have attached to this update a presentation made to the NSSWD Board, in December, by Salt Spring Solution's Jason Mogus, in case you have not seen it.

A presentation by
Jason Mogus from



Moving beyond the Moratorium

How NSSWD can continue to protect our most precious resource
while ensuring a diverse community is still here to enjoy it

About me



- Ratepayer
- 9 year resident
- Work FT on climate emergency campaigns globally
- Co-founded Salt Spring Solutions
- Worked very closely on affordable housing for 4 years

The time to act on
workforce housing is NOW!

These four groups →
can make a serious
difference, today.

All of us have a role to play...

Islands Trust

CRD

North Salt Spring
Waterworks District

Home & Property
Owners

The water moratorium is a barrier to solving our housing crisis

- Decision was made as a climate adaptation and climate risk management solution, with the best of intentions to support your responsibilities to current and future homeowners
- Moratorium has had many unintended consequences
- Causing unnecessary hardship on current and future residents who are not homeowners, as well as proponents of non-profit or alternative housing
- You didn't create the workforce housing crisis, but your policy is making it extremely difficult to solve it



6



#Goodbye Salt Spring Story Campaign

“

The housing crisis has affected my sleep, I was just so stressed. I have Arthritis. It's amazing how many months of stress it takes up. To think about where to go, how to get there. At this age, moving is not that easy. Seniors everywhere are having problems finding housing.

-Cindy Orser



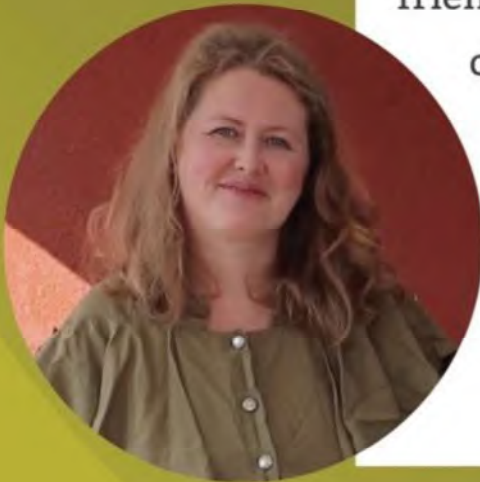
I am living in a mobile home with my two kids for \$1,700 a month. I can barely afford gas and food, and I work more than full time hours. I barely get to hang out with my kids because I am working so much just to keep a roof over their head.

“Moved away after 41 years. Too expensive. No affordable housing. Worked three jobs to raise my kids. Nowhere I can afford to live now. Everything is too expensive.”

“

We ended up having to convince our friends to let us use their converted chicken coop. They said ‘are you sure you want to live there?’ We eventually realized it wasn’t a matter of if we had to leave, it was a matter of when.

-Aly Coy



There is nothing for the average working family. We work full time, my partner works in the trades. He is paid well. We have no options if our current rental were to go away. We feel stuck, we feel scared for our children’s future. We worry about the mould in the windows, is it in the walls? Our families live here, we are tied to our jobs, our children have a community here.

“We have moved nine times.

Lived in a one room vacation rental with three kids once, a tiny basement apartment for a year until we finally found something else. Have lived with mould, rats, bugs, and bad water. Took us eight years to find stable housing.”

“

We lived for a year in a trailer that was not sealed, and froze all winter. We found another home and it was run down, rodent infested, the house was causing our youngest child to become quite sick so we had to get out within that year.

-Tammy Desjardins



I am living in a mobile home with my two kids for \$1,700 a month. I can barely afford gas and food, and I work more than full time hours. I barely get to hang out with my kids because I am working so much just to keep a roof over their head.

"I work at Lady Minto Hospital and we currently have a critical staff shortage and are at a crisis point due to limited staff being able to stay here long term. Many of our staff are struggling to stay due to the housing crisis. We have lost countless staff just in the time I have been here."

The Islands Trust recently took action!

After years of pressure including numerous presentations by our group, the Islands Trust this year convened a Housing Action Task Force, and last month implemented two of their main quick start recommendations:

1. No more enforcement of bylaw against alternative housing (unless major health or environmental concerns)
2. Pledge to support (rather than slow walk) affordable housing projects
3. Review of cottages and suites bylaw is coming next

Don't Change Salt Spring...but

Our island has a major diversity problem, and it's only getting worse.

- What happens to a community when the most “affordable” homes cost \$800,000, and nothing under that can ever be built?
- How many hippies, craftspeople, artisans, farmers, artists, small food entrepreneurs or young people can still make a go of it here?
- What about our working class? Are we OK with them commuting 3 hours a day to work on Salt Spring, their only contribution to our community?

People ARE prepared to adopt new conservation measures

While there are always exceptions, many people here are already preparing for a different and potentially much more difficult future.

- Reducing landscape water needs via fire protection measures, rainwater catchment, xeriscaping, grey water systems
- Living in small footprint tiny homes, shared spaces, trailers, clustered homes, or eco-villages

These trends are the opposite of the profligate 1970's single family house with a big lawn and garden that most of the water needs calculations continue to be erroneously based on. The models must be updated for today's reality.

What about climate justice ?

Climate justice means those most affected by the climate crisis, who often contributed the least to creating it, need to be at the forefront when finding solutions.

- Your moratorium puts 100% of the onus for conservation onto potential future homeowners
- It asks nothing of current homeowners, other than voluntary conservation and higher fees
- It doesn't address conservation measures current homeowners are taking or could take

What can you do?

North Salt Spring
Waterworks District

In order to address the unintended consequences of the moratorium on our critical workforce housing crisis, and incorporate water conservation measures equitably across the entire housing stock, NSSWWD can:

1. Make an exception to the water moratorium for small footprint buildings and non-profit affordable housing projects that have rainwater harvesting, grey water systems and drought-friendly landscaping.
2. Require all new-build homes to include water catchment and grey water systems for landscaping, and provide incentives for existing customers to do the same, lowering water use across the entire water district.

We can all do our part to keep Salt Spring a diverse, vital, and resilient community in the face of the current and coming challenges.

Islands Trust

CRD

North Salt Spring
Waterworks District

Home & Property
Owners

File No.: 3900-03: LPS Admin Bylaw
(SSI Fees Bylaw)

DATE OF MEETING: March 22, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Stefan Cermak, Regional Planning Manager
Salt Spring Island Team
COPY: David Marlor, Director of Local Planning Services
SUBJECT: Proposed Fees Bylaw No. 527

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee Bylaw No. 527, cited as “Salt Spring Island Local Trust Committee Fees Bylaw, 2021”, be adopted.

REPORT SUMMARY

The purpose of this report is for the Salt Spring Island Local Trust Committee (SS LTC) to consider adopting Fees Bylaw No. 527.

BACKGROUND

June 9, 2021, Trust Council adopted [Trust Council Policy 5.6.1 Application Processing Services](#) which included a new model fees bylaw. Trust Council requested that all local trust committees amend their fees bylaw accordingly.

October 5, 2021, the SS LTC receives the request during their regular business meeting and requests staff to draft a new fees bylaw based on the model fees bylaw.

November 9, 2021, the SS LTC receives draft Fees Bylaw No 527, makes amendments to increase the application fees 20% for development permit applications, subdivision applications, the fees for each additional subdivision lot, and remove reference to siting and use permits. The SS LTC referred the bylaw to its four advisory planning commissions for comment on community benefits.

February 15, 2022, the SS LTC receives referral comments, added “public access to lake and marine shorelines as an eligible community benefit in the OCP” to the list of desired OCP amendments in the work program, gave three readings to the bylaw, and referred it to the Executive Committee.

February 23, 2022, the Executive Committee approved Bylaw No. 527.

Rationale for Recommendation

Bylaw No. 527 advances Trust Council request that all local trust committees amend their fees bylaw based on the model fee bylaw adopted June 9, 2021 and can be implemented before the start of the 2022/23 fiscal period.

Submitted By:	Stefan Cermak Regional Planning Manager	March 10, 2022
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ATTACHMENTS

1. Proposed Bylaw No. 527

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 527

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act;

NOW THEREFORE the Salt Spring Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

1.1 This bylaw may be cited as the "Salt Spring Island Local Trust Committee Fees Bylaw, No. 527".

Interpretation

2.1 In this bylaw:

"Applicant" means:

- 2.1.1 the person authorized under the Salt Spring Island Local Trust Committee Development Procedures Bylaw No. 304, 1993 to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;
- 2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community amenity (i.e. Section H.3 of Bylaw No. 434).

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs..

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)	
Column 1: Type of Application	Column 2: Fee
1. Major (e.g. change to density or OCP)	\$7,800
2. Minor (e.g. regulation change without changing density or OCP amendment)	\$4,600

TABLE 2 – Permits		
Column 1: Development Permit in Respect of:		Column 2: Fee
1.	Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,200
2.	Protection of Development from Hazardous Conditions	\$1,200
3.	Protection of Farming	\$1,200
4.	Objectives for Form and Character	\$1,700
5.	Objectives to Promote Energy Conservation	\$1,200
6.	Objectives to Promote Water Conservation	\$1,200
7.	Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,200
8.	Development Permit Amendment	\$1,000
Type of Development Variance Permit		
9.	Development variance permit (commercial, industrial or institutional development)	\$1900
10.	Development variance permit (residential development)	\$1900
Type of Temporary Use Permit		
11.	Temporary Use Permit (residential/commercial/industrial)	\$2150
12.	Temporary Use Permit for residential uses or commercial uses under 95 square metres that provide community benefit.	\$1000
13.	Temporary Use Permit Renewal	\$700
14.	Temporary Use Permit Renewal (Community Benefit)	\$350
Other Permits		
15.	Heritage Alteration Permit	\$1,700
Combination Applications		
16.	Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
17.	Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,200
2. Application for Subdivision Review – per additional lot created	\$120
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process and referrals requiring local government consultation	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

Note: Agricultural Land Commission (ALC) Application Fees are determined by the ALC.

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rated in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC, Board of Variance, or formal referral response submitted to the relevant agency.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.
- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7. Annual Fee Increases

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The Salt Spring Island Local Trust Committee will maintain a record of annual 2% increases and make that record available for public inspection.

8. Application Fee Sponsorship

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

9. Severability

- 9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

10. Repeal

- 10.1 "Salt Spring Island Local Trust Committee Fees Bylaw No. **428**" is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME THIS 15TH DAY OF FEBRUARY, 2022

READ A SECOND TIME THIS 15TH DAY OF FEBRUARY, 2022

READ A THIRD TIME THIS 15TH DAY OF FEBRUARY, 2022

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
23RD DAY OF FEBRUARY, 2022

ADOPTED THIS _____ DAY OF _____, 20__

CHAIR

SECRETARY

From: John Roe <[REDACTED]>
Sent: Sunday, February 20, 2022 8:29 PM
To: Peter Grove
Cc: Peter Luckham; Laura Patrick; CRD DirectorSSI; Adam Olsen.MLA; SSIInfo
Subject: Fulford Cleanup and More Destruction

Good Evening

Was down there today and the barge/dock is still there and further breaking up, the below shows the work that the community has done since 2016, a lot of time and money by a lot of people.

[REDACTED]

FYI we will have our barge in Burgoyne Bay at the end of the month removing considerable more debris, this has been donated to the community paid for privately, Burgoyne Bay will require a couple more years as we have identified 8 more vessels and a considerable amount of garbage leftover from inconsiderate liveaboards.

Regards
Jhon R Roe

On Sat, Feb 5, 2022 at 3:35 PM Peter Grove <pgrove@islandstrust.bc.ca> wrote:

Thank you. I am copying Adam Olsen and Trust staff for the record

Peter

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

Sent from my iPhone

On Feb 5, 2022, at 10:39 AM, John Roe <[REDACTED]> wrote:

Good Morning

Update on debris, every agency has been notified, 5 high tides and 2 King Tides have come and gone. [REDACTED] has had a number of people ask him to collect.

We as a community do this, some like myself are volunteers, why does no agency take responsibility?

Regards

John R Roe

PS: This is the norm for [REDACTED], we have been picking up after him for years
These were taken yesterday, it is breaking up and spreading styrofoam and garbage everywhere.

John R Roe

- Office 250 383 2086
- [REDACTED]
- [The Dead Boat Disposal Society](#)
- <https://www.abandoneddreams.ca/>
- <https://www.facebook.com/volws>

- Dead Boat Disposal Society and Salish Sea Industrial join Songhees Nation in the Salish Sea Indigenous Marine Stewardship Project to remove 100 abandoned vessels from waters off our Salish Sea.

\$2-million from the province of BC's Clean Coast Clean Waters Initiative supports this nine-month project.

Songhees Nation invites all south Island Nations to participate with them to build workforce capacity as stewards of the Salish Sea. Reigniting historic ties among Indigenous communities to promote and strengthen skills development in the marine industry and marine conservation is the underlying goal.

<https://bccleancoast.ca/derelect-vessel-removal>

On Tue, Jan 11, 2022 at 12:20 PM John Roe <[REDACTED]> wrote:

Greetings and Best of the New Year
Was hoping this would be a positive greeting but someone always has to ruin the party, Fulford Cleanup has been going on since 1998 see PINNED POST
<https://www.facebook.com/DBDSBC> .

Then I got an email this morning with more crap on our beaches, appears it broke loose from [REDACTED] Barge parked with no lease in Fulford, [REDACTED] told the locals he would clean it up that's 13 days ago.

I respect on business, but they seem to live and park their crap with no responsibility, all over the islands trust area, things break loose and it is O well nobody saw, just look in Ganges Harbour.

Our next big day is mid-Januray, In Burgoyne 9 major cleanups since again

1998. Ganges Harbour and Long are next on our list, we can't continue doing this without someone taking responsibility. I really don't have enough energy or life span to come back again. Islands Trust is perfectly in their rights to govern the surrounding waters.

With All respect

John R Roe

John R Roe

- Office 250 383 2086
- 
- [*The Dead Boat Disposal Society*](#)
- [*www.salishsea.ca*](http://www.salishsea.ca)
- [*Veins of Life Watershed Society*](#)
- *Over 25 years of cleanup and restoration in the fresh water and marine ecosystems, the only value I have learned is to stop the pollution/debris before it enters the environment. source control, source control, source control, before restoration or reclamation. Amen*
-



From: Osman Phillips [REDACTED]
Sent: Sunday, February 6, 2022 6:20 AM
To: Laura Patrick; Peter Grove
Cc: Peter Luckham
Subject: Against changes

Dear Trustees,

There are already enough residences on Salt Spring, given the state of the water supply and changing climate .

I am against the Local Trust Committee making significant changes to our Land Use bylaw and our Official Community Plan with little community input.

You are rushing this and community discussion needs to take place about how much housing we need.

The current Official Community Plan is the result of a long and difficult public process and should be respected. Your move into housing matters is simply unacceptable. Why don't you stick to the mandate you have rather than push your way into an area where you have no jurisdiction.

The measures you suggest will just exacerbate the situation.

I would like to see you maintain the current Official Community Plan limit on island residences, including suites.

I am against the Local Trust Committee making significant changes to our Land Use bylaw and our Official Community Plan with little community input.

Thank you,

Osman Phillips
[REDACTED]

From: Richard Ballantyne <[REDACTED]>
Sent: Monday, February 7, 2022 10:29 AM
To: SSInfo
Subject: Enforcement of Islands Trust Housing By-laws
Attachments: Islands Trust Enforcement Policy 20220204.docx; ATT00001.htm

Please find attached a letter of concern regarding the decision to restrain enforcement of existing housing by-laws on Salt Spring Island.

Regards,

Richard Ballantyne
[REDACTED]

Sent from out in the SPOG

February 4, 2022

Islands Trust, Local Trust Committee
#1 – 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

By email to ssiinfo@islandstrust.bc.ca

RE: Enforcement of Housing By-laws

Dear Trustees;

I was disappointed to read about the decision by the Local Trust Committee following their November 9, 2021 meeting to ask staff to restrain enforcement of existing by-law provisions which place limits of housing use and development. I understand the position of local advocates for affordable housing and the desire of the Trustees to find a solution to long-standing issues of affordable housing, particularly for people actively employed in the community. I also understand the position of advocates that have taken to writing opinion pieces about the wisdom of unilaterally extending the “Trust Mandate” to include affordable housing at the expense of the environment.

I question whether the Local Trust Committee can make any headway on the many and complex issues of affordable housing shortages that continues to baffle governments at all levels and in all locations, almost all with much better and bigger tools than those of the Islands Trust. In fact government actions might even be the root cause of not enough housing.

However my real concern is that it is human nature to shake off the burdens placed by bureaucracy, even if they are intended for the common good. I fear that affordable housing advocates, people seeking affordable housing, and less than knowledgeable landlords will make a logic leap and extend their understanding of the Islands Trust’s regulatory abeyance to other regulatory jurisdictions, particularly Capital Regional District and Technical Safety BC, even if this is not actually the case.

Failure to provide housing that meets all of the requirements of the Building Code, Plumbing Code and Electrical Code will unnecessarily place users of sub-standard housing at risk of physical harm. My term on the board of Technical Safety BC caused me to become all too familiar with the statistics of death and injury from asphyxiation and fire caused by poor installation and improper use of electrical and gas systems in substandard housing.

The Local Trust Committee statement indicated that the by-law officers would still attend concerns regarding health and safety. However, in practice by-law officers will not attend, and providers and users of sub-standard housing will turn the proverbial “blind eye” to these issues as not worth the cost. By seeming to enable this to happen, the Local Trust Committee is acting irresponsibly, and is bordering on negligence.

I urge the members of the Local Trust Council to reconsider the unintended consequences of their decision on by-law enforcement and ignore the noise of affordable housing advocates who will downplay the risks to the very people they purport to help.

Yours truly,
Per

Richard Ballantyne



From: Laura Patrick
Sent: Wednesday, February 9, 2022 8:55 AM
To: Matt Kellow; Peter Grove; Peter Luckham
Cc: SSInfo
Subject: RE: Bc ferries

Good morning Matt,

I do understand the problem well, as I myself had to travel to Duncan yesterday.

Salt Spring and the southern Gulf Island's approximate resident population of 15,352 deserved to have been included in the South Island Transportation Strategy prepared by the province.

I will commit to bringing up this issue at our Feb 15, 2022 local trust committee meeting.

Laura

From: Matt Kellow [REDACTED]
Sent: Wednesday, February 9, 2022 8:45 AM
To: Laura Patrick; Peter Grove; Peter Luckham
Subject: Bc ferries

Hello Trustees and Chair

I've lived on Salt Spring and commuted off island for work for almost [REDACTED] years. I take the [REDACTED] ferry. I am sitting here in line because the ferry is overloaded at 820 in the morning. I missed it last night because it was overloaded then too.

No doubt you have heard from others about this particular route and all the associated problems. Simply put the ferry is too small for the traffic volume. For residential traffic this is our only travel option and spending hours of your day in a line is not a good use of anybody's time.

Please take some kind of leadership in correction or moving this issue along to a resolution.

Thanks

Matt Kellow.

From: Laura Patrick <lpatrick@islandstrust.bc.ca>

Sent: Friday, February 18, 2022 1:00 PM

To: Salt Spring Island Local Trust Committee <SaltSpringIslandLocalTrustCommittee@islandstrust.bc.ca>

Subject: Sharing My Notes

Please find attached my speaking notes from the discussion on the draft bylaw 528 as requested.

Laura

Laura Patrick

Islands Trust

Salt Spring Island Trustee

Trust Council Vice Chair

1-500 Lower Ganges Road

Salt Spring Islands, BC V8K 2N8

lpatrick@islandstrust.bc.ca

250-537-6822

Preserving Island communities, culture and environment

February 22, 2021 SSI LTC – Speaking Notes on Draft Bylaw 528

Mr. Chair, this topic is vitally important and my comments will be lengthy.

Back in November, we did pass the resolution requesting staff to report back on potential bylaw amendments to permit accessory dwelling units in all zones. The objective of asking the staff to ponder this action in all zones is to cast a wide net across the island in search of people willing to be landlords.

We talked about the fact that many of our island homes cannot accommodate suites within the primary residence. Even where it is physically possible to have a suite within the principal residence, many islanders choose this place to live so they don't have to tip toe in their own home to avoid making noise or, conversely, to truly experience the quiet that a rural island can offer. We discussed how more people might be willing to rent out a suite that is in an accessory building such as a garage.

In the last few weeks there have been a number of letters and articles aimed at stopping our responsible work on exploring the allowance of accessory dwellings in all zones – or I could say – our search for landlords to provide desperately needed rental housing. However, amongst all of these letters and articles there is only one viewpoint.

As an elected official, it is my responsibility to the entire community to recognize that we are not yet hearing from everyone. I would be a fool if I did not recognize the “help wanted” and “sorry we are closed” signs around the island as a call to action. With a severe staff shortage in our hospital, I am not willing to sit by in silence waiting for the “sorry we are closed” sign to go up on the front door.

That said, I do thank everyone who has taken the time to write, and I will try to alleviate your concerns.

Many have cited the “background note” in the OCP that estimates an eventual theoretical population. In the staff report it references this paragraph as “intended to be an informational only”. Yet, despite being a background note containing unsupported information, it has over the years become accepted as a fact. This is not helpful.

Despite the 2003 housing forum report recommendation (included in appendix 4 of the Feb 22, 2022 staff report) that directed us to: “Bring forward a thorough analysis of alternative ways of measuring density and how to manage any corresponding impacts”, our OCP went through a major update in 2007 without addressing this 2003 recommendation. This same 2003 recommendation stands today.

The staff report explains that a ‘definition of density’ has been added to Draft Bylaw 528 to address the 2003 recommendation, yet sadly it does not do the job. This definition will only serve to confuse matters. I suggest we amend the Draft Bylaw to remove the definition of density.

If the background note is only intended for information, surely the Housing Action Program would benefit from having something more. How about some data?

It is best practice for local governments to perform regular analysis on development capacity to inform solid long-range planning. Let's initiate work on determining the development capacity for a healthy and diverse community to support our Housing Action Program.

I spent some time looking at the recently released census data. For comparison purposes, I had to use the local trust area data which includes the associated islands such as Piers and Prevost.

"Private dwellings" are not houses, by the way, they can be a suite, cottage, yurt, tiny home, or a sprawling estate home. But, in general, we can see that there are 231 more dwellings now and that a higher percentage of dwellings are being occupied by residents.

	2016	2021	+ / -	
Total dwellings	6050	6,281	+ 231	+3.8%
Total occupied dwellings	4884	5195	+311	+6.4%
Difference	1166	1086	- 80	-6.9%

I also looked at the building permits issued over the past 5 years and there are a total of 282 - 82 apartments and 200 houses. The difference (282 reported with building permits vs 231 reported in the census) could possibly be explained by existing dwellings that were torn down and replaced.

The other interesting information is to take the total population 11,798 and divide by the occupied dwellings and you get an average of 2.27 people per dwelling.

We need more data than that which is provided through the census to explain what is happening on the island. For example, of the 1,158 new residents who now call Salt Spring home, how many converted their part-time island house to full time? How many moved into houses that used to be rented out? How many of the dwellings are being used as illegal short term vacation rentals? I believe the CRD's community economic development commission is collecting data that may help supplement the census.

Now I want to return to the OCP.

I understand that we are to look at the OCP in its entirety, rather than clause by clause, and I certainly can follow the logic trail laid out in the Feb 22, 2022 staff report. I understand that it is my role as a locally elected official to balance competing OCP objectives. I also understand, due to the relatively recent Vavilov ruling, that I must explain my reasons. So bear with me, I am going to chart a path through the OCP and explain my reasons.

B.2.1.2.1 - Zoning changes should be avoided if they would likely result in a larger island population than is expected under the development potential zoned in 2008. Exceptions to this policy are to be few and minor and only to achieve *affordable housing* and other objectives of this Plan.

Exceptions to this policy are to be few and minor. I interpret this statement to mean it is the "exceptions" that should be few and minor. In other words, we should not make exceptions very often. It also says we can only make exceptions to achieve affordable housing and other objectives in the OCP.

Well, Trust Council declared a housing and workforce shortage crisis. There is absolutely no doubt that we are experiencing a crisis here on Salt Spring and making an exception is indeed justified. I also do not look at this crisis as a growth in population – I am talking about maintaining a viable workforce population that is already here!

There are several other OCP objectives that relate to the availability of affordable housing and healthy communities and these are from the overriding principles that give us guidance and direction:

A.4.4.1 To ensure that our community continues to function as an authentic, resident-centred community in the face of internal and external pressures to change and grow; to ensure that growth, including the growth of tourism, is managed in a way that does not displace or detract from our community's important function as a home for its residents.

A.4.4.3 To recognize the strength and exceptional value of the community's diverse human population - a population characterized by people of many ages and backgrounds who, through choice or circumstance, have a rich variety of lifestyles and livelihoods. To recognize the very real, if intangible, loss that is felt in the community when this diversity is diminished by external pressures and changes.

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

A.4.4.5 To recognize the importance of broad community consultation, economic security, coordinated and efficient infrastructure development and established land use policies to the maintenance of a healthy community.

A.4.4.6 To ensure the continued development of land use opportunities for non-traditional residential settlement. Opportunities that are based on the communal stewardship of land, *conservation* of resources and alternative forms of infrastructure are of special importance.

A.4.4.7 To recognize that development should be managed to protect our sense of community and maintain our ability to absorb changes.

A.4.4.8 To identify creative and proactive ways through which a diverse, liveable and vibrant community can be created within the confines of our island's finite land base and resources.

So to be crystal clear, I am satisfied that we more than meet the test of making exceptions to OCP policy B.2.1.2.1.

Let's discuss policy B.2.2.2.2 "The Local Trust Committee, in cooperation with the Capital Regional District and the community, should work to establish a target level for the percentage of rented and owned *affordable housing* units in the total housing stock, based on projected community housing needs." I suggest we do this!

I have reviewed some OCPs from nearby communities and have observed that our OCP contains an unusual level of detail. All communities, just like us, have two complementary documents – the OCP and the LUB. Typically, it is the LUB where you find the detail.

None the less, I think our OCP lends room for interpretation in relation to the type of suites we might allow. On the one hand it describes Flexible Housing Units:

B.2.2.2.10 “In zones where single family dwellings are presently allowed, the Local Trust Committee should consider changing local zoning to also allow (as an alternative to a single family dwelling), a flexible unit dwelling that:

- a. has a maximum of two storeys, and
- b. has a maximum floor area, and
- c. could contain between one and three dwelling units, depending on the needs and wishes of the property owner.

Flexible unit dwellings should only be allowed on lots larger than 1.2 ha or on smaller lots in village areas. If zoning is changed to allow flexible unit dwellings, design guidelines and zoning regulations should be developed to ensure the dwellings fit into single-family neighbourhoods.”

Then it describes secondary suites:

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

BC Housing’s own documentation on “Accessory Dwelling Units – case studies and best practices from BC Communities” describes several types of suites:

- secondary suite – in or linked to a detached home
- garden suite – coach or carriage house in the yard of a detached house
- tiny home – (possibly on wheels) as small as 10 sq m in the yard of a detached house
- garage/lane suite – in, by or above a garage

Within Sooke’s zoning bylaw its definition of suites is:

SUITE means either secondary suite or small suite;

SUITE, SECONDARY means an accessory dwelling unit not exceeding 90 m² in floor area, capable of being occupied year round , including provision for sleeping, cooking, sanitation, food storage and preparation, contained within a single family dwelling;

SUITE, SMALL means a dwelling unit not exceeding 90 m2 in floor area, detached from the principal building, capable of being occupied year round including provisions for living, sleeping, cooking, sanitation, food storage and preparation;

Now, I want to return to the density issue again.

Since 2003 we recognized that we do not have a method to measure density. But, lots of other communities do.

Colwood says right in its land use bylaws that “Secondary suites and accessory dwelling units shall not be included in the calculation of dwelling unit density”

San Juan Islands land use bylaws says “A principal residence and an accessory dwelling unit constitute a single dwelling unit”.

Let’s return to that background note in our OCP again – *“All told, the number of dwelling units (not including seasonal cottages and suites) that could be built on Salt Spring Island under current residential zoning is estimated to be about 8150.”* I interpret this to mean that seasonal cottages and suites are not to be calculated in the determination of dwelling unit density.

I wanted to look at this from a practicable standpoint – on my lot, I could theoretically, and due to allowable lot coverage, build a 104,544 sq ft house. I did build an 1,800 sq ft, 2 bedroom 2 bath house. That represents 1.7% of the actual allowable lot coverage.

If I were to build a garage and an up to 968 sq ft 2 bedroom 1 bath suite, that would give me a grand total equivalent of 2,768 sq ft 4 bedroom 3 bathroom house and still only be 2.6% of allowable lot coverage.

So let’s get back to the draft bylaw.

BC Housing’s own documentation on “Accessory Dwelling Units – case studies and best practices from BC Communities” provided the definitions of the types of accessory dwelling units that I provided above.

The question is: does our OCP prevent us from considering other forms of accessory dwelling units or can we only consider secondary suites and cottages.

I appreciate that staff brought this draft bylaw today. I want to challenge staff with a bold interpretation. We are, after all, in a housing and workforce shortage crisis.

I would like to ask that we define suites within the land use bylaw and to consider how Sooke defined them: SUITE means either secondary suite or small suite.

Because of our use of seasonal cottage and rental cottage, I propose we define a small suite to be “combined with an accessory building”. Sooke allows them to be also “free standing”, which sounds to me like a cottage.

I think it is better to allow the housing task force to continue its work to sort out the various types of housing, which will culminate with an amendment of the OCP.

I also recommend that staff amend the bylaw to impose a limit on the number of suites that can be built. I think the risk of too many being built is low, but I understand the concerns that the use could be abused.

I recommend that staff amend the bylaw to require a section 219 covenant to require the suite or principle residence be used for full time rental housing (or other suitable mechanism). I note that some local governments require a section 219 covenant to prevent strata, and this should be investigated if it too is needed.

In the BC Housing's "Accessory Dwelling Units – case studies and best practices from BC Communities", they say "engaging the community in a conversation about housing is a necessary step to encouraging support. Building support may require demonstrating successful working examples. One way to do this is through phasing in best practices with additional oversight."

Because we are looking for people to be landlords, I would prefer casting a wide net over the island, but limiting the number. We should look for people who are not only willing to be landlords, but who will also provide feedback on the experience. Perhaps limiting the number with increased oversight could eliminate the requirement for a 219 covenant.

I note that the OCP says that flexible unit dwellings should not be allowed in zones within the Watershed-Islet Residential Designation unless they are shown not to increase population or sewage generation over that expected in single family dwellings. With the exception of islet residential zones, this is a legacy zoning issue that should be resolved. I challenge staff to find ways to allow or better yet, search for landlords in all zones where the impact is not greater than the single family dwelling.

I encourage you to read "Accessory Dwelling Units – case studies and best practices from BC Communities". It says that small and medium sized communities with the following attributes tend to have higher percentage of homes with an ADU:

- Greater proportion of households paying more than 30% of their income on shelter – CHECK
- Higher median single family home assessed value – CHECK
- Where the median assessed value of a home is significantly higher than the median household income – CHECK
- Larger 'small to medium sized' communities (Nelson for example) or those with valued amenities such as waterfront or tourism economy (Tofino for example) – CHECK CHECK

We agreed to a number of principles for this housing action program, such as:

The Local Trust Committee (LTC) takes a leadership role in identifying a variety of housing options that meet the needs of Salt Spring residents of all abilities, incomes, lifestyles, livelihoods, and household

The LTC decisions should be balanced and be acutely aware of social, environmental and economic elements and are rooted in sustainability and justice.

The LTC will early and throughout the process, facilitate regular open dialogue with the full spectrum of the community and First Nations. The LTC understands that achieving consensus may be difficult; through dialogue we can search for common understanding.

The LTC will adapt and refine tools and approaches as experience is gained.

In summary:

The objective is to cast a wide net across the island in search of people willing to be landlords.

Building support may require demonstrating successful working examples. One way to do this is through phasing in best practices with additional oversight. This can be achieved by limiting the number of units.

Let's define suites as secondary and small, with a small suite to be "combined with an accessory building". AND let's add small suite to this draft bylaw now.

Let's amend the draft bylaw to remove the definition of density. This definition will only serve to confuse matters.

Let's collect and analyze data to determine the development capacity for ADUs and overall get a picture of what is going on with island housing in general.

Let's establish a target level for the percentage of rented and owned *affordable housing* units in the total housing stock, based on projected community housing needs and in cooperation with the CRD and the community as per OCP policy.

Let's do a better job engaging the community in a conversation about housing.

The world is changing and we are seeing that play out right here on Salt Spring. This is a community of highly intelligent and passionate people. We as a community must figure out how to house the diverse population we need to survive and thrive. We as a community must chart a path through all of the challenges that exist in living on this island. The people we need to house are already here or have had to leave because they cannot find housing. They are our doctors, nurses, police, teachers, grocery workers, chefs, servers, trades people and so on. We all have a responsibility to solve this. A suite in a primary residence or a suite in an accessory building is still one suite and casting a wide net across the island will help islanders to house fellow islanders.

From: Laura Patrick
Sent: Sunday, February 20, 2022 5:12 PM
To: AP D; Peter Grove; Peter Luckham
Cc: SSInfo
Subject: RE: There Are Ways

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Peter,

I agree with you that current OCP policies and land use bylaws have contributed to the housing situation. This LTC has initiated a housing action program and appointed a task force to make recommendations. As a more immediate action, we have directed staff to make suites in primary residents and accessory buildings lawful across all zones. At the federation level, I am pursuing that the islands trust use a clause under the act to recommend action to the lieutenant governor and council.

The growth in the budget in the past two years can primarily be attributed to significant growth in awarded grant funds. Also, Salt Spring has budgeted funds for Ganges village planning and the housing action program. Both of these are important planning projects for this island. That said, the Trust Council will make the final decisions on the budget in the March 2022 meeting.

I am always happy to talk with you and to hear your ideas to bring changes to housing and budgeting.

Laura

From: AP D [REDACTED]
Sent: Sunday, February 20, 2022 4:44 PM
To: Peter Grove; Laura Patrick; Peter Luckham
Subject: There Are Ways

Hello

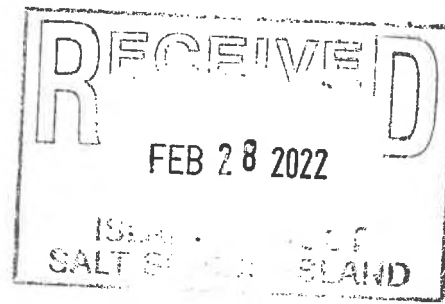
I regularly read statements from Salt Spring Island's Trust Trustees and others that look elsewhere to solve the affordable housing crisis and the exodus of families and employees who can not find a place to live on Salt Spring Island. The direct cause of these issues lies within the bylaws and policies of Island's Trust which create zoning and other land use regulations making housing unaffordable to build at a reasonable cost, and providing a housing mix of a type that does not meet the needs of the community that lives and works here. It affects all of us, particularly young families, workers, and seniors. By our own doing we are developing a fragile island for the rich with a social, environment, and economic imbalance at the expense of our community. The consequences of such actions and a lack of a full understanding of what results from such actions are a repeat of how we got into this sad situation in the first place.

The proposed 2022 budget is yet another indication of ignoring the problem as it includes total expenditures and % increases which are unreasonably beyond the ability of our small community to pay and unsustainable in the long term. By trying to be all things to all people, we are ineffective in the areas which matter most to all of us, like housing and community. Existing budget programs should be examined to be eliminated or reduced before any new programs are added. There isn't a budget at any level of government that can not be reduced effectively, and usually with little or no impact on the people it serves. To continue to increase expenses beyond the ability to pay, and in the manner of the budget itself, will only make it impossible to provide the necessary services for the long term without dividing our community further.

There are ways to improve if our decisions going forward provide a fair balance.
Respectfully,

AP Dorazio

Bobbi and Gordon Ruckle



Islands Trust

1-500 Lower Ganges Road

Salt Spring Island, B.C.

V8K 2N8

February 21 2022.

To whom it may concern:

Regarding the property at [REDACTED]

Since October there have been [REDACTED] RV's plus a [REDACTED] van on this property being used as dwellings.

We have exchanged numerous emails with Warren Dingman who basically continues to reiterate the amendment to the standing resolution SS-2021-109 regarding unlawful dwellings and their use.

He spoke with the property owner once – who said “no one is living in the rv’s” and “everyone on the property is using the bathrooms in the house” -which basically then admits there are people living on the property but NOT in the house.

Mr. Dingman has been using covid as an excuse to not do a site visit, despite the fact that the site visit is out of doors.

People have been observed to be living in all [REDACTED] units, actual number of people difficult to know because along with the people seen daily there are a number of other “visitors” there regularly.

The [REDACTED] van has now installed an [REDACTED] and added a [REDACTED] immediately behind to use as a porch and there is junk all around and under the van. As there is around the [REDACTED] rv's.

This squatters slum is unsightly to say the least. We're sure if this was happening on a street next to one of the trustee's homes something would be happening to clean it up.

Looking at the amendment 3 points come to mind:

c) septic system being used in excess of capacity as a result of unlawful dwellings:

- this septic system is for a 3bedroom house

- they have basically added a minimum of [REDACTED] bedrooms to the property

- *if we wanted to put a [REDACTED] bedroom addition on our house-we would be required to upgrade our septic system SO???

f) campgrounds are not permitted

-how many RV units constitute a campground?

-3, 7, 10????

g) health & safety of neighbouring residents

-trying to be polite, the people in these units are [REDACTED], as are all their visitors

-several of our [REDACTED] in particular have expressed discomfort at being in the vicinity when there is a large group of [REDACTED] congregating and somewhat unfortunately our community mailbox is [REDACTED]

-there are also 2 large uncontrolled dogs who run out at people, barking etc. as they go by.

-in January one of these dogs attacked and badly injured a small dog being walked LEASHED past the property.

(This resulted in both a report to the RCMP and animal control).

This same dog has since been observed walking on our street UNLEASHED.

-Wolfgang (CRD animal control officer) has made an actual site visit (unlike the Trust bylaw officer).

We have owned our home and lived here on this street for [REDACTED] years and NEVER had to contend with a mess like this or with people who clearly have no interest in being good neighbours.

We should not feel uncomfortable to walk down our own street to collect our mail or exercise our small dog.

Surely there must be something that can be done about this.

Thank you for your attention to this matter.

[REDACTED]
Bobbi Ruckle

[REDACTED]
Gordon Ruckle

From: DG Courtney <[REDACTED]>
Sent: Tuesday, March 8, 2022 7:28 PM
To: Laura Patrick
Cc: Peter Grove; Peter Luckham; Lori Foster; SSIInfo
Subject: Salute To International Women's Day.

Dear Laura,

You got me thinking this morning, what separates the SSI - FAC from Gabriola Island's and The Southern Gulf Island FAC's?

The Southern Gulf Islands are receiving the New Salish Heron (cost \$95 Million) at 138 AEQ for Route 5 and the Queen of Cumberland 112 AEQ for Route 5a. New Population number for the Southern Gulf Islands - 6100.

Gabriola Island is receiving 2 New Island Class Eco Ferries this Spring (cost \$100 Million) Total AEC 94. New Population number for Gabriola Island - 4500.

Salt Spring Island - No Change to Route 4. Route 6 we get Gabriola Islands 40 Yr hand me down the MV Quinsam, increase in capacity over the Bowen Queen a whopping 2 AEC's. New population number for SSI - 11,700.

The Answer - Women!

SSI - FAC - 1 Women - 10 Men

Gabriola Island - FAC - 5 Women - 5 Men.

Southern Gulf Islands - FAC - 5 Women - 5 Men

Clearly we need the direction and drive of more Women on the SSI - FAC. I can think of 3 local, power house Women that would make a perfect Chair, yourself included. Take for example Eva Hage who resides on Saturna Island and Represented The Ratepayers of the Southern Gulf Island in 2015-16 when BC Ferries threatened to reduce their service. Eva led the Campaign and won better even better service for the SGI. That is all coming to fruition this Spring with the arrival of the Salish Heron for Route 5 and capturing the Queen of Cumberland for Route 5a.

We've come up with a New Campaign Slogan - "**Twice the Population for A Third The Service**". Per Capita that's how much more Service the SGI have over SSI this Spring.

It seems the sooner we populate our FAC with a Women Chair and more Women Members, the sooner we can **address Ferry Traffic Gridlock, Provide and Restore Two Way Traffic at Our Ferry Terminals and Mitigate Sailing Waits With Proper Service.**

Bring it on Ladies, we've seen what the Men have accomplished over the last decade here on SSI.

The interesting part about Eva Hage, she was appointed BC Ferries Commissioner last Summer for a 6 Year Term. Well done!

Enjoy this Special Day.

Regards, David.

Gabriola Island committee

Marine Superintendent

- [James Bradley](#)

Committee

Chair:

- [Steve Earle](#)

Members:

- Peter Briscoe
- Scott Colbourne
- Vanessa Craig
- Carly McMahon
- Heather O'Sullivan
- Paul O'Sullivan
- Jim Ramsay
- Peggy Richardson
- April Vanini

Marine Superintendent

- [Captain Hardeep Grewal](#)

Committee

Chairs:

- [Mary Greenwood](#)
- [David Maude](#)

Members:*Galiano Island*

- Charlene Dishaw
- Robert Matson

Mayne Island

- Diana King

Pender Island

- Joanne Enns
- Dale Henning
- Roy Moore

Saturna Island

- Robert Alloway
- Wendy Sage-Hayward
- Toby Wadsworth

Marine Superintendent

- [Captain Hardeep Grewal](#)

Committee**Chair:**

- [Harold Swierenga](#)

Members:

- Peter Grove
- Gary Holman
- Kirk Karaszkievicz
- Darryl Martin
- Rob Pingle
- Catherine Samson

- Mike Stacey
- Alan Sturgess
- Dave Toynbee
- John Wakefield

On Mar 8, 2022, at 9:38 AM, DG Courtney <[REDACTED]> wrote:

Dear Laura,

That is sincerely appreciated on behalf of all. However, with respect to International Women's Day, you and Trust have simply turned your backs on supporting the Women who have signed the Petition by specifically not supporting it. MLA Adam Olsen is the only one to date who has come out formally Championed our cause. You are either in or out, right?

You would be amazed at how many Ladies within our Community and surrounding area have taken the time to sign the Petition and provide constructive comments to Minister - Rob Fleming.

I can put in touch with the 3 Ladies who quit their Dental Hygienists Jobs commuting to SSI on daily basis because of our ferry service became to onerous. The purported 50 Employees who commute every day to work at Country Grocery on Route 6, they are not all men. The list goes on for the Women who provide the Goods and Services to our Island. When the Trust truly respects that, we might get somewhere in resolving our Ferry Traffic Gridlock. Other Communities have.

Please, we all take great pride and pleasure in promoting International Women's Day.

Regards, David.

On Mar 8, 2022, at 9:11 AM, Laura Patrick

Dear David,

It is in the spirit of this International Women's Day, that I am responding to you. I am responding as one trustee, not as a representative voice of the Local Trust Committee (LTC).

In the time that I have been a trustee, I have attended a number of meetings related to BC Ferries and the Southern Gulf Islands. I also participated in Clare Trevena's, the former Minister of Transportation and Infrastructure, community workshops on the future of BC Ferries.

I fundamentally believe that transportation infrastructure and services are a vitally important component of community planning. I have publically voiced my disappointment that the Southern Gulf Islands were left out of the study area for the South Island Transportation Strategy. The LTC recently passed a resolution requesting that the strategy be updated to include the Southern Gulf Islands.

David, I absolutely respect you and the 2000 people who signed the petition. Action is needed. We need to work in lock step with the province and BC Ferries to ensure service levels and infrastructure meet Salt Spring's needs for today and tomorrow.

This coming Monday, I will be participating in a workshop with the Minister of Transportation and Infrastructure and the other elected officials from across the Southern Gulf Islands along with First Nations. I am certain that ferry service levels and infrastructure will be discussed.

Laura

From: DG Courtney [REDACTED]
Sent: Tuesday, March 8, 2022 8:16 AM
To: Peter Grove; Laura Patrick
Cc: Peter Luckham
Subject: SSI - LTC - Lack of Support.

Dear Peter & Laura,

Obviously the ~2000 Petitioners can't garner your support in our efforts. We hope that the Trust Chair and Trust Council can reason the rationale in seeking their support, not for the Petition perse but addressing the matter of Ferry Traffic Gridlock on SSI. The Petition will naturally address the matter on its own. The Minister and his Staff only have to reason the Merits of The Fix and it all falls into place.

Peter, respectfully as a local Committee Member to the FAC, you would think that you would attempt to uphold the "**Terms of Reference**" set down by BC Ferries. Our SSI - FAC is simply non-compliant. The Chair for instance is long past his due date acting as the Chair. Respectfully if the Petitioners felt that our FAC Chair and Committee were effective and abiding by the "Terms of

Reference”, we wouldn’t have made a Formal Complaint to the Commissioner of BC Ferries.

The BC Government wants wholesale changes to the "Coastal Ferries Act" for obvious reasons, laid out in the Amendments in The Bill..

Petitioners of the "**Fix For Route Six**" want wholesale changes to our Ferry Advisory Committee for their lack of compliance and ineffectiveness. Especially when compared to 3 other FAC’s and their Communities resolving their Ferry Traffic Gridlock issues this Spring.

Regards, David.
On Behalf of The Patrons of Route Six.

See highlighted areas in the "Terms of Reference" below.

From: Robin Jenkinson <[REDACTED]>
Sent: Thursday, March 10, 2022 12:21 PM
To: SSIInfo; Rob Pingle
Cc: Elizabeth FitzZaland; Bob MacKie; Luke Campbell; Simon Rompre; gayle
Subject: Request for Letter of Support from LTC for Salish Sea Trail planning grant

Dear SSI LTC,

To advance the Salish Sea Trail through Salt Spring Island, we now have the opportunity to apply for a Federal Active Transportation Network Planning Grant for up to \$50,000 for trail and network planning from Infrastructure Canada.

This Network Planning Grant helps small communities (<25,000 people) develop active transportation network plans to support active transportation for all ages and abilities. Elizabeth May has pledged her support for this application. This grant would advance the work completed thus far by the Salish Sea Trail Working Group and is based on the Salish Sea Trail Network Strategy 2022 - 2024 developed by this group.

The Salish Sea Trail Working Group envisions a contiguous, safe active transportation route connecting Fulford Ferry Terminal with Vesuvius Bay Ferry Terminal on Salt Spring Island. The 20km route would provide a safe and efficient travel option for cyclists, pedestrians and other active transportation users of all ages and abilities.

This grant proposal will request funds to advance planning and design work along the Salish Sea Trail route to methodically create "shovel ready" capital projects that are eligible for funding.

We request a letter of support for this application by Island Pathways, which qualifies for this funding as a registered non-profit charitable organization, but requires a letter of support from an Ultimate Eligible Organization, such as the Island Trust, as follows:

"For the purpose of the application, the not-for-profit organization would be required to submit a letter from an eligible recipient on behalf of which it is applying that explicitly states its support for the proposed project by the not-for-profit organization and grants the not-for-profit organization the necessary rights to implement the project, should it be approved."

This letter of support would need to be provided by the March 31, 2022 grant deadline.

Thank you kindly,

Robin Jenkinson
Cycling Salt Spring Committee, Island Pathways

From: Robyn Kelln [REDACTED] >
Sent: Monday, January 24, 2022 4:34 PM
To: Georgie Gordon <ggordon@islandstrust.bc.ca>; Jaimers Jaimers [REDACTED]
Cc: Rob Pingle <rpingle@islandstrust.bc.ca>; Peter Grove <pgrove@islandstrust.bc.ca>; Laura Patrick <lpatrik@islandstrust.bc.ca>
Subject: Re: Cost recovery agreement for signature

Hi Georgie

Thanks for your email

We don't know who you confirmed with about the \$6000

We would like to bring this demand in front

Of the Trustees

The thought of \$6000 to review an AFFORDABLE HOUSING AGREEMENT is not really in the best interest of anybody except the lawyer

Please remember we have been down this route before at Ashya Road where we paid your lawyer \$2000 to start an Agreement

After those funds were exhausted we were still at ground Zero and wanting more money

We declined and the loss resulted in no AFFORDABLE HOUSING

We would like our local Trustees to weigh in on this and give us their thoughts

Please set us up to speak at the next LTC

so we can address this issue

Much appreciated

Robyn and Jamie

File No.: SS-LCB-2021.3

SS-DP-2021.12

DATE OF MEETING: March 22, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Planner 2
Salt Spring Island Team

SUBJECT: Liquor and Cannabis Regulation Branch application to permit permanent use of outdoor patio and a Development Permit amendment for the patio area.
Applicant: Dale Schweighardt
Location: 126 Upper Ganges Rd (Moby's Pub)

RECOMMENDATION

LCRB

1. That the Salt Spring Island Local Trust Committee directs staff to send a response to the Liquor and Cannabis Regulation Branch regarding the outdoor patio applications for 126 Upper Ganges Rd (Moby's Pub) that states:
 - a. The potential impact of noise on the community in the immediate vicinity of the establishment would be minimal;
 - b. The impact on the community if the application is approved would be negligible;
 - c. The use is permitted by zoning;
 - d. The Local Trust Committee recommends the application be approved.
2. That the Salt Spring Island Local Trust Committee directs staff to include a record of community consultation, contained within the staff report dated March 22, 2022, with the response to the Liquor and Cannabis Regulation Branch regarding the Moby's Pub application.

DEVELOPMENT PERMIT AMENDMENT

3. That the Salt Spring Island Local Trust Committee issue SS-DP-2021.12, amending SS-DP-2017.4 and SS-DP-1989.1 (126 Upper Ganges Rd, Moby's Pub),

REPORT SUMMARY

This staff report brings forward a referral from the Liquor and Cannabis Regulation Branch (LCRB) to transition the subject establishment from a Temporary Expanded Service Area (TESA) to a permanent outdoor patio space. As the subject property is subject to Development Permit Area 1 – Island Villages, and the proposed use is contrary to issued permits, amendment to existing Development Permits is required. Staff recommend that the Salt Spring Local Trust Committee (SS LTC) forward the application to the LCRB with support. Staff also recommend issuing

the development permit although provide alternative recommendations recognizing that some elements (natural materials, and landscaping) of the DP application could be revised to better satisfy DPA 1 guidelines.

BACKGROUND

Moby's Pub currently possesses an LCRB lounge licence, but obtained a TESA from the LCRB during the initial stages of the COVID-19 pandemic as a way to accommodate alcohol service to patrons in outdoors areas not previously licenced for this use – in this case on an existing deck that leads to the Salt Spring Marina. This allowed for greater separation between patrons to reduce likelihood of COVID-19 transmission by replacing indoor seating with outdoor areas. The LCRB ceased accepting TESA applications on October 31, 2021 and set an expiration of June 1, 2022 for all existing TESA's. Applicants are required to make TESA's permanent through a licence change application by this expiry date. Local governments are requested to provide comments on changes to a licence.

The subject property and adjacent marine area are subject to numerous permits issued by the SS LTC including SS-DP-2017.4 which ensured development permit guidelines were adhered to with the recent redevelopment of the marina infrastructure. The proposed permanent change of use and structures trigger the need to amend the existing development permits.

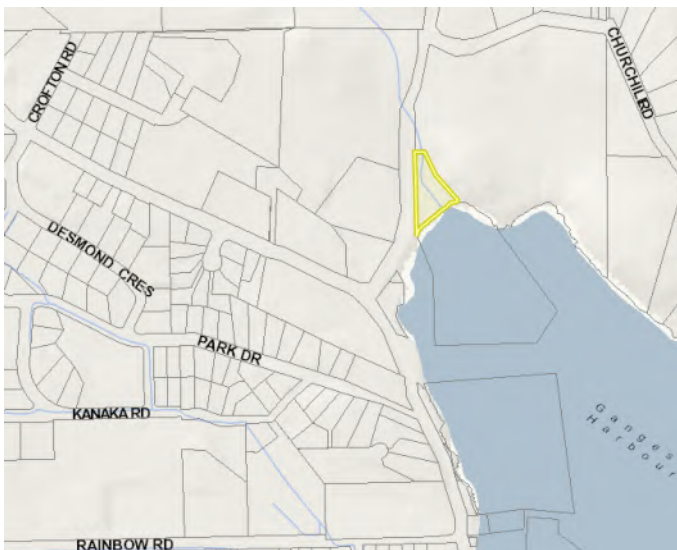


Figure 1: Location of subject property.



Figure 2: Ortho photo of subject property (2021 data).

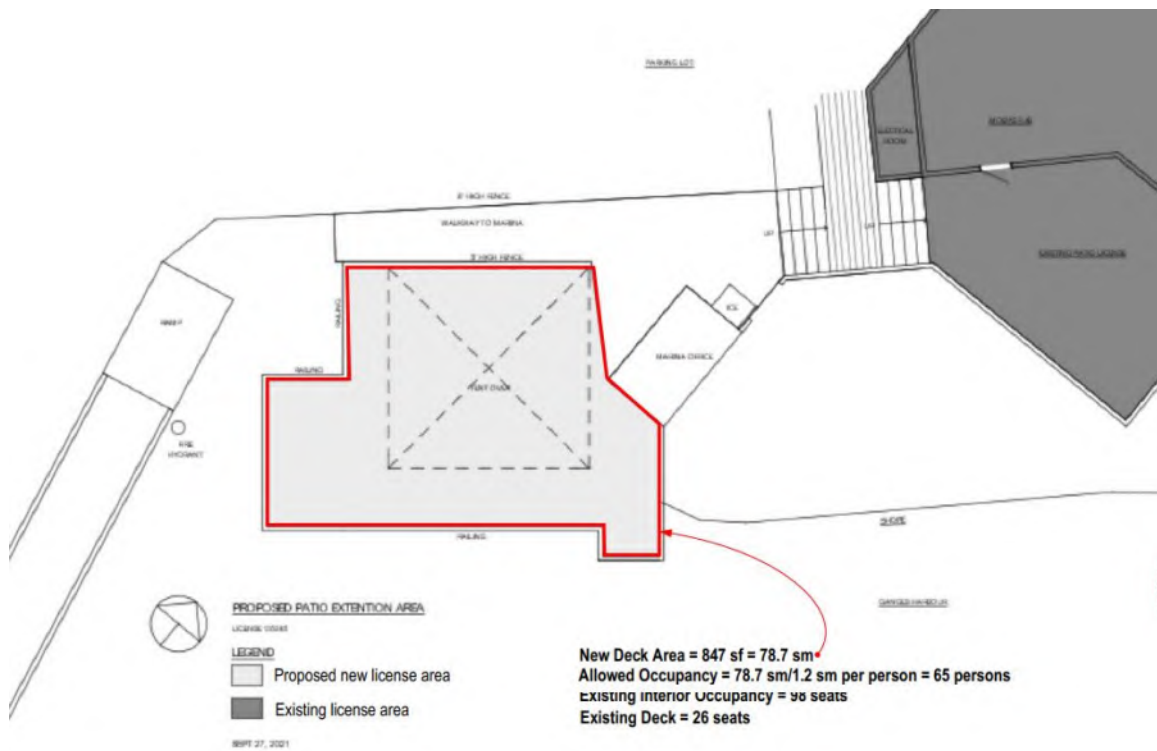


Figure 3: Site Plan of outdoor patio area.

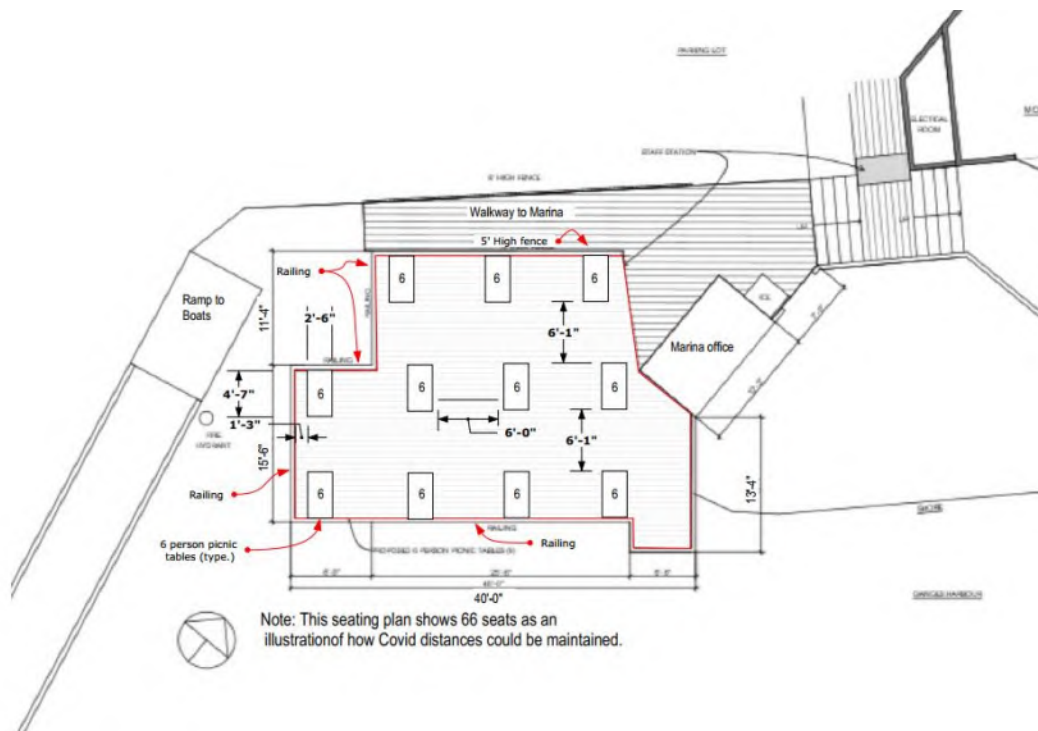


Figure 4: Seating Plan of outdoor patio area.

ANALYSIS

Policy/Regulatory

Official Community Plan:

The subject property is designated Ganges Village Upper (GVU) under the Salt Spring Island Official Community Plan Bylaw No. 434 (OCP). The following OCP objective has been deemed relevant to this proposal:

- 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.

The OCP provides little other guidance on the location or form of patio areas or liquor consumption, other than to say that these uses should not occur outside the village designations.

The subject property is also contained within Development Permit Area 1 (DPA 1) – Island Villages and Development Permit Area 3 (DPA 3) - Shorelines. An assessment of applicable DPA 1 objectives is attached in appendix 3.

Staff find that the application may be deficient in a number of guideline areas, particularly as it relates to use of natural materials, and landscaping and screening. The deficiencies may not be practical to address in this application (see discussion in Issues and Opportunities), but an option to revise the application has been provided.

Land Use Bylaw:

The subject property is zoned Commercial Accommodation 1 zone variant (c) (CA1(c)) under Salt Spring Island Use Bylaw No. 355. Uses permitted under CA1(c) are contained in appendix 1. Significantly, permitted uses include restaurants and liquor primary establishments. Parking requirements are included in appendix 1 as well.

Liquor and Cannabis Regulation Branch

Patios are permitted as an area of alcohol service under a [Liquor Primary](#) licence, subject to the following restriction: Licensed areas that are not located indoors (e.g., patios) must have boundaries that are marked to ensure they can be easily identified as the licensed service area.

Issues and Opportunities

Development Permit Area Guidelines

As noted above and informed in the attached DPA 1 guidelines, the proposed application appears to be deficient in a number of areas, mostly related to use of natural materials, as there is use of vinyl both for the tent structure over the area as well as what appears to be a vinyl windbreak for the seating area. There is likely a cost effectiveness to utilizing such materials for what has been to this point a temporary structure, but the long-term use of this type of material offends DPA 1 guidelines, particularly as it relates to the use of natural materials for patios (E.1.7.18). Replacement of existing non-natural materials would likely require a building permit, and may be excessive given the proposed use. These types of structures may involve further approvals from Forest Lands Natural Resource Operations and Rural Development (FLNRORD), as a portion of the area appears to extend on to the foreshore.

Staff also note that the subject property is largely deficient as it relates to landscaping and the screening of parking areas. As this is a minor amendment to an existing DP and involves no real additional work being done, staff

recognize that this may not be the appropriate time to seek greater compliance with landscaping guidelines, however, permit consideration and issuance is still the most appropriate time to review landscaping requirements and require revisions to the plan. Previous issued DPs were not fully implemented (e.g. hotel development), so assessing the level of landscaping required is difficult. There may be opportunities to include a minimal amount of additional landscaping around the application area.

Setback to Natural Boundary

The zoning of the subject property allows for a zero meter setback to the natural boundary of the sea for “buildings or structures used for boat building, boat repairs, boat rental and marina administration and services.” The deck area utilized for the patio area was constructed with no setback to the natural boundary of the sea, but previously was only the site of marina administration and access. The recent replacement/expansion and realignment of the marina access changed the site layout. The marina administration building has been moved North-East, as illustrated in Figures 5 and 6 below.



Figure 5: Site arrangement in 2017.



Figure 6: Site arrangement in 2021.

As the patio use being undertaken on the existing deck is not related to boat building, boat repairs, boat rental and marina administration and services, a variance to the setback is required. Staff have included this variance in the proposed DP, though it could be revised through a formal DVP process if the SS LTC deems it to be necessary. Staff consider the variance to be minor and of secondary or tertiary importance of whether or not to support the LCRB application and issue a DP amendment. There is no new construction proposed as part of the application, as the area being utilized is part of the previous/existing marina landing, so the question of whether to allow the use (and by extension, entertain the variance) is best addressed by supporting the LCRB application or not.

Noise

Of primary concern for LCRB applications is often the noise that is likely to be generated, and is of even greater concern for outdoor areas. The proposed application includes some outdoor amplified entertainment. Staff are not aware of any complaints made as a result of the operation over the last two years. The applicant indicated that they received one complaint that resulted in the rearrangement of speakers to direct the sound towards the water and to avoid the few nearby residences. At the Open House conducted as part of this application (see below for a summary), two of the attendees expressed concern about the hours of operation, with one suggesting that live

entertainment not be conducted seven days a week. If the SS LTC wishes to recommend this type of restriction in responding to the LCRB, the opportunity to support the application subject to certain conditions exists.

Parking

Parking requirements are outlined in appendix 1. The Salt Spring Island Land Use Bylaw calculates the required number of parking stalls for restaurants based on the number of *indoor* seats only, not simply total number of seats. As the patio area is outdoors, the requirement to provide parking for these seats does not apply. The reasoning for this is likely that as outdoor seats are considered seasonal and weather permitting, providing a permanent parking space may prove to be burdensome to the applicant. Based on the indoor requirement of one stall per 3 seats, for a patio of this size (66 seats), 22 additional stalls would be required.

Determining the number of parking stalls both required and provided on the subject property is challenging. The number of stalls is difficult to determine because the stalls are not delineated. During a site visit, staff counted approximately 60 stalls, which is consistent with issued development permits. However, determining existing uses and the intensity of that use (i.e. floor area or number of employees) is also challenging. During the site visit, staff observed the following businesses in some state of operation: car rental, clothing store, hair salon, cabinetry making/sales, boat sales/service, marina, restaurant, and a café. Determining the parking requirements for all of these business would require a level of analysis that is likely outside the scope of the application. The only aspect that may be considered to be within scope is verifying the number of stalls that Moby's is authorized to use, though this would then also necessitate verifying all of the other businesses to ensure stalls are not double allocated.

There may be some efficiencies related to demand for stalls; that the peak demand for stalls related to restaurant use is likely in the evening when other business on the lot are closed. The actual efficiencies have not been verified. If the SS LTC would like to pursue parking issues further, they may consider asking for a parking plan or study. Staff would also caution that a specific ask related to the parking be provided to the applicant as opposed to a general request for parking verification.

Consultation

To gather input, Islands Trust scheduled an Open House for February 17th, 2022 and mailed notices to the occupants and owners of properties within 100 metres of the subject property on January 26, 2022, posted a notice on the Salt Spring Exchange and on the Salt Spring Island Local Trust Committee webpage, and sent notification via Islands Trust email subscriber list during the week of the Open House. The shift to an online meeting was deemed by Islands Trust staff to be the most prudent way to conduct the Open House given COVID-19 operational procedures and venue restrictions.

A copy of the notice is attached to this report as Appendix 5.

The Open House was conducted electronically via Zoom between 5:30 p.m. and 7:30 on Thursday February 17, 2022 to inform residents of the application and answer any questions that they may have. The Open House drew three attendees. As it was not a meeting of the SS LTC, no minute taker was present for the meeting and so minutes are not available. In general, comments were supportive of the proposed licence application, with neighbours in attendance expressing some concern about the hours of outdoor entertainment, with one attendee suggesting that it be limited to less than seven days per week.

Members of the public can also address the SS LTC during the town hall portion of its regular meeting on Tuesday, March 22, 2022 or submit written comments to the Islands Trust office up to close of business on Monday, March 21, 2022. Correspondence may be sent to ssiinfo@islandstrust.bc.ca.

At the time of this report, over 190 written comments have been received in support of the application and can be reviewed on the [application page](#). If any further comments are received they will be brought to the SS LTC's attention at the March 22, 2022 SS LTC meeting.

Per LCRB policy, the LCRB requires local government to respond by way of resolution and said resolution must include:

- Comments on potential for noise if the application is approved,
- The impact on the community if the application is approved,
- Recommendations as to whether the application should be approved
- Indication that views of residents were gathered,
- The views of residents,
- The method used to gather the views of residents,
- Comments and recommendations with respect to the views of residents,
- The reasons for its recommendations.

To facilitate the above requirements, resolutions have been outlined above; however, the SS LTC may wish to revise details pending information and comments from the community received at the town hall portion of the SS LTC meeting.

Protocols

No applicable protocols have been identified.

Agencies

This application is a referral from the LCRB. Islands Trust does not typically refer a referral. However, the SS LTC has regularly referred development permit applications to advisory planning commissions for input on evaluation of guidelines. Due to the minor nature of the application this is not recommended.

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 application is consistent with respect to SS 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.

The subject property directly overlaps with a registered archaeological site. Any ground disturbing works would require relevant permissions from the BC Archaeology Branch.

Rationale for Recommendation

The subject property is zoned for the proposed use, and solicitation of community opinion found that there is minimal perceived impact of the application on the surrounding area. Considerable community support was provided for the application. While the LCRB portion of this application is supportable by staff at this point, staff find that while there are some trivial matters with the DP that could be addressed, staff recommend that the DP be issued at this time too.

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 [identify report type and impact, e.g. a parking plan and study]. OR

That the Salt Spring Island Local Trust Committee request staff complete a more thorough assessment for compliance with the existing development permits on the subject property before reconsideration of issuing development permit amendments (126 Upper Ganges Rd).

2. Request development permit application revisions

The SS LTC may request the applicant to revise the proposal to be in greater conformity with development permit area 1 guidelines. If selecting this alternative, the SS LTC should describe the specific revisions requested. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee requests the applicant revise the proposal SS-DP-2021.12, amending SS-DP-2017.4 and SS-DP-1989.1, to satisfy Development Permit Area 1 guidelines in the following areas:

- a. Use of natural materials for all structures on outdoor patio;*
- b. Options drought-tolerant landscaping elements;*
- c. A lighting plan.*

3. Deny the LCRB and development permit applications

The SS LTC may deny the application. Staff advise that the implications of this alternative are that the outdoor patio will not be permitted to operate past the June expiration of the TESA. If this alternative is selected, the SS LTC must state the reasons for denial of the Development Permit. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-LCB-2021.3 and SS-DP-2021.12 for the follows reasons [insert reasons, e.g. parking requirements are not satisfied, the application would have a negative impact on surrounding properties].

NEXT STEPS

If the SS LTC accepts staff's recommendation, the response will be forwarded to the LCRB with support and the DP will be issued.

Submitted By:	Geordie Gordon, Planner 2	March 7, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 9, 2022

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. DPA Guidelines
4. Development Permit
5. Open House Notice

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT 1, SECTION 3, RANGE 4 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 31313
PID	001-165-291
Civic Address	126 UPPER GANGES RD

LAND USE

Current Land Use	Marina Restaurant (multiple) Car rental Boat repair
Surrounding Land Use	North – commercial accommodation/ALR West – commercial accommodation/ ALR South – Vacant/Residential

HISTORICAL ACTIVITY

File No.	Purpose
SS-ALR-1983.7	Unknown
SS-CL-2006.4	To expand marina lease area and install a floating breakwater
SS-CL-2019.1	Water Lease for Salt Spring Marina
SS-DP-1992.3	Unknown
SS-DP-2001.8	DPA1 & DPA2 Applications to expand the hotel component of original Development Permit
SS-DP-2010.8	DPA3 - shoreline - to authorize re-development of Salt Spring Marina
SS-DP-2017.4	DP amendment to expand and renew the marina
SS-DVP-2004.9	Variance to permit extension of deck
SS-LCB-2012.1	Liquor primary licence expansion
SS-LCB-2018.1	LCB application to amend hours of operation
SS-RZ-2008.1	SS Marina - to rezone marina so that 1 zone captures the entire marina, and to expand the marina.
SS-TUP-2000.2	Sell Budget Rental cars from a 210 ft. office space in the Salt Spring Marina.
SS-TUP-2005.1	Fitness Centre
UN-CL-1989.40	Unknown
UN-DP-1987.16	Unknown
UN-DP-1987.6	Unknown
UN-DP-1989.1	Unknown
UN-DP-1989.22	Unknown
UN-DP-1990.20	Unknown
UN-RZ-1988.26	Add additional uses (Driftwood, office, barber shop)_
UN-TUP-1987.4	Unknown

POLICY/REGULATORY

Official Community Plan Designations	Ganges Village Upper (GVU) Shoreline Development (SD) DPA 1 – Island Villages DPA 3 – Shoreline																												
Land Use Bylaw	Commercial Accommodation 1 variant (c) CA1(c) Shoreline 1(a) <table> <tr> <th></th><th>CA1</th></tr> <tr> <th colspan="2">Principal Uses, Buildings and Structures</th></tr> <tr> <td><i>Commercial guest accommodation units in hotels and motels</i></td><td>◆</td></tr> <tr> <td><i>Commercial guest accommodation units in cabins</i></td><td>◆</td></tr> <tr> <td><i>Liquor-primary</i></td><td>◆</td></tr> <tr> <td>Restaurants</td><td>◆</td></tr> <tr> <td><i>Marina administration and services, including washrooms, showers and laundry facilities</i></td><td>◆</td></tr> <tr> <td>Boat rentals</td><td>◆</td></tr> <tr> <td>Boat accommodation, servicing and maintenance, including refuelling</td><td>◆</td></tr> <tr> <td><i>Single family dwellings</i></td><td></td></tr> <tr> <td><i>Public service uses</i></td><td>◆</td></tr> <tr> <th colspan="2">Accessory Uses</th></tr> <tr> <td><i>Residential use accessory to commercial guest accommodation use, restaurant use, or marina administration and service</i></td><td>◆</td></tr> <tr> <td><i>Retail sales accessory to commercial guest accommodation or a marina</i></td><td>◆</td></tr> </table>		CA1	Principal Uses, Buildings and Structures		<i>Commercial guest accommodation units in hotels and motels</i>	◆	<i>Commercial guest accommodation units in cabins</i>	◆	<i>Liquor-primary</i>	◆	Restaurants	◆	<i>Marina administration and services, including washrooms, showers and laundry facilities</i>	◆	Boat rentals	◆	Boat accommodation, servicing and maintenance, including refuelling	◆	<i>Single family dwellings</i>		<i>Public service uses</i>	◆	Accessory Uses		<i>Residential use accessory to commercial guest accommodation use, restaurant use, or marina administration and service</i>	◆	<i>Retail sales accessory to commercial guest accommodation or a marina</i>	◆
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	Zone Variation – S1(a) (2) Despite all other regulations of this bylaw, log sorting and storage is not permitted within lands zoned S1(a). (3) For Zone Variation S1(a), the term <i>marina</i> is further defined as:																																							

	(a) including the installation and operation of a marine sewage pump-out facility of sufficient capacity to accommodate the number of anticipated boats; and (b) including the provision and maintenance of a <i>public</i> boat ramp, in addition to the definition contained in the 'Definitions' section of this bylaw. Zone Variation – CA1(c) (8) The following additional <i>principal uses</i> are permitted: (a) Boat <i>building</i>, boat repairs, <i>marine-dependent</i> sales, rentals and <i>services</i>. (b) Laundromat. (c) Car rentals. (9) <i>Building</i> setbacks from the <i>natural boundary</i> of the sea do not apply to <i>buildings</i> or <i>structures</i> used for boat <i>building</i>, boat repairs, boat rental and <i>marina</i> administration and <i>services</i>. (10) The maximum combined <i>floor area</i> of <i>commercial guest accommodation units</i> is 700 square metres. Despite the foregoing provision, on a <i>lot</i> larger than 0.4 ha, there may be one <i>commercial guest accommodation unit</i> for each additional 0.04 ha of <i>lot area</i>. No <i>commercial guest accommodation unit</i> may have a <i>floor area</i> greater than 95 square metres and the average <i>floor area</i> of all permitted additional <i>commercial guest accommodation units</i> may not exceed 55 square metres. 7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES 7.1.3 If more than one <i>use</i> is located on a <i>lot</i> or if a <i>parking lot</i> collectively serves more than one <i>use</i>, the total number of parking and loading spaces is to be the sum of the spaces required for each <i>use</i>, calculated separately. The parking or loading spaces required for one <i>use</i> are not to be included in calculations for any other <i>use</i>. <i>Information Note:</i> <i>Variances to this Section can be considered by the Trust Committee and given through either Development Permit or a Development Variance Permit. For example, uses that require parking at mutually exclusive times (day vs. evening; weekday vs. weekend) could apply to share some or all of their parking spaces.</i>
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	LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
	Restaurants and <i>Liquor-primary</i> establishments	1 per 3 <i>indoor</i> seats	5%*	1 per 250 sq.m. <i>floor area</i>
Other Regulations	Provincial interests – shoreline uses			
Covenants	FB310381 – SS LTC Covenant on operation of the marina.			
Bylaw Enforcement	2006 – unlawful land (closed 2008)			

SITE INFLUENCES

Islands Trust Conservancy	No relevant protocols identified.
Regional Conservation Strategy	Rated 'low' relative value in RCS.
Species at Risk	Western Painted Turtle Pacific Coast population 
Sensitive Ecosystems	None mapped.
Hazard Areas	No steep slope areas, flooding risk unknown.

Archaeological Sites	Area of proposal has direct overlap with Registered Archaeological Site (DfRu-3). There is no alteration of this site proposed or permitted. By copy of this report, the owners and applicant should be aware that the lot contains archaeological material that is protected under the <i>Heritage Conservation Act</i> . 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	Area susceptible to climate change induced hazards - sea level rise.
Shoreline Classification	Sediment Shoreline - Boulder/Cobble
Shoreline Data in TAPIS	Surf smelt population: 

ATTACHMENT #2 – PHOTOGRAPHS



PHOTO 1: PATIO AREA LOOKING NORTH EAST



PHOTO 2: PATIO AREA LOOKING NORTH



PHOTO 3: PATIO AREA WITH WINDBREAK



PHOTO 4: PATIO AREA IN RELATION TO SHORELINE



PHOTO 5: PATIO AREA LOOKING WEST



PHOTO 6: SIGNAGE ON WALKWAY BETWEEN MARINA AND PARKING AREA



PHOTO 7: PATIO AREA WITH FENCING AND WALKWAY.



PHOTO 8: PATIO AREA SEATING



PHOTO 9: PROXIMITY TO MAIN MOBY'S AREA.

APPENDIX #3 – DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 1 – ISLAND VILLAGES

Objective	Comments
E.1.3.1 To encourage the development of attractive, compact villages that harmoniously combines commercial, residential, cultural and recreational facilities in a way that encourages pedestrians and enhances village economies.	Staff Comments: comments reserved for guidelines only? If so, why have them listed? Does not amending the DP's effect this objective?
E.1.3.2 To protect and enhance views of harbours and uplands, and provide pedestrian access to parklands and shorelines.	Staff Comments: relevant discussion here...future connection to boardwalk for example...
E.1.3.3 To encourage creative designs that continue to reflect the diversity and richness of Salt Spring Island. To avoid design controls that would make island villages appear architecturally sterile or contrived.	Staff Comments:
E.1.3.4 To ensure that large new village developments are compatible with the natural, rural character of the island.	Staff Comments:
E.1.3.5 To keep the secure character of villages.	Staff Comments:
E.1.3.6 To encourage the use of local artisanship and materials.	Staff Comments:
E.1.3.7 To encourage new multifamily developments to provide for privacy, security, quiet and a sense of community in keeping with their intended use.	Staff Comments:
E.1.3.8 To protect property owners from flooding or detrimental changes to stormwater runoff, flow regimes or quality that can result from the construction of new impervious surfaces on upslope properties.	Staff Comments:
E.1.3.9 To protect nearby agricultural lands (including their water supplies) and to reduce the potential for conflicts between agricultural activities and higher density settlement areas.	Staff Comments:

Guideline	Complies	Comments
E.1.4 Guidelines for General Site Design, Building Location and Access		
General Guidelines		
E.1.4.1 All commercial, general employment and multifamily sites should be designed to reduce impacts on neighbouring properties, on-site residential areas and public places,	yes	Staff Comments: Outdoor nature of use is likely to generate more impacts than if the use was carried out indoors. However, attempts to mitigate impacts (speaker placement and hours of operation) work to reduce these impacts.

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.		
E.1.4.2 All commercial, general employment and multifamily developments should be designed so that the obstruction of views from neighbouring properties is minimized.	yes	Staff Comments: Does not impose additional visual impacts other than event tent.
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.	n/a	Staff Comments: Street setbacks not impacted.
E.1.4.4 Major new commercial, general employment 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.	n/a	Staff Comments: not a major new development.
E.1.4.5 Site access to commercial and multi-family developments should encourage use by pedestrians and cyclists. Internal circulation routes for pedestrians and cyclists should be segregated from vehicular routes, with an emphasis given to pedestrian and cyclist safety over vehicular convenience if necessary. Site plans of large new developments should show how transit stops could be accommodated in the future. Site access in Ganges Village should be arranged to coordinate with the Ganges Public Pathway System, including the seawalk. Potential routes for the system are shown in a conceptual way on Map 17.	n/a	Staff Comments: site access not impacted.
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: bicycle parking provided in convenient area.
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.	n/a	The covenant on the property indicates that the future Harbourwalk should connect to this location...how does that affect the pedestrian question?
E.1.4.8 Where possible, buildings should be sited and designed in a way that maximizes	n/a	

solar gain and reduces energy loss. Obstruction of solar gain on surrounding properties should be minimized.		
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: OCP designates lot “Ganges Upper” area, not in “Ganges Core” area.
E.1.4.10 Where commercial developments have street frontage in the Ganges Village Core, Channel Ridge Village Core and Fulford Harbour Village, the main floor should be preferably occupied by retail stores, restaurants, and personal service uses in order to maintain the interesting and lively commercial character of the villages. Most new business and professional offices and residential units should ideally be located on the upper levels of commercial developments or on a side of the building without street frontage. Access for the disabled to upper levels should be considered.	n/a	Staff Comments: OCP designates lot “Ganges Upper” area, not in “Ganges Core” area.
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	Partially	Staff Comments: Setbacks observed, but no vegetative screening of parking area. Does not add to strip mall appearance along Lower Ganges.

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.		
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 in identified area.
E.1.4.13 Developments along the boundary between the Upper Ganges Village and Ganges Village Core subdesignations should encourage pedestrian linkages between these two areas.	n/a	Staff Comments: Pedestrian linkages unaffected by proposal. Opportunities to improve linkages through this application are limited.
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 in identified area.
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	Yes	Staff Comments: Area oriented towards the Harbour – no impact on seawalk known at time of application.

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.		
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: Proposal was not observed to further interfere with harbor views from public area, as the area is behind an existing building.
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.	Yes	Staff Comments: Proposal was not observed to further interfere with harbor views from public area, as the area is behind an existing building.
E.1.4.18 Developments adjoining agricultural land 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 BC Ministry of Agriculture and the Agriculture Land Commission as a guide to implementing the Farm Practices Protection (Right to Farm) Act (MAFF, 1996), including the Guide to Edge Planning (2015). Site designs should allow for a vegetated buffer, as outlined in Guidelines for Landscaping and Parking Surfaces Subsection E.1.7.22.	Yes	Staff Comments: Area under consideration is not in close proximity to adjacent ALR property.
E.1.4.19 Where the subject property adjoins agricultural land, building setbacks for general employment and commercial uses should be at least 15 metres from the property line, to be consistent with the Guide to Edge Planning (2015), developed by the BC Ministry of Agriculture.	Yes	Staff Comments: Area under consideration is not in close proximity to adjacent ALR property.
Guidelines For Multi-Family Developments		
E.1.4.20 Developments should have staggered or recessed entrances that allow for privacy. Clusters of duplexes are	n/a	

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.		
E.1.4.21 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 4.5 m), to encourage human activity and create a lively, occupied character to the street.	n/a	
E.1.4.22 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	
E.1.4.23 Space should be provided for private and common storage and for a convenient mail kiosk.	n/a	
E.1.4.24 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	
E.1.4.25 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	
E.1.4.26 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 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.	n/a	
E.1.5 Guidelines for Offstreet Parking Lot Location and Design		
E.1.5.1 The preferred location for a parking	No	

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.		Staff Comments: Parking is not behind the building, nor is it effectively screened. However, parking arrangements have long been in place.
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: Parking not provided in manner specified by guideline.
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.	No	Staff Comments: Parking minimizes breaks along street
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: Cars required to cross pedestrian area, some backing across occurs, though not necessarily related to this proposal.
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 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.	n/a	Staff Comments: not one of the identified areas.
E.1.5.6 Parking spaces for the disabled should be plentiful, prominently marked and carefully located for maximum convenience and proximity to accessible	Yes	Staff Comments: Parking is conveniently located, though number of stalls not known.

building entrances and weather protection features. If necessary, exceptions to the guidelines for parking location may be made to maximize convenience for the disabled.		
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: no-off site parking provided.
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 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.	No	Staff Comments: Existing parking exceeds 30 spaces, though number has been permitted in previous DPs.
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.	Yes	Staff Comments: Sufficient area provided.
E.1.5.11 Multi-family developments should provide parking in locations that minimize walking distances for residents. However,	n/a	Staff Comments: Not a multi-family development

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.		
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.	Yes	Staff Comments: Structure height does not exceed surrounding area.
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: guidelines not relevant to structure.
E.1.6.3 On slopes, horizontal modulation (stepped structures) should be used so the building conforms to the site.	n/a	Staff Comments: guidelines not relevant to structure
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: Site not being altered.
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.	Yes	Staff Comments: No further development that would conceal contours is proposed.
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	n/a	Staff Comments: guidelines not relevant to structure

to give the impression of separate small units, rather than a large mass.		
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: guidelines not relevant to structure
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 in applicable area.
E.1.6.9 Landmark buildings should not be created in island villages.	n/a	Staff Comments: guidelines not relevant to structure
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.	n/a	Staff Comments: guidelines not relevant to structure
E.1.6.11 All roof-top mechanical equipment (satellite dishes, air-conditioning) should be screened from view.	n/a	Staff Comments: guidelines not relevant to structure
E.1.6.12 Large areas of curtain-wall glazing should not be used.	n/a	Staff Comments: guidelines not relevant to structure
E.1.6.13 The use of handcrafted doors made by local artisans is encouraged.	n/a	Staff Comments: No doors proposed.
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.	No	Staff Comments: No such elements incorporated.
E.1.6.15 A pleasant pedestrian environment in villages should be enhanced by pedestrian-oriented features.	No	Staff Comments: No pedestrian oriented features proposed.
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.	Yes.	Staff Comments: Existing docks not substantially impacted.
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	Yes	Staff Comments: No such elements proposed.

turrets) should not be included in building designs.		
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 such elements proposed.
E.1.6.19 Large new developments should have their electrical and telephone connections provided underground.	Yes/n/a	Staff Comments: Not relevant to proposal.
E.1.6.20 Facilities should be provided for convenient, barrier-free access for the disabled.	Yes	Staff Comments: No barriers created as part of this proposal.
E.1.7 Guidelines for Landscaping and Parking Surfaces		
E.1.7.1 Informal, natural landscaping that gives a native appearance is encouraged as opposed to formal, decorative plantings. Hard surfacing should not be used as a substitute for vegetation.	No	Staff Comments: No new landscaping proposed, but existing amount appears to be insufficient to satisfy this guideline
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.	No	Staff Comments: No new landscaping proposed, but existing landscaping does not appear to incorporate these elements.
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.	No	Staff Comments: No new landscaping proposed, but existing amount appears to be insufficient to satisfy this guideline
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.	No	Staff Comments:
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 general employment 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,	No	Staff Comments: No new landscaping proposed, but existing amount appears to be insufficient to satisfy this guideline.

private open space and adjacent boulevards on public lands.		
E.1.7.6 All landscaping work on major new developments should meet the British Columbia Landscape Standard published by the British Columbia Society of Landscape Architects and the British Columbia Nursery Trades Association and should be covered by a performance bond for a period of one year from the date of final installation, in order to ensure survival or replacement of plantings. All landscaping should be maintained in perpetuity.	n/a	Staff Comments: No new landscaping proposed
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.	n/a	Staff Comments: No new landscaping proposed
E.1.7.8 Plant materials should be chosen with a view to conserve water.	n/a	Staff Comments: No new landscaping proposed
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: No such removals contemplated
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 such removals contemplated.
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 changes contemplated.
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.	n/a	Staff Comments: No new landscaping proposed in this application.
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.	No/partially	Staff Comments: Not all elements of deck area are natural
E.1.7.14 The use of trees and other	n/a	Staff Comments:

vegetation along roadways in a manner that "crowds" the street, and causes automotive traffic to slow is strongly encouraged.		
E.1.7.15 Deciduous boulevard trees should be included with a spacing of 10 m in all large new commercial and multi-family projects in Ganges Village with frontage on Fulford-Ganges and Lower Ganges Roads.	n/a	Staff Comments: this area is not a large new development
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: Parking areas not screened
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.	Partially	Staff Comments: Parking area is partially surfaced, but not lined.
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	No/partially	Staff Comments: Not all elements of patio are natural materials

character of the village is retained.		
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: Limited options to contribute to the pathway system until the boardwalk is complete.
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 multi-family 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 multi-family 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.	Choose an item.	Staff Comments:
E.1.8 Guidelines for Lighting		
E.1.8.1 Lighting of commercial and general employment 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.	n/a	Staff Comments: No additional lighting elements proposed with application. SS LTC may consider requesting a lighting plan.
E.1.8.2 Light fixtures on commercial and general employment 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.	n/a	Staff Comments: No additional lighting elements proposed with application. SS LTC may consider requesting a lighting plan.
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.	n/a	Staff Comments: No additional lighting elements proposed with application. SS LTC may consider requesting a lighting plan.
E.1.8.4 Incandescent fixtures are preferred	n/a	Staff Comments: No additional lighting elements proposed with application. SS LTC may consider requesting a lighting plan.

E.1.8.5 Light fixtures mounted on masts or walls should be pedestrian in scale and should not exceed 3.5 m in height.	n/a	Staff Comments: No additional lighting elements proposed with application. SS LTC may consider requesting a lighting plan.
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: No additional lighting elements proposed with application. SS LTC may consider requesting a lighting plan.
E.1.8.7 Flashing or strobe lights should not be used to attract attention to commercial uses.	Yes	Staff Comments: No strobe or flashing elements proposed.
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: Signs are generally plastic, small and direct patrons to not take alcohol beyond a specific point
E.1.9.2 Signs should be kept to the minimum size and number needed to inform and direct residents and visitors. Sign size and lettering should not exceed that necessary to direct pedestrians and slow-moving traffic: letters should rarely exceed 20 cm in height; the area of individual signs should rarely exceed 2.5 m ² . Total permitted sign area should not exceed that permitted by local bylaw.	Yes	Staff Comments: Signs are generally plastic, small and direct patrons to not take alcohol beyond a specific point. Total area of signs for property unknown.
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: Signs do not obstruct viewing level.
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.	Partially	Staff Comments: Signs are not back lit, but are plastic.
E.1.9.5 Front-lit signs with soft light levels are preferable.	Yes	Staff Comments: Signs do not contain any of the noted elements. Signs are generally plastic, small and direct patrons to not take alcohol beyond a specific point.
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 do not contain any of the noted elements. Signs are generally plastic, small and direct patrons to not take alcohol beyond a specific point.
E.1.10 Guidelines Regarding Stormwater Drainage and Water Pollution		
E.1.10.1 New commercial, general employment, institutional and multi-family residential developments that will create more than 280 m ² of new impervious	n/a	Staff Comments: Does not create amount of impervious surface noted.

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 create amount of impervious surface noted.
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.	Yes	Staff Comments: Pollution of groundwater unlikely.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.12 AMENDING SS-DP-2017.4 and SS-DP-1989.1

TO: SS Marina Ltd.

1. This Development Permit (the "Permit") applies to the land described below:
PID: 001-165-291
LEGAL DESCRIPTION: LOT 1, SECTION 3, RANGE 4 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 31313
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 December 5, 2021, by Denis Maguire, Architect
3. The regulations of Salt Spring Island Land Use Bylaw No. 355 are varied as follows:
 - a. The setback from the natural boundary of the sea is varied from 15 m to 0 m in accordance with Plan No.1.
4. Development within the permit area as described and illustrated in the site plan is permitted.
5. 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.
6. 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.
7. Any further development, redevelopment or changes to this permit including the siting of buildings, structures, and landscaping on this property may require a new Development Permit or a Development Permit Amendment.



PROPOSED

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2021.12
AMENDING SS-DP-2017.4 and SS-DP-1989.1**

**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

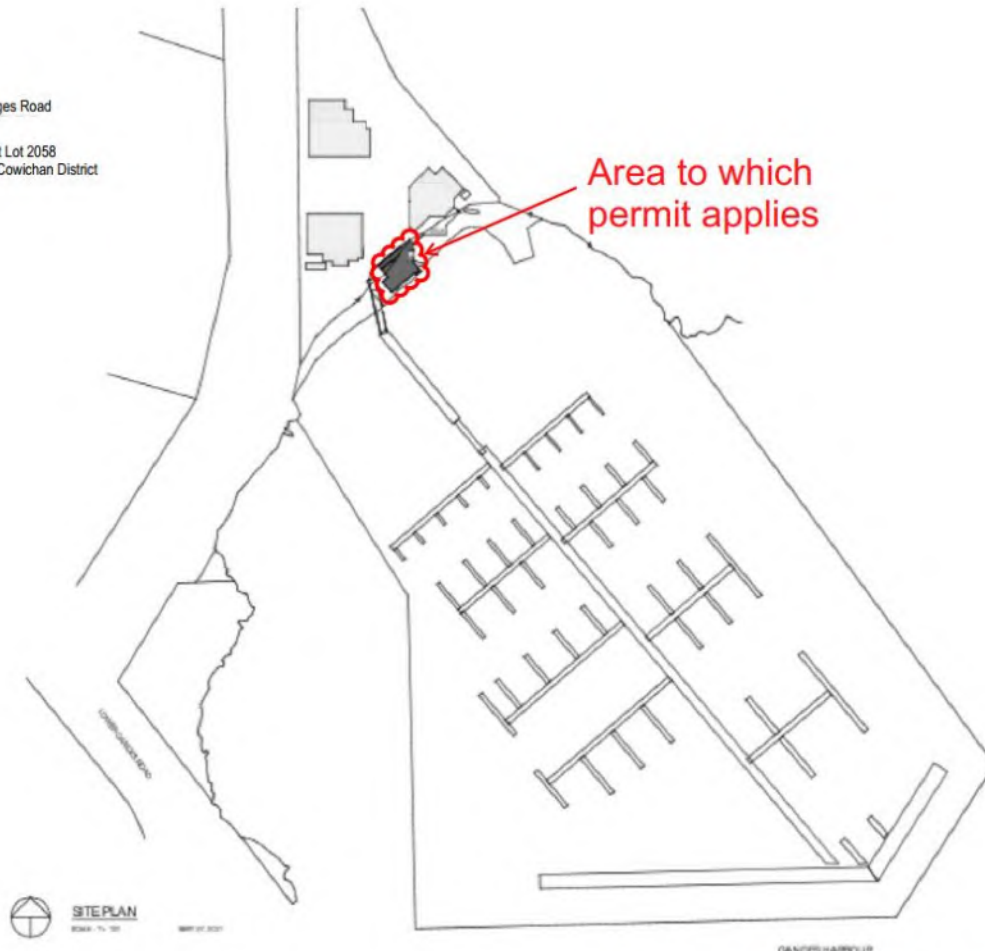


PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.12 AMENDING SS-DP-2017.4 and SS-DP-1989.1

PLAN NO. 1: Site Plan

Civic Address 126 Upper Ganges Road
Legal Description:
Lot 1, Plan 31313, District Lot 2058
North Salt Spring Island, Cowichan District



Base Drawings and Measurements by: Rob Barnard

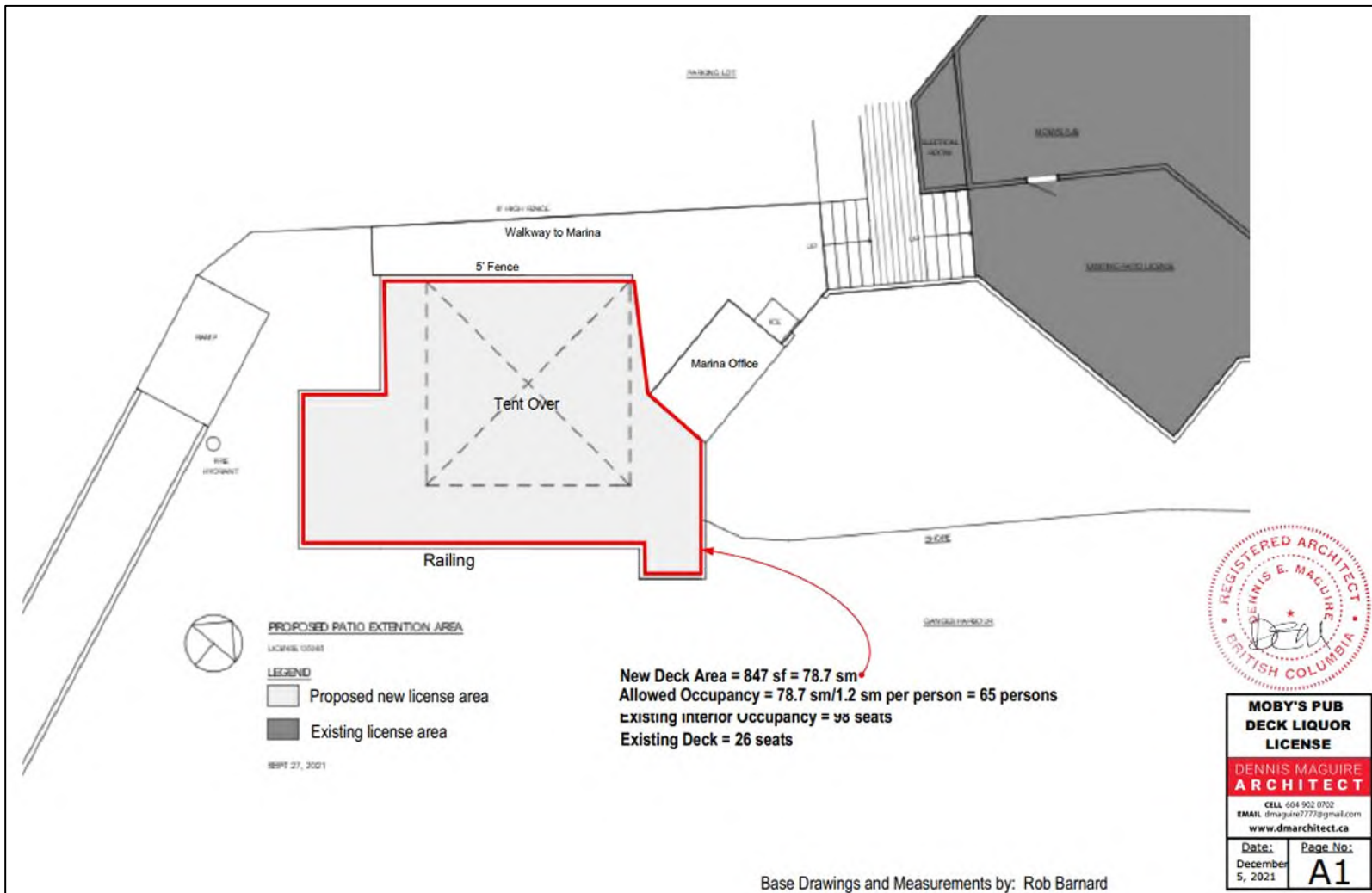




PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.12 AMENDING SS-DP-2017.4 and SS-DP-1989.1

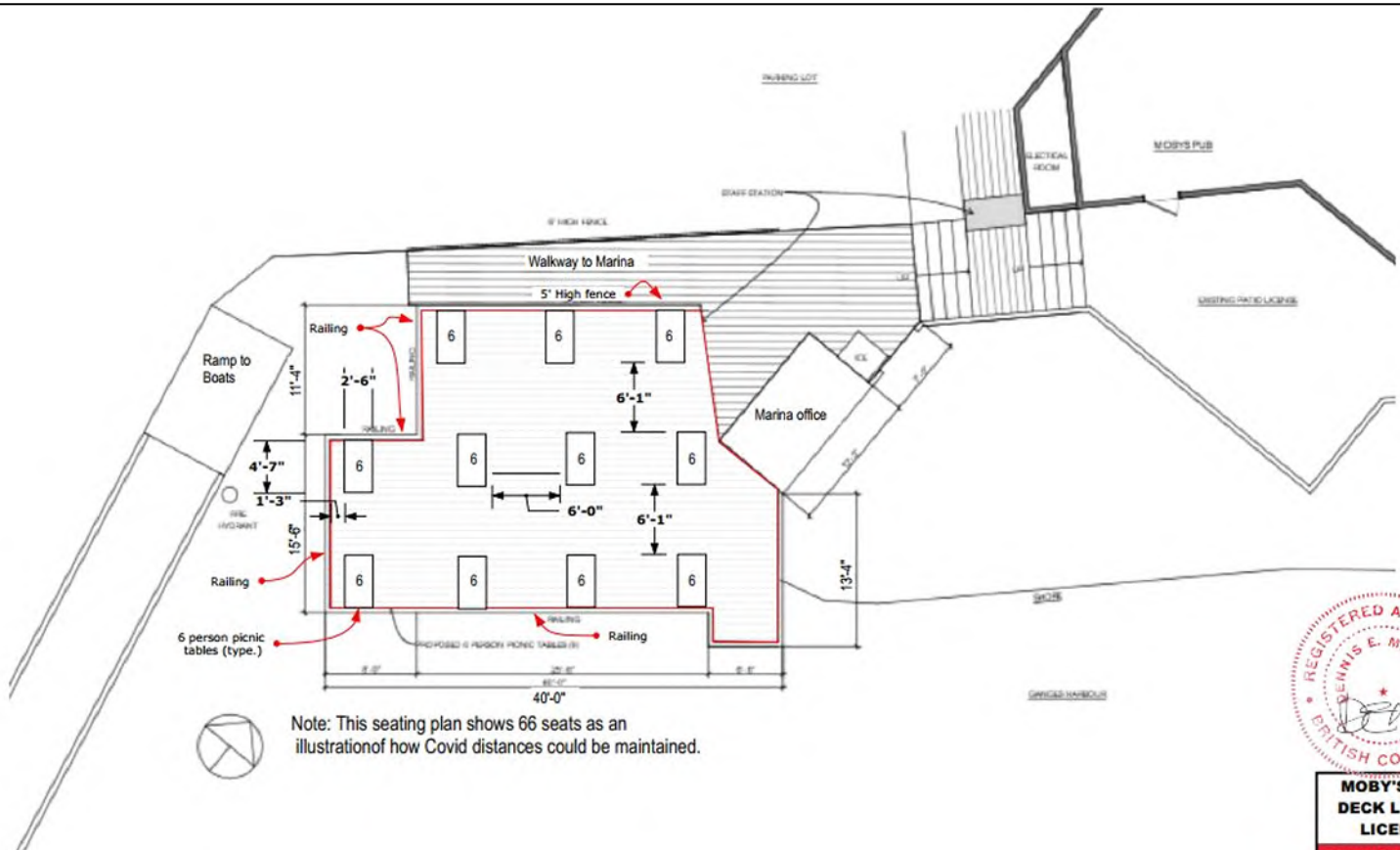
PLAN NO. 1: Site Plan (continued)





PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.12 AMENDING SS-DP-2017.4 and SS-DP-1989.1



Base Drawings and Measurements by: Rob Barnard





Have Your Say



When:
Thursday,
February 17, 2022
5:30 pm to 7:30 pm



Where:
Online via Zoom
<https://islandstrust.zoom.us/j/62386319246>



Who should attend?
Anyone affected by the application.



Enquiries?
Geordie Gordon,
Planner 2
Islands Trust
250-537-9144

Written submissions are welcome and can be emailed to: ssiinfo@islandstrust.bc.ca or, mailed or dropped off at the Islands Trust office by March 21, 2022.

Liquor & Cannabis Regulation Branch Appendix 5

Temporary Expanded Service Area (TESA) to a Lounge Area Endorsement (SS-LCB-2021.3).

Address: 124 Upper Ganges Rd, SSI

Applicant: Moby's Pub

OPEN HOUSE

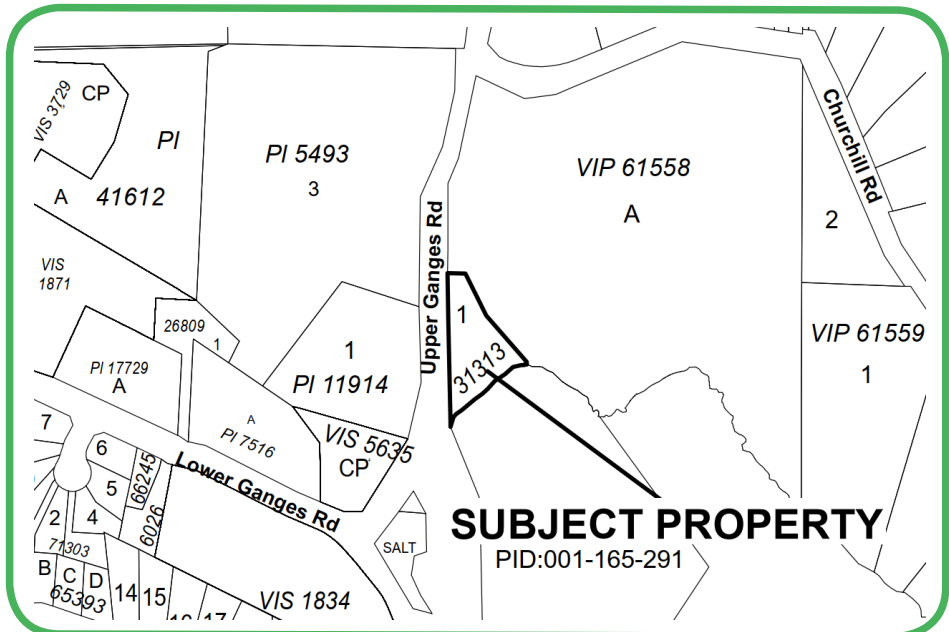
SALT SPRING ISLAND LOCAL TRUST COMMITTEE

What is being proposed?

Moby's Pub has applied to the Liquor and Cannabis Regulation Branch (LCRB) to transition from a Temporary Expanded Service Area (TESA) to a New Outdoor Patio. The proposed change in licence would allow Moby's Pub to continue to sell and serve liquor for consumption on-site in an expanded patio area once the TESA expires. The New Outdoor Patio application is for:

- 1) 65 additional patrons on a new outdoor patio.
- 2) Hours of operation Sunday – Saturday (7 days a week) 11:00 a.m. to 10:00 p.m.

As the local government, the Salt Spring Island Local Trust Committee (SS LTC) is requested to consider the application for this endorsement. Public input on this application is being sought. The SS LTC may consider a decision on this application at their meeting March 22, 2022, to be held at the Community Gospel Church (147 Vesuvius Bay Rd.) or via Zoom (see Islands Trust Meetings and Minutes webpage for details). This application will be considered alongside a Development Permit required to permit permanent changes to the site.



How do I get more information?

Copies of the application are available for review at the Islands Trust office at #1-500 Lower Ganges Road, Salt Spring Island, BC V8K 2N8 from the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday, excluding statutory holidays.

File No.: SS-DVP-2022.1

X-Ref.: SS-BE-2021.121

DATE OF MEETING: March 22, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Planner 2
Salt Spring Island Team

COPY: Stefan Cermak, Regional Planning Manager

SUBJECT: Development Variance Permit to reduce the setback to the natural boundary of the sea
for a retaining wall and septic field
Applicant: Dinny Corcoran
Location: Clamshell Islet

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee amend proposed permit SS-DVP-2022.1 by removing Section 3.1.
2. That the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2022.1, as amended.
3. That the Salt Spring Island Local Trust Committee request the applicant submit a Soil Deposit Permit application to address all soil deposit and removal work done to date.

REPORT SUMMARY

This report brings forward a request to the Salt Spring Island Local Trust Committee (SS LTC) for two variances on the subject property, one for a proposed sewage disposal field to service a future single family dwelling, and another to allow an existing rock retaining wall to remain in place. Both require relaxation of the setback to the natural boundary of the sea. Staff find that the variance for the sewage disposal field is reasonable, necessary, and supported by a Professional Engineer's report. The setback to for the retaining wall is not supported by any professional reporting, and given the likelihood of additional work in this area of the subject property, staff recommend that a variance not be issued at this time, and that the applicant address this issue through a Soil Deposit Permit and future Development Variance Permit (DVP) if required.

BACKGROUND

The application is proceeding as a result of two conditions: one that the applicant is developing the subject property with a single family dwelling and cannot achieve the required sewage disposal field setback, and two, that the applicant has undertaken substantial site preparation work without the necessary permits despite extensive discussions with agencies before development. The site preparation work has resulted in the opening of a Bylaw Compliance and Enforcement (BCE) file, and a need to address that work by applying for the necessary permits.



Figure 1: Location of Subject property



Figure 2: air photo of subject property (2021 data)

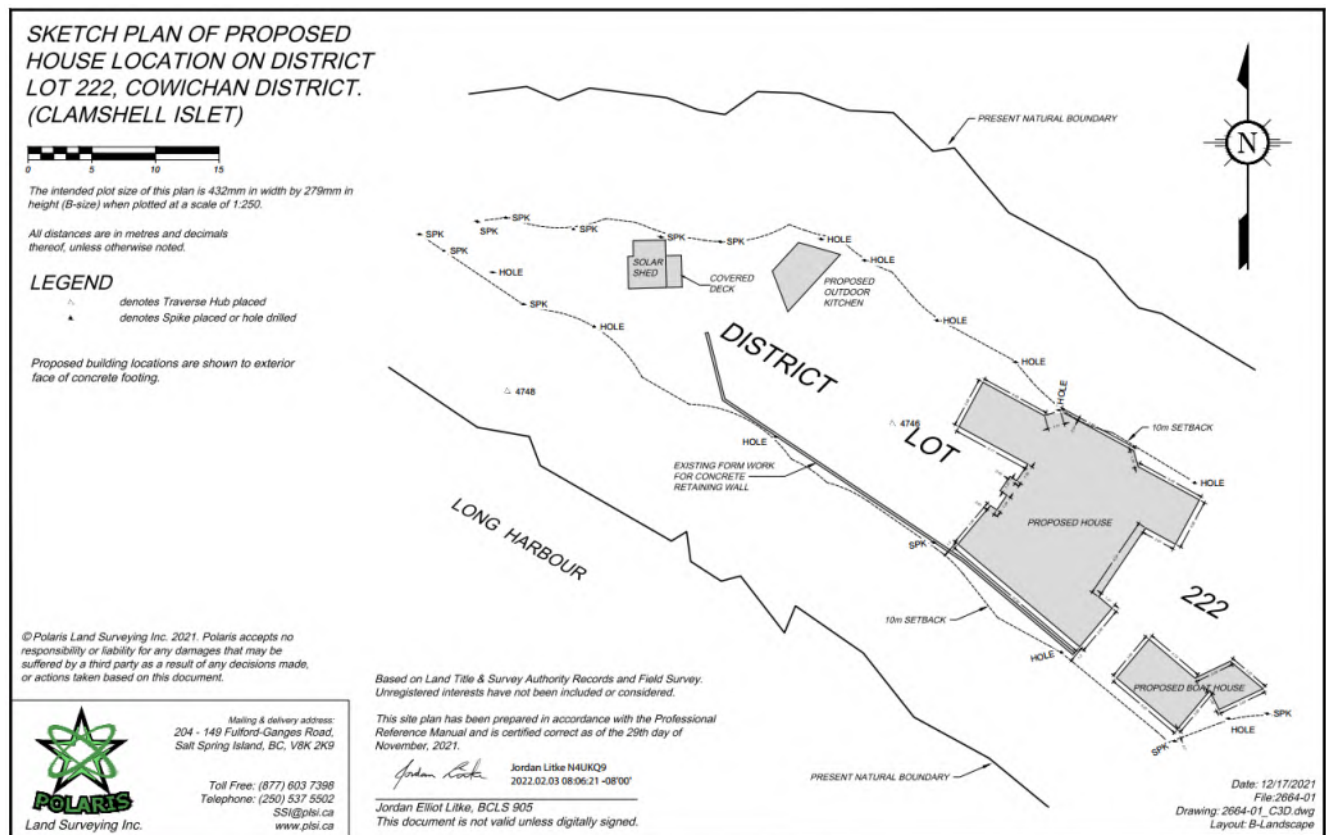


Figure 3: Survey of subject property (2021 data)

ANALYSIS

Policy/Regulatory

Official Community Plan:

The subject property is designated Islet Residential under Salt Spring Island Official Community Plan Bylaw No. 434. The following Conservation Land Use Objective is relevant to this proposal:

- B.8.1.1.3 To identify small islets in the Plan area zoned for residential use, but with fragile and sensitive natural environments.

Land Use Bylaw:

The subject property is zoned Rural Islet (Ri) under Salt Spring Island Land Use Bylaw No. 355. Uses permitted in the Ri zone are included in appendix one, but notably includes single family dwellings.

The following Land Use Bylaw setback requirements are also relevant to this proposal:

- 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*.
- 4.4.2 Despite Subsection 4.4.1, the setback from the *natural boundary* of the sea may be reduced to 10 m where an *engineer* has certified that the *natural boundary* is located on non-erodible material.
- 4.5.1 No sewage *disposal* field or septage pit may be located within:
 - (1) 30 m of the *natural boundary* of the sea;

Issues and Opportunities

Site zoning

The subject property is zoned Rural Islet under the Salt Spring Island Land Use Bylaw. There may be some misconceptions that due to the size and location of Rural Islets that no development can occur. While development can be challenging due to servicing constraints and the lot size, there are a limited number of zoning permissions that exist as-of-right (i.e. without need for additional permission from the SS LTC), most notably single family dwellings and associated accessory buildings.

If the SS LTC wishes to address zoning on Rural Islets, it may consider adding the changes to the Work Program Projects list under Land Use Bylaw Amendments. As staff project resources are fully allocated, no work will be done on this item until such time that resources are available and the SS LTC elevates Land Use Bylaw amendments to a Top Priority.

Also at issue on the subject property is the construction of at least one accessory building (the 'Solar Shed') prior to construction of principal dwelling or establishment of a principal use, which is not permitted by zoning. Addressing accessory buildings without a principal use has been on the SS LTC Projects list since 2016, but no work has been done. The applicant has not been required to address the construction of the accessory building, as the only mechanism to do so is a re-zoning.

Sewage Disposal Setback

Under Salt Spring Island Land Use Bylaw, sewage disposal fields are required to be set back from the natural boundary of the sea 30 m. Given the size of the subject property (approximately 45 m at the widest point), achieving this setback is impossible. This then creates a tension with the zoning permission that allows a single family dwelling, but not the infrastructure (in this case, the sewage disposal field) necessary to service the dwelling. The applicant is therefore required to seek to vary this requirement from 30 m, in this case down to 10 m.

In support of this setback reduction, the applicant has supplied an Onsite Wastewater Treatment System Site Capability Assessment Report (OSWTS) prepared by a Professional Engineer. As noted in the report, “waste water options in this situation are limited to either a) a holding tank or b) manufacturing a suitable soil base for ground dispersal.” The report also notes that, as a six bedroom house is planned, that the size holding tank required would be “prohibitively large” and recommends that a ground dispersal field be used.

From the OSWTS capability assessment, the dwelling is intended to be equipped with composting toilets with solid waste treated on site or sent to a suitable facility. This means that influent consisting of greywater, urine, and composting toilet leachate will be dealt with through the sewage disposal field. Placement of the sewage field within 30 m of the natural boundary of the sea is supported in the OSWTS subject to monitoring of ground water to ensure that performance objectives are met, as they relate to coliform bacteria, nitrate nitrogen, ammonia nitrogen, and total phosphorus. As the report makes up part of the proposed DVP, these conditions will need to be met in order for the permit to remain valid. Failure to comply with permit conditions would result in BCE enforcement.

If the SS LTC were to refuse this variance request, the applicant would be required to seek an alternative option for influent, likely a holding tank. Due to size requirements, the applicant may be required to reduce the size of the dwelling, though staff are unclear as to the relationship of dwelling size to holding tank size. The applicant could also seek a variance on the basis of hardship from the Board of Variance (BOV).

Retaining Wall Setback

As noted above, the applicant has undertaken site preparation and development work prior to issuance of a building permit and without a Soil Deposit Permit despite staff informing him of these requirements. This work includes land clearing, construction of an accessory building, deposit of fill within 15 m of the natural boundary of the sea, and construction of a retaining wall within 15 m of the natural boundary of the sea.

Based on the requirements of the Salt Spring Island Land Use Bylaw and the Soil Removal Bylaw (No.418), likely none of these activities would be permitted without some combination of a rezoning, a DVP, a building permit, or a Soil Deposit permit. At issue in this application is the need for a variance for the retaining wall that has been constructed down to a 0 m setback to the natural boundary of the sea (see attached photos in Appendix 2). Given the sensitive nature of the Islet’s ecosystem (see section below), and the likelihood of further work in the area of the existing retaining wall to facilitate house construction, staff recommend that the applicant be requested to submit further documentation that provides for a holistic approach to further site development, minimizes the impacts of development and vehicle access to the shoreline, and preserves a sensitive ecosystem to the greatest extent possible.

Sensitive Ecosystem

Clamshell Islet is designated as a woodland ecosystem under Islands Trust Sensitive Ecosystem Inventory (SEI). As noted in the Islands Trust Conservancy [Sensitive Ecosystem Guide](#), woodland ecosystems “are dry and open forests dominated by a mix of deciduous and coniferous tree species. Arbutus, Douglas-fir and Garry oak dominated woodlands are among the most sensitive and biologically diverse woodland ecosystems in the islands Trust Area.” The importance in maintaining woodland ecosystems is critical, as they “support a high number of at-risk species, the loss of each woodland ecosystem has devastating effects on the Province’s biodiversity and may affect the ability of our area to adapt to climate change.” Recommendations to protect woodland ecosystems applicable to this property include: limiting access and avoiding development to prevent vegetation damage, control invasive species, and prevent livestock grazing to avoid soil compaction and erosion. In consideration of the sensitive nature of the subject property, staff recommend that a more comprehensive plan, prepared by the appropriate professional such as an R. P. Bio., be provided for variances not essential to uses permitted by zoning.

Consultation

Section 499(3) the Local Government Act requires that notice must be mailed or otherwise delivered to owners and any tenants in occupation of all parcels within a distance specified by bylaw at least 10 days before adoption of the resolution to issue the permit. Salt Spring Island Development Procedures Bylaw No. 304 establishes that all owners and tenants of all properties within 100 metres of the property boundaries of the land that is subject to the application shall be notified. These requirements were fulfilled, as statutory notice was mailed to all owners of properties within 100 metres of the subject property's boundaries on March 7, 2022 and notice was delivered or mailed to all tenants of properties within 100 metres of the subject property's boundaries on March 7, 2022.

Due to the location of the subject property, the number of adjacent properties captured within 100 m was extremely limited.

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

Protocols

No relevant protocols have been identified.

Agencies

No agency referrals have been deemed necessary for this proposal.

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 application is consistent with respect to SS 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

Locating the infrastructure necessary to service a permitted dwelling requires setback to the natural boundary of the sea, as locating it according to the Land Use Bylaw requirements is not possible. The variance is a reasonable and necessary request to carry out a permitted use and is supported by a report from a Professional Engineer. For these reasons, staff recommend issuance of the variance for the sewage disposal field. The rationale for the existing retaining wall has not been provided, and staff recommend that a more comprehensive plan for site access and development be provided to support further site development. The applicant is also required to submit a Soil Deposit Permit, per BCE direction.

ALTERNATIVES

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

1. Approve the proposed development permit without amendment.

The SS LTC may approve the proposed DVP without the amendment recommended by staff. Staff advise that the implications of this alternative are that the application will be permitted to proceed as proposed. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2022.1.

2. 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 an Assessment Report, completed by a Registered Professional Biologist, which identifies the potential impacts of the soil and fill deposit on the shoreline of the subject property.

3. Deny the application

The SS LTC may deny the application. Staff advise that the implications of this alternative are that the sewage field will not be permitted to be located in the proposed area. As subject property is permitted a single family dwelling, alternative wastewater treatment options will likely be pursued by the applicant. The required setback cannot be achieved, so treatment options will likely be limited to domestic waste water treatment plant options. 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 issuance of SS-DVP-2022.1 for the following reasons [insert reasons].

NEXT STEPS

If the SS LTC accepts staff's recommendation, the permit will be issued as amended. The applicant will be requested to address the existing soil deposit through additional applications such a Soil Deposit Permit and potentially another variance as required.

Submitted By:	Geordie Gordon, Planner 2	March 7, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 9, 2022

ATTACHMENTS

1. Site Context
2. Photographs
3. Draft Development Variance Permit
4. Notice

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT 222, COWICHAN DISTRICT, CONTAINING 1.10 ACRES MORE OR LESS
PID	001-375-458
Civic Address	Clamshell Islet

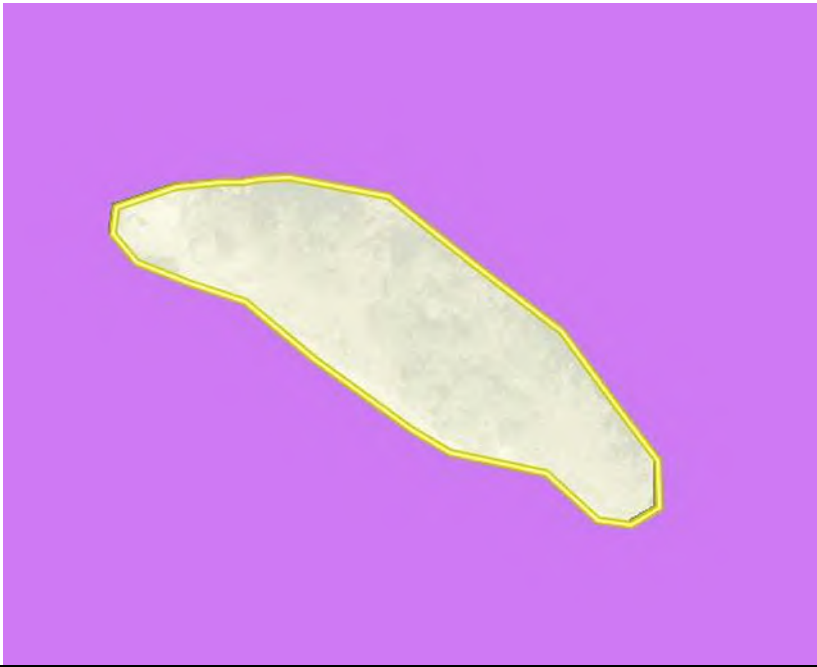
LAND USE

Current Land Use	Developed with accessory buildings (unpermitted)
Surrounding Land Use	North (across Long Harbour): Residential East: n/a South (across Long Harbour): BC Ferry terminal, Residential, General Employment West: BC Ferry terminal

HISTORICAL ACTIVITY

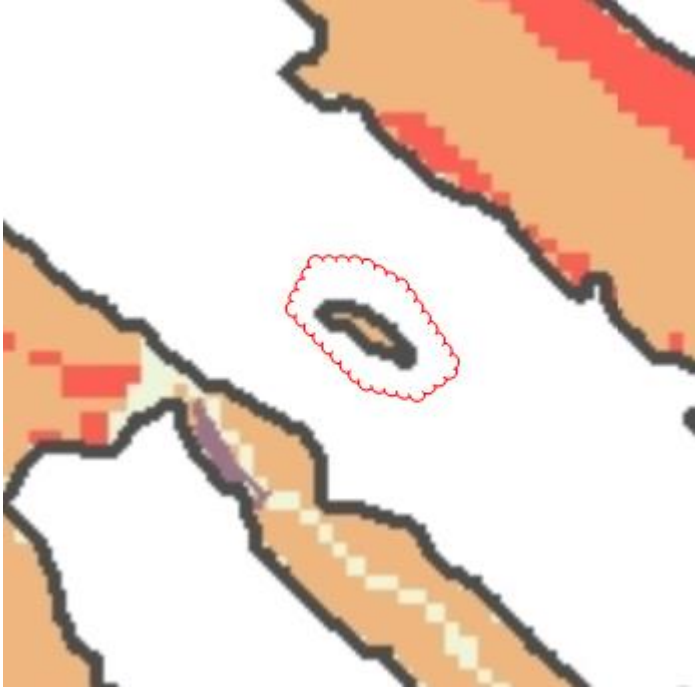
File No.	Purpose
SS-BP-2021.148	Boathouse – not approved

POLICY/REGULATORY

Official Community Plan Designations	Watershed and Islet Residential (WIR) DPA 3- Shoreline Foreshore 
Land Use Bylaw	Rural Islet (Ri) Ri

	Principal Uses, Buildings and Structures	
	<i>Single-family dwellings</i>	◆
	Lighthouse stations	◆
	<i>Agriculture</i>	◆
	<i>Public service uses</i>	◆
	Accessory Uses	
	<i>Seasonal cottages</i> subject to Section 3.14	◆
	<i>Home-based business use</i> , subject to Section 3.13	◆
Other Regulations	Provincial interest – foreshore	
Covenants	None	
Bylaw Enforcement	Active BCE file (Siting)	

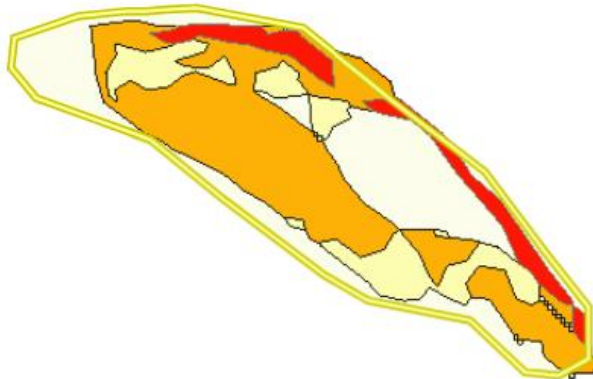
SITE INFLUENCES

Islands Trust Conservancy	No referral/process requirements identified per: Policy 3.3.ii]
Regional Conservation Strategy	Our Priorities - Conservation Planning 
	Rated as medium relative value in RCP
Species at Risk	None mapped

Sensitive Ecosystems



Hazard Areas



	High Risk Moderate Risk Low Risk
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	Potential GHG emission changes resulting from approval consistent with single family house development . Potential impacts on proposed development from anticipated or possible climate change induced hazards, e.g. sea level rise unknown.
Shoreline Classification	 Low Rock/Boulder Sea Cliff
Shoreline Data in TAPIS	None mapped

ATTACHMENT #2 – PHOTOGRAPHS



Photo 1: Approximate location of proposed sewage disposal field (retaining wall framing not subject to variance requirement).



Photo 2: Soil disturbance and berming on access leading up to build site.



Photo 3: Islet access point. Retaining wall elements visible.



Photo 4: Islet access point. Retaining wall elements on left side. Soil/fill deposit evident in foreground.



Photo 5: Soil/fill deposit and accessory building – ‘solar shed’.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

TO: D. CORCORAN

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 001-375-458
LEGAL DESCRIPTION: LOT 222, COWICHAN DISTRICT, CONTAINING 1.10 ACRES MORE OR LESS
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	Survey, dated February 03, 2022, by Jordan Litke, B.C.L.S.
Plan No. 2	Site Plan, dated February 6, 2022 by Dinny Corcoran
Schedule No. 1	Onsite Wastewater Treatment System Site Capability Assessment Report, dated October 31, 2020, by Bradley Fossen, P. 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 **4.4 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 article is varied to reduce the setback for an existing rock retaining wall structure within the setback to the natural boundary of the sea from 15.0 m to 0.0 m in accordance with Plan No. 2 attached to and forming part of this permit.
 - 3.2 **4.5 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 a sewage disposal field and associated retaining wall from 30.0 m to 10.0 m in accordance with Plan No. 1, Plan No. 2 and Schedule No. 1 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.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

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, Island Health, Ministry of Environment and Climate Change Strategy, and Ministry of Forests, Lands, Natural Resource Operations and Rural Development.
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.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

PLAN NO. 1: Survey

SKETCH PLAN OF PROPOSED HOUSE LOCATION ON DISTRICT LOT 222, COWICHAN DISTRICT. (CLAMSHELL ISLET)



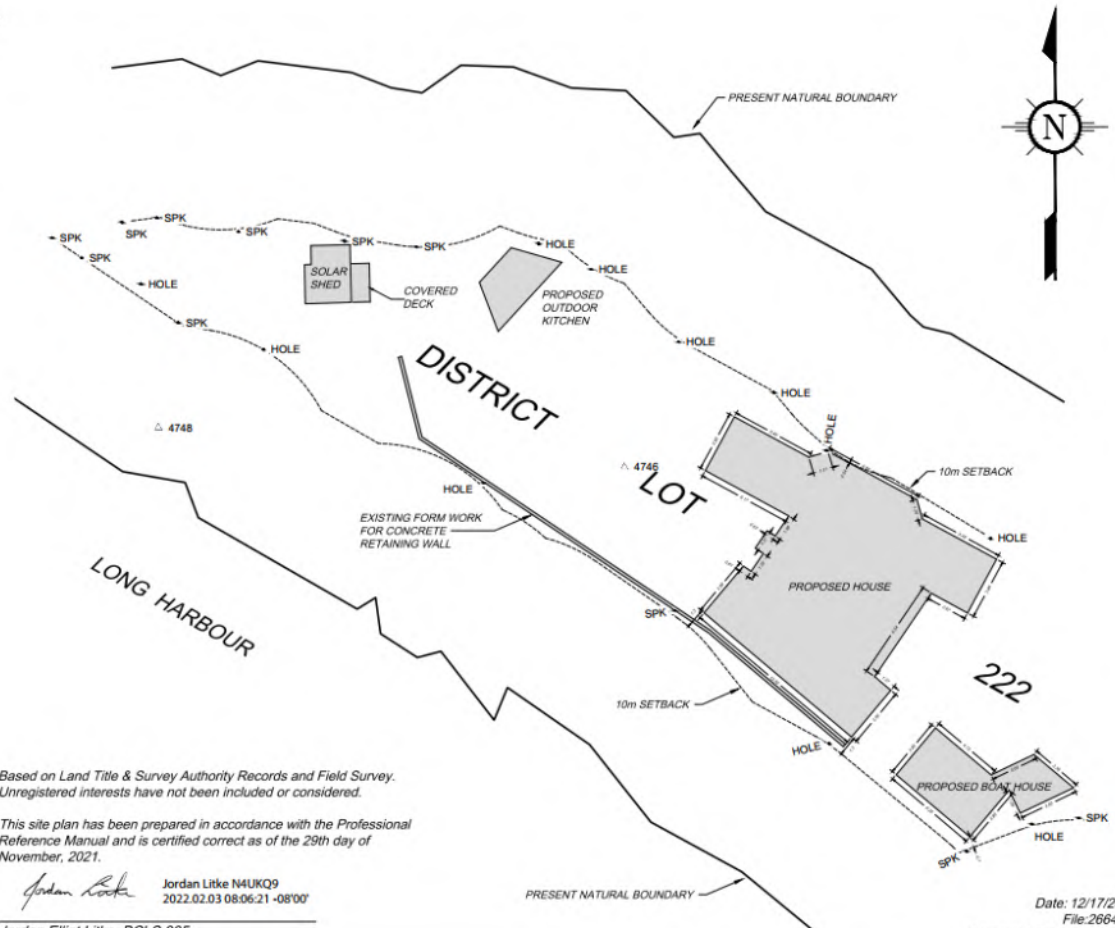
The intended plot size of this plan is 432mm in width by 279mm in height (B-size) when plotted at a scale of 1:250.

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

LEGEND

- △ denotes Traverse Hub placed
- ▲ denotes Spike placed or hole drilled

Proposed building locations are shown to exterior face of concrete footing.



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Based on Land Title & Survey Authority Records and Field Survey.
Unregistered interests have not been included or considered.

This site plan has been prepared in accordance with the Professional Reference Manual and is certified correct as of the 29th day of November, 2021.

Jordan Litke

Jordan Litke N4UKQ9
2022.02.03 08:06:21 -08'00'

Jordan Elliot Litke, BCLS 905
This document is not valid unless digitally signed.



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

Toll Free: (877) 603 7398
Telephone: (250) 537 5502
SSI@plsi.ca
www.plsi.ca

Date: 12/17/2021

File: 2664-01

Drawing: 2664-01_C3D.dwg

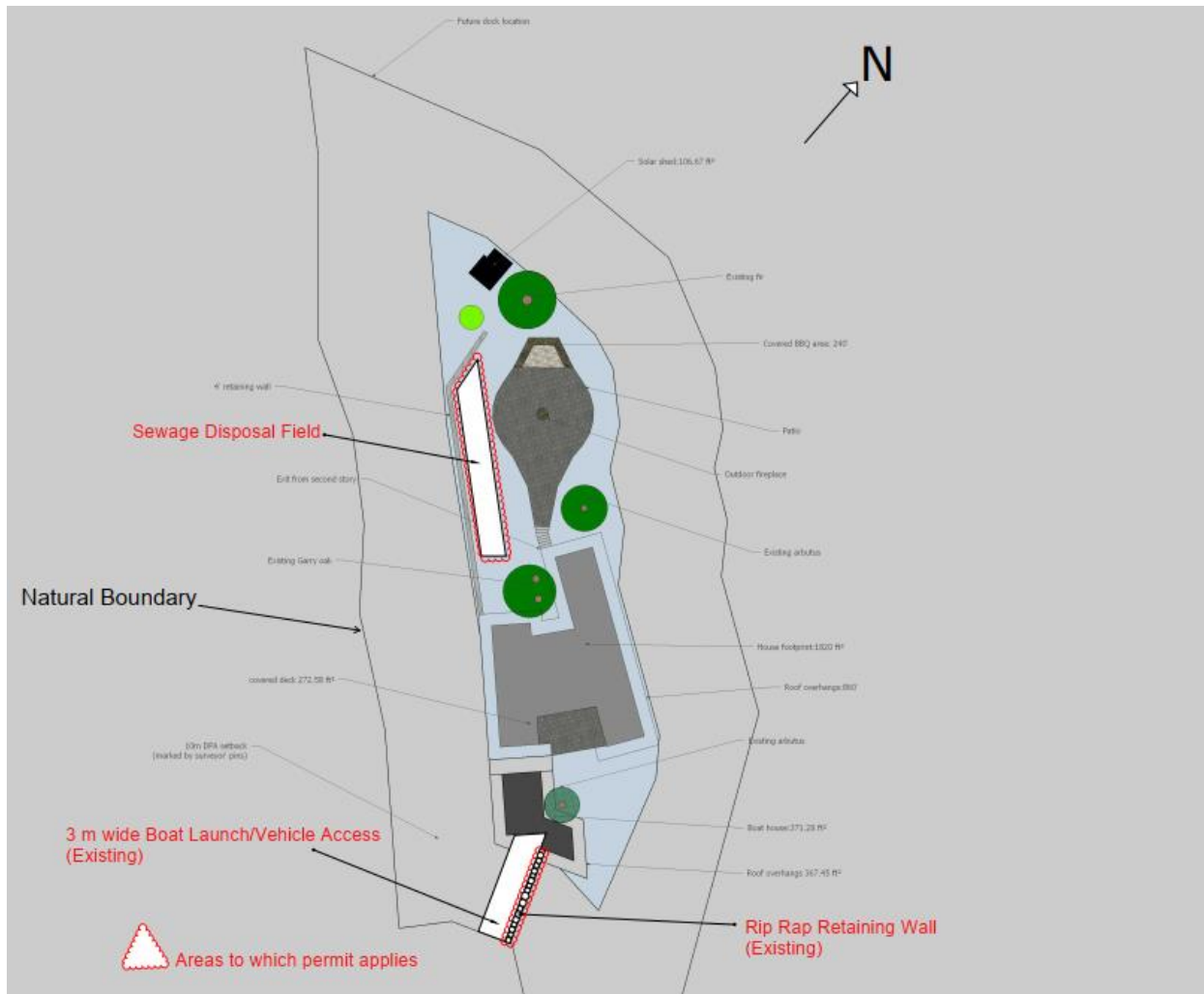
Layout: B-Landscape

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

PLAN NO. 2: Site Plan

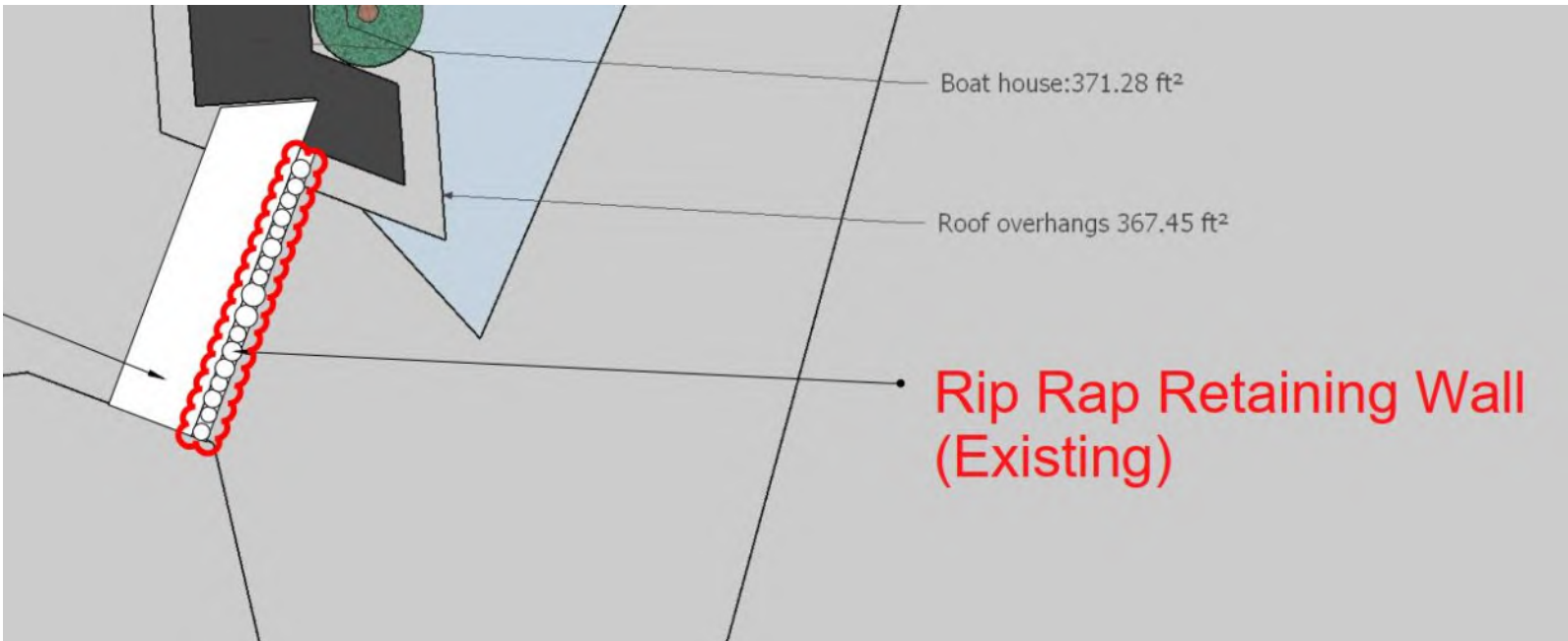


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

PLAN NO. 2: Site Plan continued (detail)



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

PLAN NO. 2: Site Plan (detail)



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

SCHEDULE NO. 1: OSWTS Site Capability Assessment



OSWT Site Capability Assessment

LONG FORM

PROJECT No: 2021.90

PROJECT NAME: CLAMSHELL ISLET

DOCUMENT No.: 2021.90-16-EFR-001

FORM No. APG-40-FRM-007

1: Form Revision Log

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

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

	OSWT Site Capability Assessment	Project: 2021.90
Form No.: APG-40-FRM-007	Doc No.: 2021.90-16-EFR-001	Revision: R.0

Table 1: Summary Information

Project No.	2021.90	Project Name:	Clamshell Islet
Site Type:	☒ New Construction ☐ Replacement ☐ Repair / Alteration	Prepared by:	Bradley Fossen
Owners / Client:	Dinny Corcoran	Jurisdiction:	Islands Trust / VIHA
Legal Description	District Lot 222, Cowichan Land District, Portion SM ISLE IN LONG HBR	PID # (Parcel Identifier Number)	001-375-458
Common Address	TBC	Folio. # (Tax Assessment Roll #)	01-764-12063.000
Engineer of Record	Bradley Fossen	Project Stage:	Design
Owner Declaration Completed:	☒ Yes ☐ No	Required Daily Design Flow:	TBC in detailed design
Influent Type	☒ Typical Residential ☒ Other: Greywater, Composting Toilet	Water Source:	TBD
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 ☐ 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. - Complete a Site Assessment as defined under the Sewerage System Regulation.¹ - Recommend a location and type of onsite sewerage system. - Provide a report in support of land use application.		

Document Revision #	Date	By	Description
0	02-Jan-2022	BJGF	Issued for Land Use Application

1 SUMMARY

The subject property is a difficult site due to topography, geometry, and proximity to the ocean. It is an islet, with a natural boundary to the sea (Long Harbour) around its entire perimeter. The islet is constrained by geometry, being roughly 50 m wide and 160 m long. The surface is predominantly bedrock with some depressions containing sparing, naturally deposited soils.

¹ Sewerage System Regulation, Pub. L. No. B.C. Reg. 326/2004 (2018).
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/326_2004/

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

 Aurora PROFESSIONAL GROUP INC.	OSWT Site Capability Assessment	Project: 2021.90
Form No.: APG-40-FRM-007	Doc No.: 2021.90-16-EFR-001	Revision: R.0

Between the area of development and the natural boundary of the sea, the subject property consists primarily of sea cliffs, coastal banks/bluffs, and low rock/boulders. The nearby ocean ecosystem is not reported to have any sensitive ecosystems.² The islet is subject to one development permit area – DPA-03 (Shoreline – Foreshore), though this does not impede an OSWTS.

The subject property is undeveloped, and a six-bedroom residence is currently in the planning and design phase. Potable water supply will either need to be provided via water storage or by rainwater catchment. In either case, water conservation will be required. And with no traditional areas for sewerage ground dispersal, the options for wastewater disposal are limited.

Wastewater options in this situation are limited to either a) a holding tank or b) manufacturing a suitable soil base for ground dispersal. As the isle is predominantly bedrock and a holding tank for a six-bedroom household would be prohibitively large (and holding tank approvals are at the discretion of Vancouver Island Health Authority), the latter option b) is most suitable.

OSWT systems constructed in the absence of a suitable depth and type of soils require departing from the BC Ministry of Health Standard Practice Manual (SPM)³. As such, a suitable OSWTS should be designed by a professional and meet the requirements of a "Performance-Based Design" as defined in the EGBC Professional Practice Guideline for Onsite Sewerage Systems (PPGOSS)⁴ to be compliant with the BC Sewerage System Regulation.

Given the constraints, a suitable OSWTS concept design for the parcel is as follows:

- 1) Composting toilets for the main residence, meeting the requirements of the BC Ministry of Health Manual of Composting Toilet and Greywater Practice (MCTGP)⁵. Solid waste is to be treated and managed either onsite or safely removed to a suitable facility. Liquid waste is to be diverted to an onsite greywater system.
- 2) Influent, consisting of greywater, urine, and composting toilet leachate, is to be treated onsite and disposed of via an all-season dispersal system, which is in effect, a sewerage ground disposal system.
 - a. The ground disposal system performance is to meet the requirements of PPGOSS Table A-3 "Guideline Performance Objective at Compliance Boundaries"⁶. As such, monitoring of groundwater is required and should meet the performance objective of "Ocean water, with swimming but no shellfish harvesting." The groundwater should be sampled downslope of the ground disposal system, no less than 3m from the boundary of the sea. Water sample testing shall confirm water quality objectives of:
 - i. Coliform Bacteria (Median < 200 CFU/100 ml)
 - ii. Nitrate Nitrogen (Median < 20 mg/L)

² As reported within the Islands Trust "MapIT" tool. <http://mapit.islandstrust.bc.ca/>. Accessed December 21, 2021.

³ Ralston, I., Payne, M., & ASTTBC. (2014). Sewerage System Standard Practice Manual. BC Ministry of Health (Version 3). Government of British Columbia.

⁴ EGBC. (2018). Onsite Sewerage Systems. In EGBC Professional Practice Guidelines - Civil and Transportation Infrastructure (Version 1.).

⁵ BC Ministry of Health, & Ralston, I. (2016). Manual of Composting Toilet and Greywater Practice (Version 1). BC Ministry of Health.

⁶ EGBC (2018). Table A-3, Page 71.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

	OSWT Site Capability Assessment	Project: 2021.90
Form No.: APG-40-FRM-007	Doc No.: 2021.90-16-EFR-001	Revision: R.0

- iii. Ammonia Nitrogen (Median <3.5 mg/L)
- iv. Total Phosphorous (No requirement)
- b. Water sampling at points determined by the professional shall be completed at the time of commissioning and at a regular frequency as determined by the professional within the certified maintenance plan.
- c. The OSWTS design is to be based on the standard practice of the SPM, MCTGP, EGBC (2018), and potentially others in order to meet this performance objective. The design basis is as follows:
 - i. The disposal system will be installed within the constructed landscaping of the developed area, upslope of a 4' retaining wall.
 - ii. Treatment of the influent will be performed either by septic tank or a Type 2 system; the treatment requirements will be determined during detailed design.
 - iii. The system will rely on a suitable depth of specified sand for the soils-based treatment of effluent in order to meet performance requirements.
 - iv. The size of the dispersal system will be determined during detailed design.
 - v. An impermeable barrier shall be installed such that effluent is restricted from entering the residence perimeter drain.
 - vi. The retaining wall perimeter drain and building perimeter drain will be the "compliance boundaries" from which water will be sampled to confirm performance objectives.
 - vii. The siting of any related sewerage tankage may be limited to within the building footings, which is a departure from SPM guidelines. The detailed design shall take into account and mitigate the proximity of tanks to potable water sources, as well as other factors to ensure safe operation (venting, secondary containment, access for maintenance, etc.).

The detailed design shall note any departures from the SPM standards and guidelines within a filing to the Health Authority. At this time, the SPM departures are generally understood to be:

- i. Reducing the required setback of a dispersal system from a marine water body, which is 15m⁷ to 10m.
- ii. Reducing the required setback of a dispersal system from a house perimeter drain, which is 7.5m⁸ to 1m.
- iii. Reducing the required setback of a dispersal system from a downslope drain (retaining wall drain), which is 7.5m⁹ to 0m.
- iv. Reducing the required setback of a watertight treatment or pump tank from a house perimeter drain, which is 0m¹⁰ to less than 0m.

⁷ Ralston, I., Payne, M., & ASTTBC. (2014). Sewerage System Standard Practice Manual. In BC Ministry of Health (Version 3). Government of British Columbia. Table II-19 (p. II-31 ("From Dispersal System" & "Marine water body").

⁸ Ibid. ("From Dispersal System" & "Break-out point or downslope drain").

⁹ Ibid. ("From Dispersal System" & "Break-out point or downslope drain").

¹⁰ Ibid. ("From Watertight Treatment or Pump Tank" & "Break-out point or downslope drain").

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

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With the above concept design, it is possible to meet the requirements of the BC SSR and not create a health hazard, provided the system is operated and maintained per a certified maintenance plan. However, to do so will require a land-use variance relating to setback distances.

- l) The setback distance of a disposal system from the natural boundary of the sea would require varying from 30 m to 10m¹¹.

Though not requiring a land-use bylaw variance, the setback distance of tanks, along with the proposed building structures, will need to meet the requirements of 4.4.2, in order to be placed less than 15m from the natural boundary of the sea, but no closer than 10m to the natural boundary of the sea.¹²

¹¹ Islands Trust, & Salt Spring Island Local Trust Committee. (2019). Bylaw No. 355 Salt Spring Island Land Use Bylaw (Consolidated September 2020). Section 4.5.1.

¹² Ibid. Section 4.4.2.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

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2 GENERAL OBSERVATIONS AND ASSESSMENTS

Table 2: General Observations and Assessments, by Element

Element	Assessment	Constraints & Potential Departures
Previous Professional Reviews	Ryzuk memo 10851-1, dated November 09, 2021.	With Geotech certification, structures can be placed no closer than 10m from the natural boundary of the sea, provided the shoreline has confirmed as non-erodible, per Bylaw No. 355 4.4.2.
Site and System History	The site is undeveloped.	
Future Site Development	The Owner has planned a six-bedroom, six-person occupancy residence. A boathouse has also been planned, though it will not contain any plumbing fixtures.	
Neighbouring Property Features	Not Applicable.	
Title and Land Data	There are no land title issues that would impede an OSWTS.	
Zoning & building use bylaw	Salt Spring Island Local Trust Committee Land Use Bylaw No. 355 (consolidated) was reviewed for zoning and building use considerations. Zoning falls under the Islands Trust. This property is zoned as "Ri – Rural Islet" and "S8 – Shoreline 8." Section 4.4 addresses setbacks from water bodies. A structure, such as a septic tank, may not be sited within 15m of the natural boundary of any water body. However, per Section 4.4.2, the 15m setback can be reduced to 10m, with Geotech approval. Section 4.5 addresses setbacks from water bodies. A "sewage disposal field" or "seepage pit" is not to be located within 30m of the natural boundary of the sea.	Departing from Section 4.5.1(1) will require an approved bylaw variance (land use application).
Protected Areas	Protected Areas potential was reviewed via the Islands Trust 'MapIT' service. There are no Protected Areas designated on or near the subject property.	
Development Permit Areas	Development Permit Area potential was reviewed via the Islands Trust 'MapIT' service. The subject property is within one development permit area, per Islands Trust Official Community Plan Bylaw No. 434: Development Permit Area No. 03, Shoreline, Foreshore portion. This does not influence the location of an OSWTS.	

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Element	Assessment	Constraints & Potential Departures
Climate Considerations	Climate is classified as Warm-Summer Mediterranean ¹³ . Marine weather conditions exist, with warm summers and periods of high rainfall and occasional freezing.	Significant cold weather freeze protection is not required, though OSWTS components should be covered.
Well Registry	BC Water Resources was consulted to confirm whether any registered water wells were in the area. There are no wells within 30m of the subject property.	
Well Survey	A survey of nearby areas did not note any unregistered water wells.	
Riparian Areas	Riparian areas have not been noted by the Islands Trust MapIT tool. No inland water bodies or watercourses that would provide fish habitat were observed on the subject property at the time of our assessment.	
Nitrogen and Phosphorous Reduction	There are no downgrade wells, water bodies at risk of eutrophication, or short-distance up-grade wells within a short distance from the proposed dispersal area. However, there is a high likelihood that the shoreline will be utilized for swimming.	System to meet performance boundary water quality objectives of EGBC Professional Practice Guideline for Onsite Sewerage Systems, Table A-3, "Ocean water, with swimming but no shellfish harvesting."
Buried Infrastructure	There are no existing underground service lines near the proposed dispersal area. However, due to space limitations, sewerage components may be installed near potable water components.	Ensure 3m setback between sewerage components and potable water components. If that setback cannot be maintained, install an impermeable barrier and/or sleeve potable water piping and apply other mitigations as prescribed by the engineer.
Boundary Conditions, Exposure Pathways, and Breakout Risks	There are two primary breakout conditions, which will form the boundary conditions for the performance-based design: - Retaining wall perimeter drain. - Building perimeter drain.	Include sampling and monitoring as part of a certified maintenance plan for a performance-based design.
Vegetation	There is little to no vegetation within the proposed dispersal area and sparing soil.	Provide suitable plants varieties for the Owner's landscaping plan.

¹³ Canada Open Government Portal. "Climatic Regions." Atlas of Canada, 3rd Edition. 1957.
<https://open.canada.ca/data/en/dataset/09ffaeb5-ec8f-5bb5-bdcb-3436ccf26f58>.

Islands Trust

Aurora PROFESSIONAL GROUP INC.	OSWT Site Capability Assessment	Project: 2021.90
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The diagram is a site plan for a property. Key features include:

- EXISTING FIR**: Located at the top left.
- SOLAR SHED**: A blue rectangular structure near the top left.
- PATIO**: A large green circular area in the center.
- EXISTING ARBUTUS**: Located on the right side.
- PROPOSED HOUSE**: A large grey T-shaped structure on the right.
- PROPOSED BO**: A smaller grey structure at the bottom right.
- 4' RETAINING WALL**: A line segment on the left side.
- PRESENT NATURAL BOUNDARY**: A dashed blue line running diagonally across the bottom left.
- AVAILABLE AREA FOR DISPERSAL**: A label pointing to the area near the bottom left boundary.
- EXISTING GARRY OAK**: A tree symbol near the bottom center.
- 10m SETBACK**: A label pointing to a green shaded area.
- 19.86 m**: A dimension line for the green shaded area.
- 10.13 m**: A dimension line for the green shaded area.
- 10m DPA SETBACK (MARKED BY SURVEYOR'S PINS)**: A label pointing to a line near the bottom right.
- △ 4748**: Two elevation markers on the left side.
- △ 4746**: An elevation marker near the center.
- △ HOLE**: Multiple labels indicating specific points or features.
- SPK**: Labels near the top left and bottom right.

The proposed dispersal area upslope of the site retaining wall and within the 15m ocean setback outlined by the BC Ministry of Health Standard Practice Manual¹⁴. The area is primarily bedrock and would require manufacturing a soil base out of specified sands.

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SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

 Aurora PROFESSIONAL GROUP INC.	OSWT Site Capability Assessment	Project: 2021.90
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2.2 OTHER AVAILABLE AREAS FOR EFFLUENT DISPERSAL

There are no other suitable areas for effluent dispersal. One potential option would be a Ministry of Environment outfall to the ocean. However, that process could be prohibitive, both from a cost and schedule perspective.

3 SOILS ASSESSMENTS

Soils assessments for this subject parcel are not applicable, as there are sparing soils available for soils-based treatment.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

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Table 3: General Site Soil Assessment¹⁵

Site Slope (Suunto 360PC/360R +/- 2%)	Percent: ~60% Downsloping: SWbS Linear Up/Down Linear Across	Proposed Dispersal Area Slope	Percent: ~60% Downsloping: SWbS Linear Up/Down Linear Across
Geology and Terrain	Pacific Border Province: Puget Trough (Nanaimo Lowland) // The subject property is an islet, with a natural boundary to the sea (Long Harbour) around its entire perimeter. The islet is constrained by geometry, being roughly 44 m wide and 149 m long. The surface is predominantly bedrock with some depressions containing sparing, naturally deposited soils. Between the area of development and the natural boundary of the sea, the subject property consists primarily of sea cliffs, coastal banks/bluffs, and low rock/boulders. General soils categorization are not applicable; SIFT ID = N/A.		
Surface Water	Surface water is inferred to collect in pockets of bedrock in different areas of the subject property, though not within the available dispersal area.		
Seepage, springs	Description of water sources: None Water State¹⁶: N/A		
Direction of Shallow Groundwater Flow	It is estimated that shallow groundwater flows with the natural grade of the available dispersal area, SWbS.		
Drainage¹⁷	Excessively Drained	Drains	Side slope building drain and downslope retaining wall drain.
Slope Condition	Erosion Condition: Refer to Geotech report. Stability Condition: Refer to Geotech report.		
Vegetation (Common name)	General: Barren / Grassland / Treed	Dispersal: Sparing shrubs and mosses.	
Cover	General: Tree (>25% canopy cover)	Dispersal: Barren (<5%)	

¹⁵ 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.

¹⁶ **Water State:** Wet: Non-satiated (no free water), Wet: Satiated (free water easily visible)

¹⁷ **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)

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SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1

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Table 4: Summary of Soil Assessment Field Program

Date	Activity Type	Quantity	Completed By	Comments
26-Nov-2021	Site Visit	1	Bradley Fossen	Soils assessments not applicable.

Table 5: Notes from Field Program Activities

Soils assessments are not applicable, as there are sparing native soils for ground dispersal. The dispersal system will need to be manufactured from specified sands and other materials.

Table 6: Comments on Water Table and Seasonal High-Water Table

The available dispersal area is primarily bedrock; a seasonal high water table does not exist. Shallow groundwater flow is inferred to be in the direction of the topography and of a high velocity owing to the significant slope and lack of soils.

Table 7: Comments on Receiving Area¹⁸

A receiving area does not exist. For that reason, water deposited from the dispersal system must meet boundary condition requirements prior to draining to the shoreline.

4 SYSTEM ADVISORY

The system design shall meet EGBC requirements¹⁹. Solid sewerage waste will be managed via a composting toilet system. Influent, consisting of greywater, urine, and composting toilet leachate, is to be treated onsite and disposed of via an all-season dispersal system.

The detailed design shall consider solids loading, organic influent loading, and water use in order to prescribe a suitable system design meeting the requirements of the SSR. Further design requirements have already been described in Section 1, Summary.

A suitable alternative is a traditional OSWTS, without composting toilets, so long as it meets the guideline performance objectives at compliance boundaries, as noted in Section 1, Summary.

¹⁸ For OSWTS, the Receiving Area is typically in reference to the area 7.5m downslope from the infiltrative surface.

¹⁹ EGBC. (2018). Onsite Sewerage Systems. In EGBC Professional Practice Guidelines - Civil and Transportation Infrastructure (Version 1.3).

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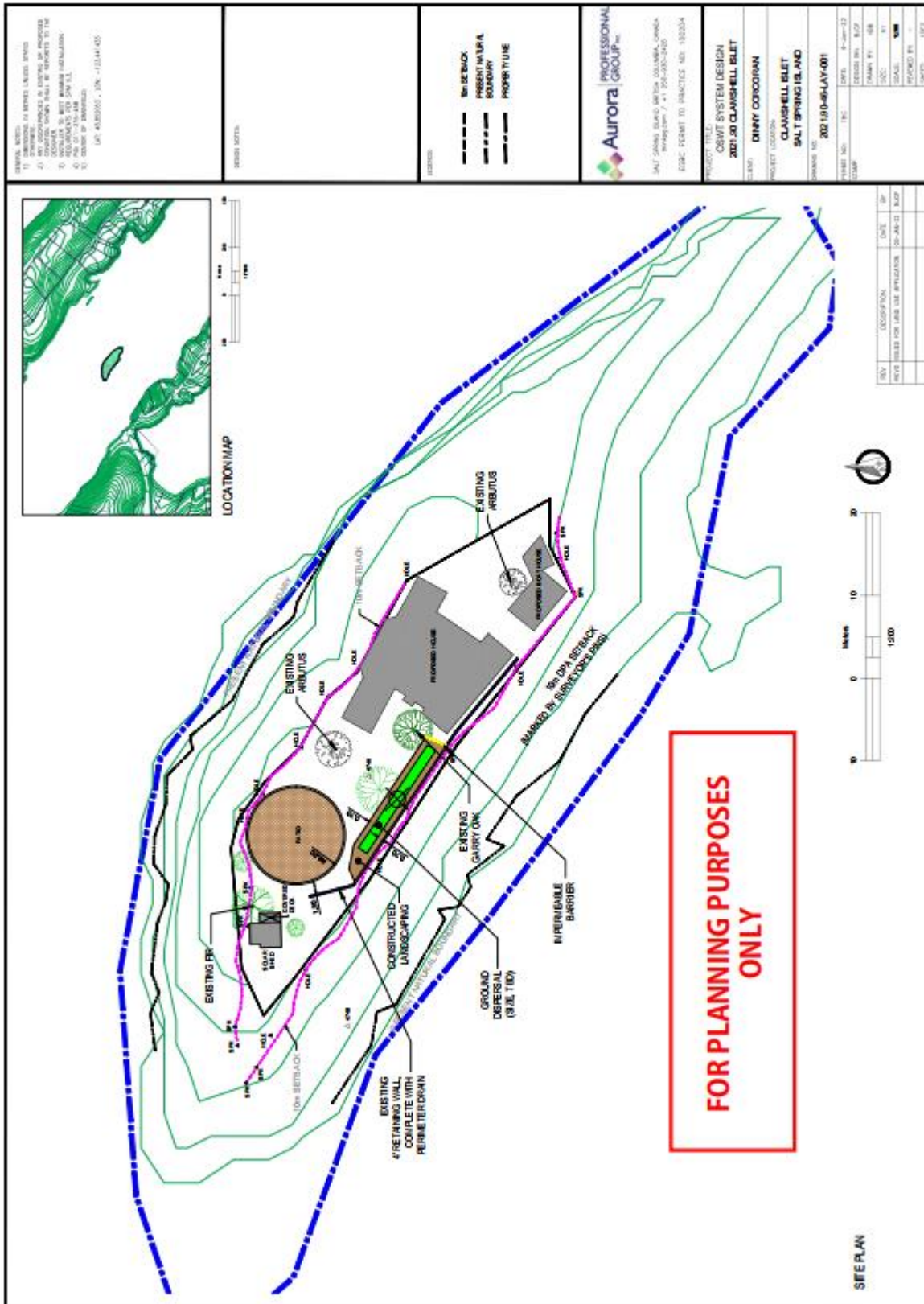
5 ATTACHMENTS

Include in Owner Report	Include with Report
A. ☐ Site Evaluation Worksheets	☐
B. ☒ Aurora Professional Group Inc. General Conditions	☐
C. ☐ Aurora Professional Group Inc. OQM	☐
D. ☐ Archeological Potential Map	☐
E. ☒ Contours Map	☒
F. ☒ Development Permit Areas Map	☒
G. ☐ Health Orders	☐
H. ☐ Infrared Camera Report	☐
I. ☒ Parcel Map	☒
J. ☐ Photo Log	☐
K. ☐ Pipe Camera Report	☐
L. ☐ Previous Sewerage System Filings	☐
M. ☐ Proximate Wells Map	☐
N. ☐ Sampling Records	☐
O. ☒ Satellite Map Choose an item.	☒
P. ☐ Proposed System - Sketch	☐
Q. ☒ Third Party Reports	☒
R. ☐ Well Records	☐
S. ☐ Land Title Records	☒

6 SIGN-OFF

Engineer of Record	BRADLEY FOSSEN Name	 Sign
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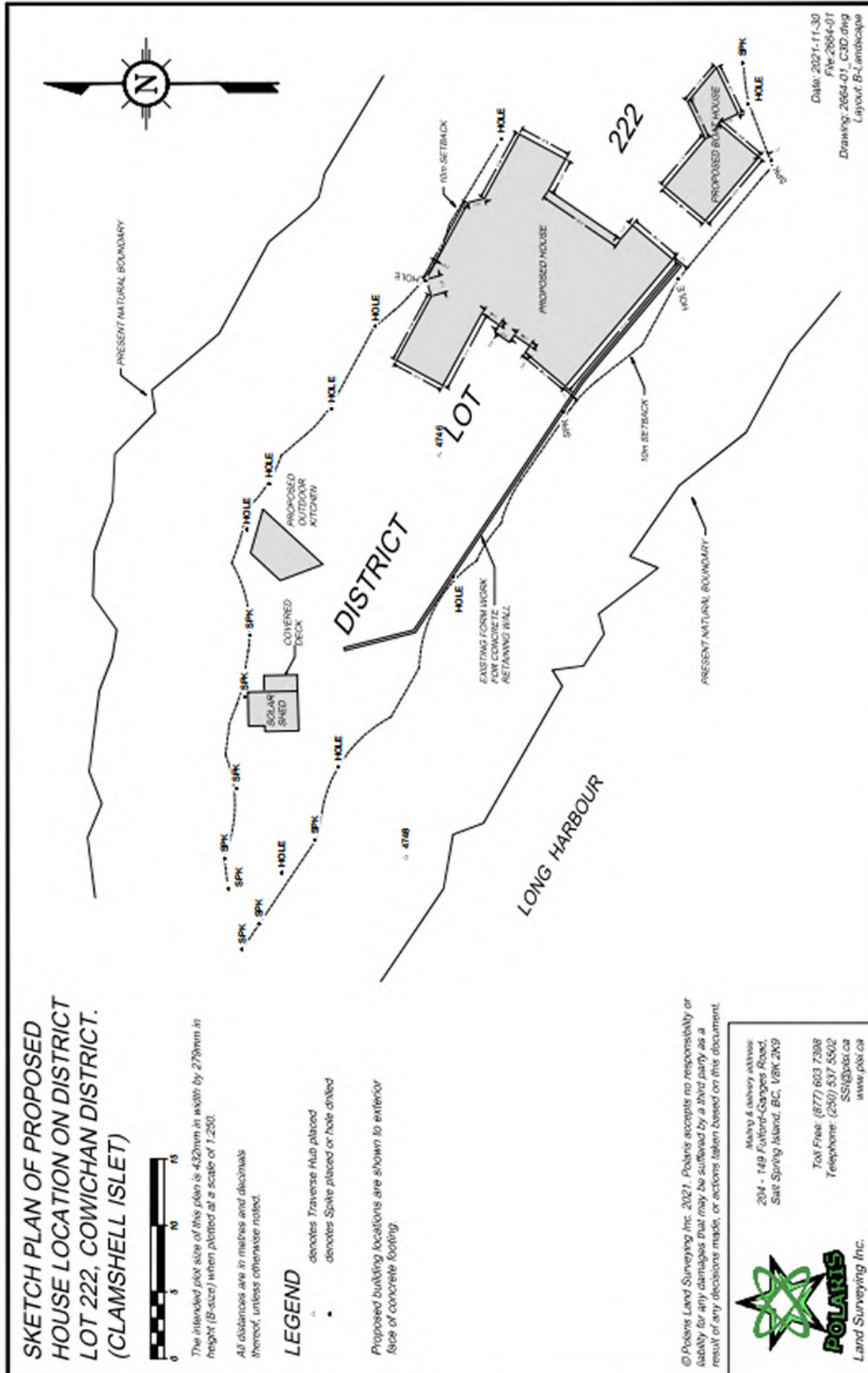
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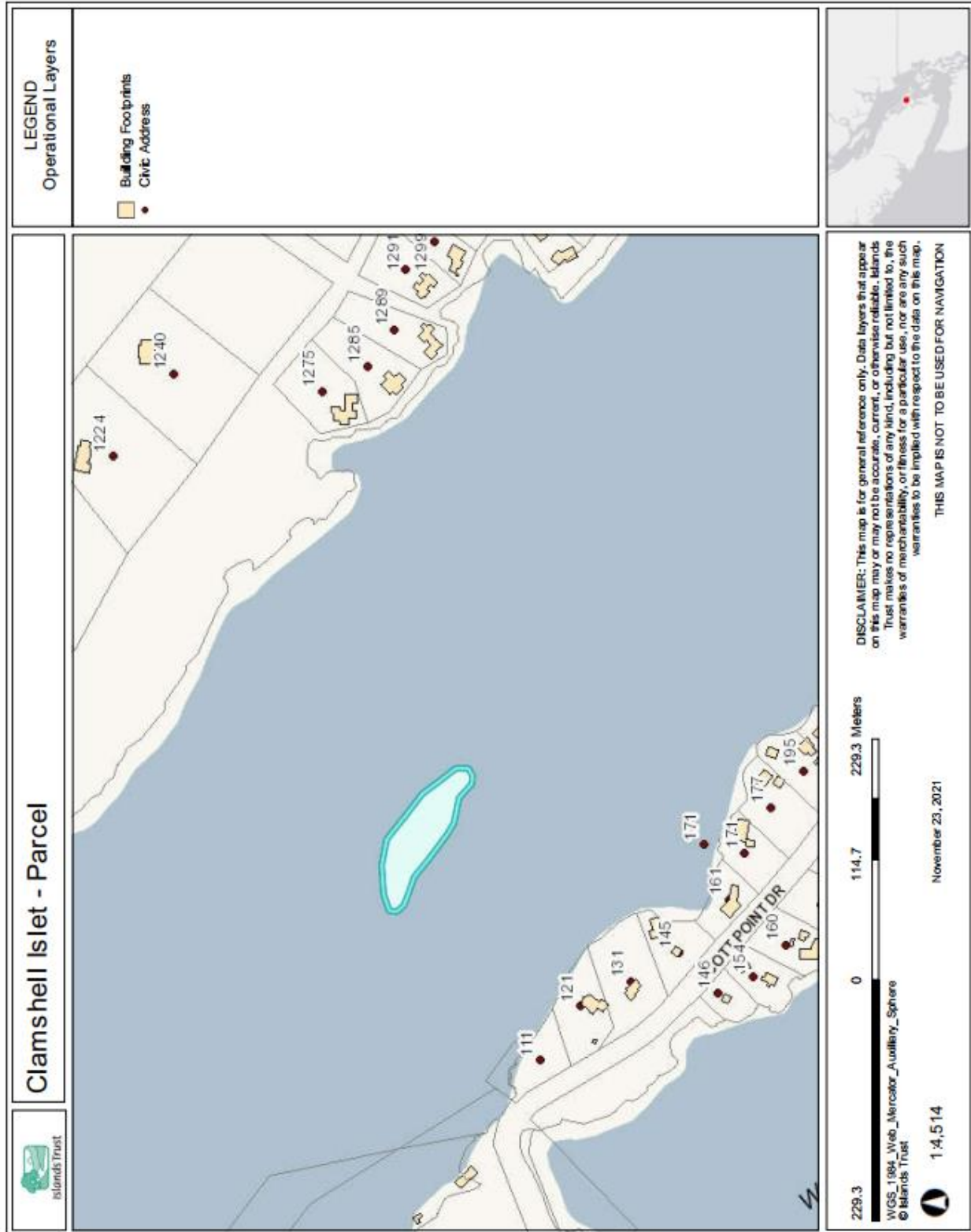
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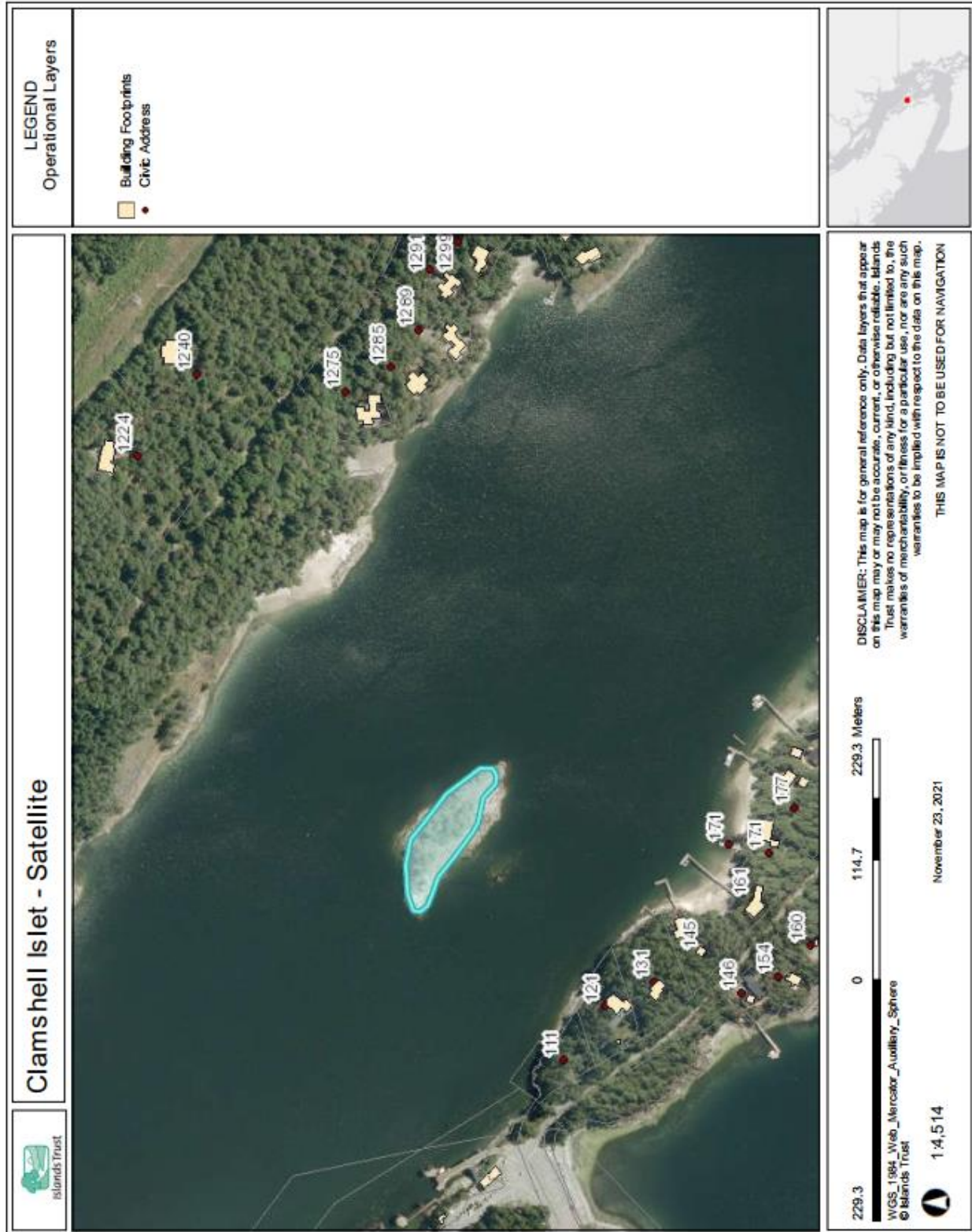
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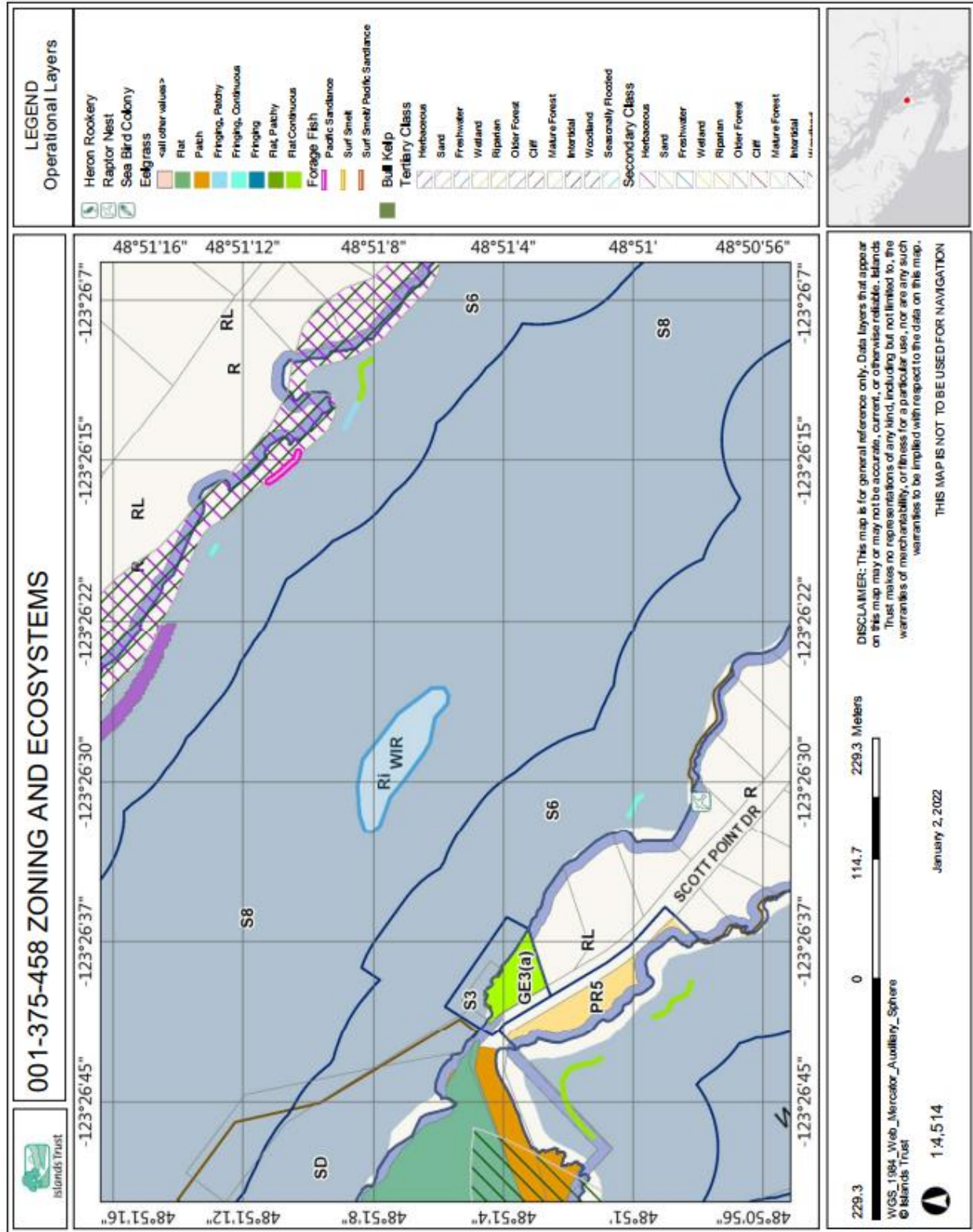
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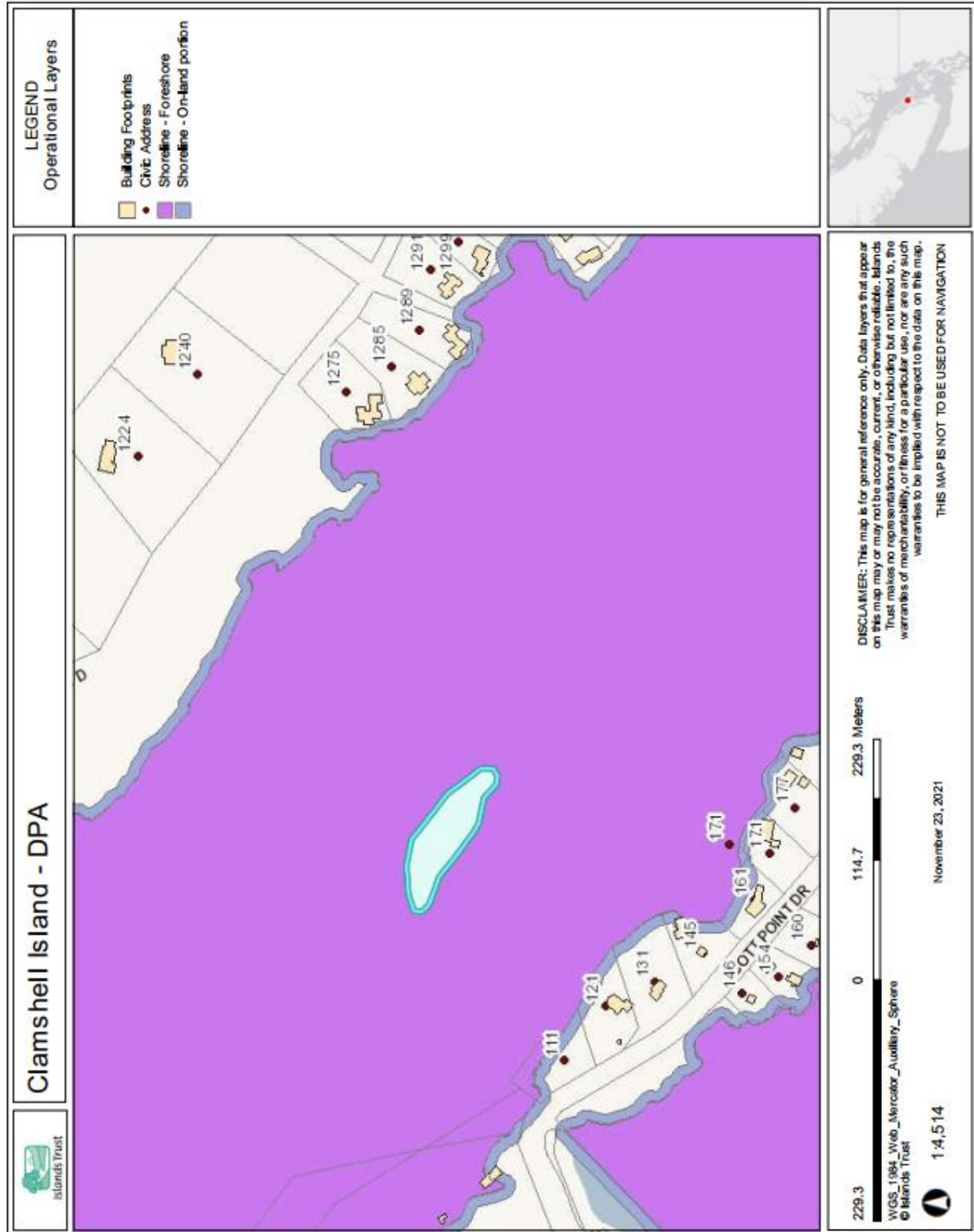
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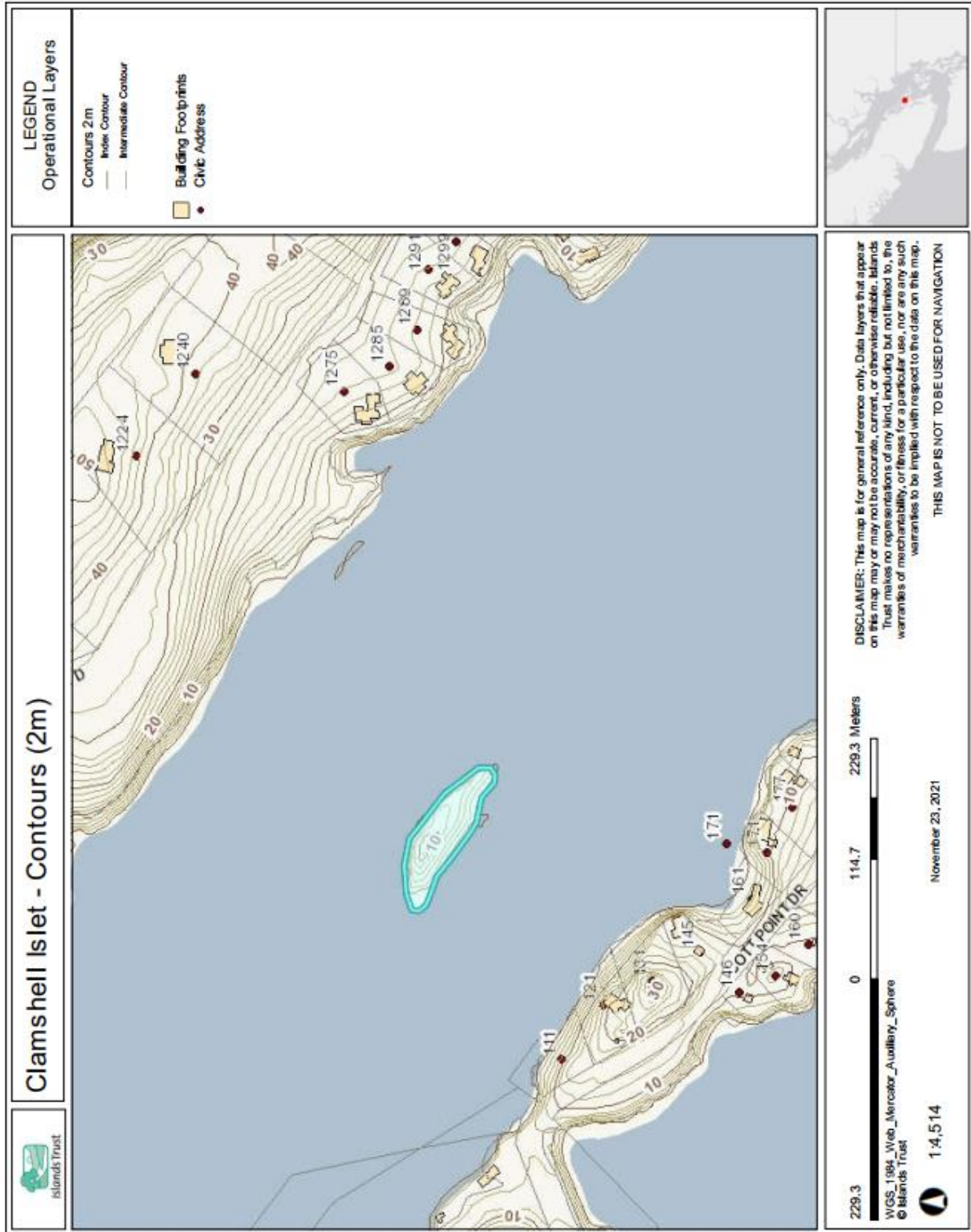
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SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.1





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 siting of a septic disposal field and retaining wall.

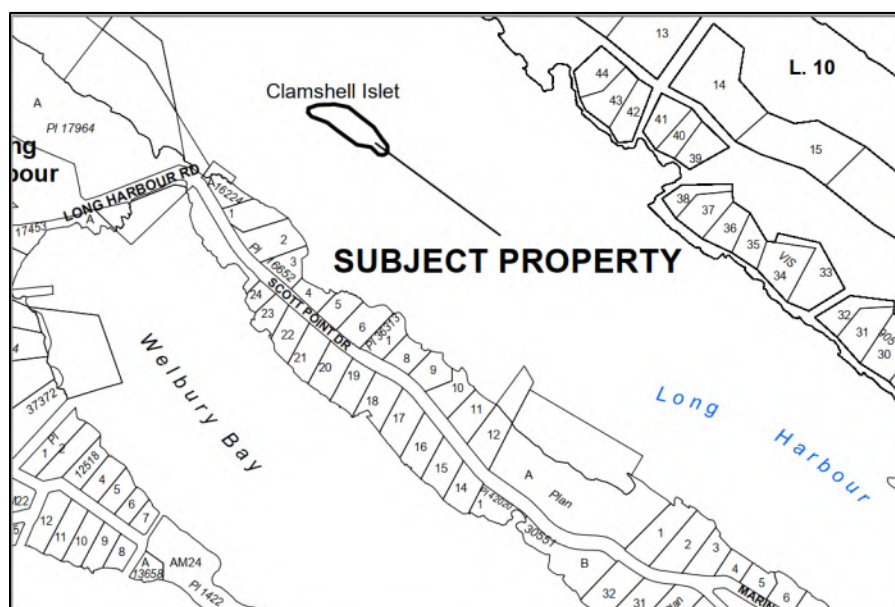
The applicant is seeking the following variances to site a proposed septic field and existing retaining wall:

- Decrease in the setback to the natural boundary of the sea from 30 m to 10 m to permit the siting of a proposed septic field (*see Section 3.1 of attached permit*);
- Decrease in the setback to the natural boundary of the sea from 15 m to 0 m to permit the siting of an existing retaining wall (*see Section 3.2 of attached permit*).

The subject property is described as:

- Clamshell Islet, Salt Spring Island Local Trust Area
- PID: 001-375-458
Legal Description: LOT 222, COWICHAN DISTRICT, CONTAINING 1.10 ACRES MORE OR LESS
- Application SS-DVP-2022.1

The location of the property 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, March 22, 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 March 11, 2022 or later, to view the order of agenda items and the relevant Staff Report for the applications.

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, March 21, 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 March 22, 2022.

More Information?

- Additional information on this application is available for review by the public after March 11, 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

File No.: SS-ALR-2021.5

X-Ref.: SS-BE-2008.46

DATE OF MEETING: March 22, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Planner 2
Salt Spring Island Team

SUBJECT: Non-farm use to permit automotive uses in the Agricultural Land Reserve
Applicant: Kimberly Young and Erik Lundstrom
Location: 181 Beddis Road

RECOMMENDATION

1. **That the Salt Spring Island Local Trust Committee decline to forward application SS-ALR-2021.5 to the Agricultural Land Commission for the following reasons:**
 - a. **The use is not supported by Salt Spring Island Land Use Bylaw No. 335, Salt Spring Island Official Community Plan No. 434, and the Agricultural Land Reserve Use Regulation.**

REPORT SUMMARY

This report provides the Salt Spring Island Local Trust Committee (SS LTC) with the results of the Agricultural Advisory Planning Commission's (AAPC) consideration of this non-farm use application for vehicle parking in the Agricultural Land Reserve. The AAPC recommended that the SS LTC forward the application to the Agricultural Land Commission (ALC) with support, subject to receipt of a farm plan. Staff acknowledge the AAPC's reasons for recommending approval, however, staff find no policy or regulatory support for the non-farm use in this location and so do not recommend that the application be supported. If the SS LTC wishes to forward the application to the ALC with support, a resolution to do so is provided in the alternatives section below.

BACKGROUND

The SS LTC considered this application at its meeting of December 14, 2021, where it was referred to the AAPC for comment. The AAPC considered the application at its meeting of February 3, 2022, where the following resolution was passed:

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommends that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.5 to the Agricultural Land Commission with support subject to the following conditions:

- The applicants submit a farm plan for the portion of the property used for vehicle parking that includes best practices for protecting the agricultural value including maintaining the soil on site;
- Insuring a protection and prevention plan for soil contamination;
- There is no impact to surrounding properties;
- There is a community need for automotive repair service.

The previous staff report containing images and regulatory analysis can be found on page 280 here:

<https://islandstrust.bc.ca/document/salt-spring-ltc-regular-meeting-agenda-4/>

ANALYSIS

Policy/Regulatory

Official Community Plan:

The previous staff report contains relevant [Official Community Plan](#) policies. However, staff consider the following OCP policy to be most relevant to this application and highlight it again:

- B.6.2.2.16 The Local Trust Committee could support applications to the Agricultural Land Commission for non-farm use or exclusion of land within the Agricultural Land Reserve in some situations where local farming or the greater community would benefit. Support for such applications should only be considered if the application has been referred to the Agricultural Advisory Committee and falls into one of the following categories:
- the proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property.
 - the proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7.
 - in the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of existing non-ALR farmland into the ALR.
 - the non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property

Staff consider that none of the above criteria for a non-farm use have been met, except for perhaps (d):

Criteria	Planner comments
The proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property.	There has been no active farming demonstrated on the property. The non-farm use will not support more active farming. Area available for farming has been decreased.
the proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7	The non-farm use is not consistent with the Land Use Bylaw or OCP, nor one of the areas referred to in B.3.3.2.10 or a use in B.7.2.2.7.
In the instance of a proposed exclusion, the Local Trust Committee may consider an application that	Not applicable, as not an exclusion application.

would result in inclusion of existing non-ALR farmland into the ALR	
The non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property	Automotive repair may be considered by some to be an essential service, though not in the same category as an emergency response station. The location does not appear to be limited by engineering constraints. Rather, the applicant wishes to store more vehicles than the zoned portion of the land permits and has selected a convenient alternative. The applicant may wish to explore more efficient use of the GE2(f)-zoned portion of the property.

Issues and Opportunities

AAPC Referral

As noted above, the AAPC considered the application and recommended that the SS LTC support the application on the condition that a farm plan be submitted for the impacted area (around the perimeter, where soil has been piled), and that the risk of contamination and impacts to surrounding properties be minimized. The need for automotive repair services on the island was also noted (see appendix 1 for AAPC meeting minutes). If the SS LTC agrees with the AAPC's recommendation, an alternative resolution to support the application has been provided.

Parking

The non-farm use of the area under consideration does go a long way in relieving the long-standing bylaw compliance issue of parking overflow cars in the Ministry of Transportation and Infrastructure right of way. If the non-farm use application is unsuccessful, it appears likely that the right of way parking would re-commence to some degree, as the options for lawful parking on site are limited under current conditions. However, during the site visit, staff noted that a significant percentage of the existing parking area on the General Employment portion of the subject property is taken up with derelict vehicles that are no longer registered; some expired insurance tags were observed to be ten years old. While outdoor storage of derelict automobiles is a permitted use in the GE2(f) zone, staff question whether it is prudent to occupy farm land while existing, appropriately zoned land is substantially used for derelict vehicle storage.

Support for farming

As noted above, SS LTC support for non-farm use applications is guided by OCP policy. As there is no evidence that the subject property is an active farm, there is little to no farming justification to support the non-farm use (see AAPC recommendations for counterpoint in section below), as it would need to relate to broadening the income of an already active farm. All evidence indicates that the primary use on the property is automotive repair.

General Employment Lands

The need for additional General Employment zoned land on Salt Spring Island is well established (see previous staff report), and the difficulty in expanding existing industrial operations to meet increased demand for services – as is especially evident in this case with the closure of two long-standing automotive repair shops in the last year – is

also noted. In response to this, the SS LTC amended the OCP to provide policy direction for the future growth areas of General Employment land – the location at Beddis Road was not identified as such.

Consultation

Agricultural Land Reserve applications do not require notification or consultation; none has been undertaken.

Protocols

No relevant protocols identified.

Agencies

No agency referrals required.

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 application is consistent with respect to SS 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 analysis finds the application does not meet the OCP criteria for the SS LTC to support as a non-farm use.

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 the applicant submit to the Islands Trust a farm plan and a soil management plan prepared by a Professional Agrologist or Professional Geoscientist

2. Approve the application

The SS LTC may approve the application. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request staff forward application SS-ALR-2021.5 to the Agricultural Land Commission with support for the following reasons:

- a. The application is supported by the Agricultural Advisory Planning Commission;*
- b. The applicant has maintained the soil on site for future site restoration if required;*
- c. Portions of the impacted area can still be utilized for farming purposes;*
- d. The applicant has demonstrated a need for expansion of non-farm uses onto agricultural land.*

NEXT STEPS

If the SS LTC accepts staff's recommendation, the application will be closed and referred to Islands Trust Bylaw Compliance and Enforcement staff for further action. If the SS LTC resolves to proceed with the application with support, the applicant will be required to obtain a Temporary Use Permit or a rezoning pending approval by the ALC.

Submitted By:	Geordie Gordon, Planner 2	March 3, 2022
Concurrence:	Jason Youmans, Acting Regional Planning Manager	March 7, 2022

ATTACHMENTS

1. Agricultural Advisory Planning Commission Draft Minutes February 3, 2022.



Salt Spring Island Agricultural Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting: Thursday, February 3, 2022

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

Members Present: Bree Eagle, Chair
Brent Brochu-Ingram, Vice Chair
Nathan Roberson, Commissioner

Regrets: Ken Byron, Commissioner
Zack Hemstreet, Commissioner
Conrad Pilon, Commissioner

Staff Present: Geordie Gordon, Planner 2
Sarah Shugar, Recorder

Media and Others Present: Trustee Laura Patrick
Applicant Lorna Fraser
Applicant Eric Lundstrom
Applicant Kim Young

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

Chair Eagle called the meeting to order at 3:10 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1. Draft Minutes of the October 21, 2021 AAPC Meeting – For Adoption

By general consent, the minutes of the October 21, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were adopted.

2.2. Meetings Notes of the November 25, 2021 AAPC Meeting – For Information

By general consent, the minutes of the November 25, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were received.

3. BUSINESS ITEMS

3.1 SS-ALR-2021.5 - K. Young - 181 Beddis Road, SSI

Planner Gordon presented a memorandum dated December 20, 2021 regarding a non-farm use application to permit the use of Agricultural Land Reserve (ALR) land for vehicle parking in support of an automotive repair shop.

Applicants Kim Young and Eric Lundstrom spoke to the application.

In discussion the following comments and questions were noted:

- Support was expressed for supporting small businesses and that there is a community need for automotive repair service. It was noted several automotive repair shops have closed in the past year.
- There was a question regarding whether the vehicles are moved regularly and is the area used as a salvage yard. The applicants reported the intended use of the new parking area is to hold vehicles until they are picked up after repairs are done and that it will not be used as a salvage area. It was noted there is currently no metal recycling service on Salt Spring Island and the applicant makes regular trips to transport salvage vehicles off island.
- Support was expressed for the new parking area to be used for the temporary parking of vehicles.
- There was a comment that it is important that the topsoil remains intact on the property. The applicants reported the topsoil has been moved to berms on either side of the parking area. There was no placement of fill and the area contains a layer of ¾ inch crushed gravel.
- Support was expressed for a farm plan that may include fruit trees.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommends that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.5 to the Agricultural Land Commission with support subject to the following conditions:

- The applicants submit a farm plan for the portion of the property used for vehicle parking that includes best practices for protecting the agricultural value including maintaining the soil on site;
- Insuring a protection and prevention plan for soil contamination;
- There is no impact to surrounding properties;
- There is a community need for automotive repair service.

CARRIED

Applicants K. Young and E. Lundstrom left the meeting at 3:45 p.m.

3.2 SS-ALR-2021.6 – N. Fraser and M. Fraser – 240 Atkins Road, SSI

Planner Gordon presented a memorandum dated January 20, 2022 regarding an application for non-farm use in the Agricultural Land Reserve for an automotive repair shop.

Applicant Noella Fraser spoke to the application.

In discussion the following comments and questions were noted:

- Support was expressed for the site plan the applicants provided.
- Support was expressed for the soil quality report.
- There was a comment that the area has been identified for General Employment Use in the Official Community Plan.
- Support was expressed for the community need for automotive repair service businesses.
- There was a question regarding how many campsites will be developed. The applicant reported seven campsites would be developed.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.6 to the Agricultural Land Commission with support for the following reasons:

- The work the applicants have done to provide a farm plan.
- The soil quality report that indicates limited agricultural use for Zone 3 (the workshop area).
- There is a community need for automotive repair service.
- The area has been identified for General Employment Use in the Official Community Plan.

CARRIED

Applicant N. Fraser left the meeting at 4:13 p.m.

3.3 Draft Bylaw No. 527 – Fees Bylaw Staff Memorandum

Planner Gordon presented a memorandum dated regarding Referral of Draft Fees Bylaw – Consideration of Community Benefit

In discussion the following comments and questions were noted:

- Support was expressed for agricultural initiatives.
- Support was expressed for making the distinction of an agricultural initiative that is a private enterprise when considering reduced fees.
- There was a comment that application fees should not be waived for vineyards or cannabis.
- Support was expressed for food processing and production to support the goals of food sovereignty.
- There was a comment that farm private enterprise can pay the same way that a successful artisan can pay fees.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee include the following in the Community Amenity Section of the Official Community Plan: local agricultural processing and local agricultural production excluding cannabis.

CARRIED

4. OTHER BUSINESS

4.1 2022 AAPC Meeting Schedule For Information

The 2022 AAPC Meeting Schedule was received for information.

5. ADJOURNMENT

By general consent the meeting adjourned at 4:40 p.m.

Bree Eagle, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

DRAFT

File No.: SS-ALR-2021.6

X-Ref.: SS-BE-2019.59

DATE OF MEETING: March 22, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Geordie Gordon, Planner 2
Salt Spring Island Team

SUBJECT: Non-farm use to permit automotive uses in the Agricultural Land Reserve
Applicant: Noella Fraser
Location: 240 Atkins Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request staff to forward application SS-ALR-2021.6 (240 Atkins Road) to the Agricultural Land Commission with support for the following reasons:
 - a. The automotive use is consistent with Salt Spring Official Community Plan policies for the future development and use of the area;
 - b. The applicant has provided an agrologist report indicating that the non-farm use is occurring on an area of poor soil quality;
 - c. The application is supported by the Agricultural Advisory Planning Commission.

REPORT SUMMARY

This report provides the Salt Spring Island Local Trust Committee (SS LTC) with the results of the Agricultural Advisory Planning Commission's (AAPC) consideration of this non-farm use application for automobile repair in the Agricultural Land Reserve. The AAPC recommended that the SS LTC forward the application to the Agricultural Land Commission (ALC) with support. Staff find that there is policy support for the non-farm use and do not find that it significantly decreases the farming potential of the subject property. Staff recommend that the SS LTC forward the application to the ALC with support.

BACKGROUND

The SS LTC considered this application at its meeting of January 18, 2022, where it was referred to the AAPC for comment. The AAPC considered the application at its meeting of February 3, 2022, where the following resolution was passed:

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.6 to the Agricultural Land Commission with support for the following reasons:

- The work the applicants have done to provide a farm plan.
- The soil quality report that indicates limited agricultural use for Zone 3 (the workshop area).

- There is a community need for automotive repair service.
- The area has been identified for General Employment Use in the Official Community Plan.

CARRIED

The previous staff report containing images and regulatory analysis can be found on page 228 here:

<https://islandstrust.bc.ca/document/salt-spring-ltc-regular-meeting-agenda-5/>

ANALYSIS

Policy/Regulatory

Official Community Plan:

The previous staff report contains relevant Official Community Plan policies. However, staff consider the following OCP policies to be most relevant to this application and highlight it again here:

- B.6.2.2.16 The Local Trust Committee could support applications to the Agricultural Land Commission for non-farm use or exclusion of land within the Agricultural Land Reserve in some situations where local farming or the greater community would benefit. Support for such applications should only be considered if the application has been referred to the Agricultural Advisory Committee and falls into one of the following categories:
- a. the proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property.
 - b. the proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7.
 - c. in the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of existing non-ALR farmland into the ALR.
 - d. the non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property

Staff consider that the above criteria for a non-farm use have been substantially met in the following ways):

Criteria	Planner comments
The proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property.	The applicant has provided a farm plan and staff observed evidence of farming activity during site visit. However, the non-farm use and the existing/proposed farming do not appear to be directly linked – the automotive repair does not appear to directly broaden the income of the farming operation.
The proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7	The non-farm use is not consistent with the Land Use Bylaw. However, the subject property is one of the areas referred to in B.3.3.2.10 for future General

	Employment growth. A previous SS LTC supported an exclusion application that was unsuccessful.
In the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of existing non-ALR farmland into the ALR	Not applicable, as not an exclusion application.
The non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property	Automotive repair may be considered to be an essential service by some, though not in the same category as an emergency response station. Limited supply of General Employment land is a known issue.

OCP Policy B.3.3.2.10

If additional land is required for general employment uses necessary for the community, the Local Trust Committee could consider rezoning applications for properties near the junction of Rainbow and Atkins roads, near the junction of Long Harbour and Upper Ganges roads, and near the junction of Fulford-Ganges and Beaver Point roads	Subject property is at the junction of Rainbow and Atkins roads.
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Issues and Opportunities

AAPC Referral

The AAPC has recommended support for this application. A summary of the discussion points at the Feb 3rd meeting is attached as draft minutes in Appendix 1. The AAPC recommended support for the following reasons: the soil quality report, the need for automotive repair on the island, and the supportive OCP policies.

General Employment Lands

The need for additional General Employment zoned land on Salt Spring Island is well established (see previous staff report). In response to this, in 2020 the SS LTC amended the OCP to provide policy direction for the future growth areas of General Employment land. The subject property is one of the areas identified for future General Employment use. The SS LTC has previously supported an ALR exclusion application for the subject property (in 2016) based on this same policy. While there is policy support for the change in use, the applicant will still be required to obtain a Temporary Use Permit or a rezoning to continue the use in the event of a successful non-farm use application.

Farming Capability

The applicant is actively farming portions of the property, as noted in the site plan and ALC application submission. The applicant has also indicated areas where additional agricultural activity is planned to occur. In support of the agricultural activity existing and planned, the applicant has provided an agrologist report (see Appendix 3 of previous staff report) detailing soil quality on the subject property, which found several limitations on agricultural activity related to soil quality, and found over half (53%) of the available arable land to be of poor soil quality. Although the area of the automotive repair business has not been rated in the report, the area is adjacent to a larger area rated as 'poor'.

Consultation

Agricultural Land Reserve applications do not require notification or consultation; none has been undertaken.

Protocols

No relevant protocols identified.

Agencies

No agency referrals required.

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 application is consistent with respect to SS 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 analysis finds that there is OCP policy support for the non-farm use and there is not a significant impact to the long term farming capability of the subject property, as demonstrated in a supplied agrologist report. The application is supported by the AAPC. For these reasons, staff recommend that the application be supported.

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 likely 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 [insert report type and purpose].

2. Deny the application

The LTC may deny the application. Staff advise that the implications of this alternative are that the application will be closed and referred to Bylaw Compliance and Enforcement staff for further action.

That the Salt Spring Island Local Trust Committee deny application SS-ALR-2021.6 for the following reasons e.g. the non-farm use is .

NEXT STEPS

If the SS LTC accepts staff's recommendation, staff will forward the application to the ALC with support.

If the ALC approves the proposed non-farm use the applicant will still require either a Temporary Use Permit or rezoning from the Salt Spring Island Local Trust Committee.

Submitted By:	Geordie Gordon, Planner 2	March 3, 2022
Concurrence:	Jason Youmans, Acting Regional Planning Manager	March 7, 2022

ATTACHMENTS

1. Agricultural Advisory Planning Commission Draft Minutes February 3, 2022.



Salt Spring Island Agricultural Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting: Thursday, February 3, 2022

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

Members Present: Bree Eagle, Chair
Brent Brochu-Ingram, Vice Chair
Nathan Roberson, Commissioner

Regrets: Ken Byron, Commissioner
Zack Hemstreet, Commissioner
Conrad Pilon, Commissioner

Staff Present: Geordie Gordon, Planner 2
Sarah Shugar, Recorder

Media and Others Present: Trustee Laura Patrick
Applicant Lorna Fraser
Applicant Eric Lundstrom
Applicant Kim Young

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

Chair Eagle called the meeting to order at 3:10 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1. Draft Minutes of the October 21, 2021 AAPC Meeting – For Adoption

By general consent, the minutes of the October 21, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were adopted.

2.2. Meetings Notes of the November 25, 2021 AAPC Meeting – For Information

By general consent, the minutes of the November 25, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were received.

3. BUSINESS ITEMS

3.1 SS-ALR-2021.5 - K. Young - 181 Beddis Road, SSI

Planner Gordon presented a memorandum dated December 20, 2021 regarding a non-farm use application to permit the use of Agricultural Land Reserve (ALR) land for vehicle parking in support of an automotive repair shop.

Applicants Kim Young and Eric Lundstrom spoke to the application.

In discussion the following comments and questions were noted:

- Support was expressed for supporting small businesses and that there is a community need for automotive repair service. It was noted several automotive repair shops have closed in the past year.
- There was a question regarding whether the vehicles are moved regularly and is the area used as a salvage yard. The applicants reported the intended use of the new parking area is to hold vehicles until they are picked up after repairs are done and that it will not be used as a salvage area. It was noted there is currently no metal recycling service on Salt Spring Island and the applicant makes regular trips to transport salvage vehicles off island.
- Support was expressed for the new parking area to be used for the temporary parking of vehicles.
- There was a comment that it is important that the topsoil remains intact on the property. The applicants reported the topsoil has been moved to berms on either side of the parking area. There was no placement of fill and the area contains a layer of ¾ inch crushed gravel.
- Support was expressed for a farm plan that may include fruit trees.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommends that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.5 to the Agricultural Land Commission with support subject to the following conditions:

- The applicants submit a farm plan for the portion of the property used for vehicle parking that includes best practices for protecting the agricultural value including maintaining the soil on site;
- Insuring a protection and prevention plan for soil contamination;
- There is no impact to surrounding properties;
- There is a community need for automotive repair service.

CARRIED

Applicants K. Young and E. Lundstrom left the meeting at 3:45 p.m.

3.2 SS-ALR-2021.6 – N. Fraser and M. Fraser – 240 Atkins Road, SSI

Planner Gordon presented a memorandum dated January 20, 2022 regarding an application for non-farm use in the Agricultural Land Reserve for an automotive repair shop.

Applicant Noella Fraser spoke to the application.

In discussion the following comments and questions were noted:

- Support was expressed for the site plan the applicants provided.
- Support was expressed for the soil quality report.
- There was a comment that the area has been identified for General Employment Use in the Official Community Plan.
- Support was expressed for the community need for automotive repair service businesses.
- There was a question regarding how many campsites will be developed. The applicant reported seven campsites would be developed.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that Salt Spring Island Local Trust Committee forward application SS-ALR-2021.6 to the Agricultural Land Commission with support for the following reasons:

- The work the applicants have done to provide a farm plan.
- The soil quality report that indicates limited agricultural use for Zone 3 (the workshop area).
- There is a community need for automotive repair service.
- The area has been identified for General Employment Use in the Official Community Plan.

CARRIED

Applicant N. Fraser left the meeting at 4:13 p.m.

3.3 Draft Bylaw No. 527 – Fees Bylaw Staff Memorandum

Planner Gordon presented a memorandum dated regarding Referral of Draft Fees Bylaw – Consideration of Community Benefit

In discussion the following comments and questions were noted:

- Support was expressed for agricultural initiatives.
- Support was expressed for making the distinction of an agricultural initiative that is a private enterprise when considering reduced fees.
- There was a comment that application fees should not be waived for vineyards or cannabis.
- Support was expressed for food processing and production to support the goals of food sovereignty.
- There was a comment that farm private enterprise can pay the same way that a successful artisan can pay fees.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee include the following in the Community Amenity Section of the Official Community Plan: local agricultural processing and local agricultural production excluding cannabis.

CARRIED

4. OTHER BUSINESS

4.1 2022 AAPC Meeting Schedule For Information

The 2022 AAPC Meeting Schedule was received for information.

5. ADJOURNMENT

By general consent the meeting adjourned at 4:40 p.m.

Bree Eagle, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

DRAFT

File No.: SS-RZ-2020.1

X-ref: SS-DP-2020.8 & SS-BE-2019.71

DATE OF MEETING: March 22, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
SUBJECT: Rezoning (Bylaw Amendment) from Rural (R) to Rural (R) Variant
APPLICANT: D. & L. MacAlpine
LOCATION: 1351 Mountain Road, Salt Spring Island, BC (PID: 004-053-761)

RECOMMENDATION

1. 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 read a third time (SS-RZ-2020.1, 1351 Mountain Road).
2. 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 forwarded to the Secretary of the Islands Trust for approval by the Executive Committee (SS-RZ-2020.1, 1351 Mountain Road).

REPORT SUMMARY

This staff report proposes amendments to [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) to make lawful an existing oversized boathouse and to establish a 15-metre setback from the natural boundary of the sea. Proposed Bylaw No. 525 seeks to create a Rural zone variant on the subject property as follows:

- establishes a new Rural zone variant – R(p) – which permits a maximum of one boathouse not exceeding 60 square metres on all lands in this zone; and
- establishes a 15 metre setback to the natural boundary of the sea.

Staff recommend the Salt Spring Island Local Trust Committee (SS LTC) consider third reading of the proposed bylaw (Appendix No. 1) and forward it to Islands Trust Executive Committee for approval.

BACKGROUND

This report follows the February 15, 2022 meeting of the SS LTC where the following resolutions were passed (previous staff reports (including site context and photos), the proposed bylaw, correspondence, and referral responses) can be found on the [Salt Spring Island Current Applications webpage](#):

SS-2022-31

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 read a second time (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-32

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

That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 525, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021” is not contrary to or at variance with the Islands Trust Policy Statement (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-33

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

That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No. 525, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021” (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-34

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant send the Archaeological Overview Assessment to the Tsawout First Nation (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

ANALYSIS

Policy/Regulatory

The SS LTC is unfettered in its consideration of a rezoning and may choose to request more information, proceed more incrementally, or defer the application.

Islands Trust Policy Statement:

The SS LTC determined at its February 15, 2022 meeting that Proposed Bylaw No. 525 is consistent with the Islands Trust Policy Statement.

Issues and Opportunities

See staff reports considered at the SS LTC meetings of [June 29, 2021](#), [November 9, 2021](#) and [February 15, 2022](#) for detailed discussion of issues and opportunities associated with this application.

Consultation

A Community Information Session (CIS) will be held on March 17, 2022 and the Public Hearing (in accordance with [Section 464\(1\)\(b\)](#) of the *Local Government Act*) is scheduled for the same day as consideration of this report. Staff will provide SS LTC with a verbal summary of the CIS at its March 22, 2022 meeting.

In accordance with [Sections 465 & 466](#) of the *Local Government Act* and Section 9 of the [Salt Spring Island Development Procedures Bylaw No. 304](#), statutory notice of the Public Hearing was mailed to all owners and tenants in occupation of properties within 100 metres of the subject property’s boundaries on March 4, 2022. Additionally, in accordance with [Section 466\(3\)](#) of the *Local Government Act*, notice of the Public Hearing was advertised in two consecutive issues of the Gulf Islands Driftwood newspaper (March 9 & 16, 2022).

One piece of correspondence has been received in respect to this application (regarding density, received prior to the amendment of the application). Staff will verbally indicate if any additional correspondence has been received subsequent to submission of this report at the SS LTC meeting.

First Nations

Following the SS LTC meeting of February 15, 2022 and at the request of the SS LTC, the applicant forwarded a copy of the Archaeological Overview Assessment to the Tsawout First Nation on February 16, 2022.

Rationale for Recommendation

The proposed Land Use Bylaw amendment is generally consistent with relevant [Salt Spring Island Official Community Plan No. 434](#) policies and objectives and the Islands Trust Policy Statement and as such, can be advanced. At the time of submission of this report, the Community Information Session and Public Hearing have not yet occurred. Should any issues arise at the Public Hearing, staff will comment on those issues and how they may affect staff’s recommendations at that time. Following Public Hearing (notwithstanding significant concerns from the community) staff recommend the SS LTC read Proposed Bylaw No. 525 for a third time and forward to Executive Committee for approval.

ALTERNATIVES

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

1. Amend Proposed Bylaw No. 525

The SS LTC may wish to amend the proposed bylaw. If selecting this alternative, the SS LTC should describe the specific amendment. Staff note in accordance with [Section 470\(1\)\(b\)\(i\)](#) of the *Local Government Act*, amendments to a proposed bylaw following public hearing may not alter use, or increase or decrease density. Doing so would require a new Public Hearing. Recommended wording for such a resolution is as follows:

That Salt Spring Island Local Trust Committee amend Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021", by [list amendments...] (SS-RZ-2020.1, 1351 Mountain Road.

And:

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 read a third time, as amended (SS-RZ-2020.1, 1351 Mountain Road.

2. 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 costs 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 resolution is as follows:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-RZ-2020.1, 1351 Mountain Road.

3. Proceed no further

The SS LTC may decide to proceed no further with the application. Staff advise that the implication of this alternative is that the file would be closed and Bylaw Compliance and Enforcement will be informed of the outcome. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee proceed no further with application SS-RZ-2020.1 (1351 Mountain Road) for the following reasons: [list reasons...] (SS-RZ-2020.1, 1351 Mountain Road.

NEXT STEPS

If the recommended resolutions are accepted, proposed Bylaw No. 525 will be given third reading and staff will forward the proposed bylaw to Islands Trust Executive Committee.

Submitted By:	Kristine Mayes, Planner 1	February 22, 2022
Concurrence:	Jason Youmans, A/Regional Planning Manager	February 28, 2022

APPENDICES

1. Proposed Bylaw No. 525

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 525

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. 2, 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 inserting in Subsection 9.2.4 – Exceptions in Particular Locations – the following new Rural Zone Variation (p) – R(9) after Zone Variation R(o):

“Zone Variation – R(p)

(22) Despite Section 1.1 – Definition of “Boathouse” – a maximum of one *boathouse* not exceeding 60 square metres shall be located within all lands zoned R(p).

(23) Despite Subsection 4.4.2, the setback from the *natural boundary* of the sea is 15 metres.

And by making consequential numbering alterations to effect this change.

2.2 By changing the zoning classification of Lot 5, of Sections 33 and 37, South Salt Spring Island, Cowichan District, Plan 1812 from Rural – (R) to Rural Zone Variation (p) – R(p), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” of Bylaw No. 355 as are required to effect this change.

READ A FIRST TIME THIS 9TH DAY OF NOVEMBER 2021

READ A SECOND TIME THIS 15TH DAY OF FEBRUARY 2022

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

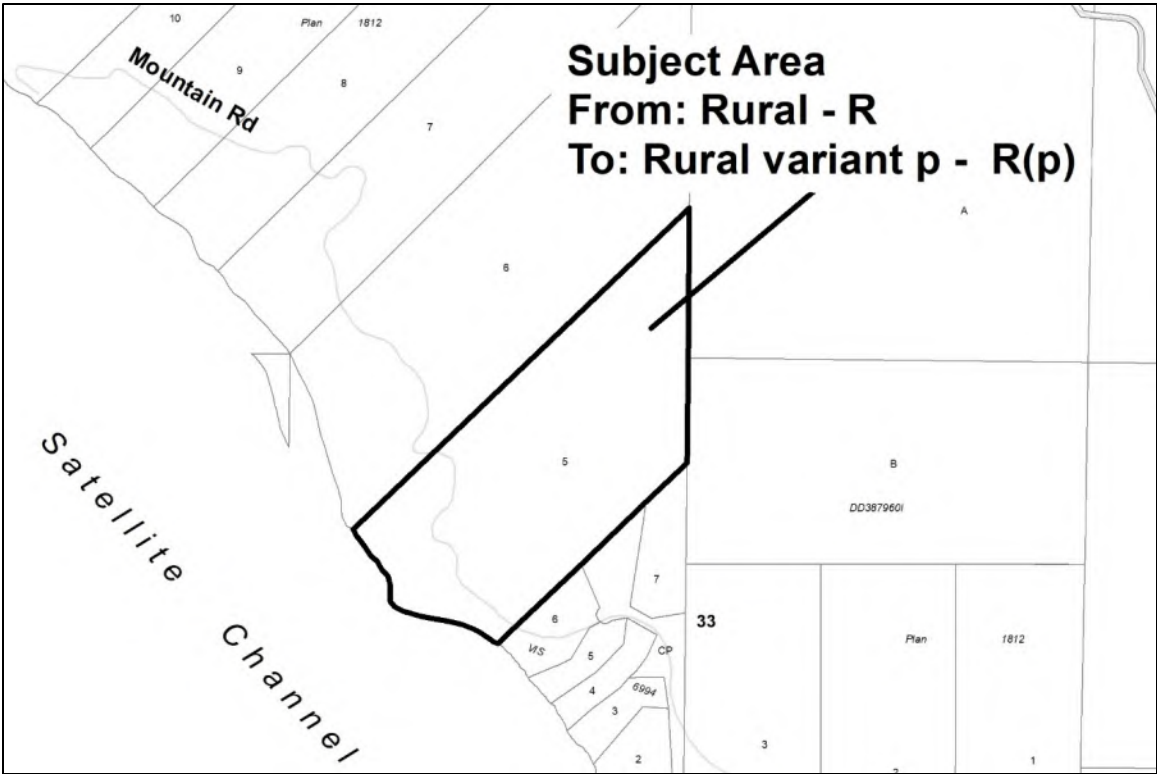
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

PROPOSED

Plan No. 1



File No.: SS-DVP-2021.21

DATE OF MEETING: March 22, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
SUBJECT: Development Variance Permit to Vary the Setback to the Natural Boundary of the Sea for a Proposed Walkway Structure, Vary the Setback from the Projection of an Interior Side Lot Line for the siting of a Proposed Docking Facility, Permit One Float Exceeding 12 Metres in Length and 3.6 Metres in Width, and to Increase the Length of the Draft Adjacent to a Float at Low Tide for a Private Moorage Dock
Applicant: Island Marine Construction Services Ltd. (D. McKerrell)
Location: Lots 12 & 13 Secret Island (PID: 003-354-156 & 003-354-202)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request staff to draft a Restrictive Use Covenant for the joint use of the proposed dock by Lot 12 and Lot 13 (SS-DVP-2021.21, Lots 12 & 13 Secret Island).
2. That the Salt Spring Island Local Trust Committee endorse staff to enter into a cost recovery agreement with the applicant (SS-DVP-2021.21, Lots 12 & 13 Secret Island).

REPORT SUMMARY

This Development Variance Permit (DVP) application seeks to vary [Capital Regional District Bylaw No. 103](#) (CRD 103) to permit the siting of a proposed walkway structure to the natural boundary of the sea and permit, reduce the setback from the projection of an interior side lot line between Lot 12 and Lot 13 to 0 metres, permit a float having a length of 21.64 m and a width of 7.62 metres, and increase the length of the draft adjacent to a float at low tide to 2.53 metres for a private moorage dock. Staff recommend the Salt Spring Island Local Trust Committee (SS LTC) request staff draft a restrictive use covenant for the joint use of the proposed dock for both lots prior to consideration of the proposed DVP (Appendix No. 1).

BACKGROUND

The subject properties (Figure No. 1 & 2) are located on Secret Island, an associated island within the Salt Spring Island Local Trust Area. The 0.11-hectare (0.27-ha) and 0.09-hectare (0.23-acre) properties are zoned Rural 2 (R2) and Water A (WA) along the foreshore. A comprehensive analysis of the subject properties and surrounding area can be found in Appendix No. 2.

This application has been submitted concurrently with a Crown Land Tenure application (private moorage) application (100363692) with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). The applicant is seeking variances to permit the installation of an oversized private moorage dock.

The proposed new dock seeks to provide private moorage for the owners of Lot 12 and Lot 13 as they are no longer able to dock at the community (group) moorage facility located on the north-eastern area on the island following a change to strata rules which does not permit the docking of boats exceeding 23 feet (the owners boat is 49 feet in length). In a letter submitted with the application, the applicant expressed concerns regarding the difficulty in accessing the community moorage dock from mooring buoys and provided rationale for the proposed dock size and configuration (Appendix No. 3) which will be an 88.3 square metre precast concrete slab L-shaped float held in place by four anchoring points (precast concrete anchors and rock pin anchors) connected to the shore via an aluminium framed ramp and steel piles (Appendix No. 4).

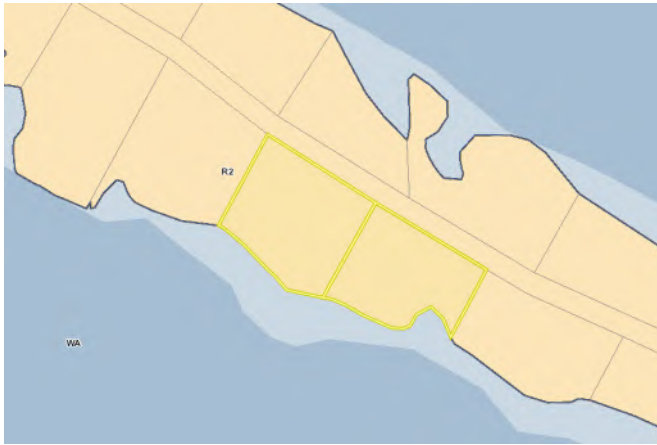


Figure 1: 2017 Orthophoto of Subject Properties



Figure 2: 2021 CRD Orthophoto of Subject Properties

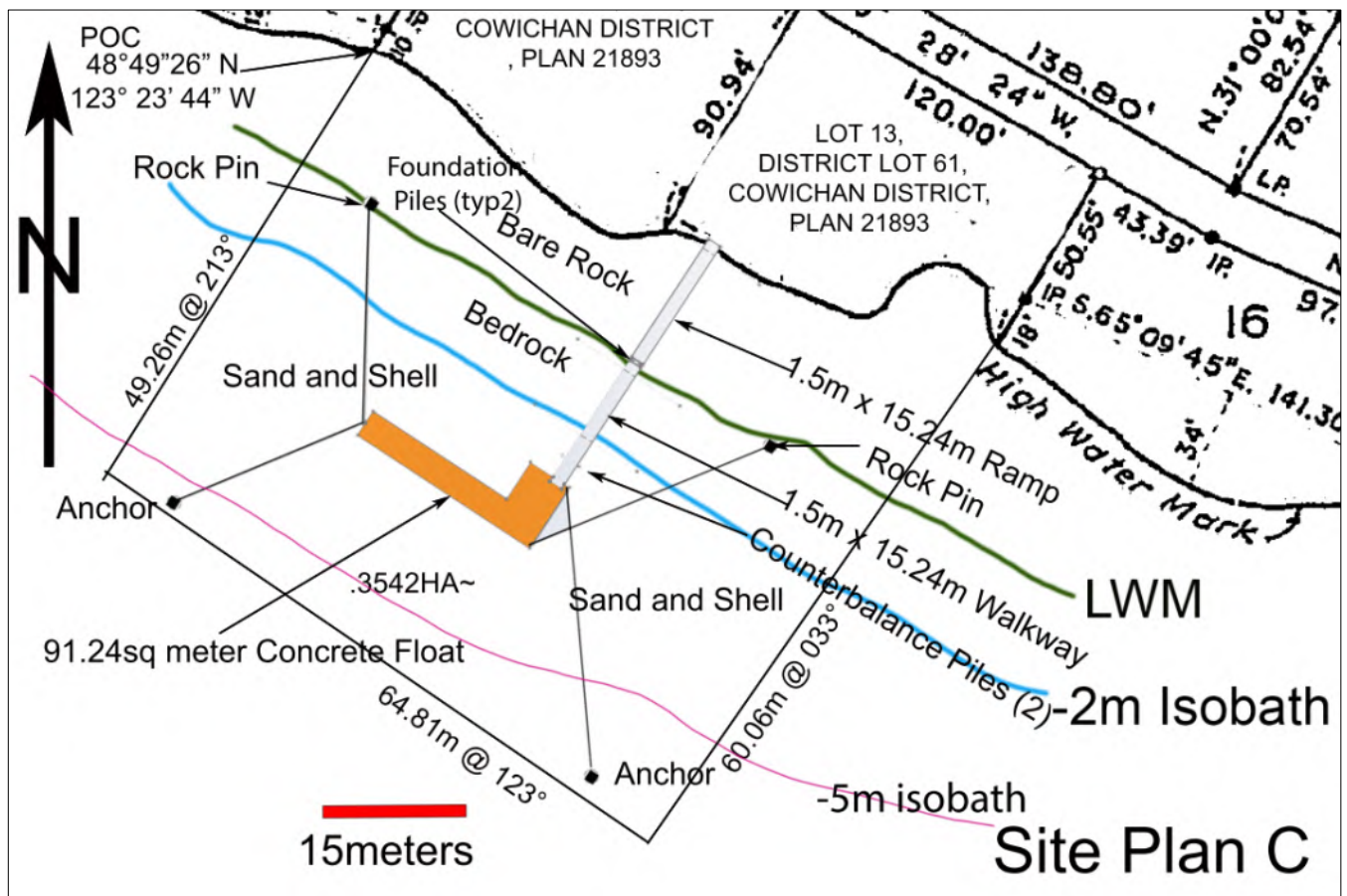


Figure 3: Site Plan for Subject Properties

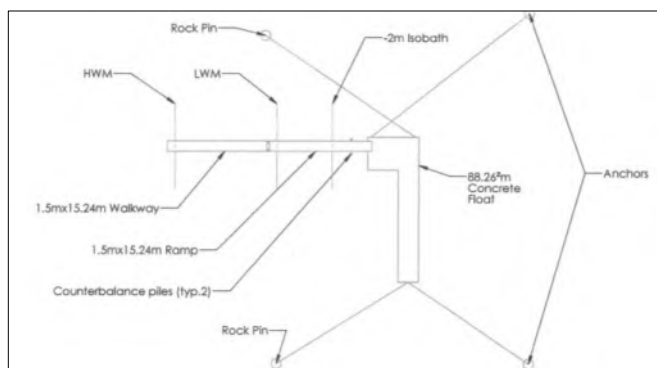


Figure 4: Overview of Dock Layout

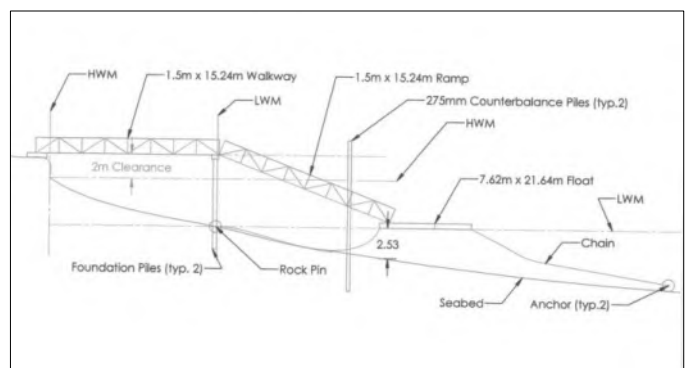


Figure 5: Elevation Plan of Dock Layout

ANALYSIS

Policy/Regulatory

Granting a variance does not set a precedent and the SS LTC is unfettered in its ability to grant or deny variances. However, the granting of variances regarding setbacks may create expectation in the community with regard to future applications. The DVP process enables property owners to relax minor land use bylaw regulations, while providing certainty for adjacent property owners and minimizing negative impacts on neighbours.

Islands Trust Policy Statement:

The following [Islands Trust Policy Statement](#) (ITPS) directive policies may provide context but are not applicable in respect to the proposed Development Variance Permit request:

- 4.5.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
- 4.5.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
- 5.5.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
 - the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

Official Community Plan:

There is no Official Community Plan for Secret Island.

The following [Salt Spring Island Official Community Plan No. 434](#) policies and Development Permit Area 3 (DPA3) – Shoreline guideline may provide context but are not applicable in respect to the proposed Development Variance Permit request:

- B.9.6.2.2 Zoning will continue to allow the residential *dock* uses allowed in current zoning and existing aquaculture leases, including communal *docks* that serve more than one property. Structures for residential use should continue to be limited to private *docks* and floats for access to residential uses and residential accessory uses allowed on the adjacent upland.
- B.9.6.2.3 The Local Trust Committee will encourage the joint use of private *docks* to reduce impacts on the natural and aesthetic environment.
- E.3.4.13 *Docks* should not be located over shellfish beds or lead to the removal of any kelp or eel grass beds.

Land Use Bylaw:

The proposed development meets CRD 103 regulations with the exception of the following:

- 6.8(3) No building or structure shall be located within 30 metres of the natural boundary of the sea, lake, stream or any other natural watercourse.
- 17.2(1) Private floats or wharves shall be set back 3 metres (10) feet from the projection of any side lot line.
- 17.2(2) The maximum length and width of mooring floats shall not exceed 12 metres (40) feet and 3.6 metres (12 feet) respectively, and only one mooring float shall be permitted per fixed pier.
- 17.2(3) Docking facilities, including the fixed pier, gantry and float, shall not extend from the shoreline by any further length than that required to accommodate a 1.5 metre (5 foot) draft adjacent to the float at low tide.

Additionally, the following CRD 103 definition and regulations are pertinent to this report:

- "Natural boundary"** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof in respect to vegetation as well as in respect to the soil itself.
- 17.1 Subject to the regulations in this Part, the following uses and no others shall be permitted in Water A Zone:
 - (2) private floats, wharves, piers and walkways for providing private access to uses permitted on the property immediately abutting the foreshore
 - (3) floating breakwaters, ramps, dolphins and pilings necessary for the establishment or maintenance of the uses permitted in this Part
- 17.4 Private floats and wharves shall be used for private access only and no commercial or industrial activity or use shall be permitted.

Issues and Opportunities

Docks on Secret Island

[Ministerial Order No. M329](#) – in effect August 24, 2021 to August 23, 2023 – states “no application for Crown land may be made with respect to private moorage, as specified in the Private Moorage Land Use Operational Policy, within the southern gulf islands and southeastern shoreline of Vancouver Island as shown in the map on the attached schedule, except applications to replace or assign an existing permission, lease or licence for private moorage, or applications for new private moorage where road access to the associated upland property does not exist”. The subject properties are water access only, and as such, may apply for a new lease. The applicant is seeking to construct a dock in front of two lots on the south-west facing shoreline of Secret Island along Captain Passage (Swanson Channel) – the first dock to be constructed on this side of the island (all other docks and mooring buoys are located along Glenthorne Passage (Figure No. 6 & 7)). Staff note the open exposure of the subject properties and foreshore will likely require a more fortified docking facility to withstand weather, tidal fluctuations and frequent marine traffic (including ferries and freighter anchorages). CRD 103 does not specify a maximum area for a float, however 17.2(2) notes a maximum length and width equaling 43.2 square metres. The proposed precast concrete slab L-shaped mooring float considered in this application measures 88.3 square metres.



Figure 6: 2021 CRD Orthophoto of Secret Island



Figure 7: Existing Crown Tenures and Eelgrass Mapping

Habitat Assessment Report – Presence of Bull Kelp & Eelgrass

The applicant provided a copy of the Habitat Assessment Report (Appendix No. 4) submitted in support of the Crown Lease application which notes “No observations of Bull Kelp (*Nereocystis luetkeana*) within the water lot are fronting the property were made during the survey. Though the hard bottom substrate habitat was determined to be conducive to Bull Kelp Growth. A few Bull Kelp were observed approximately 100 m to the south of the property. Additionally, no Eelgrass (*Zostera sp.*) was observed within the waterlot. Based on the distance from the HWM (+27 m), depth of the soft bottom substrate (> -2.0 C.D.) and the wave exposure, Eelgrass is not expected to occur at this site.” DPA3 guideline E.3.4.13 which may provide context but is not applicable to the subject properties recommends “Docks should not be located over shellfish beds or lead to the removal of any kelp or eel grass beds”.

Covenant for Joint Use of the Proposed Dock

The applicant is seeking construction of a proposed dock within the foreshore of Lots 12 and 13 (necessitating the variance for Subsection 17.2(1)) with the access for the proposed dock sited on Lot 13. Presently both lots are owned by the same entity. Staff have recommended that the SS LTC request staff to draft a Restrictive Use Covenant for the joint use of the proposed dock by Lot 12 and Lot 13 in consideration of ITPS directive policy 4.5.11 and as such a covenant may discourage the construction of additional docking facilities on Lot 12 should the ownership of the lots change. Staff note a covenant may only regulate use or prohibit structures on the on land portion of a lot (such as a dock ramp) but not a dock itself as it is located in the foreshore. Staff note this could be similarly achieved by way of an easement to access and use the dock – however, there would be no guarantee such an easement would exist in perpetuity these are a legal agreement between property owners and may be removed or amended at the discretion of the owners.

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 both subject property's boundaries on March 4, 2022.

No correspondence has been received at time of submission of this report. Staff will verbally indicate if any correspondence has been received subsequent to submission of this report at the SS LTC meeting.

Agencies

This application does not require agency referrals.

First Nations

This proposal does not require First Nations referral.

Rationale for Recommendation

In the absence of an Official Community Plan, staff have extracted related directive policies from the Islands Trust Policy Statement and Salt Spring Island Official Community Plan No. 434, which are not guiding policies but may provide context to the SS LTC in their deliberations. The applicant is seeking to vary four regulations within CRD 103 to permit the construction of a proposed private moorage docking facility for a boat that is no longer permitted to dock at the community moorage dock due to its length. Due to the size of the boat and the exposed location of the subject properties, the proposed dock exceeds float length and width, extends from the shoreline further than a length to accommodate a 1.5m draft. The siting of the dock also straddles the foreshore in front of both lots requiring a variance for the projection of the side lot lines. In consideration of ITPS policy 4.5.11 encouraging the joint use of docks and as the proposed dock is sited in front of both Lot 12 and Lot 13, staff recommend the SS LTC request staff draft a Restrictive Use Covenant for the joint use of the proposed dock for both lots prior to consideration of the proposed DVP (Appendix No. 1).

ALTERNATIVES

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

1. Approve the application

The SS LTC may approve issuance of the DVP (Appendix No. 1). Recommended wording for resolution:
That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.21 (Lots 12 & 13 Secret Island).

2. Deny the application

The SS LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed. The applicant may also choose to make an application to the Board of Variance. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of Development Variance Permit SS-DVP-2021.21 for the following reasons: [list reasons] (Lots 12 & 13 Secret Island).

3. 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 costs 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 resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-DVP-2021.21, Lots 12 & 13 Secret Island).

NEXT STEPS

If the recommended resolutions are adopted, staff will draft a legal services request to obtain a cost estimate for the covenant drafting and execution.

Submitted By:	Kristine Mayes, Planner 1	March 4, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 9, 2022

APPENDICES

1. Proposed Development Variance Permit
2. Site Context & Photographs
3. DVP Application Information from Applicant
4. Habitat Assessment Report

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.21

TO: C. PENNER & KLM ENTERPRISES INC.

1. This Development Variance Permit (the "Permit") applies to the lands described below:
PID: 003-354-156
LEGAL DESCRIPTION: LOT 12, DISTRICT LOT 61, COWICHAN DISTRICT, PLAN 21893

PID: 003-354-202
LEGAL DESCRIPTION: LOT 13, DISTRICT LOT 61, COWICHAN DISTRICT, PLAN 21893
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
 - Plan No. 2 Float Plan, dated October 14, 2021, by Island Marine Construction Ltd.
 - Plan No. 3 Elevation Plan, dated October 27, 2021, by Island Marine Construction Ltd.
3. Capital Regional District Bylaw No. 103, cited as "*Zoning By-Law, Planning Area No. 4, 1972*" is varied as follows:

6.8 SETBACKS - RESIDENTIAL

- 6.8(3) No building or structure shall be located within 30 metres of the natural boundary of the sea, lake, stream or any other natural watercourse.

The above subsection is varied to reduce the setback from the natural boundary of the sea from 30.0 metres to 0.0 metres for the siting of a proposed dock platform and walkway structure in accordance with Plan No. 1 & Plan No. 3 forming part of and attached to this permit.

17.2 EXTENT, FLOATS AND WHARVES

- 17.2(1) Private floats or wharves shall be set back 3 metres (10) feet from the projection of any side lot line.

The above subsection is varied to reduce the setback of the projection of an interior side lot line between Lot 12 and Lot 13 from 3.0 metres to 0.0 metres for the siting of a proposed docking facility in accordance with Plan No. 1 forming part of and attached to this permit.

- 17.2(2) The maximum length and width of mooring floats shall not exceed 12 metres (40) feet and 3.6 metres (12 feet) respectively, and only one mooring float shall be permitted per fixed pier.

The above subsection is varied to permit one mooring float having a length of 21.64 m and a width of 7.62 metres in accordance with Plan No. 1 & Plan No. 2 forming part of and attached to this permit.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.21

17.2(3) Docking facilities, including the fixed pier, gantry and float, shall not extend from the shoreline by any further length than that required to accommodate a 1.5 metre (5 foot) draft adjacent to the float at low tide.

The above subsection is varied to increase the length of the draft adjacent to a float at low tide from 1.5 metres to 2.53 in accordance with Plan No. 3 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 "Capital Regional District Bylaw No. 103, 1972" and to obtain other approvals necessary for completion of the proposed development, including approval from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Crown Lands) 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

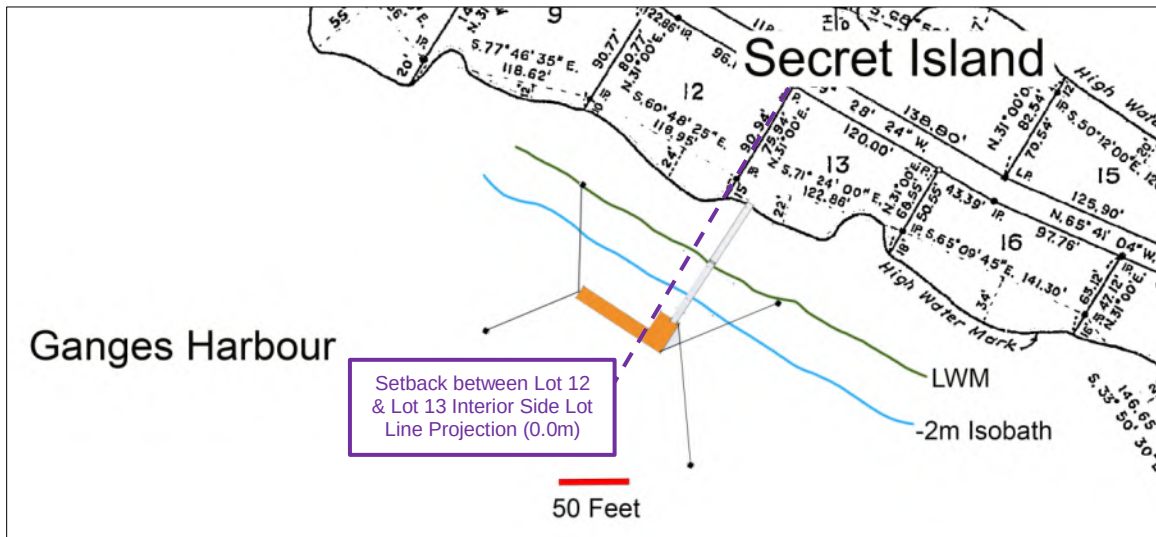
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE _____ DAY OF _____,
20____, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

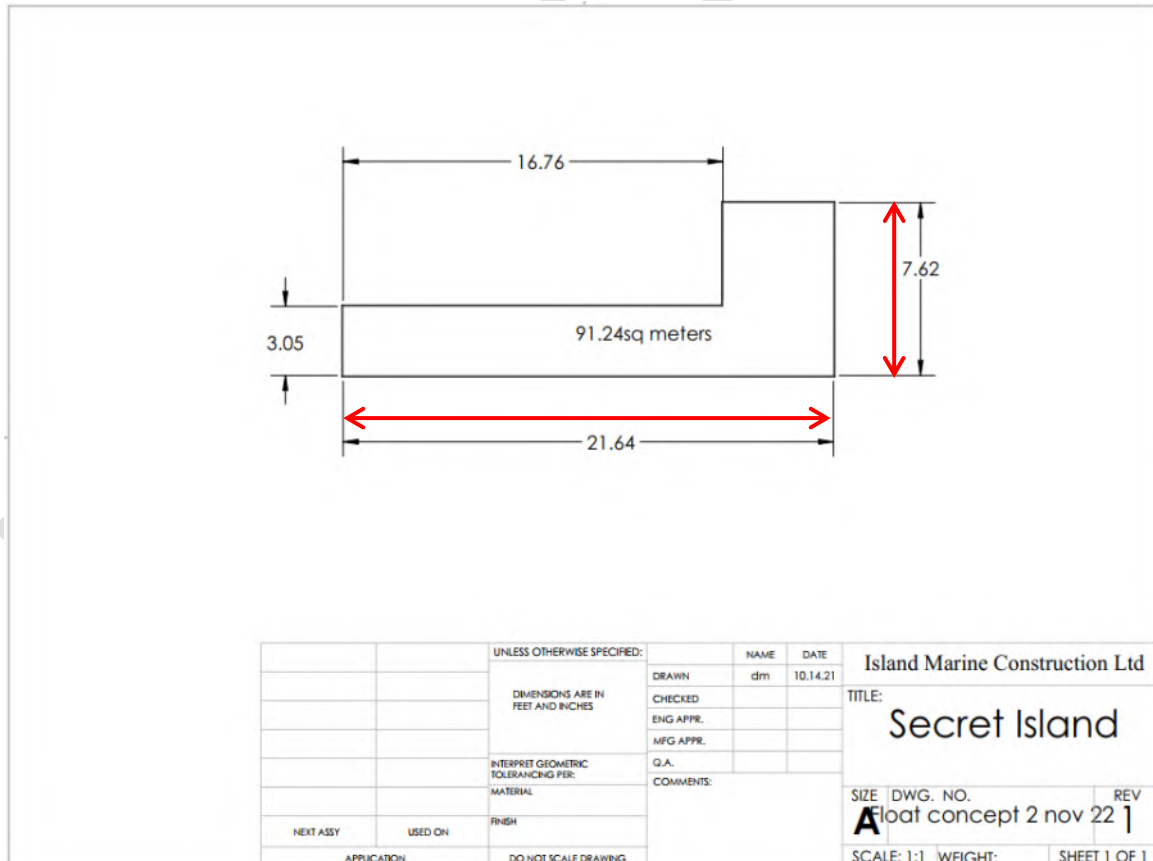


SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.21

PLAN NO. 1: Site Plan



PLAN NO. 2: Float Plan

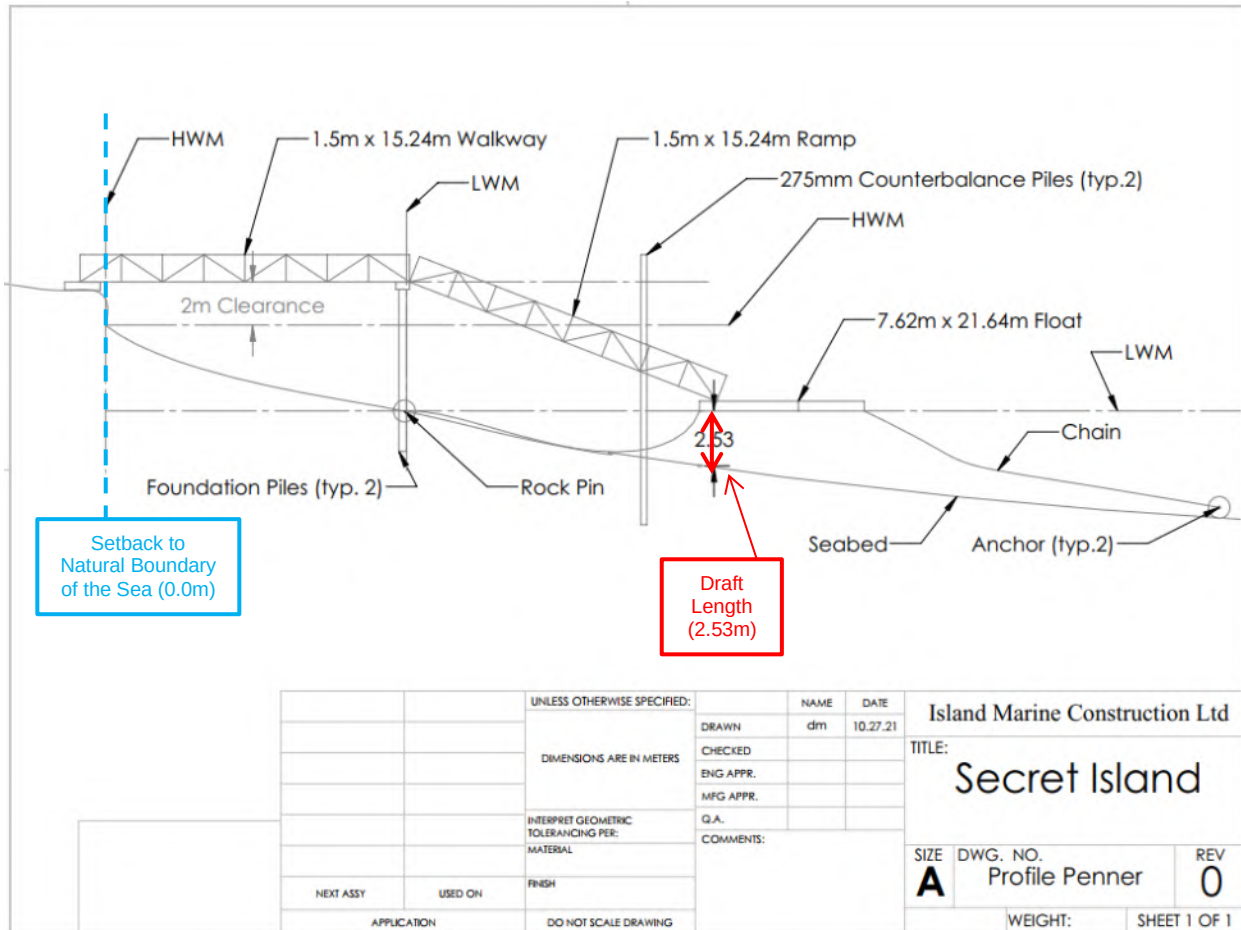


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.21

PLAN NO. 3: Elevation Plan



ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	Lot 12, District Lot 61, Cowichan District, Plan 21893 & Lot 13, District Lot 61, Cowichan District, Plan 21893
PID	003-354-156 & 003-354-202
Civic Address	Lots 12 & 13 Secret Island

LAND USE

Current Land Use	Residential – Dwelling Unit on Lot 12
Surrounding Land Use	Residential  <i>Islands Trust Zoning Map (subject properties indicated in yellow)</i>  <i>CRD 2021 Orthophoto</i>

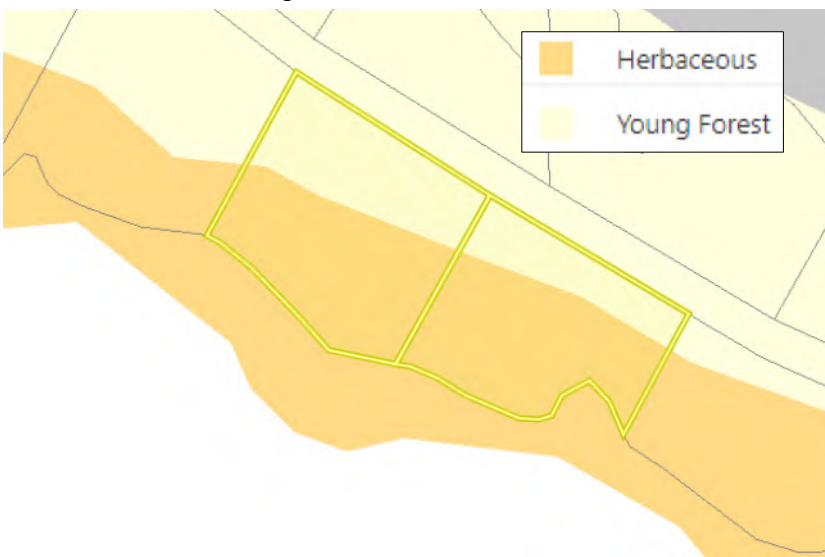
HISTORICAL ACTIVITY

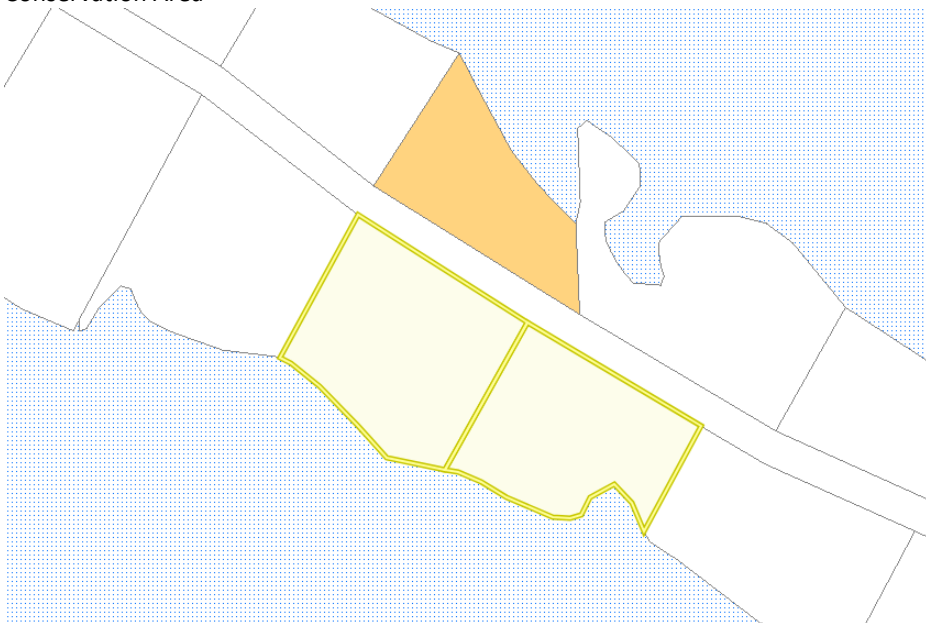
File No.	Purpose
None	

POLICY/REGULATORY

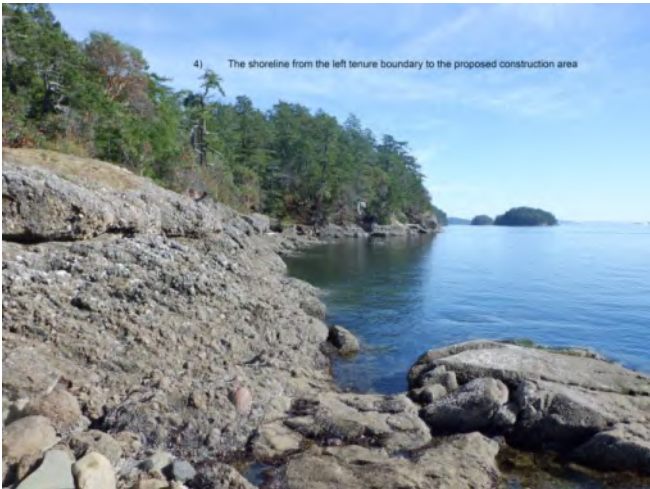
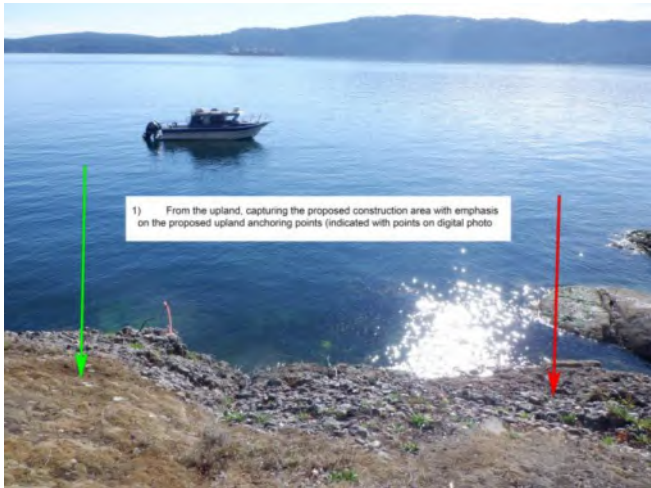
Official Community Plan Designations	None
Land Use Bylaw	Rural 2 (R2) & Water A (WA)
Other Regulations	Provincial & Federal Jurisdiction (Water)
Water Service Area	None
Title Charges	None
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the properties subject of this application.
Regional Conservation Strategy	The subject properties are primarily within the LOW to HIGH relative value area for important natural areas in the Salt Spring Island Local Trust Area. 
Species at Risk	SAR (Public) Species: None Currently Mapped SAR (Public) Ecological Community: None Currently Mapped
Sensitive Ecosystems	SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped RAR Watercourse: None Currently Mapped ITEM: Herbaceous & Young Forest  <i>Islands Trust Ecosystem Mapping (ITEM)</i>

	Islands Trust Protected Areas mapping indicates the following mapped categories surrounding or in close proximity to subject properties: Community Park, Rockfish Conservation Area 
Hazard Areas	Low Risk to Moderate Risk Steep Slopes are mapped throughout the properties. Yellow = Low Risk Orange = Moderate Red = High 
Archaeological Sites/Potential	Archeological Potential within 100 metres of Subject Properties. 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	The subject properties range in elevation from approximately 0 metres to 7 metres above sea level and are water access only
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Shoreline Data in TAPIS	None Currently Mapped

PHOTOS (SUPPLIED BY APPLICANT)



Jan 18, 2022

To Whom It May Concern at Island Trust:

My name is Chris Penner and Lisa Moore (KLM Enterprises Inc.) and I own lots 12 and 13 on Secret Island. These lots are on the unprotected side of the Island, and we have been using the community dock on the opposite side (protected side), of the island. We live in [REDACTED] and come across the 'chuck' to Secret Island [REDACTED]. It gets quite rough during the crossings so we have a larger boat for safety reasons. When we first purchased the properties there were no restrictions regarding the community dock. At the last AGM in September, the dock committee made a rule that no boats over 23 feet were allowed at the dock. Our boat is 49 feet so now we would have to drop anchor in the inlet and take the dinghy to the community dock. Because there are so many mooring buoys in the inlet, our anchorage is very far from the dock. With [REDACTED] and [REDACTED] dogs plus all the gear required to maintain the cabin, this route is very exhausting. The dock design that has been submitted is that size for many reasons.

Firstly, this the unprotected side of the island and we get a lot of wash from the ferries, freighters and pleasure boats. Also, when the storms blow in, it gets very rough out front. The dock will have 2 functions, it will have a wave attenuator thus eliminating the need for a breakwater and will provide safe moorage for our boat on the inside, that is the reason for the L shape. The safety of my family is my primary concern.

I would now like to speak about my family. We have [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Having a larger dock will ensure better safety for them. They love coming to Secret Island but as you can imagine as they are now adults it can be [REDACTED] help them get on and off the boat or dock. This larger dock will also ensure the safety of [REDACTED] as well. Having a larger dock is necessary because they are full grown adults with [REDACTED] and a secondary person is needed to help them get on and off the boat or dock.

With gratitude for your consideration,

Chris Penner

Memorandum

Date: November 17th, 2021

Attention: Christopher David Harms Penner (Property Owner)

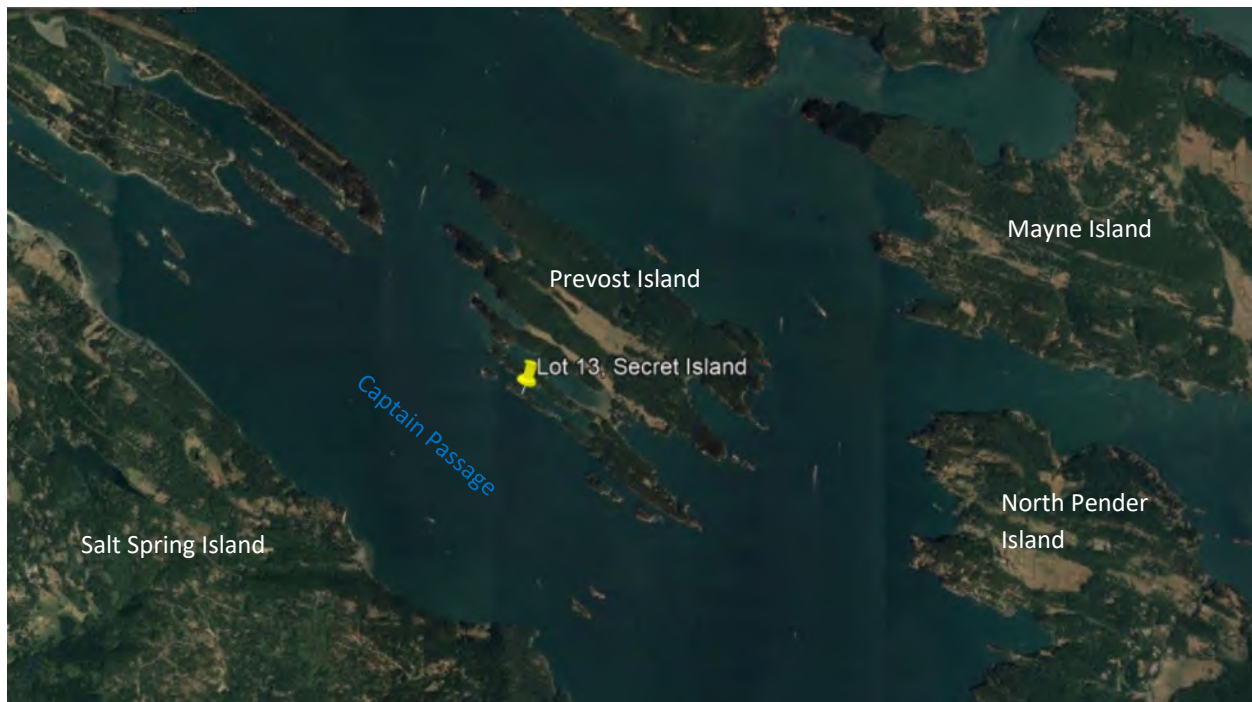
CC: Dave McKerrell, Island Marine Construction Services Ltd.

Re: Lot 13, Secret Island Dock – Marine Habitat Assessment Report

1 Introduction

Weaver Technical Corp (Weaver Tech) is pleased to provide a marine habitat assessment report for the construction of a private dock (the Project) located on Lot 13, Secret Island associated with the following legal description: Lot 13, District Lot 61 Secret Island, Cowichan District, Plan 21893 (PID: 003-354-202). The proposed dock will be situated within Captain Passage, 1.4 km southwest of Prevost Island, BC (Figure 1). This assessment includes the description of habitats within the foreshore, intertidal, and subtidal areas where the proposed dock will be constructed. These habitats were assessed during a site visit completed on September 24, 2021. A review of habitats and determination of potential impacts is included within the environmental assessment portion of this document. In addition, a management plan has been developed to mitigate potential impact through discussion and commitments to applicable best management practices (BMPs).

Figure 1. An Aerial Image of the project along the south side of Secret Island associated with the upland address of Lot 13, Secret Island, B.C. (Google Earth Imagery).



2 Scope of Work

This Project entails the assessment of habitats within the vicinity of the proposed private moorage structure that includes the following components (Figure 2):

- A floating L-shaped dock held in place by four anchor points (anchoring to be determined by engineering).
- A counterbalanced ramp connecting the floating dock to the walkway.
- Two counterbalance piles supporting the ramp.
- A walkway connecting the upland property to the ramp.
- Two foundation piles supporting the walkway.
- A small concrete abutment attaching the walkway to the upland property.

The 88.3 m² L-shaped float will be a monolithic concrete structure (i.e., a single precast slab). The float will have a max width of 7.62 m and max length of 21.64 m, see Appendix A for full dimensions. The float will be held in place by four anchoring points using both precast concrete anchors and rock pin anchors. The chain connecting the anchors to the float will be made from marine grade galvanized steel chain. The aluminum framed ramp (1.5 m by 15.24 m) will be counterbalanced using two hollow 275 mm diameter steel piles that will be drilled or driven into the substrate. The ramp will be connected to shore by a single length of walkway (1.5 m by

15.24 m) and will be supported by a pair of steel 275 mm foundation piles and cross beam. All pile and concrete installations are to follow the *Best Management Practices for Pile Driving and Related Operations* (DFO, 2003). The ramp and walkway will be made from marine grade aluminum and decked with reinforced Mini Mesh fibreglass grating.

Technical drawings of the proposed dock and the associated components that are accounted for in this assessment are provided in Appendix A.

Figure 2. Depiction of the proposed dock site (white) within Captain Passage, associated with the upland property (yellow), Lot 13, Secret Island, B.C. (QGIS and Google Earth Satellite Imagery).



3 Regulatory Requirements

The Project falls under several regulatory bodies and legislations including:

- **Ministry of Forest, Lands and Natural resource Operations**

As the water lots and foreshore property belong to the Crown, a Crown water lot lease will be required for this proposed dock. As the associated upland property is a privately held property, (not Crown) no other provincial leases are required. In addition, the Land Operation Policy for

Private Moorage requires a minimum of two metres height of structures above the HWM and that floats must be situated at a minimum of negative two metres Chart Datum (BC Ministry of FLNRORD, 2019).

- **Department of Fisheries and Oceans Canada (DFO)**

All docks must obtain prior approval by DFO to ensure they comply the *Fisheries Act* whereby no harmful alterations, disruptions, or destructions (HADD) of fish habitats result from the proposed Project.

- **Transport Canada (TC)**

Any construction or installation of items that may impede or alter navigational or vessels must gain approval under the *Navigable Waters Protection Act* (TC, 2014).

- **Capital Regional District (Prevost and Associated Islands Regulatory Bylaws); Bylaw No. 103**

A review of regulatory bylaws associated with Prevost and its nearby Islands (Secret Island) determined that there are no specific protection measures for Eelgrass or Bull Kelp outlined in the document. As such, protection measures stated in the Salt Spring Island Official Community Plan will be adhered to with the exception of the maximum float size. To address this a Development Variance Permit Application will be submitted to the Islands Trust by ISMCS.

4 Assessment Methods

On September 24th, 2021 a survey was conducted by two Weaver Tech personnel to assess the habitat values that may be impacted by the construction and long-term presence of the proposed dock. The survey consisted of a visual assessment of the foreshore's terrestrial habitat and the upper intertidal areas (i.e., unsubmerged areas during the assessment period) and a snorkel inspection of the lower intertidal and subtidal areas (i.e., submerged areas during the assessment period). The substrate types and dominant habitat features were identified along a transect and assessed to ~40 m from the HWM, a point past the expected floating dock location. Depth profiles along the transect were collected and are presented below. To support the visual assessment the snorkel survey observations were documented by underwater videography.

The survey occurred between 14:48 and 16:12 PDT, on September 24th, 2021. The tide level during the assessment was determined to be at around +2.3 m Chart Datum (CD) for 15:00 PDT as reported for the Ganges Harbour, BC, Tide Station #7407 (DFO, 2021).



5 Habitat Values

An overview diagram of the observed habitat, geomorphology, and dock components is presented in (Figure 10). Additional photographs of the foreshore's terrestrial vegetation and the marine habitat occurring at the location of the proposed dock are presented in Appendix B.

The general area the dock is proposed to occur consists of an exposed southwest facing shoreline of Secret Island within Captain Passage. The shoreline substrate is a bedrock conglomerate and comprised of smaller cobbles, gravels, and sandstone. Periodic loose cobbles could be observed in crevices formed by bedrock outcroppings. The composition of substrate transitioned with depth and distance from the HWM. The conglomerate cobble bedrock substrate was observed to occur above the HWM and continue throughout the intertidal zone (HWM to 27 m). The substrate then transitioned to soft bottom habitat composed of sand and shell which continued to the end of the survey area (+27 m from HWM).

The upland terrestrial habitat is defined as Coastal Douglas Fir moist maritime (CDFmm) by the Biogeoclimatic Ecosystem Classification Program of British Columbia (BEC). This biogeoclimatic unit is found along the southeastern region of Vancouver Island and the southern Gulf Islands, along low elevation terrain. Winters of this region are mild and wet, while summers are dry, allowing for a long growing season for terrestrial vegetation. The dominant vegetation species are Douglass fir (*Pseudotsuga menziesii*), Western Red Cedar (*Thuja plicata*) and Bunch Grasses.

During the assessment, the upland terrestrial habitat was observed have mild disturbances, pruning of shrubs and small trees, with the remaining area of the property naturalized. The naturalized area was observed to be a typical gulf island, drought tolerant, mixed forest habitat type dominated by Douglas Fir (*Pseudotsuga menziesii*), Western Red Cedar (*Thuja plicata*), Arbutus (*Arbutus menziesii*), and Garry Oak (*Quercus garryana*) trees (Figure 3). The remaining understory was comprised of sparse shrubbery, mosses, lichen, and grass clusters growing on the shallow topsoil and exposed bedrock (Figure 4).

The upper intertidal area (splash zone) was a bedrock bluff, devoid of biotic life for approximately HWM to 3 m along the transect (Figure 5). Beginning at 3 meters, assemblages of barnacles (*Suborder: Balanomorph*) appear and increase in abundance with distance from the HWM. Anemones were observed affixed to exposed sections of bedrock.

Algal occurrences were frequent below the high intertidal zone, with large areas of bedrock covered by Sea Lettuce (*Ulva sp.*), (Figure 6). Spread amongst the *Ulva* were small clusters of Rock Weed (*Fucus sp.*), Turkish Towel (*Chondrocanthus sp.*) Rainbow Leaf (*Mazzaella sp.*) and Japanese Wire Weed (*Sargassum sp.*), (Figure 7). Density and diversity of seaweeds increased with depth in the intertidal area.

The upper portion of the subtidal habitat consisted of steep gradient bedrock substrate between 15 m and 27 m. The habitat then transitioned to a low gradient soft bottom habitat composed of sand and shell, from 27 m onwards. Biota, both algal and invertebrate, was in high abundance in the hard substrate portion of the subtidal area. Benthic Invertebrates such as Red Sea Cucumbers (*Cucumaria miniata*), were observed actively feeding adjacent to the transect in the subtidal zone. Multiple age classes of Dungeness Crab (*Cancer magister*) occurred on the lower gradient substrate. Other incidental observations of invertebrate organisms include Purple Ocher Star (*Pisaster ochraceus*), Leather Star (*Demastarias imbricata*), Red Rock Crab (*Cancer productus*) and Northern Kelp crab (*Pugettia producta*). Incidental observations of vertebrate life included juvenile Striped Seaperch (*Embiotocid lateralis*).

Algal diversity changed at the transition point of intertidal to subtidal habitat types. Large, thick mats of *Ulva*, Sugar Kelp (*Saccharina sp.*), and Purple Laver (*Pyropia sp.*) occurred near the transition from tidal to subtidal zone (~15 m) and dominated the upper subtidal region to approximately 30 m from the HWM. (Figure 8). The dominant algal species then changed to a lower density assemblage of *Ulva*, Red Spaghetti (*Gracilaria sp.*), and Sugar Kelp at the substrate transition point from bedrock to the soft substrate habitat (Figure 9).

No observations of Bull Kelp (*Nereocystis luetkeana*) within the water lot are fronting the property were made during the survey. Though the hard bottom substrate habitat was determined to be conducive to Bull Kelp Growth. A few Bull Kelp were observed approximately 100 m to the south of the property. Additionally, no Eelgrass (*Zostera sp.*) was observed within the waterlot. Based on the distance from the HWM (+27 m), depth of the soft bottom substrate (> -2.0 C.D.) and the wave exposure, Eelgrass is not expected to occur at this site.

Figure 3. Representative photograph of the upland terrestrial habitat and upper intertidal zone. Arrow indicates the approximate location of the proposed dock. Photograph collected on September 24th, 2021.



Figure 4. Representative terrestrial habitat fronting the property. Arrow indicates the proposed upland footing location. Photograph collected on September 24th, 2021.



Figure 5. Representative view of the foreshore at the approximate location of the proposed upland attachment points of the dock. Facing southwest towards the proposed location of the float. Photo captured on September 24th, 2021.



Figure 6. Representative habitat observed within upper intertidal zone. Substrate is mainly bedrock covered with barnacles and *Ulva* approximately 7 m from the HWM. Photograph collected on September 24th, 2021.

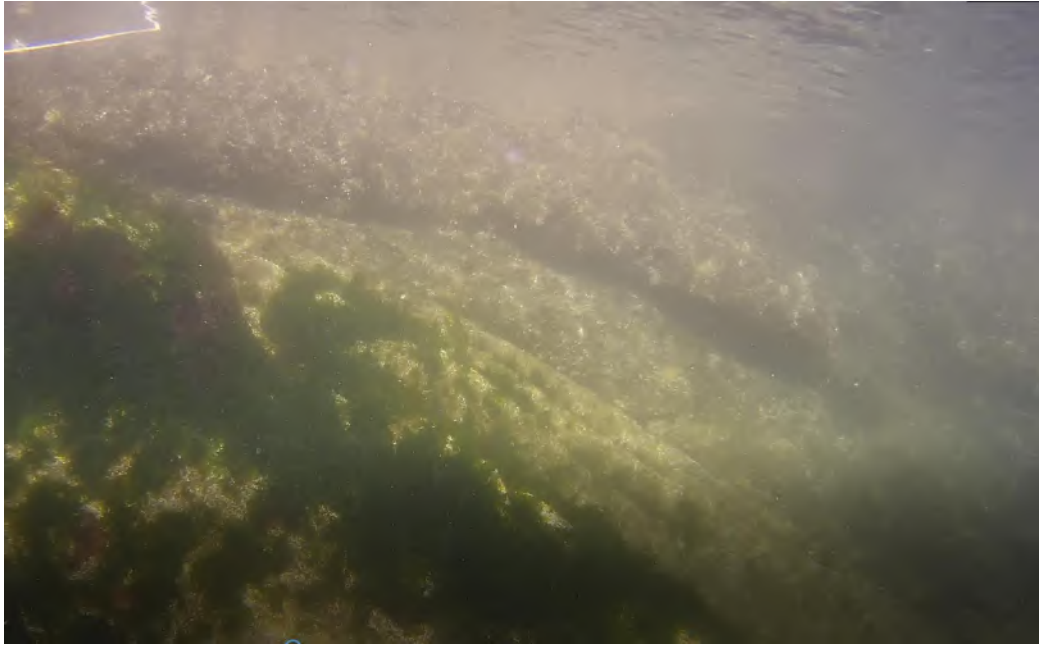


Figure 7. Representative habitat observed within the lower intertidal zone. A mix of red, brown and green algae was observed at approximately 14 m from the HWM. (*Chondrocanthus*, *Sargassum*, *Mazzaella* and *Ulva* pictured). Photograph collected on September 24th, 2021.

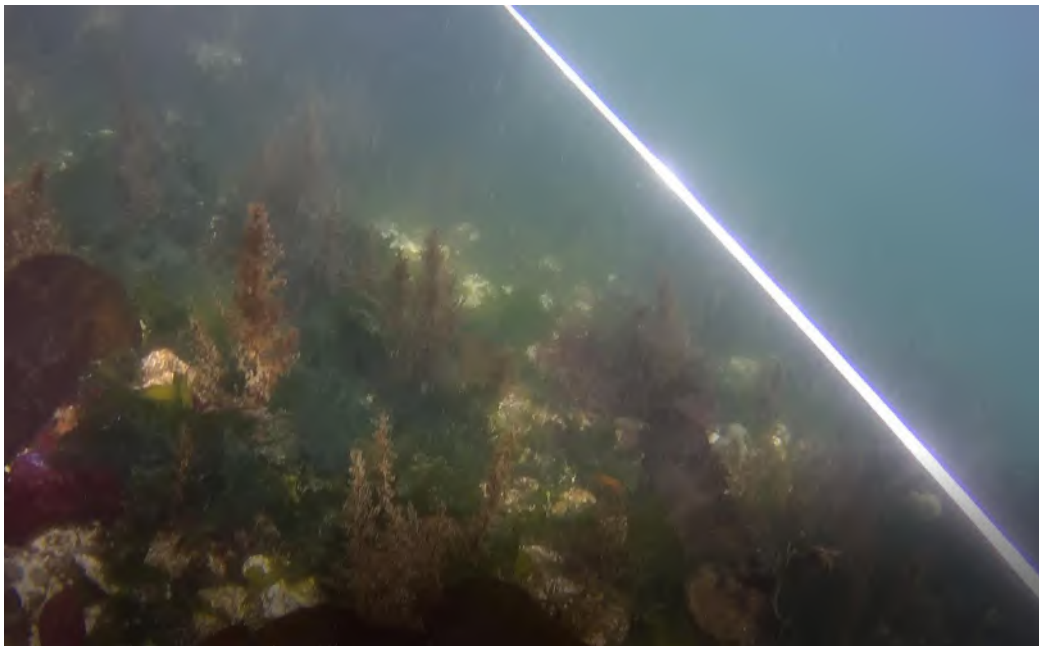


Figure 8. Representative habitat observed within the upper subtidal zone. The bedrock substrate habitat supported multiple algal species. Pictured are layers of *Ulva* (green) and *Saccharina* (brown) covering the bedrock at approximately 21 m from the HWM. Photograph collected on September 24th, 2021.



Figure 9. Representative sand substrate habitat observed near the end of the assessed area (~ 28 m) in the subtidal zone. This habitat consisted mainly of soft sand and shells. Photograph collected on September 24th, 2021.

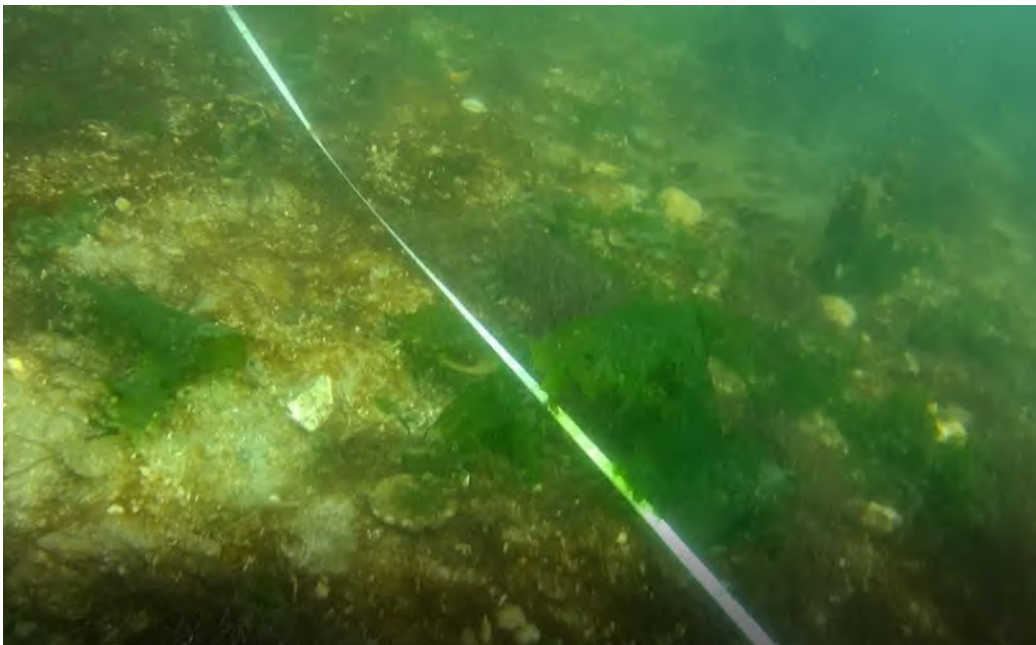
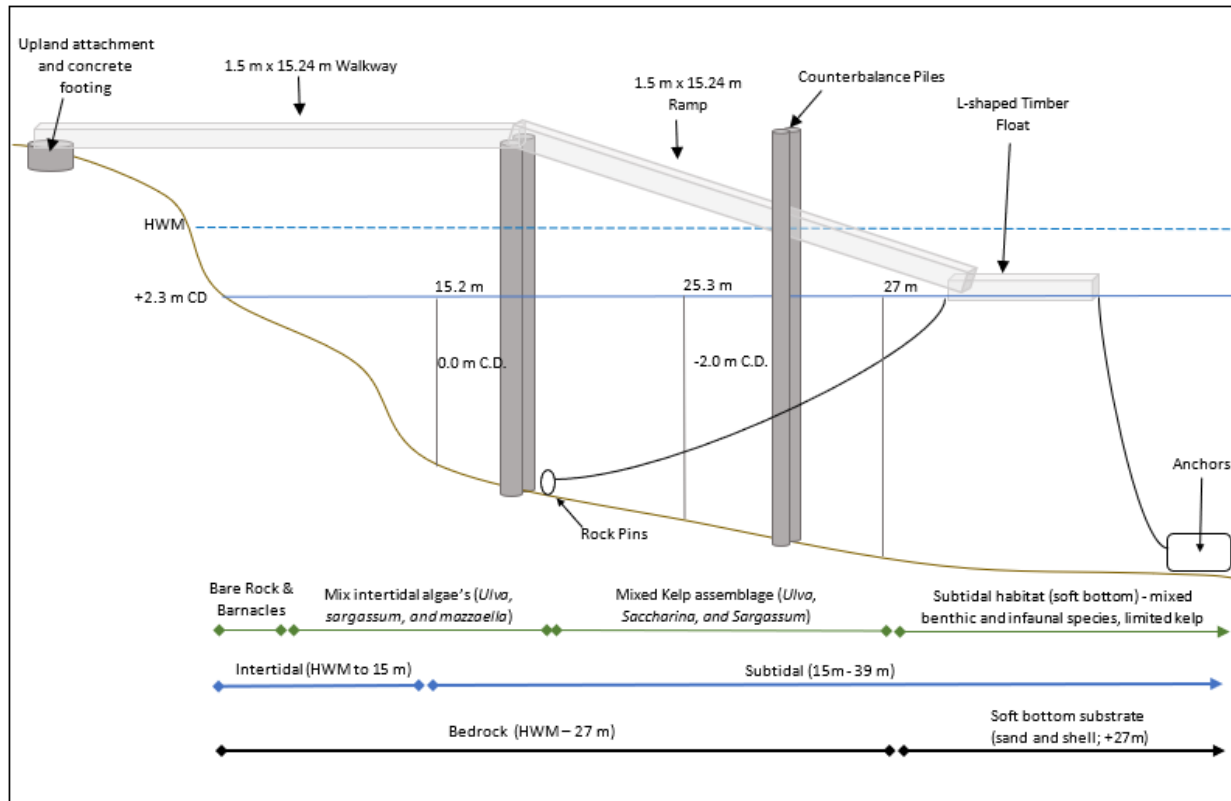


Figure 10. Diagram of the observed habitat type/species assemblage and substrate composition along the assessed transect located below the dock components. Water depths were measured at 15:00 (+2.3 m chart datum) on September 24th, 2021.



6 Species at-risk

The Project is unlikely to impact any species at-risk or critical habitats. Based on a search of the BC Species & Ecosystems Explorer for red- and blue-listed species and the Conservation Data Centre (CDC) for critical habitats, no mapped occurrences of species of species/ecosystems at-risk are present in the Project Area (Figure 11). An ecosystem at-risk (Douglas-fir/Dull Oregon Grape) is found near the Project Area on Prevost Island and may exist within the Project Area as at-risk ecosystems sometimes occur outside of their mapped locations.

A small area of terrestrial habitat is anticipated to be disturbed by the construction of the dock's attachment point to the shore. The terrestrial habitat is largely open and void of shrubs and trees. As such, no long-term impacts are anticipated for the terrestrial ecosystems present in the Project Area (i.e., losses of Douglas Fir/ Dull Oregon-grape Ecosystem). It is recommended that areas within the Project property where this ecosystem type exists be incorporated into land use designs (i.e., gardens, natural undisturbed areas, etc.) to mitigate losses.

In addition to the specific mapped occurrences, other federally and provincially listed species may occur in the vicinity or within the Project Area based on a search of the BC Species & Ecosystem Explorer for red- and blue-listed species. A refined list of these species at risk is provided in Appendix C. A review of the listed species and their habitat requirements was completed to determine potential Project effects. It was determined that the Project is unlikely to negatively impact any of the listed species or critical habitats.

Figure 11. Occurrences of at-risk species and critical habitats in the vicinity Secret Island and the proposed Project Area (white arrow). The closest occurrences appear in green on nearby Prevost Island. (QGIS and Provincial Species at Risk Data, 2021).



7 Mitigation Plan and Best Management Practices

7.1 Mitigation Measures

In general, any equipment and machinery used in the construction/installation of the dock and its component parts are required to be in good operating condition. They are to be maintained to a standard where operating parts are free of leaks and no excess oil or grease are present that could lead to introductions to the environment. An appropriately equipped spill containment kit will be readily accessible during in-water works in the event of a release of any

deleterious substance to the environment. If fuel stored on site or on barges the spill kit should be stored alongside. All members of the working crew should be trained in the use of spill containment equipment/items. Any spill of a substance that is toxic, polluting, or deleterious to aquatic life of reportable quantities must immediately be reported to the Emergency Management BC Program 24-hour phone line at **1-800-663-3456**.

7.2 Recommended Best Management Practices for Project Operations

The proponent will adhere to the best management practices outlined below during the works. Any deviation (if required) from these best management practices will only be undertaken under the direction of a qualified professional and/or notification of appropriate agencies when applicable.

- **DFO – Measures to avoid causing harm to fish and fish habitat including aquatic species at risk.** <https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html>
- **DFO Timing Windows to Conduct Projects In or Around Water** – Two low-risk fisheries window occur for Area 16 (Cowichan area) 1) Summer Window: July 1st – October 1st and 2) Winter Window: December 1st – February 15th).
<http://www.dfo-mpo.gc.ca/pnw-ppe/timing-periodes/index-eng.html>
- **BC Erosion and Sediment Control Best Practices** <https://escabc.com/>
- **BC Guidelines for Use of Treated Wood In and Around Aquatic Environments and Disposal of Treated Wood** https://www2.gov.bc.ca/assets/gov/driving-and-transportation/transportation-infrastructure/engineering-standards-and-guidelines/environment/references/guidelines-treated_wood.pdf?bcgovtm=CSMLS
- **Best Management Practices for Pile Driving and Related Operations**
https://buyandsell.gc.ca/cds/public/2016/08/17/f0fcf96f5bd08535ff8e81aac62bbd74/fp802-160141_bc_pile_driving_practices.pdf

8 Socio-community Impacts

Given that the work is occurring in a remote area located on the central southwest side of Secret Island, BC, adverse effects or interactions with the community or businesses in the area are expected to be minimal. Private residences adjacent to the site may experience noise disturbances during construction. However, the duration of the Project is not expected to be longer than two weeks. Noise disturbances will likely occur during the day when nearby residents are often away. Overall, based on the limited number of piles to be installed (total of four) and the short duration of works the noise impacts expected to result from the dock installation should be minimal.

9 Archaeology and Heritage Resources

9.1 Soil Disturbance and Archeology

Based on the BC Treaty Map, the Project is located within the Tsawwassen First Nation and the Hul'qumi'num Treaty Group traditional territories (BC Treaty Commission, 2021). Though, chances of finding an archaeological or heritage resource is low. The main source of potential disturbance will occur from constructing a small footing located above the HWM. Construction of the footing will occur on very shallow soils and/or bedrock and expected to require minimal excavation. Should any excavations occur, Chance Find Procedures (as described below) need to be followed to mitigate for potential impacts.

9.2 Chance Find Procedures

If evidence of any archeological resource is encountered, the following Chance Find Procedure will be implemented to mitigate impact:

- Any activities that might disturb potential archaeological resources or the site in which it is contained within will be immediately stopped.
- The artifacts or other remains present at the site will not be moved.
- The site will be staked or flagged off to prevent additional disturbances.
- BC Archaeology Branch will be contacted at **1-250-953-3334**.

10 Summary of Potential Environmental Impact

Potential impacts from the proposed dock may result from the following factors: 1) losses of terrestrial and marine habitats resulting from the occupation of habitats, 2) habitat degradation due to anchor chain movement 3) reduced primary and secondary production as a result from shading.

The proposed dock and walkway structure will be affixed to the foreshore with the construction of a small concrete abutment. The area of this abutment will impact approximately 2-3 m² of bedrock bluff habitat. As the attachment area is largely clear of vegetation, little to no additional impacts to terrestrial habitats are expected. Negligible losses of marine habitat are expected to occur from the pilings and anchoring structures that will occupy substrates. The combined habitat losses are expected to be less than 15 m². In addition, it is expected that over time these structures will be colonized and become integrated and continuous with the surrounding habitat.

There is the potential of minor habitat degradation resulting from the rise and fall anchor lines (if used) with tidal changes. Locations where the lines are in contact with the substrate can result in minor scouring, especially in high wave impact, strong currents, and large tidal fluctuations. The total area of scour will be dependent on the positioning of the anchors. Design

alterations have been considered to help minimize scour impacts include using multiple anchor points and the use of appropriately weighted chain to the conditions observed at the site. Anchors are to connect to the float with mooring chain to limit horizontal movement over the seabed yet with sufficient length to allow vertical movement to allow for tidal fluctuations. As such, minimal scour is anticipated and no concerns are present with regards to long-term disturbance of habitats associated with this factor.

Similarly, overall shading impacts are expected to be minor. The running surfaces of the walkway and the ramp (approximately 45 m²) are to be constructed of Mini Mesh fibreglass grating resulting in a minor reduction in light penetration. While the large sized timber surfaced float (approximately 88 m²) is expected to have the largest impact from shading. The location of the float is expected to be between 30 m and 38 m from the HWM, where little algal growth occurs. This coupled with the majority of the float being 3.05 m wide (see Appendix A), is expected to result in minimal losses of primary productivity. Additional shading is expected when vessels are moored along side the dock though they will be situated even further from the high density kelp band.

11 Conclusion

Overall, the potential impacts from the Project are low with regards to terrestrial habitats, marine habitats, species at-risk, socio-community impacts, or archaeological/heritage resources. No Bull Kelp or Eelgrass beds are present in the proposed work area. Based on the current design plan (Appendix A), the installation of the float, ramp, walkway, and other associated components; no impacts to any fish or marine mammal species are expected to result from the proposed dock design if the prescribed mitigations and BMPs are followed. Works are to occur within either of the DFO the low-risk fisheries windows (July 1st – October 1st or December 1st – February 15th) to further reduce potential impacts to the habitat values present within the Project Area. In addition, the property owner (Mr. Christopher David Harms Penner) and as a result, all persons whom they employ on this Project have committed to abide by all prescribed mitigation measures, BMPs, and appropriate legislation and regulator requirements for the installation of a private marine dock.

For any questions regarding the content of this letter please contact the undersigned.

Regards,

Arin Yeomans-Routledge, R.P.Bio., B.Sc. and

Spencer Lapp, Fish. Tech.



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<https://tc.canada.ca/en/marine/departement-transport-navigable-waters-protection-act>

Appendices:

Appendix A – Technical Drawings

Appendix B – Representative Site Photographs

Appendix C – Species and Ecosystems At-Risk List

Appendix A
Technical Drawings



Figure 1. Dock Footprint. This technical drawing shows the design of the dock as shown from above.

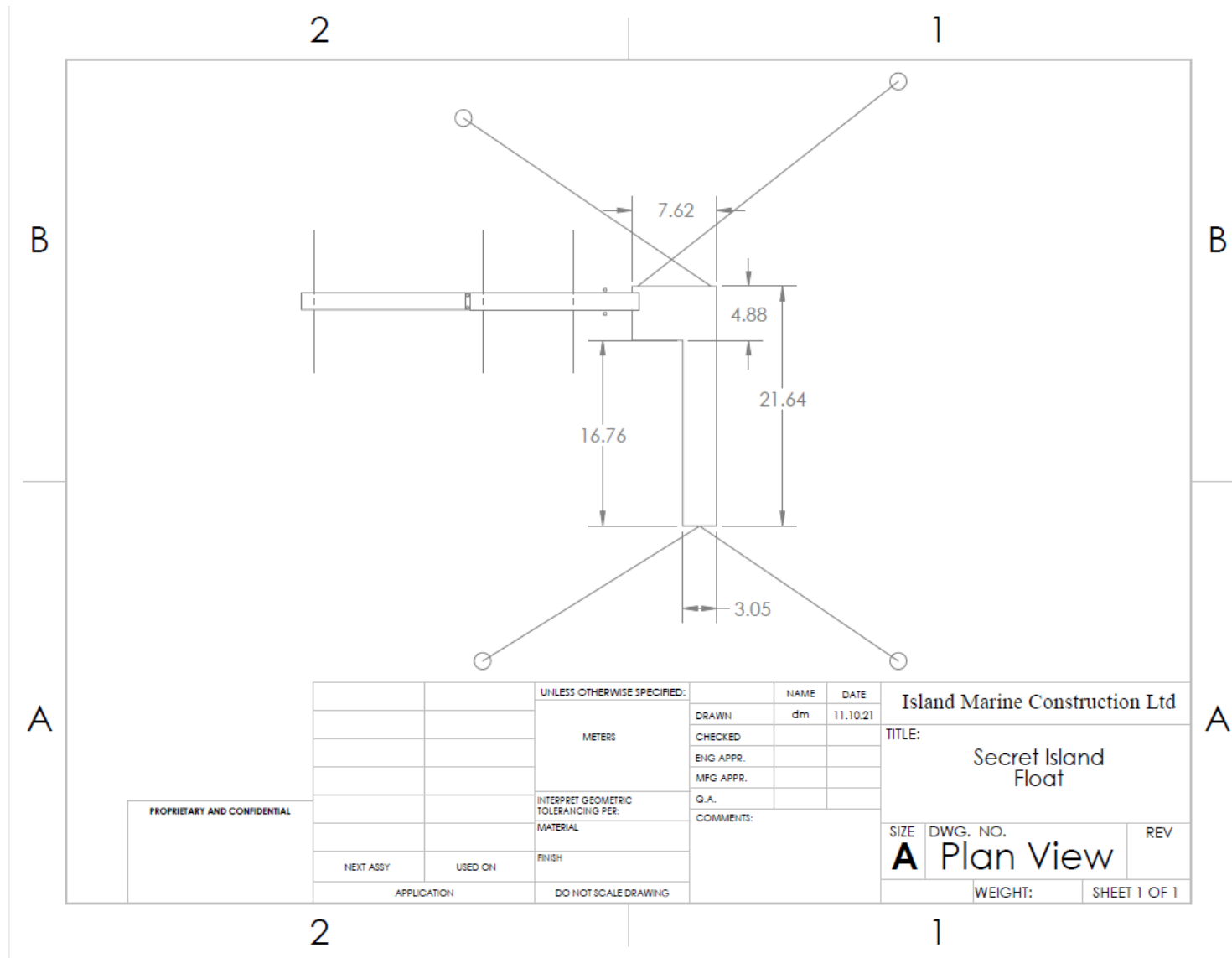
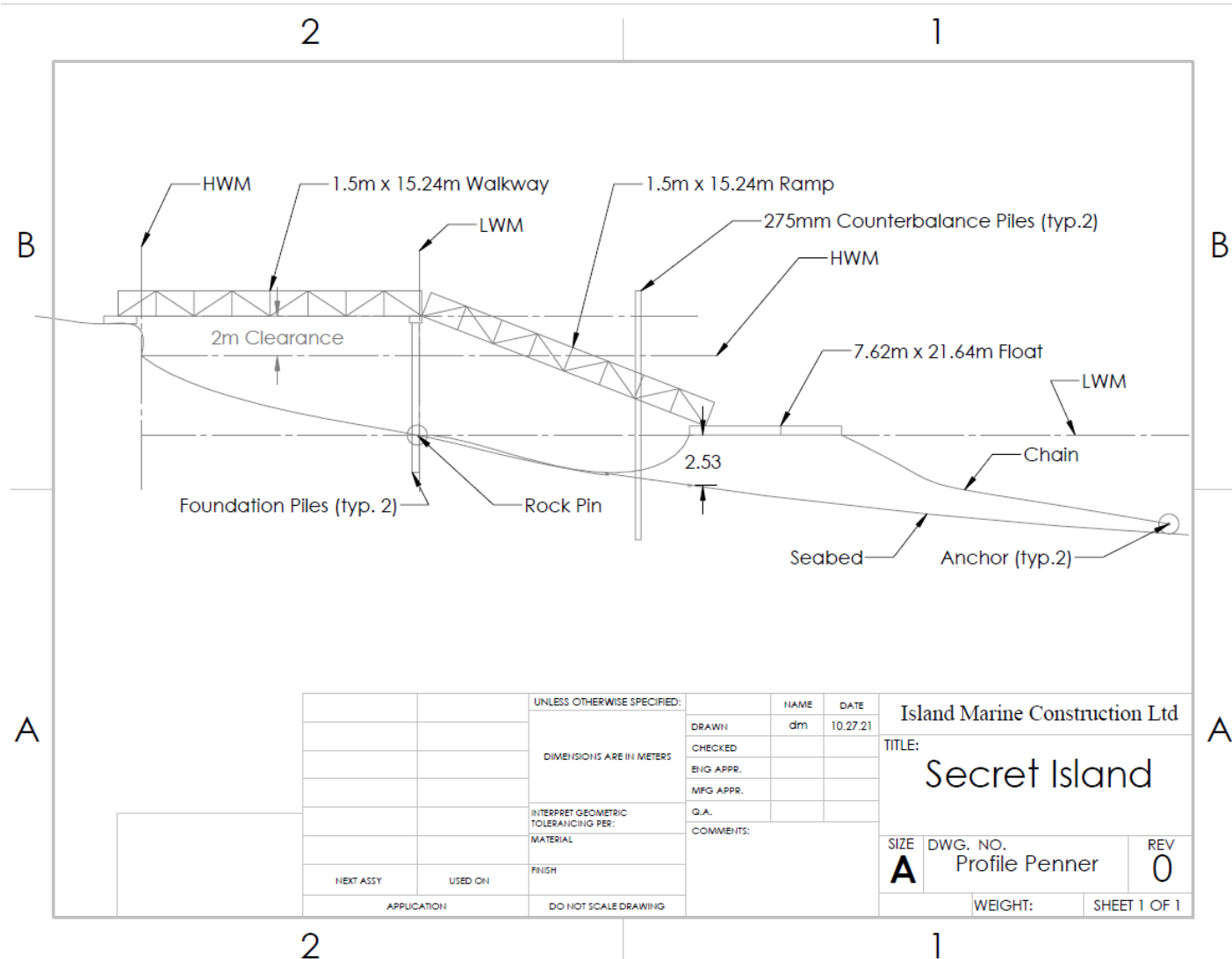


Figure 2. Side Profile, Dock Design. Technical drawing, of side view of the private moorage structure.



Appendix B

Representative Site Photographs

Figure 1. Looking west at the upland terrestrial habitat. Arrow indicates the location of the proposed dock. Predominant terrestrial species include Douglas Fir (*Pseudotsuga menziesii*), Arbutus (*Arbutus menziesii*), and Western Red Cedar (*Thuja plicata*). Imagery collected during snorkel survey on September 24th, 2021.



Figure 2. Looking north from the proposed upland attachment point and splash zone. Imagery collected during snorkel survey on September 24th, 2021.



Figure 3. Looking down at the bedrock within the upper-intertidal zone. Barnacles (suborder: *Balanomorph*) and *Ulva sp.* are present. Imagery collected during snorkel survey on September 24th, 2021.

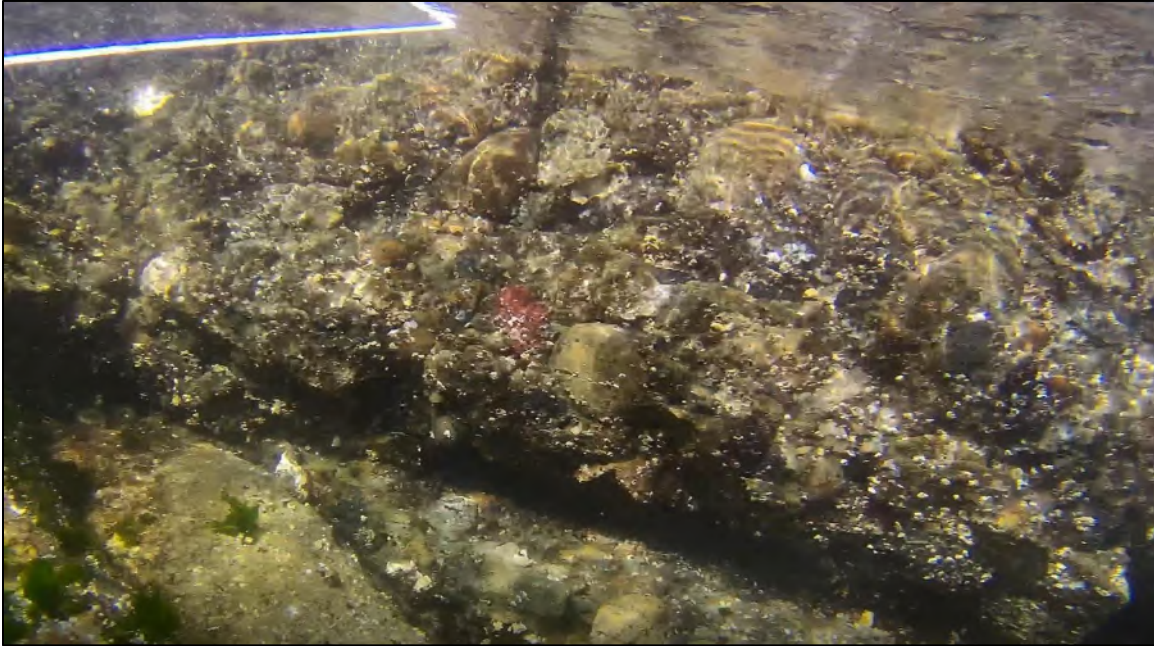


Figure 4. Looking north at bedrock outcropping within the intertidal zone near shore. A large cluster of Purple Laver (*Pyropia sp.*) and Sea Lettuce (*Ulva sp.*) occupies with barnacles (suborder: *Balanomorph*) interspersed.



Figure 5. Looking down at the transition to the lower intertidal that contained a mixture of Sargassum (brown), Ulva (green), and Chondrocanthus (red). Substrate is a continuation of the cobble-conglomerate bedrock. Imagery collected during snorkel survey on September 24th, 2021.

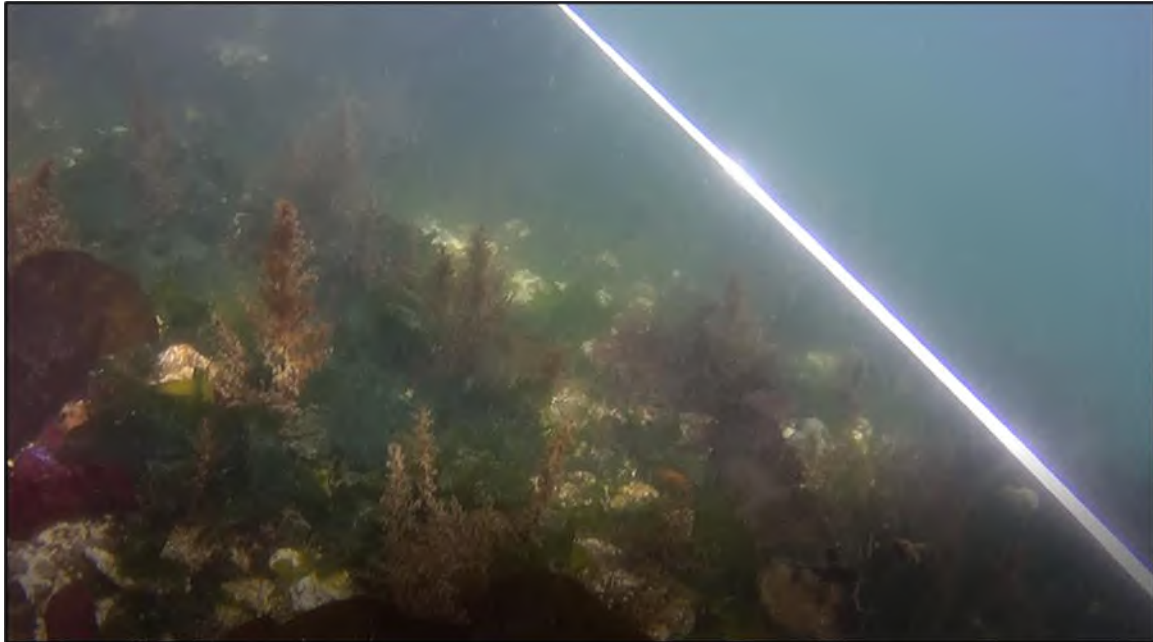


Figure 6. Looking down at the Ulva (*Ulva sp.*) habitat that also contained Red Spaghetti (*Gracilaria sp.*) and Red Sea Cucumber (*Cucumaria miniata*) which can be seen near the top right in orange. Imagery collected during snorkel survey on September 24th, 2021.



Figure 7. View near transition between the bedrock substrate habitat and the sand and shell substrate habitat. Pictured is larger mat of Sugar Kelp (*Sacharina sp.*). Imagery collected during snorkel survey on September 24th, 2021.



Figure 8. Looking down at the sand and shell substrate habitat. Algal growth is more sporadic and less dense on the softer substrate. Ulva and Kelp (*Sacharina sp.*) visible in the photo. Imagery collected during snorkel survey on September 24th, 2021.

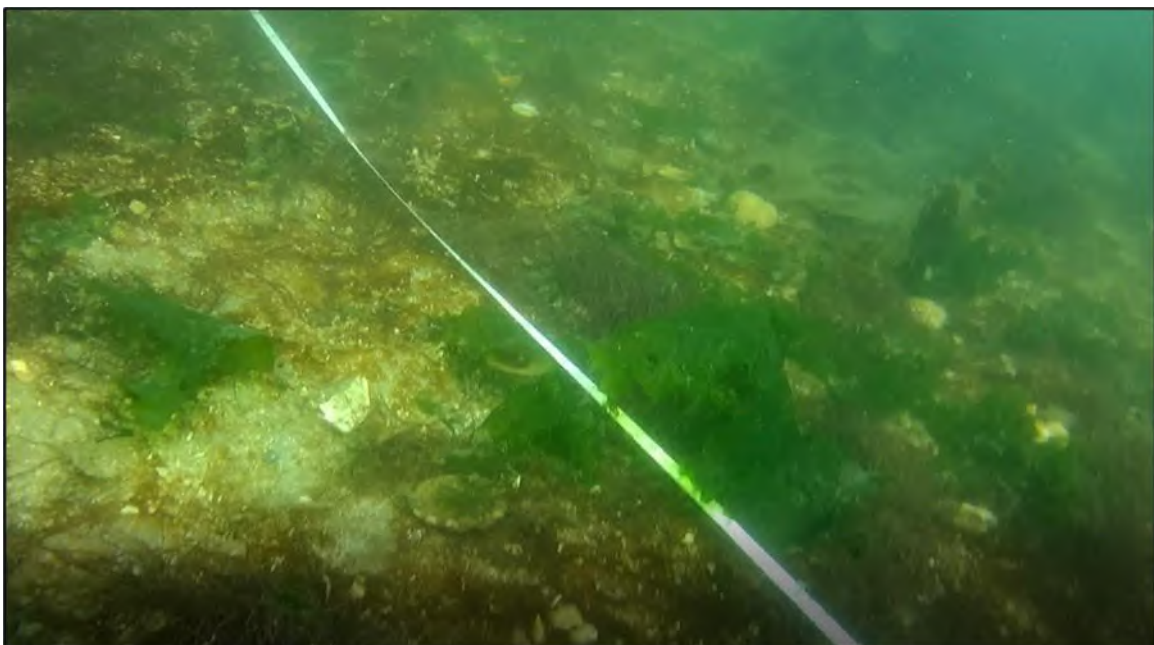
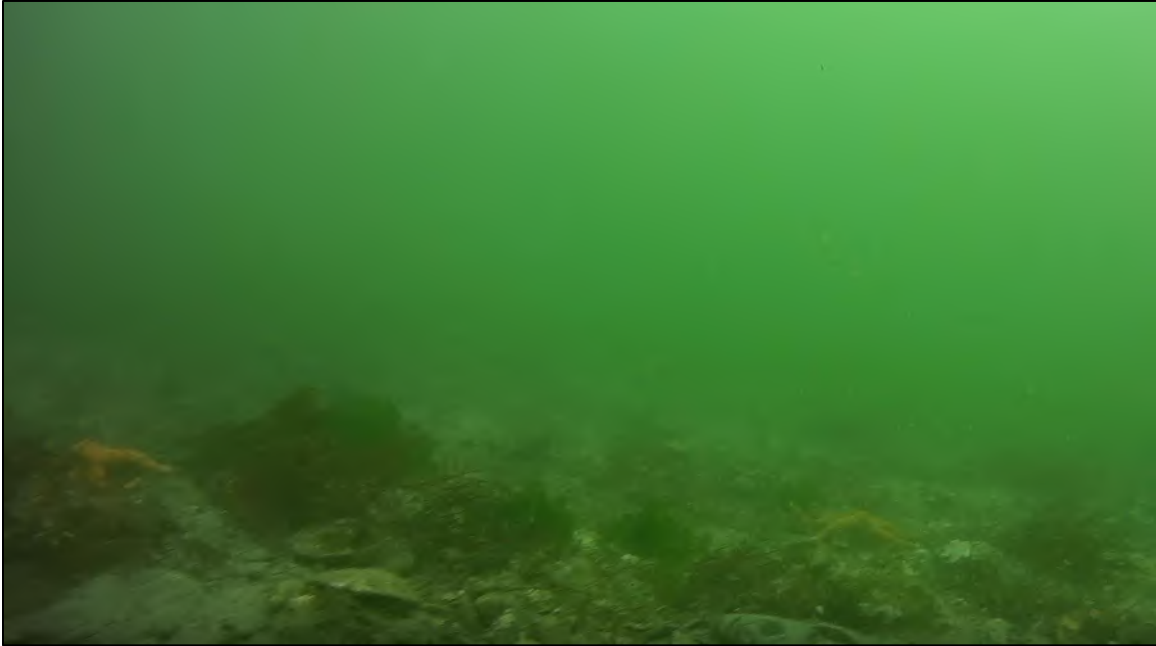


Figure 9. Looking west towards the end of survey on the soft bottom habitat. A pair of Ochre Stars (*Pisaster ochraceus*) can be seen in the foreground. Imagery collected during snorkel survey on September 24th, 2021.



Scientific Name	English Name	BC List	SARA	SARA Date
Animals				
Amphibians				
<i>Dicamptodon tenebrosus</i>	Coastal Giant Salamander	Blue	Threatened	Jun-03
<i>Ascaphus truei</i>	Coastal Tailed Frog	Yellow	Special Concern	Jun-03
<i>Lithobates pipiens</i>	Northern Leopard Frog	Red	Endangered	Jun-03
<i>Rana aurora</i>	Northern Red-legged Frog	Blue	Special Concern	Jan-05
<i>Rana pretiosa</i>	Oregon Spotted Frog	Red	Endangered	Jun-03
<i>Aneides vagrans</i>	Wandering Salamander	Blue	Special Concern	Feb-18
<i>Anaxyrus boreas</i>	Western Toad	Yellow	Special Concern	Jun-18
Birds				
<i>Recurvirostra americana</i>	American Avocet	Blue		
<i>Botaurus lentiginosus</i>	American Bittern	Blue		
<i>Pluvialis dominica</i>	American Golden-Plover	Blue		
<i>Pelecanus erythrorhynchos</i>	American White Pelican	Red		
<i>Synthliboramphus antiquus</i>	Ancient Murrelet	Blue	Special Concern	Aug-06
<i>Patagioenas fasciata</i>	Band-tailed Pigeon	Blue	Special Concern	Feb-11
<i>Tyto alba</i>	Barn Owl	Red	Threatened	Jun-18
<i>Hirundo rustica</i>	Barn Swallow	Blue	Threatened	Nov-17
<i>Setophaga castanea</i>	Bay-breasted Warbler	Red		
<i>Melanitta americana</i>	Black Scoter	Blue		
<i>Cypseloides niger</i>	Black Swift	Blue	Endangered	May-19
<i>Nycticorax nycticorax</i>	Black-crowned Night-heron	Red		
<i>Setophaga virens</i>	Black-throated Green Warbler	Blue		
<i>Dolichonyx oryzivorus</i>	Bobolink	Blue	Threatened	Nov-17
<i>Phalacrocorax penicillatus</i>	Brandt's Cormorant	Red		
<i>Branta bernicla</i>	Brant	Blue		
<i>Athene cunicularia</i>	Burrowing Owl	Red	Endangered	Jun-03
<i>Larus californicus</i>	California Gull	Blue		
<i>Branta canadensis occidentalis</i>	Canada Goose, <i>occidentalis</i> subspecies	Red		
<i>Cardellina canadensis</i>	Canada Warbler	Blue	Threatened	Feb-10
<i>Hydroprogne caspia</i>	Caspian Tern	Blue		
<i>Ptychoramphus aleuticus</i>	Cassin's Auklet	Red	Special Concern	May-19

<i>Uria aalge</i>	Common Murre	Red		
<i>Chordeiles minor</i>	Common Nighthawk	Yellow	Threatened	Feb-10
<i>Oporornis agilis</i>	Connecticut Warbler	Blue		
<i>Phalacrocorax auritus</i>	Double-crested Cormorant	Blue		
<i>Coccothraustes vespertinus</i>	Evening Grosbeak	Yellow	Special Concern	May-19
<i>Sterna forsteri</i>	Forster's Tern	Red		
<i>Ammodramus savannarum</i>	Grasshopper Sparrow	Red		
<i>Ardea herodias fannini</i>	Great Blue Heron, <i>fannini</i> subspecies	Blue	Special Concern	Feb-10
<i>Butorides virescens</i>	Green Heron	Blue		
<i>Falco rusticolus</i>	Gyr Falcon	Blue		
<i>Eremophila alpestris strigata</i>	Horned Lark, <i>strigata</i> subspecies	Red	Endangered	Jul-05
<i>Fratercula corniculata</i>	Horned Puffin	Red		
<i>Limosa haemastica</i>	Hudsonian Godwit	Red		
<i>Chondestes grammacus</i>	Lark Sparrow	Blue		
<i>Melanerpes lewis</i>	Lewis's Woodpecker	Blue	Threatened	Jul-12
<i>Numenius americanus</i>	Long-billed Curlew	Blue	Special Concern	Jan-05
<i>Brachyramphus marmoratus</i>	Marbled Murrelet	Blue	Threatened	Jun-03
<i>Ammodramus nelsoni</i>	Nelson's Sparrow	Red		
<i>Fulmarus glacialis</i>	Northern Fulmar	Red		
<i>Accipiter gentilis laingi</i>	Northern Goshawk, <i>laingi</i> subspecies	Red	Threatened	Jun-03
<i>Glaucidium gnoma swarthi</i>	Northern Pygmy-owl, <i>swarthi</i> subspecies	Blue		
<i>Contopus cooperi</i>	Olive-sided Flycatcher	Blue	Threatened	Feb-10
<i>Falco peregrinus</i>	Peregrine Falcon	No Status	Special Concern	
<i>Falco peregrinus anatum</i>	Peregrine Falcon, <i>anatum</i> subspecies	Red	Special Concern	Jun-12
<i>Falco peregrinus pealei</i>	Peregrine Falcon, <i>pealei</i> subspecies	Blue	Special Concern	Jun-03
<i>Pinicola enucleator carlottae</i>	Pine Grosbeak, <i>carlottae</i> subspecies	Blue		
<i>Falco mexicanus</i>	Prairie Falcon	Red		
<i>Progne subis</i>	Purple Martin	Blue		
<i>Calidris canutus</i>	Red Knot	Red	Threatened / Endangered	Feb-10
<i>Phalaropus lobatus</i>	Red-necked Phalarope	Blue	Special Concern	May-19

<i>Buteo lagopus</i>	Rough-legged Hawk	Blue		
<i>Euphagus carolinus</i>	Rusty Blackbird	Blue	Special Concern	Mar-09
<i>Oreoscoptes montanus</i>	Sage Thrasher	Red	Endangered	Jun-03
<i>Limnodromus griseus</i>	Short-billed Dowitcher	Blue		
<i>Asio flammeus</i>	Short-eared Owl	Blue	Special Concern	Jul-12
<i>Calcarius pictus</i>	Smith's Longspur	Blue		
<i>Strix occidentalis</i>	Spotted Owl	Red	Endangered	Jun-03
<i>Melanitta perspicillata</i>	Surf Scoter	Blue		
<i>Buteo swainsoni</i>	Swainson's Hawk	Red		
<i>Uria lomvia</i>	Thick-billed Murre	Red		
<i>Fratercula cirrhata</i>	Tufted Puffin	Blue		
<i>Cygnus columbianus</i>	Tundra Swan	Blue		
<i>Bartramia longicauda</i>	Upland Sandpiper	Red		
<i>Poocetes gramineus affinis</i>	Vesper Sparrow, <i>affinis</i> subspecies	Red	Endangered	Dec-07
<i>Tringa incana</i>	Wandering Tattler	Blue		
<i>Aechmophorus occidentalis</i>	Western Grebe	Red	Special Concern	Nov-17
<i>Megascops kennicottii</i>	Western Screech-Owl	No Status	Threatened	
<i>Megascops kennicottii kennicottii</i>	Western Screech-Owl, <i>kennicottii</i> subspecies	Blue	Threatened	Jan-05
<i>Aeronautes saxatalis</i>	White-throated Swift	Blue		
<i>Coccyzus americanus</i>	Yellow-billed Cuckoo	Red		
<i>Icteria virens</i>	Yellow-breasted Chat	Red	Endangered	Jun-03
Bivalves				
<i>Sphaerium occidentale</i>	Herrington Fingernailclam	Blue		
<i>Musculium transversum</i>	Long Fingernailclam	Blue		
<i>Ostrea lurida</i>	Olympia Oyster	Blue	Special Concern	Jun-03
<i>Sphaerium patella</i>	Rocky Mountain Fingernailclam	Red		
<i>Sphaerium striatinum</i>	Striated Fingernailclam	Blue		
<i>Musculium partumeium</i>	Swamp Fingernailclam	Blue		
Fish				
<i>Hybognathus hankinsoni</i> - Pacific group	Brassy Minnow - Pacific Group	Blue		
<i>Salvelinus confluentus</i>	Bull Trout	Blue		
<i>Salvelinus confluentus</i> pop. 28	Bull Trout - South Coast Population	Blue	Special Concern	Aug-19

<i>Cottus aleuticus</i> pop. 1	Coastrange Sculpin, Cultus Population	Red	Threatened	Jun-03
<i>Entosphenus macrostomus</i>	Cowichan Lake Lamprey	Red	Threatened	Jun-03
<i>Oncorhynchus clarkii clarkii</i>	Cutthroat Trout, <i>clarkii</i> subspecies	Blue		
<i>Gasterosteus</i> sp. 3	Enos Lake Benthic Stickleback	Red	Endangered	Jan-05
<i>Gasterosteus</i> sp. 2	Enos Lake Limnetic Stickleback	Red	Endangered	Jan-05
<i>Thaleichthys pacificus</i>	Eulachon	Blue		
<i>Acipenser medirostris</i>	Green Sturgeon	Blue	Special Concern	Aug-06
<i>Gasterosteus aculeatus</i> pop. 2	Little Quarry Lake Benthic Threespine Stickleback	Red		
<i>Gasterosteus aculeatus</i> pop. 3	Little Quarry Limnetic Threespine Stickleback	Red		
<i>Rhinichthys cataractae</i> - Chehalis lineage	Nooksack Dace	Red	Endangered	Jun-03
<i>Gasterosteus</i> sp. 5	Paxton Lake Benthic Stickleback	Red	Endangered	Jun-03
<i>Gasterosteus</i> sp. 4	Paxton Lake Limnetic Stickleback	Red	Endangered	Jun-03
<i>Spirinchus</i> sp. 1	Pygmy Longfin Smelt	Red		
<i>Catostomus</i> sp. 4	Salish Sucker	Red	Threatened	Jan-05
<i>Gasterosteus</i> sp. 17	Vananda Creek Benthic Stickleback	Red	Endangered	Jun-03
<i>Gasterosteus</i> sp. 16	Vananda Creek Limnetic Stickleback	Red	Endangered	Jun-03
<i>Lampetra richardsoni</i> pop. 1	Western Brook Lamprey (Morrison Creek Population)	Red	Endangered	Jun-03
<i>Acipenser transmontanus</i>	White Sturgeon	No Status	Endangered	
<i>Acipenser transmontanus</i> pop. 4	White Sturgeon (Lower Fraser River Population)	Red		
Gastropods				
<i>Prophysaon coeruleum</i>	Blue-grey Taildropper	Blue	Threatened	Feb-19
<i>Pristiloma johnsoni</i>	Broadwhorl Tightcoil	Blue		
<i>Hemphillia dromedarius</i>	Dromedary Jumping-slug	Red	Threatened	Jan-05
<i>Galba dalli</i>	Dusky Fossaria	Blue		
<i>Deroceras hesperium</i>	Evening Fieldslug	Red		

<i>Planorbula campestris</i>	Meadow Rams-horn	Blue		
<i>Haliotis kamtschatkana</i>	Northern Abalone	Red	Endangered	
<i>Allogona townsendiana</i>	Oregon Forestsnail	Red	Endangered	Jan-05
<i>Galba bulimoides</i>	Prairie Fossaria	Blue		
<i>Cryptomastix devia</i>	Puget Oregonian	Red	Extinct	Jan-05
<i>Galba parva</i>	Pygmy Fossaria	Blue		
<i>Physella propinqua</i>	Rocky Mountain Physa	Blue		
<i>Gyraulus crista</i>	Star Gyro	Blue		
<i>Physella virginea</i>	Sunset Physa	Blue		
<i>Nearctula</i> sp. 1	Threaded Vertigo	Blue	Special Concern	Jul-12
<i>Promenetus umbilicatellus</i>	Umbilicate Sprite	Blue		
<i>Galba vancouverensis</i>	Vancouver Fossaria	Red		
<i>Hemphillia glandulosa</i>	Warty Jumping-slug	Red	Special Concern	Jan-05
<i>Carychium occidentale</i>	Western Thorn	Blue		
<i>Stagnicola traski</i>	Widelip Pondsnaill	Blue		
<i>Stagnicola caperata</i>	Wrinkled Marshsnail	Blue		
Insects, Spiders and Worms				
<i>Enallagma clausum</i>	Alkali Bluet	Blue		
<i>Omus audouini</i>	Audouin's Night-stalking Tiger Beetle	Red	Threatened	Jun-18
<i>Sympetrum vicinum</i>	Autumn Meadowhawk	Blue		
<i>Tanypteryx hageni</i>	Black Petaltail	Blue		
<i>Tramea lacerata</i>	Black Saddlebags	Red		
<i>Pachydiplax longipennis</i>	Blue Dasher	Blue		
<i>Icaricia icarioides blackmorei</i>	Boisduval's Blue, <i>blackmorei</i> subspecies	Blue		
<i>Parnassius clodius claudianus</i>	Clodius Parnassian, <i>claudianus</i> subspecies	Blue		
<i>Parnassius clodius pseudogallatinus</i>	Clodius Parnassian, <i>pseudogallatinus</i> subspecies	Blue		
<i>Coenonympha tullia insulana</i>	Common Ringlet, <i>insulana</i> subspecies	Red		
<i>Cercyonis pegala incana</i>	Common Wood-nymph, <i>incana</i> subspecies	Red		
<i>Euphyes vestris</i>	Dun Skipper	Blue	Threatened	Jun-03
<i>Euphydryas editha taylori</i>	Edith's Checkerspot, <i>taylori</i> subspecies	Red	Endangered	Jun-03
<i>Anarta edwardsii</i>	Edwards' Beach Moth	Red	Endangered	Feb-11

<i>Argia emma</i>	Emma's Dancer	Blue		
<i>Octogomphus specularis</i>	Grappletail	Red		
<i>Icaricia saepiolus insulanus</i>	Greenish Blue, <i>insulanus</i> subspecies	Red	Endangered	Jun-03
<i>Cicindela hirticollis</i>	Hairy-necked Tiger Beetle	Blue		
<i>Chlosyne hoffmanni</i>	Hoffman's Checkerspot	Red		
<i>Papilio indra</i>	Indra Swallowtail	Red		
<i>Callophrys johnsoni</i>	Johnson's Hairstreak	Red		
<i>Euchloe ausonides insulanus</i>	Large Marble, <i>insulanus</i> subspecies	Red	Extinct	Jun-03
<i>Danaus plexippus</i>	Monarch	Red	Special Concern	Jun-03
<i>Callophrys mossii mossii</i>	Moss' Elfin, <i>mossii</i> subspecies	Red		
<i>Erynnis propertius</i>	Propertius Duskywing	Red		
<i>Stygobromus quatsinensis</i>	Quatsino Cave Amphipod	Blue		
<i>Parnassius smintheus olympiannus</i>	Rocky Mountain Parnassian, <i>olympiannus</i> subspecies	Blue		
<i>Copablepharon fuscum</i>	Sand-verbena Moth	Red	Endangered	Jul-05
<i>Epargyreus clarus</i>	Silver-spotted Skipper	Blue		
<i>Epargyreus clarus californicus</i>	Silver-spotted Skipper, <i>californicus</i> subspecies	Red		
<i>Ophiogomphus occidentis</i>	Sinuous Snaketail	Blue		
<i>Argia vivida</i>	Vivid Dancer	Blue	Special Concern	Feb-19
<i>Hesperia colorado oregonia</i>	Western Branded Skipper, <i>oregonia</i> subspecies	Red		
<i>Bombus occidentalis</i>	Western Bumble Bee	Blue		
<i>Callophrys eryphon sheltonensis</i>	Western Pine Elfin, <i>sheltonensis</i> subspecies	Blue		
<i>Erythemis collocata</i>	Western Pondhawk	Blue		
<i>Speyeria zerene bremnerii</i>	Zerene Fritillary, <i>bremnerii</i> subspecies	Red		
<i>Arctiostrotus perrieri</i>		Blue		
Mammals				
<i>Eptesicus fuscus</i>	Big Brown Bat	Yellow		
<i>Myotis californicus</i>	Californian Myotis	Yellow		
<i>Mustela erminea anguinae</i>	Ermine, <i>anguinae</i> subspecies	Blue		
<i>Pekania pennanti</i>	Fisher	No Status		

<i>Eschrichtius robustus</i>	Grey Whale	Blue	Special Concern	Jul-05
<i>Ursus arctos</i>	Grizzly Bear	Blue	Special Concern	Jun-18
<i>Lasiurus cinereus</i>	Hoary Bat	Yellow		
<i>Myotis lucifugus</i>	Little Brown Myotis	Yellow	Endangered	Dec-14
<i>Myotis evotis</i>	Long-eared Myotis	Yellow		
<i>Myotis volans</i>	Long-legged Myotis	Yellow		
<i>Mustela frenata altifrontalis</i>	Long-tailed weasel, <i>altifrontalis</i> subspecies	Red		
<i>Aplodontia rufa</i>	Mountain Beaver	Yellow	Special Concern	Jun-03
<i>Oreamnos americanus</i>	Mountain Goat	Blue		
<i>Mirounga angustirostris</i>	Northern Elephant Seal	Red		
<i>Sorex rohweri</i>	Olympic Shrew	Red		
<i>Sorex bendirii</i>	Pacific Water Shrew	Red	Endangered	Jun-03
<i>Cervus elaphus roosevelti</i>	Roosevelt Elk	Blue		
<i>Lasionycteris noctivagans</i>	Silver-haired Bat	Yellow		
<i>Lepus americanus washingtonii</i>	Snowshoe Hare, <i>washingtonii</i> subspecies	Red		
<i>Myodes gapperi occidentalis</i>	Southern Red-backed Vole, <i>occidentalis</i> subspecies	Red		
<i>Eumetopias jubatus</i>	Steller Sea Lion	Blue	Special Concern	Jul-05
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	Blue		
<i>Scapanus townsendii</i>	Townsend's Mole	Red	Endangered	Jan-05
<i>Sorex trowbridgii</i>	Trowbridge's Shrew	Blue		
<i>Sorex navigator brooksi</i>	Western Water Shrew, <i>brooksi</i> subspecies	Blue		
<i>Gulo gulo</i>	Wolverine	No Status	Special Concern	Jun-18
<i>Gulo gulo luscus</i>	Wolverine, <i>luscus</i> subspecies	Blue	Special Concern	Jun-18
<i>Gulo gulo vancouverensis</i>	Wolverine, <i>vancouverensis</i> subspecies	Red	Special Concern	Jun-18
<i>Myotis yumanensis</i>	Yuma Myotis	Yellow		
Reptiles				
<i>Contia tenuis</i>	Common Sharp-Tailed Snake	Red	Endangered	Jun-03

<i>Pituophis catenifer catenifer</i>	Gopher Snake, <i>catenifer</i> subspecies	Red	Extinct	Jan-05
<i>Pituophis catenifer</i>	Gophersnake	No Status	Extinct / Threatened	Jan-05
<i>Dermochelys coriacea</i>	Leatherback Sea Turtle	Red	Endangered	May-17
<i>Charina bottae</i>	Northern Rubber Boa	Yellow	Special Concern	Jan-05
<i>Actinemys marmorata</i>	Northwestern Pond Turtle	Red	Extinct	Jan-05
<i>Chrysemys picta</i>	Painted Turtle	No Status	Endangered / Special Concern	Dec-07
<i>Chrysemys picta</i> pop. 1	Painted Turtle - Pacific Coast Population	Red	Endangered	Dec-07
Scientific Name	English Name	BC List	SARA	SARA Date
Plants				
<i>Seligeria acutifolia</i>	acuteleaf small limestone moss	Red	Endangered	May-21
<i>Glehnia littoralis</i> ssp. <i>leiocarpa</i>	American glehnia	Blue		
<i>Entosthodon fascicularis</i>	banded cord-moss	Blue	Special Concern	Aug-06
<i>Scytinium platynum</i>	batwing vinyl	Yellow	Endangered	Feb-17
<i>Calystegia soldanella</i>	beach bindweed	Blue		
<i>Triphysaria versicolor</i> ssp. <i>versicolor</i>	bearded owl-clover	Red	Endangered	Jun-03
<i>Sanicula arctopoides</i>	bear's-foot sanicle	Red	Threatened	Jun-03
<i>Polygonum paronychia</i>	black knotweed	Blue		
<i>Hosackia pinnata</i>	bog bird's-foot lotus	Red	Endangered	Jul-05
<i>Physconia deterosa</i>	bottlebrush frost	Red		
<i>Corispermum hookeri</i> var. <i>pseudodeclinatum</i>	British Columbia bugseed	Unknown		
<i>Epilobium torreyi</i>	brook spike-primrose	Red	Endangered	Dec-07
<i>Lomatium papilioniferum</i>	butterfly bearing lomatium	Red	Threatened	Feb-11
<i>Ranunculus californicus</i>	California buttercup	Red	Endangered	Feb-11
<i>Polystichum californicum</i>	California Sword-fern	Red		
<i>Montia chamissoi</i>	Chamisso's montia	Blue		
<i>Marah oregana</i>	coast manroot	Red		
<i>Microseris bigelovii</i>	coast microseris	Red	Endangered	Dec-07
<i>Silene scouleri</i> ssp. <i>scouleri</i>	coastal Scouler's catchfly	Red	Endangered	Jan-05
<i>Dryopteris arguta</i>	coastal wood fern	Blue	Special Concern	Jun-03
<i>Githopsis specularioides</i>	common bluecup	Blue		
<i>Pannaria rubiginosa</i>	considerable gingerbread	Red		

<i>Camissonia contorta</i>	contorted-pod evening-primrose	Red	Endangered	Dec-07
<i>Fuscopannaria coralloidea</i>	coral crackers	Blue		
<i>Nephroma occultum</i>	cryptic paw	Blue	Special Concern	Dec-07
<i>Balsamorhiza deltoidea</i>	deltoid balsamroot	Red	Endangered	Jun-03
<i>Epilobium densiflorum</i>	dense spike-primrose	Red	Endangered	Aug-06
<i>Lupinus microcarpus</i> var. <i>microcarpus</i>	dense-flowered lupine	Red	Endangered	Aug-06
<i>Festuca rubra</i> ssp. <i>mediana</i>	dwarf red fescue	Yellow		
<i>Sabulina pusilla</i>	dwarf sandwort	Red	Endangered	Jul-05
<i>Crassula connata</i>	Erect Pigmyweed	Blue		
<i>Leioderma solediatum</i>	felted elf	Blue		
<i>Lomatium dissectum</i>	fern-leaved desert-parsley	Red		
<i>Collema flaccidum</i>	flaking tarpaper	Red		
<i>Carex tumulicola</i>	foothill sedge	Yellow	Endangered	Feb-10
<i>Plagiobothrys figuratus</i> ssp. <i>figuratus</i>	fragrant popcornflower	Red	Endangered	Feb-10
<i>Woodwardia fimbriata</i>	giant chain fern	Blue		
<i>Castilleja levisecta</i>	golden paintbrush	Red	Endangered	Jun-03
<i>Sidalcea hendersonii</i>	Henderson's checker-mallow	Blue		
<i>Triteleia howellii</i>	Howell's triteleia	Red	Endangered	Jan-05
<i>Viola howellii</i>	Howell's violet	Red		
<i>Sisyrinchium idahoense</i> var. <i>segetum</i>	Idaho blue-eyed-grass	Red		
<i>Juncus kelloggii</i>	Kellogg's rush	Red	Endangered	Jan-05
<i>Lupinus oreganus</i> var. <i>kincaidii</i>	Kincaid's lupine	Unknown	Extinct	Feb-11
<i>Pyrola aphylla</i>	leafless wintergreen	Blue		
<i>Uropappus lindleyi</i>	Lindley's microseris	Red	Endangered	Feb-10
<i>Ranunculus lobbii</i>	Lobb's water-buttercup	Red		
<i>Limnanthes macounii</i>	Macoun's meadow-foam	Red	Threatened	Aug-06
<i>Trifolium dichotomum</i>	Macrae's clover	Red		
<i>Scytinium californicum</i>	midlife vinyl	Blue		
<i>Zeltnera muehlenbergii</i>	Muhlenberg's centaury	Red	Endangered	Feb-10
<i>Peltigera gowardii</i>	northwest waterfan	Red	Special Concern	Feb-18
<i>Potamogeton oakesianus</i>	Oakes' pondweed	Unknown		
<i>Utricularia ochroleuca</i>	ochroleucous bladderwort	Blue		
<i>Lobaria silvae-veteris</i>	oldgrowth lung	Red		

<i>Fraxinus latifolia</i>	Oregon ash	Red		
<i>Corallorhiza maculata</i> var. <i>ozettensis</i>	Ozette coralroot	Blue		
<i>Collema furfuraceum</i> var. <i>luzonense</i>	Pacific tarpaper	Blue		
<i>Scytinium polycarpum</i>	peacock vinyl	Yellow	Special Concern	
<i>Cephalanthera austiniae</i>	phantom orchid	Red	Threatened	Jun-03
<i>Fissidens pauperculus</i>	poor pocket moss	Red	Endangered	Jun-03
<i>Trifolium depauperatum</i> var. <i>depauperatum</i>	poverty clover	Blue		
<i>Lupinus lepidus</i>	prairie lupine	Red	Endangered	Jun-03
<i>Sanicula bipinnatifida</i>	purple sanicle	Red	Threatened	Jun-03
<i>Dermatocarpon intestiniforme</i>	quilted stippleback	Blue		
<i>Lasthenia glaberrima</i>	rayless goldfields	Red	Endangered	Feb-10
<i>Bartramia aprica</i>	rigid apple moss	Red	Endangered	Jun-03
<i>Brotherella roellii</i>	Roell's brotherella	Red	Endangered	Jun-18
<i>Orthocarpus bracteosus</i>	rosy owl-clover	Red	Endangered	Jul-05
<i>Eurybia radulina</i>	rough-leaved aster	Red		
<i>Erigeron philadelphicus</i> var. <i>glaber</i>	salt marsh Philadelphia daisy	Red		
<i>Hosackia gracilis</i>	seaside bird's foot lotus	Red	Endangered	Jun-03
<i>Hypogymnia heterophylla</i>	seaside bone	Red	Threatened	Feb-10
<i>Lathyrus littoralis</i>	silky beach pea	Red		
<i>Fabronia pusilla</i>	silver hair moss	Red	Endangered	Jan-05
<i>Plagiobothrys tenellus</i>	slender popcornflower	Red	Threatened	Feb-11
<i>Allium amplexans</i>	slimleaf onion	Blue		
<i>Tonella tenella</i>	small-flowered tonella	Blue	Endangered	Jul-05
<i>Cladonia decorticata</i>	strip-tease pixie	Blue		
<i>Psilocarphus elatior</i>	tall woolly-heads	Red	Endangered	Jun-03
<i>Nuttallanthus texanus</i>	Texas toadflax	Blue		
<i>Syntrichia laevipila</i>	twisted oak moss	Blue	Special Concern	Jul-05
<i>Callitriche heterophylla</i> var. <i>heterophylla</i>	two-edged water-starwort	Unknown		
<i>Bidens amplissima</i>	Vancouver Island beggarticks	Blue	Special Concern	Jun-03
<i>Castilleja victoriae</i>	Victoria's owl-clover	Red	Endangered	Jul-12
<i>Erioderma soledadum</i>	vole felt	Blue		
<i>Claytonia washingtoniana</i>	Washington springbeauty	Red		

<i>Ranunculus alismifolius</i> var. <i>alismifolius</i>	water-plantain buttercup	Red	Endangered	Jun-03
<i>Meconella oregana</i>	white meconella	Red	Endangered	Aug-06
<i>Pinus albicaulis</i>	whitebark pine	Blue	Endangered	Jul-12
<i>Platanthera ephemerantha</i>	white-lip rein orchid	Blue		
<i>Sericocarpus rigidus</i>	white-top aster	Blue	Special Concern	Jun-03
<i>Clarkia purpurea</i> ssp. <i>quadrivulnera</i>	wine-cup clarkia	Red		
<i>Viola praemorsa</i> var. <i>praemorsa</i>	yellow montane violet	Red	Endangered	Jun-03
<i>Abronia latifolia</i>	yellow sand-verbena	Blue		
Plant Communities				
<i>Sarcocornia pacifica</i> - <i>Lysimachia maritima</i>	American glasswort - sea-milkwort	Red		
<i>Arbutus menziesii</i> / <i>Arctostaphylos columbiana</i>	arbutus / hairy manzanita	Red		
<i>Juncus arcticus</i> - <i>Plantago macrocarpa</i>	arctic rush - Alaska plantain	Red		
<i>Ruppia maritima</i> Herbaceous Vegetation	beaked ditch-grass Herbaceous Vegetation	Red		
<i>Populus trichocarpa</i> - <i>Alnus rubra</i> / <i>Rubus spectabilis</i>	black cottonwood - red alder / salmonberry	Blue		
<i>Populus trichocarpa</i> / <i>Salix sitchensis</i>	black cottonwood / Sitka willow	Blue		
<i>Menyanthes trifoliata</i> - <i>Carex lasiocarpa</i>	buckbean - slender sedge	Blue		
<i>Typha latifolia</i> Marsh	common cattail Marsh	Blue		
<i>Eleocharis palustris</i> Herbaceous Vegetation	common spike-rush Herbaceous Vegetation	Blue		
<i>Pseudotsuga menziesii</i> - <i>Arbutus menziesii</i>	Douglas-fir - arbutus	Red		
<i>Pseudotsuga menziesii</i> - <i>Pinus contorta</i> / <i>Cladina</i> spp.	Douglas-fir - lodgepole pine / reindeer lichens	Red		
<i>Pseudotsuga menziesii</i> - <i>Tsuga heterophylla</i> / <i>Gaultheria shallon</i> Dry Maritime	Douglas-fir - western hemlock / salal Dry Maritime	Red		
<i>Pseudotsuga menziesii</i> / <i>Melica subulata</i>	Douglas-fir / Alaska oniongrass	Red		
<i>Pseudotsuga menziesii</i> / <i>Mahonia nervosa</i>	Douglas-fir / dull Oregon-grape	Red		
<i>Pseudotsuga menziesii</i> / <i>Polystichum munitum</i>	Douglas-fir / sword fern	Red		
<i>Leymus mollis</i> ssp. <i>mollis</i> - <i>Lathyrus japonicus</i>	dune wildrye - beach pea	Red		
<i>Quercus garryana</i> - <i>Arbutus menziesii</i>	Garry oak - arbutus	Red		
<i>Quercus garryana</i> / <i>Bromus carinatus</i>	Garry oak / California brome	Red		
<i>Quercus garryana</i> / <i>Holodiscus discolor</i>	Garry oak / oceanspray	Red		
<i>Abies grandis</i> / <i>Mahonia nervosa</i>	grand fir / dull Oregon-grape	Red		

<i>Abies grandis</i> / <i>Tiarella trifoliata</i>	grand fir / three-leaved foamflower	Red
<i>Schoenoplectus acutus</i> Deep Marsh	hard-stemmed bulrush Deep Marsh	Blue
<i>Sidalcea hendersonii</i> Tidal Marsh	Henderson's checker-mallow Tidal Marsh	Red
<i>Rhododendron groenlandicum</i> / <i>Kalmia microphylla</i> / <i>Sphagnum</i> spp.	Labrador-tea / western bog-laurel / peat-mosses	Blue
<i>Carex macrocephala</i> Herbaceous Vegetation	large-headed sedge Herbaceous Vegetation	Red
<i>Pinus contorta</i> / <i>Sphagnum</i> spp. CDFmm	lodgepole pine / peat-mosses CDFmm	Red
<i>Pinus contorta</i> / <i>Sphagnum</i> spp. Very Dry Maritime	lodgepole pine / peat-mosses Very Dry Maritime	Blue
<i>Carex lyngbyei</i> Herbaceous Vegetation	Lyngbye's sedge herbaceous vegetation	Red
<i>Artemisia campestris</i> - <i>Festuca rubra</i> / <i>Racomitrium canescens</i>	northern wormwood - red fescue / grey rock-moss	Red
<i>Alnus rubra</i> / <i>Rubus spectabilis</i> / <i>Equisetum arvense</i>	red alder / salmonberry / common horsetail	Blue
<i>Alnus rubra</i> / <i>Lysichiton americanus</i>	red alder / skunk cabbage	Red
<i>Alnus rubra</i> / <i>Carex obnupta</i> [<i>Populus trichocarpa</i>]	red alder / slough sedge [black cottonwood]	Red
<i>Festuca roemerii</i> - <i>Koeleria macrantha</i>	Roemer's fescue - junegrass	Red
<i>Bolboschoenus maritimus</i> var. <i>paludosus</i> Alkali Marsh	seacoast bulrush Alkali Marsh	Red
<i>Distichlis spicata</i> - <i>Sarcocornia pacifica</i>	seashore saltgrass - Pacific swampfire	Red
<i>Carex sitchensis</i> - <i>Oenanthe sarmentosa</i>	Sitka sedge - Pacific water-parsley	Blue
<i>Picea sitchensis</i> / <i>Rubus spectabilis</i> Very Dry Maritime	Sitka spruce / salmonberry Very Dry Maritime	Red
<i>Salix sitchensis</i> - <i>Salix lasiandra</i> var. <i>lasiandra</i> / <i>Lysichiton americanus</i>	Sitka willow - Pacific willow / skunk cabbage	Red
<i>Carex lasiocarpa</i> - <i>Rhynchospora alba</i>	slender sedge - white beak-rush	Red
<i>Myrica gale</i> / <i>Carex sitchensis</i>	sweet gale / Sitka sedge	Red
<i>Dulichium arundinaceum</i> Herbaceous Vegetation	three-way sedge	Red
<i>Myosurus minimus</i> - <i>Montia</i> spp. - <i>Limnanthes macounii</i>	tiny mousetail - montias - Macoun's meadow-foam	Red
<i>Populus tremuloides</i> / <i>Malus fusca</i> / <i>Carex obnupta</i>	trembling aspen / Pacific crab apple / slough sedge	Red
<i>Deschampsia cespitosa</i> - <i>Sidalcea hendersonii</i>	tufted hairgrass - Henderson's checker-mallow	Red

<i>Deschampsia cespitosa</i> ssp. <i>beringensis</i> - <i>Hordeum brachyantherum</i>	tufted hairgrass - meadow barley	Red
<i>Selaginella wallacei</i> / <i>Cladina</i> spp.	Wallace's selaginella / reindeer lichens	Blue
<i>Tsuga heterophylla</i> - <i>Pseudotsuga menziesii</i> / <i>Eurhynchium oregonum</i>	western hemlock - Douglas-fir / Oregon beaked-moss	Red
<i>Tsuga heterophylla</i> - <i>Thuja plicata</i> / <i>Struthiopteris spicant</i>	western hemlock - western redcedar / deer fern	Red
<i>Thuja plicata</i> - <i>Pseudotsuga menziesii</i> / <i>Eurhynchium oregonum</i>	western redcedar - Douglas-fir / Oregon beaked-moss	Red
<i>Thuja plicata</i> - <i>Picea sitchensis</i> / <i>Lysichiton americanus</i>	western redcedar - Sitka spruce / skunk cabbage	Blue
<i>Thuja plicata</i> / <i>Lonicera involucrata</i>	western redcedar / black twinberry	Red
<i>Thuja plicata</i> / <i>Symphoricarpos albus</i>	western redcedar / common snowberry	Red
<i>Thuja plicata</i> / <i>Oemleria cerasiformis</i>	Western Redcedar / Osoberry	Red
<i>Thuja plicata</i> / <i>Rubus spectabilis</i>	western redcedar / salmonberry	Red
<i>Thuja plicata</i> / <i>Carex obnupta</i>	western redcedar / slough sedge	Red
<i>Thuja plicata</i> / <i>Polystichum munitum</i> - <i>Lysichiton americanus</i>	western redcedar / sword fern - skunk cabbage	Blue
<i>Thuja plicata</i> / <i>Polystichum munitum</i> Very Dry Maritime	western redcedar / sword fern Very Dry Maritime	Red
<i>Thuja plicata</i> / <i>Tiarella trifoliata</i> Very Dry Maritime	western redcedar / three-leaved foamflower Very Dry Maritime	Blue
<i>Thuja plicata</i> / <i>Achlys triphylla</i>	western redcedar / vanilla-leaf	Red



DATE OF MEETING: March 22, 2022
 TO: Salt Spring Island Local Trust Committee
 FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
 SUBJECT: Development Variance Permit to Permit the Siting of a Retaining Wall Structure to the Natural Boundary of the Sea
 Applicant: C. Fevang
 Location: 105 McKenzie Crescent, Piers Island, BC (PID: 004-122-577)

RECOMMENDATION

1. That the 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).

REPORT SUMMARY

This Development Variance Permit (DVP) application seeks to vary the [Piers Island Land Use Bylaw No. 373](#) (LUB) to permit the siting of a rock retaining wall structure to the natural boundary of the sea. Staff recommend the Salt Spring Island Local Trust Committee (SS LTC) request a shoreline stabilization report completed by a qualified professional to determine whether a soft shore design is appropriate for the subject property in consideration of the [Piers Island Official Community Plan No. 51](#) (OCP) goals and guidance within “[Your Marine Waterfront](#): A Guide to Protecting Your Property While Promoting Healthy Shorelines, 2016”.

BACKGROUND

The subject property (Figure No. 1 & 2) is located on Piers Island within the Salt Spring Island Local Trust Area. The 0.27-hectare (0.66-acre) lot is zoned Residential (R) and Shoreline 1 (S1) along the foreshore (Satellite Channel). A comprehensive analysis of the subject property and surrounding area can be found in Appendix No. 2.

The applicant is seeking a variance for the siting of a proposed rock retaining wall (rip rap) structure to the natural boundary of the sea due to erosion from increased intensity of environmental events and marine traffic which has created an undercut in the bank. The applicant is proposing to construct a 2 metre high, 28 meter long rock retaining wall (rip rap) structure (which will incorporate access to the shoreline) and re-vegetate the disturbed area (Figure No. 4) following removal of four trees and one stump (Appendix No. 3).

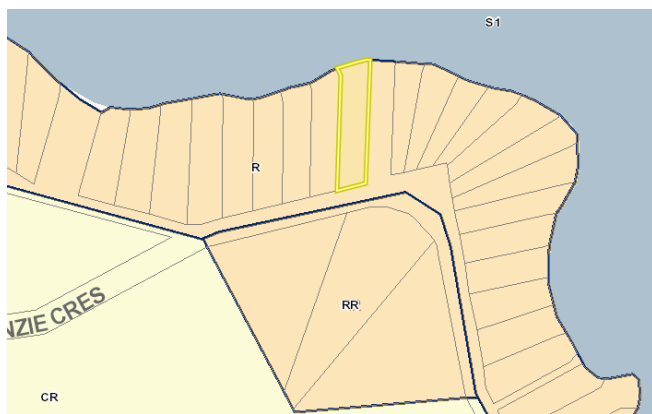


Figure 1: Zoning Map of Subject Property



Figure 2: 2021 CRD Orthophoto (Partial) of Subject Property

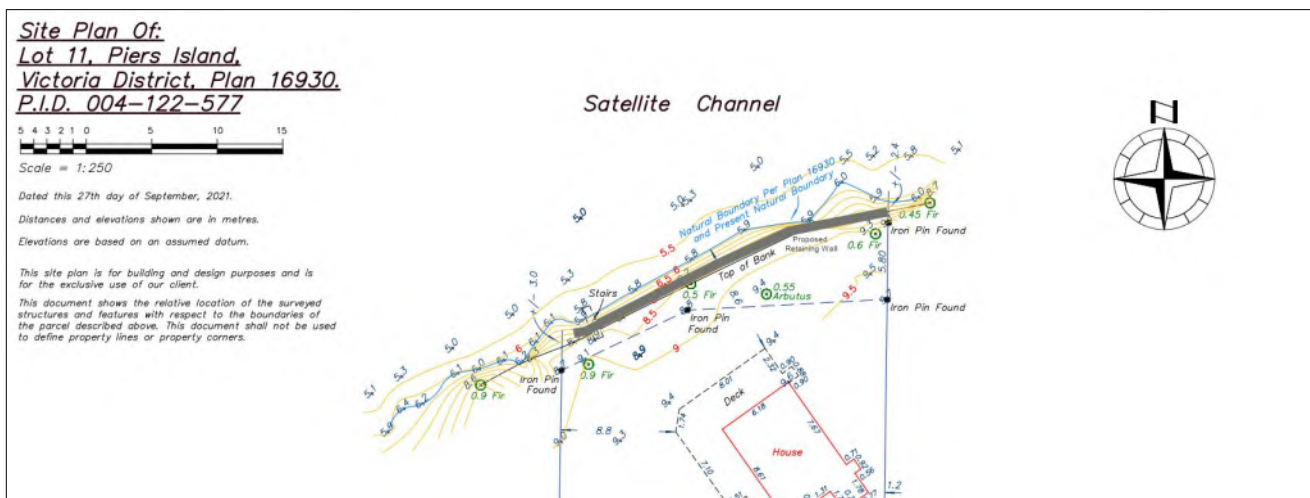


Figure 3: Extract of Site Plan for Subject Property (Showing Retaining Wall)

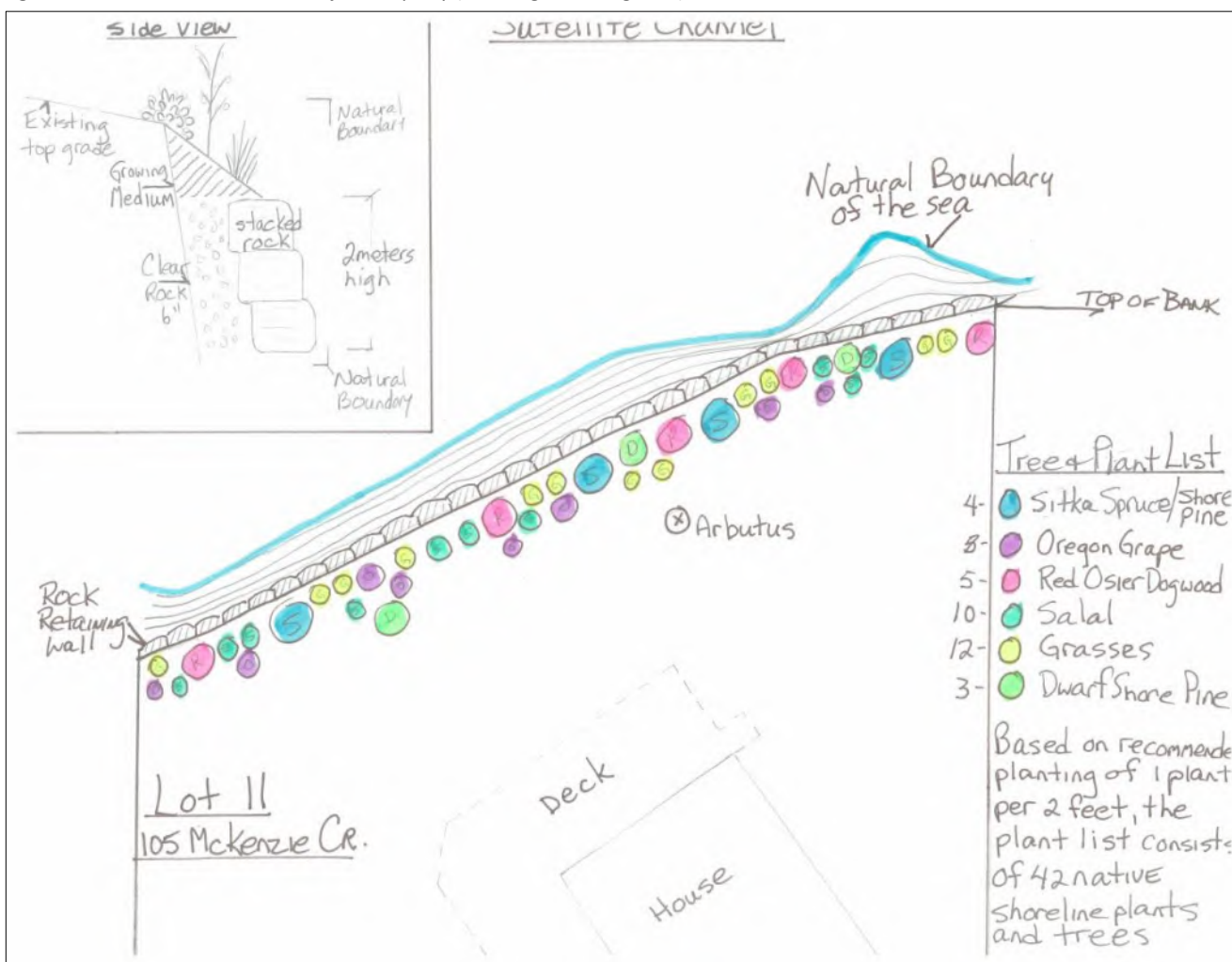


Figure 4: Proposed Re-Vegetation Plan

ANALYSIS

Policy/Regulatory

Granting a variance does not set a precedent and the SS LTC is unfettered in its ability to grant or deny variances. However, the granting of variances regarding setbacks may create expectation in the community with regard to future applications. The DVP process enables property owners to relax minor land use bylaw regulations, while providing certainty for adjacent property owners and minimizing negative impacts on neighbours.

Official Community Plan:

The subject property is designated Residential and Water A. Relevant OCP goals and policies are as follows:

OCP Goal/Policy	Complies	Planner Comments
Goal 1 To preserve Piers Island's rural unspoiled character, natural beauty and views, and to protect its foreshores and surrounding waters.	No	The proposed retaining wall (hard) structure is a departure from the current natural design technique on site.
Goal 3 To encourage the conservation of forest land, the retention of trees on community and private land, and to conserve other resources, including the protection of watercourse.	No	Four trees are proposed to be removed along the foreshore for the installation of the proposed retaining wall (hard) structure
Policy 2 (Residential Areas) Residential land is to be reserved for permanent and seasonal residential development (with no lot smaller than 0.16 hectare (0.4 acre) to maintain the natural qualities and rural character of the Island. Under no circumstances shall more than five (5) additional lots be created in the Residential Area. This will complete residential development of Piers Island at a total of 128 residential lots.	Yes	The proposal is consistent with the permitted uses, buildings and structures on the subject property.
Policy 12 (Water Areas) Water areas are to be utilized in such a manner as to complement activities and planning goals, on the adjoining shores.	Yes	The proposal does not propose works on the foreshore (which would require a Crown Land Authorizations Licence of Occupation)

Land Use Bylaw:

The proposal meets LUB regulations with the exception of the following:

- 4.3.1 No building or structure except a fence, wharf-foot or stairs may be sited within 7.5 metres of the natural boundary of the sea. If the land is lower than 3.0 metres vertical elevation above the natural boundary of the sea, the minimum setback shall be 15.0 metres.

Additionally, the following LUB definitions and regulations are pertinent to this report:

8.2.2 Special Provisions

- (1) No structure may interrupt continuous pedestrian access along the shoreline.
- (3) No building or structure, including a boat shed or shelter shall be erected on any private float or wharf other than posts to carry lighting fixtures or supports for safety.

Issues and Opportunities

Shoreline Works on Piers Island

Property owners within the Islands Trust area are encouraged to re-establish native vegetation, develop carefully by setting back new development from a bluff or foreshore to minimize future need for foreshore protection and to use soft shore approaches (such as [Green Shores](#)) rather than hardening the shoreline. The OCP notes the goal [1] is “to preserve Piers Island's rural unspoiled character, natural beauty and views, and to protect its foreshores and surrounding waters.” The LUB is broad in its permitted [accessory] uses within the shoreline zones, allowing a “float, buoy, wharf, wharf-foot, ramp, dolphin, piling, seawall and walkway accessory to a permitted use” (Subsection 8.2.1). The nature of the island – consisting of small, water access only lots with limited transportation options – has increased the intensity of structural alteration along its shoreline.

Proposed Shoreline Works on Subject Property

The applicant has noted that the proposed retaining wall (rip rap) structure would be integral to protection of the shoreline and will utilize natural boulders similar to other nearby retaining wall structures (Appendix No. 3). The subject property is medium bank waterfront (3 metres high) with a mix of rock and bluff slope consisting of shallow rooted vegetation and trees. The shoreline of the subject property is classified as “low rock/boulder” – consisting of rocky shore with low slopes – is the most common type of shoreline in the Salt Spring Island Local Trust Area. Eroding shorelines are typically associated with higher energy environments (such as wind and wave force) along shorelines like headlands, high exposure sediment shoreline, or points of land. Halting erosion – such as construction of seawalls – can interrupt sediment movement along the shoreline to downstream beaches¹. Climate change has resulted in rising sea levels and more frequent and severe winter storms resulting in significant new

¹ Shoreline Maps, Salt Spring Island: <https://islandstrust.bc.ca/document/salt-spring-island-shoreline-mapping/>

erosion of shorelines and in response, many waterfront property owners are seeking to harden their shorelines which may increase erosion and negatively impact nearshore beach and sea life². Staff note the protection sought by the proposed retaining wall could potentially be similarly achieved with a soft shore approach – log placement, anchoring, resloping and revegetation – undertaken with guidance by a qualified professional. An example of a soft shoreline approach was undertaken directly across Satellite Channel on Salt Spring Island (SS-DP-2017. 12). Leaning and fallen trees (unless deemed hazardous) are recommended to be left in place as they provide erosion protection and important habitat for fish and wildlife³. As part of the proposed works, the applicant is seeking to remove four trees leaning trees and one stump (Figure No. 5). [Your Marine Waterfront](#) (p. 31) notes hard shore approaches may be appropriate if other design techniques are not appropriate and can still incorporate design elements to minimize their environmental impact such as choosing an appropriate design and materials, allowing for drainage, adequately setting the footings, aligning hard structures to the natural shape of the shoreline (preferably flexible structures such as rip rap), and preserving vegetation (or revegetating). In support of their application the applicant has supplied a revegetation plan (Figure No. 4) which proposes the planting of 7 varieties of 42 shoreline plants and trees along the top of the proposed retaining wall and forms part of the proposed DVP (Appendix No. 1). The SS LTC could require the applicant provide a landscaping security in accordance with [Section 502](#) of the *Local Government Act* (staff note a cost estimate for the proposed landscaping has not been provided). In consideration of the forgoing, staff recommend the SS LTC request the applicant obtain report from a geotechnical engineer (or landscape architect/coastal geologist/biologist) to determine whether a soft shore approach is feasible for the subject property prior to consideration of the DVP. Staff note a soft shore design would likely not require a DVP.



Figure 5: Shoreline of Subject Property from Foreshore (trees to be removed denoted with yellow dots)

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 March 4, 2022.

Five pieces of correspondence in support of the application have been received. Staff will verbally indicate if any additional correspondence has been received subsequent to submission of this report at the SS LTC meeting.

Agencies

This application does not require agency referrals.

First Nations

This proposal does not require First Nations referral.

² Islands Trust: Marine Shorelines <https://islandstrust.bc.ca/programs/marine-shorelines/>

³ Your Marine Waterfront: A guide to protecting your property while promoting healthy shorelines, 2016: <https://islandstrust.bc.ca/document/your-marine-waterfront-guide/>

Rationale for Recommendation

The applicant is seeking to construct a rip rap retaining wall structure on the subject property within the setback to the natural boundary of the sea. Staff note the proposed design (rip rap along the natural shape of the shoreline) retention of trees and revegetation plan is consistent with the hard shore design best practices within [Your Marine Waterfront](#) and would not “interrupt continuous pedestrian access along the shoreline” in accordance with LUB 8.2.2(1), however, [Your Marine Waterfront](#) recommend a hard shore approach only when other techniques are not determined to be appropriate. As such, staff recommend the SS LTC request a shoreline stabilization report completed by a qualified professional to determine whether a soft shore design may be appropriate for the subject property.

ALTERNATIVES

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

1. Approve the application

The SS LTC may approve the application. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.2 (105 McKenzie Crescent – Piers Island).

2. Deny the application

The SS LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed and Bylaw Compliance and Enforcement would be informed of the outcome. The applicant could choose to make an application to the Board of Variance if hardship can be demonstrated. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of Development Variance Permit SS-DVP-2022.2 for the following reasons: [list reasons] (105 McKenzie Crescent – Piers Island).

3. 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 costs 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 resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-DVP-2022.2, 105 McKenzie Crescent – Piers Island).

NEXT STEPS

If the recommended resolution is adopted, the DVP will be issued.

Submitted By:	Kristine Mayes, Planner 1	March 9, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 9, 2022

APPENDICES

1. Proposed Development Variance Permit
2. Site Context & Photographs
3. Applicant Letter

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.2

TO: C. FEVANG & M. FEVANG

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 004-122-577
LEGAL DESCRIPTION: LOT 11, PIERS ISLAND, VICTORIA DISTRICT, PLAN 16930
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 September 27, 2021, by Wey Mayenburg Land Surveying Inc.
 Plan No. 2 Revegetation Plan
3. Salt Spring Island Local Trust Committee Bylaw No. 373, cited as "*Piers Island Land Use Bylaw, 2001*" is varied as follows:
 - 4.3 SETBACKS FROM THE SEA – BUILDINGS AND STRUCTURES**
 - 4.3.1 No building or structure except a fence, wharf-foot or stairs may be sited within 7.5 metres of the natural boundary of the sea. If the land is lower than 3.0 metres vertical elevation above the natural boundary of the sea, the minimum setback shall be 15.0 metres.

The above subsection is varied to reduce the setback between a retaining wall *structure* and the *natural boundary* of the sea from 15.0 m to 0.0 m in accordance with Plan No. 1 and Plan No. 2 forming part of and attached to this permit.
4. Native trees and vegetation are to be retained or replanted and maintained in accordance with the Plan No. 2.
5. 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.
6. 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 "Piers Island Land Use Bylaw, 2001" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District, Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Crown Land Authorizations), and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch).
7. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.2

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.

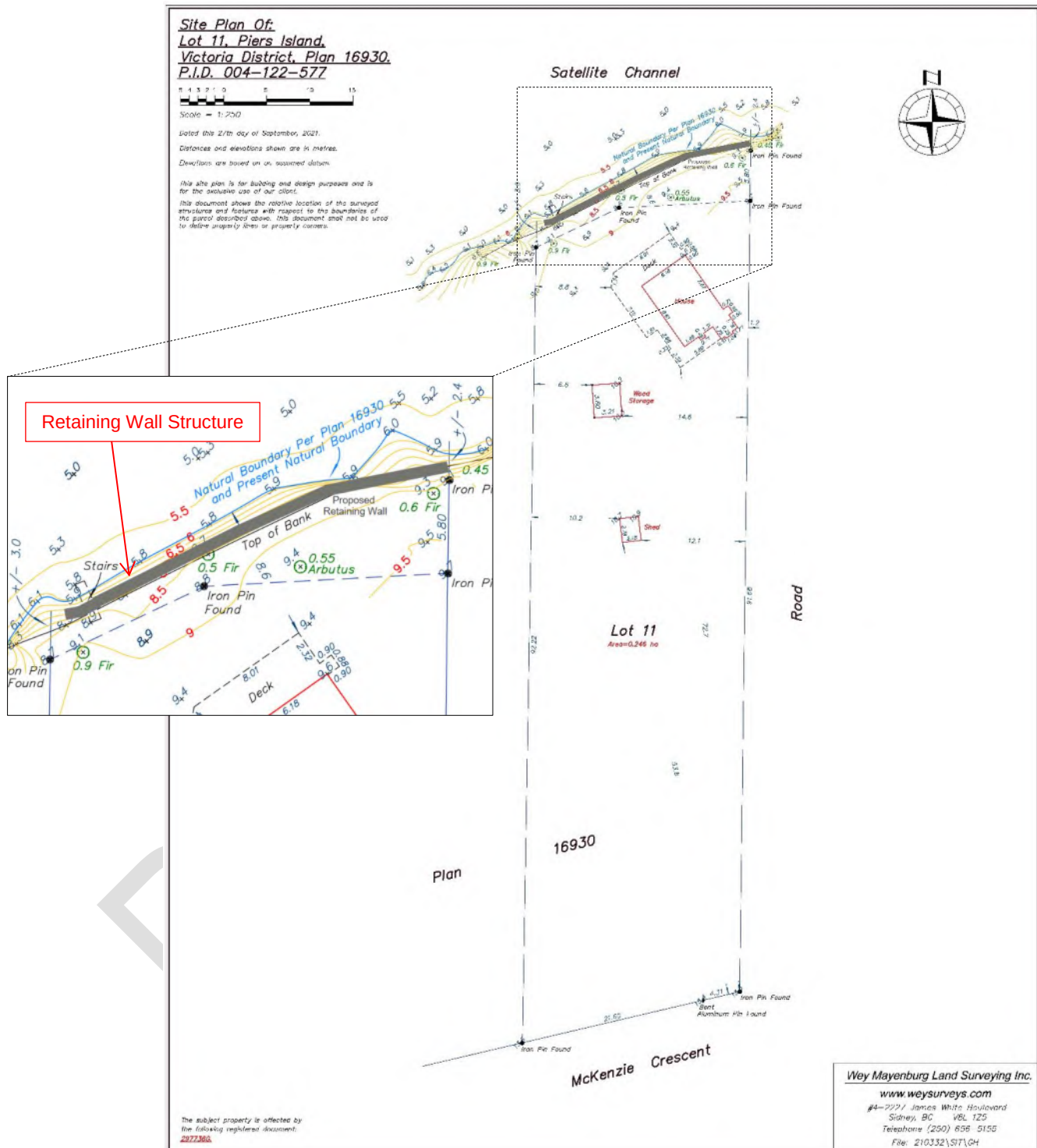
PROPOSED

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.2

PLAN NO. 1: Site Plan

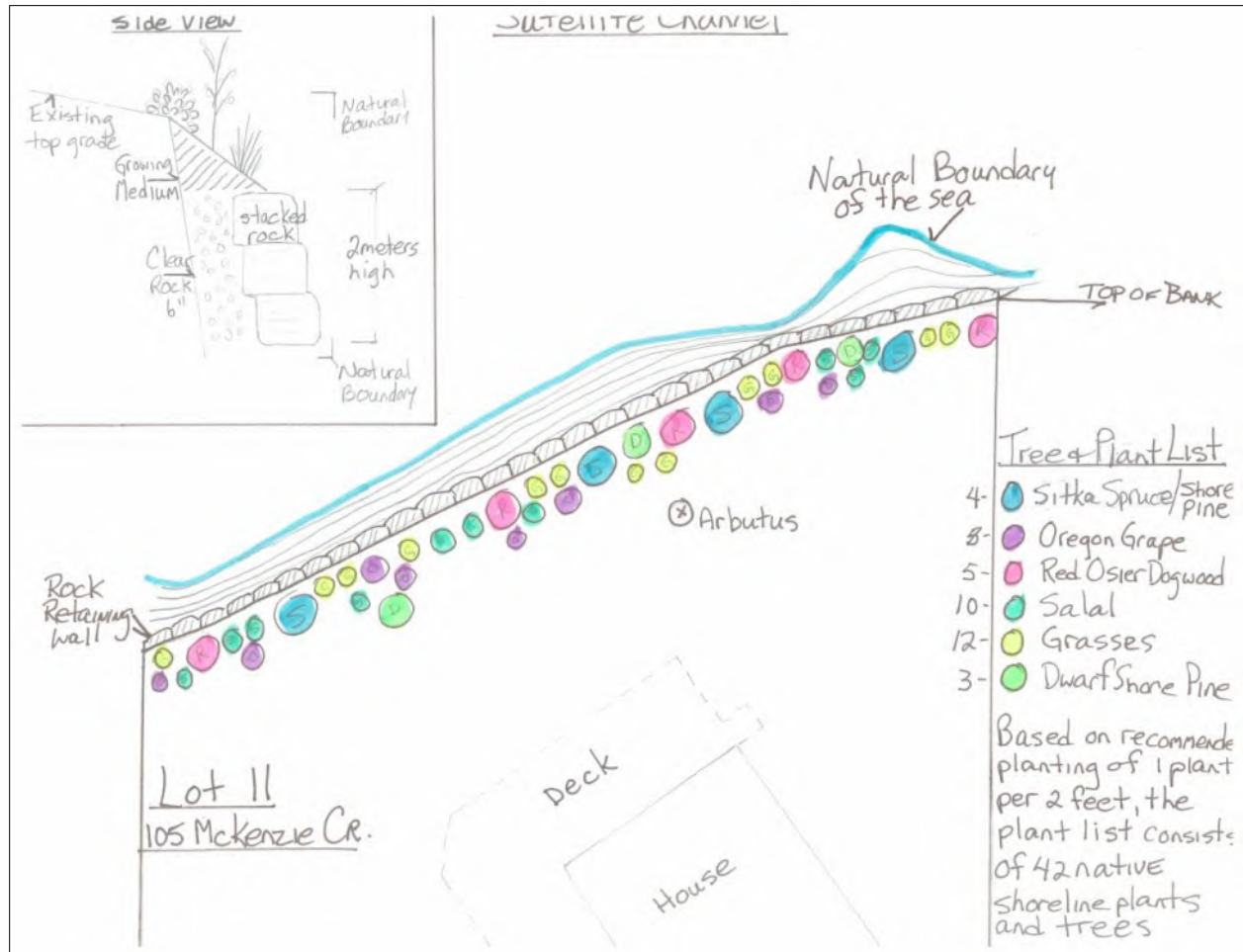


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.2

PLAN NO. 2: REVEGETATION PLAN

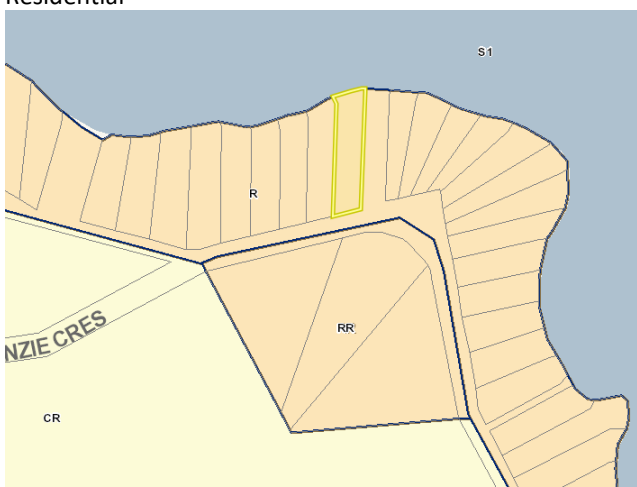


ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	Lot 11, Piers Island, Victoria District, Plan 16930
PID	004-122-577
Civic Address	105 McKenzie Crescent, Piers Island

LAND USE

Current Land Use	Residential – Dwelling Unit & Accessory Buildings
Surrounding Land Use	Residential  <i>Islands Trust Zoning Map (subject property indicated in yellow)</i>  <i>CRD 2021 Orthophoto (subject property indicated in yellow)</i>

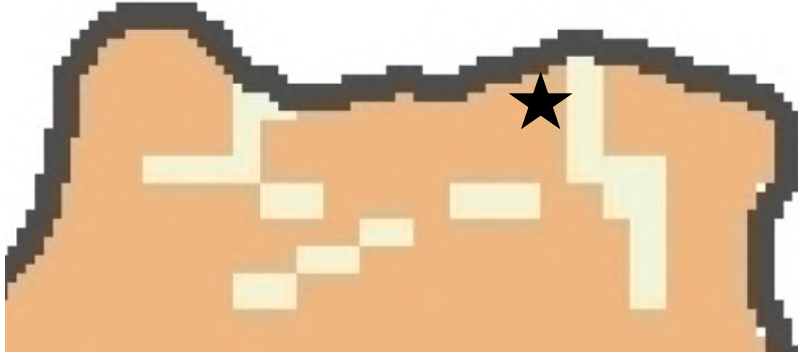
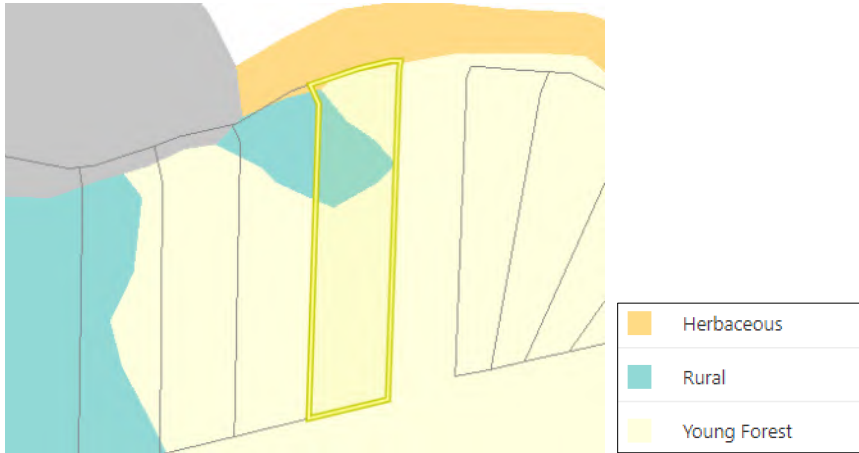
HISTORICAL ACTIVITY

File No.	Purpose
<i>None</i>	

POLICY/REGULATORY

Official Community Plan Designations	Residential + Water A
Land Use Bylaw	Residential (R) + Shoreline 1 (S1)
Other Regulations	None
Water Service Area	Piers Island Improvement District
Title Charges	DD346199i/348714i: Building Scheme 297736G: Restrictive Covenant (Building Scheme)
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
Regional Conservation Strategy	The subject property is primarily within the MEDIUM relative value area for important natural areas in the Salt Spring Island Local Trust Area. 
Species at Risk	SAR (Public) Species: None Currently Mapped SAR (Public) Ecological Community: None Currently Mapped
Sensitive Ecosystems	SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped RAR Watercourse: None Currently Mapped ITEM: Herbaceous, Rural & Young Forest  <i>Islands Trust Ecosystem Mapping (ITEM)</i> Islands Trust Protected Areas mapping indicates the subject property is not within 500-metres of a protected area.
Hazard Areas	Steep Slopes mapping not available for subject property

Archaeological Sites/Potential	Archeological Potential on subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The subject property ranges in elevation from approximately 0 metres to 10 metres above sea level and is water access only.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Shoreline Data in TAPIS	None Currently Mapped

PHOTOS (SUPPLIED BY APPLICANT)



Shoreline of Subject Property from Foreshore (trees to be removed denoted with yellow dots)



Shoreline of Subject Property from Foreshore (orange = NB)



Shoreline of Subject Property from Foreshore



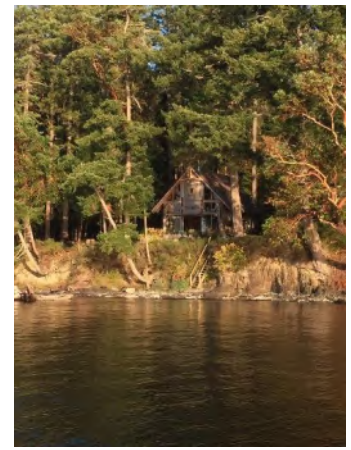
Shoreline of Subject Property from Foreshore (orange = NB)



Shoreline of Subject Property from Foreshore (orange = NB)



S Viewed from Top of Property



Subject Property at High Tide

105 McKenzie Cr. Piers Island SS-DVP-2022.2**Written description of existing and proposed uses, buildings, and structures on the subject property including home occupation**

The subject property is located on Piers Island within the Salt Spring Island Local Trust Area. The property is a .246 ha lot with a seasonal cottage structure, a wood storage structure, and a tool shed all built in 1966. The cottage is a seasonal recreational family dwelling.

The shore side of the property has a bank that is becoming increasingly eroded due to environmental and tidal changes (heavy winds and high king tides), and the effects of increasing boat traffic (ferries, tankers, navy ships, and some specific whale watching vessels) in Satellite Channel.

The bank is approximately 3 meters high. The erosion has resulted in an under cut situation, exposing the root systems for 4 fir trees, and one stump. A photo of the bank with these trees marked with a yellow dot is provided.

Since Piers Island is water access, we share transportation and docks, which results in neighbours accessing their property through ours, which we support.

Children play on the beach below. We are very concerned about the trees coming down, how much of the bank could break away, and the under cut erosion.

The condition of the bank is impeding safety and travel.

We have obtained a quote and plan to build a 2 meter high retaining wall, 28 meters wide. Our contractor has natural local boulders, a material becoming short in supply. The natural boulders will keep continuity with the other walls in the area.

Concrete blocks will have to be used in the future, this would not look natural. 4 fir trees and one stump with exposed roots will have to be removed. The retaining wall would then be built inside the property line natural boundary. There will be a 1 meter slope to the the existing grade on the top of the wall where we will plant native trees, shrubs and plants recommended for soil stabilization, and salt spray tolerance.

We have shared this information with our neighbours who are in strong support of us restoring safety to the area. They are also in strong support of the use of natural boulders, and a re-plant of native trees and plants.

DATE OF MEETING: March 22, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
SUBJECT: Development Variance Permit to Vary the Setback to the Natural Boundary of the Sea for a Sewage Disposal Field and Vary the Setback for Two Retaining Wall Structures to the Interior Side Lot Lines
Applicant: Aurora Professional Group Inc. (B. Fossen)
Location: 777 Vesuvius Bay Road, Salt Spring Island, BC (PID: 000-375-390)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.4 (777 Vesuvius Bay Road).

REPORT SUMMARY

This Development Variance Permit (DVP) application seeks to vary the [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) to permit the siting of a sewage disposal field to the natural boundary of the sea and permit the siting of two rock retaining wall structures to the interior side lot line setbacks. Staff recommend issuance of the DVP (Appendix No. 1) as the requests are not contrary to or at variance with the [Salt Spring Island Official Community Plan No. 434](#) (OCP) policies and objectives (Appendix No. 2).

BACKGROUND

The subject property (Figure No. 1 & 2) is located in north Salt Spring Island. The 0.08-hectare (0.2-acre) lot is zoned Residential 8 (R8) and Shoreline 7 (S7) along the foreshore. A comprehensive analysis of the subject property and surrounding area can be found in Appendix No. 3.

The applicant is seeking a variance for the siting of a proposed sewage disposal field to the natural boundary of the sea and the siting of two rock retaining wall structures to both interior side lot line setbacks following the demolition and construction of a new single-family dwelling on the subject property – a lot which is constrained in width (+/-50 feet, approximately +/-15 metres) and subject to various setbacks limiting the buildable area (Appendix No. 4). The Islands Trust processed a Building Permit Preliminary Plan Review in January 2021 for the construction of a new single-family dwelling (SS-BP-2021.19) with a sewage disposal field location sited in the northern portion of the lot, between the dwelling and Vesuvius Bay Road. Following redesign of the system in consideration of potential effects of extreme weather events and constraints on parking, a new location of the sewage disposal field was proposed on the south side of the lot, within the 30 metre setback to the natural boundary of the sea – thereby necessitating a DVP. Following review of the application, the siting of the two rock retaining wall structures were added to the variance request as these are proposed to encroach within both interior side lot line setbacks.



Figure 1: Zoning Map of Subject Property



Figure 2: 2021 (CRD) Orthophoto of Subject Property

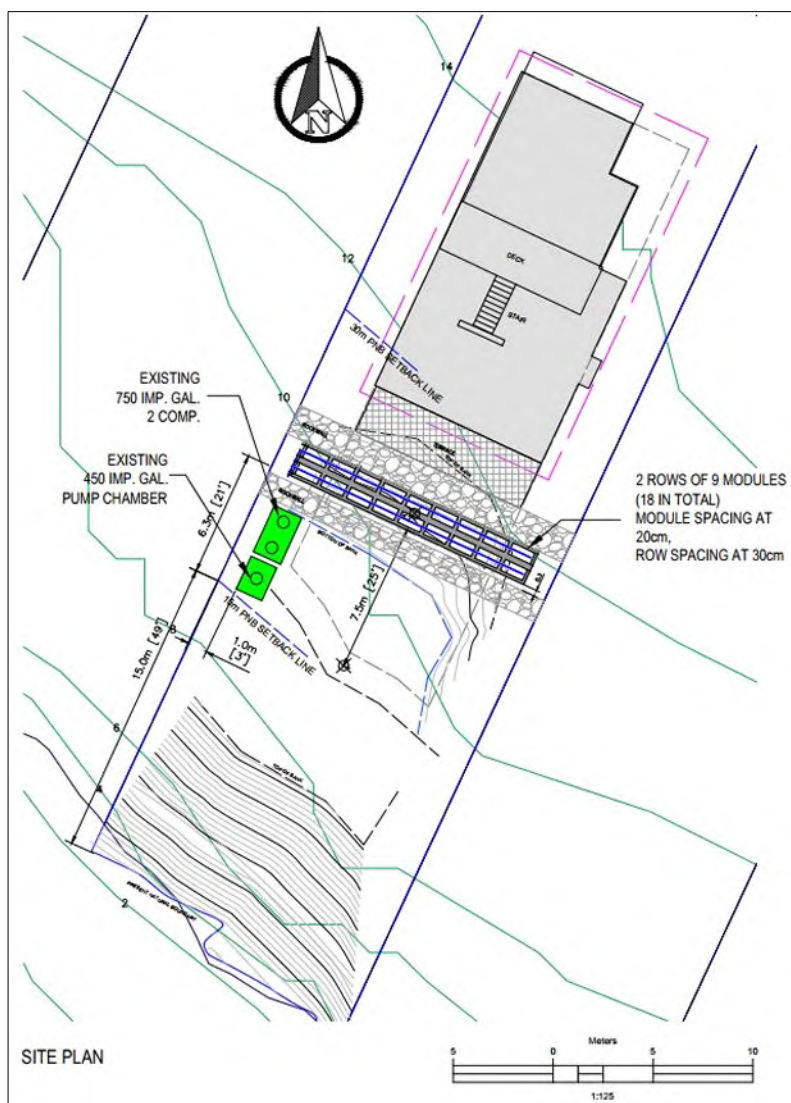


Figure 3: Site Plan [Extracted] for Subject Property

ANALYSIS

Policy/Regulatory

Granting a variance does not set a precedent and the Salt Spring Island Local Trust Committee (SS LTC) is unfettered in its ability to grant or deny variances. However, the granting of variances regarding setbacks may create expectation in the community with regard to future applications. The DVP process enables property owners to relax minor land use bylaw regulations, while providing certainty for adjacent property owners and minimizing negative impacts on neighbours.

Official Community Plan:

The subject property is designated Residential Neighbourhoods (RN) in the OCP. The objective for this designation is "to continue to provide for a range of medium density residential uses consistent with the community's rural character". See Appendix No. 2 for a full review of relevant OCP policies.

Land Use Bylaw:

The proposal meets LUB regulations with the exception of the following:

- 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*:
 - (3) Setback from *interior side lot line*: 3.0 m
- 4.5.1 No sewage *disposal* field or *seepage* pit may be located within:
 - (1) 30 m of the *natural boundary* of the sea;

Additionally, the following LUB definition is pertinent to this report:

“**structure**” means any material or combination of materials that are constructed for use, occupancy or ornamentation whether installed on, above or below the surface of land or water, but excludes *paving*.

Issues and Opportunities

Siting of Sewage Disposal Fields to Water Bodies

The [Sewerage System Regulation](#) sets out regulations in respect to construction, alteration or repair of a sewerage system for a single-family dwelling with a combined daily domestic sewage flow of less than 22,700 litres serving structures on a single parcel. Table II-19 within the [Sewerage System Standard Practice Manual](#) (SPM) provides guidelines to Registered Onsite Wastewater Practitioners (ROWPs) for minimum required horizontal separation distances. For marine water bodies, the minimum required horizontal separation distance is 15 metres for a dispersal system and 7.5 metres for a watertight treatment or pump tank measured to the high tide. LUB Article 4.5.1(1) requires a setback of 30 metres from the natural boundary of the sea. The applicant has supplied an Onsite Wastewater Treatment System Site Capability Assessment (Appendix No. 1, Schedule No. 1) in support of their application for the installation of a Type 2 Combined Treatment and Dispersal System (CTDS) on top of an additional 45 centimetres of specified sand which will achieve treated effluent to achieve a Type 2 (or potentially Type 3) standard. A Type 2 treatment system produced effluent consistently containing less than 45 mg/L (Type 3 = 10mg/L) of total suspended solids and having a five-day biochemical oxygen demand of less than 45 mg/L (Type 3 = 10mg/L). Type 2 treatment systems have a much smaller drain field, instead relying on bacteria to treat effluent prior to entering the drain field and must be maintained otherwise it will fail to treat the wastewater adequately. The initial treatment system was redesigned following record rainfalls and considers the presence of eel grass and Surf Smelt/Pacific Sandlance in Vesuvius Bay. In a site plan submitted by the applicant (Figure No. 3), the proposed sewage disposal field is shown to be sited 21.3 metres from natural boundary of the sea (with the existing septic tanks sited 15 metres from the natural boundary of the sea). Staff note the applicant is requesting a setback relaxation to 15 metres for the sewage disposal field to provide flexibility during the construction process. Although no work is proposed within 10 to 15 metres to the natural boundary of the sea, the applicant has supplied a geotechnical report from an engineer certifying the natural boundary is located on non-erodible material.

Retaining Wall Structures

Underground utilities – such as sewage disposal field – are exempt from setbacks from lot lines in accordance with LUB Subsection 4.3.1 – the sewage disposal field is proposed to be constructed to 1 metre from either lot line (at variance with the recommended 3 metres in the SPM per Table III-16) and requires the installation of two rock retaining walls to contain the medium for the field due to the slope of the property. The Onsite Wastewater Treatment System Site Capability Assessment notes the proposed sewage disposal field presently encompasses a 33 per cent sloped bank which is not conducive to slow dispersal of effluent. As such, the rock retaining wall structures (not exceeding 1.2 metres in height) would provide a dispersal area which includes a mantle of sand which would aid in producing effluent treated in a standard between a Type 2 CTDS and Type 3 CTDS. Staff observed the presence of existing retaining structures on both neighbouring lots in the approximate location of the proposed rock retaining walls (Figure Nos. 4 & 5). The applicant should note that the deposit of soil, rock or topsoil may require a Soil Deposit Permit or Registration in accordance with the [Salt Spring Island Local Trust Area Soil Removal and Deposit Regulation Bylaw No. 418, 2008](#).



Figure 4: West Interior Side Lot Line



Figure 5: East Interior Side Lot Line

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 March 4, 2022.

No correspondence has been received at time of submission of this report. Staff will verbally indicate if any correspondence has been received subsequent to submission of this report at the SS LTC meeting.

Agencies

This application does not require agency referrals.

First Nations

This proposal does not require First Nations referral.

Rationale for Recommendation

The applicant is seeking a variance for the siting of a proposed sewage disposal field to the natural boundary of the sea and the siting of two rock retaining wall structures to both interior side lot like setbacks forming part of the proposed sewage disposal field. In support of the application, the applicant has supplied an Onsite Wastewater Treatment System Site Capability Assessment which details the rationale and methodology of installation of the field and retaining walls. The treated effluent is expected to achieve and potential exceed the Type 2 CTDS standards. Additionally, both western and eastern neighbouring properties encompass retaining infrastructure servicing their respective lots in proximity to the proposed interior side lot line encroachment. In consideration of the forgoing, staff recommend that the SS LTC approve issuance of SS-DVP-2022.4 (Appendix No. 1) in consideration of the proximity of the proposed rock retaining wall structure to existing infrastructure on neighbouring lots and installation carried out in accordance with the Onsite Wastewater Treatment System Site Capability Assessment (forming part of the proposed permit).

ALTERNATIVES

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

1. Deny the application

The SS LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed. The applicant could choose to make an application to the Board of Variance if hardship can be demonstrated. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of Development Variance Permit SS-DVP-2022.4 for the following reasons: [list reasons] (777 Vesuvius Bay Road).

2. 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 costs 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 resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-DVP-2022.4, 777 Vesuvius Bay Road).

NEXT STEPS

If the recommended resolution is adopted, the DVP will be issued.

Submitted By:	Kristine Mayes, Planner 1	March 7, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 9, 2022

APPENDICES

1. Proposed Development Variance Permit
2. OCP Policies
3. Site Context & Photographs
4. Applicant Letter

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

TO: BAKOVEN INVESTMENTS INC.

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 000-375-390
LEGAL DESCRIPTION: LOT D, SECTION 9, RANGE 2 WEST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 4008

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 January 23, 2022, by Aurora Professional Group Inc.

Schedule No. 1 Onsite Wastewater Treatment System Site Capability Assessment, dated October 31, 2020, by Aurora Professional Group Inc.

3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:

4.3 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:

(3) Setback from *interior side lot line*: 3.0 m

The above article is varied to reduce the setback for two rock retaining wall structures to the *interior side lot lines* from 3.0 metres to 0.0 metres in accordance with Plan No. 1 forming part of and attached to this permit.

4.5 SETBACKS FROM WATER BODIES - WATER QUALITY PROTECTION

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

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

The above article is varied to reduce the setback for a sewage *disposal* field to the *natural boundary* of the sea from 30.0 metres to 15.0 metres in accordance with Plan No. 1 and Schedule 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 Island Health.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

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.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

SCHEDULE NO. 1: Onsite Wastewater Treatment System Site Capability Assessment



OSWT Site Capability Assessment

SHORT FORM

PROJECT No: 2021.10

PROJECT NAME: 777 VESUVIUS BAY RD

DOCUMENT No.: 2021.10-16-EFR-003

FORM No. APG-40-FRM-007

1: Form Revision Log

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

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
Form No.: APG-40-FRM-007	Doc No.: 2021.10-16-EFR-003	Revision: R.0

Table 1: Summary Information

Project No.	2021.10	Project Name:	777 Vesuvius Bay Rd
Site Type:	☒ New Construction ☐ Replacement ☒ Repair / Alteration	Prepared by:	Bradley Fossen
Owners / Client:	Bakoven Investments Ltd.	Jurisdiction:	Islands Trust / VIHA
Legal Description	Lot D Plan VIP4008 Section 9 Range 2W Land District 16 Portion NORTH SALT SPRING	PID # (Parcel Identifier Number)	000-375-390
Common Address	777 VESUVIUS BAY RD SALT SPRING ISLAND	Folio. # (Tax Assessment Roll #)	01-764-01004.001
Engineer of Record	Bradley Fossen	Project Stage:	Design
Owner Declaration Completed:	☒ Yes ☐ No	Required Daily Design Flow:	1000 L/day
Influent Type	☒ Typical Residential ☐ Other:	Water Source:	Community Water (NSSWD)
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 ☐ 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. - Complete a Site Assessment as defined under the Sewerage System Regulation. - Recommend a location and type of onsite sewerage system. - Provide a report in support of land use application.		

Document Revision #	Date	By	Description
0	08-Dec-2021	BJGF	Issued for Land Use Application

1 SUMMARY

The subject property is a difficult site due to topography, geometry, and proximity to the sea. It is constrained by width (15 m) and availability of parking. A new residence is under construction. The resulting available area for ground dispersal is limited to the portion of land between the new residence and the main access road (Vesuvius Bay Rd.) or the portion of land between the residence and the natural boundary of the sea.

A sewerage filing design has been previously filed with VIHA, utilizing the portion of land between the residence and the main access road. That design relied on Eljen GSF for combined treatment and dispersal (CTDS) to a very small dispersal area. This provided the Owner with

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
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some parking area and maintained land use requirements for dispersal systems from the ocean (30m setback)¹. The design required a critical groundwater interceptor between the dispersal area and the road. Further, it required departing from standard practice to reduce the setback from a dispersal system and house perimeter drain, which is 7.5m². This was achieved by diverting the house perimeter drain to a secondary ground dispersal diffuser trench, beneath the house, as a precautionary measure.

Considering recent weather events with record rainfall amounts, we revisited this design. Relying on complex drainage and secondary dispersal systems may pose an unnecessary risk. This can be mitigated if the design is changed such that the dispersal system is placed between the house and the natural boundary of the sea. Doing so, however, would require a land-use bylaw variance to place the dispersal system within 30m of the natural boundary of the sea. This would also offer the Owner more land area for parking, which is advantageous considering the congestion and lack of parking on this roadway.

In this configuration, a traditional house perimeter drain will protect the ground dispersal system from above grade shallow groundwater flows as long as the drain is diverted downslope and daylighted away from the dispersal system. Also, by placing the dispersal system downslope of the house, the full width of the parcel can be utilized. The system will create less of a groundwater "mounding effect" and preserve the natural vertical separation of unsaturated soils with greater length.

The dispersal system can be designed such that a 15m distance between the infiltrative surface (the area where effluent is distributed, directly beneath effluent laterals) and the natural boundary of the sea is maintained, meeting the Ministry of Health Standard Practice Manual for the required setback from a marine water body³. We note that Vesuvius Bay has been mapped as having ecological features that deserve consideration in this new design – most notably Eel Grass and Surf Smelt / Pacific Sandlance. The revised design also utilizes Type 2 CTDS (Eljen GSF). However, considering these ecosystem factors, the system will be placed on top of an additional 45cm of specified sand. As such, the treated effluent can be expected to not just achieve Type 2⁴ standards but potentially even Type 3⁵ effluent criteria⁶.

¹ Islands Trust, & Salt Spring Island Local Trust Committee. (2019). Bylaw No. 355 Salt Spring Island Land Use Bylaw (Consolidated September 2020). Section 4.5.1.

² Ralston, I., Payne, M., & ASTTBC. (2014). Sewerage System Standard Practice Manual. In BC Ministry of Health (Version 3). Government of British Columbia. Table II-19 (p. II-31) ("Break-out point or downslope drain").

³ Ibid. ("Marine water body").

⁴ Type 2 is treatment that produces an effluent consistently containing less than 45 mg/L of total suspended solids and having (i) a 5 day biochemical oxygen demand of less than 45 mg/L. Sewerage System Regulation, (2018) (Government of British Columbia).

⁵ Type 3 is treatment that produces an effluent consistently containing less than 10 mg/L of total suspended solids and having (i) a 5 day biochemical oxygen demand of less than 10 mg/L, and (ii) a median fecal coliform density of less than 400 Colony Forming Units per 100 mL. Ibid.

⁶ See BC Ministry of Health, & BCOSSA. (2007). Sewerage System Standard Practice Manual Version 2: Appendices. Page 253.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
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2 GENERAL OBSERVATIONS AND ASSESSMENTS

Table 2: General Observations and Assessments, by Element

Element	Assessment	Constraints & Potential Departures
Previous Professional Reviews	None provided.	
Site and System History	The original house septic system was constructed in 1992, in between the current building pad and the natural boundary of the sea.	
Future Site Development	Owners wish to rebuild for a 2-bedroom residence.	If possible, utilize existing components (tanks) in the current location.
Neighbouring Property Features	Retaining walls / fence foundation walls on both East and West property lines. Length constraint across contour.	Maximize contour length, however, maintain a 1 m setback from property lines, a departure from the 3m SPM guideline. This is supported by the significant slope of the property, downslope from the North property line.
Title and Land Data	There are no land title issues that would impede an OSWTS.	
Zoning & building use bylaw	Salt Spring Island Local Trust Committee Land Use Bylaw No. 355 (consolidated) was reviewed for zoning and building use considerations. Zoning falls under the Islands Trust. This property is zoned as "Residential 8 – "R8". Section 4.4 addresses setback from water bodies. A structure, such as a septic tank, may not be sited within 15m of the natural boundary of any water body. Section 4.5 addresses setbacks from water bodies. A "sewage disposal field" or "seepage pit" is not to be located within 30m of the natural boundary of the sea. The 4.5.1 Information Note states that legally sited disposal fields prior to the adoption of the bylaw can be altered, as long as that alteration does not cause them to be any closer to the natural boundary of a water body than they already are.	The existing septic tank and pump chamber will be re-used and not moved. Departing from Section 4.5.1(1) will require an approved bylaw variance (land use application).
Protected Areas	Protected Areas potential was reviewed via the Islands Trust "MapIT" service. There are no Protected Areas designated on or near the subject property.	
Development Permit Areas	Development Permit Area potential was reviewed via the Islands Trust "MapIT" service. The subject property is within one development permit area, per Islands Trust Official Community Plan Bylaw No. 434:	

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
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Element	Assessment	Constraints & Potential Departures
	Development Permit Area No. 03, Shoreline, Foreshore portion. This does not influence the location of an OSWTS.	
Climate Considerations	Climate is classified as Warm-Summer Mediterranean ⁷ . Marine weather conditions exist, with warm summers and periods of high rainfall and occasional freezing.	Significant cold weather freeze protection is not required, though OSWTS components should be covered.
Topography	The subject property is on the base of a small cape. The property has a considerable grade (20%), with a rock feature abutting the shoreline 12.2m below the parcel's usable lot area.	
Well Registry	BC Water Resources was consulted to confirm whether any registered water wells were in the area. There are no wells within 30m of the subject property.	
Well Survey	A survey of nearby areas did not note any unregistered water wells.	
Riparian Areas	Riparian areas have not been noted by the Islands Trust MapIT tool. No inland water bodies or watercourses that would provide fish habitat were observed on the subject property at the time of our assessment.	
Nitrogen and Phosphorous Reduction	There are no downgrade wells, water bodies at risk of eutrophication, or short-distance up-grade wells within a short distance from the proposed dispersal area. However, sensitive ecosystems were noted on the Islands Trust MapIT tool.  Figure 1: Frame from 777 Vesuvius - Ecological Features (also provided as an appendix).	Eel Grass and Surf Smelt / Pacific Sandlance have been mapped within the Vesuvius Bay area. Additional treatment can be provided by way of 45cm of sand, with minimal additional expense. This also facilitates a terraced landscape that provides aesthetic advantages.
Buried Infrastructure	There are no existing underground water service or power service lines near the proposed dispersal area.	

⁷ Canada Open Government Portal. "Climatic Regions." Atlas of Canada, 3rd Edition. 1957.
<https://open.canada.ca/data/en/dataset/09ffaeb5-ec8f-5bb5-bdcb-3436ccf26f58>.

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SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
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Element	Assessment	Constraints & Potential Departures
Boundary Conditions, Exposure Pathways, and Breakout Risks	There are three potential breakout concerns: - Retaining wall at the East property line. - Retaining wall at the West property line. - Bank nearest the ocean.	- Ensure at least 1 m setback from property lines (a departure from the 3m SPM guideline). Rationale: the grade is significantly downsloping towards the ocean with little lateral slope towards the neighbouring properties. - A 7.5 m distance between the dispersal system and the bank nearest the ocean (the SPM requirement) will be maintained.
Vegetation	Within the proposed dispersal area, there is a Red Spruce and areas of Blackberry, and Spurge-laurel.	Cleanly remove the Blackberry and Spurge-laurel.

2.1 PROPOSED EFFLUENT DISPERSAL AREA GEOMETRY AND CONDITION



Figure 2: Proposed Effluent Dispersal Area. Scaled as drawn. North to top of page.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
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The proposed dispersal area is downslope of the building and upslope of the 15m ocean setback outlined by the BC Ministry of Health Standard Practice Manual⁸. This area is a sloped bank of approximately 2.1m in height and 6.3m in length (33% slope). The bank slope, in conjunction with the overall site slope, can be inferred to dissipate any additional groundwater flow applied by dispersal rapidly. However, a dispersal system here, with the high slope, will require additional structural consideration and should be supported below with a rock feature (or similar) no taller than 1.2m. Upslope of the dispersal system should include drainage to divert any surface groundwater that could collect from hardscaping on the parcel.

Downslope of the rock feature (or similar) should include a 30cm mantle of sand (saturated hydraulic conductivity KFS >3000 mm/day) to provide additional downslope non-saturated vertical separation.

2.2 OTHER AVAILABLE AREAS FOR EFFLUENT DISPERSAL

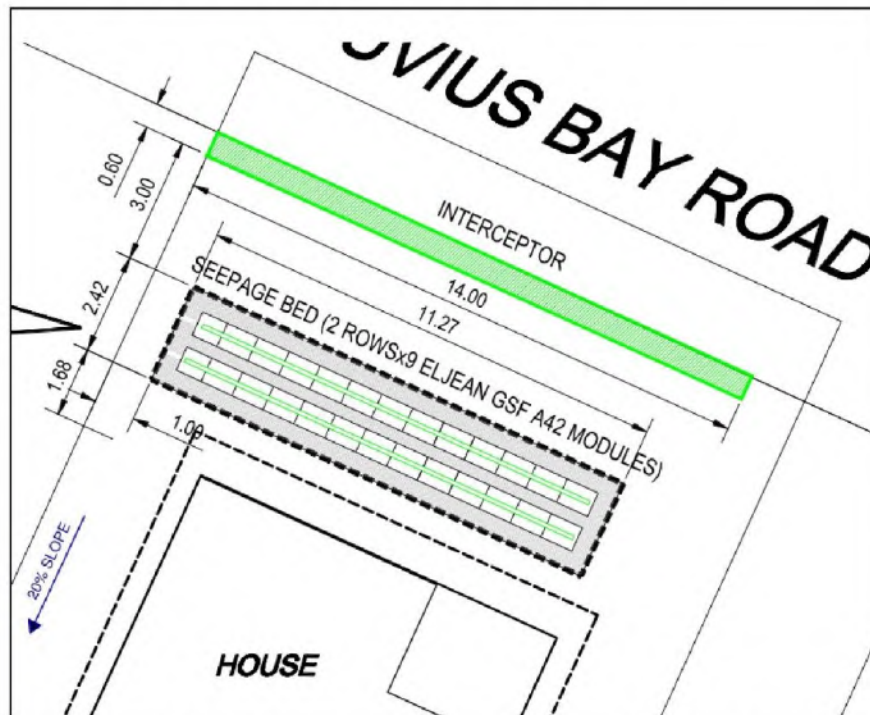


Figure 3: Optional Disposal Areas (Original Filing Location) North is top of page.

⁸ See footnote 2.

PROPOSED



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The other area considered for dispersal is at the top of the property, in between the building and the main access road. Our original design for this parcel utilized this area. However, the original design relied on upslope drainage, as well as secondary drainage disposal from the building perimeter drain. These drainage features mitigated the relatively small length of dispersal and the likelihood of upslope surface drainage from the main access road.

3 SOILS ASSESSMENTS

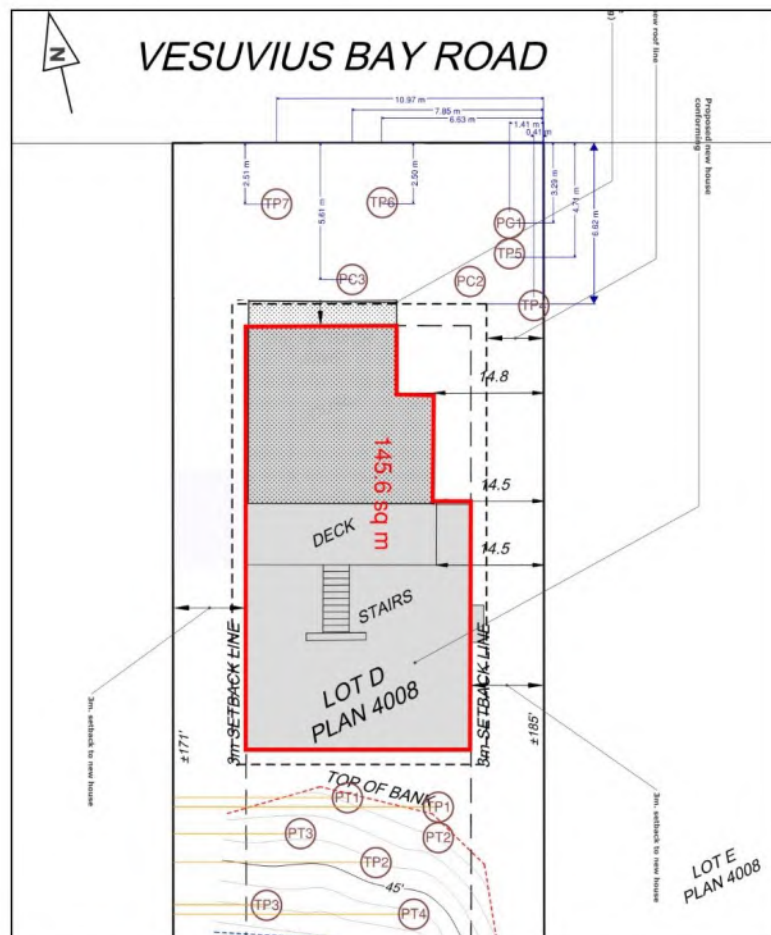


Figure 4: Field Sketch – Field Program (PT is permeameter test, TP is test pit, PC is percolation test)

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

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Table 3: General Site Soil Assessment⁹

Site Slope (Suunto 360PC/360R +/- 2%)	Percent: 20% Downsloping: SW Linear Up/Down Linear Across	Proposed Dispersal Area Slope	Percent: ~34% Downsloping: SW Linear Up/Down Linear Across
Geology and Terrain	Pacific Border Province: Puget Trough (Nanaimo Lowland) // The property is alongside a main road (Vesuvius Bay Rd) in a developed residential area around a natural cape of the island. The property has a small slope extending from the road that immediately transitions to a 20% grade, where the future house will be sited. The property is slender, approximately 15 m across (West to East) and long (56 m), abutting the ocean with a steep rock wall. The dispersal area is overlying a small bank, approximately 30-35% grade, which transitions to 10% grade. General soils have been categorized as 100% Mexicana ¹⁰ (SIFT ID 120968), consisting of Moderately Well Drained Loam with 20% coarse fragment content.		
Surface Water	No indications of surface water flow or ponding were observed on the subject property at the time of site and soils assessment.		
Seepage, springs	Description of water sources: None Water State¹¹: Dry-Moist at the time of assessment		
Direction of Shallow Groundwater Flow	It is estimated that shallow groundwater flows with the natural grade of the property, SW, with Darcy flux corresponding to the overall site slope of 20%.		
Drainage¹²	Well Drained	Drains	Upslope building & landscaping drains.
Slope Condition	Erosion Condition: None // None Stability Condition: No indications of slope stability issues were observed.		
Vegetation (Common name)	General: Decorative	Dispersal: Blackberries and shrubs at West – to be removed.	
Cover	General: Grass / Herbaceous (>50%)	Dispersal: Grass / Herbaceous (>50%)	

Table 4: Summary of Soil Assessment Field Program

⁹ 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.

¹⁰ Kenney, E. A., van Vliet, L. J. P., & Green, A. J. (1987). Soils of the Gulf Islands of British Columbia. Volume 1:

¹¹ **Water State:** Wet: Non-saturated (no free water), Wet: Saturated (free water easily visible)

¹² **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)

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
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Date	Activity Type	Quantity	Completed By	Comments
17-Feb-2021	Site Visit	1	Bradley Fossen	
18-Feb-2021	Test Pits	3	Bradley Fossen	
18-Feb-2021	Permeameter Testing	3	Bradley Fossen	
03-Mar-2021	Test Pits	4	Bradley Fossen	
03-Mar-2021	Perc Tests	3	Bradley Fossen	

Table 5: Notes from Field Program Activities

Results from the original area for dispersal (North) have been omitted for clarity. The available dispersal area now considered in-between the future building and a 15m setback from the natural boundary of the sea.

Soils in the proposed dispersal area were generally inferred to be Sandy-Loam to Loam, of a depth of 80-85 cm overlying silty clay. The median hydraulic conductivity of the likely dispersal horizon was found to be in the range of 1000-2000 KFS (mm/day), via field permeameter testing.

Table 6: Comments on Water Table and Seasonal High-Water Table

A seasonal high water table is estimated to be 95 cm in depth from the original grade, inferred from an abrupt change in chroma and density of roots. A restrictive layer was not identified.

Table 7: Comments on Receiving Area¹³

The receiving area transitions to a 10% slope, which is currently grassland to the point of the shoreline bank, approximately 10.5m in length. A groundwater monitoring port is to be included 7.5m downslope of the infiltrative layer. Groundwater is to be monitored per a maintenance plan developed by the Designer.

4 SYSTEM ADVISORY

The system design shall meet EGBC requirements¹⁴. The parcel sewerage will be treated via septic tank and Combined Treatment and Dispersal (CTDS), with an additional 45 cm of specified sand, resulting in effluent quality of Type 2/3 to native soils. In addition, the maintenance plan will include groundwater monitoring within the receiving area, to be sampled per the maintenance plan to confirm fecal coliforms at the boundary condition (7.5m downslope of the infiltrative layer) do not exceed 400 CFU/100 ml.

The system will benefit from utilizing the entire width of the parcel, increasing surface area for soils-based treatment and reducing groundwater mounding effects. Further, the building perimeter drain and any other landscaping drains will be daylighted, as opposed to ground dispersal.

¹³ For OSWTS, the Receiving Area is typically in reference to the area 7.5m downslope from the infiltrative surface.

¹⁴ EGBC. (2018). Onsite Sewerage Systems. In EGBC Professional Practice Guidelines - Civil and Transportation Infrastructure (Version 1.3).

PROPOSED



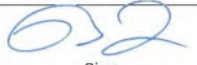
SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2022.4

	OSWT Site Capability Assessment	Project: 2021.10
Form No.: APG-40-FRM-007	Doc No.: 2021.10-16-EFR-003	Revision: R.0

5 ATTACHMENTS

Include in Owner Report	Include with Report
A. ☐ Site Evaluation Worksheets	☐
B. ☒ Aurora Professional Group Inc. General Conditions	☐
C. ☐ Aurora Professional Group Inc. OQM	☐
D. ☐ Archeological Potential Map	☐
E. ☒ Contours Map	☒
F. ☒ Development Permit Areas Map	☒
G. ☐ Health Orders	☐
H. ☐ Infrared Camera Report	☐
I. ☒ ParcelMap	☒
J. ☐ Photo Log	☐
K. ☐ Pipe Camera Report	☐
L. ☐ Previous Sewerage System Filings	☐
M. ☐ Proximate Wells Map	☐
N. ☐ Sampling Records	☐
O. ☒ Satellite Map Choose an item.	☒
P. ☐ Proposed System - Sketch	☐
Q. ☐ Third Party Reports	☐
R. ☐ Well Records	☐
S. ☐ Land Title Records	☒

6 SIGN-OFF

Engineer of Record	BRADLEY FOSSEN Name	 Sign
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ATTACHMENT 2 – POLICIES

OFFICIAL COMMUNITY PLAN NO. 434

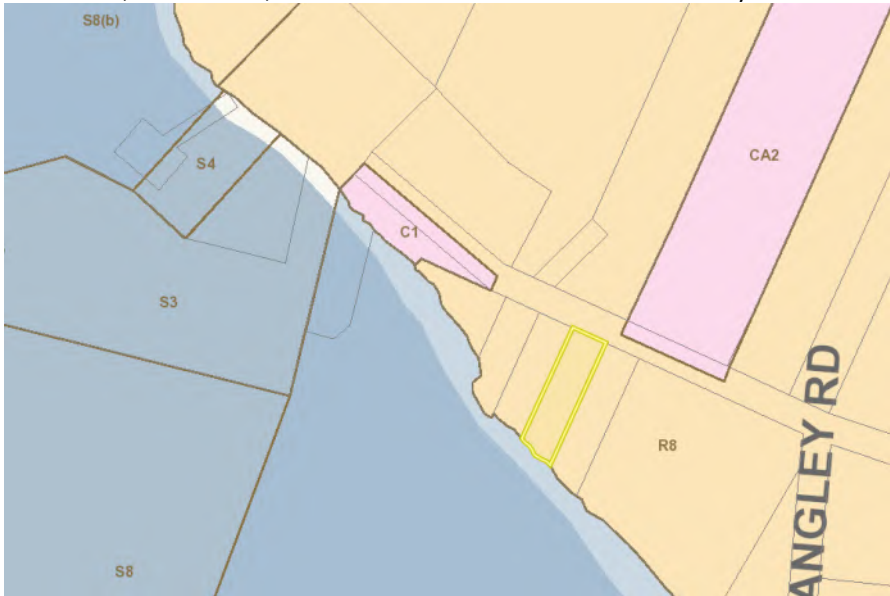
OCP Objective/Policy	Complies	Planner Comments
Objective A.4.3.4 To accommodate and direct appropriate development so that its location, appearance and impact are in harmony with the natural environment, community resources, character and existing land uses. To ensure that clustered settlements are well designed so that they become and remain acceptable and compatible with existing development.	yes	
Objective A.5.1.2 To maintain and improve the quality of the island's natural environment. To give particular attention to the quality of fresh water to sustain healthy fish and wildlife habitat and for human supplies.	yes	The treated effluent from the proposed sewerage disposal field is expected to achieve and potential exceed the Type 2 CTDS standards.
Objective A.5.1.4 To protect areas of high biodiversity. To recognize and protect the island's native plant, animal and bird life. To give particular attention to the streams, wetlands and shorelines of Salt Spring Island.	yes	The treated effluent from the proposed sewerage disposal field is expected to achieve and potential exceed the Type 2 CTDS standards.
Objective A.7.1.1 To identify and guide development away from areas known to have natural hazards, such as unstable slopes, highly erodible soils, wildfire, or the potential for flooding.	yes	The applicant has supplied a geotechnical report certifying the natural boundary is located on non-erodible material.
Policy A.8.2.12 All development applications shall be reviewed for the presence of known and recorded archaeological sites, and for having significant potential to contain unrecorded archaeological sites in cases where archaeological potential mapping is available. Applicants will be notified if the application is within a known, protected archaeological site, or an area with significant potential to contain an unrecorded, protected archaeological site in cases where archaeological potential mapping is available. Notification may include direction to engage a professional consulting archaeologist to determine if an archaeological impact assessment is necessary to manage development related impacts. Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of a protected archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities. The Local Trust Committee will avoid making zoning changes that would result in significant disturbance to an archaeological site. Should there be unavoidable conflicts with significant archaeological sites or trails, rezoning should not proceed unless measures are required to manage the impacts.	yes	The subject property was shown to have areas of archaeological potential – the owner/applicant was notified during the Building Permit process.
Objective B.2.2.1.1 To continue to provide for a range of medium density residential uses consistent with the community's rural character.	yes	A single-family dwelling is permitted on the subject property.
Objective B.9.1.1.1 To protect our marine and freshwater shorelines.	yes	The treated effluent from the proposed sewerage disposal field is expected to achieve and potential exceed the Type 2 CTDS standards.
Objective B.9.1.1.2 To protect the most significant ecological and physical processes of marine and freshwater shorelines.	yes	The treated effluent from the proposed sewerage disposal field is expected to achieve and potential exceed the Type 2 CTDS standards.
Objective B.9.1.1.4 To avoid conflicts between shoreline uses and uses allowed on the adjacent upland.	N/A	Then proposed works are upland from the shoreline.
(Others Encouraged...) C.4.2.3.4 The Capital Regional District is urged to investigate the need for local service areas for sewers and sewage treatment in Fulford Village and Vesuvius and where needed, to establish appropriate facilities. However, the Local Trust Committee should first examine and amend the zoning in those areas to ensure that sewer service does not result in further development. If the Local Trust Committee receives an application to rezone or subdivide land within these areas, the Local Trust Committee will encourage the applicant to investigate, with Capital Regional District, a community sewer project. The CRD is also encouraged to cooperate with the B.C. Ferry Services Inc. in the Fulford Village area to develop a shared sewer system	N/A	

ATTACHMENT 3 – SITE CONTEXT

LOCATION

Legal Description	Lot D, Section 9, Range 2 West, North Salt Spring Island, Cowichan District, Plan 4008
PID	000-375-390
Civic Address	777 Vesuvius Bay Road, Salt Spring Island

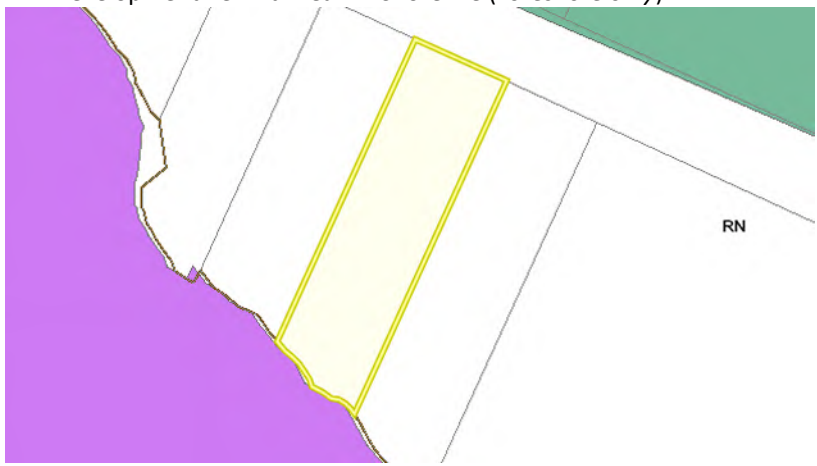
LAND USE

Current Land Use	Residential – Dwelling Unit
Surrounding Land Use	Residential, Commercial, Commercial Guest Accommodation & Ferry Terminal  <i>Islands Trust Zoning Map (subject property indicated in yellow)</i>  <i>CRD Orthophoto (subject property indicated in blue)</i>

HISTORICAL ACTIVITY

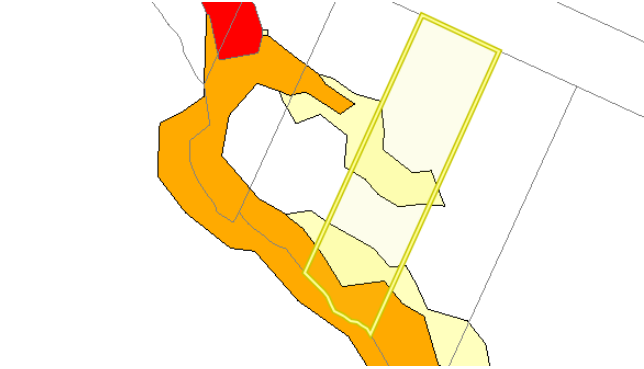
File No.	Purpose
UN-BOV-1992.17	Unknown (file offsite)
SS-DVP-1994.1	Vary Siting for Single-Family Dwelling to Front Lot Line
SS-BP-2021.19	Building Permit Preliminary Plan Review for New Single-Family Dwelling

POLICY/REGULATORY

Official Community Plan Designations	Residential Neighbourhoods (RN) ■ Development Permit Area 2 – Shoreline (Foreshore only) 
Land Use Bylaw	Residential 8 (R8) + Shoreline 7 (S7)
Other Regulations	None
Water Service Area	North Salt Spring Island Waterworks District
Title Charges	EH60725: Local Government Permit (SS-DVP-1994.1) 5023D: Lease of Coal
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
Regional Conservation Strategy	The subject property is primarily within the LOW relative value area for important natural areas in the Salt Spring Island Local Trust Area. 
Species at Risk	SAR (Public) Species: Slender-spiked Mannagrass SAR (Public) Ecological Community: None Currently Mapped

Sensitive Ecosystems	SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: Seabird Colony mapped within 100 metres of subject property RAR Watercourse: None Currently Mapped ITEM: Developed  <i>Islands Trust Ecosystem Mapping (ITEM)</i> Islands Trust Protected Areas mapping indicates the subject property is not within 500-metres of a protected area.
Hazard Areas	Low Risk and Moderate Risk Steep Slopes are mapped on the property. Yellow = Low Risk Orange = Moderate Red = High 
Archaeological Sites/Potential	Areas of Archeological Potential on subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The subject property ranges in elevation from approximately 2 metres to 14 metres above sea level. It is also located 0 metres from a bus route.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Shoreline Data in TAPIS	Eelgrass 

PHOTOS



West Interior Side Lot Line and Neighbouring Lot/Dwelling



West Interior Side Lot Line (Location of Proposed Retaining Wall)



West Interior Side Lot Line & Location of Proposed Septic Field



Single-Family Dwelling Under Construction



East Interior Side Lot Line & Location of Proposed Septic Field



East Interior Side Lot Line



East Interior Side Lot Line and Neighbouring Lot/Dwelling



East Interior Side Lot Line (Location of Proposed Retaining Wall)



Location of Proposed Septic Field and Sea



Location of Proposed Septic Field and Sea

File: 2021.10

Via: email

Date: December 17, 2021 (Revised February 24, 2022)
Attention: Islands Trust Local Planning Services / Salt Spring Island Local Trust Committee
Re: Land Use Application
 777 Vesuvius Bay Rd. (PID: 004-435-401), Salt Spring Island
On Behalf of: Bakoven Investments Ltd.

This document package is submitted on behalf of the applicant Bakoven Investments Ltd.

Application

Regarding the Salt Spring Island Land Use Bylaw No. 355, the applicants seek to vary:

- A. The required disposal field setback from the natural boundary of the sea, as described in 4.5.1(1), from 30 m to 15 m.
- B. The required setback of structures from side lot property lines, as described in 4.3.1(3), from 3m to 1m.

In support of this application, we are attaching:

- i) Polaris Land Survey, completed April 06, 2021 (SURVEY).
- ii) Aurora Professional Group OSWT Site Capability Assessment (ENGINEER).
 - a. 2021.10-16-EFR-003
- iii) Aurora Professional Group Drawing Set, 2020.10-46-20-LAY-
 - a. 001/002-SITE PLAN (outlining sewerage system design)
- iv) Islands Trust MapIT Exports
 - a. 777 Vesuvius Bay Rd – DPA Areas, Ecosystem Features

Background and Consideration – Aurora Professional Group

Aurora Professional Group Inc. has been retained to provide site development advisory and assistance and water resources design services.

For the committee's consideration, the subject parcel may be deemed to be in a hardship situation, owing to:

- 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

¹ Salt Spring Island Land Use Bylaw, 1999, Bylaw No. 355, Salt Spring Island Local Trust Committee, Consolidated Version: September 2020, Part 4, Section 4.5.

- The subject parcel geometry is such that a significant portion of the developable area is within this 30 m setback, as noted on 2020.10-46-LAY-001/002
- The available disposal area outside of the 30m setback is situated between the building and the main access road (Vesuvius Bay Rd.). To utilize this area for disposal requires departing from standard practice to maintain standard setbacks (7.5m)² from the building perimeter drain. Further, a ground dispersal system in this area is constrained for length to accommodate parking. Lastly, a ground dispersal system in this area is at risk from upslope surface stormwater from Vesuvius Bay Rd. All considered, the disposal system's performance is dependent on drainage management (an interceptor drain along the road and secondary ground disposal of the building perimeter drain) to ensure safe operation.

Proposed Variance

To ensure compliance with regulations and land-use bylaws, the applicants have secured the services of Aurora Professional Group Inc. and Polaris Land Survey, and a proposed variance is as follows:

- (1) Install a disposal field as indicated on 2020.10-46-LAY-001/002, or thereabouts, but no closer to the natural boundary of the sea, in observance of measures described by ENGINEER in accordance with 2021.10-16-EFR-003.
- (2) Make the disposal field as long as possible, to promote improved treatment and reduce the risk of groundwater mounding. To do so, may require extending the rock walls to the side lot lines (0 m setback), as indicated on 2020.10-46-LAY-001/002.

² Ralston, I., Payne, M., & ASTTBC. (2014). Sewerage System Standard Practice Manual. In BC Ministry of Health (Version 3). Government of British Columbia. Table II-19 (p. II-31) ("Break-out point or downslope drain").

Discussion

The proposed variances consider regulations in force, land-use bylaws, and community plan bylaws. Development activities will be performed following the measures described by the ENGINEER.

These variances would require both (1) a reduction of the Bylaw No. 355 30m setback between the disposal field and the natural boundary of the sea, and (2) a reduction of Bylaw No. 355 3m setback between structures and side lot lines. However, the proposed siting of the disposal field maintains the setback distance prescribed by the BC Ministry of Health Standard Practice Manual (SPM), which is 15 m from a marine water body (natural boundary of the sea)³.

Doing so will result in a system that will provide better treatment by 1) increasing the surface area for soil-based treatment and 2) increasing the length on contour to reduce any groundwater mounding effects. Therefore, in our opinion, the proposed disposal location will provide better treatment and will be more resistant to extreme weather events while still maintaining setback distances per the standards of the SPM. Furthermore, the design, with an additional depth of sand beneath the ground disposal system, exceeds the requirements of the SPM in consideration of the sensitive ecosystem features within Vesuvius Bay.

Should you have any questions or concerns, please feel free to contact the undersigned. We are available to participate in any meetings in support of this application.

Kind Regards,

Bradley Fossen, P.Eng.

Managing Director | Aurora Professional Group Inc.

E: brad@thinkapg.com | T: 250-930-2426

³ Ralston, I., Payne, M., & ASTTBC. (2014). Sewerage system standard practice manual version 3, BC Ministry of Health, Section II-5.4.1.

DATE OF MEETING: March 22, 2022
 TO: Salt Spring Island Local Trust Committee
 FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
 SUBJECT: **Development Permit** for installation of plastic backlit signs, of signs that do not comply with the local sign bylaw, or of signs that are to be placed more than 5 metres above the ground in DPA1
 Applicant: Priority Permits Ltd. (J. Desrochers)
 Location: 116 Fulford-Ganges Road, Salt Spring Island, BC (PID: 003-899-845)

RECOMMENDATIONS

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2021.13 (116 Fulford-Ganges Road).

REPORT SUMMARY

This application is for the replacement of two signs that do not comply with the local sign bylaw, or signs that are to be placed more than 5 metres above the ground in an area designated Development Permit Area 1 (DPA1) – Island Villages. Revised plans for handcrafted in appearance and front-lit signs have been incorporated as condition of and form part of the proposed Development Permit (Appendix No. 1). Staff recommend issuance of the Development Permit as the development substantially meets DPA1 guidelines (Appendix No. 2).

BACKGROUND

The subject area (Figure No. 1 & 2) is located in Ganges Village (Shiya'hwt/SYOWT), Salt Spring Island. The 0.05-hectare (0.12-acre) lot is zoned Commercial 1 (C1). A comprehensive analysis of the subject property and surrounding area can be found in Appendix No. 3.

The applicant is seeking a Development Permit for the replacement of two commercial signs for the Bank of Montreal (Figure No. 3). Upon review of historic land use records and photos from the Salt Spring Island Archives, staff were unable to definitively establish an installation date of the signage of the building to determine whether the number and total area of signs were considered lawful non-conforming. A 1970s/1980s photo (Figure No. 4) indicates the existence of two signs with a third rear sign added sometime between [1985](#) and [1990](#) in contravention of the Land Use Bylaw in effect at the time. Following a review of the application and applicable Development Permit guidelines, the applicant had submitted amended plans reducing the number of signs to be replaced from three to two, reducing the total area of the two remaining signs from 8.92 square metres to 3.658 square meters, and changing the sign material and lighting (plastic backlit to natural front lit).

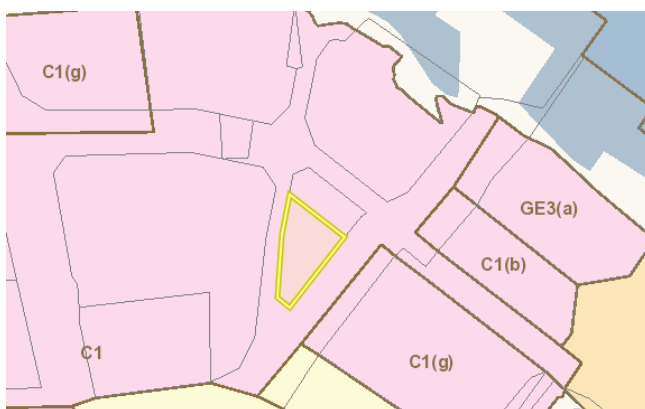


Figure 1: Zoning Map of Subject Property



Figure 2: 2021 CRD Orthophoto of Subject Property

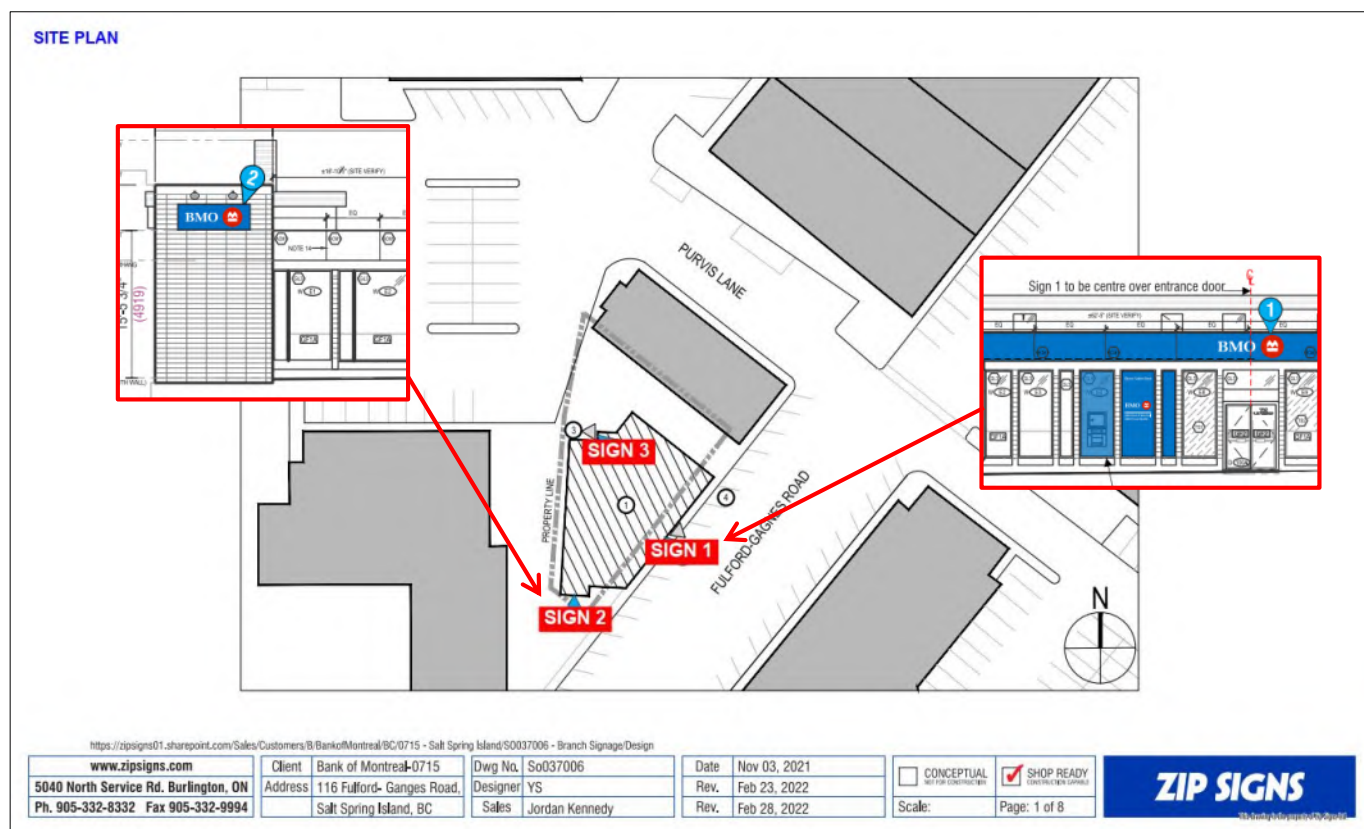


Figure 3: Sign Plan for Subject Property (with extract of proposed signs)

ANALYSIS

Official Community Plan:

The subject property is designated Ganges Village Core (GVC) in [Salt Spring Island Official Community Plan No. 434](#) (OCP). Select objectives for this designation are “to accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island”; “to maintain the economic viability of Ganges Village by guiding development into a compact, pedestrian-friendly form within a defined containment boundary with a broad variety of complementary uses”; and “to ensure that development respects the small-town feel and heritage aspects that make the village attractive to visitors and residents alike”.

E.1 Development Permit Area 1 – Island Villages

DPA1 is designated according to the Local Government Act to identify objectives and guidelines for the form and character of commercial, industrial or multi-family residential development; for the protection of development from hazardous conditions that could result from changes to stormwater drainage; and for the protection of farming. Select objectives of this Development Permit Area are “to encourage the development of attractive, compact villages that harmoniously combines commercial, residential, cultural and recreational facilities in a way that encourages pedestrians and enhances village economies”; “to protect and enhance views of harbours and uplands, and provide pedestrian access to parklands and shorelines”; “to keep the secure character of village” and “to encourage the use of local artisanship and materials”. The application requires a Development Permit under DPA1, pursuant to the following clauses in the OCP:

E.1.1.2 All development in this Development Permit Area is exempted from the requirement to obtain a Development Permit, except:

- d. installation of plastic backlit signs, of signs that do not comply with the local sign bylaw, or of signs that are to be placed more than 5 m above the ground.

Appendix No. 1 contains a review of DPA1 guidelines. A total of 10 of the 95 DPA1 guidelines were considered applicable to the proposed development. Of these, staff consider the proposal is in full conformance with 7 of the guidelines; at variance with 2 guidelines; and potentially at variance with 1 guideline:

	Guideline	Complies	Comments
E.1.9.1	Signs should be coordinated with buildings in terms of location, scale, materials, finishes and colours.	Maybe	Staff Comments: the building face where sign 1 is being installed is being changed to blue (from black)
E.1.9.2	Signs should be kept to the minimum size and number needed to inform and direct residents and visitors. Sign size and lettering should not exceed that necessary to direct pedestrians and slow-moving traffic: letters should rarely exceed 20 cm in height; the area of individual signs should rarely exceed 2.5 m ² . Total permitted sign area should not exceed that permitted by local bylaw.	No	Staff Comments: the applicant is seeking to replace existing signs that were found to not have an associated Development Permit. None of the signs exceed 2.5m ² – however, the maximum total sign area exceeds that of the LUB (1.8m ² vs. 3.658m ²)
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.	No	Staff Comments: only sign 2 is more than 5 metres above the ground (between 4.919 to 6.174 metres), staff note the signs are not visible from the harbour due to the buildings and trees in Centennial Park between the subject property and the harbour.

Land Use Bylaw:

The proposal meets [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) regulations with the exception of the following:

- 6.1.1 Every *sign* permanently positioned on any *lot* or affixed to the outside of any *structure* must comply with the provisions pertaining to number of *signs* and maximum total *sign area* set out in Table 2 for the *zone* in which the *sign* is placed.

TABLE 2 – SIGN REGULATIONS		
ZONE or USE	MAXIMUM NUMBER OF SIGNS PER PRINCIPAL USE	MAXIMUM TOTAL SIGN AREA
Commercial zones, Commercial Accommodation zones, Community Facility zones, Comprehensive Development 2 Zone, General Employment zones	2	1.8 square metres per business or use

Additionally, the following LUB regulations and table are pertinent to this report:

- 6.1.6 Any light illuminating a *sign* must be controlled so as not to cast light towards the sky or into the eyes of oncoming motorists.

9.2.1 Permitted Uses of Land, Buildings and Structures

	C1
Principal Uses, Buildings and Structures	
Banks and credit unions	♦

The following regulation from Land Use Bylaw No. 123, repealed, (in effect between 1985 to 2001) is pertinent to this report (mirroring the regulations from Land Use Bylaw No. 14, repealed, in effect between 1979 to 1985):

4.7 Signs

No commercial signs shall be erected in any zone except in accordance with this Section and subject to the signs being located upon the lot occupied by the principal use to which they refer.

- (1) The maximum total area of signs per principal use shall be in accordance with the following table:

ZONE	MAXIMUM TOTAL SIGN AREA PERMITTED PER PRINCIPAL USE	MAXIMUM NUMBER OF SIGNS PER PRINCIPAL USE
All Commercial Zones	Directly Illuminated –	2
All Industrial Zoned	1.8 Square meters (19.4 sq. ft.); or	
Water B and C	Non-Illuminated –	
Comprehensive Development	3.7 square metres (39.8 sq. ft.)	

Issues and Opportunities

Establishing Lawful Non-Conformity

The onus is on a property owner to establish non-conformity – primarily by way of Capital Regional District (CRD) Building Permit records, then dated photos and lastly by way of notarized affidavits from neighbours. Land use regulations have been in effect on Salt Spring Island for over 50 years – since January 13, 1971 – following the adoption of CRD Land Use Bylaw No. 66. Staff often work with applicants and members of the public to establish build dates and utilize tools such as file history and historic aerial imagery. However, in some cases there is not enough information to establish a date of installation such as in the case of the existing signage necessitating the requirement for a permit. A dated photo from the 1970s/1980s was found on the Salt Spring Island Archives website (Figure No. 4) showing two signs in the same location at the two current signs considered in this application (Figure No. 5). Land Use Bylaw Nos. 14 and 123 (repealed) in effect around that time permitted up to two signs per principal use in commercial zones either up to 1.8 square metres if directly illuminated or 3.7 square meters if unilluminated. It is possible that the sign configuration at the time was lawful. However, the subsequent addition of a third plastic back lit sign at the rear of the building (between [1985](#) and [1990](#)) brought the signs out of conformance with applicable regulations. In 2001 following adoption of the current LUB, the total area for signage in commercial zoned was reduced to 1.8 square metres.



Figure 4: Salt Spring Island Archives [Photo](#), Circa 1970s/1980s



Figure 5: Site Visit Photo (Current Sign Configuration)

Amended Sign Permit to Address Guidelines E.1.9.4 & E.1.9.5

Upon initial review of the application (Figure No. 6), staff advised the applicant that in the absence of an issued Development Permit for the current sign configuration, and as proposed, the sign replacement would be at variance with the following DPA1 guidelines:

- 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.
- E.1.9.5 Front-lit *signs* with soft light levels are preferable.

Guideline E.1.9.4 speaks to natural materials (preferably handcrafted in appearance) and discourages installation of plastic, back lit signs (especially when dominated by product logos and trademarks) and guideline E.1.9.5 speaks to preference of front-lit signs with soft light levels. The initial submission mirrored the current sign configuration – three plastic, back lit signs (a total sign area of 8.92 square metres). Staff encouraged the applicant to amend the submission in consideration of the above noted guidelines – the applicant subsequently provided new sign plans (Appendix No. 1) with two cedar and paint signs, one which is front-lit (a total sign area of 3.658 square metres – a reduction of 5.262 square metres). Staff note the revised sign plans are now in conformance with the above noted guidelines. The following table provides a detailed analysis of the current sign configuration, initial submitted plans and revised plans:

	Initial Plans	Revised Plans
SIGN 1	Area: 1.92m ² Material: Silhouette illuminated Height: 3.694 m to 4.647m	Area: 1.705m ² Material: Cedar, unlit Height: 3.694 m to 4.647m
SIGN 2	Area: 2.43m ² Material: Plastic, back lit	Area: 1.953m ² Material: Cedar, front-lit

**DP required, exceeds a height of 5m*

	Height: not provided	Height: 4.919m to 6.174 m*
SIGN 3	Area: 4.57m ² Material: Plastic, back lit] Height: exceeds a height of 5m	Awning – not a sign
SIGN 4	Awning – not a sign	Removed (previously 'sign 2')
	Total Area: 8.92m²	Total Area: 3.658m²**

**DP required, exceeds 1.85m²



Figure 6: Original DP Submission

Non-Compliance with Development Permit Area Guidelines

Review of the application deemed it to be at variance with the following DPA1 guidelines E.1.9.2 and E.1.9.3 and potentially at variance with DPA1 guideline E.1.9.1. In consideration of guideline E.1.9.2, staff note neither individual sign exceeds 2.5 square metres – however, the total area (3.658 square metres) exceeds the allowable 1.8 square metres permitted under Table 2 of the LUB by double the total area permitted. Subsequent to the adoption of the LUB in 2001, the maximum total sign area decreased from a maximum of 3.7 square metres for non-illuminated signs to 1.8 square metres for all signs. Staff further note the letters of both proposed signs exceed 20 centimetres in height. Additionally, proposed sign 2 is the only sign that is more than 5 metres above the ground and thus triggers the requirement for a Development Permit for DPA1 and would be assessed for conformance with guideline E.1.9.3. The height of proposed sign 2 is between 4.919 metres and 6.174 metres above the ground and is not located at pedestrian level. The height and southern orientation of this sign is somewhat visible when entering Ganges Village from the south-end. Staff note visibility of the signs from the harbour is limited due to surrounding buildings as well as trees in Centennial Park. The SS LTC may determine whether the applicant has adequately addressed the guidelines or whether they wish to see one or more guideline addressed. The SS LTC should note the discretion of local governments in the issuance of Development Permits is limited to evaluation of the application against the relevant Development Permit Area guidelines.

Consultation

This application does not require notification.

Agencies

This application does not require agency referrals.

First Nations

This proposal does not require First Nations referral.

Rationale for Recommendation

Staff have determined the applicable guidelines of DPA1 for the proposed replacement of two of the three existing signs (removing one) have been satisfactorily met as the applicant has provided revised plans – replacing the proposed back lit logo signs with sandblasted painted cedar signs (with new front lighting for one of the signs) and is less than the total sign area permitted prior to adoption of the current LUB (3.658 square metres versus 3.7 square metres for non-illuminated signs). Although larger in area than permitted by the LUB, the new signs will be in greater conformance with DPA1 guidelines in comparison to the current materials and lighting. As such, staff recommend that the SS LTC approve issuance of the proposed Development Permit.

ALTERNATIVES

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

1. Forward the application to the Advisory Planning Commission

The SS LTC may forward the application to the Advisory Planning Commission (APC) for comment prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased costs to the applicant. The APC comprises of a panel of community members, which are generalists or experts in the fields of environment, design, or planning. Referring the application to the APC for their comment on the DPA1 guidelines, which the application is at variance with would provide the SS LTC and staff with their invaluable insights into the nuances of the application prior to final consideration. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee refer application SS-DP-2021.13 (116 Fulford-Ganges Road) to the Advisory Planning Commissions for comment.

2. Deny the application

The SS LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed. The applicant could choose to make an application to the Board of Variance if hardship can be demonstrated. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of SS-DP-2021.13 (116 Fulford-Ganges Road) for the following reasons: [list reasons].

3. 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 costs 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 resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-DP-2021.13, 116 Fulford-Ganges Road)).

NEXT STEPS

If the recommended resolution is adopted, the Development Permit will be issued.

Submitted By:	Kristine Mayes, Planner 1	March 10, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	March 10, 2022

APPENDICES

1. Proposed Development Permit
2. DPA2 Guidelines
3. Site Context & Photographs

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.13

TO: BANK OF MONTREAL

1. This Development Permit (the "Permit") applies to the land described below:
PID: 003-899-845
LEGAL DESCRIPTION: Lot A, Section 1, Range 4 East, North Salt Spring Island, Cowichan District, Plan 18280
2. This Permit is authorized in accordance with the following schedule attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:
 Plan No. 1 Sign Plan, dated February 28, 2022, by Zip Signs
3. Development within Development Permit Area 1 (DPA1), as described and illustrated in Plan No. 1 is permitted in accordance with the following conditions:
 - 3.1 Sign Plans**
 Installation of signs that do not comply with the local sign bylaw and signs that are to be placed more than 5 metres above the ground on the subject property shall be in substantial accordance with Plan No. 1.
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.
6. Any further development, redevelopment or changes to this permit including the siting of buildings, structures, and landscaping on this property may require a new Development Permit or a Development Permit Amendment.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE

THIS ____ DAY OF _____, 20____.

 DEPUTY SECRETARY, ISLANDS TRUST

 DATE OF ISSUANCE

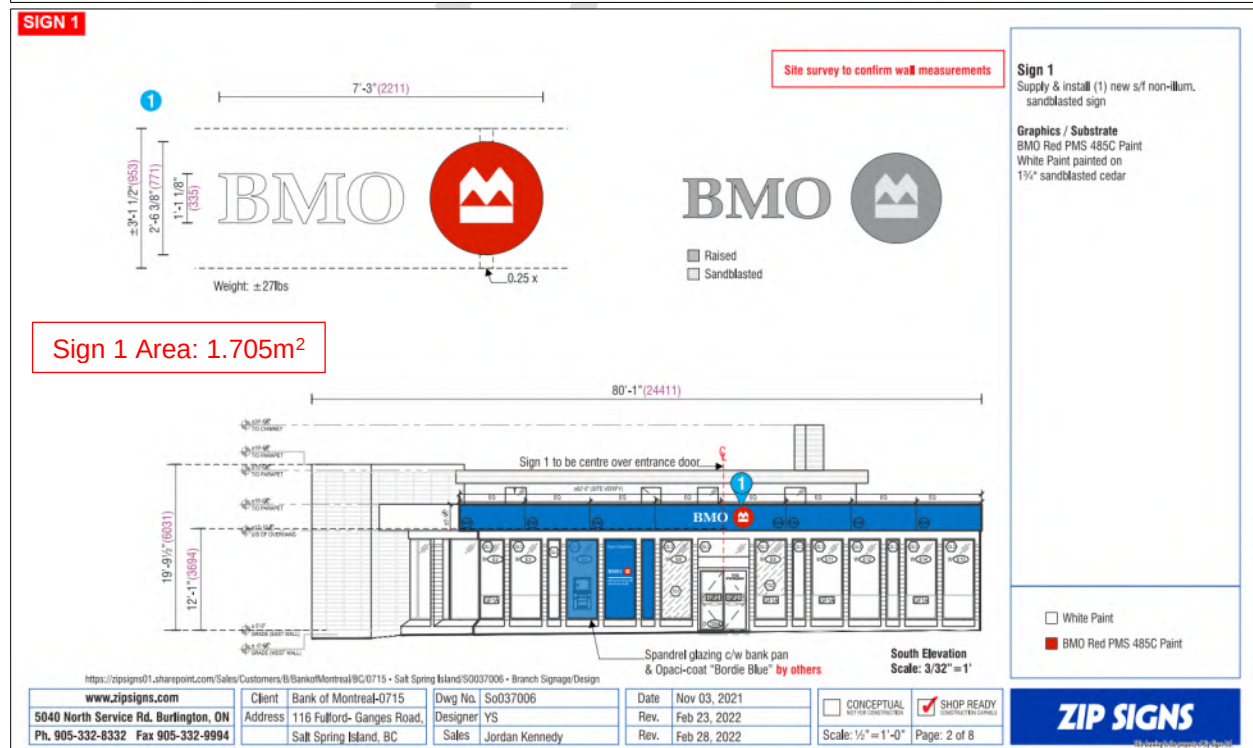
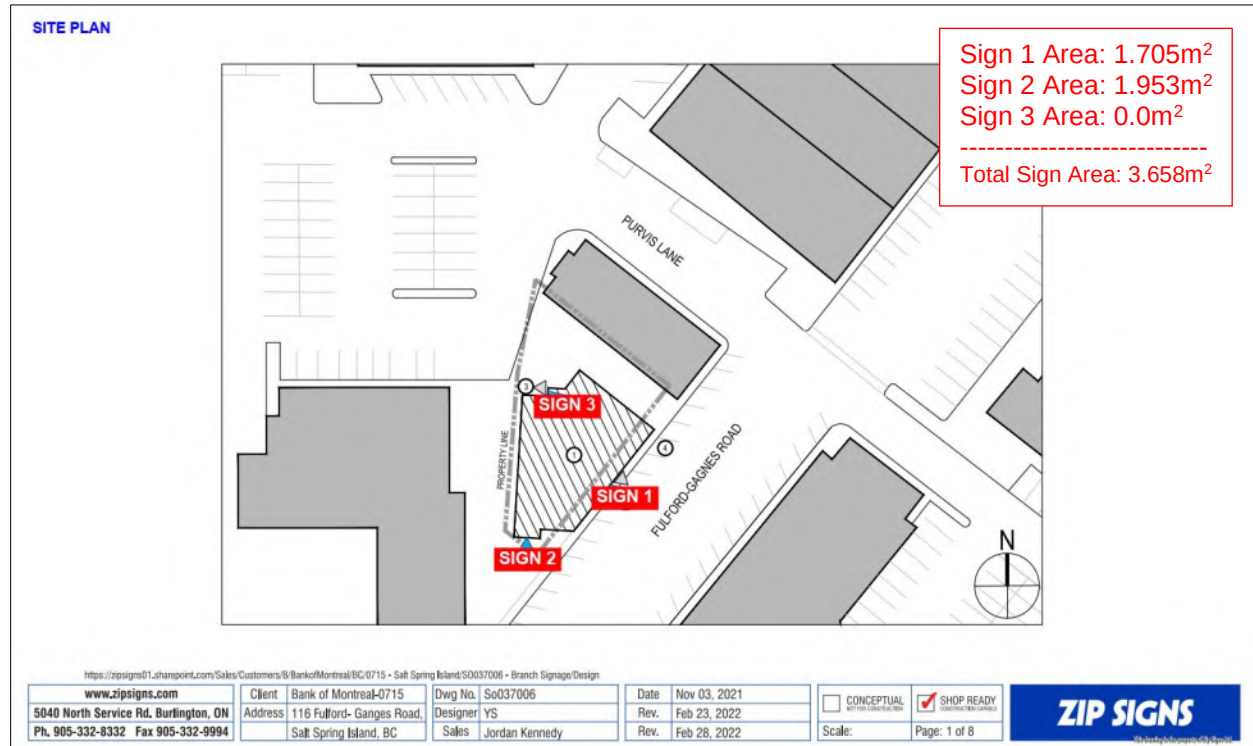
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 20____, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.13

PLAN NO. 1: Sign Plans

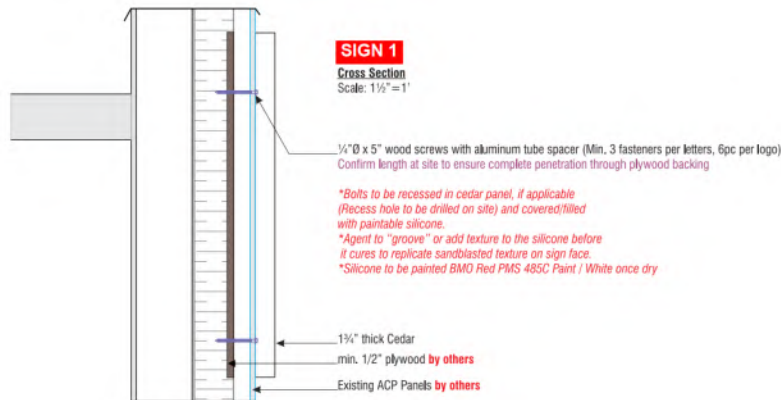


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.13

PLAN NO. 1: Sign Plans (Continued)



https://zipsigns01.sharpoint.com/Sales/Customers/B/BankofMontreal/BC/0715 - Salt Spring Island/50037006 - Branch Signage/Design							
www.zipsigns.com	Client Bank of Montreal-0715	Dwg No. So037006	Date Nov 03, 2021	☐ CONCEPTUAL	☒ SHOP READY		
5040 North Service Rd. Burlington, ON Ph. 905-332-8332 Fax 905-332-9994	Address 116 Fulford- Ganges Road, Salt Spring Island, BC	Designer YS Sales Jordan Kennedy	Rev. Feb 23, 2022 Rev. Feb 28, 2022	Scale:	Page: 3 of 8		



- ☐ Raised
- ☐ Sandblasted

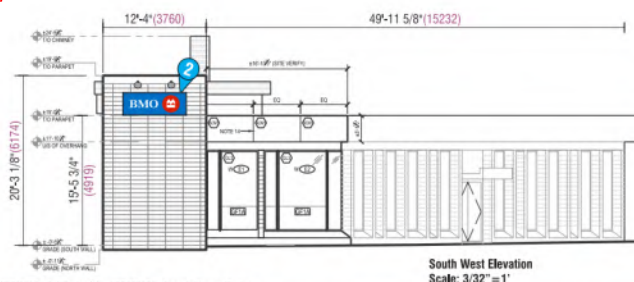
Sign 2
Supply & install (1) new s/f non-illum. sandblasted sign

Graphics / Substrate
BMO Red PMS 485C Paint
BMO Blue PMS 300C Paint
White Paint painted on 1/4" sandblasted cedar

Illumination
(2) - New "TMS Sign 12 - Gooseneck Light" (Brushed Aluminum)

Note
1" raised border

Sign 2 Area: 1.953m²



- ☐ White Paint
- ☒ BMO Blue PMS 300C Paint
- ☒ BMO Red PMS 485C Paint

https://zipsigns01.sharpoint.com/Sales/Customers/B/BankofMontreal/BC/0715 - Salt Spring Island/50037006 - Branch Signage/Design							
www.zipsigns.com	Client Bank of Montreal-0715	Dwg No. So037006	Date Nov 03, 2021	☐ CONCEPTUAL	☒ SHOP READY		
5040 North Service Rd. Burlington, ON Ph. 905-332-8332 Fax 905-332-9994	Address 116 Fulford- Ganges Road, Salt Spring Island, BC	Designer YS Sales Jordan Kennedy	Rev. Feb 23, 2022 Rev. Feb 28, 2022	Scale: 1/4" = 1"	Page: 4 of 8		

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.13

PLAN NO. 1: Sign Plans (Continued)

SIGN 2

SIGN 2
Cross Section
Scale: 1 1/2" = 1"

Gooseneck light
1/4" x 5" tapcon screws (Min. 8 fasteners per sign)
Confirm length at site to ensure complete penetration through plywood backing

Adjust Gooseneck light position to light signs on site.

1 1/2" thick Cedar
Existing Brick wall

*Bolts to be recessed in cedar panel, if applicable (Recess hole to be drilled on site) and covered/filled with paintable silicone.
*Agent to "groove" or add texture to the silicone before it cures to replicate sandblasted texture on sign face.
*Silicone to be painted BMO Blue PMS 300C Paint once dry

www.zipsigns.com
5040 North Service Rd. Burlington, ON
Ph. 905-332-8332 Fax 905-332-9994

Client: Bank of Montreal-0715
Address: 116 Fullford- Ganges Road,
Salt Spring Island, BC

Dwg No. So037006
Designer: YS
Sales: Jordan Kennedy

Date: Nov 03, 2021
Rev. Feb 23, 2022
Rev. Feb 28, 2022

☐ CONCEPTUAL
NOT FOR CONSTRUCTION

☒ SHOP READY
CONSTRUCTION CAPABLE

Scale: Page: 5 of 8

ZIP SIGNS
100 King's Highway 100, Suite 100

SIGN 3

3'-10" 3'-5" 4'-0"

Front View Side View

Plain Awning Not a Sign

Sign 3
Supply & install one (1) new awning re-skin

Graphics / Substrate
VTL17892 BMO Blue Vinyl
White Cooley Brite

Note
Awning structure unknown - Add extra vinyl around perimeter to be stretched on site

Existing Proposed

Add extra vinyl to be stretched on site

www.zipsigns.com
5040 North Service Rd. Burlington, ON
Ph. 905-332-8332 Fax 905-332-9994

Client: Bank of Montreal-0715
Address: 116 Fullford- Ganges Road,
Salt Spring Island, BC

Dwg No. So037006
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Date: Nov 03, 2021
Rev. Feb 23, 2022
Rev. Feb 28, 2022

☐ CONCEPTUAL
NOT FOR CONSTRUCTION

☒ SHOP READY
CONSTRUCTION CAPABLE

Scale: 3/4" = 1'-0" Page: 6 of 8

ZIP SIGNS
100 King's Highway 100, Suite 100

APPENDIX 2 –DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 1 – ISLAND VILLAGES

E.1.3 Objectives of this Development Permit Area

- E.1.3.1** To encourage the development of attractive, compact villages that harmoniously combines commercial, residential, cultural and recreational facilities in a way that encourages pedestrians and enhances village economies.
- E.1.3.2** To protect and enhance views of harbours and uplands, and provide pedestrian access to parklands and shorelines.
- E.1.3.5** To keep the secure character of villages.
- E.1.3.6** To encourage the use of local artisanship and materials.

Guideline	Complies	Comments
E.1.4 Guidelines for General Site Design, Building Location and Access		
General Guidelines		
E.1.4.1 All commercial, general employment 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.	N/A	Staff Comments: Not Applicable
E.1.4.2 All commercial, general employment and multifamily developments should be designed so that the obstruction of views from neighbouring properties is minimized.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
E.1.4.4 Major new commercial, general employment 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.	N/A	Staff Comments: Not Applicable
E.1.4.5 Site access to commercial and multi-family developments should encourage use by pedestrians and cyclists. Internal circulation routes for pedestrians and cyclists should be segregated from vehicular routes, with an emphasis given to pedestrian and cyclist safety over vehicular convenience if necessary. Site plans of large new developments should show how transit stops could be accommodated in the future. Site access in Ganges Village should be arranged to coordinate with the Ganges Public Pathway System, including the seawalk. Potential routes for the system are shown in a conceptual way on Map 17.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable

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.	N/A	Staff Comments: Not Applicable
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: Not Applicable
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 Applicable
E.1.4.10 Where commercial developments have street frontage in the Ganges Village Core, Channel Ridge Village Core and Fulford Harbour Village, the main floor should be preferably occupied by retail stores, restaurants, and personal service uses in order to maintain the interesting and lively commercial character of the villages. Most new business and professional offices and residential units should ideally be located on the upper levels of commercial developments or on a side of the building without street frontage. Access for the disabled to upper levels should be considered.	N/A	Staff Comments: Not Applicable

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 Applicable
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 Applicable
E.1.4.13 Developments along the boundary between the Upper Ganges Village and Ganges Village Core subdesignations should encourage pedestrian linkages between these two areas.	N/A	Staff Comments: Not Applicable
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 Applicable
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 Applicable
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.	N/A	Staff Comments: Not Applicable

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 Applicable
E.1.4.18 Developments adjoining agricultural land 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 BC Ministry of Agriculture and the Agriculture Land Commission as a guide to implementing the Farm Practices Protection (Right to Farm) Act (MAFF, 1996), including the Guide to Edge Planning (2015). Site designs should allow for a vegetated buffer, as outlined in Guidelines for Landscaping and Parking Surfaces Subsection E.1.7.22.	N/A	Staff Comments: Not Applicable
E.1.4.19 Where the subject property adjoins agricultural land, building setbacks for general employment and commercial uses should be at least 15 metres from the property line, to be consistent with the Guide to Edge Planning (2015), developed by the BC Ministry of Agriculture.	N/A	Staff Comments: Not Applicable
Guidelines For Multi-Family Developments		
E.1.4.20 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 Applicable
E.1.4.21 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 4.5 m), to encourage human activity and create a lively, occupied character to the street.	N/A	Staff Comments: Not Applicable
E.1.4.22 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: Not Applicable
E.1.4.23 Space should be provided for private and common storage and for a convenient mail kiosk.	N/A	Staff Comments: Not Applicable
E.1.4.24 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: Not Applicable
E.1.4.25 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: Not Applicable

E.1.4.26 Developments that provide special needs housing or seniors' supportive housing should incorporate appropriate design elements such as those outlined in <u>Appendix B – Supportive Housing Design Considerations</u> , of the document entitled " <u>Supportive Housing for Seniors, A Policy and Bylaw Guide</u> ", 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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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 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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable

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: Not Applicable
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 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.	N/A	Staff Comments: Not Applicable
E.1.5.9 Parking should only be at ground level or below.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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 Applicable
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: Not Applicable

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: Not Applicable
E.1.6.3 On slopes, horizontal modulation (stepped structures) should be used so the building conforms to the site.	N/A	Staff Comments: Not Applicable
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: Not Applicable
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 Applicable
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 Applicable
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 Applicable
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 Applicable
E.1.6.9 Landmark buildings should not be created in island villages.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
E.1.6.11 All roof-top mechanical equipment (satellite dishes, air-conditioning) should be screened from view.	N/A	Staff Comments: Not Applicable
E.1.6.12 Large areas of curtain-wall glazing should not be used.	N/A	Staff Comments: Not Applicable
E.1.6.13 The use of handcrafted doors made by local artisans is encouraged.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
E.1.6.15 A pleasant pedestrian environment in villages should be enhanced by pedestrian-oriented features.	N/A	Staff Comments: Not Applicable

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 Applicable
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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
E.1.6.19 Large new developments should have their electrical and telephone connections provided underground.	N/A	Staff Comments: Not Applicable
E.1.6.20 Facilities should be provided for convenient, barrier-free access for the disabled.	N/A	Staff Comments: Not Applicable
E.1.7 Guidelines for Landscaping and Parking Surfaces		
E.1.7.1 Informal, natural landscaping that gives a native appearance is encouraged as opposed to formal, decorative plantings. Hard surfacing should not be used as a substitute for vegetation.	N/A	Staff Comments: Not Applicable
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 Applicable
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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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 general employment 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.	N/A	Staff Comments: Not Applicable
E.1.7.6 All landscaping work on major new developments should meet the British Columbia Landscape Standard published by the British Columbia Society of Landscape Architects and the British Columbia Nursery Trades Association and should be covered by a performance bond for a period of one year from the date of final installation, in order to ensure survival or replacement of plantings. All landscaping should be maintained in perpetuity.	N/A	Staff Comments: Not Applicable

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.	N/A	Staff Comments: Not Applicable
E.1.7.8 Plant materials should be chosen with a view to conserve water.	N/A	Staff Comments: Not Applicable
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: Not Applicable
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: Not Applicable
E.1.7.11 Other existing natural site features such as rock formations and ground contours should be preserved.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
E.1.7.15 Deciduous boulevard trees should be included with a spacing of 10 m in all large new commercial and multi-family projects in Ganges Village with frontage on Fulford-Ganges and Lower Ganges Roads.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable

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.	N/A	Staff Comments: Not Applicable
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.	N/A	Staff Comments: Not Applicable
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 Applicable
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 Applicable
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 Applicable
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 Applicable
E.1.8 Guidelines for Lighting		
E.1.8.1 Lighting of commercial and general employment 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.	N/A	Staff Comments: Not Applicable
E.1.8.2 Light fixtures on commercial and general employment 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: the applicant is installing 2 front-lit lights for sign 2 (cast downward)
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: the applicant is installing 2 front-lit lights for sign 2 (cast downward)
E.1.8.4 Incandescent fixtures are preferred	Yes	
E.1.8.5 Light fixtures mounted on masts or walls should be pedestrian in scale and should not exceed 3.5 m in height.	N/A	Staff Comments: Not Applicable
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 Applicable

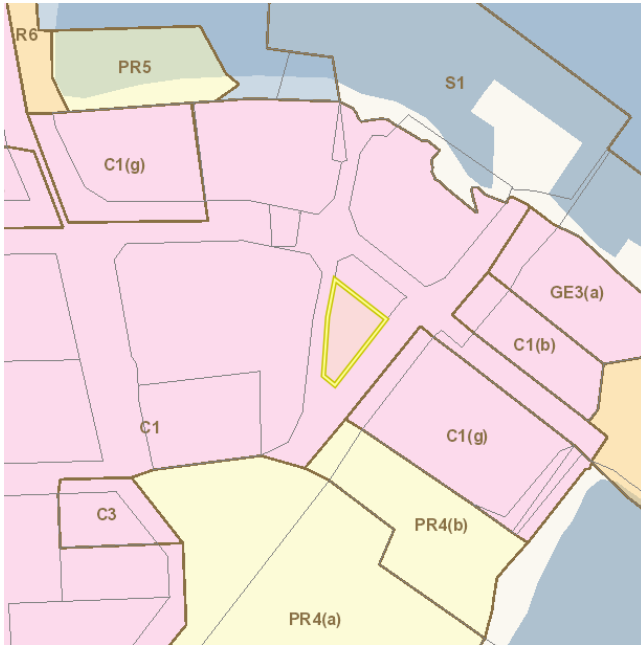
E.1.8.7 Flashing or strobe lights should not be used to attract attention to commercial uses.	Yes	Staff Comments: the applicant is installing 2 front-lit lights for sign 2 (cast downward)
E.1.9 Sign Guidelines		
E.1.9.1 Signs should be coordinated with buildings in terms of location, scale, materials, finishes and colours.	Maybe	Staff Comments: the building face where sign 1 is being installed is being changed to the blue of the bank logo (from black)
E.1.9.2 Signs should be kept to the minimum size and number needed to inform and direct residents and visitors. Sign size and lettering should not exceed that necessary to direct pedestrians and slow-moving traffic: letters should rarely exceed 20 cm in height; the area of individual signs should rarely exceed 2.5 m ² . Total permitted sign area should not exceed that permitted by local bylaw.	No	Staff Comments: the applicant is seeking to replace existing signs that were found to not have an associated Development Permit. None of the signs exceed 2.5m ² – however, the maximum total sign area exceeds that of the LUB (1.8m ² vs. 3.658m ²)
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.	No	Staff Comments: only sign 2 is more than 5 metres above the ground (between 4.919 to 6.174 metres), staff note the signs are not visible from the harbour due to the buildings and trees in Centennial Park between the subject property and the harbour.
E.1.9.4 Signs should be constructed of natural materials, preferably with a handcrafted look. Plastic, back lit signs should not be used, especially those dominated by product logos and trademarks.	Yes	Staff Comments: both signs are sandblasted and painted cedar and are front lit (no back lit signs)
E.1.9.5 Front-lit signs with soft light levels are preferable.	Yes	
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	
E.1.10 Guidelines Regarding Stormwater Drainage and Water Pollution		
E.1.10.1 New commercial, general employment, institutional and multi-family residential developments that will create more than 280 m ² of new impervious surfacing should include a report prepared by a Professional Engineer that determines the extent of changes to the natural drainage. It should identify any conditions that should be incorporated into the development permit to protect property from flooding, erosion or from other undesirable impacts as the 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.	N/A	Staff Comments: Not Applicable
E.1.10.2 Developments that would create less than 280 m ² 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: Not Applicable
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 Applicable

ATTACHMENT 3 – SITE CONTEXT

LOCATION

Legal Description	Lot A, Section 1, Range 4 East, North Salt Spring Island, Cowichan District, Plan 18280
PID	003-899-845
Civic Address	116 Fulford-Ganges Road, Salt Spring Island

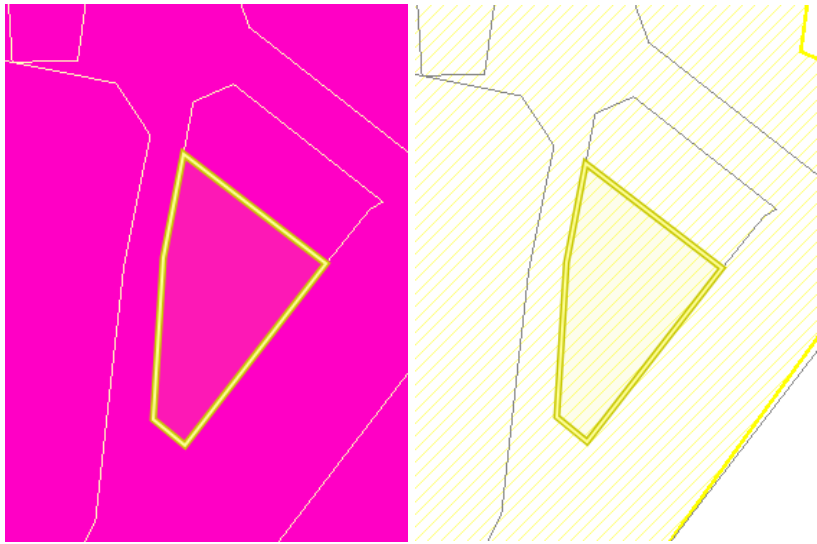
LAND USE

Current Land Use	Commercial – Bank
Surrounding Land Use	Commercial & Parkland  <i>Islands Trust Zoning Map (subject property indicated in yellow)</i>  <i>CRD 2021 Orthophoto (subject property indicated in blue)</i>

HISTORICAL ACTIVITY

File No.	Purpose
None	

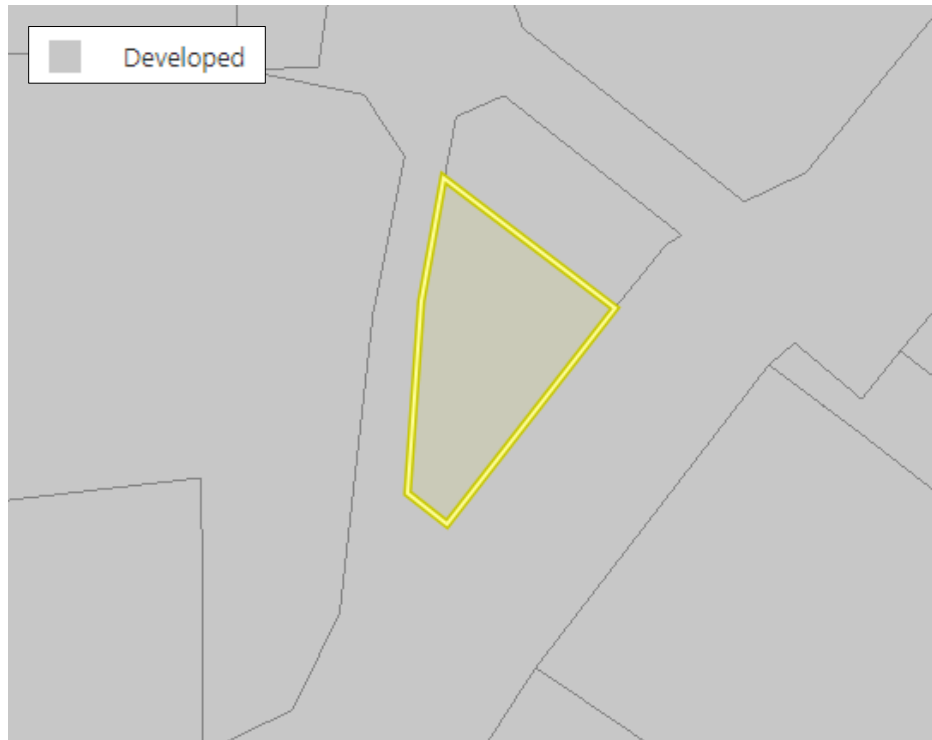
POLICY/REGULATORY

Official Community Plan Designations	Ganges Village Core (GVC) - Development Permit Area 1 – Island Villages - Heritage Conservation Area 
Land Use Bylaw	Commercial 1 (C1)
Other Regulations	None
Water Service Area	North Salt Spring Waterworks District
Title Charges	None
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
Regional Conservation Strategy	The subject property is primarily within the LOW relative value area for important natural areas in the Salt Spring Island Local Trust Area. 
Species at Risk	SAR (Public) Species: Sharp-tailed Snake SAR (Public) Ecological Community: None Currently Mapped
Sensitive Ecosystems	SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped RAR Watercourse: None Currently Mapped

ITEM: Developed



Islands Trust Ecosystem Mapping (ITEM)

Islands Trust Protected Areas mapping indicates the following mapped categories surrounding or in close proximity to subject property: Recreation Park, Community Park & Public Conservation Lands



Hazard Areas	None Currently Mapped
Archaeological Sites/Potential	Archeological Site & Archeological Potential on subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The subject property ranges in elevation from approximately 2 metres to 6 metres above sea level. It is also situated located 80 metres from a bus route.
Shoreline Classification	<i>Not Applicable</i>
Shoreline Data in TAPIS	<i>Not Applicable</i>

PHOTOS



Subject building and existing signage from Centennial Park



Subject building and existing signage from Fulford-Ganges Road



Existing signage proposed to be replaced (sign 1)



Existing signage proposed to be replaced (sign 2)



Existing awning to be redone and sign to be removed



Subject building and existing signage from Fulford-Ganges Road



Subject building and existing signage from Fulford-Ganges Road



Existing signage (backlit) viewed at Dusk



Examples of handcrafted signs in proximity to subject business