



Salt Spring Island Local Trust Committee Minutes of Special Meeting

Date: Saturday, September 7, 2019

Location: Harbour House Hotel
121 Upper Ganges Road, Salt Spring Island, BC

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

Staff Present: Jason Youmans, Island Planner
Serena Klaver, Planner 1
Sarah Shugar, Recorder

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

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. BUSINESS ITEMS

3.1 Local Trust Committee Chair's Welcome and Opening Remarks

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

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

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

3.3 Question and Answer Period

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Luckham called for any further questions.

No comment sheets or written submissions were received.

3.4 Town Hall

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

4. ADJOURNMENT

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

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder