



# Salt Spring Island Local Trust Committee

## Regular Meeting Addendum

Date: Thursday, October 12, 2023  
Time: 9:30 a.m.  
Location: 64 Learning Hub  
122 Rainbow Road

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		<b>Pages</b>
<b>14.</b>	<b>LOCAL TRUST COMMITTEE PROJECTS</b>	2:00 PM - 3:00 PM
<b>14.1</b>	<b>Proposed Bylaw 530 - Accessory Dwelling Units</b>	
14.1.1	<u>Proposed Bylaw No.530 - Accessory Dwelling Units</u>	2
	Staff Report	



Islands Trust

# STAFF REPORT

File No.: 6500-20 Housing Action  
Program (Accessory Dwelling  
Units)

DATE OF MEETING: October 12, 2023  
TO: Salt Spring Island Local Trust Committee  
FROM: Chris Hutton, Regional Planning Manager  
Salt Spring Island Team  
SUBJECT: Proposed Bylaw No. 530 "Accessory Dwelling Units"

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## RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee rescind second reading of proposed "Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022"
2. That the Salt Spring Island Local Trust Committee amend proposed "Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022" as presented in Attachment 1 of the report from the Regional Planning Manager, dated October 12, 2023.
3. That the Salt Spring Island Local Trust Committee give second reading to "Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022", as amended.
4. That the Salt Spring Island Local Trust Committee refer "Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022", as amended to the Islands Trust Executive Committee for comment, and place the comments on the earliest possible meeting agenda of the Salt Spring Island Local Trust Committee.
5. That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Checklist attached to the October 6, 2023 report, and determined that Proposed Bylaw No. 530, as amended cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2022," is not contrary to or at variance with the Islands Trust Policy Statement.
6. That staff draft a standing resolution for the Salt Spring Island Local Trust Committee's consideration of criteria to assess when reviewing site specific amendments to Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999 for accessory dwelling units and secondary suites that assesses:
  - a) Water and wastewater servicing
  - b) Siting considerations
  - c) Affordable housing impacts

## REPORT SUMMARY

This report presents and analyzes options for further amendments to proposed Salt Spring Island Local Trust Committee Bylaw No. 530 (proposed Bylaw 530) (Attachment 1). The overall intent of this amendment is to provide increased opportunity for diversification and managed additional housing opportunities in specific residential areas of the LUB area in the form of attached secondary suites or accessory dwelling units. The report provides recent background and follows on a previous discussion of the proposal and specifically acknowledges the request put forward by LTC to report back on options to adjust the bylaw in response to feedback received through open houses. Several options are discussed and analysed in this report for LTC to consider and blended approach is recommended.

## BACKGROUND

At its regular meeting on June 22, 2023, LTC received a summary of the two open house meetings that had been held on Proposed Bylaw No. 530. Upon discussion of whether to move forward with the public hearing, given feedback received from public open houses and referral responses including those of First Nations, the LTC passed the following resolution:

### **SS-2023-76**

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

That the Salt Spring Island Local Trust Committee request staff to identify options for further amendments to proposed Bylaw 530 based on feedback received at the open houses and other relevant information regarding accessory dwelling units in rural areas.

#### **CARRIED**

LTC also requested that staff schedule a public hearing in the month of September. Given the request for additional reporting of options that could result in amendments to the bylaw, it was not feasible to undertake these two tasks simultaneously.

## DISCUSSION

### ***Public Feedback***

Comments from the public in the open houses and other outreach held in June were varied in their level of support, ranging from concern about availability of servicing resources (water) and the likelihood that ADUs would be used to provide full-time housing options; to acknowledgement as a step in the right direction to diversifying the number of units and their type to address the ongoing crises of housing availability and affordability. There does appear to be community consensus that ADUs and secondary suites would not be a “panacea” housing solution and that ongoing work to address the housing affordability and availability issues on Salt Spring Island remains to be done.

A common concern that is ADUs will not result in affordable housing. Cost of construction of ADUs is considerable recent softening trends in the housing ownership and rental markets may result in increase challenges to construction viability.

### **First Nations Referral Responses**

There was some confusion regarding the responses of First Nations referrals in the June meeting, so a refreshed summary of comments is provided here. All referral responses to two versions of proposed Bylaw No. 530 can be found in Attachment 1. Referrals were sent to the 13 First Nations with identified land or water interests in the Salt Spring Island Local Trust Area. Of the responses received in the 2023 referral:

- Tsawout First Nation indicated that the proposed bylaw raises concerns about the environmental impact, living capacity, and impacts to Tsawout First Nation’s rights to its traditional territory.
- Cowichan Tribes “does not oppose” amendment to allow ADUs.
- Malahat Nation respectfully defers to local First Nations’ opportunity to act as primary correspondents while reserving right to consultation and engagement on an ongoing basis for this proposal.

A 2022 referral of a similar iteration of proposed Bylaw 530 yielded similar comments from the above-noted First Nations, and:

- Ts'uubaa-asatx Nation notes that the proposal falls in their Statement of Intent Area with no comment but that such is without prejudice to any future consultation regarding this and any other application or decision within the Nation’s territory. The response goes on to reserve myriad rights, including potential compensation, court action, and sustained right to protect cultural heritage or against Aboriginal rights or title infringement.
- Lyackson First Nation previously indicated (not exhaustively) concerns about a lack of cumulative effects assessment related to environment, cultural, socioeconomic and historical values. The Nation further questioned how the proposal could facilitate dedication of units for affordable housing for local Indigenous peoples, “given the Islands Trust’s acknowledgement of the forcible dispossession of Indigenous peoples from the lands and waters of Shiya’hwt”. An email sent shortly after this referral indicated possible responses to these questions, indicating that LTC may consider requirement of a housing agreement or other legal instrument. However, this discussion does not appear to have been pursued further by any party.
- Halalt Nation indicated that it has no comment on the proposed bylaw.

LTC should consider that of the six nations that have responded, one does not object, one does not comment, two refrain from comment but reserve the right to do so and expressly reserve the right to further future action, one expresses concerns that have not been addressed, and one is clearly opposed. As we only received referral responses from three nations in the most recent referral, we are not able to identify if those who responded in 2022, but did not in 2023 simply felt that the last referral response is upheld.

Staff have had follow-up conversations with Tsawout regarding this referral response. These conversations have been caveated by Tsawout as not comprising engagement or consultation. Tsawout states that it does not currently have adequate apparatus to accommodate this but is preparing an engagement portal. Tsawout considers that until it has created this apparatus, it cannot be considered to have been engaged. The importance of building a meaningful relationship is additionally imperative to achieving meaningful engagement with Tsawout.

***Facilitating Broad Distribution with Managed Yield:***

As read, proposed Bylaw 530 would rezone 5,002 properties to allow for either a secondary suite or an ADU. This act would legalize the *land use*, any such units existing, known or unknown subject to the bylaw. Those units may still be subject to siting requirements, a building permitting, and risk management measures if constructed in hazard lands or environmentally sensitive lands. While not known comprehensively, it is not likely that the number of illegal units is a substantial number of the potential lots proposed to be rezoned.

***Ensuring Durability of the Bylaw***

Two points have been identified to the zoning by right approach proposed to enable development of ADUs and secondary suites, as in proposed Bylaw 530: (1) Lack of certainty about consistency with the OCP; and (2) responding to the input of First Nations.

## OCP Consistency

Section 478(b) of the *Local Government Act* requires that all bylaws enacted must be consistent with the plan. Concern has been raised by staff that authorization of ADUs or secondary suites in low or very low density areas could raise concerns about OCP consistency. These concerns centre primarily on zones in the Uplands land designation (OCP Policy B.8.2.2.2), as well as application of the precautionary principle to ensure that land use is not increased in areas that are known to have concerns with the supply of potable water (OCP Policy C.3.1.1.1). Policy specific to secondary suites a comprehensive set of criteria to be met in consideration of allowing secondary suites (OCP Policy B.2.2.2.15) is provided. A number of these 14 criteria are met, but specifically, the direction that LTC make zoning changes incrementally (m) is not met through proposed Bylaw 530. The need for metered responses is supported in the OCP's discussions of possible zoning changes that would result in population increases, where "exceptions to this policy are to be few and minor and only to achieve *affordable housing*<sup>1</sup> and other objectives of this Plan".

Various discussions with Islands Trust Counsel have been obtained and staff's understanding of these opinions is that it is unclear if the actions of advancing proposed Bylaw 530 would be vulnerable to court challenge.

## First Nations Engagement

It has been confirmed that the duty to consult and accommodate First Nations under s. 35(1) of the Constitution is a Crown duty and thereby does not extend to Islands Trust as a local government. That said, the Islands Trust Council's Reconciliation Declaration commits the organization to establishing mutually respectful relationships between Indigenous and non-Indigenous Peoples, acknowledging that this commitment is a long-term relationship-building and healing process. While not a direct barrier to advancing proposed Bylaw 530, it is important for LTC to consider the future relational impact of how it responds to the concerns raised by First Nations.

## ***Executive Committee Approval***

Prior to adoption of a LUB amendment bylaw such as proposed Bylaw 530, the Executive Committee (EC) must approve of the bylaw. The EC may return or refuse to approve the bylaw, giving reasons and notify LTC. In that case LTC may appeal to Trust Council to vote on the bylaw. In addition to considering that the bylaw is not consistent with the Policy Statement, EC may choose to not approve the bylaw for any other given reason. The reasons outlined above for LTC consideration may be considered by EC as well. More information about the role of the Executive Committee can be found in Attachment 3

Staff suggest that regardless of the option chosen, LTC may be wise to consider referring proposed Bylaw 530 prior to scheduling a public hearing to consider any improvements that could be made to the bylaw.

## **ANALYSIS**

### ***Replace Zoning by Designation Approach with a Map Schedule***

Proposed Bylaw 530 would formalize ADUs in nine zones and allow secondary suites in 16. One way to reduce the number of parcels and address the OCP consistency challenge to Policy B.8.2.2.2 would be shift from permitting suites and ADUs by zone and allowing by schedule. This is the case with the current [Schedule "I"](#) that applies to Secondary Suites. LTC could request that staff revise Bylaw 530 to a LUB schedule that would not

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<sup>1</sup> The OCP defines affordable housing as describes rental or owned housing that can be acquired with 30 per cent of the median gross income of families or individuals on Salt Spring Island. Median total incomes in 2020 was \$77,500 for families and \$38,000 for individuals.

include lands in the Uplands designation of the OCP ([map](#)). The Uplands Designation includes lands that are zoned other than RU and RU zones exist outside the Uplands OCP designation, so removing those zones would not accurately address this.

#### Allow ADUs Where Secondary Suites are Currently Permitted

An extreme form of reduction would result in limiting both the geographic coverage of this land use permission and the total number of parcels where ADUs are permitted. At present, secondary suites are permitted only in lands identified on [Schedule "I"](#) of the LUB. Adopting the proposed updated regulations for ADUs and secondary suites and expanding the potential housing types in Schedule "I" would be a means to pilot ADUs before considering a wider implementation of them on Salt Spring Island. This would be consistent with the OCP policies of concern noted above. Tsawout First Nation has advised in conversation that they do not support any expansion of ADUs currently.

#### Not Permit Secondary Suites or ADUs in areas not served by Salt Spring Island Fire Rescue Response Zone

Approximately 97 parcels re located on Salt Spring Island that are outside the response zone of the Salt Spring Island Fire Rescue service. These areas are located along the south west of the island, generally ([map](#)). While few in number of parcels, this is a significantly large area of the island that is wilder, and this would mitigate some concern about fire hazards.

#### ***Spot Rezoning for Qualifying Parcels***

Rather than permitting ADUs and Secondary suites "by right" in zoning designations, LTC could pass the zoning regulations for ADUs and secondary suites without permitting in specific zones and establish a concurrent policy that outlines criteria where complete, site-specific rezoning applications should be supported. Such criteria might include siting considerations, confirmation of criteria, etc. The benefit of this approach is that the bylaw would be clearly consistent with the OCP policies listed as areas of concern above. A complementary policy could consider an affordability condition, such as a housing agreement or other housing policy-based condition to be considered at the discretion of LTC. Monitoring compliance with housing agreements is a necessity and this can be administratively burdensome for multi-unit projects. The creation of many single unit:owner agreements may create future need for additional resources. Pursuing this detail of this option would require exploration of options prior to proceeding.

#### ***Islands Trust Policy Statement:***

The evaluation of the Proposed Bylaw No.530 in its original version against the ITPS found to be not contrary to the ITPS as a result of the development standards and requirements proposed.

#### **Consultation**

In consideration of the recommended option, or proposed Bylaw 530 as currently read, each has considers the input received. Therefore, beyond the recommendation that LTC refer the bylaw to EC and the requirement for a public hearing, not further engagement is recommended. If LTC wishes to research and explore other options, that exploration may include recommendations to engage the public or refer proposals again.

#### **Rationale for Recommendation**

Staff have combined the above options to create a strategy that would address OCP consistency concerns and mitigate, but not fully resolve concerns raised by the public and community partners. This proposal is to allow accessory dwelling units as identified and regulated in propose Bylaw 530 by right to those properties vetted in the existing Schedule "I". This approach would be consistent with the OCP and reduce impact for the moment. However, in order to manage the implementation of secondary suites and ADUs in other areas, it is proposed that a complementary policy in the form of a standing resolution be passed that would provide guidance to staff and applicants as to specific criteria where LTC is likely to consider approval of site-specific approval of ADUs or

secondary suites. This approach had the advantage of providing a streamlined rezoning application procedure under a clear framework for regulation, while ensuring that the growth of these units is managed and responsive to contemporary shifts in the housing market. Finally, as noted above, this approach recommends that LTC refer the proposed bylaw to EC prior to scheduling of a public hearing.

**ALTERNATIVES**

LTC may consider the following alternatives to the staff recommendation:

**1. Request that staff refer proposed Bylaw 530 as read to Executive Committee**

LTC may choose to request that staff move forward with proposed Bylaw 530 as read at this time by referring the bylaw to Executive Committee prior scheduling a public hearing. In this case, staff would refer the bylaw right away, and provide those comments at the first possible LTC meeting. Staff could also provide additional information in a covering report, if such information would be helpful. Recommended wording for this option:

*That the Salt Spring Island Local Trust Committee refer “Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022”, as amended to the Islands Trust Executive Committee for comment, and place the comments on the earliest possible meeting agenda of the Salt Spring Island Local Trust Committee.*

**2. Select a direction and request further information:**

The LTC may request further information prior to making a decision. Staff have provided options above that are vetted to opportunities and constraints. Ad hoc options are welcome, but may require additional investigation. If selecting this alternative, the LTC should be advised to 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 staff report back with further options that consider [option selected].*

**3. Defeat proposed Bylaw 530:**

The LTC may choose to defeat Bylaw 530 and move forward with the OCP-LUB Project. In some cases, this option may be to hold the application in abeyance pending completion of the OCP. There is not likely any substantial benefit to keeping the project in abeyance and the substance of this bylaw may be addressed through upcoming LTC projects. It should be noted that this option has the benefit of a more streamlined implementation, but would result in a significant delay before consideration of further policy development on this form of housing could begin. Recommended wording for the resolution is as follows:

*That the Salt Spring Island Local Trust Committee defeat proposed Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022.*

**NEXT STEPS**

Describe the next steps in the process, if applicable.

Submitted By:	Chris Hutton, RPP MCIP Regional Planning Manager	October 6, 2023
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## ATTACHMENTS

1. REVISED Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022
2. Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022 – as read a second time April 13, 2023
3. Islands Trust Policy 2.4.4 – Executive Committee Legislative Role
4. Islands Trust Policy Statement Checklist

# PROPOSED

## SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 530

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

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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 Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022”.

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 adding the following to Section 1.1 “Definitions:”

“Accessory Dwelling Unit” means a *dwelling unit accessory* to a *single-family dwelling unit* intended as an independent, separate unit, and subordinate to the principal structure.

2.2 Schedule “I” is amended to include accessory dwelling units, as shown on attached Plan No. 1

2.3 By replacing Section 3.16 “Secondary Suites” with the following:

### **3.16 ACCESSORY DWELLING UNITS AND SECONDARY SUITES**

#### **Regulations for accessory dwelling units and secondary suites:**

3.16.1 *Secondary suites and accessory dwelling units* are permitted only on *lots* that are within or partially within the shaded area on Schedule “I” to this Bylaw.

*Information Note: An accessory dwelling unit located within the Provincial Agricultural Land Reserve must also be consistent with the provisions of the Agricultural Land Commission Act and its regulations.*

3.16.2 Only a *secondary suite* or an *accessory dwelling unit* is permitted per *lot*.

3.16.3 The *secondary suite* or *accessory dwelling unit* shall not be:

- (1) located within a portion of a *lot* that is identified as a Community Well Capture Zone on Map 22 of the Salt Spring Island Official Community Plan;
- (2) located within a *community water system*, except where written confirmation from the operator of the *community water system* is provided that the site has sufficient capacity to supply a *secondary suite* or an *accessory dwelling unit*;
- (3) operated as a *Bed and Breakfast home-based business*, nor rented on a *temporary* basis.

- (4) subdivided from the dwelling unit, single family to which it is accessory under the Land Title Act or the Strata Property Act.

3.16.4 The *secondary suite* or *accessory dwelling unit* shall be:

- (4) occupied by the owner of the *lot*; or
- (5) occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.

*Information Note: Pursuant to other provisions of this Land Use Bylaw, short term vacation rentals are not permitted in residential areas.*

3.16.5 A building permit must be obtained for any *secondary suite* or *accessory dwelling unit*.

3.16.6 Where water to a *lot* containing a *secondary suite* or an *accessory dwelling unit* is supplied from:

- (1) rainwater collection, the rainwater system must be capable of supplying it with a sufficient quantity of *potable water*;
- (2) Where a *lot* is supplied by groundwater, a *single-family dwelling* containing a *secondary suite*, or an *accessory dwelling unit*, must have sufficient available groundwater.

*Information Note: At time of Building Permit application, the Capital Regional District requires specific amounts of potable water be demonstrated, and proof of adequate septic capacity be provided, prior to issuing approvals.*

- (3) a combination of sources, a written plan for the supply of water is to be provided under seal of an engineer that demonstrates an adequate supply of *potable water*;
- (4) a surface water body, a water license, issued or amended after November 30, 1994, must permit the withdrawal of the required amount of water.

*Information Note: The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity.*

### **Accessory dwelling unit Regulations**

3.16.7 The maximum *height* of an *accessory dwelling unit* is 7 metres;

3.16.8 The maximum *floor area* of an *accessory dwelling unit* is 56 square metres on *lots equal to or less than 1.2 hectares* in area;

3.16.9 The maximum *floor area* of an *accessory dwelling unit* is 90 square metres on *lots greater than 1.2 hectares*;

- 3.16.10 Despite section 4.3, no accessory dwelling unit shall be constructed 4.5 metres from any interior side lot line;
- 3.16.11 The driveway access to the accessory dwelling unit must be shared with access to the principal residence, unless access to the accessory dwelling unit can be provided from a rear lane.
- 3.16.12 The *accessory dwelling unit* can be freestanding or combined with an *accessory building*;
- 3.16.13 The *accessory dwelling unit* must not have a *basement*;
- 3.16.14 The *accessory dwelling unit* including any stairs, decks or porches or other *structures* that are attached to the unit, or that function as part of the unit, should not be located within 6 metres of any other *building* on a *lot*;
- 3.16.15 An *accessory dwelling unit* does not include recreational vehicles, or any *dwelling unit* on wheels.

**Secondary Suite Regulations**

- 3.16.16 The maximum *floor area* for a *secondary suite* is 90 square metres.
- 3.16.17 The *secondary suite* must be contained within the walls of the *building* that contains the *principal dwelling unit*.
- 3.16.17 The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.

2.4 By adding a change to the table under Subsection 7.1.5 “Minimum Number of Parking Spaces for Automobiles, Disabled Parking and Bicycles” with the following:

TABLE 3 MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES			
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
<b>RESIDENTIAL</b>			
<i>Seasonal Cottage, Accessory Dwelling Unit or Secondary Suite</i>	1 per unit	0	0

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS 19TH DAY OF APRIL, 2022

READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_

PUBLIC HEARING HELD THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_

READ A THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_

ADOPTED THIS

\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_

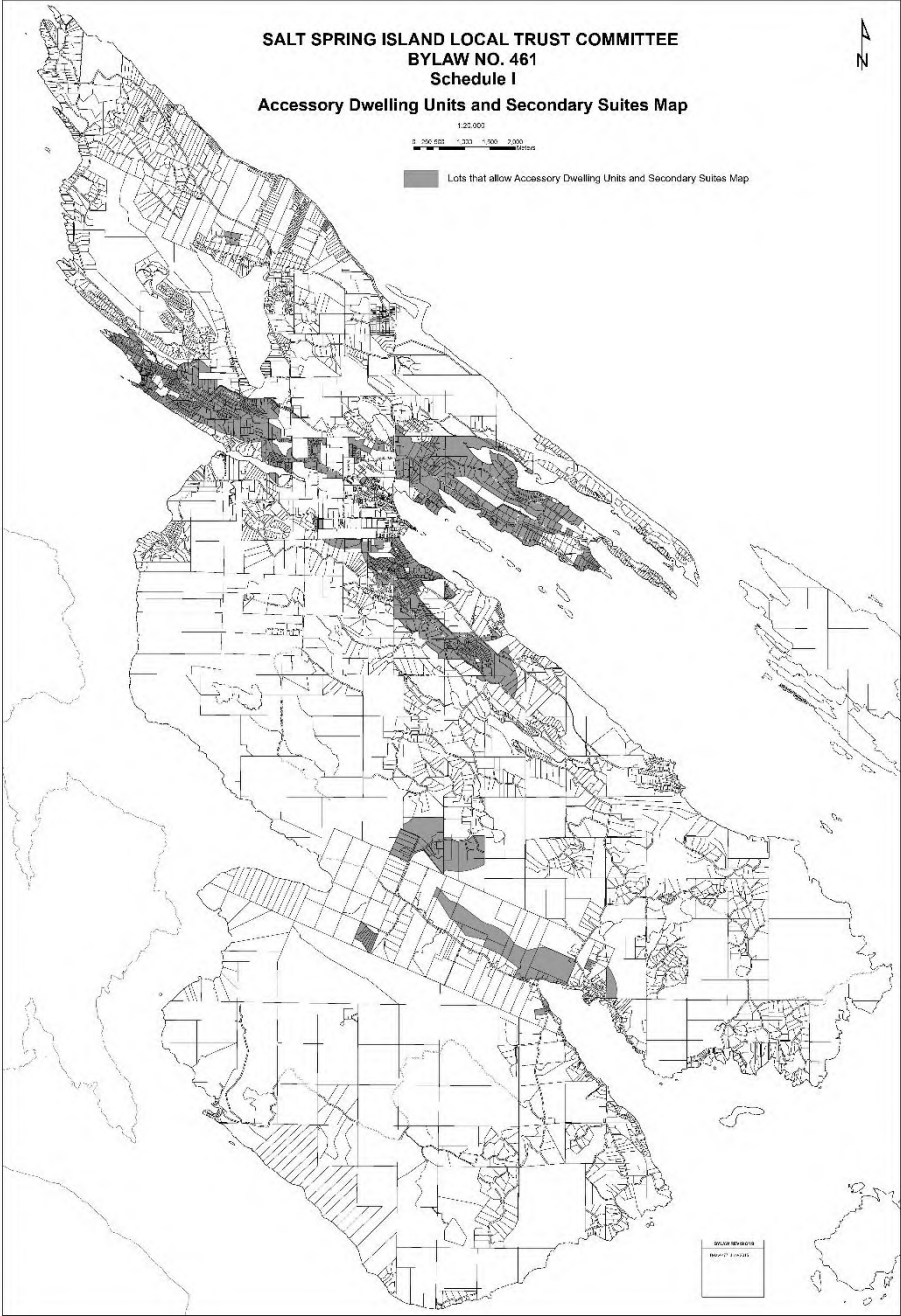
\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 530

Plan No. 1



SS-BL-530

# PROPOSED

## SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 530

### 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 Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022”.

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

2.1 By replacing the definition on “full-time rental cottage” with the following in Section 1.1 “Definitions:”

“Accessory Dwelling Unit” means a *dwelling unit accessory* to a *single-family dwelling unit* intended as an independent, separate unit, and subordinate to the *principal structure*, which contains sleeping, living, cooking and sanitary facilities, and its own independent entrance.

2.2 By deleting Schedule “I” Secondary Suites Map

2.3 By replacing Section 3.14 “Seasonal Cottages” and Section 3.15 “Full-Time Rentals Cottages” with the following:

**3.14 ACCESSORY DWELLING UNITS**

3.14.1 In zones where an *accessory dwelling unit* is permitted, the following regulations apply:

- (1) the *accessory dwelling unit* is not located within a portion of a *lot* that is identified as a Community Well Capture Zone on Map 22 of the Salt Spring Island Official Community Plan;
- (2) the *accessory dwelling unit* is not located within a *community water system*, except where written confirmation from the operator of the *community water system* is provided that the site has sufficient capacity to supply the *accessory dwelling unit*;
- (3) the *accessory dwelling unit* must not be operated as a *Bed and Breakfast home-based business*, nor rented on a *temporary* basis.
- (4) the *dwelling unit* or the *accessory dwelling unit* is occupied by the owner of the *lot*;  
or
- (5) the *dwelling unit* or the *accessory dwelling unit* is occupied by a person other than

## SS-BL-530

the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.

*Information Note: Pursuant to other provisions of this Land Use Bylaw, short term vacation rentals are not permitted in residential areas.*

*Information Note: An accessory dwelling unit located within the Provincial Agricultural Land Reserve must also be consistent with the provisions of the Agricultural Land Commission Act and its regulations.*

- 3.14.2 A building permit must be obtained for the *accessory dwelling unit* to satisfy all code requirements;
- 3.14.3 The maximum height of an *accessory dwelling unit* is 7 metres;
- 3.14.4 The maximum *floor area* of an *accessory dwelling unit* is 56 square metres on *lots equal to or less than 1.2 hectares* in area;
- 3.14.5 The maximum *floor area* of an *accessory dwelling unit* is 90 square metres on *lots greater than 1.2 hectares*;
- 3.14.6 Despite section 4.3, no *accessory dwelling unit* shall be constructed 4.5 metres from any interior side lot line;
- 3.14.7 The driveway access to the *accessory dwelling unit* must be shared with access to the principal residence, unless access to the *accessory dwelling unit* can be provided from a rear lane.
- 3.14.8 Only one *accessory dwelling unit* or one *secondary suite* shall be permitted per *lot*;
- 3.14.9 The *accessory dwelling unit* can be freestanding or combined with an *accessory building*;
- 3.14.10 The *accessory dwelling unit* must not have a *basement*;
- 3.14.11 The *accessory dwelling unit*, including any stairs, decks or porches or other *structures* that are attached to the unit, or that function as part of the unit, should not be located within 6 metres of any other *building* on a *lot*;
- 3.14.12 *Accessory dwelling units* do not include recreational vehicles, or *accessory dwelling units* on wheels;
- 3.14.13 An *accessory dwelling unit* must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.
- 3.14.14 Where a lot is supplied by groundwater, a building containing an *accessory dwelling unit* must have sufficient available groundwater.

*Information Note: At time of Building Permit application, the Capital Regional District requires specific amounts of potable water be demonstrated, and proof of adequate septic capacity be provided, prior to issuing approvals.*

2.4 By replacing Section 3.16 “Secondary Suites” with the following:

### **3.15 SECONDARY SUITES**

3.15.1 *Secondary Suites* are permitted only within a permitted *principal single-family dwelling unit* provided that:

- (1) the *secondary suite* is not located within a portion of a *lot* that is identified as a Community Well Capture Zone on Map 22 of the Salt Spring Island Official

Community Plan;

- (2) the *secondary suite* is not located within a *community water system*, except where written confirmation from the operator of the *community water system* is provided that the site has sufficient capacity to supply the *secondary suite*; and
- (3) the *secondary suite* is not operated as a *Bed and Breakfast home-based business*, nor rented on a *temporary* basis.
- (4) the *dwelling unit* or the *secondary suite* is occupied by the owner of the *lot*, or
- (5) the *dwelling unit* or the *secondary suite* is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.

*Information Note: Pursuant to other provisions of this Land Use Bylaw, short term vacation rentals are not permitted in residential areas*

- 3.15.2 Only one *secondary suite* or one *accessory dwelling unit* shall be permitted per *lot*;
- 3.15.3 The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.
- 3.15.4 A building permit must be obtained for the *secondary suite* to satisfy all code requirements;
- 3.15.5 The maximum *floor area* of a *secondary suite* is 90 square metres.
- 3.15.6 A *secondary suite* must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.
- 3.15.7 Where a lot is supplied by groundwater, a building containing a *secondary suite* must have sufficient available groundwater.

*Information Note: At time of Building Permit application, the Capital Regional District requires specific amounts of potable water be demonstrated, and proof of adequate septic capacity be provided, prior to issuing approvals.*

- 2.5 By adding to the table under Subsection 9.9.1 “Permitted Uses of Land, Buildings, and Structures” with the following:

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
<b>Accessory Uses</b>												
<i>Accessory Dwelling Units</i> , subject to Section 3.14							◆	◆	◆			
<i>Secondary Suites</i> , subject to Section 3.15			◆		◆	◆	◆	◆	◆	◆		

- 2.6 By adding to the table under Subsection 9.10.1 “Permitted Uses of Land, Buildings and Structures” with the following:

	R	RU1	RU2	RU3	RW1	RW2	Ri
<b>Accessory Uses</b>							
<i>Accessory Dwelling Units</i> , subject to Section 3.14	◆	◆		◆	◆	◆	1
<i>Secondary Suites</i> , subject to Section 3.15	◆	◆	◆	◆	◆	◆	◆

<sup>1</sup> The minimum lot size for an *accessory dwelling unit* must be 1.2 ha.

- 2.7 By adding to the table under Subsection 9.5.1 “Permitted Uses of Land, Buildings and Structures” with the following:

	<b>CD3</b>
<b>Accessory Uses</b>	
<i>Accessory Dwelling Units</i> , subject to Section 3.14	◆
<i>Secondary Suites</i> , subject to Section 3.15	◆

- 2.8 By adding to the table under Subsection 9.6.1 “Permitted Uses of Land, Buildings and Structures” with the following:

	<b>F1</b>
<b>Accessory Uses</b>	
<i>Accessory Dwelling Units</i> , subject to Section 3.14	◆
<i>Secondary Suites</i> , subject to Section 3.15	◆

- 2.9 By adding a change to the table under Subsection 7.1.5 “Minimum Number of Parking Spaces for Automobiles, Disabled Parking and Bicycles” with the following:

<b>TABLE 3</b>			
<b>MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES</b>			
<b>LAND USE</b>	<b>Number of Automobile Parking Spaces Required</b>	<b>Number of required Automobile Parking Spaces which must be designed for use by the disabled</b>	<b>Number of Bicycle Parking Spaces Required</b>
<b>RESIDENTIAL</b>			
<i>Single-family dwelling</i>	2 per unit	0	0
<i>Accessory Dwelling Unit or Secondary Suite</i>	1 per unit	0	0

- 2.10 By deleting Section 9.9.4 Exceptions in Particular Locations “Zone Variation R7(a)”
- 2.11 By deleting Section 9.10.4 Exceptions in Particular Locations “Zone Variation R(f)”
- 2.12 By deleting Section 9.10.4 Exceptions in Particular Locations “Zone Variation RU1(f)”
- 2.13 This bylaw should replace all mentions of *seasonal cottages* and *full-time rental cottages*, with *accessory dwelling units*.
- 2.14 This bylaw should be in harmony with Proposed Bylaw No. 526 which deletes any mention of *seasonal cottages* from the Agriculture zones.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS 19TH DAY OF APRIL, 2022

READ A SECOND TIME THIS 13TH DAY OF APRIL, 2023

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

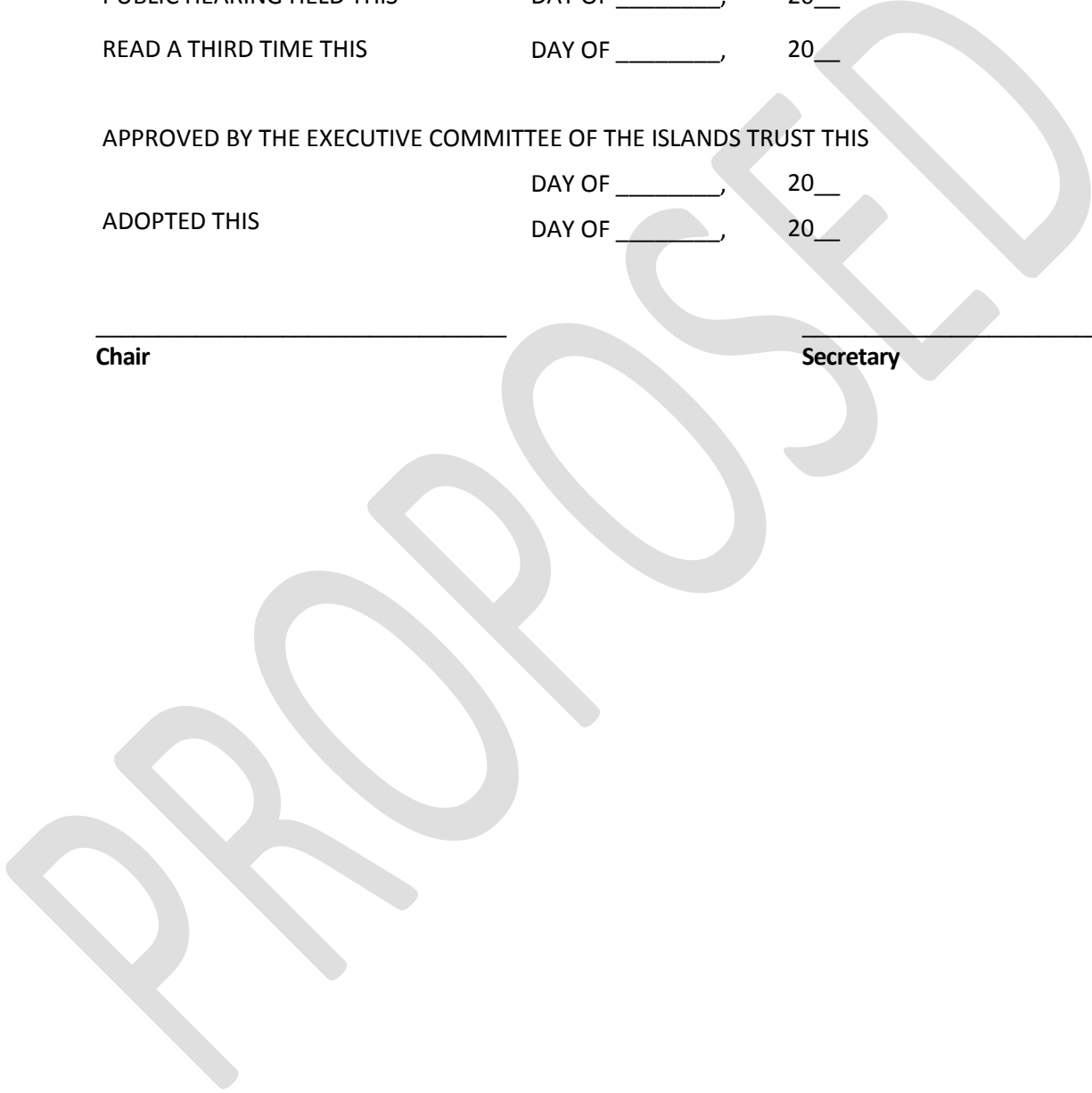
DAY OF \_\_\_\_\_, 20\_\_

ADOPTED THIS

DAY OF \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary





<b>Policy:</b>	2.4.4
<b>Approved By:</b>	Trust Council
<b>Approval Date:</b>	June 11, 1994
<b>Amendment Date(s):</b>	June 13, 2008
<b>Policy Holder:</b>	Chief Administrative Officer

## EXECUTIVE COMMITTEE LEGISLATIVE ROLE

### Purpose

To summarize the Executive Committee's legislative role in relationship to local trust committees and island municipalities.

### A. Background

#### Relevant Legislation

The Executive Committee's general role within the organization of the Islands Trust as provided in the *Islands Trust Act* includes:

"4. (3) *The executive committee is intended to carry out the daily business of the trust, to review the activities of the local trust committees and to act as a local trust committee for the part of the trust area that is not within a local trust area or municipality*".

"21. (1) *For the purpose of carrying out the object of the trust, the Executive Committee must:*

- (a) *consider bylaws submitted to it for approval under sections 27(1) and 38(1),*
- (b) *act as a local trust committee under section 23(5) for that part of the trust area that is not in a local trust area or a municipality, and*
- (c) *carry out other duties that the trust council directs."*

"22. (1) *If a bylaw is submitted under section 27(1) or 38(1) for approval by the executive committee, the executive committee must*

- (a) *consider the bylaw,*
- (b) *either*
  - (i) *approve the bylaw,*
  - (ii) *return the bylaw to the local trust committee or municipal council, as the case may be, giving reasons for the return and directions as to changes to the bylaw that would be required for approval, or*
  - (iii) *refuse the bylaw, giving reasons for the refusal,*

- (c) *notify the local trust committee or municipal council, as the case may be, of its decision within one month from the date on which the secretary received the bylaw submitted under section 27(1) or 38(1), and*
  - (d) *as soon as practicable after giving notice of its decision, deliver its decision in writing to the local trust committee or municipal council, including reasons and directions referred to in paragraph (b)(ii) and (iii).*
  - (2) *If the Executive Committee does not give notice of its decision respecting approval of a bylaw within the time limit established by subsection (1)(c), it is deemed to have approved the bylaw."*
- "27. (1) *A local trust committee must, before adoption, submit its bylaws to the secretary for approval by the Executive Committee.*
- (2) *A bylaw of a local trust committee has no effect*
- (a) *in all cases, until it is approved by the Executive Committee or, if a request is made under subsection (3), by the Trust Council, and*
  - (b) *in the case of a bylaw adopting or amending a community plan, until it is approved by the minister.*
- (3) *If the Executive Committee returns or refuses to approve a bylaw submitted to it under subsection (1), the local trust committee may, by request delivered to the secretary, refer the bylaw to the Trust Council for approval."*
- "38. (1) *The council of a municipality, all or part of which is in the trust area, must, before adoption, submit to the secretary for approval by the Executive Committee*
- (a) *all bylaws adopting official community plans that apply to land in the trust area, and*
  - (b) *all bylaws under Part 14 of the Local Government Act that apply to land in the trust area to which no official community plan applies.*
- (2) *A bylaw referred to in subsection (1) has no effect until it is approved*
- (a) *by the Executive Committee,*
  - (b) *on request under subsection (3), by the Trust Council, or*
  - (c) *on request under subsection (4), by the minister.*
- (3) *If the Executive Committee does not approve a bylaw submitted to it under subsection (1), the municipality may, by request delivered to the secretary, refer the bylaw to the Trust Council for approval.*

- (4) *If the Trust Council returns or refuses to approve a bylaw referred to it under subsection (3), the municipality may submit the bylaw to the minister for approval and, if this is done, section 16(1)(a) and (b) applies to approval by the minister.”*

The Letters Patent incorporating the Bowen Island Municipality contain the following provisions:

*“14.4 Where, after third reading of a proposed official community plan bylaw and after the Islands Trust Executive Committee has refused to approve the bylaw submitted under section 38(1) of the Islands Trust Act, the municipality requests that the bylaw be referred to the Islands Trust Council for approval as provided in section 38(3) of the Islands Trust Act:*

- (a) *the Council must notify the Minister of Municipal Affairs of the request; and*
- (b) *the minister may provide advice or direction to assist with the review of the bylaw by the Islands Trust Council, and to determine if the bylaw may be approved by the Islands Trust Council.*

*“14.6 In relation to the consideration of an official community plan bylaw by the Islands Trust, the Islands Trust may only refuse to approve a bylaw on the basis that it believes that the provisions of the proposed bylaw are contrary to or at variance with the trust policy statement, and the municipality may only submit a proposed bylaw to the minister where it believes that the Islands Trust has not reviewed the proposed bylaw correctly with reference to the trust policy statement.”*

**B. Definitions**

n/a

**C. Policy**

**Interpretation of Relevant Legislation**

**1. Local Trust Committee Activities**

1.1 Neither the Executive Committee, nor Trust Council, has legislative authority to supervise or direct the activities of local trust committees, except for direction regarding procedural matters as authorized by Section 11 of the *Islands Trust Act*. The Executive Committee discharges its review role under Section 4(3) of the *Islands Trust Act* by observing local trust committee activities, providing recommendations for local trust committee consideration, and providing assistance to local trust committees upon request.

The Executive Committee members perform the above role by:

- 1.1.1 Serving as Chairs of local trust committees to chair meetings and to offer advice;
- 1.2.2 Recommending legislative initiatives through Trust Council that would apply to local trust committees;

1.2.3 Providing guidelines through Trust Council for consideration by local trust committees.

## 2. Local Trust Committee and Island Municipality Bylaws

- 2.1 Section 15(4) of the *Islands Trust Act* provides that a bylaw submitted to the Executive Committee must not be approved if it is contrary to or at variance with the trust policy statement.
- 2.2 Section 27(2) of the *Islands Trust Act* provides that a bylaw of a local trust committee has no effect, in all cases, until it is approved by the Executive Committee or the Trust Council itself. Section 38(2) makes equivalent provisions in relation to island municipality bylaws adopting official community plans.
- 2.3 Section 27(3) provides that where the Executive Committee returns or refuses to approve a bylaw submitted by a local trust committee, the local trust committee may refer the bylaw to the Trust Council for approval. Section 38(3) makes equivalent provision for island municipality bylaws adopting official community plans.
- 2.4 The Executive Committee may refuse a Local Trust Committee bylaw (or return the bylaw giving directions as to changes that would be required for approval) under section 22(1)(b) of the *Islands Trust Act*. The *Islands Trust Act* does not address grounds for refusal or return of the bylaw with directions, apart from requiring the Executive Committee to refuse a bylaw that is contrary to or at variance with the trust policy statement. The Trust Council considers, without limiting the jurisdiction of the Executive Committee, that the Executive Committee may also take into consideration whether the adoption of the bylaw would be contrary to the object of the trust; would expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw, or would, on the basis of advice from legal counsel, be enacted without legal authority including inconsistency with the relevant Official Community Plan.
- 2.5 The Executive Committee may refuse an island municipality bylaw (or return the bylaw giving directions as to changes that would be required for approval) under section 22(1)(b) of the *Islands Trust Act*. The Executive Committee may, according to the Letters Patent of Bowen Island Municipality, refuse or return an island municipality bylaw only on the basis that the bylaw is contrary to or at variance with a provision of the Trust Policy Statement.
- 2.6 The Executive Committee must give reasons for a refusal or return of a bylaw. The Trust Council is governed by the same precepts in the event it is to consider a bylaw approval under section 27(3).
- 2.7 Under section 8(2)(j) of the *Islands Trust Act*, the Trust Council may assign duties to the Executive Committee. Under section 21(1)(c), the Executive Committee must carry out other duties that the Trust Council directs.

**D. Legislated References**

*Islands Trust Act*

Islands Trust Policy Statement

Policy and Procedures Manual:

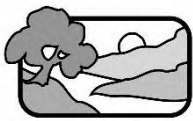
Policy Statement Implementation (1.3.1)

Bylaw Checklist (5.7.1)

Letters Patent of Bowen Island municipality

**E. Links to Supporting Forms, Documents, Websites, Related Policies and Procedures**

n/a



## ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500

File Name: Proposed Bylaw No. 530

### PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	<b>3.1</b>	<b>Ecosystems</b>
N/A	<b>3.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	<b>3.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
YES	<b>3.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
YES	<b>3.2.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
MAYBE	<b>3.3.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
N/A	<b>3.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	<b>3.4.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

### PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.1</b>	<b>Agricultural Land</b>
N/A	<b>4.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	<b>4.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	<b>4.1.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
N/A	<b>4.1.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	<b>4.1.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	<b>4.1.9</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	<b>4.2</b>	<b>Forests</b>

N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	<b>Wildlife and Vegetation</b>
	4.4	<b>Freshwater Resources</b>
YES	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
YES	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	<b>Coastal Areas and Marine Shorelands</b>
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	<b>Soils and Other Resources</b>
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

## PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	<b>Aesthetic Qualities</b>
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	<b>Growth and Development</b>
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
MAYBE	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
MAYBE	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	<b>Transportation and Utilities</b>
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.

N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	<b>Disposal of Waste</b>
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	<b>DIRECTIVE POLICY</b>
	5.5	<b>Recreation</b>
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	<b>Cultural and Natural Heritage</b>
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
MAYBE	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	<b>Economic Opportunities</b>
MAYBE	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	<b>Health and Well-being</b>
YES	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	<b>POLICY STATEMENT COMPLIANCE</b>
YES	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>