



Salt Spring Island Local Trust Committee Minutes of a Special Meeting

Date:	Monday, March 2, 2020
Location:	Harbour House Hotel 121 Upper Ganges Road, Salt Spring Island, BC
Members Present:	Laura Patrick, Local Trustee Peter Grove, Local Trustee
Regrets:	Peter Luckham, Chair
Staff Present:	Stefan Cermak, Regional Planning Manager (RPM) Jason Youmans, Island Planner Kristine Mayes, Planner 1 Sarah Shugar, Recorder
Others Present:	Approximately 12 members of the public

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

1. CALL TO ORDER

Alternate Chair Patrick called the meeting to order at 6:32 p.m. She introduced herself, Trustee Grove 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

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

3.2 Planner Presentation on Salt Spring Island Bylaw No. 471 Temporary Use Permits for Residential Uses

Planner Youmans presented an overview of proposed Salt Spring Island Local Trust Committee Bylaw No. 471. Proposed Bylaw No. 471 would amend the Salt Spring Island Official Community Plan to allow the Salt Spring Island Local Trust Committee to issue Temporary Use Permits for residential uses. Planner Youmans presented the following highlights:

- Proposed Bylaw No. 471 was last considered by the Salt Spring Island Local Trust Committee in 2014 and staff are recommending a number of amendments to simplify the bylaw and bring it in line with the intent of Temporary Use Permits while helping address the Island's housing needs.
- Proposed Bylaw No. 471 would provide opportunities to use Temporary Use Permits to provide staff housing for local businesses and services, and potentially to permit tiny homes on wheels on residential properties. Under the proposed amendments, the Salt Spring Island Local Trust Committee would retain the ability to consider other temporary residential forms such as temporary full-time residential use of secondary suites and seasonal cottages.

3.3 Bylaw Workshop

The meeting moved into a workshop format at 6:50 p.m. The members of the public and Trustees moved into roundtable discussions regarding proposed Bylaw No. 471. Each table was presented with a booklet containing three exercises. Planner Youmans introduced the following three exercises: Exercise 1: "Proposed Bylaw No. 471 contains the following guidelines about the types of residential use Temporary Use Permits that could be issued"; Exercise 2: "Proposed Bylaw No. 471 contains the following guidelines about providing adequate potable water and sewer servicing as part of a residential use Temporary Use Permit application" and Exercise 3: "Proposed Bylaw No. 471 contains the following general guidelines for residential Temporary Use Permits".

The attendees continued discussions in the roundtable groups.

3.4 Town Hall

The town hall opened at 7:20 p.m.

A member of the public asked for clarification regarding the Temporary Use Permit application process and whether the application would be advertised in the newspaper. The member of the public asked if the details of the Temporary Use Permit would be included in the Temporary Use Permit notice and provided a hypothetical situation such as the property owner would like to rent out a recreational vehicle to a registered nurse who has applied for a job at the Lady Minto Hospital.

Planner Youmans reported the application would be submitted at the Islands Trust office and the application would be assigned to a planner. The owners of all properties within 100 meters radius of the subject property would be notified regarding the application and would have the opportunity to comment. A notice of the Temporary Use Permit application would be advertised in the Driftwood newspaper and would include only the basic, relevant information. A staff report would be presented to the Salt Spring Island Local Trust Committee and the Salt Spring Island Local Trust Committee would make a decision regarding the application. Planner Youmans reported the Temporary Use Permit would be issued based on the use of the dwelling and not based on who would use the dwelling.

A member of the public asked if all Temporary Use Permit applications would be advertised in the newspaper.

Planner Youmans reported all Temporary Use Permit applications would be advertised in the newspaper. The Temporary Use Permit application fee is \$1,100 and part of the application fee is to cover the cost of the advertisement in the newspaper. Staff is reviewing whether the Temporary Use Permit application fee could be reduced for residential uses.

A member of the public expressed concern regarding the risk of submitting an application that could be denied. The member of the public suggested that there should be a list of criteria where Temporary Use Permits for residential uses would not be allowed.

Planner Youmans reported that Bylaw No. 471 contains a list of land use designations where Temporary Use Permits could be considered. Staff would advise an applicant if there is a major obstacle early in the process.

A member of the public asked if there is a list that states where Temporary Use Permits would not be permitted.

A member of the public asked why Temporary Use Permits are permitted in the Parks and Reserve land use designation.

Planner Youmans reported Parks and Reserve is included due to commercial activity such as Farmers Markets.

A member of the public asked what the goal of implementing this bylaw is, and whether there is a definition of affordable housing. The member of the public asked if there is a way to enforce the use of the dwellings for affordable housing and what size of property would the dwellings be permitted.

Planner Youmans reported the purpose of proposed Bylaw No. 471 is to enable the Local Trust Committee to issue Temporary Use Permits for residential use. Currently Bylaw No. 471 does not specify that permits should only be issued for affordable housing. There is

no minimum property size and there is a guideline that states the Salt Spring Island Local Trust Committee should only consider one temporary residential unit per property.

A member of the public expressed support for protection of water bodies such as Fulford Creek, protection of the Coastal Douglas-fir zone and climate emergency considerations. The member of the public expressed concern regarding additional driveways to service the dwellings and associated impacts such as land clearing and impacts to watersheds. The member of the public expressed support for limiting the location of the dwellings in areas that are already cleared to prevent more tree cutting.

Planner Youmans advised there could be a guideline that states Temporary Use Permits for residential uses should not require a secondary driveway to service the dwelling, or the Salt Spring Island Local Trust Committee could require that no new driveway be constructed to service a temporary residential dwelling.

A member of the public expressed concern regarding impacts of driveway construction including damage to ecosystems.

A member of the public asked whether there are any properties on Salt Spring Island that are permitted to have a suite and a cottage. The member of the public expressed concern that a property owner could apply for a building strata subdivision. The member of the public asked how many Temporary Use Permits for residential uses could be allowed on a property.

Planner Youmans reported that the number of dwellings permitted on a given property by Temporary Use Permit would be at the discretion of the Salt Spring Island Local Trust Committee.

A member of the public asked how the concept of water fits into the proposed bylaw.

Planner Youmans reported if a property is within a community water service area such as North Salt Spring Waterworks District, the water service area must provide confirmation that water would be provided for the dwelling.

Trustee Patrick advised North Salt Spring Waterworks District has indicated they would allow a separate dwelling such as a cottage to be serviced by a groundwater well within North Salt Spring Waterworks District.

A member of the public asked who is responsible for the quality of well water.

Planner Youmans reported Island Health regulates drinking water.

A member of the public requested the contact information for Island Health.

A member of the public expressed concern that there is an assumption that the community water service areas have the data necessary to determine whether there is capacity to provide water to new dwellings. The member of the public advised the Vortex project has requested to be included in the Fulford Water Service Area and the capacity of the Fulford Water Service Area is not known. The member of the public asked if the Salt Spring Island Local Trust Committee could overrule Fulford Water Service Area decisions.

A member of the public expressed concern that the aquifer in the Bullock Lake/Cedar Lane area already has water quantity issues.

Planner Youmans advised other islands have guidelines such as an applicant must demonstrate that there is an adequate amount of water for the proposed use.

A member of the public asked how proposed bylaw addresses population density.

Planner Youmans reported proposed Bylaw No. 471 does not address how many people can occupy a dwelling unit.

There was discussion regarding the water quantity guidelines.

Planner Youmans reported the British Columbia guideline for rural residential water systems is 230 liters per day, per person. The proposed bylaw includes a water quantity guideline of 680 liters per unit, per day that is based on the seasonal cottage regulations in the Salt Spring Island Land Use Bylaw.

A member of the public asked if the proof of water has to be shown year round including drought months.

Planner Youmans reported proof of water regulations in the Land Use Bylaw and Official Community Plan do not indicate when a pump test must be done. However, provincial documents may offer some guidance.

A member of the public expressed support for sustainable methods for dealing with sewer and septic. The member of the public expressed support for the number of dwellings to correspond to the size of the property and that landscaping should be considered. The member of the public suggested planners should be able to figure out how many dwellings would be appropriate on a property.

A member of the public advised that water availability is the limiting factor for development on Salt Spring Island.

A member of the public asked if BC Hydro has indicated the maximum level of power that can be provided to Salt Spring Island. The member of the public expressed concerns regarding all of the demands on BC Hydro including increased density, cannabis productions, electric vehicles and electric ferries.

A member of the public expressed concern that the temporary residential dwellings could be used for Short Term Vacation Rentals and asked how the Salt Spring Island Local Trust Committee will ensure that the dwellings will provide housing for Island residents.

A member of the public advised providing housing for a nurse or teacher would directly affect the wellbeing of Island residents.

A member of the public asked how the Salt Spring Island Local Trust Committee would ensure that the temporary residential dwellings are not used as Short Term Vacation Rentals.

Planner Youmans reported bylaw enforcement is a complaint-based system.

A member of the public expressed support for regulating the dwellings for fire safety and asked whether Salt Spring Island Fire Rescue is willing to provide safety inspections. The member of the public expressed concerns regarding whether the bylaw would encourage people to live in unsafe conditions.

Planner Youmans reported Salt Spring Island Fire Rescue has indicated they do not have the capacity to provide fire safety inspections for temporary residential dwelling units although they could provide a fire safety regulations checklist for property owners to self-assess. Property owners must comply with BC building code regulations if the unit is considered a residential building under the building code.

A member of the public asked who is responsible if a groundwater well is contaminated, or a groundwater is overdrawn as a result of a dwelling permitted by the proposed bylaw.

A member of the public expressed concerns that there is very little enforcement from agencies regarding fire risk, riparian area violations, and environmental risks and that most bylaw infractions continue for long periods of time.

A member of the public advised that there is a “first in time” policy for groundwater wells and recommended that property owners register their groundwater wells. The member of the public asked if showers and bathtubs are permitted in accessory buildings.

Planner Youmans reported showers and/or bathtubs are not permitted in accessory buildings.

A member of the public asked how many additional dwellings are expected to result from proposed Bylaw No. 471 and if it will impact proposed Bylaw No. 512 – Affordable Rental Housing – Cottages.

Planner Youmans provided a summary of proposed Bylaw No. 512. The Salt Spring Island Local Trust Committee would monitor the number of applications for Temporary Use

Permit for residential use and ensure that development stays within the policies and objectives of the Salt Spring Island Official Community Plan.

A member of the public expressed concerns that there is not sufficient enforcement for bylaw infractions and the Salt Spring Island Local Trust Committee should not proceed with the bylaw until all of the controls are in place. The member of the public expressed support for Temporary Use Permits instead of permanently rezoning a property.

Trustee Patrick reported Temporary Use Permit guidelines can be very specific.

Planner Youmans reported the Salt Spring Island Local Trust Committee can require securities at the time of issuing the permit to ensure conditions are met such as protection of an ecologically sensitive area.

A member of the public suggested that the property owner must provide proof of insurance for the dwelling.

There was discussion regarding whether insurance is available for temporary residential dwellings such as tiny homes and recreational vehicles.

Planner Youmans asked members of the public to submit feedback in writing and thanked everyone for attending the meeting.

Ten (10) written submissions/comment sheets were received.

4. ADJOURNMENT

By general consent the meeting adjourned at 8:30 p.m.

Laura Patrick, Alternate Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder