Making a difference...together

SALT SPRING ISLAND COMMUNITY ECONOMIC DEVELOPMENT COMMISSION
Notice of Meeting on **Thursday, June 16, 2016 at 4:00PM**
Portlock Park Portable, 145 Vesuvius Bay Rd, Salt Spring Island, BC

Wayne McIntyre	Darryl Martin	Bruce Cameron	Randy Cunningham
Janice Harkley	John Wellingham	Francine Carlin	Holly MacDonald (r) regrets

AGENDA

1. **Approval of Agenda**

2. **Adoption of Minutes of May 19, 2016**

3. **Delegation/Presentation**

4. **Director, Chair and Commissioner Reports**

5. **Outstanding Business**
   - **5.1 Rural Dividend Application and Rural Accelerator**
   - **5.2 2016 Final Budget and 2017 Preparation Timeline**
   - **5.3 Salt Spring Accommodation Group – Website Online Booking System-Progress Report**
   - **5.4 Tour Des Isles**

6. **New Business**
   - **6.1 Solid Waste in Ganges Village-Progress Report and Next Steps**
   - **6.2 Island Trust Referrals**
     - **a. Bylaw 488 New Definition-General Employment**
     - **b. Bylaw 489 Industrial Zoning-General Employment**
     - **c. Bylaw 490 Waste Management Facilities**
     - **d. Bylaw 491 Rezone Area for Ganges Harbour Boardwalk**
     - **e. Bylaw 492 Technical Land Use Bylaw Update**
   - **6.3 SSIWPA – EDC participation**

7. **Next Meeting – NO MEETINGS in JULY or AUGUST**
   September 15, 2016 Portlock Park Meeting Room from 4:00 to 6:00 pm

8. **Adjournment**

Correspondence for information:
a. Letter of Support-Brinkworthy Fields

To ensure quorum, advise Tracey Shaver 250 537 4448 if you cannot attend.

Making a difference...together

Minutes of the Regular Meeting of the
Salt Spring Island Community Economic Development Commission
Held Thursday May 19, 2016, in the Portlock Park Meeting Room, 145 Vesuvius Bay Road, Salt Spring Island, BC

DRAFT

Present: **Director:** Wayne McIntyre
Commission Members: Darryl Martin (Chair), John Wellingham, Randy Cunningham, Bruce Cameron, Janice Harkley
Staff: Karla Campbell, Senior Manager, Dan Ovington, PARC Manager, Tracey Shaver, Recording Secretary
Absent: Francine Carlin, Holly MacDonald

Chair Martin called the meeting to order at 4:00 pm

1. Approval of Agenda

MOVED by Commissioner Wellingham, **SECONDED** by Commissioner Cameron,
That the Salt Spring Island Economic Development Commission agenda of May 19, 2016 be approved with the addition of item 5.0 Salt Spring In the City.

CARRIED

2. Adoption of Minutes of April 21, 2016

MOVED by Commissioner Cunningham, **SECONDED** by Commissioner Wellingham,
That the Salt Spring Island Economic Development Commission minutes of April 21, 2016 be approved with the following amendments: add "request support and" to item 3.2 second paragraph after the words "the goal is to"; add "to secure funding" to item 3.3 first paragraph after the words "The proposal is"; add "service" to item 6.1 first line of the motion after the words "The community bus".

CARRIED

3. Delegation/Presentation

No delegations registered.

4. Director, Chair and Commissioner Reports

4.1 Director's Report
Director McIntyre briefly reported on the following topics:

- Salt Spring Harbours
- Drake Road Housing project
- SSI Incorporation Study- Draft Road Study Report
- Core Area Wastewater Project – CRD Board

4.2 Chair's Report

Chair Martin briefly reported on the following topics:

- Ganges Sewer Treatment Plant
- BC Rural Dividend Grant-Applying for Exception

Karla Campbell introduced Dan Ovington, Parks and Recreation Manager who will be the Acting Manager for the Economic Development Commission during Karla's absence.

5. Outstanding Business

5.0 Salt Spring in the City

The event organizers have received their funding minus the 25 % holdback as stipulated in the contract. A reminder has been given that an event status report must be provided prior to the end of June to receive the remainder of the funds.

5.1 Salt Spring Accommodation Group tourism proposal for a Salt Spring Island Online Reservation System – Commissioner Cunningham

Discussion on the following topics:

- EDC create service to collect and distribute funds, DMO model
- Is there a demand? What are the facts on currently available booking systems
- Proper business case with hotel tax example
- Commercial properties 4 units = 2%; very few on island
- Does a new system benefit the taxpayer
- Volunteer booking method good for all accommodations

MOVED by Commissioner Martin, **SECONDED** by Commissioner Wellingham,
That the Salt Spring Island Community Economic Development Commission form a Sub-committee to review the website and online reservation proposal, compare with existing systems and report back with recommendations. Sub-committee to include Wayne McInytre, Janice Harkley, Randy Cunningham, John Wellingham, Bruce Cameron.

CARRIED

5.2 Playing Field Land Acquisition

The Commission considered and discussed the presentation by Dan Ovington, Parks and Recreation Manager on April 21, 2016.

- The land search process undertaken by the Parks and Recreation Commission was comprehensive.
- Adequate sports facilities encourage families to live in the community and provides the economic benefit of bringing participants and their fans to the island for tournaments.

MOVED by Commissioner Cunningham, **SECONDED** by Commissioner Cameron,
That the Salt Spring Island Community Economic Development Commission provide a letter to the Islands Trust in support of the land acquisition being pursued by the Salt Spring Island Parks and Recreation Commission.

CARRIED

5.3 Age Friendly Community

The Commission considered the presentation on April 21, 2016 by Janet Smith and Barbara Aust to be in line with their strategic planning in providing opportunities to promote and retain a diverse community.

MOVED by Commissioner Cunningham, **SECONDED** by Commissioner Wellingham,
That the Salt Spring Island Community Economic Development Commission provide a letter of support in principle to the Salt Spring Health Advancement Coalition and offer future support in securing grant funding for age friendly community initiatives.

CARRIED

5.4 Community Economic Development Coordinator Contracts and Work Plans

Contracts have been prepared for both positions and are pending confirmation of the CRD requirements for Commercial General Liability insurance. The contractors have researched insurance policies and found them to be cost prohibitive for the type of services being offered.

MOVED by Commissioner Wellingham, **SECONDED** by Commissioner Cameron,
That the Salt Spring Island Community Economic Development Commission provide reimbursement to the individual contractors for Commercial General Liability insurance up to the combined maximum amount of $1500.

CARRIED

5.5 Islands Trust (land use study - recycling proposal)-Commissioner Wellingham

Commissioner Harkley called a conflict of interest and left the room at 5:05 pm

The Commission supports the general idea of increasing recycling programs on Salt Spring Island, however will defer formal comment until the next meeting.

Commissioner Harkley returns to the room at 5:10 pm

5.6 Consolidation of Ganges Village Garbage Structure-Commissioner Cameron

Defer to next meeting; Commissioner Cameron to investigate and report back on the scope of the waste disposal problem and possible collaborative solutions with CRD Environmental Service.

5.7 Explore Common Interest/Issues with Southern Gulf Islands-Commissioner Martin

- Tour de Isles is set for June 24, 25, and 26, 2016. Society in place for funding and coordination
- Integrated Service Study; Gulf Islands would be more geographically attractive if better integrated
- Long term water transportation service for foot passengers, bikes and goods
- SGI researching feasibility of small educational institutions
- Upcoming meeting with SGI, SSI, Sidney and San Juan Islands

5.8 Desalination

The Desalination Study for Salt Spring Island, 2016 prepared by Devesh Bharadwaj was received for information and public distribution.

MOVED by Commissioner Cameron, **SECONDED** by Commissioner Wellingham,
That the Salt Spring Island Community Economic Development Commission supports the Salt Spring Watershed Protection Authority's efforts to study and prepare a report on the overall ground water capacity of Salt Spring Island and recommends that all potential water sources be considered.

CARRIED

6. New Business

There was no new business identified

7. Next meeting June 16, 2016 from 4-6pm at the Portlock Portable.

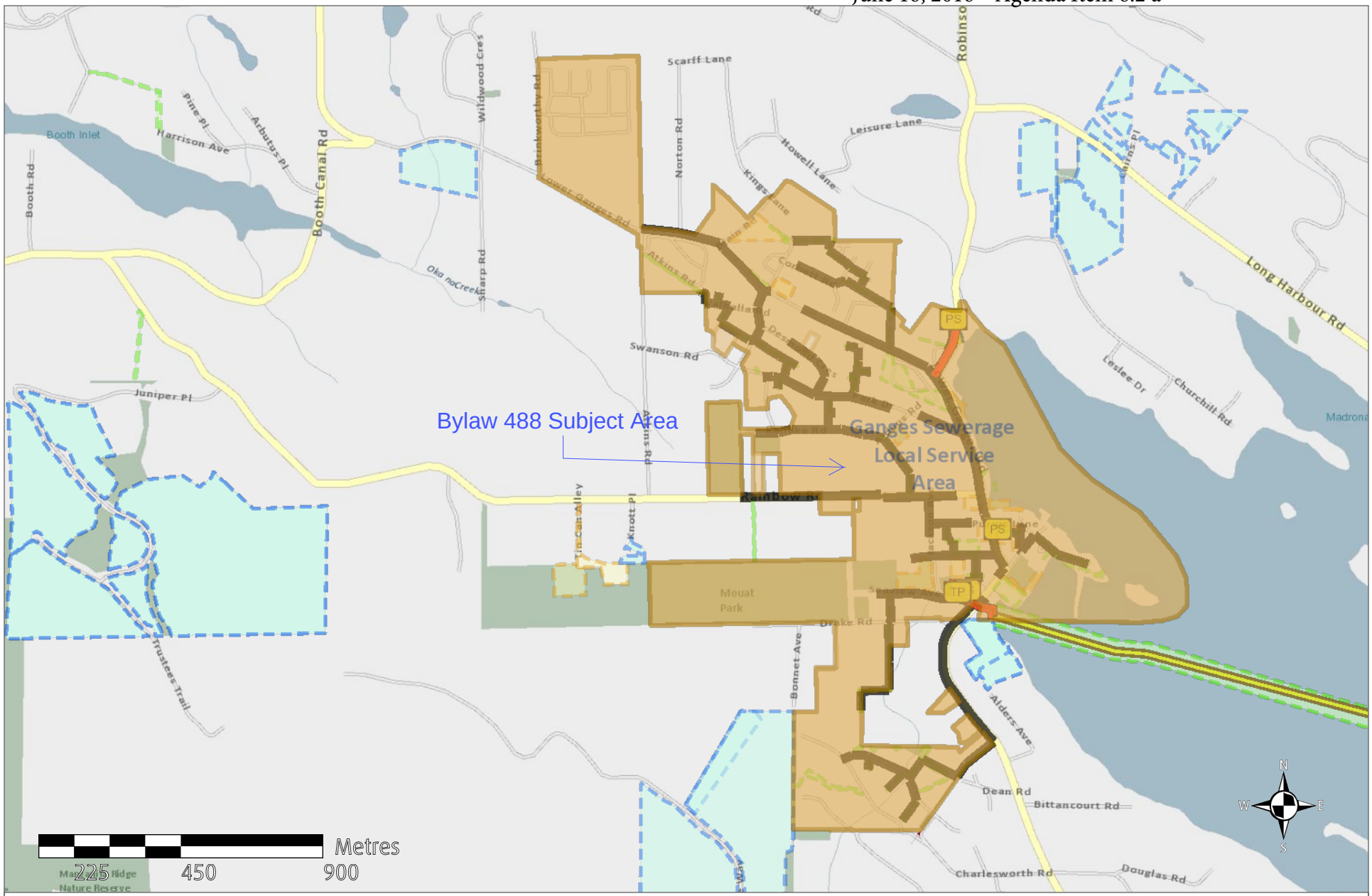
8. Adjournment

MOVED by Commissioner Cameron, **SECONDED** by Commissioner Wellingham,
That the meeting be adjourned at 5:45 pm.

CHAIR

SENIOR MANAGER

SSI ECONOMIC DEVELOPMENT	2015 BOARD BUDGET	2015 ESTIMATED ACTUAL	BUDGET REQUEST 2016 CORE BUDGET	BUDGET REQUEST 2016 SUPPLEMENTARIES	BUDGET REQUEST TOTAL 2016	FUTURE PROJECTIONS 2017	2018	2019	2020
OPERATING COSTS:									
Auxiliary Wages	13,750	2,110	-	-	-	-	-	-	-
Contract for Services	-	-	-	-	-	-	-	-	-
Project Costs	51,500	16,330	62,500	-	62,500	22,170	27,070	26,960	26,850
Internal Allocations	11,080	11,080	4,950	-	4,950	5,050	5,150	5,260	5,370
Operating - Other	700	2,290	3,850	-	3,850	3,310	3,320	3,330	3,340
TOTAL OPERATING COSTS	**77,030**	**31,810**	**71,300**	**-**	**71,300**	**30,530**	**35,540**	**35,550**	**35,560**
*Percentage Increase					-7.4%	-57.2%	16.4%	0.0%	0.0%
FUNDING SOURCES (REVENUE)									
Estimated balance c/f from 2015 to 2016	-	45,220	(50,780)	-	(50,780)	-	-	-	
Balance C/F from 2014 to 2015	(56,510)	(56,510)	-	-	-	-	-	-	-
Grant in Lieu	(20)	(20)	(20)	-	(20)	(20)	(20)	(20)	(20)
Other Income	(500)	(500)	(500)	-	(500)	(510)	(520)	(530)	(540)
TOTAL REVENUE	(57,030)	(11,810)	(51,300)	-	(51,300)	(530)	(540)	(550)	(560)
REQUISITION	**(20,000)**	**(20,000)**	**(20,000)**	**-**	**(20,000)**	**(30,000)**	**(35,000)**	**(35,000)**	**(35,000)**
*Percentage increase over prior year requisition					0.0%	50.0%	16.7%	0.0%	0.0%



Important

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Printed Wed, May 4, 2016

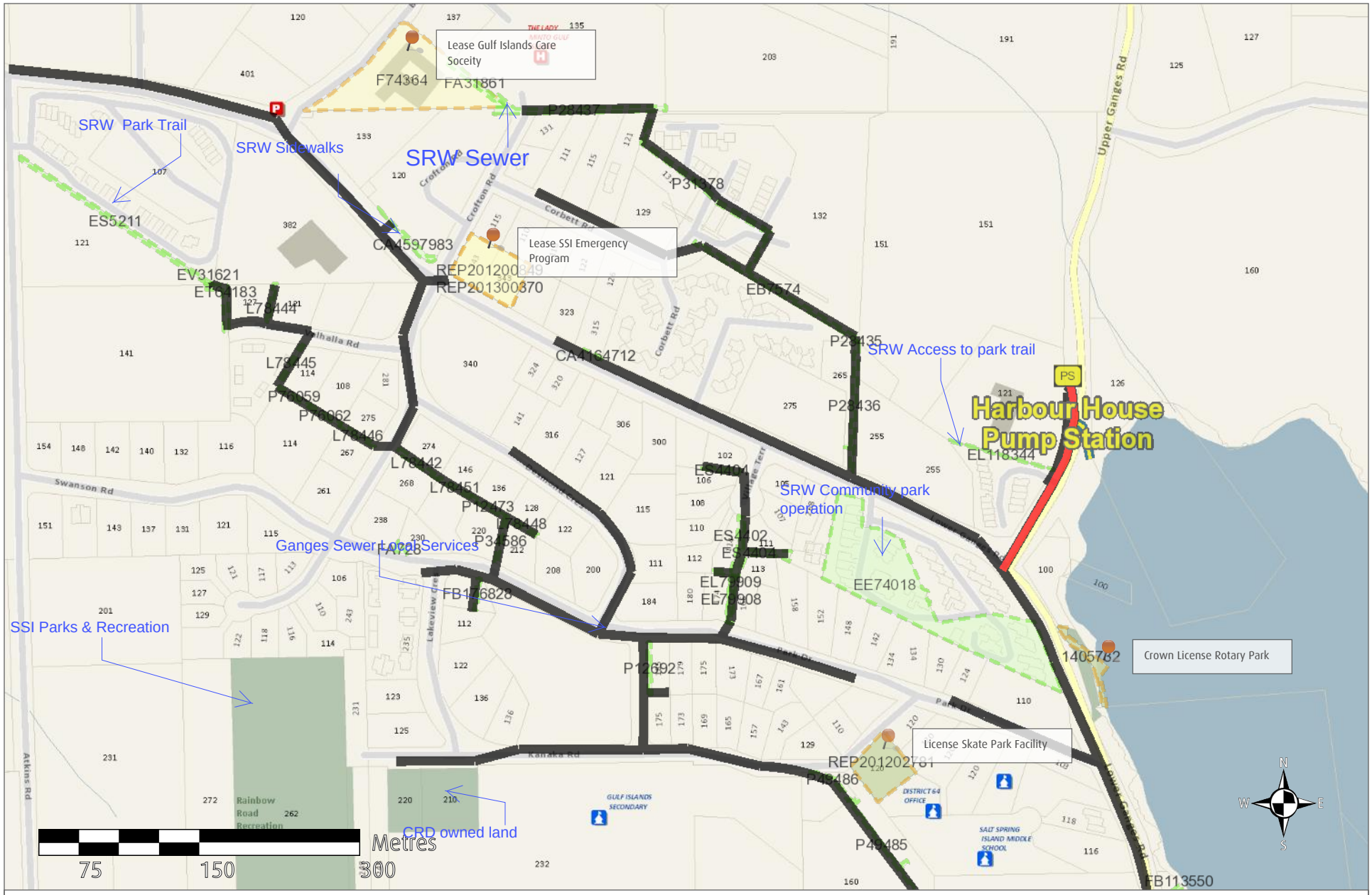
CRD INTERESTS LOCAL SERVICES

ISLANDS TRUST MAP 1

GANGES SWERAGE OVERVIEW AREA BYLAW 488

Intramap 2.0

Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca



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Printed Wed, May 4, 2016

CRD Interests

within Bylaw 488 Subject Area

Map 2

Intramap 2.0

Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca

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Printed Wed, May 4, 2016

CRD Interests

within Bylaw 488 Subject Area

Map 3

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca

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Printed Wed, May 4, 2016

CRD Interests Map 4

within Bylaw 488 Subject Area

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca

PRELIMINARY BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 488 **Date:** May 3, 2016

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

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

PURPOSE OF BYLAW:

This Bylaw amends Salt Spring Island Official Community Plan Bylaw No. 434 by introducing a new definition of "General Employment" as a basis for zoning changes in Land Use Bylaw No. 355 and by introducing a policy context for the Salt Spring Island Local Trust Committee to entertain future rezoning applications in certain areas of Salt Spring Island and by modifying development permit guidelines to address new uses envisioned in draft Bylaw No. 489 which amends Land Use Bylaw No. 355.

GENERAL LOCATION:

Salt Spring Island, Electoral Area F

LEGAL DESCRIPTION:

Salt Spring Island, Electoral Area F

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
		Bylaw No. 434

OTHER INFORMATION:

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Chloe Fox

Title: Planning Consultant

This referral has been sent to the following agencies:

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Regional Agencies

CRD – All Referrals
CRD - K. Campbell
- CRD – SSI Economic Development Commission
- CRD – SSI Parks and Recreation
- CRD – SSI Senior Manager
- CRD – SSI Transportation Commission
- CRD – Ganges Water & Sewer Commission

CRD – SSI Director
CRD – SSI Building Inspection
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – SSI Liquid Waste Disposal Local Service Commission
CRD- SGI Small Craft Harbours Commission
Vancouver Island Health Authority
CRD - Beddis Water Service Commission
CRD – Highland Water & Sewer Local Services Commission
CRD - Fernwood Water Local Services Commission
CRD – Fulford Water Service Commission

PLEASE TURN OVER →

Provincial Agencies
Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Community, Sport & Cultural Development
Ministry of Energy and Mines
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC
Ministry of Jobs, Tourism & Skills

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District
Islands Trust Fund

Non-Agency Referrals
North Salt Spring Waterworks District
SSI Chamber of Commerce
SSI Fire Protection District
SS Farmer's Institute
SSI Farmland Trust
SSI Abbatoir Society
SSI Agricultural Alliance
Cusheon Lake Stewardship Committee
SSI Water Council Society
SSI Water Preservation Society
Reginal Hill Waterworks District

First Nations
Te'Mexw Treaty Association
Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut First Nation
Semiahmoo First Nation

PRELIMINARY BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	488
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

STAFF REPORT

March 3, 2016 **File No.:** 6500-20

To: Salt Spring Island Local Trust Committee
For the March 10, 2016 meeting

From: Beverly Suderman and Chris Hall, Consultants, IPS Island Planning Services

Re: Industrial Zoning: Update on Work Program, Community Consultation and Draft Bylaw

INTERIM REPORT

This report is intended to provide the Local Trust Committee (LTC) with options for moving forward on the implementation of the recommendations of the Industrial Advisory Planning Commission with regard to a General Employment zoning framework to replace the existing Industrial and C6 zoning.

BACKGROUND:

IPS Island Planning Services (IPS) has been retained to continue the work set out in the Industrial Rezoning Project Charter (May 2013). Essentially the IPS scope of work is to consult with neighbourhoods and community, begin First Nations consultations, and draft the necessary bylaws that would give force to the IAPC's priority recommendations for the LTC's consideration.

The current report outlines the results of the initial neighbourhood and community consultations, provides a summary of First Nations' concerns heard to date, and presents draft bylaws for consideration by the LTC.

POLICY CONTEXT

The Salt Spring Island vision, as documented in Section A.3 of the Official Community Plan, is stated, in part, as follows:

> *We understand that social and economic development must be in harmony with our mandate. We accept that there are limits to growth, limits to resources, and limits to the ability of our environment to absorb continued development. We recognize human impacts and understand that healthy societies depend on healthy ecosystems, and we will work to minimize our impacts and restore the land. Our need to protect the land must also ensure its agricultural future, not only because agriculture is a traditional way of island life, but also because in a changing world it is imperative that we enhance the security of our supply of food.*
>
> *We also look to secure the future of our community, to ensure that it remains rural and resident-centred, with economic opportunities to support a broad range of*

people. We appreciate the extraordinary artistic and creative talents among our residents. And we hope that the children who grow up here will not only find it a place to remember but will always be proud to call it home.

This excerpted statement provides an eloquent context for the challenges facing the Local Trust Committee as it works to update the Land Use Bylaw to create an environment that fulfills this vision: a strategy that protects the environment and is resident-centred, while providing economic opportunities for a broad range of people who live on Salt Spring Island.

Islands Trust Policy Statement

The Islands Trust Policy Statement commits the Trust Council to ensuring "that economic opportunities should be compatible with the conservation of resources and protection of community character" (Section 5.7.1). The supporting policy directs that "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" (Section 5.7.2).

Trust Council Strategic Plan

The 2014-2018 Trust Council Strategic Plan contains the following policies and objectives relevant to this project:

Strategic Plan Element	Comments
Objective 5: Enhance (protect/restore) community character, socio-economic diversity and economic sustainability. Strategy 5.2: Use land use planning tools to promote economic sustainability Activity L.5.2.2, scheduled for FY 2015/2016, is to amend LUB to ensure an appropriate supply of land zoned for emerging industrial and/or commercial needs in the Salt Spring Island LTA	Activity L.5.2.2 is in process.

A BRIEF OVERVIEW OF THE PROPOSED CHANGES

In total, three bylaws are submitted for consideration (Appendix 3):

1. Bylaw 488 – Modifications to the Salt Spring Island Official Community Plan;
2. Bylaw 489 – Modifications to the Salt Spring Island Land Use Bylaw related to the implementation of a General Employment zoning framework; and
3. Bylaw 490 – Modifications to the Salt Spring Island Land Use Bylaw related specifically to the rezoning of a number of waste management properties on Salt Spring Island.

Proposed Bylaw 488: Modifications to the SSI Official Community Plan (OCP)

Although the focus of the Industrial Zoning project is on amending the Land Use Bylaw, several of the changes and recommendations require an amendment to the Official Community Plan as well:

- Providing a definition of "general employment" as a basis for the zoning changes in the Land Use Bylaw. The proposed definition for general employment is as a

  > "use that primarily consists of making or preparing artifacts for sale. This can include small-scale processing or manufacture (for example, map-making,

blacksmithing or jam-making), medium-scale businesses (for example, cold storage for agricultural produce or boat-building), or large-format businesses (for example, automobile sales, contractor supply businesses, cement plant). This does not include heavy industry."

- Providing a policy context for the LTC to entertain rezoning applications in certain areas of Salt Spring Island:
    - Modifications to policy B.3.3.2.10 – This policy permits the LTC to consider rezoning applications for industrial uses in the Rainbow and Atkins roads area. The revised policy adds the areas at the junction of Long Harbour and Upper Ganges Roads and near the junction of Fulford-Ganges and Beaver Point Roads for consideration.
    - Associated modifications to land use designations as shown on OCP Map 1 – Plan Area and Shoreline Designations, and to Maps 7 & 8 – Waste Management Facilities.

- Adding or modifying development permit guidelines to address new uses introduced in the Land Use Bylaw.

To harmonize the language between the OCP and the LUB, the language of the OCP has been changed throughout the document from "industrial" to "general employment"; to ensure that the document remains grammatically correct, associated changes in the language have also been made.

Other substantive changes include:

- Deletion of policy B.3.3.2.5 – This policy called for an inventory of existing industrially zoned land and facilities, together with an assessment of projected demand, which has been accomplished.

- Development Permit Area 2 – Non-Village Commercial and Industrial (DPA2) guidelines for the protection of agriculture have been modified to bring them into alignment with the latest guidance from the Ministry of Agriculture. The existing buffer width of 3 m has been extended to 8 m, when a property line borders agricultural lands. Building setbacks to be at least 15 m from the property line when the subject property adjoins agricultural lands.

- DPA2 guidelines for commercial composting facilities added.

Proposed Bylaw 489: Modifications to the SSI Land Use Bylaw (LUB)

The most obvious change is to the language from "industrial" to "general employment" with any associated changes to ensure the document remains grammatically correct.

The most substantial change is a rewriting of Section 9.7 – Industrial in the bylaw, with a complete reworking of the permitted uses, and a review of the site coverage and setback regulations, as well as the zone variations.

Four key principles were applied in revising this section of the bylaw:

1. That there would be no loss of uses in the transition from "industrial" and C6 to "general employment" zoning;
2. That the intensity of use on a site would be reflected in the site coverage and setback regulations. Consequently, uses close to villages would have higher lot coverage (to fit

compatibly within commercial areas), while larger uses with potentially more land use conflicts would be on larger lots with larger setbacks away from the village areas;
3. That there would be increased flexibility of uses within the zones. Therefore, all uses permitted in GE1 are also permitted in GE2, (along with other additional uses in GE2). All uses permitted in GE2 are permitted in GE3, (with additional uses). NOTE: GE4 has been maintained as a marine-dependent uses only zone.
4. That the overall framework would be simplified, and the number of zones would be reduced.

The current LUB contains provisions for five basic industrial zones (including C6), and six zone variations, for a total of 11 zones. The proposed bylaw contains provisions for four basic general employment zones and two zone variations, for a total of 6 zones. With the rezoning of the liquid waste transfer station, it is possible to eliminate the A1(c) zone variation as well.

Table 1 outlines the zone equivalencies. In certain cases, a property was assigned either a GE1 or a GE2 zoning. That was dependent in part on the size of the property, and its ability to withstand a larger range of uses, based in part on its location.

Table 1: Zone equivalency chart, proposed Bylaw 489

Existing	Proposed	Notes
C6	GE1	
C6(a)	GE1(a)	Merchant Mews
In1	GE1 or GE2	
In1(a)	GE1	Murakami
In1(b)	GE2	Farmland Trust
In1(c)	GE2(a)	Slegg on Beddis
In2	GE1 or GE2	
In2(a)	GE3	Car wrecking
In3	GE2	
In4	GE3	
In4(a)	GE4	Marine dependent uses

New permitted uses that have been added to the General Employment zones include:

- Agriculture, farm buildings and structures – These were permitted in certain zone variations, so this use was extended to all general employment zoned properties;
- Car wash – to recognize existing uses;
- Commercial composting facility – There have been inquiries recently, so this is a use that may be required soon;
- Contractor's shop – to replace "Offices for use by building construction professionals and trades" and clarify the meaning;
- Creative industry – at the recommendation of the IAPC;
- Food processing, including off-farm storage and processing – to reflect current uses in some areas, and to address demand;
- Offices – at the request of business/property owners, in alignment with IAPC recommendations;
- Residential uses above other principal permitted uses – in alignment with OCP policy B.2.2.2.12, and at the request of business/property owners.

In terms of lot coverages and setbacks, the following changes are proposed:

- GE3 only – increase in rear and interior side setbacks from 6 m to 7.5 m to better buffer non-general employment lands;
- For properties moving from C6 to GE1, a slight reduction in required setbacks, from 6.1 m to 6 m;
- GE1 permissible lot coverage of 75%; GE2 permissible lot coverage of 50%; and GE3 permissible lot coverage of 33% -- current lot coverage in industrial zones is either 33% or 75%.
- GE4 only – increase in rear lot line setback to 10 m, to correspond with setbacks from the water regulations elsewhere in the bylaw.
- For commercial composting uses, the proposed setbacks are 30 m from the property lines, in accordance with guidance provided by the Ministry of Environment in response to the Organic Matter Recycling Regulation.

In terms of subdivision potential, it is proposed that in cases where GE zoned properties are connected to a "community sewage collection system," the minimum lot size can be as low as 0.2 ha. This change is supported by OCP policy B.3.3.2.8.

Other substantive changes include:

- Definition of farm-related light industry has been modified to increase the list of permitted uses by adding "storage" of farm products.
- New definitions added:
    - Abattoir (from proposed bylaw no. 483, which is currently awaiting adoption);
    - Commercial composting;
    - Contractor's shop;
    - Creative industry;
    - Vehicle dismantling (to replace Auto Wrecking – this change was in process through the "housekeeping" bylaw in development).
- Abattoir uses are moved from a zone variation into a more generally permitted use in the GE2 and GE3 zones.
- The addition of commercial composting regulations.
- Deleting references to the C5 zone (a housekeeping item) and C6 zone. All C6 zoned properties become GE1 zoned, in the new framework.
- Changing the zoning on the Merchant Mews from C6(a) to GE1(a). The zone variation is being kept due to the water restrictions within it. A few uses are being added: food processing, creative industry.
- Changes to the zoning map to reflect General Employment zoning.

Proposed Bylaw 490: Modifications to the SSI Land Use Bylaw (LUB)

A second bylaw to amend the LUB is proposed to specifically address zoning for four waste management facilities on Salt Spring Island. Three of these are owned by the Capital Regional District:

- Liquid waste transfer station, on Burgoyne Bay Rd
- Ganges sewer, on Seaview Ave, and
- Recycling on Rainbow Road.

The fourth property is on Blackburn Road, and is privately owned and operated under license to the CRD.

Please also note that the existing CF2 zoning for the recycling facility on Rainbow Road is spread over two properties, both of which are owned by the CRD, one of which is Mouat Park.

Should this facility need to be expanded, the current zoning framework would allow the park to be split into two pieces. The proposed reorientation of the existing zoning would allow the recycling facility to expand (should it be necessary) and allow the park to maintain continuity from east to west. Figure 1 illustrates the adjustment.

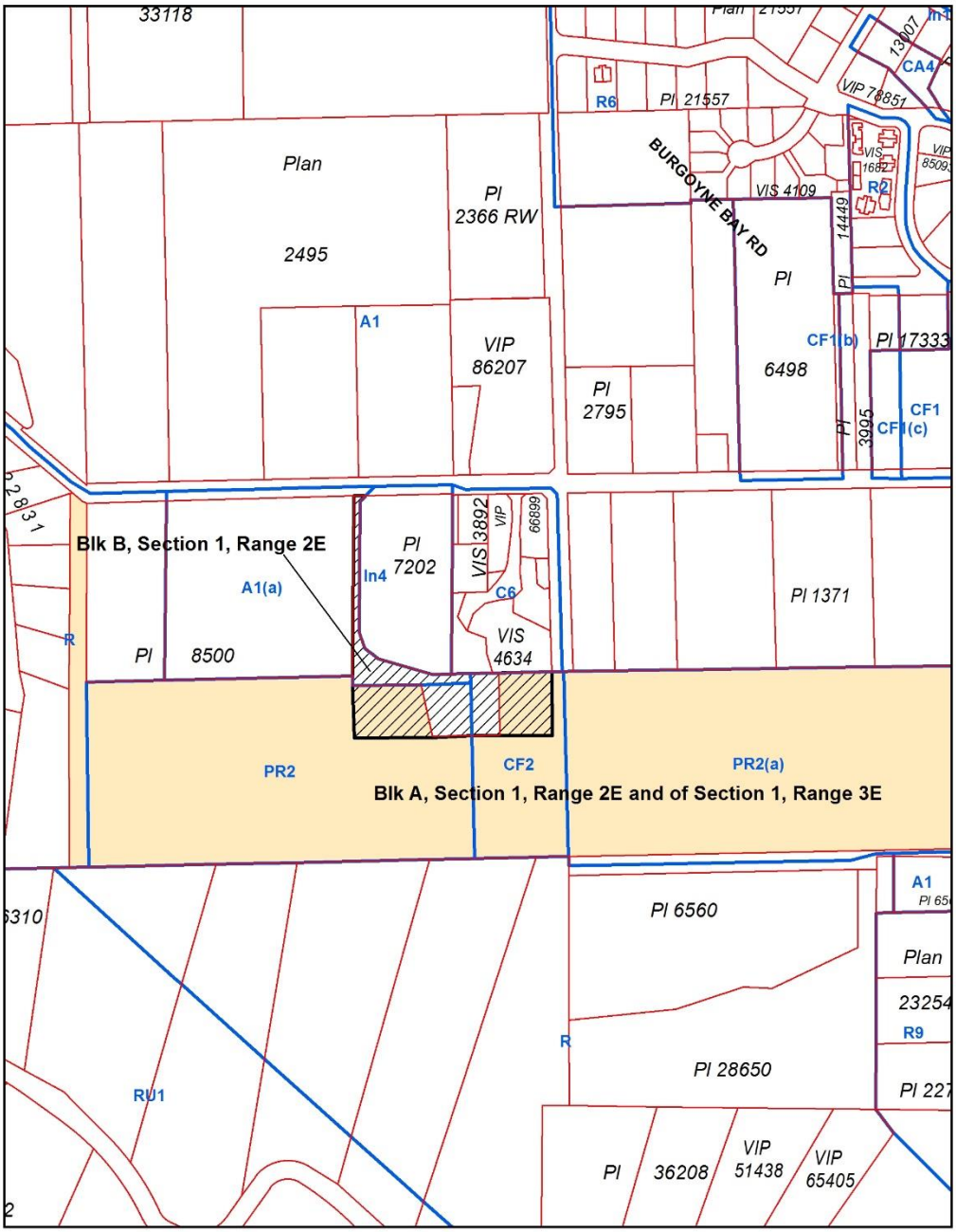


Figure 1 Current CF2 zoning (shown with blue lines) & proposed zoning (shown with cross-hatching)

ISSUES and OPTIONS

Issue: Concern that not enough land is being rezoned for general employment purposes

The Salt Spring Island Industrial Needs Assessment report (2013, p. 4) estimated that for the period from 2011-2016, the demand would be 0.67 acres per year or 3.35 acres of industrially zoned land for the five-year period. As part of this process, 3 properties along Robinson Road in the vicinity of Merchant Mews are proposed for rezoning from Rural (R) to GE1, for a total land area of 2.86 acres. (These properties are already designated for industrial and commercial services uses in the OCP.)

While this addition to appropriately zoned lands may relieve some demand pressure, it is not adequate to meet overall need, particularly since it is already 2016, and it can be anticipated that the Island is entering into the next five-year period of demand.

Option: Designate and rezone the west side of Jackson Road for general employment purposes

There are a number of underutilized parcels on the west side of Jackson Road, which abut the ALR on the west (rear) side, and abut Ganges Village within walking distance of the core on the east side. All of these properties, with the exception of the access driveway to the agricultural parcel behind, are located within DPA1 (Island Villages). The total area of these properties is approximately 2 acres.

With careful design, these properties could add needed vitality to the area, and meet some of the demands for parking or other needs of the Village core. Such an initiative could also provide a test case to determine how the GE zoning works in proximity to a village area. Agricultural buffering, in the form of vegetative screening and a 15 m rear yard setback, would be required to protect the lands behind.

Figure 2 Jackson Road area for GE designation

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to add the Jackson Road properties to draft bylaws 488 and 489, and to contact the property owners to inform them about the proposed change.

Issue: Addition of retail uses at waste management facilities

A potential buyer is contemplating purchasing the Blackburn Road property, in which case, they would like to add a "ReStore" concept to it. This would require a modification to the provisions of the Community Facility 2 (CF2) zoning, by adding retail sales and retail services accessory to the waste transfer station.

However, it is unclear whether this change should be made at this time, because (as far as is known) an offer to purchase the Blackburn Road property has not been made. If the change is made in the absence of assurances about the proposed uses, it could result in uncertainty as to how the change would be applied. Therefore, the LTC may wish to hold off on including this aspect of proposed Bylaw 490.

Options:

1. Direct staff to add retail sales and retail services as an accessory use in the CF2 zone.
   OR
2. Maintain status quo until such time as a rezoning application comes forward.

Issue: ALR designation on lands that are also desirable for general employment uses, and may not be as productive as agricultural lands outside of the ALR

On Salt Spring Island, there are 2,920 hectares in the Agricultural Land Reserve (ALR), which is approximately 15% of the land area. A total of 3,011 hectares is currently being farmed with 56% within the ALR and 44% outside the ALR. There are an additional 884 hectares of ALR land which are available for agriculture but currently not farmed.[1]

The IAPC recommended three possible areas to zone more land for general employment purposes:

1. In the area of the intersection of Rainbow and Atkins roads, which already has a small cluster of industrial uses and is supported by OCP policy B.3.3.2.10.
2. In the area of the intersection of Long Harbour and Upper Ganges roads, which also has a small cluster of industrial uses. This area would be incorporated into OCP policy B.3.3.2.10, in draft bylaw 488.
3. An area near Fulford. The original recommendation was to encourage industrial zoning in the area of the gravel pit on Musgrave Road. It is now proposed in an area closer to the Fulford Village, near the junction of Fulford-Ganges and Beaver Point roads. This area would also be added to OCP policy B.3.3.2.10 in draft bylaw 488.

These lands, while desirable for general employment uses due to proximity to population centres, access roads, and flat topography, also have areas in the Agricultural Land Reserve. Appendix 1 to this report contains maps showing the overlap.

Although the Islands Trust and community may desire that these lands be used for general employment purposes, there will be challenges in obtaining the necessary approval from the Agricultural Land Commission. This tends to result in frustration for all parties, and expense for rezoning applicants.

A third issue is that the community, as a whole, has expressed a strong desire to see industrial and general employment uses developed in the Rainbow/Atkins Road area, although individual property owners in the area may feel differently.

[1] BC Ministry of Agriculture, Agricultural Land Use Inventory report (2007), based on 2006 survey data.

Part of the solution, outside of the scope of this project, is for the Islands Trust to pursue a strategy with the Agricultural Land Commission to redraw the boundaries of the ALR for Salt Spring Island, such that agriculturally productive lands are incorporated into the ALR, while those which are less desirable are excluded. The outcome would ideally be no net loss of agricultural lands. The Trustees are currently pursuing this strategy.

Another part of the solution is to enhance the existing regulatory framework to better buffer agricultural uses when considering rezoning applications for general employment zoning in these areas. Sometimes general employment uses are on lands that are part of the ALR. Generally these uses predate the existence of the ALR, and so are permitted to continue. At other times, general employment uses are on lands that are adjacent to ALR or other agricultural lands. It is particularly in these latter cases that greater regulation may be most beneficial.

Options:

1. Undertaking an agricultural edge planning exercise, to ensure that protection measures are in place along the ALR boundaries

On Salt Spring Island there is a significant amount of interface between agriculture and other land uses. Diverse agricultural activities can result in concerns from non-farming neighbours about dust, odour, or noise. Farmers can also experience impacts from non-farm neighbours, including trespass, litter, crop theft and flooding. Agricultural operations are more vulnerable where they are adjacent to non-agricultural uses.

BC's Strengthening Farming Program, though the edge planning process, has been focused on enhancing land use compatibility and ensuring the security of agriculture at the interface, i.e. the "edge." The Ministry has developed the "Guide to Edge Planning" to assist local governments in exploring the available planning tools.

- Advantages:
    - Comprehensive process for addressing interface issues between non-agricultural and agricultural land uses along the border areas;
    - Can result in a tailor-made solution to issues on Salt Spring Island;
    - May be useful in supporting discussions with the ALC about re-aligning the ALR boundary.
- Disadvantages:
    - Expensive, in terms of resources, including time.

2. Upgrading of regulatory requirements without an edge planning exercise

The Islands Trust can undertake a review of existing Land Use Bylaw provisions and Development Permit guidelines, specific to the issue of better protection of agriculture on the Island generally, and in proximity to general employment uses specifically. Without pre-judging the results of this study, it may suggest changes to setbacks from agricultural lands, buffering and vegetative screening of agricultural lands, and more tightly control the list of activities which are exempted from the requirement for development permits, particularly in Development Permit Area 2. Such a review would require community input, and involvement of the agricultural and business communities.

- Advantages:
    - May result in better outcomes for agricultural areas adjacent to general employment or commercial areas, without being as time consuming or expensive as edge planning
    - More likely to be able to be completed "in-house" by Islands Trust staff

- Disadvantages:
    - May require significant time and resources.

3. Continue with the status quo

- Advantages:
    - No direct costs
- Disadvantages:
    - Conflict will continue.

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding agricultural protection and report back with a recommendation.

Issue: Some industrial property owners are not good neighbours

During the community consultations, a theme emerged about threats to the Island's tourism economy and aesthetic through unsightly business premises.

1. Greater enforcement of existing LUB provisions, like vegetative screening, and conditions of development permits

Enforcement is expensive and, therefore, typically complaint-driven. On the other hand, consistent "flaunting the rules" reflects negatively on the community and the individual business involved, and may hurt other businesses or industries, including tourism and agriculture. Even when enforcement actions are undertaken, the first step is always to encourage landowners to comply before penalties are imposed and expensive court proceedings undertaken.

- Advantages:
    - Can address some community irritation related to unsightly premises;
    - Can reduce threats to other industries, such as tourism and agriculture.
- Disadvantages:
    - In many cases, baseline data is not available, making it difficult to assess the extent of the violation.
    - Expensive

2. Upgrading of existing LUB and Development Permit provisions

The overall framework for ensuring that industrial uses are good neighbours may be too lax. For example, although Land Use Bylaw No. 355, Section 3.4.2 requires that all outdoor industrial and commercial uses require vegetative screening, it became apparent during community consultations that some industrial property owners are openly flouting this provision without direct personal consequences. The current Development Permit guidelines for non-Village Industrial and Commercial uses may be too permissive, in that too many possible uses are exempt, which in turn may mean less discussion and thought as to how properties are developed. An upgrade of DP guidelines may help reduce conflicts.

- Advantages:
    - May help reduce conflicts.
    - May result in better business development outcomes for the community.

    - Could be combined with option 2 from the previous section related to issues around the protection of agriculture.
    - Could (potentially) be completed “in-house” by Islands Trust staff.
- Disadvantages:
    - May require significant time and resources.
    - Community may be “exhausted” from numerous bylaw changes and is generally not receptive to perceived greater regulation

3. Continue with the status quo

- Advantages:
    - No direct costs
- Disadvantages:
    - Conflict will continue.

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding improving the aesthetic outcomes of new business development and report back with a recommendation.

COMMUNICATIONS AND COMMUNITY CONSULTATION

Official Community Plan amendments require the LTC to consider opportunities for consultation with persons, organizations and authorities it considers may be affected by these proposals. For this reason, consultation with First Nations having an interest or claim on Salt Spring Island has begun, in the interests of consulting early and often. Both the Lyackson First Nation and Cowichan Tribes have expressed a strong interest in the proposed OCP amendments, although no written input or feedback has yet been received. Other First Nations are expected to also have a strong interest.

However, the perspective that was shared verbally indicates that the Coast Salish peoples made extensive use of the inland areas of Salt Spring as well as the coastal areas, and so interior areas of the island need to be scrutinized for archaeological sites or other cultural footprints in a systematic and scientific way, combining traditional knowledge with the science of archeology. One idea that was suggested in a preliminary way is that traditional knowledge holders may wish to walk the land in the areas proposed for future general employment zoning, to determine whether there are any cultural or archaeological issues with those areas prior to designation within the OCP.

Community and neighbourhood consultations took place on February 16, 2016, with three meetings in various places and at various times of the day. The purpose of these meetings was to gather feedback and input from business owners and the community in response to the preliminary draft version of the land use bylaw related to the general employment zoning, which would begin to implement the IAPC’s recommendations. A full report of the results of these meetings is attached to this report as Appendix 2.

One concern was how the bylaw amendment process would unfold, and whether the community would have additional chances to comment in the process. Figure 2 outlines a simplified trajectory for the development and evolution of the bylaws, showing the initial consultation

(February 16, 2016) in the top left, and the stages that the bylaws will need to go through before these proposed changes take effect.

Other community concerns have been addressed directly through changes to the draft bylaw:

1. Definition of “creative industry” simplified and made more flexible, i.e. less specific, by naming a permitted use as “art, music, and craft studios” and deleting those that were more specific and could be included into this use.
2. Deletion of “general employment” as a permitted use. The concern expressed was that it was too vague.
3. Addition of permitted uses:
    a. Offices, and
    b. Residential uses above other principal permitted use.
4. Removal of provisions regarding indoor vs outdoor uses that appeared to constrain property owners from their current uses.
5. Specification that boat-building is a permitted use in GE4 (marine-dependent use).

A full list of the community’s concerns and the response to those concerns is found in the comprehensive community consultation report, as Appendix 2 to this report.

PROCESS CONSIDERATIONS

Because of the complexity of the proposed changes, the following considerations are recommended:

- A vigorous First Nations engagement strategy, involving visits to the key First Nations to explain the proposals and (possibly, after having taken advice from representatives of the key First Nations) a joint meeting to present and discuss the proposed bylaws. This strategy may require the opportunity for Islands Trust representatives, business and property owners, and First Nations knowledge holders to walk the land together to assess First Nations interests on the land.

- A comprehensive and extended bylaw review period for agencies with an interest in the outcome of these bylaws. At a minimum, these agencies would include the Department of Fisheries and Oceans, Ministry of Transportation, Ministry of Environment, Ministry of Forests, Lands and Natural Resource Operations, Ministry of Community, Sport and Cultural Development, Agricultural Land Commission, Island Health, Capital Regional District, Salt Spring Island Transportation Commission, Salt Spring Island Parks Commission, Salt Spring Island Chamber of Commerce, Farmers’ Institute, Farmland Trust, Abattoir Society, Agricultural Alliance, Salt Spring Fire and Rescue, and neighbouring Local Trust Committees and Municipalities. Of particular concern is the Agricultural Land Commission, given competition for land for general employment purposes in areas that have been designated as part of the Agricultural Land Reserve.

- A second direct correspondence with all industrially and C6 zoned property and business owners, with updated bylaws. The first letter, with attachments, was successful in alerting directly affected people about the changes. During the community consultation meetings, the Trustees committed to continuing direct engagement with property and business owners. A second letter after the agency and First Nations review and any subsequent modifications to the bylaws would inform property owners about any changes, and provide them an opportunity to communicate any concerns to the Trustees and Islands Trust staff in advance of second reading.

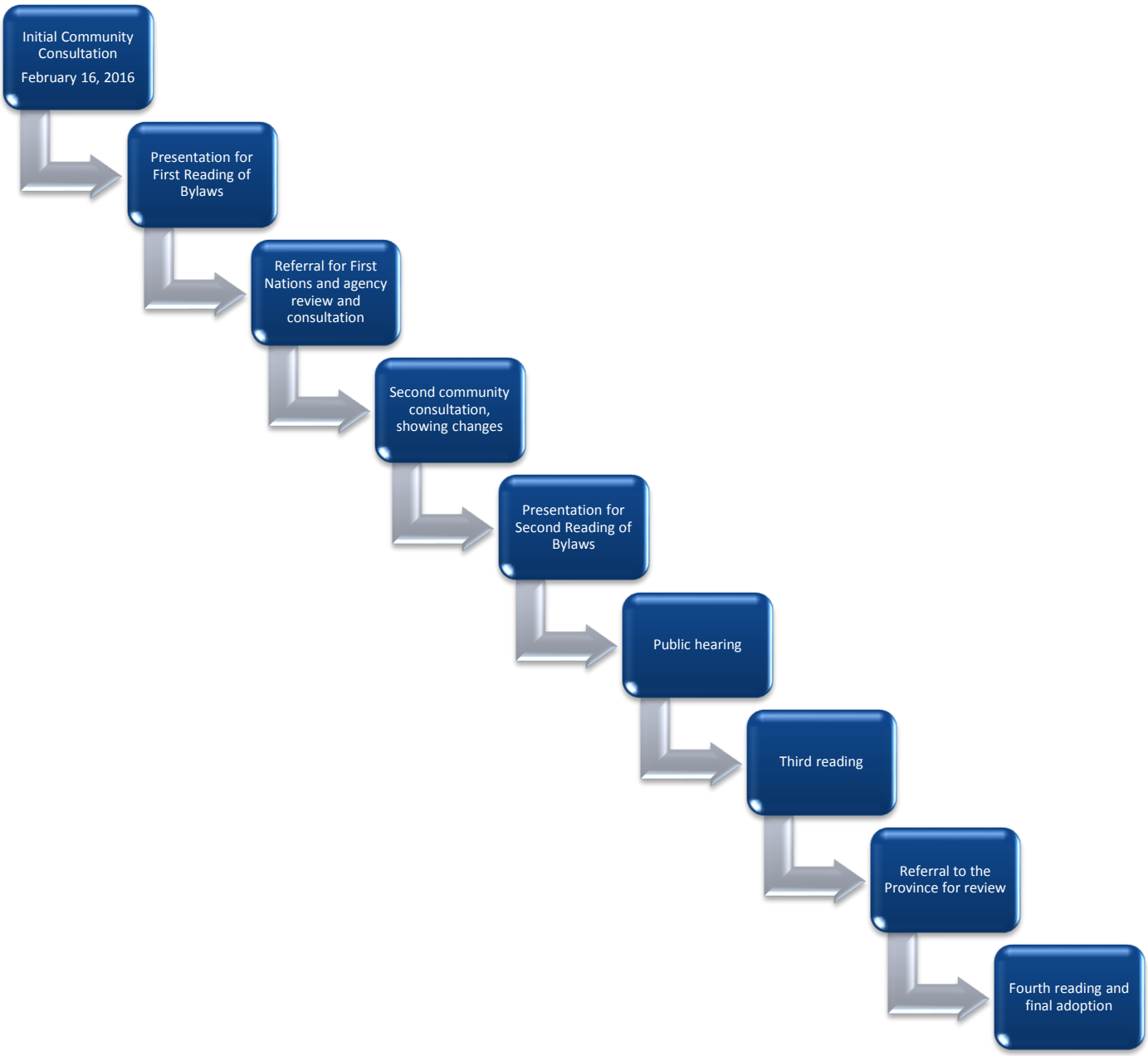


Figure 3 Bylaw adoption process showing opportunities for community input

- A second community consultation process, involving community meetings to discuss the proposed changes.

As part of the community's comments, the suggestion was made that the LTC notify all property owners in the vicinity of the individual properties being rezoned. However, given the number of properties involved, this suggestion is unwieldy. Local Government Act Section 466 (7) states that "Subsection (4) does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration." Subsection (4) deals with notification of the neighbours when a change to permitted uses or density of an area is proposed.

CONCLUDING COMMENTS:

The analysis indicates that there are a number of items to be addressed in a concurrent fashion to ensure that the project proceeds with clear direction, and maintains momentum. Procedurally, given the level of detail required to implement the IAPC's recommendations, and the potential impact of these proposals on the land base and First Nations interests, it is important that agency and First Nations referrals move ahead in a timely, but not rushed, manner. Community engagement on an ongoing basis will be important, including direct correspondence with property owners and the larger community. This engagement needs to be thoughtful and timely, so that the next level of engagement is understood to be connected to the same project, and not something new and unexpected.

The issue of how to address challenges to the regulatory framework to create better outcomes for businesses and the community came to the forefront during this process. Some of the issues identified may be best addressed in collaboration with the Chamber of Commerce and other business organizations, to encourage property owners to be more respectful of the intent of the regulations, and present a better face to their community, given impacts of unsightly premises on tourism and related businesses.

RECOMMENDATIONS:

1. **THAT** the Salt Spring Island Local Trust Committee direct staff to develop a comprehensive First Nations engagement strategy for consideration of the implications of these bylaws, with particular focus on Bylaw 488 to amend the Official Community Plan.
2. **THAT** the Salt Spring Island Local Trust Committee refer the draft bylaws 488, 489, and 490 to First Nations, government referral agencies, public agencies, the Advisory Planning Commission, the Salt Spring Island Parks Commission, and the Salt Spring Island Transportation Commission.
3. **THAT** the Salt Spring Island Local Trust Committee direct staff to develop a comprehensive community engagement strategy, including direct correspondence with C6 and industrially-zoned property and business owners, with appropriate notifications through the media for the larger community.
4. **THAT** the Salt Spring Island Local Trust Committee directs staff to add the Jackson Road properties to draft bylaws 488 and 489, and contact the property owners to inform them about the proposed change.
5. **THAT** the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding agricultural protection and report back with a recommendation.
6. **THAT** the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding improving the aesthetic outcomes of new business development and report back with a recommendation.

Prepared and Submitted by:
Beverly Suderman
IPS Island Planning Services

March 3, 2016

Date

Concurred in by:

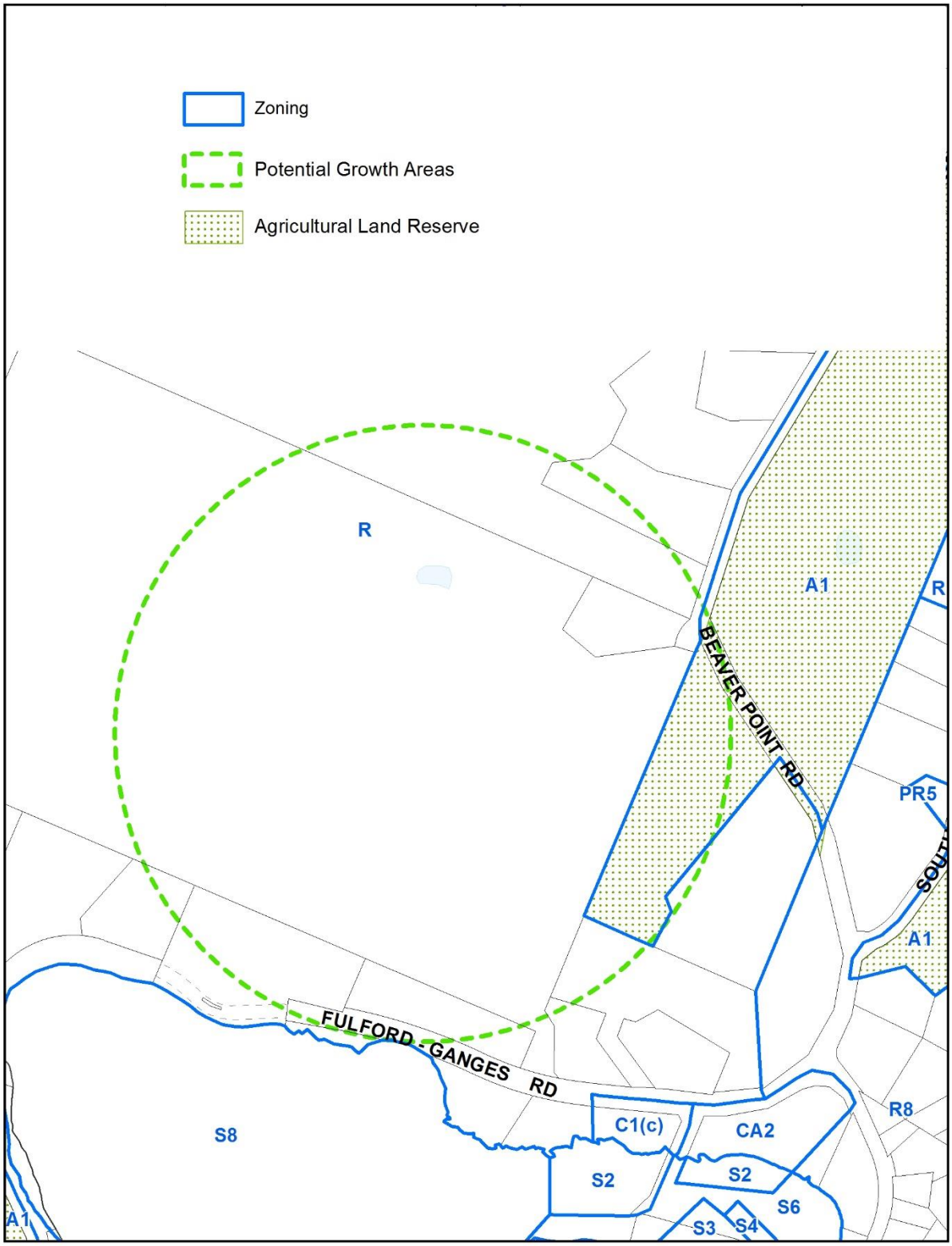
Date

Appendices:

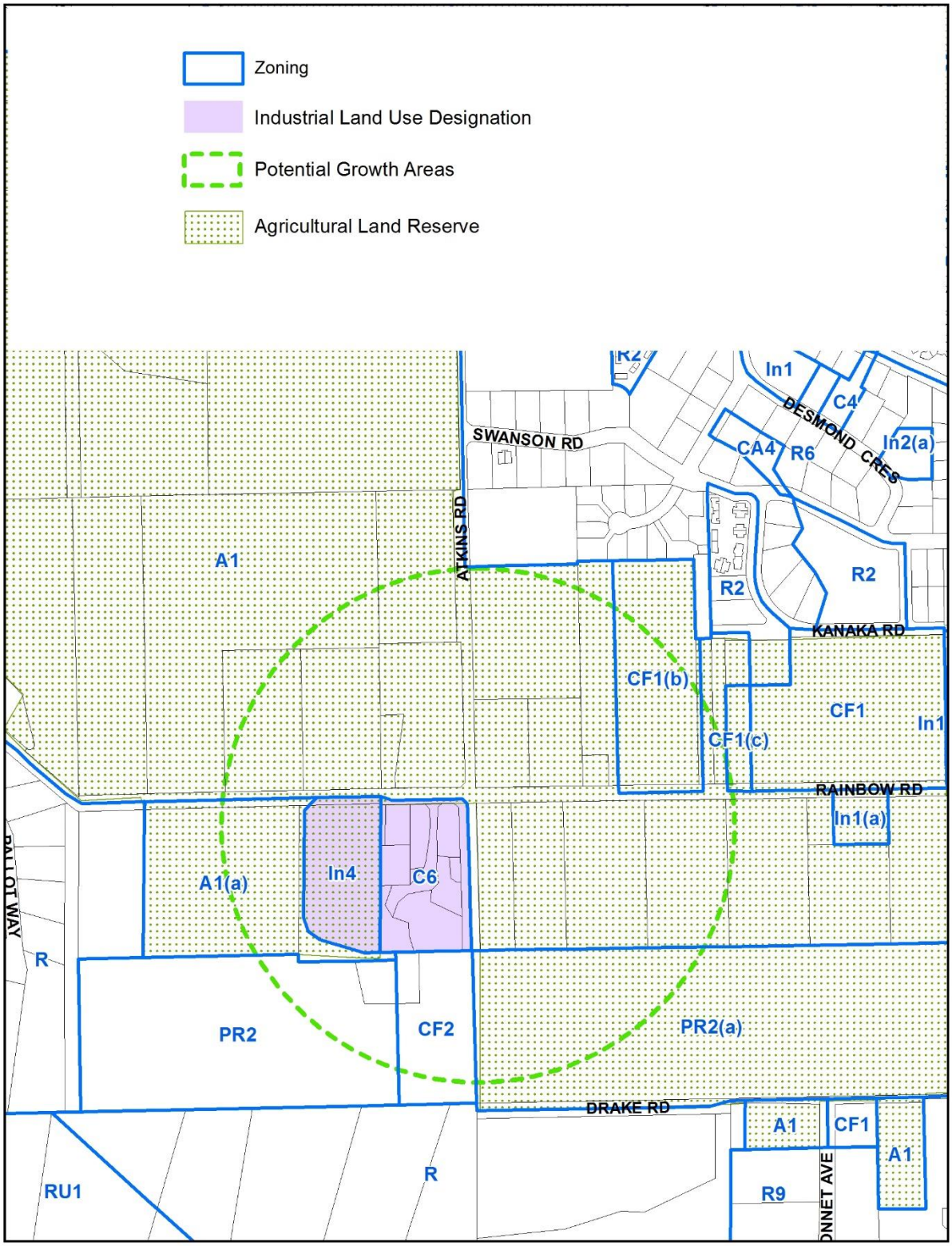
A.1 - Maps showing the overlap between ALR lands and proposed general employment nodes.
A.2 - Community Consultation Report, February 24, 2016, prepared by Beverly Suderman
A.3 - Draft Bylaw No. 488
A.4 - Draft Bylaw No. 489
A.5 - Draft Bylaw No. 490

Appendix 1

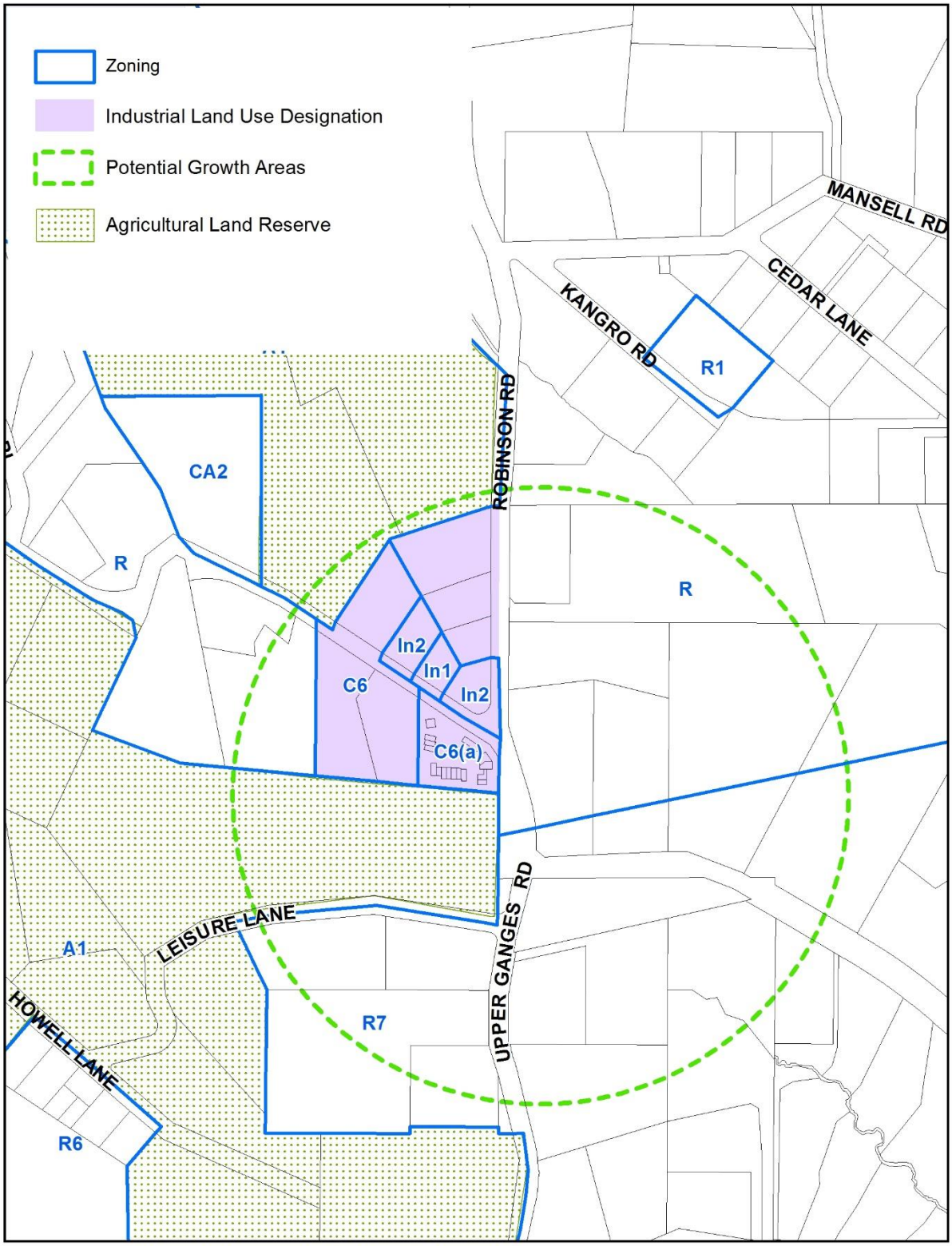
Attachment 1:
Maps showing the overlap of ALR lands with proposed general employment areas



1 Proposed area for general employment: Fulford



2 Proposed area for general employment: Rainbow & Atkins Roads



3 Proposed areas for general employment: Upper Ganges & Robinson Roads

Appendix 2

2/24/2016

Industrial Zoning Project

Community Consultation Report

Beverly Suderman
IPS ISLAND PLANNING SERVICES

Industrial Zoning Project

Community Consultation Summary

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Executive Summary

The purpose of the Industrial Zoning project is to provide for greater flexibility of industrial and service commercial uses within the zoning framework while continuing to protect community interests. It is hoped that through greater flexibility of uses, a greater percentage of the existing OCP-designated and zoned lands will be available for use. Also, the community's need for additional commercial and industrial lands can be more easily met through OCP policy identifying areas on the Island for potential rezonings.

Three community open houses were held on February 16, 2016. All property owners with lands zoned industrial or C6 received a letter notifying them about the meetings, with a summary of proposed changes. Additionally, advertising for these meetings followed the usual Islands Trust protocol. These meetings were successful in that the community demonstrated a high level of interest, and engaged with the material, providing valuable feedback to the consultants, Islands Trust staff, and Trustees about issues with the preliminary draft work, and their hopes and dreams for the future of Salt Spring Island.

The community's comments have been organized into three categories:

1. Substantive comments – comments which address the substance of the draft bylaws which were under review;
2. Process comments – comments which address how the consultation moved forward, and suggestions for doing things differently next time; and
3. Other comments – comments which are outside of the scope of Land Use Bylaw modifications, but which are important to address in an overall plan to stimulate economic development on Salt Spring Island.

A key principle of this process is that there is to be no loss of uses. Therefore, the input of business owners has been invaluable in identifying gaps or errors in the preliminary draft work. Changes have been made to better align the list of permitted uses for the draft General Employment zones according to this principle.

Lot coverage and setbacks have been modified to be consistent with other regulations or to reflect the distinctions between GE1, GE2, and GE3 zones. The logic is that less intensive GE1 uses on smaller lots which are within or in close proximity to a village require greater lot coverage, whereas more intensive GE3 zoning has more permitted uses, are typically removed from village centres because the uses are larger or more intensive, and therefore more buffering is required.

Both lot coverage and setbacks are amenable to modification in hardship cases through a Development Variance Permit. Existing structures that currently encroach into setback areas or exceed the lot coverage specifications are considered "legal non-conforming". While this may not be desirable, it is manageable since it would only affect a few properties.

Only one property owner mentioned the proposed changes in setbacks as a specific concern, and seemed satisfied with the change. Another person raised this with regard to a neighbouring property, but it is unclear as to how this might affect the subject property.

Some property owners expressed concerns about lot coverage due to the perceived loss of development potential, rather than a concern about actual uses. Lot coverages, as proposed, are very generous. For

example, 33% lot coverage for a 1 ha (2.47 ac) property is 3,300 sq m (35,500 sq ft) of allowable structures. If these structures were to be built with two storeys, this number would double.

In direct response to the community's input, a number of changes have been made to the draft bylaw:

1. Definition of "creative industry" simplified and made more flexible, i.e. less specific, by naming a permitted use as "art, music, and craft studios."
2. Deletion of "general employment" as a permitted use.
3. Addition of permitted uses:
    a. Offices,
    b. Residential uses above other principal permitted use.
4. Correction of inadvertent loss of uses through specification of indoor vs outdoor uses.
5. Specification that boat-building is a permitted use in GE4 (marine-dependent use).

In total, as part of this process, over 5 acres of land is proposed to be zoned for General Employment uses. The zoning framework has been simplified by reducing the number of zones from 11 to 6, and the draft zones are more flexible in terms of permitted uses.

Introduction

Three community open houses related to the Industrial Zoning Project were scheduled for Tuesday, February 16, 2016:

1. From 10:00 am to 12 Noon – Fulford Seniors Centre
2. From 2:00 to 4:00 pm – Merchant Mews, Shared Space
3. From 5:30 to 7:30 pm – Gulf Islands Secondary School Multi-Purpose Room

Advertising for these meetings was done through the *Driftwood*, as well as on-line media services. The Islands Trust also has an e-mail notification service for residents on the Island who wish to be notified of upcoming meetings. Additionally, all property owners with lands zoned industrial or C6 received a letter notifying them about the meetings, with a summary of the proposed changes. There was an issue with one property owner, who heard about the meetings but did not get a letter. Upon investigation, this proved to be an error in the transfer of information from a provincial database which has since been corrected.

The first two open houses were well-attended,[1] with most people arriving at the start time. Therefore, the consultants made presentations about the material to the attending community members, and took questions and comments throughout the presentations. The third open house was less well attended, and the conversations between community members and planners or trustees were more one-on-one. There was no presentation of the material.

Some community members and business owners were unable to attend the open houses, and contacted the consultants via phone or email.

This report documents the comments received, both at the meetings and through conversations with individuals.

Community Comments Received

Substantive comments

Community Member Comment	**Response**
1. Composting facilities. a. Confusion over the regulations and why the need to regulate as a land use if regulated by so many other agencies b. Details of composting requires significant consideration to avoid problems including making it abundantly clear what and where non-commercial composting may occur. For example, is abattoir waste the same as agricultural waste?	• Land uses are regulated by Land Use Bylaw • Regulation of how the composting is to be done is by other levels of government • Composting for residential and agricultural purposes exempt in the draft bylaws • May need further study, particularly in regard to abattoir use • Need to distinguish between commercial composting (which involves the sale of the composted product) and other composting

[1] At the Fulford meeting, there were approximately 30 people in attendance. At the Merchant Mews meeting, there were approximately 26 people in attendance. At the High School, approximately 12 people attended.

Community Member Comment	Response
2. Setback for composting: On a small property such as ours (.6 hectare), the proposed 30 meters from all property lines pretty much rules out the feasibility of composting, even though it is very important for our agricultural activities, including both primary production and processing. The setback would place the compost in the same location that is required in our development permit for the main building.	• Need to distinguish between commercial composting and on-site, non-commercial composting. • Issues can arise with community-scale composting, which the 30 m setback is intended to address, rather than household or on-site business or agricultural composting.

3. Rather than a dispersed pattern of general employment uses across the island, the best approach is to develop an industrial park. A number of participants identified that they would like to see an Industrial Park (most people indicated the Rainbow Road area) with infrastructure in place to accommodate the needs of the Island now and into the future.	• Different schools of thought on this question
	• Industrial parks:
	  ○ Are not park-like – can be ugly
	  ○ Concentrate demand for infrastructure into one area (expensive to support)
	  ○ Concentrate traffic flows into one area
	  ○ Concentrate pollution into one area
	  ○ Can be effective, particularly if the waste stream from one business becomes an input for the next business
	  ○ Would require that a private landowner develop it
	• Dispersed approach:
	  ○ Avoids above issues
	  ○ Keeps jobs near where people live
	  ○ Used effectively in Europe to maintains rural character and protects the visual aesthetic for other businesses, such as tourism
	• Nodal approach:
	  ○ A compromise by providing for the clustering of new uses in select areas of the island
	  ○ Proposed through OCP for 3 areas on the Island
	  ○ Would require rezoning of individual properties
	• At this time, the nodal approach is being proposed as the most viable option for

Community Member Comment	Response
	Salt Spring Island, based on the IAPC report. The identification of nodes is the focus of the OCP amendment. Should it be approved, this policy will provide guidance as to where a private land owner could propose an industrial park.
4. Appear to be loss of uses going from C6 to GE1, such as loss of outdoor auto repair, light industry, sales, vehicle, boat and equipment servicing etc.	• No intention to lose uses • Split between indoors in GE1 and outdoors in GE2 has been re-evaluated. • More outdoor uses permitted in GE1.
5. C6 permits multiple accessory dwelling units, but the draft GE1 zoning permits only 1	• OCP policy supports integration of flexible or affordable housing into industrial areas (Policy B.2.2.2.12; Objective B.3.3.1.5) • Ability to add accessory dwelling units depends on ability to get water connection, as well as zoning. • Residential above a principal permitted use has been introduced to address these concerns.
6. Changes to exterior side lot lines, i.e. increased to 7.5 m; reduces flexibility on small lots	• Proposed exterior side lot lines are consistent with existing industrial zoning • Under C6 zoning, exterior side lot lines are 6.1 m. • For GE1 uses, exterior side lot lines changed to 6 m.
7. What about contractors yards?	• Current permitted uses include “Offices for use by building construction professionals and trades” – which can be confusing because of the emphasis on offices. People in building construction and other trades often have needs that include a workshop, equipment storage, as well as an office. • Contractor’s yard or shop requires a definition in the bylaw, to be clear on what is meant.
8. Concern about uses on Lee’s Hill: gravel and waste transfer	• Valid current permit for the quarry; valid permit for waste transfer station. Legal non-conforming use. • Not proposed to give it an industrial classification in the bylaw. • Islands Trust working with the CRD on developing a long term waste management plan for SSI.
9. Concern about Stowell Lake Farms? Not	• Stowell Lake Farms is proposed to receive

Community Member Comment	Response
being rezoned?	a GE zone; may have been confusion about the OCP map, because it is not proposed to be designated for industrial (General Employment) in the OCP
10. Noted that if Stowell Lake given GE2 zoning then they could subdivide to 0.6 ha lots.	• Stowell Lake Farm is currently split zoned with In3 which permits 0.6 ha lots – so no change
11. Foreshore zoning should match marine dependent zoning (GE4).	• No change between current In4(a) and GE4 – both are marine-dependent uses only • Water lot lease holders are responsible for ensuring that their uses are compatible with their lease provisions and with their current zoning • Shoreline zones are not addressed in this project, but a placeholder policy is proposed that the LTC may consider shoreline rezoning in areas adjacent to marine dependent general employment zoning.
12. Discussion about Marcotte's properties: not being used for industrial purposes	• Current uses for the property include heavy equipment parking, indoor service to and repairs to vehicles, equipment and machinery, and auto wrecking • Possible to consider limiting GE3 zoning to current auto wrecking area, and zone the rest as GE2 (fewer possible uses) • Much of the land is undevelopable due to steep slopes
13. Desire to see the ability to subdivide lots to sizes less than 0.6 ha	• OCP policy permits the LTC to consider proposals for smaller industrial lots (0.2 ha), which would require a zoning change (B.3.3.2.8) • Issue with regard to servicing of very small lots (water and sewer). • New provision for subdivision of GE zoned properties to 0.2 ha, provided that each lot is connected to community sewage collection system.
14. Want offices in GE zones	• Can be added as a principal use
15. Slegg Lumber and Windsor Plywood both sort and store timber – accessory vs principal use for outdoor storage is a problem	• Slegg Lumber has unique zoning, which (aside from the name) is not changing. • To address Windsor Plywood's concerns, would need to amend GE2 to permit outdoor building supply sales. • Place sawmills and planing mills uses in

Community Member Comment	Response
	GE3.
16. Desire to have some GE3 zoning at Garner and Fulford Ganges Road (old site for Starbarcks and Mid-Isle Marine).	• Property owner should submit specific plan for consideration. That plan should address lot sizes and uses.
17. How useful is GE4 zoning in these days? Past purposes no longer needed, i.e. bulk fuel storage	• Once waterfront industrial lands are lost, they are gone forever. Wise to maintain. Uses may again be needed, or other new uses for the waterfront not yet anticipated.
18. Does the community want more acreage for use, or a denser more intensive use of existing? – Both	• The general increase in permitted uses should make it feasible to increase intensification of use on existing properties. • Setbacks and lot coverage reviewed • Some properties are being rezoned from Rural to General Employment in the Merchant Mews area. The demand for increased acreage is partially being met.
19. Encouraging to see increased uses in GE1 and GE2 zones	• This is what the Advisory Committee report strongly recommended
20. Concerns about losing value of land due to decreasing potential lot coverage from 75% to 50% ... or to 33% for certain types of uses.	• Lot coverage provided are similar to other jurisdictions and are rarely a problem. • 33% lot coverage on a 1 ha lot permits building space of 30,000+ sq ft, and double that if a two-storey building is constructed. It is still generous. • If situations arise that demonstrate that the lot coverage sections are inadequate, then a variance permit may be appropriate.
21. Need to protect the tourist industry as the only really growing industry on the Island – needs the pastoral rural aesthetic; keep industrial uses near the central core, leaving the rest of Salt Spring rural and fairly empty	• LUB provides for vegetative screening of properties with outdoor uses. • DP guidelines for non-village commercial and industrial provide for form and character. • There are ways to address non-compliance, but community support would be required, either for greater enforcement, or through support to business owners to make vegetative screening more functional and effective.
22. Risk: people will buy land zoned industrial to keep it out of industrial uses	• A good reason not to pre-zone properties.
23. Need a long term strategic plan to deal with land use on Salt Spring Island	• The recommendations of the Industrial Advisory Committee (and its consultation

Community Member Comment	Response
	process) are the driving force in proceeding with the Industrial amendments. These amendments are the first step in implementing the IAPC's 25 year plan for general employment uses. • Trustees support the development of an Integrated Community Sustainability Plan for the island to address all land uses. This will require support from the community as well as all the agencies serving the community.
24. Do not make abattoirs a general employment use. Don't need more than one on Salt Spring Island	• Even if the use is permitted generally in a zone, market forces would need to be in place for more than one to be established on the Island. • Possible to keep this use as a zone variation.
25. Include all Commercial zoning in the revision, not just C6	• For this particular project the focus is on industrial. The most significant difference between the Commercial and proposed GE zones, is that GE zones do not permit retail sales as a principle use. The intent is to keep retail uses in the Village cores. • The IAPC recommended that all commercial zoning be considered, but that will be dealt with as part of a total land use bylaw review. • If this change in zoning for industrial works well, it may be possible to address all commercial zoning in a general bylaw review.
26. Rezone all of Ganges to multi-uses: GE1 or GE2	• Ganges is a mix of zoning, permitting a much broader mix of uses than GE1 or GE2 would permit. • If GE1 were to permit retail sales, it might undermine the downtown core commercial areas. • However, there may be an area along Jackson Rd, on the edge of downtown, to test GE zoning adjacent to a village core area.
27. Remove "General Employment" as a permitted use. It is too wide open, and could allow anything.	• Agreed. General Employment will remain the names of the zones, but not appear as a "permitted use."
28. Home-based business regulations work	• Concur

Community Member Comment	Response
well	
29. Where does a radio station fit into this framework? Merchant Mews had one, and there is talk about one coming back.	• Section 3.1 of the Land Use Bylaw include "public utilities" as a use permitted in all zones. • The definition of public utility includes, telephone, cablevision or telecommunication services. • Radio stations are part of telecommunication services, and therefore are permitted in all zones.
30. Rainbow Road discussions. Suggest consideration of GE uses closer to or on Pallot Way… One resident from area says "bring the neighbourhood a plan…" Others said, "skip policy and make some decisions."	• Historically, there has been strong resistance to industrial zoning in this area, due to concerns about possible encroachment into agricultural area. • Some of the land is in the ALR and the Land Commission has not supported removal of the designation in this area.
31. What happened to the "old" plan for an industrial corridor down Rainbow Road and the Ganges Alternate Route?	• Plans were incorporated into Land Use policy (OCP), but with limited uptake as yet because: o Some of these lands are part of the ALR, and the ALC is reluctant to take land out of the ALR o Cost…Topography makes the routing a challenge for the Ministry responsible.
32. Atkins Road ROW extends to Mouat's Park. Questions about how to use for access to lot neighbouring access	• Directed to MOTI for additional assistance
33. Concerns expressed about potential for increasing industrial uses along Upper Ganges Road and around Merchant Mews. Could interfere with residential neighbourhood uses: increased traffic, etc.	• Three small lots are proposed for rezoning from Rural to General Employment 1 along Robinson Road. This is in accordance with the OCP, which has designated this area for additional Industrial and Commercial Services. • For any additional land to be rezoned in this area, a full rezoning application process will be required. Measure to determine impact could be required as part of the rezoning application.
34. More GE should be located under nearby power lines (Merchant Mews)	• BC Hydro does not permit any structures within 30 m of the power lines due to high risks.
35. Going from C6 to GE1 -- Limitation on # of vehicles below what is reasonable for operating a garage. If there needs to be a	• Consider amending bylaw to include "auto repair and servicing" as a permitted use and not restrict the

Community Member Comment	Response
number, then 15 might be appropriate	number of vehicles • Amend the terminology to insert "commercial" before vehicles so that the limitation applies only to large commercial and not private vehicles • Limit on number of vehicles has been removed.
36. Merchants' Mews currently has four food businesses and five artists' studios. These are permitted uses as Farm–related light industry and Wholesaling, and Light Industry. It would seem appropriate, however, to use the new language by adding "Creative Industry" and "Food Processing, including off-farm storage and processing" to zone variation GE1(a). Indeed, failing to do so may place these uses at risk if future interpretation of the bylaw fails to recognize these uses due to outdated language.	• Agreed. Will make the change.
37. That changes to the zoning framework will affect the value of the current zoning	• Unique zoning tends to limit the permitted uses on a property, thereby reducing its market value, rather than the reverse.
38. Industrial zoning in Fulford should be limited to small "non-industrial" businesses to keep the rural atmosphere.	• The intention is that no heavy industrial uses will be permitted. • The Industrial Lands Needs Assessment study confirms that most need for "industrial" zoning is for small businesses, which would (probably) fit the commenter's definition of "non-industrial". • This comment represents the strong associations between the word industry, and images of smokestacks, pollution, etc.
39. Fulford gravel pit was shown as Industrial area in IAPC report. Residents do not want it, and fear that this process will allow it to become so.	• Given past community concerns about the environmental impacts of converting a gravel pit to an industrial area, the Fulford gravel pit is not under consideration as a possible area for industrial uses.
40. What is proposed for the unused Shell property in Fulford?	• No longer owned by Shell. • The Islands Trust has not heard of any proposed development for this property.
41. There is a need for additional industrial	• The area near the Fulford village

Community Member Comment	Response
land in the Fulford area, particularly within and on the edges of the Village	proposed for consideration may address this problem.

Process comments

Community Member Comment	Response
1. A number of business owners did not receive the invitation to the meetings, or the back ground material	• Apology was offered to Mr. Quesnel for error in the database; • Follow up conversation with head office regarding process for updating the database. Error has been corrected through annual updating from BC Assessment Office; • Only one other business owner has come forward with concerns, and that issue was traced to BC Assessment's database.
2. Lack of sufficient notice for neighbours of owners of Industrial lands. Local Government Act (LGA) Section 466 (formerly Section 892) requires notifications about meetings	• Notice of proposed changes and a public hearing will precede any change to the bylaw. Notice can be given in a number of ways including media in accordance with provincial legislation and Islands Trust policy. • Section 466 is specifically about notifications for public hearings, which occur between first and third readings of a bylaw. • The current meetings were held prior to the submission of any bylaws for the LTC's consideration. Therefore these provisions do not apply to this process. • The Trustees made a commitment to ensure that all industrial property owners will be properly notified about any upcoming meetings, even if it isn't required by the LGA.
3. That the process was a "done deal" and the community consultation is a farce.	• The issues related to industrial zoning have been under study by the Islands Trust since 2008, and have involved extensive public and stakeholder consultations. • Background to the current draft bylaw proposals explained at the meetings; • There will be opportunities for further input as these bylaws are proposed to the LTC and go through the review process. • Please pass on concerns and comments

Community Member Comment	Response
	to the Trust office
4. Accusations of "jack-potting" certain property owners and discriminating against others	• Process is not intended to create winners or losers in the zoning process • A number of the rezoning applications (4) are for community facilities related to waste management, which was an issue of concern to the IAPC. • Only 3 lots are proposed to be rezoned from Rural (R) to General Employment 1 (GE1) in the Merchant Mews area. These are already designated in the OCP for such uses. • All other rezoning is transferring existing C6 and industrial zoning into the new General Employment zoning framework. • All industrial land owners benefit from the increases in permitted uses.
5. DPA2 loopholes. Don't need a permit with an engineer's report…also discussion about avoiding landscape screens…	• Incorrect…no "loophole" exists. Engineer's reports are part of the DPA process, not an exemption from it. • DPA is for form and character, stormwater management, and agricultural impacts. Form and character applies only to new and visible developments or those of certain size (ex: >15 parking spaces, >280m^2 new impervious surfaces, >185m^2 in gross floor area). • Bylaw 355 Section 3.4.2 requires a vegetation screen in a buffer area when industrial and commercial uses are not contained within a building… A number of options for improving compliance with the requirement, including more proactive enforcement.
6. Zoning and land represents stored wealth. Don't mess with it.	• Intention is to ensure that no uses are lost.
7. Extended period of time between community consultations on this project, starting with the ITF report, followed by the IAPC report, etc., negates a sense of ongoing community consultation	• This is a challenge. The history of the project, with all preceding reports, is available on the Islands Trust website for public review. The history was also reviewed briefly in the community meeting materials. • There were people in the audience who had participated in the earlier phases, and wanted to see how the project was

Community Member Comment	Response
	evolving.
8. Meetings should have been better advertised and timed for the evenings.	• Turnout for meetings was reasonably high. • The meeting in the evening was the least well attended.

Other comments

These comments are part of the larger discussion about encouraging business and economic development on Salt Spring Island, but not specific to zoning or supportive Official Community Plan policies.

Community Member Comment	Response
1. How important is it to have correct zoning from a tax rate perspective?	• Zoning is a contributing factor in determining assessed values, which in turn affect tax rates. See excerpt from BC Assessment's website for explanation. *BC Assessment determines the current assessment roll property assessments reflecting their physical condition and permitted use as of **October 31**, using a valuation date of **July 1**, in the year immediately prior to the annual assessment roll.* *In determining assessed value, an appraiser considers a wide variety of factors such as size, age, shape, quality, condition and location of properties. Services in the area (location, views, neighbourhood) and supply and demand may also influence property value. Changes such as new construction or inventory, **permitted use (e.g. zoning),** property class, occupation, eligibility for an exemption or in the taxing jurisdiction boundary will be reflected on the assessment roll. (Emphasis added)* *Source: https://www.bcassessment.ca/About-Us/how-bc-assessment-works*
2. Lack of enforcement of zoning is the "elephant in the room"	• Provisions regarding compliance with the bylaw and violations processes are set out in section 2 of the bylaw • Enforcement is expensive and typically complaint-driven; landowners are encouraged to comply before penalties are imposed and expensive court proceedings undertaken. • Is there public appetite for more proactive enforcement and associated cost? • Consistent "flaunting the rules" will invariably reflect negatively on the community and individual business

Community Member Comment	Response
	involved
3. Lowering of business (commercial and industrial) taxes to be comparable to residential taxes the only way to encourage home-based businesses to get proper zoning	• For 2015, in the Gulf Islands, general residential mil rate is 0.57, whereas for light industry or general business it is 2.92. For major industry it is 5.5. Source: http://www2.gov.bc.ca/gov/content/taxes/property-taxes/annual-property-tax/understand/tax-notice/tax-rates . • The setting of tax rates is outside of the mandate of the Islands Trust.

Responses to Community Feedback

It is important to note that in all three areas proposed for possible nodal development of "General Employment" zoning, community members expressed concerns or fears about additional development in these areas. In the Fulford area, the concern was to keep the uses small and maintain the rural atmosphere; In the Rainbow Road area, the concern was to protect the agricultural uses; and in the Upper Ganges area, the concern was to protect the quiet residential neighbourhood character of the area.

Given that local governments rely on private enterprise to give life to any plans that are made, these responses confirm the approach of waiting until specific properties with specific proposed uses are proposed for rezoning, at which time, knowing the community's concerns, the proponent can tailor the development to addressing the needs, whether it is a traffic study, construction to be in character with the local area, vegetation screening, etc.

The process of rezoning is considerably simplified and shortened if an Official Community Plan amendment is not also required. By providing a policy within the Official Community Plan, which directs the Local Trust Committee to consider rezoning applications for General Employment uses within certain neighbourhoods, each application can be considered on its merits and the neighbourhoods have the opportunity to be notified about any proposals.

In total, as part of this process, over 5 acres of land is proposed to be zoned for General Employment uses. The zoning framework has been simplified by reducing the number of zones from 11 to 6, and the draft zones are more flexible in terms of permitted uses. All C6 and industrially zoned property owners have had the chance to comment directly on the proposals, either in public meetings or via phone or email.

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 488

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 434, 2008

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 Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2016".

Salt Spring Island Local Trust Committee Bylaw No. 434, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008," Schedule "A" is amended as shown on Schedules No. 1, 2, 3 and 4 attached to and forming part of this bylaw

READ A FIRST TIME THIS _____ DAY OF _____ 20____

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____

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT THIS

_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair **Secretary**

DRAFT

DRAFT

SS-BL-488

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 488

SCHEDULE NO. 1

1. Schedule "A", Volume 1 is amended as follows:

1.1 Table of Contents is amended by deleting the words "B3 NON-VILLAGE COMMERCIAL AND INDUSTRIAL LAND USE OBJECTIVES AND POLICIES" in their entirety and replacing them with the words"B.3 NON-VILLAGE COMMERCIAL AND GENERAL EMPLOYMENT LAND USE OBJECTIVES AND POLICIES".

1.2 Section **A.7.2 – POLICIES**, Subsection 7.2.2 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.3 Section **B.2.2 – Affordable, rental and special needs housing**, Article B.2.2.2.12 is amended by deleting two instances of the word "Industrial" and replacing them with the words "General Employment".

1.4 Section **B.2.4. – Residential Neighbourhoods Designation,** Article B.2.4.2.2 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.5 Section **B.2.4. – Residential Neighbourhoods Designation**, Article B.2.4.2.4 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.6 Section **B.2.5 – Rural Neighbourhoods Designation**, Article B.2.5.2.2 is amended by deleting two instances of the word "industrial" and replacing them with the words "general employment".

1.7 Section **B.2.5 – Rural Neighbourhoods Designation**, Article B.2.5.2.4 is amended by deleting the word "industrial" and replacing it with the words "general employment zoned".

1.8 Section **B.2.6 – Channel Ridge Residential Designation**, Article B.2.6.2.3 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.9 Part **B.3 – NON-VILLAGE COMMERCIAL AND INDUSTRIAL LAND USE OBJECTIVES AND POLICIES**, heading is amended by deleting the word "Industrial" and replacing it with the words "General Employment".

1.10 Section **B.3.3 – Industrial and Commercial Services**, heading is amended by deleting the word "Industrial" and replacing it with the words "General Employment".

1.11 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.1.1 deleted in its entirety and replaced with the following:

"B.3.3.1.1 To provide an adequate amount of land zoned for general employment use that is affordable, appropriately serviced and well located to accommodate local economic development."

1.12 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.1.2 is amended by deleting two instances of the words "light industrial" and replacing them with the words "general employment".

1.13 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.1.3 is amended by deleting the word "industries" and replacing it with the words "general employment uses".

1.14 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.1.5 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.15 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.1 is deleted in its entirety and replaced with the following:

"B.3.3.2.1 The areas designated for General Employment and Commercial Services are shown on Map 1. Specific general employment uses will also continue to be allowed in the General Employment and Commercial zones that currently exist in other Designations."

1.16 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.2 is deleted in its entirety and replaced with the following:

"B.3.3.2.2 Zones within the General Employment and Commercial Services Designation will continue to allow a variety of general employment and commercial uses."

1.17 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.4 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.18 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.5 is deleted in its entirety.

1.19 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.6 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.20 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.8 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.21 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.9 is amended by deleting the words "non-industrial" and replacing it with the words "non-general employment" and by deleting the words "Commercial or Industrial".

1.22 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.10 is deleted in its entirety and replaced with the following:

"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. Removal of up to 2 hectares from the Agricultural Land Reserve for this purpose could be supported, consistent with policy B.6 RESOURCE LAND USE OBJECTIVES AND POLICIES, Article B.6.2.2.15. In reviewing such applications, the Committee should consider whether:

a. the site has limited agricultural potential;
b. existing general employment and commercial services lands have been developed to about 80 per cent of their practical development potential;
c. the rezoning application applies to land that is next to or across a road from existing general employment land;
d. the proposed development would be well buffered from adjacent non-general employment land, and;
e. there are adequate water supplies and a satisfactory means of sewage disposal.

Background Note: No application to rezone land within the Agricultural Land Reserve will proceed without the support of the Agricultural Land Commission."

1.23 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.11 is amended by deleting two instances of the word "industrial" and replacing them with the words "general employment".

1.24 Section **B.3.3 – Industrial and Commercial Services**, Article B.3.3.2.12 is amended by deleting the words "light industrial" and replacing them with the words "general employment".

1.25 Section **B.5.1 – General Village Land Use Objectives and Policies**, Article B.5.1.2.5 Clauses (c) and (g) are amended by deleting the word "industrial" and replacing it with the words "general employment".

1.26 Section **B.5.1 – General Village Land Use Objectives**, Article B.5.1.2.6 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.27 Section **B.5.1 – General Village Land Use Objectives**, Article B.5.1.2.9 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.28 Section **B.5.1 – General Village Land Use Objectives**, Article B.5.1.2.12 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.29 Section **B.5.2 – Ganges Village Designation**, Article B.5.2.2.2 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.30 Section **B5.3 – Fulford Village Designation**, Article B.5.3.2.2 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.31 Section **B.6.2 – Agriculture Land Uses**, Article B.6.2.2.4 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.32 Section **B.6.2 – Agriculture Land Uses**, Article B.6.2.2.19 is amended by deleting two instances of the word “industrial” and replacing them with the words “general employment”.

1.33 Section **B.6.2 – Agriculture Land Uses**, Article B.6.2.2.20 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.34 Section **B.6.3 – Forestry and Watershed-Forestry Land Use Designations**, Article B.6.3.2.2 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.35 Section **B.7.1 – Park and Recreation Designation**, Article B.7.1.2.5 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.36 Section **B.8.2 – Uplands Designation**, Article B.8.2.2.3 is amended by deleting two instances of the word “industrial” and replacing them with the words “general employment”.

1.37 Section **B.9.1 – General Shoreline Use**, Article B.9.1.1.3 is amended by deleting the word “industry” and replacing it with the words “general employment”.

1.38 Section **B.9.1 – General Shoreline Use**, Sub-section **B.9.1.2 POLICIES** is amended by adding Article B.9.1.2.3 as follows:

“B.9.1.2.3 The Local Trust Committee may consider shoreline rezoning applications adjacent to marine dependent general employment zoning which may make upland uses economically viable without detriment to the shoreline/riparian habitat.”

1.39 Section **B.9.4 – Shoreline Development Designation**, Article B.9.4.1.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.40 Section **B.9.4 – Shoreline Development Designation**, Article B.9.4.2.2 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.41 Section **B.9.4 – Shoreline Development Designation**, Article B.9.4.2.3 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

1.42 Section **C.2.2 – Land Transportation**, Article C.2.2.2.8 is amended by deleting the last two sentences and adding the following text:

"Zoning amendments which would increase the areas of commercial or general employment development next to the route should be avoided. An exception could be light industrial or other general employment development near the intersection of Rainbow and Atkins roads."

1.43 Section **C.2.2 – Land Transportation**, Article C.2.2.2.11 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.44 Section **C2.3 – Automobile and Bicycle Parking**, Article C.2.3.2.4 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.45 Section **C2.3 – Automobile and Bicycle Parking**, Article C.2.3.2.6 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.46 Section **C3.2 – Community Water Systems**, Article C.3.2.2.6 is amended by deleting the word "industrial" and replacing it with the words "general employment".

1.47 **Section D.9 – DEFINITIONS** is amended by adding a new definition as follows:

1.48 "**general employment** – use that primarily consists of making or preparing artifacts for sale. This can include small-scale processing or manufacture (for example, map-making, blacksmithing or jam-making), medium-scale businesses (for example, cold storage for agricultural produce or boat-building), or large-format businesses (for example, automobile sales, contractor supply businesses, cement plant). This does not include heavy industry."

1.49 Volume 1 is further amended by making such consequential numbering alterations to effect all changes in this bylaw.

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 488

SCHEDULE NO. 2

2. Schedule "A", Volume 2 is amended as follows:

2.1 **A NOTE TO READERS** page, third paragraph, second line is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.2 **TABLE OF CONTENTS – PART E DEVELOPMENT PERMIT AREAS** is amended by deleting the words "E.2 DEVELOPMENT PERMIT AREA 2 – NON-VILLAGE COMMERCIAL AND INDUSTRIAL" in their entirety and replacing them with the words "E.2 DEVELOPMENT PERMIT AREA 2 – NON-VILLAGE COMMERCIAL AND GENERAL EMPLOYMENT".

2.2 **TABLE OF CONTENTS – PART G TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION** is amended by deleting the words "PART G TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION" in their entirety and replacing them with the words "PART G TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION"; and by deleting the words "G.1.1 Areas where Temporary Commercial or Industrial Use Permits can be issued" in their entirety and replacing them with the words "G.1.1 Areas where Temporary Use Permits can be issued."; and by deleting the words "G.1.2 Objectives for issuing Temporary Commercial and Industrial Use Permits" in their entirety and replacing them with the words "G.1.2 Objectives for issuing Temporary Use Permits."

2.3 **LIST OF MAPS** page is amended by deleting in its entirety "Map 19 – Development Permit Area 2 – Non-village Commercial and Industrial" and replacing it with "Map 19 – Development Permit Area 2 – Non-village Commercial and General Employment".

2.4 **PART E – DEVELOPMENT PERMIT AREAS** page - **IMPORTANT** is amended by deleting two instances of the word "INDUSTRIAL" and replacing it with the words "GENERAL EMPLOYMENT".

2.5 Section **E.1.1 – Description of Permit Area and Exemptions**, Subsection E.1.1.2 is amended by deleting the words "industrial" and replacing them with the words "general employment" in articles (a), (c) and (e).

2.6 Section **E.1.1 – Description of Permit Area and Exemptions**, Subsection E.1.4.1 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.7 Section **E.1.1 – Description of Permit Area and Exemptions**, Subsection E.1.4.2 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.8 Section **E.1.1 – Description of Permit Area and Exemptions**, Subsection E.1.4.4 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.9 Section **E.1.7 – Guidelines for Landscaping and Parking Surfaces**, Subsection E.1.7.5 is amended by deleting the word “industrial” and replacing it with the words “general employment.”

2.10 Section **E.1.8 – Guidelines for Lighting**, Subsection E.1.8.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.11 Section **E.1.8 – Guidelines for Lighting**, Subsection E.1.8.2 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.12 Section **E.1.10 – Guidelines regarding Stormwater Drainage and Water Pollution**, Subsection E.1.10.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.13 Part **E.2 - DEVELOPMENT PERMIT AREA 2 NON-VILLAGE COMMERCIAL AND INDUSTRIAL**, heading is amended by deleting the word “INDUSTRIAL” and replacing it with the word “GENERAL EMPLOYMENT”.

2.14 Section **E.2.1 - Description of Permit Area and Exemptions**, Subsection E.2.1.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.15 Section **E.2.1 - Description of Permit Area and Exemptions**, Subsection E.2.1.2 is amended by deleting the word “industrial” and replacing it with the words “general employment” in clauses (a), (d) and (f).

2.16 Section **E.2.1 - Description of Permit Area and Exemptions**, Subsection E.2.1.2 is amended by adding a new clause (i) as follows:

“(i) development of a commercial composting facility subject to the Capital Regional District Composting Facilities Regulation Bylaw.”

2.17 Section **E.2.2 - Reasons for this Development Permit Area** is amended by deleting three instances of the word “industrial” and replacing them with the words “general employment”.

2.18 Section **E.2.3 – Objectives of this Development Permit Area**, Subsection E.2.3.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.19 Section **E.2.4 – Guidelines for General Site Design, Building Location and Access**, Subsection E.2.4.2 is amended by deleting two instances of the word “industrial” and replacing them with the words “general employment”.

2.20 Section **E.2.4 – Guidelines for General Site Design, Building Location and Access**, Subsection E.2.4.4 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.21 Section **E.2.4 – Guidelines for General Site Design, Building Location and Access**, Subsection E.2.4.5, is amended by adding the words “edge planning” before the words “guidelines developed by”.

2.22 Section **E.2.5 - Guidelines for Offstreet Parking, Location and Design**, Subsection E.2.5.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.23 Section **E.2.7 – Guidelines for Building Exteriors**, Subsection E.2.7.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.24 Section **E.2.8 – Guidelines for Landscaping and Parking Lot Surfaces**, Subsection E.2.8.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.25 Section **E.2.8 – Guidelines for Landscaping and Parking Lot Surfaces**, Subsection E.2.8.2 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.26 Section **E.2.8 – Guidelines for Landscaping and Parking Lot Surfaces**, Subsection E.2.8.7 is deleted in its entirety, and replaced as follows:

“E.2.8.7 Where the property being subdivided or developed adjoins *agricultural land*, a vegetated buffer is to be planted or retained. The buffer should be 8 metres wide, with a minimum recommended height at plant maturity of 6 metres, and should be consistent with the Landscaped Buffer Specifications (ALC, 1993) developed by the Agricultural Land Commission, and the Guide to Edge Planning (2015), developed by the BC Ministry of Agriculture. The buffer area should be protected from disturbance by a covenant.”

2.27 Section **E.2.8 – Guidelines for Landscaping and Parking Lot Surfaces** is amended by adding a new Subsection E.2.8.8 as follows:

“E.2.8.8 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.”

2.28 Section **E.2.11 – Guidelines for Subdivision**, Subsection E.2.11.2 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.29 Section **E.2.12 – Guidelines regarding Stormwater Drainage and Water Pollution**, Subsection E.2.12.1 is amended by deleting the word “industrial” and replacing it with the words “general employment”.

2.30 **PART E.2 – DEVELOPMENT PERMIT AREA 2 – NON-VILLAGE COMMERCIAL AND INDUSTRIAL** is amended by adding a new Section E.2.13 as follows:

"E.2.13 Guidelines regarding Buffering for Commercial Composting Facilities

"E.2.13.1 New commercial composting facilities, subject to the Capital Regional District Composting Facilities Regulation Bylaw, should be buffered from neighbouring uses in a manner consistent with the Compost Facility Requirements Guideline: How to Comply with Part 5 of the Organic Matter Recycling Regulation (Ministry of Water, Land and Air Protection, 2004)

2.31 **PART E.2 – DEVELOPMENT PERMIT AREA 2 – NON-VILLAGE COMMERCIAL AND INDUSTRIAL**, *Information Sources for Development Permit Area 2* is amended by adding the following:

"B.C. Ministry of Water, Land and Air Protection, 2004
Compost Facility Requirements Guideline: How to Comply with Part 5 of the Organic Matter Recycling Regulation
B.C. Ministry of Agriculture, Strengthening Farming Program, 2015
Guide to Edge Planning: Promoting Compatibility Along Agriculture-Urban Edges."

2.32 Section **E.3.1 - Description of Permit Area and Exemptions**, Subsection E.3.1.1 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.33 Section **E.3.1 Description of Permit Area and Exemptions**, Subsection E.3.1.2, clauses (k) and (l) are amended by deleting the words "industrial" and replacing them with the words "general employment".

2.34 Section **E.3.2 – Reasons for this Development Permit Area**, is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.35 Section **E.3.3 – Objectives of this Development Permit Area**, Subsection E.3.3.5 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.36 Section **E.3.4 – Guidelines for Development**, Subsection E.3.4.30 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.37 Section **E.3.4 – Guidelines for Development**, Subsection E.3.4.32 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.38 Section **E.3.4 – Guidelines for Development**, Subsection E.3.4.33 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.39 Section **E.7.4 – Applicability**, Subsection E.7.4.1 is amended by deleting the word "industrial" and replacing it with the words "general employment".

2.40 **PART G – TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION**, heading is amended by deleting the words “Commercial and Industrial”.

2.41 Section **G.1.1, - Areas where Temporary Commercial or Industrial Use Permits can be issued**, heading and first paragraph are amended by deleting two instances of the words “Commercial and Industrial”.

2.42 Section **G.1.1 – Areas where Temporary Commercial or Industrial Use Permits can be issued,** is amended by deleting from the list of Designations the words “Industrial and Commercial Services Designation” and by adding a new “General Employment and Commercial Services Designation”.

2.43 Section **G.1.2 – Objectives for Issuing Temporary Commercial and Industrial Use Permits**, heading and first paragraph are amended by deleting two instances of the words “Commercial and Industrial”.

2.44 Section **G.1.2 – Objectives for Issuing Temporary Commercial and Industrial Use Permits**, Subsection G.1.2.3 is amended by deleting the words “for industrial or commercial uses”.

2.45 Section **G.1.3 – Permit Guidelines**, first paragraph is amended by deleting the words “Commercial and Industrial”.

2.46 Section **G.1.3 – Permit Guidelines**, Subsection G.1.3.3 is amended by deleting the words “commercial and industrial”.

2.47 **PART H APPENDICES** - **H.1 – APPENDIX 1 - DEFINITIONS** is amended by adding the following new definition:

“general employment – Uses that primarily consist of making or preparing artifacts for sale. These can include small-scale processing or manufacture (for example, map-making, blacksmithing or jam-making), medium-scale businesses (for example, cold storage for agricultural produce or boat-building), or large-format businesses (for example, automobile sales, contractor supply businesses, cement plant) and does not include heavy industry.”

2.48 Section **H.5.1 – Land Use Designations where Park Land could be Acquired**, Subsection H.5.1.1 is amended by deleting from the list of Land Use Designations the words “Industrial and Commercial Services” and replacing them with the words “General Employment and Commercial Services”.

2.49 Volume 2 is further amended by making such consequential numbering alterations to effect all changes in this bylaw.

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 488

SCHEDULE NO. 3

3. Schedule “A”, Volume 1 is further amended as follows:

3.1 Map 1 - Plan Area with Land and Shoreline Use Designations is deleted in its entirety, and replaced by Schedule “A” – Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Map 1 – Plan Area with Land and Shoreline Use Designation dated _____, attached to and forming part of this bylaw.

3.2 Map 7 & Map 8 - Existing Waste Management Facilities and the Ganges Sewered Area is deleted in its entirety, and replaced with Schedule “A” – Maps 7 & 8 – Salt Spring Island Official Community Plan Bylaw No. 434, 2008 Map 7 & Map 8 – Existing Waste Management Facilities & Ganges Sewered Area dated _____, attached to and forming part of this bylaw.

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 488

SCHEDULE NO. 4

4. Schedule “A”, Volume 2 is further amended as follows:

4.1 MAP 19 - DEVELOPMENT PERMIT AREA 2 - NON-VILLAGE COMMERCIAL AND INDUSTRIAL is amended as follows**:**

4.1.1 by changing the title to read “Development Permit Area 2 – Non-Village Commercial and General Employment”.

4.1.2 by removing the property designated as Lot 1, Section 77, South Salt Spring Island, Cowichan District, Plan 22493 (PID: 003-247-414, 210 Stewart Road) from Development Permit Area 2, as shown on Plan No. 1 attached to and forming part of this bylaw.

4.1.3 by adding a portion of the property Lot 2, Section 2, Range 3 East, North Salt Spring Island, Cowichan District, Plan 2580, Except Part in Plan 17428 (PID: 006-301-924, 166 Rainbow Road) to Development Permit Area 2, as shown on Plan No. 2 attached to and forming part of this bylaw.

4.1.4 by adding a portion of the property Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Except Parts in Plans 3542, 5827, 10515, 16240 and 20357, and Except that Part Lying Between Lots 6 and 7, Plan 5827, and to the North of a Straight Boundary Extending from the South East Corner of said Lot 7 of said Plan to the South West Corner of Lot 6 of said Plan (PID: 007-511-914; 114 Jackson Avenue) to Development Permit Area 2, as shown on Plan No. 3 attached to and forming part of this bylaw.

SALT SPRING ISLAND
OFFICIAL COMMUNITY PLAN
Bylaw # 488
Draft
MAP 1 - Plan Area with Land and Shoreline Use Designation

N

A	AGRICULTURE
CRR	CHANNEL RIDGE RESIDENTIAL
CVC	CHANNEL RIDGE VILLAGE CORE
CVO	CHANNEL RIDGE VILLAGE (OUTER)
E	EDUCATIONAL
ER	ECOLOGICAL RESERVE
F	FORESTRY
FV	FULFORD HARBOUR VILLAGE
GVC	GANGES VILLAGE - CORE
GVU	GANGES VILLAGE - UPPER
HS	HEALTH SERVICES
GE	GENERAL EMPLOYMENT AND COMMERCIAL SERVICES
PR	PARK AND RECREATION
RL	RURAL NEIGHBOURHOODS
RN	RESIDENTIAL NEIGHBOURHOODS
U	UPLANDS
WA	WATERSHED - AGRICULTURE
WF	WATERSHED - FORESTRY
WIR	WATERSHED & ISLET RESIDENTIAL

Shoreline Use Designation

SA	SHORELINE AQUACULTURE
SC	SHORELINE CONSERVATION
SD	SHORELINE DEVELOPMENT
SR	SHORELINE RECREATIONAL
MR	MARINE LAKE
MO	MARINE OTHER

Electoral Area F Boundary

SEE GANGES INSET

Lands within Village Containment Boundaries

GANGES INSET
Scale 1:10,000

SALT SPRING INSET
SCALE 1:150,000

Electoral Area F Boundary

Galiano I.

Salt Spring Island

Vancouver Island

The data shown on this map is a hardcopy representation of digital records stored and maintained in a Geographic Information System (GIS) at the Islands Trust Office.

Islands Trust

1: 20,000

0 125 250 500 750 1,000 Metres

SALT SPRING ISLAND

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN

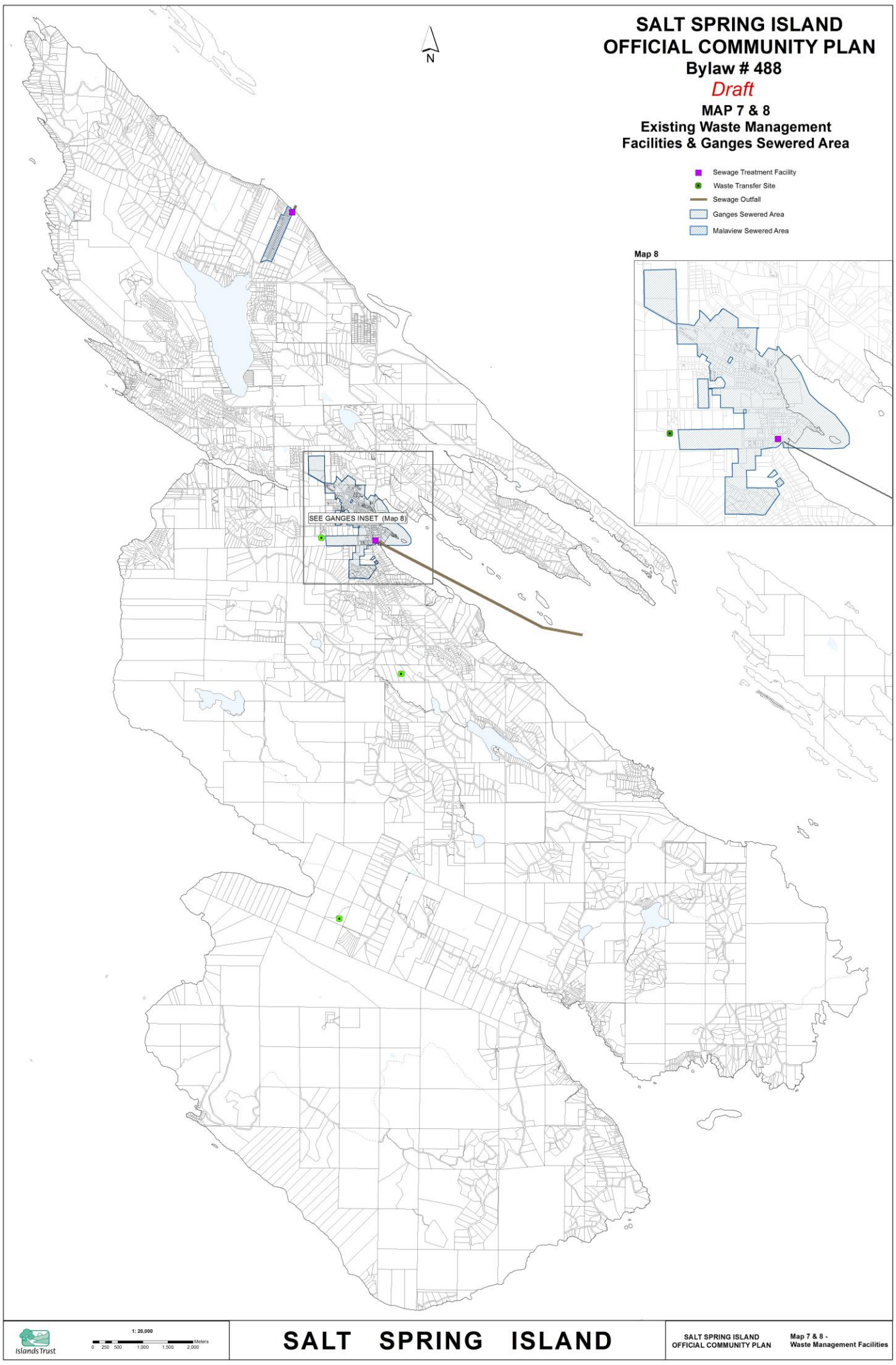
Map 1 - Plan Area with Land and Shoreline Designation

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN

Bylaw # 488

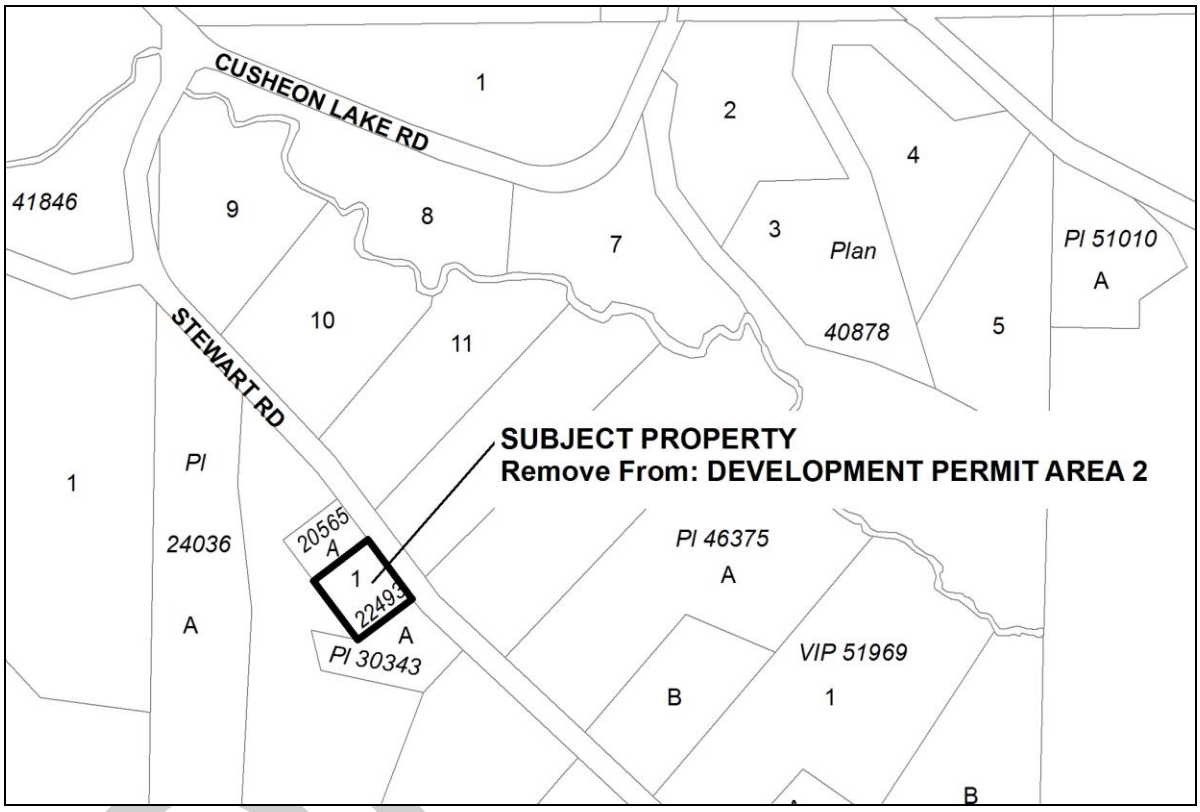
Draft

MAP 7 & 8
Existing Waste Management Facilities & Ganges Sewered Area



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 488

PLAN NO. 1



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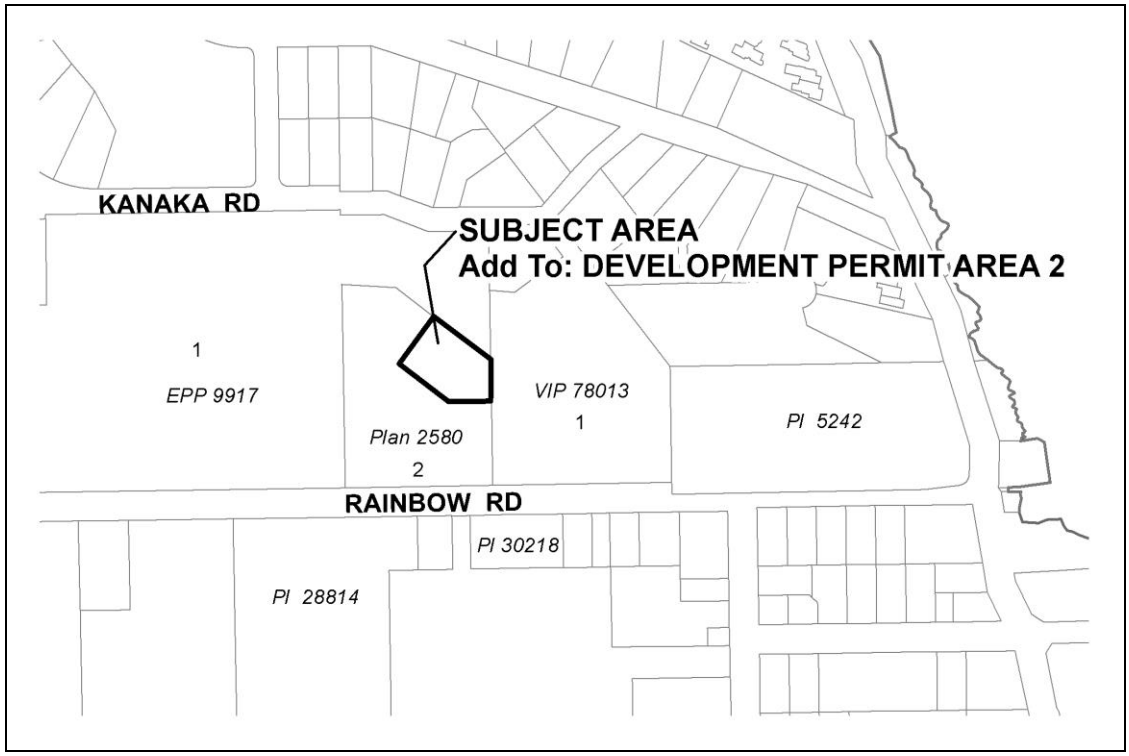
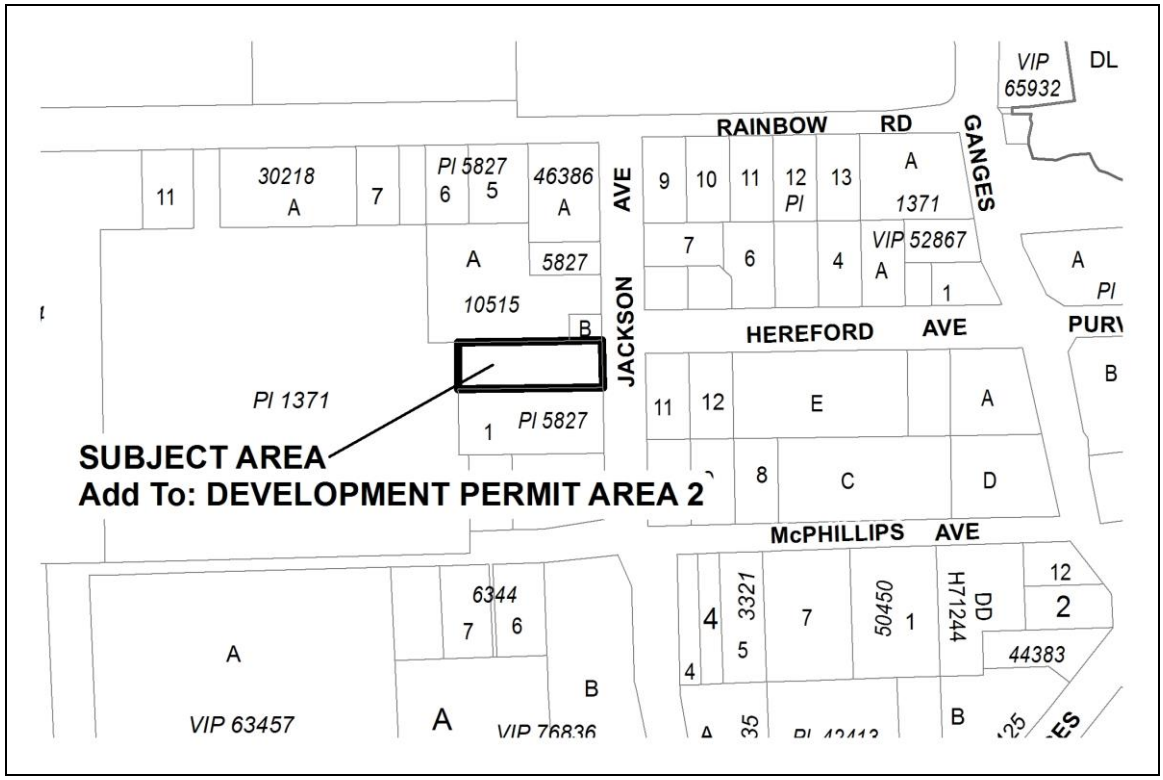
BYLAW NO. 488

PLAN NO. 2



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 488

PLAN NO. 3



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Printed Wed, May 4, 2016

Map 1 CRD Interests

Plan 1

Intramap 2.0

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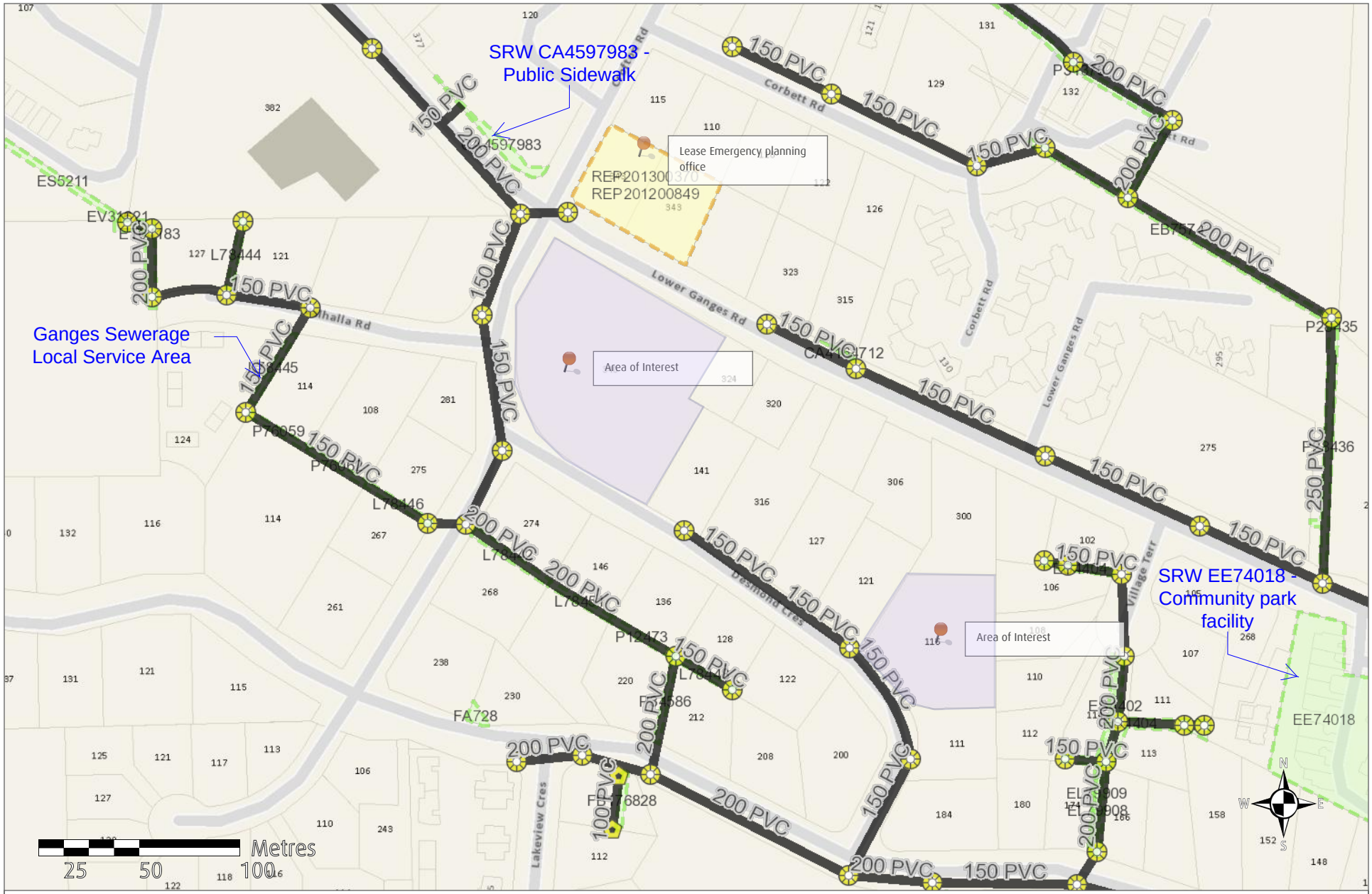

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Plan 2 CRD Interests -

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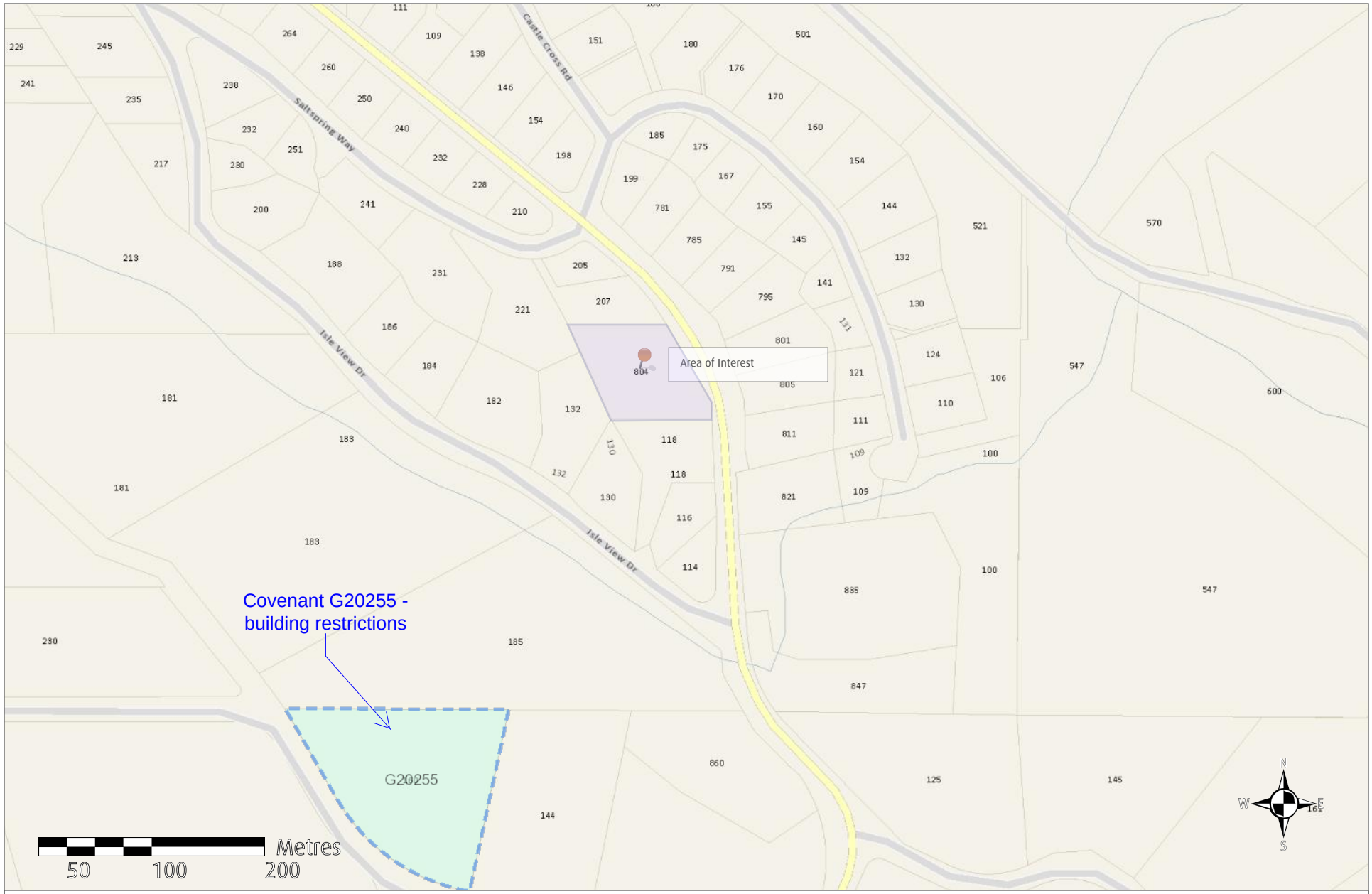

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Map 3 CRD Interests PLAN 3

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Map 4 CRD Interests

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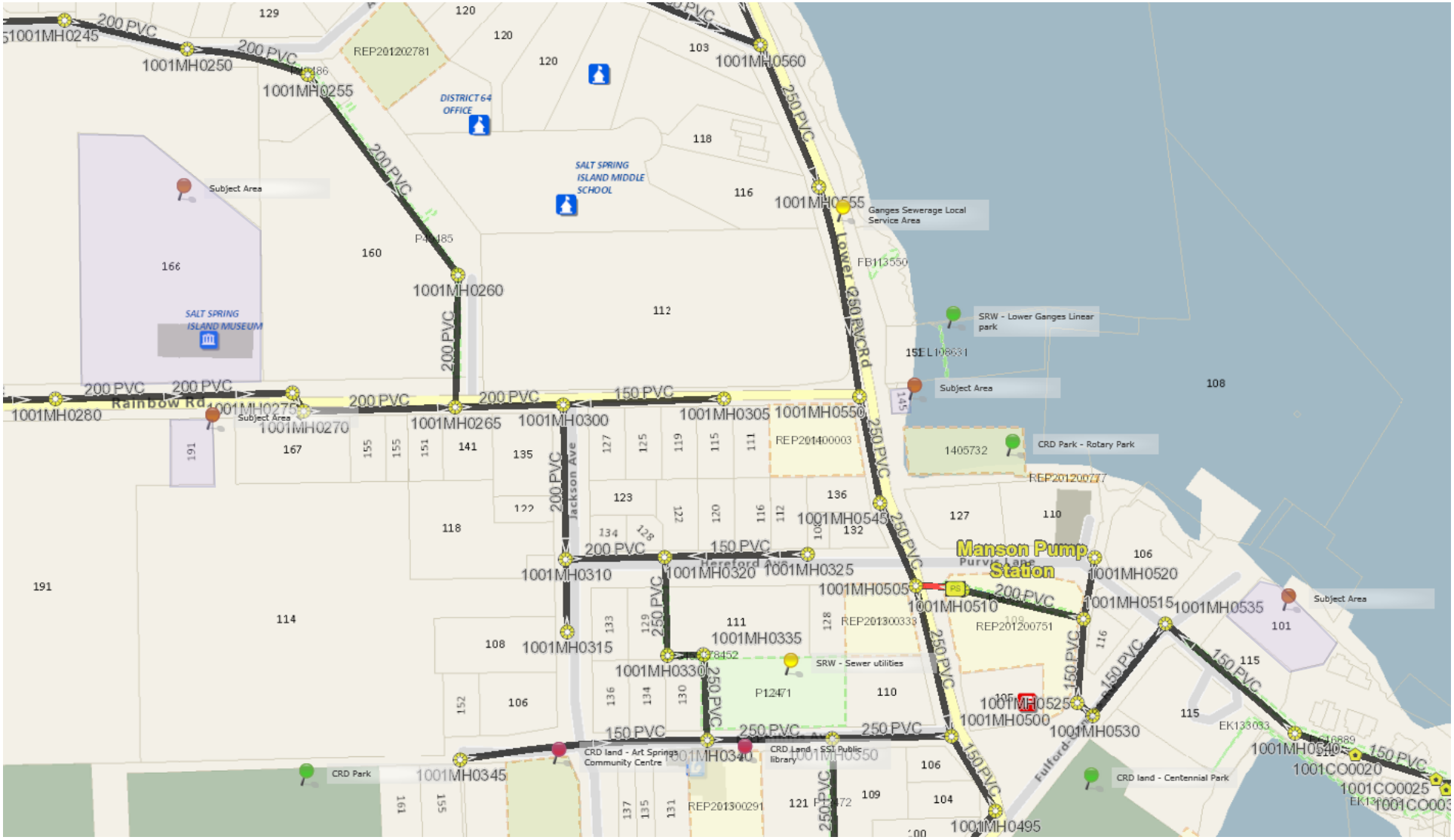

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Map 5 CRD Interests

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Map 6 CRD Interests

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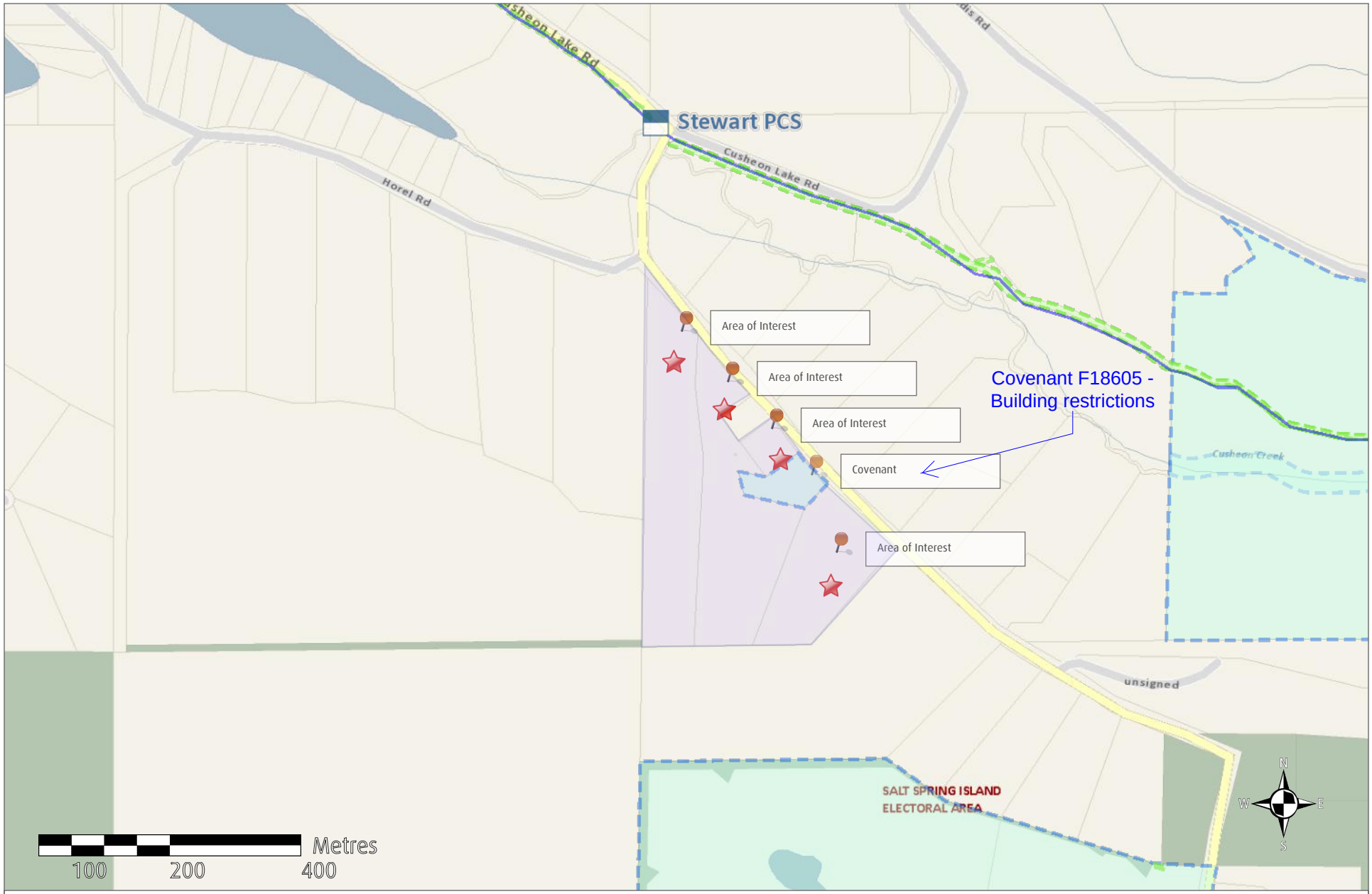

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Map 7 CRD Interests

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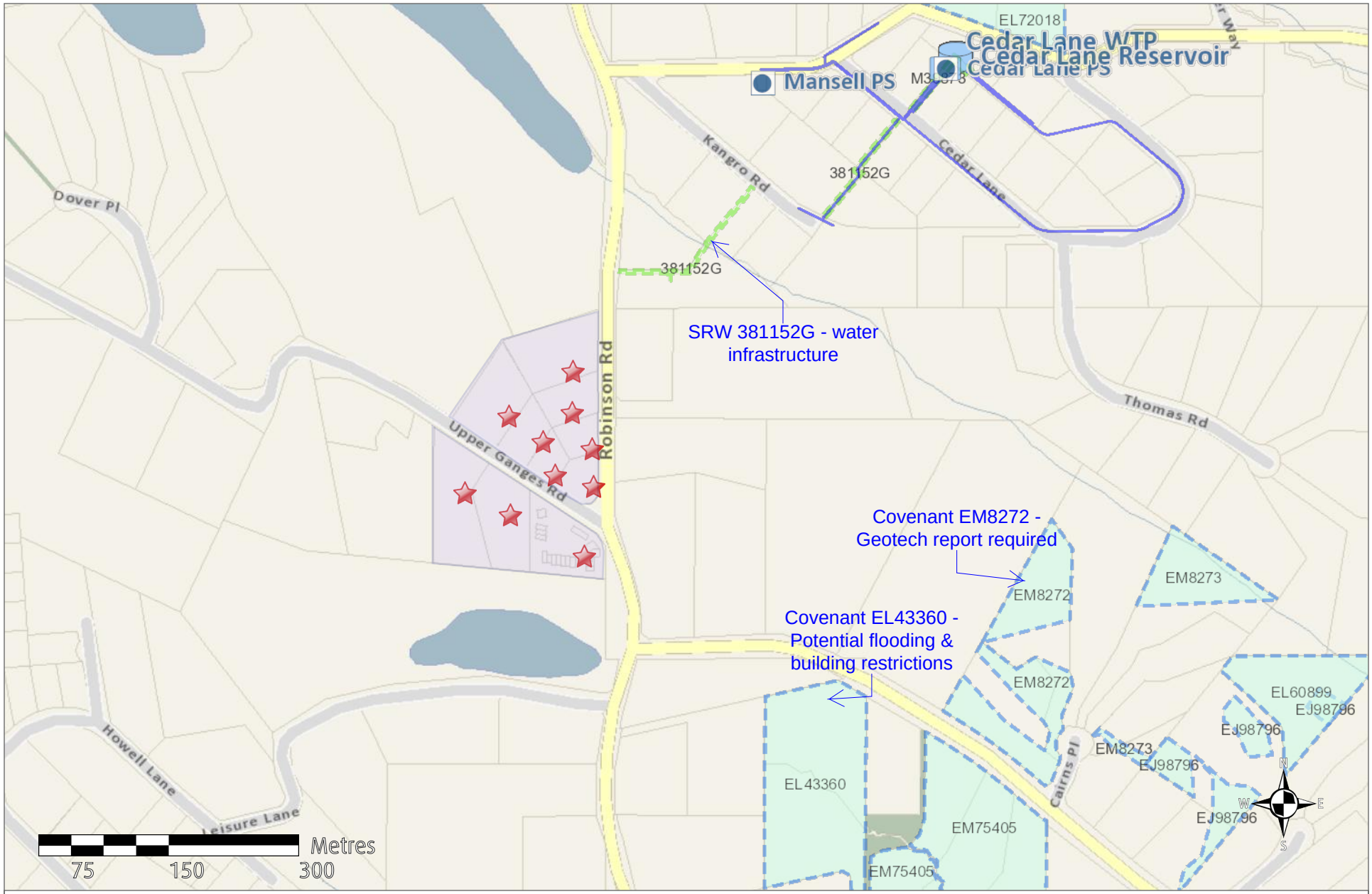

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MAP 8 CRD INTERESTS

CLEAR

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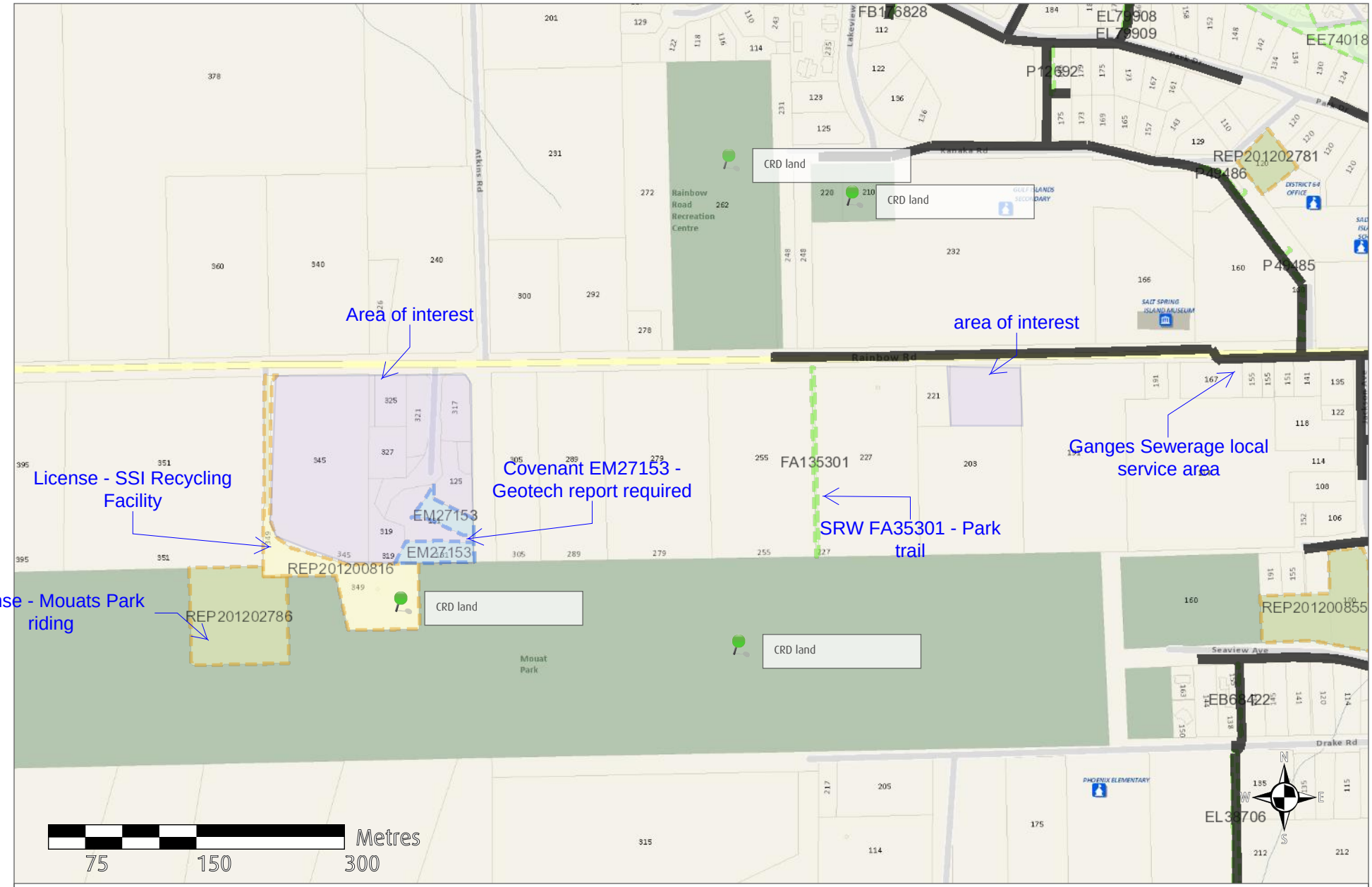

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Map 9 CRD Interest

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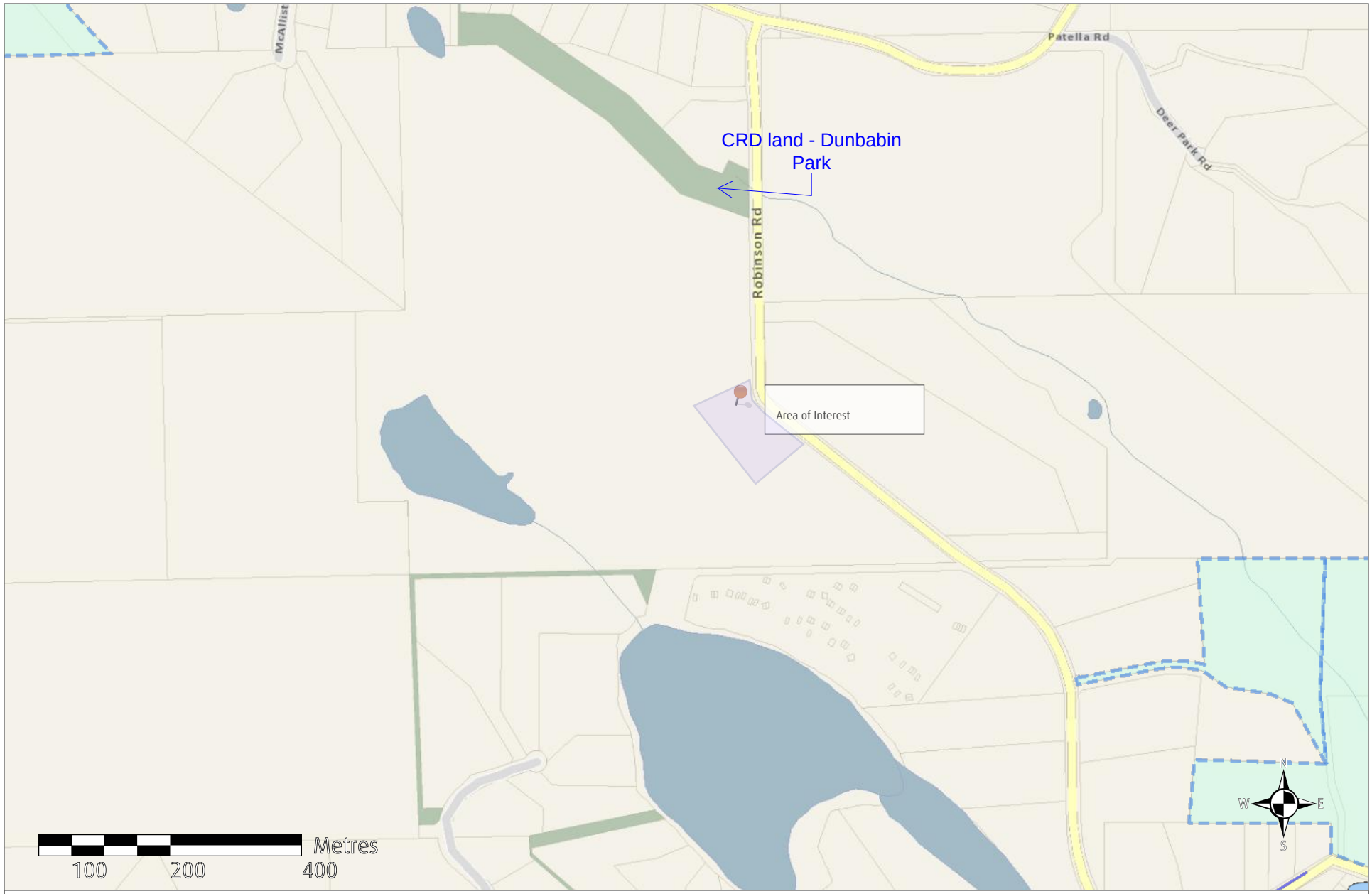

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Map 10 CRD Interest

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CRD
Making a difference...together

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Map 11 CRD Interests

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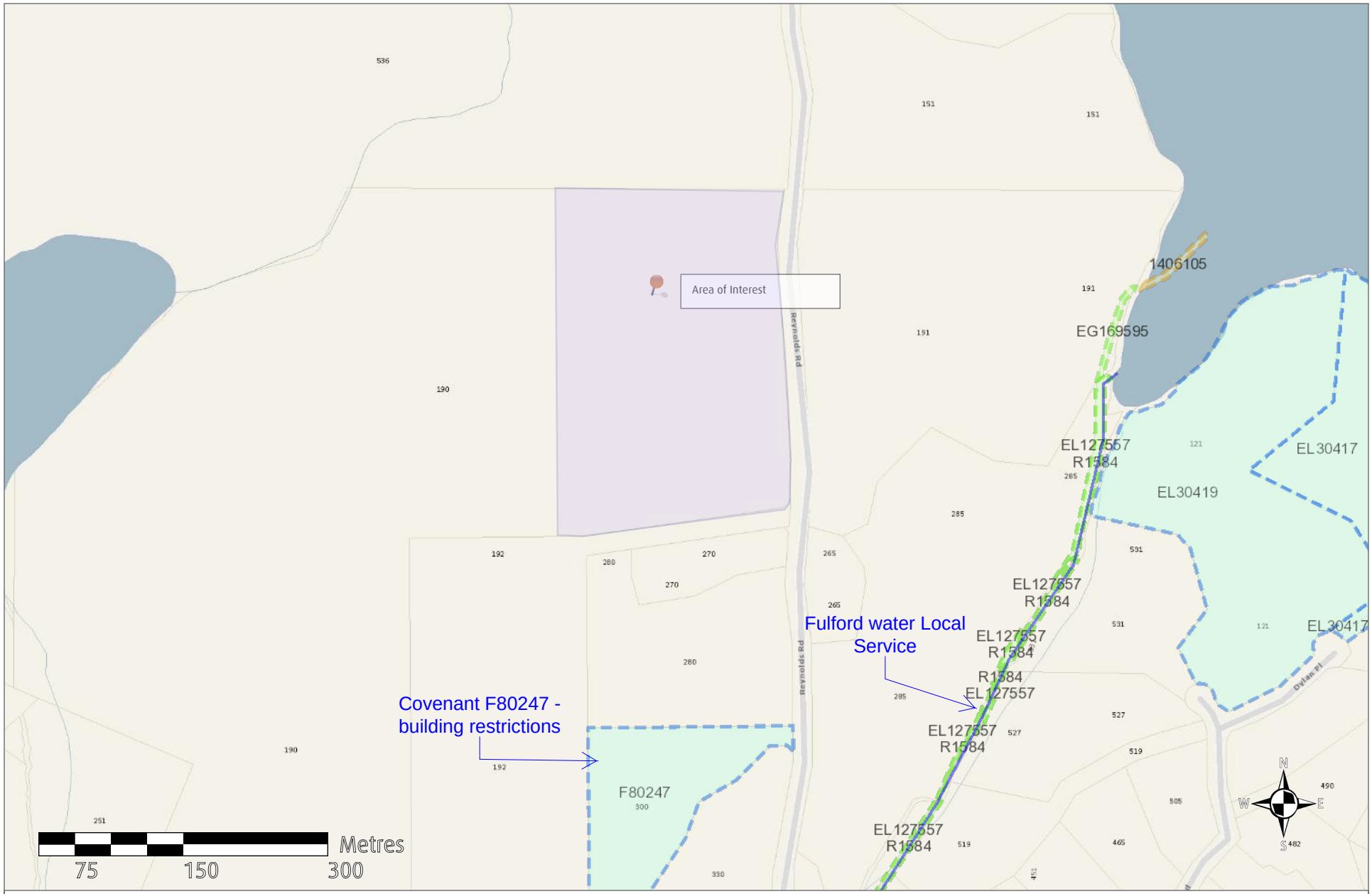

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Map 12 CRD Interests

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Map 13 CRD Interests

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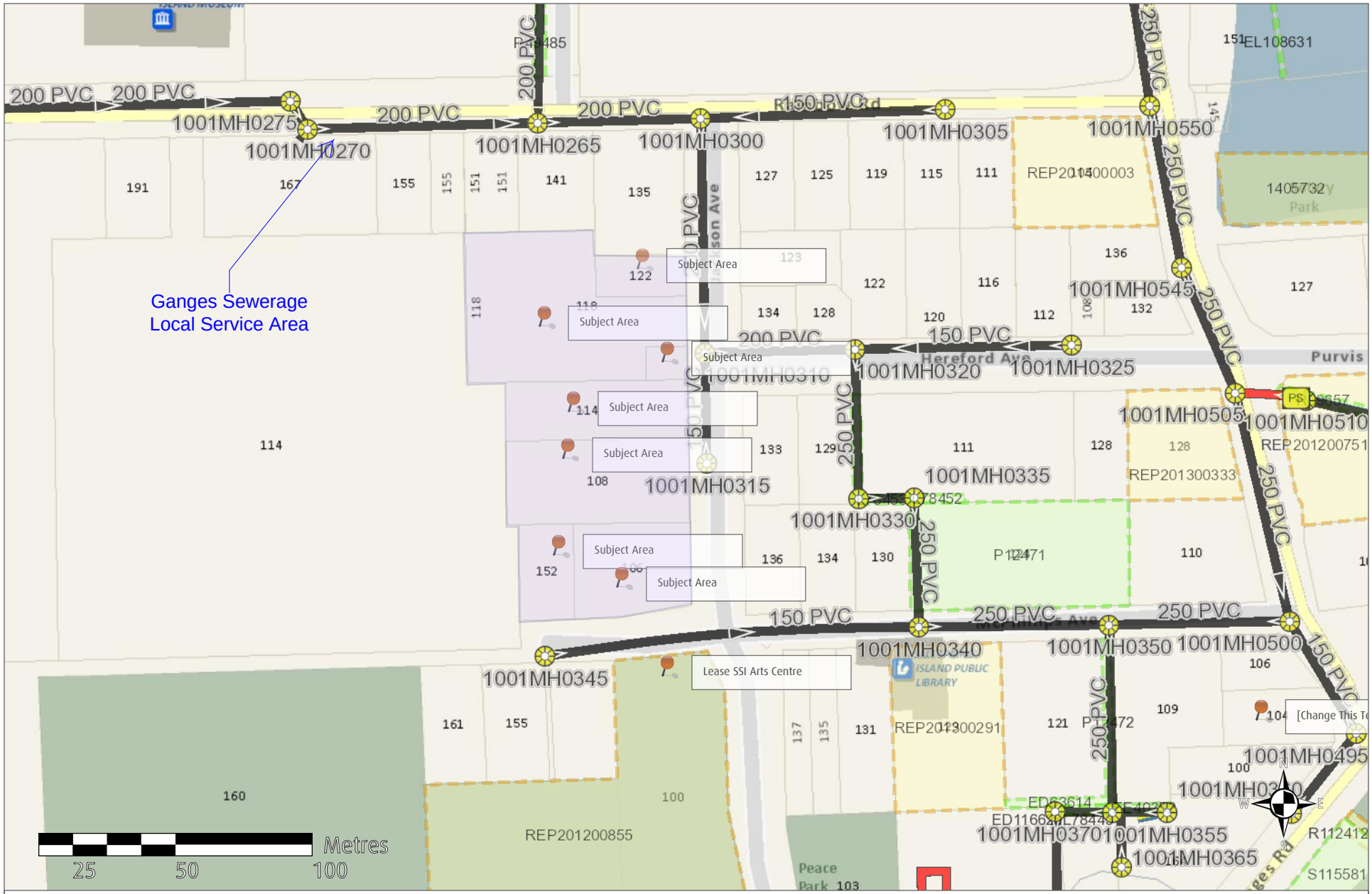

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Map 14 CRD Interests

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PRELIMINARY BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 489 **Date:** May 3, 2016

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

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

PURPOSE OF BYLAW:

This Bylaw amends Salt Spring Island Land Use Bylaw No. 355 by replacing Section 9.7 with a new "General Employment" zoning structure which reworks the existing industrial land use framework by adding permitted uses, amending site coverage, setback regulations as well as zone variations. In addition, a total of 54 properties are potentially rezoned by this draft bylaw; however, some of the properties are currently zoned for industrial uses.

GENERAL LOCATION:

Salt Spring Island, Electoral Area F

LEGAL DESCRIPTION:

Salt Spring Island, Electoral Area F

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

Bylaw No. 434

OTHER INFORMATION:

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Chloe Fox

Title: Planning Consultant

This referral has been sent to the following agencies:

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Regional Agencies

CRD – All Referrals
CRD - K. Campbell
- CRD – SSI Economic Development Commission
- CRD – SSI Parks and Recreation
- CRD – SSI Senior Manager
- CRD – SSI Transportation Commission
- CRD – Ganges Water & Sewer Commission

CRD – SSI Director
CRD – SSI Building Inspection
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – SSI Liquid Waste Disposal Local Service Commission
CRD- SGI Small Craft Harbours Commission
Vancouver Island Health Authority
CRD - Beddis Water Service Commission
CRD – Highland Water & Sewer Local Services Commission
CRD - Fernwood Water Local Services Commission
CRD – Fulford Water Service Commission

PLEASE TURN OVER →

Provincial Agencies
Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Community, Sport & Cultural Development
Ministry of Energy and Mines
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC
Ministry of Jobs, Tourism & Skills

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District
Islands Trust Fund

Non-Agency Referrals
North Salt Spring Waterworks District
SSI Chamber of Commerce
SSI Fire Protection District
SS Farmer's Institute
SSI Farmland Trust
SSI Abbatoir Society
SSI Agricultural Alliance
Cusheon Lake Stewardship Committee
SSI Water Council Society
SSI Water Preservation Society
Reginal Hill Waterworks District

First Nations
Te'Mexw Treaty Association
Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut First Nation
Semiahmoo First Nation

PRELIMINARY REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	489
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

STAFF REPORT

March 3, 2016 **File No.:** 6500-20

To: Salt Spring Island Local Trust Committee
For the March 10, 2016 meeting

From: Beverly Suderman and Chris Hall, Consultants, IPS Island Planning Services

Re: Industrial Zoning: Update on Work Program, Community Consultation and Draft Bylaw

INTERIM REPORT

This report is intended to provide the Local Trust Committee (LTC) with options for moving forward on the implementation of the recommendations of the Industrial Advisory Planning Commission with regard to a General Employment zoning framework to replace the existing Industrial and C6 zoning.

BACKGROUND:

IPS Island Planning Services (IPS) has been retained to continue the work set out in the Industrial Rezoning Project Charter (May 2013). Essentially the IPS scope of work is to consult with neighbourhoods and community, begin First Nations consultations, and draft the necessary bylaws that would give force to the IAPC's priority recommendations for the LTC's consideration.

The current report outlines the results of the initial neighbourhood and community consultations, provides a summary of First Nations' concerns heard to date, and presents draft bylaws for consideration by the LTC.

POLICY CONTEXT

The Salt Spring Island vision, as documented in Section A.3 of the Official Community Plan, is stated, in part, as follows:

> *We understand that social and economic development must be in harmony with our mandate. We accept that there are limits to growth, limits to resources, and limits to the ability of our environment to absorb continued development. We recognize human impacts and understand that healthy societies depend on healthy ecosystems, and we will work to minimize our impacts and restore the land. Our need to protect the land must also ensure its agricultural future, not only because agriculture is a traditional way of island life, but also because in a changing world it is imperative that we enhance the security of our supply of food.*
>
> *We also look to secure the future of our community, to ensure that it remains rural and resident-centred, with economic opportunities to support a broad range of*

people. We appreciate the extraordinary artistic and creative talents among our residents. And we hope that the children who grow up here will not only find it a place to remember but will always be proud to call it home.

This excerpted statement provides an eloquent context for the challenges facing the Local Trust Committee as it works to update the Land Use Bylaw to create an environment that fulfills this vision: a strategy that protects the environment and is resident-centred, while providing economic opportunities for a broad range of people who live on Salt Spring Island.

Islands Trust Policy Statement

The Islands Trust Policy Statement commits the Trust Council to ensuring "that economic opportunities should be compatible with the conservation of resources and protection of community character" (Section 5.7.1). The supporting policy directs that "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" (Section 5.7.2).

Trust Council Strategic Plan

The 2014-2018 Trust Council Strategic Plan contains the following policies and objectives relevant to this project:

Strategic Plan Element	Comments
Objective 5: Enhance (protect/restore) community character, socio-economic diversity and economic sustainability. Strategy 5.2: Use land use planning tools to promote economic sustainability Activity L.5.2.2, scheduled for FY 2015/2016, is to amend LUB to ensure an appropriate supply of land zoned for emerging industrial and/or commercial needs in the Salt Spring Island LTA	Activity L.5.2.2 is in process.

A BRIEF OVERVIEW OF THE PROPOSED CHANGES

In total, three bylaws are submitted for consideration (Appendix 3):

1. Bylaw 488 – Modifications to the Salt Spring Island Official Community Plan;
2. Bylaw 489 – Modifications to the Salt Spring Island Land Use Bylaw related to the implementation of a General Employment zoning framework; and
3. Bylaw 490 – Modifications to the Salt Spring Island Land Use Bylaw related specifically to the rezoning of a number of waste management properties on Salt Spring Island.

Proposed Bylaw 488: Modifications to the SSI Official Community Plan (OCP)

Although the focus of the Industrial Zoning project is on amending the Land Use Bylaw, several of the changes and recommendations require an amendment to the Official Community Plan as well:

- Providing a definition of "general employment" as a basis for the zoning changes in the Land Use Bylaw. The proposed definition for general employment is as a

  > "use that primarily consists of making or preparing artifacts for sale. This can include small-scale processing or manufacture (for example, map-making,

blacksmithing or jam-making), medium-scale businesses (for example, cold storage for agricultural produce or boat-building), or large-format businesses (for example, automobile sales, contractor supply businesses, cement plant). This does not include heavy industry."

- Providing a policy context for the LTC to entertain rezoning applications in certain areas of Salt Spring Island:
    - Modifications to policy B.3.3.2.10 – This policy permits the LTC to consider rezoning applications for industrial uses in the Rainbow and Atkins roads area. The revised policy adds the areas at the junction of Long Harbour and Upper Ganges Roads and near the junction of Fulford-Ganges and Beaver Point Roads for consideration.
    - Associated modifications to land use designations as shown on OCP Map 1 – Plan Area and Shoreline Designations, and to Maps 7 & 8 – Waste Management Facilities.

- Adding or modifying development permit guidelines to address new uses introduced in the Land Use Bylaw.

To harmonize the language between the OCP and the LUB, the language of the OCP has been changed throughout the document from "industrial" to "general employment"; to ensure that the document remains grammatically correct, associated changes in the language have also been made.

Other substantive changes include:

- Deletion of policy B.3.3.2.5 – This policy called for an inventory of existing industrially zoned land and facilities, together with an assessment of projected demand, which has been accomplished.

- Development Permit Area 2 – Non-Village Commercial and Industrial (DPA2) guidelines for the protection of agriculture have been modified to bring them into alignment with the latest guidance from the Ministry of Agriculture. The existing buffer width of 3 m has been extended to 8 m, when a property line borders agricultural lands. Building setbacks to be at least 15 m from the property line when the subject property adjoins agricultural lands.

- DPA2 guidelines for commercial composting facilities added.

Proposed Bylaw 489: Modifications to the SSI Land Use Bylaw (LUB)

The most obvious change is to the language from "industrial" to "general employment" with any associated changes to ensure the document remains grammatically correct.

The most substantial change is a rewriting of Section 9.7 – Industrial in the bylaw, with a complete reworking of the permitted uses, and a review of the site coverage and setback regulations, as well as the zone variations.

Four key principles were applied in revising this section of the bylaw:

1. That there would be no loss of uses in the transition from "industrial" and C6 to "general employment" zoning;
2. That the intensity of use on a site would be reflected in the site coverage and setback regulations. Consequently, uses close to villages would have higher lot coverage (to fit

compatibly within commercial areas), while larger uses with potentially more land use conflicts would be on larger lots with larger setbacks away from the village areas;
3. That there would be increased flexibility of uses within the zones. Therefore, all uses permitted in GE1 are also permitted in GE2, (along with other additional uses in GE2). All uses permitted in GE2 are permitted in GE3, (with additional uses). NOTE: GE4 has been maintained as a marine-dependent uses only zone.
4. That the overall framework would be simplified, and the number of zones would be reduced.

The current LUB contains provisions for five basic industrial zones (including C6), and six zone variations, for a total of 11 zones. The proposed bylaw contains provisions for four basic general employment zones and two zone variations, for a total of 6 zones. With the rezoning of the liquid waste transfer station, it is possible to eliminate the A1(c) zone variation as well.

Table 1 outlines the zone equivalencies. In certain cases, a property was assigned either a GE1 or a GE2 zoning. That was dependent in part on the size of the property, and its ability to withstand a larger range of uses, based in part on its location.

Table 1: Zone equivalency chart, proposed Bylaw 489

Existing	Proposed	Notes
C6	GE1	
C6(a)	GE1(a)	Merchant Mews
In1	GE1 or GE2	
In1(a)	GE1	Murakami
In1(b)	GE2	Farmland Trust
In1(c)	GE2(a)	Slegg on Beddis
In2	GE1 or GE2	
In2(a)	GE3	Car wrecking
In3	GE2	
In4	GE3	
In4(a)	GE4	Marine dependent uses

New permitted uses that have been added to the General Employment zones include:

- Agriculture, farm buildings and structures – These were permitted in certain zone variations, so this use was extended to all general employment zoned properties;
- Car wash – to recognize existing uses;
- Commercial composting facility – There have been inquiries recently, so this is a use that may be required soon;
- Contractor's shop – to replace "Offices for use by building construction professionals and trades" and clarify the meaning;
- Creative industry – at the recommendation of the IAPC;
- Food processing, including off-farm storage and processing – to reflect current uses in some areas, and to address demand;
- Offices – at the request of business/property owners, in alignment with IAPC recommendations;
- Residential uses above other principal permitted uses – in alignment with OCP policy B.2.2.2.12, and at the request of business/property owners.

In terms of lot coverages and setbacks, the following changes are proposed:

- GE3 only – increase in rear and interior side setbacks from 6 m to 7.5 m to better buffer non-general employment lands;
- For properties moving from C6 to GE1, a slight reduction in required setbacks, from 6.1 m to 6 m;
- GE1 permissible lot coverage of 75%; GE2 permissible lot coverage of 50%; and GE3 permissible lot coverage of 33% -- current lot coverage in industrial zones is either 33% or 75%.
- GE4 only – increase in rear lot line setback to 10 m, to correspond with setbacks from the water regulations elsewhere in the bylaw.
- For commercial composting uses, the proposed setbacks are 30 m from the property lines, in accordance with guidance provided by the Ministry of Environment in response to the Organic Matter Recycling Regulation.

In terms of subdivision potential, it is proposed that in cases where GE zoned properties are connected to a "community sewage collection system," the minimum lot size can be as low as 0.2 ha. This change is supported by OCP policy B.3.3.2.8.

Other substantive changes include:

- Definition of farm-related light industry has been modified to increase the list of permitted uses by adding "storage" of farm products.
- New definitions added:
    - Abattoir (from proposed bylaw no. 483, which is currently awaiting adoption);
    - Commercial composting;
    - Contractor's shop;
    - Creative industry;
    - Vehicle dismantling (to replace Auto Wrecking – this change was in process through the "housekeeping" bylaw in development).
- Abattoir uses are moved from a zone variation into a more generally permitted use in the GE2 and GE3 zones.
- The addition of commercial composting regulations.
- Deleting references to the C5 zone (a housekeeping item) and C6 zone. All C6 zoned properties become GE1 zoned, in the new framework.
- Changing the zoning on the Merchant Mews from C6(a) to GE1(a). The zone variation is being kept due to the water restrictions within it. A few uses are being added: food processing, creative industry.
- Changes to the zoning map to reflect General Employment zoning.

Proposed Bylaw 490: Modifications to the SSI Land Use Bylaw (LUB)

A second bylaw to amend the LUB is proposed to specifically address zoning for four waste management facilities on Salt Spring Island. Three of these are owned by the Capital Regional District:

- Liquid waste transfer station, on Burgoyne Bay Rd
- Ganges sewer, on Seaview Ave, and
- Recycling on Rainbow Road.

The fourth property is on Blackburn Road, and is privately owned and operated under license to the CRD.

Please also note that the existing CF2 zoning for the recycling facility on Rainbow Road is spread over two properties, both of which are owned by the CRD, one of which is Mouat Park.

Should this facility need to be expanded, the current zoning framework would allow the park to be split into two pieces. The proposed reorientation of the existing zoning would allow the recycling facility to expand (should it be necessary) and allow the park to maintain continuity from east to west. Figure 1 illustrates the adjustment.

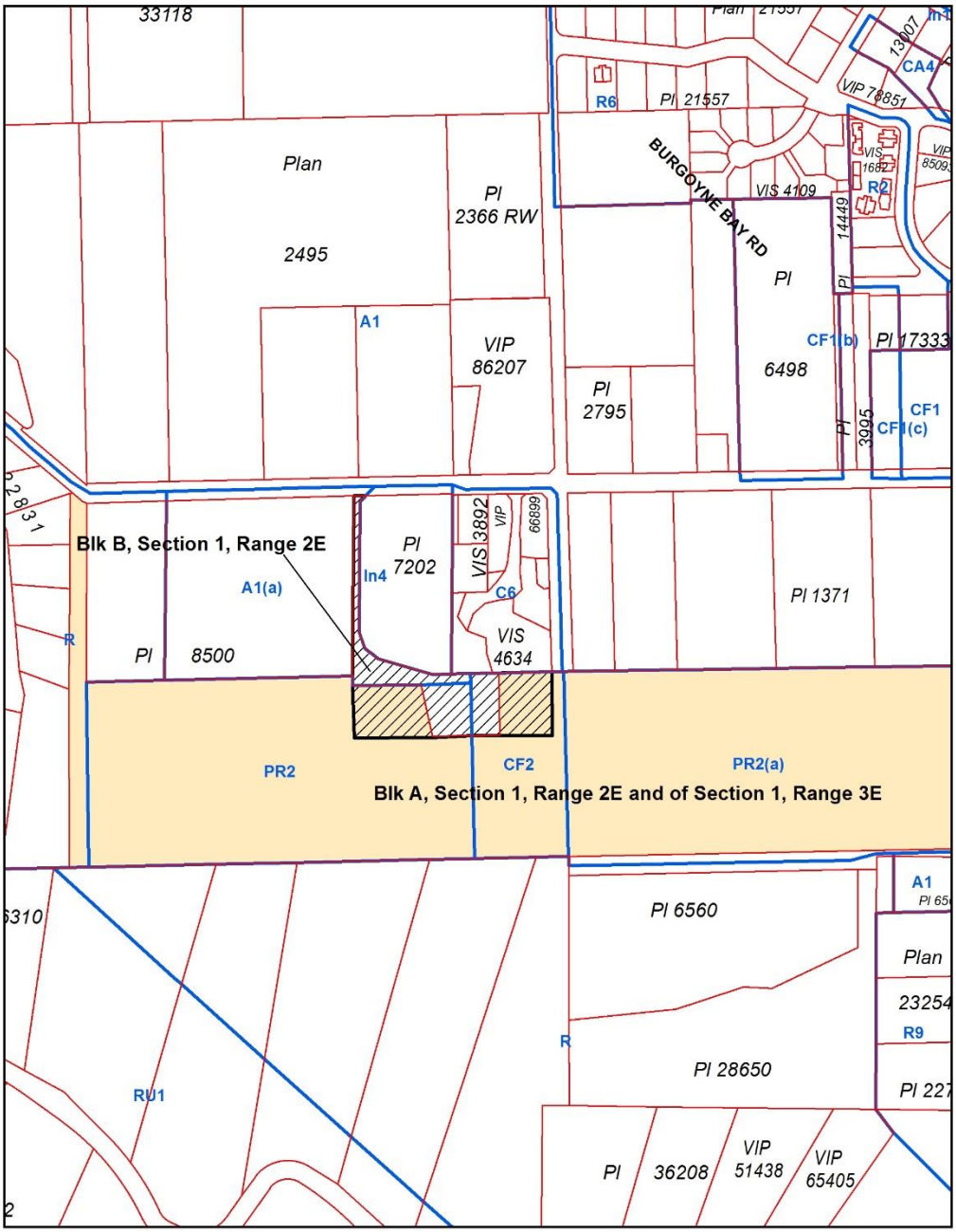


Figure 1 Current CF2 zoning (shown with blue lines) & proposed zoning (shown with cross-hatching)

ISSUES and OPTIONS

Issue: Concern that not enough land is being rezoned for general employment purposes

The Salt Spring Island Industrial Needs Assessment report (2013, p. 4) estimated that for the period from 2011-2016, the demand would be 0.67 acres per year or 3.35 acres of industrially zoned land for the five-year period. As part of this process, 3 properties along Robinson Road in the vicinity of Merchant Mews are proposed for rezoning from Rural (R) to GE1, for a total land area of 2.86 acres. (These properties are already designated for industrial and commercial services uses in the OCP.)

While this addition to appropriately zoned lands may relieve some demand pressure, it is not adequate to meet overall need, particularly since it is already 2016, and it can be anticipated that the Island is entering into the next five-year period of demand.

Option: Designate and rezone the west side of Jackson Road for general employment purposes

There are a number of underutilized parcels on the west side of Jackson Road, which abut the ALR on the west (rear) side, and abut Ganges Village within walking distance of the core on the east side. All of these properties, with the exception of the access driveway to the agricultural parcel behind, are located within DPA1 (Island Villages). The total area of these properties is approximately 2 acres.

With careful design, these properties could add needed vitality to the area, and meet some of the demands for parking or other needs of the Village core. Such an initiative could also provide a test case to determine how the GE zoning works in proximity to a village area. Agricultural buffering, in the form of vegetative screening and a 15 m rear yard setback, would be required to protect the lands behind.

Figure 2 Jackson Road area for GE designation

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to add the Jackson Road properties to draft bylaws 488 and 489, and to contact the property owners to inform them about the proposed change.

Issue: Addition of retail uses at waste management facilities

A potential buyer is contemplating purchasing the Blackburn Road property, in which case, they would like to add a "ReStore" concept to it. This would require a modification to the provisions of the Community Facility 2 (CF2) zoning, by adding retail sales and retail services accessory to the waste transfer station.

However, it is unclear whether this change should be made at this time, because (as far as is known) an offer to purchase the Blackburn Road property has not been made. If the change is made in the absence of assurances about the proposed uses, it could result in uncertainty as to how the change would be applied. Therefore, the LTC may wish to hold off on including this aspect of proposed Bylaw 490.

Options:

1. Direct staff to add retail sales and retail services as an accessory use in the CF2 zone.
   OR
2. Maintain status quo until such time as a rezoning application comes forward.

Issue: ALR designation on lands that are also desirable for general employment uses, and may not be as productive as agricultural lands outside of the ALR

On Salt Spring Island, there are 2,920 hectares in the Agricultural Land Reserve (ALR), which is approximately 15% of the land area. A total of 3,011 hectares is currently being farmed with 56% within the ALR and 44% outside the ALR. There are an additional 884 hectares of ALR land which are available for agriculture but currently not farmed.[1]

The IAPC recommended three possible areas to zone more land for general employment purposes:

1. In the area of the intersection of Rainbow and Atkins roads, which already has a small cluster of industrial uses and is supported by OCP policy B.3.3.2.10.
2. In the area of the intersection of Long Harbour and Upper Ganges roads, which also has a small cluster of industrial uses. This area would be incorporated into OCP policy B.3.3.2.10, in draft bylaw 488.
3. An area near Fulford. The original recommendation was to encourage industrial zoning in the area of the gravel pit on Musgrave Road. It is now proposed in an area closer to the Fulford Village, near the junction of Fulford-Ganges and Beaver Point roads. This area would also be added to OCP policy B.3.3.2.10 in draft bylaw 488.

These lands, while desirable for general employment uses due to proximity to population centres, access roads, and flat topography, also have areas in the Agricultural Land Reserve. Appendix 1 to this report contains maps showing the overlap.

Although the Islands Trust and community may desire that these lands be used for general employment purposes, there will be challenges in obtaining the necessary approval from the Agricultural Land Commission. This tends to result in frustration for all parties, and expense for rezoning applicants.

A third issue is that the community, as a whole, has expressed a strong desire to see industrial and general employment uses developed in the Rainbow/Atkins Road area, although individual property owners in the area may feel differently.

[1] BC Ministry of Agriculture, Agricultural Land Use Inventory report (2007), based on 2006 survey data.

Part of the solution, outside of the scope of this project, is for the Islands Trust to pursue a strategy with the Agricultural Land Commission to redraw the boundaries of the ALR for Salt Spring Island, such that agriculturally productive lands are incorporated into the ALR, while those which are less desirable are excluded. The outcome would ideally be no net loss of agricultural lands. The Trustees are currently pursuing this strategy.

Another part of the solution is to enhance the existing regulatory framework to better buffer agricultural uses when considering rezoning applications for general employment zoning in these areas. Sometimes general employment uses are on lands that are part of the ALR. Generally these uses predate the existence of the ALR, and so are permitted to continue. At other times, general employment uses are on lands that are adjacent to ALR or other agricultural lands. It is particularly in these latter cases that greater regulation may be most beneficial.

Options:

1. Undertaking an agricultural edge planning exercise, to ensure that protection measures are in place along the ALR boundaries

On Salt Spring Island there is a significant amount of interface between agriculture and other land uses. Diverse agricultural activities can result in concerns from non-farming neighbours about dust, odour, or noise. Farmers can also experience impacts from non-farm neighbours, including trespass, litter, crop theft and flooding. Agricultural operations are more vulnerable where they are adjacent to non-agricultural uses.

BC's Strengthening Farming Program, though the edge planning process, has been focused on enhancing land use compatibility and ensuring the security of agriculture at the interface, i.e. the "edge." The Ministry has developed the "Guide to Edge Planning" to assist local governments in exploring the available planning tools.

- Advantages:
    - Comprehensive process for addressing interface issues between non-agricultural and agricultural land uses along the border areas;
    - Can result in a tailor-made solution to issues on Salt Spring Island;
    - May be useful in supporting discussions with the ALC about re-aligning the ALR boundary.
- Disadvantages:
    - Expensive, in terms of resources, including time.

2. Upgrading of regulatory requirements without an edge planning exercise

The Islands Trust can undertake a review of existing Land Use Bylaw provisions and Development Permit guidelines, specific to the issue of better protection of agriculture on the Island generally, and in proximity to general employment uses specifically. Without pre-judging the results of this study, it may suggest changes to setbacks from agricultural lands, buffering and vegetative screening of agricultural lands, and more tightly control the list of activities which are exempted from the requirement for development permits, particularly in Development Permit Area 2. Such a review would require community input, and involvement of the agricultural and business communities.

- Advantages:
    - May result in better outcomes for agricultural areas adjacent to general employment or commercial areas, without being as time consuming or expensive as edge planning
    - More likely to be able to be completed "in-house" by Islands Trust staff

- Disadvantages:
    - May require significant time and resources.

3. Continue with the status quo

- Advantages:
    - No direct costs
- Disadvantages:
    - Conflict will continue.

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding agricultural protection and report back with a recommendation.

Issue: Some industrial property owners are not good neighbours

During the community consultations, a theme emerged about threats to the Island's tourism economy and aesthetic through unsightly business premises.

1. Greater enforcement of existing LUB provisions, like vegetative screening, and conditions of development permits

Enforcement is expensive and, therefore, typically complaint-driven. On the other hand, consistent "flaunting the rules" reflects negatively on the community and the individual business involved, and may hurt other businesses or industries, including tourism and agriculture. Even when enforcement actions are undertaken, the first step is always to encourage landowners to comply before penalties are imposed and expensive court proceedings undertaken.

- Advantages:
    - Can address some community irritation related to unsightly premises;
    - Can reduce threats to other industries, such as tourism and agriculture.
- Disadvantages:
    - In many cases, baseline data is not available, making it difficult to assess the extent of the violation.
    - Expensive

2. Upgrading of existing LUB and Development Permit provisions

The overall framework for ensuring that industrial uses are good neighbours may be too lax. For example, although Land Use Bylaw No. 355, Section 3.4.2 requires that all outdoor industrial and commercial uses require vegetative screening, it became apparent during community consultations that some industrial property owners are openly flouting this provision without direct personal consequences. The current Development Permit guidelines for non-Village Industrial and Commercial uses may be too permissive, in that too many possible uses are exempt, which in turn may mean less discussion and thought as to how properties are developed. An upgrade of DP guidelines may help reduce conflicts.

- Advantages:
    - May help reduce conflicts.
    - May result in better business development outcomes for the community.

    - Could be combined with option 2 from the previous section related to issues around the protection of agriculture.
    - Could (potentially) be completed “in-house” by Islands Trust staff.
- Disadvantages:
    - May require significant time and resources.
    - Community may be “exhausted” from numerous bylaw changes and is generally not receptive to perceived greater regulation

3. Continue with the status quo

- Advantages:
    - No direct costs
- Disadvantages:
    - Conflict will continue.

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding improving the aesthetic outcomes of new business development and report back with a recommendation.

COMMUNICATIONS AND COMMUNITY CONSULTATION

Official Community Plan amendments require the LTC to consider opportunities for consultation with persons, organizations and authorities it considers may be affected by these proposals. For this reason, consultation with First Nations having an interest or claim on Salt Spring Island has begun, in the interests of consulting early and often. Both the Lyackson First Nation and Cowichan Tribes have expressed a strong interest in the proposed OCP amendments, although no written input or feedback has yet been received. Other First Nations are expected to also have a strong interest.

However, the perspective that was shared verbally indicates that the Coast Salish peoples made extensive use of the inland areas of Salt Spring as well as the coastal areas, and so interior areas of the island need to be scrutinized for archaeological sites or other cultural footprints in a systematic and scientific way, combining traditional knowledge with the science of archeology. One idea that was suggested in a preliminary way is that traditional knowledge holders may wish to walk the land in the areas proposed for future general employment zoning, to determine whether there are any cultural or archaeological issues with those areas prior to designation within the OCP.

Community and neighbourhood consultations took place on February 16, 2016, with three meetings in various places and at various times of the day. The purpose of these meetings was to gather feedback and input from business owners and the community in response to the preliminary draft version of the land use bylaw related to the general employment zoning, which would begin to implement the IAPC’s recommendations. A full report of the results of these meetings is attached to this report as Appendix 2.

One concern was how the bylaw amendment process would unfold, and whether the community would have additional chances to comment in the process. Figure 2 outlines a simplified trajectory for the development and evolution of the bylaws, showing the initial consultation

(February 16, 2016) in the top left, and the stages that the bylaws will need to go through before these proposed changes take effect.

Other community concerns have been addressed directly through changes to the draft bylaw:

1. Definition of “creative industry” simplified and made more flexible, i.e. less specific, by naming a permitted use as “art, music, and craft studios” and deleting those that were more specific and could be included into this use.
2. Deletion of “general employment” as a permitted use. The concern expressed was that it was too vague.
3. Addition of permitted uses:
    a. Offices, and
    b. Residential uses above other principal permitted use.
4. Removal of provisions regarding indoor vs outdoor uses that appeared to constrain property owners from their current uses.
5. Specification that boat-building is a permitted use in GE4 (marine-dependent use).

A full list of the community’s concerns and the response to those concerns is found in the comprehensive community consultation report, as Appendix 2 to this report.

PROCESS CONSIDERATIONS

Because of the complexity of the proposed changes, the following considerations are recommended:

- A vigorous First Nations engagement strategy, involving visits to the key First Nations to explain the proposals and (possibly, after having taken advice from representatives of the key First Nations) a joint meeting to present and discuss the proposed bylaws. This strategy may require the opportunity for Islands Trust representatives, business and property owners, and First Nations knowledge holders to walk the land together to assess First Nations interests on the land.

- A comprehensive and extended bylaw review period for agencies with an interest in the outcome of these bylaws. At a minimum, these agencies would include the Department of Fisheries and Oceans, Ministry of Transportation, Ministry of Environment, Ministry of Forests, Lands and Natural Resource Operations, Ministry of Community, Sport and Cultural Development, Agricultural Land Commission, Island Health, Capital Regional District, Salt Spring Island Transportation Commission, Salt Spring Island Parks Commission, Salt Spring Island Chamber of Commerce, Farmers’ Institute, Farmland Trust, Abattoir Society, Agricultural Alliance, Salt Spring Fire and Rescue, and neighbouring Local Trust Committees and Municipalities. Of particular concern is the Agricultural Land Commission, given competition for land for general employment purposes in areas that have been designated as part of the Agricultural Land Reserve.

- A second direct correspondence with all industrially and C6 zoned property and business owners, with updated bylaws. The first letter, with attachments, was successful in alerting directly affected people about the changes. During the community consultation meetings, the Trustees committed to continuing direct engagement with property and business owners. A second letter after the agency and First Nations review and any subsequent modifications to the bylaws would inform property owners about any changes, and provide them an opportunity to communicate any concerns to the Trustees and Islands Trust staff in advance of second reading.

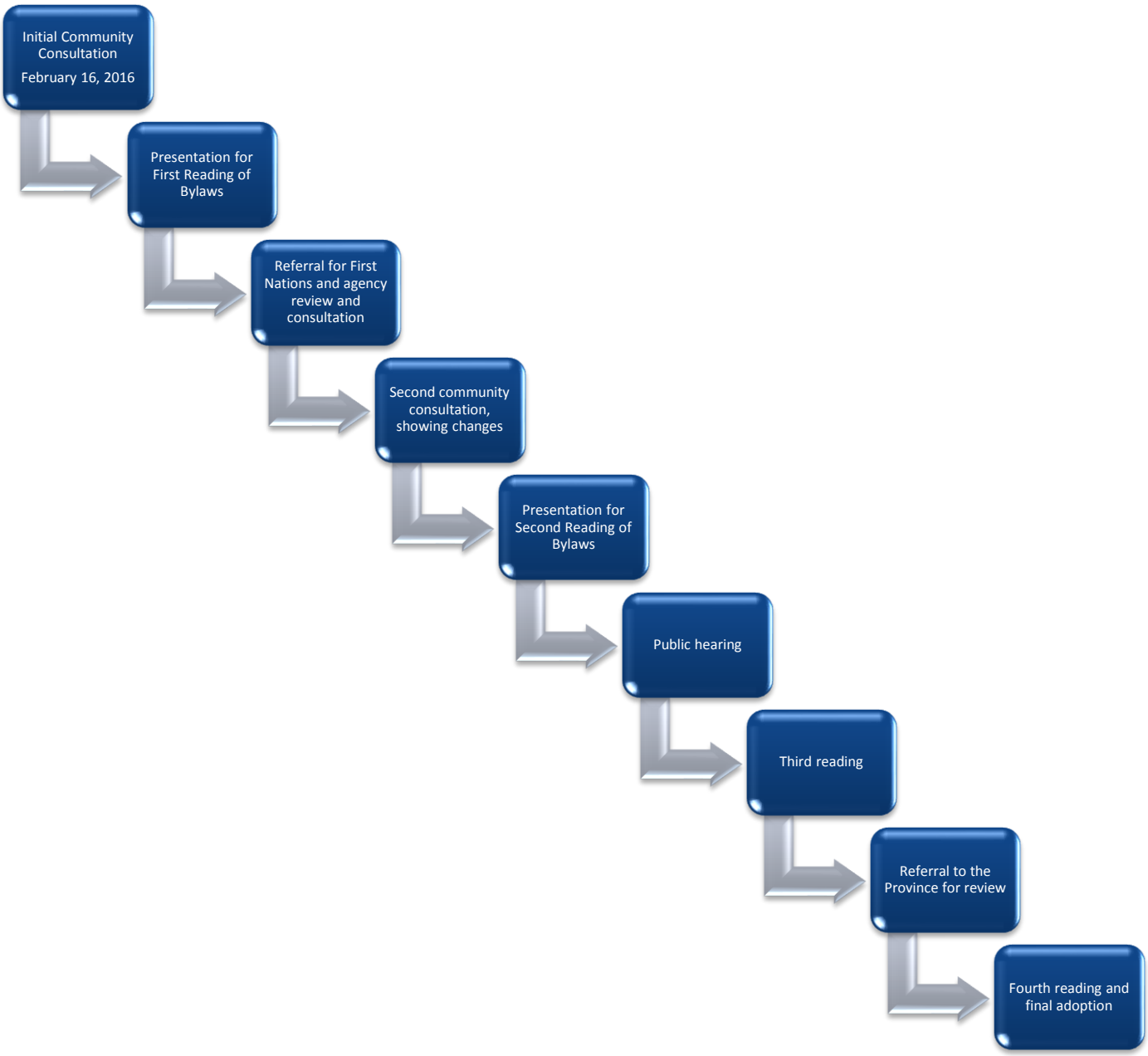


Figure 3 Bylaw adoption process showing opportunities for community input

- A second community consultation process, involving community meetings to discuss the proposed changes.

As part of the community's comments, the suggestion was made that the LTC notify all property owners in the vicinity of the individual properties being rezoned. However, given the number of properties involved, this suggestion is unwieldy. Local Government Act Section 466 (7) states that "Subsection (4) does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration." Subsection (4) deals with notification of the neighbours when a change to permitted uses or density of an area is proposed.

CONCLUDING COMMENTS:

The analysis indicates that there are a number of items to be addressed in a concurrent fashion to ensure that the project proceeds with clear direction, and maintains momentum. Procedurally, given the level of detail required to implement the IAPC's recommendations, and the potential impact of these proposals on the land base and First Nations interests, it is important that agency and First Nations referrals move ahead in a timely, but not rushed, manner. Community engagement on an ongoing basis will be important, including direct correspondence with property owners and the larger community. This engagement needs to be thoughtful and timely, so that the next level of engagement is understood to be connected to the same project, and not something new and unexpected.

The issue of how to address challenges to the regulatory framework to create better outcomes for businesses and the community came to the forefront during this process. Some of the issues identified may be best addressed in collaboration with the Chamber of Commerce and other business organizations, to encourage property owners to be more respectful of the intent of the regulations, and present a better face to their community, given impacts of unsightly premises on tourism and related businesses.

RECOMMENDATIONS:

1. **THAT** the Salt Spring Island Local Trust Committee direct staff to develop a comprehensive First Nations engagement strategy for consideration of the implications of these bylaws, with particular focus on Bylaw 488 to amend the Official Community Plan.
2. **THAT** the Salt Spring Island Local Trust Committee refer the draft bylaws 488, 489, and 490 to First Nations, government referral agencies, public agencies, the Advisory Planning Commission, the Salt Spring Island Parks Commission, and the Salt Spring Island Transportation Commission.
3. **THAT** the Salt Spring Island Local Trust Committee direct staff to develop a comprehensive community engagement strategy, including direct correspondence with C6 and industrially-zoned property and business owners, with appropriate notifications through the media for the larger community.
4. **THAT** the Salt Spring Island Local Trust Committee directs staff to add the Jackson Road properties to draft bylaws 488 and 489, and contact the property owners to inform them about the proposed change.
5. **THAT** the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding agricultural protection and report back with a recommendation.
6. **THAT** the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding improving the aesthetic outcomes of new business development and report back with a recommendation.

Prepared and Submitted by:
Beverly Suderman
IPS Island Planning Services

March 3, 2016

Date

Concurred in by:

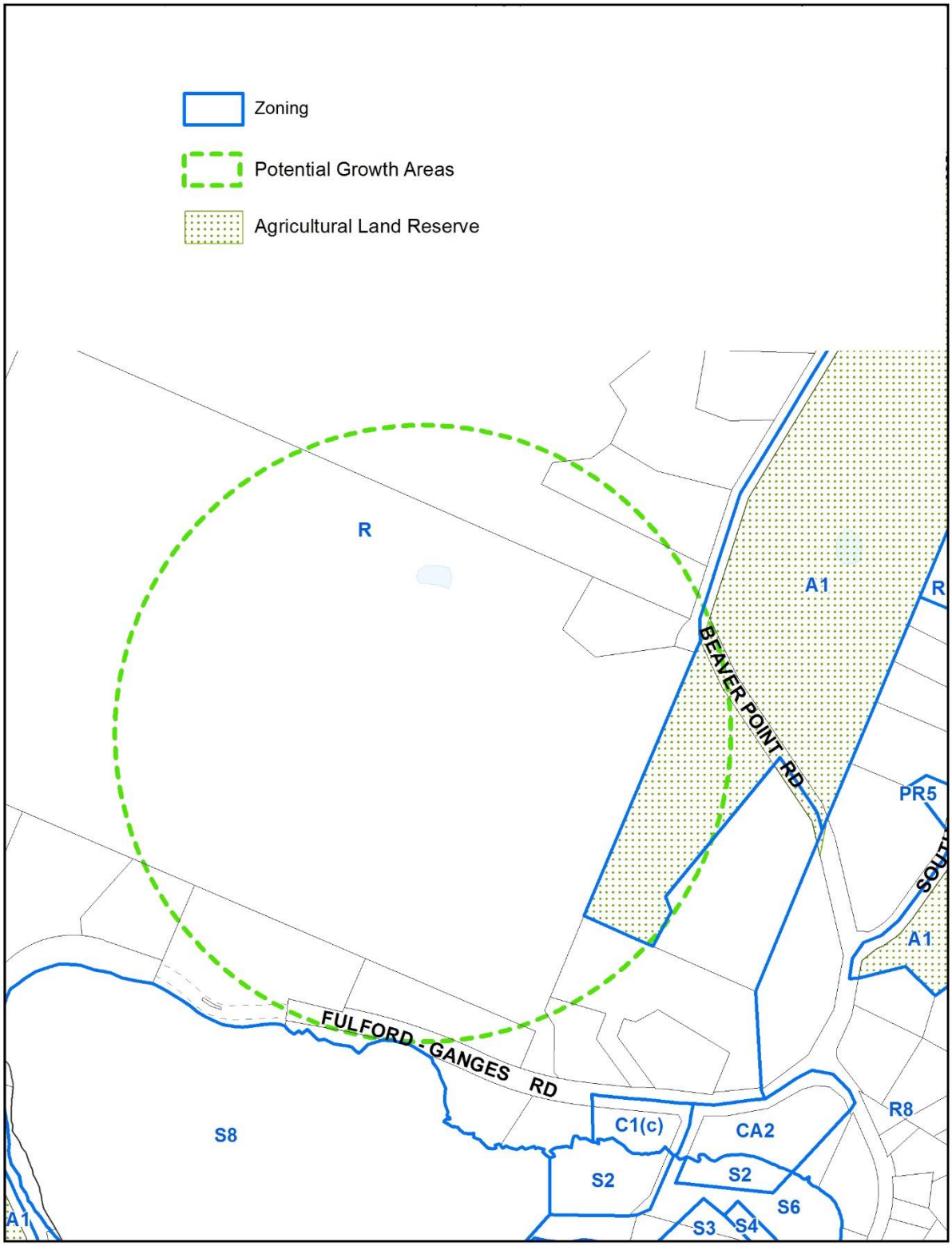
Date

Appendices:

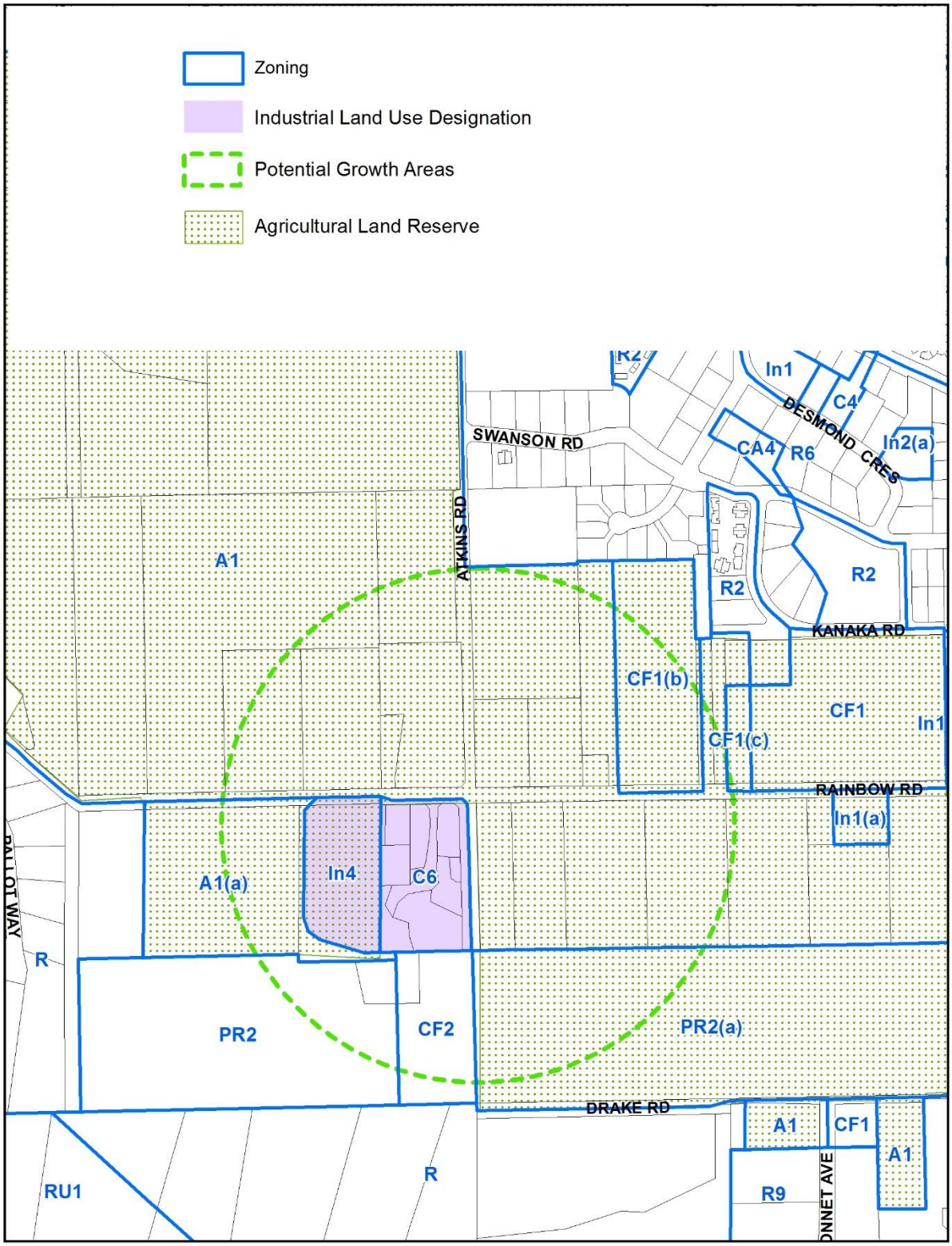
A.1 - Maps showing the overlap between ALR lands and proposed general employment nodes.
A.2 - Community Consultation Report, February 24, 2016, prepared by Beverly Suderman
A.3 - Draft Bylaw No. 488
A.4 - Draft Bylaw No. 489
A.5 - Draft Bylaw No. 490

Appendix 1

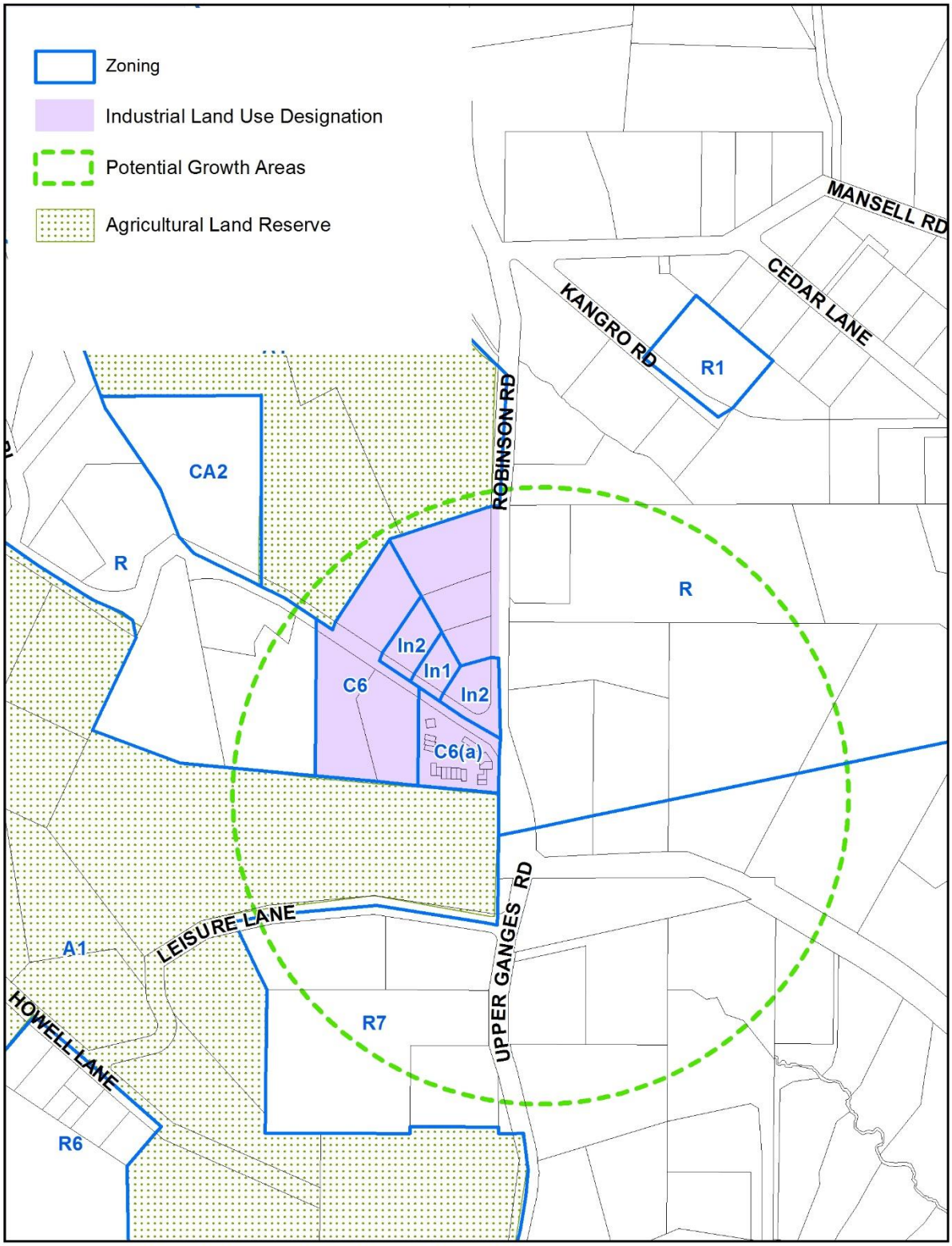
Attachment 1:
Maps showing the overlap of ALR lands with proposed general employment areas



1 Proposed area for general employment: Fulford



2 Proposed area for general employment: Rainbow & Atkins Roads



3 Proposed areas for general employment: Upper Ganges & Robinson Roads

Appendix 2

2/24/2016

Industrial Zoning Project

Community Consultation Report

Beverly Suderman
IPS ISLAND PLANNING SERVICES

Industrial Zoning Project

Community Consultation Summary

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Executive Summary

The purpose of the Industrial Zoning project is to provide for greater flexibility of industrial and service commercial uses within the zoning framework while continuing to protect community interests. It is hoped that through greater flexibility of uses, a greater percentage of the existing OCP-designated and zoned lands will be available for use. Also, the community's need for additional commercial and industrial lands can be more easily met through OCP policy identifying areas on the Island for potential rezonings.

Three community open houses were held on February 16, 2016. All property owners with lands zoned industrial or C6 received a letter notifying them about the meetings, with a summary of proposed changes. Additionally, advertising for these meetings followed the usual Islands Trust protocol. These meetings were successful in that the community demonstrated a high level of interest, and engaged with the material, providing valuable feedback to the consultants, Islands Trust staff, and Trustees about issues with the preliminary draft work, and their hopes and dreams for the future of Salt Spring Island.

The community's comments have been organized into three categories:

1. Substantive comments – comments which address the substance of the draft bylaws which were under review;
2. Process comments – comments which address how the consultation moved forward, and suggestions for doing things differently next time; and
3. Other comments – comments which are outside of the scope of Land Use Bylaw modifications, but which are important to address in an overall plan to stimulate economic development on Salt Spring Island.

A key principle of this process is that there is to be no loss of uses. Therefore, the input of business owners has been invaluable in identifying gaps or errors in the preliminary draft work. Changes have been made to better align the list of permitted uses for the draft General Employment zones according to this principle.

Lot coverage and setbacks have been modified to be consistent with other regulations or to reflect the distinctions between GE1, GE2, and GE3 zones. The logic is that less intensive GE1 uses on smaller lots which are within or in close proximity to a village require greater lot coverage, whereas more intensive GE3 zoning has more permitted uses, are typically removed from village centres because the uses are larger or more intensive, and therefore more buffering is required.

Both lot coverage and setbacks are amenable to modification in hardship cases through a Development Variance Permit. Existing structures that currently encroach into setback areas or exceed the lot coverage specifications are considered "legal non-conforming". While this may not be desirable, it is manageable since it would only affect a few properties.

Only one property owner mentioned the proposed changes in setbacks as a specific concern, and seemed satisfied with the change. Another person raised this with regard to a neighbouring property, but it is unclear as to how this might affect the subject property.

Some property owners expressed concerns about lot coverage due to the perceived loss of development potential, rather than a concern about actual uses. Lot coverages, as proposed, are very generous. For

example, 33% lot coverage for a 1 ha (2.47 ac) property is 3,300 sq m (35,500 sq ft) of allowable structures. If these structures were to be built with two storeys, this number would double.

In direct response to the community's input, a number of changes have been made to the draft bylaw:

1. Definition of "creative industry" simplified and made more flexible, i.e. less specific, by naming a permitted use as "art, music, and craft studios."
2. Deletion of "general employment" as a permitted use.
3. Addition of permitted uses:
    a. Offices,
    b. Residential uses above other principal permitted use.
4. Correction of inadvertent loss of uses through specification of indoor vs outdoor uses.
5. Specification that boat-building is a permitted use in GE4 (marine-dependent use).

In total, as part of this process, over 5 acres of land is proposed to be zoned for General Employment uses. The zoning framework has been simplified by reducing the number of zones from 11 to 6, and the draft zones are more flexible in terms of permitted uses.

Introduction

Three community open houses related to the Industrial Zoning Project were scheduled for Tuesday, February 16, 2016:

1. From 10:00 am to 12 Noon – Fulford Seniors Centre
2. From 2:00 to 4:00 pm – Merchant Mews, Shared Space
3. From 5:30 to 7:30 pm – Gulf Islands Secondary School Multi-Purpose Room

Advertising for these meetings was done through the *Driftwood*, as well as on-line media services. The Islands Trust also has an e-mail notification service for residents on the Island who wish to be notified of upcoming meetings. Additionally, all property owners with lands zoned industrial or C6 received a letter notifying them about the meetings, with a summary of the proposed changes. There was an issue with one property owner, who heard about the meetings but did not get a letter. Upon investigation, this proved to be an error in the transfer of information from a provincial database which has since been corrected.

The first two open houses were well-attended,[1] with most people arriving at the start time. Therefore, the consultants made presentations about the material to the attending community members, and took questions and comments throughout the presentations. The third open house was less well attended, and the conversations between community members and planners or trustees were more one-on-one. There was no presentation of the material.

Some community members and business owners were unable to attend the open houses, and contacted the consultants via phone or email.

This report documents the comments received, both at the meetings and through conversations with individuals.

Community Comments Received

Substantive comments

Community Member Comment	**Response**
1. Composting facilities. a. Confusion over the regulations and why the need to regulate as a land use if regulated by so many other agencies b. Details of composting requires significant consideration to avoid problems including making it abundantly clear what and where non-commercial composting may occur. For example, is abattoir waste the same as agricultural waste?	• Land uses are regulated by Land Use Bylaw • Regulation of how the composting is to be done is by other levels of government • Composting for residential and agricultural purposes exempt in the draft bylaws • May need further study, particularly in regard to abattoir use • Need to distinguish between commercial composting (which involves the sale of the composted product) and other composting

[1] At the Fulford meeting, there were approximately 30 people in attendance. At the Merchant Mews meeting, there were approximately 26 people in attendance. At the High School, approximately 12 people attended.

Community Member Comment	Response
2. Setback for composting: On a small property such as ours (.6 hectare), the proposed 30 meters from all property lines pretty much rules out the feasibility of composting, even though it is very important for our agricultural activities, including both primary production and processing. The setback would place the compost in the same location that is required in our development permit for the main building.	• Need to distinguish between commercial composting and on-site, non-commercial composting. • Issues can arise with community-scale composting, which the 30 m setback is intended to address, rather than household or on-site business or agricultural composting.

3. Rather than a dispersed pattern of general employment uses across the island, the best approach is to develop an industrial park. A number of participants identified that they would like to see an Industrial Park (most people indicated the Rainbow Road area) with infrastructure in place to accommodate the needs of the Island now and into the future.	• Different schools of thought on this question
	• Industrial parks:
	  ○ Are not park-like – can be ugly
	  ○ Concentrate demand for infrastructure into one area (expensive to support)
	  ○ Concentrate traffic flows into one area
	  ○ Concentrate pollution into one area
	  ○ Can be effective, particularly if the waste stream from one business becomes an input for the next business
	  ○ Would require that a private landowner develop it
	• Dispersed approach:
	  ○ Avoids above issues
	  ○ Keeps jobs near where people live
	  ○ Used effectively in Europe to maintains rural character and protects the visual aesthetic for other businesses, such as tourism
	• Nodal approach:
	  ○ A compromise by providing for the clustering of new uses in select areas of the island
	  ○ Proposed through OCP for 3 areas on the Island
	  ○ Would require rezoning of individual properties
	• At this time, the nodal approach is being proposed as the most viable option for

Community Member Comment	Response
	Salt Spring Island, based on the IAPC report. The identification of nodes is the focus of the OCP amendment. Should it be approved, this policy will provide guidance as to where a private land owner could propose an industrial park.
4. Appear to be loss of uses going from C6 to GE1, such as loss of outdoor auto repair, light industry, sales, vehicle, boat and equipment servicing etc.	• No intention to lose uses • Split between indoors in GE1 and outdoors in GE2 has been re-evaluated. • More outdoor uses permitted in GE1.
5. C6 permits multiple accessory dwelling units, but the draft GE1 zoning permits only 1	• OCP policy supports integration of flexible or affordable housing into industrial areas (Policy B.2.2.2.12; Objective B.3.3.1.5) • Ability to add accessory dwelling units depends on ability to get water connection, as well as zoning. • Residential above a principal permitted use has been introduced to address these concerns.
6. Changes to exterior side lot lines, i.e. increased to 7.5 m; reduces flexibility on small lots	• Proposed exterior side lot lines are consistent with existing industrial zoning • Under C6 zoning, exterior side lot lines are 6.1 m. • For GE1 uses, exterior side lot lines changed to 6 m.
7. What about contractors yards?	• Current permitted uses include “Offices for use by building construction professionals and trades” – which can be confusing because of the emphasis on offices. People in building construction and other trades often have needs that include a workshop, equipment storage, as well as an office. • Contractor’s yard or shop requires a definition in the bylaw, to be clear on what is meant.
8. Concern about uses on Lee’s Hill: gravel and waste transfer	• Valid current permit for the quarry; valid permit for waste transfer station. Legal non-conforming use. • Not proposed to give it an industrial classification in the bylaw. • Islands Trust working with the CRD on developing a long term waste management plan for SSI.
9. Concern about Stowell Lake Farms? Not	• Stowell Lake Farms is proposed to receive

Community Member Comment	Response
being rezoned?	a GE zone; may have been confusion about the OCP map, because it is not proposed to be designated for industrial (General Employment) in the OCP
10. Noted that if Stowell Lake given GE2 zoning then they could subdivide to 0.6 ha lots.	• Stowell Lake Farm is currently split zoned with In3 which permits 0.6 ha lots – so no change
11. Foreshore zoning should match marine dependent zoning (GE4).	• No change between current In4(a) and GE4 – both are marine-dependent uses only • Water lot lease holders are responsible for ensuring that their uses are compatible with their lease provisions and with their current zoning • Shoreline zones are not addressed in this project, but a placeholder policy is proposed that the LTC may consider shoreline rezoning in areas adjacent to marine dependent general employment zoning.
12. Discussion about Marcotte's properties: not being used for industrial purposes	• Current uses for the property include heavy equipment parking, indoor service to and repairs to vehicles, equipment and machinery, and auto wrecking • Possible to consider limiting GE3 zoning to current auto wrecking area, and zone the rest as GE2 (fewer possible uses) • Much of the land is undevelopable due to steep slopes
13. Desire to see the ability to subdivide lots to sizes less than 0.6 ha	• OCP policy permits the LTC to consider proposals for smaller industrial lots (0.2 ha), which would require a zoning change (B.3.3.2.8) • Issue with regard to servicing of very small lots (water and sewer). • New provision for subdivision of GE zoned properties to 0.2 ha, provided that each lot is connected to community sewage collection system.
14. Want offices in GE zones	• Can be added as a principal use
15. Slegg Lumber and Windsor Plywood both sort and store timber – accessory vs principal use for outdoor storage is a problem	• Slegg Lumber has unique zoning, which (aside from the name) is not changing. • To address Windsor Plywood's concerns, would need to amend GE2 to permit outdoor building supply sales. • Place sawmills and planing mills uses in

Community Member Comment	Response
	GE3.
16. Desire to have some GE3 zoning at Garner and Fulford Ganges Road (old site for Starbarcks and Mid-Isle Marine).	• Property owner should submit specific plan for consideration. That plan should address lot sizes and uses.
17. How useful is GE4 zoning in these days? Past purposes no longer needed, i.e. bulk fuel storage	• Once waterfront industrial lands are lost, they are gone forever. Wise to maintain. Uses may again be needed, or other new uses for the waterfront not yet anticipated.
18. Does the community want more acreage for use, or a denser more intensive use of existing? – Both	• The general increase in permitted uses should make it feasible to increase intensification of use on existing properties. • Setbacks and lot coverage reviewed • Some properties are being rezoned from Rural to General Employment in the Merchant Mews area. The demand for increased acreage is partially being met.
19. Encouraging to see increased uses in GE1 and GE2 zones	• This is what the Advisory Committee report strongly recommended
20. Concerns about losing value of land due to decreasing potential lot coverage from 75% to 50% ... or to 33% for certain types of uses.	• Lot coverage provided are similar to other jurisdictions and are rarely a problem. • 33% lot coverage on a 1 ha lot permits building space of 30,000+ sq ft, and double that if a two-storey building is constructed. It is still generous. • If situations arise that demonstrate that the lot coverage sections are inadequate, then a variance permit may be appropriate.
21. Need to protect the tourist industry as the only really growing industry on the Island – needs the pastoral rural aesthetic; keep industrial uses near the central core, leaving the rest of Salt Spring rural and fairly empty	• LUB provides for vegetative screening of properties with outdoor uses. • DP guidelines for non-village commercial and industrial provide for form and character. • There are ways to address non-compliance, but community support would be required, either for greater enforcement, or through support to business owners to make vegetative screening more functional and effective.
22. Risk: people will buy land zoned industrial to keep it out of industrial uses	• A good reason not to pre-zone properties.
23. Need a long term strategic plan to deal with land use on Salt Spring Island	• The recommendations of the Industrial Advisory Committee (and its consultation

Community Member Comment	Response
	process) are the driving force in proceeding with the Industrial amendments. These amendments are the first step in implementing the IAPC's 25 year plan for general employment uses. • Trustees support the development of an Integrated Community Sustainability Plan for the island to address all land uses. This will require support from the community as well as all the agencies serving the community.
24. Do not make abattoirs a general employment use. Don't need more than one on Salt Spring Island	• Even if the use is permitted generally in a zone, market forces would need to be in place for more than one to be established on the Island. • Possible to keep this use as a zone variation.
25. Include all Commercial zoning in the revision, not just C6	• For this particular project the focus is on industrial. The most significant difference between the Commercial and proposed GE zones, is that GE zones do not permit retail sales as a principle use. The intent is to keep retail uses in the Village cores. • The IAPC recommended that all commercial zoning be considered, but that will be dealt with as part of a total land use bylaw review. • If this change in zoning for industrial works well, it may be possible to address all commercial zoning in a general bylaw review.
26. Rezone all of Ganges to multi-uses: GE1 or GE2	• Ganges is a mix of zoning, permitting a much broader mix of uses than GE1 or GE2 would permit. • If GE1 were to permit retail sales, it might undermine the downtown core commercial areas. • However, there may be an area along Jackson Rd, on the edge of downtown, to test GE zoning adjacent to a village core area.
27. Remove "General Employment" as a permitted use. It is too wide open, and could allow anything.	• Agreed. General Employment will remain the names of the zones, but not appear as a "permitted use."
28. Home-based business regulations work	• Concur

Community Member Comment	Response
well	
29. Where does a radio station fit into this framework? Merchant Mews had one, and there is talk about one coming back.	• Section 3.1 of the Land Use Bylaw include "public utilities" as a use permitted in all zones. • The definition of public utility includes, telephone, cablevision or telecommunication services. • Radio stations are part of telecommunication services, and therefore are permitted in all zones.
30. Rainbow Road discussions. Suggest consideration of GE uses closer to or on Pallot Way… One resident from area says "bring the neighbourhood a plan…" Others said, "skip policy and make some decisions."	• Historically, there has been strong resistance to industrial zoning in this area, due to concerns about possible encroachment into agricultural area. • Some of the land is in the ALR and the Land Commission has not supported removal of the designation in this area.
31. What happened to the "old" plan for an industrial corridor down Rainbow Road and the Ganges Alternate Route?	• Plans were incorporated into Land Use policy (OCP), but with limited uptake as yet because: o Some of these lands are part of the ALR, and the ALC is reluctant to take land out of the ALR o Cost…Topography makes the routing a challenge for the Ministry responsible.
32. Atkins Road ROW extends to Mouat's Park. Questions about how to use for access to lot neighbouring access	• Directed to MOTI for additional assistance
33. Concerns expressed about potential for increasing industrial uses along Upper Ganges Road and around Merchant Mews. Could interfere with residential neighbourhood uses: increased traffic, etc.	• Three small lots are proposed for rezoning from Rural to General Employment 1 along Robinson Road. This is in accordance with the OCP, which has designated this area for additional Industrial and Commercial Services. • For any additional land to be rezoned in this area, a full rezoning application process will be required. Measure to determine impact could be required as part of the rezoning application.
34. More GE should be located under nearby power lines (Merchant Mews)	• BC Hydro does not permit any structures within 30 m of the power lines due to high risks.
35. Going from C6 to GE1 -- Limitation on # of vehicles below what is reasonable for operating a garage. If there needs to be a	• Consider amending bylaw to include "auto repair and servicing" as a permitted use and not restrict the

Community Member Comment	Response
number, then 15 might be appropriate	number of vehicles • Amend the terminology to insert "commercial" before vehicles so that the limitation applies only to large commercial and not private vehicles • Limit on number of vehicles has been removed.
36. Merchants' Mews currently has four food businesses and five artists' studios. These are permitted uses as Farm–related light industry and Wholesaling, and Light Industry. It would seem appropriate, however, to use the new language by adding "Creative Industry" and "Food Processing, including off-farm storage and processing" to zone variation GE1(a). Indeed, failing to do so may place these uses at risk if future interpretation of the bylaw fails to recognize these uses due to outdated language.	• Agreed. Will make the change.
37. That changes to the zoning framework will affect the value of the current zoning	• Unique zoning tends to limit the permitted uses on a property, thereby reducing its market value, rather than the reverse.
38. Industrial zoning in Fulford should be limited to small "non-industrial" businesses to keep the rural atmosphere.	• The intention is that no heavy industrial uses will be permitted. • The Industrial Lands Needs Assessment study confirms that most need for "industrial" zoning is for small businesses, which would (probably) fit the commenter's definition of "non-industrial". • This comment represents the strong associations between the word industry, and images of smokestacks, pollution, etc.
39. Fulford gravel pit was shown as Industrial area in IAPC report. Residents do not want it, and fear that this process will allow it to become so.	• Given past community concerns about the environmental impacts of converting a gravel pit to an industrial area, the Fulford gravel pit is not under consideration as a possible area for industrial uses.
40. What is proposed for the unused Shell property in Fulford?	• No longer owned by Shell. • The Islands Trust has not heard of any proposed development for this property.
41. There is a need for additional industrial	• The area near the Fulford village

Community Member Comment	Response
land in the Fulford area, particularly within and on the edges of the Village	proposed for consideration may address this problem.

Process comments

Community Member Comment	Response
1. A number of business owners did not receive the invitation to the meetings, or the back ground material	• Apology was offered to Mr. Quesnel for error in the database; • Follow up conversation with head office regarding process for updating the database. Error has been corrected through annual updating from BC Assessment Office; • Only one other business owner has come forward with concerns, and that issue was traced to BC Assessment's database.
2. Lack of sufficient notice for neighbours of owners of Industrial lands. Local Government Act (LGA) Section 466 (formerly Section 892) requires notifications about meetings	• Notice of proposed changes and a public hearing will precede any change to the bylaw. Notice can be given in a number of ways including media in accordance with provincial legislation and Islands Trust policy. • Section 466 is specifically about notifications for public hearings, which occur between first and third readings of a bylaw. • The current meetings were held prior to the submission of any bylaws for the LTC's consideration. Therefore these provisions do not apply to this process. • The Trustees made a commitment to ensure that all industrial property owners will be properly notified about any upcoming meetings, even if it isn't required by the LGA.
3. That the process was a "done deal" and the community consultation is a farce.	• The issues related to industrial zoning have been under study by the Islands Trust since 2008, and have involved extensive public and stakeholder consultations. • Background to the current draft bylaw proposals explained at the meetings; • There will be opportunities for further input as these bylaws are proposed to the LTC and go through the review process. • Please pass on concerns and comments

Community Member Comment	Response
	to the Trust office
4. Accusations of "jack-potting" certain property owners and discriminating against others	• Process is not intended to create winners or losers in the zoning process • A number of the rezoning applications (4) are for community facilities related to waste management, which was an issue of concern to the IAPC. • Only 3 lots are proposed to be rezoned from Rural (R) to General Employment 1 (GE1) in the Merchant Mews area. These are already designated in the OCP for such uses. • All other rezoning is transferring existing C6 and industrial zoning into the new General Employment zoning framework. • All industrial land owners benefit from the increases in permitted uses.
5. DPA2 loopholes. Don't need a permit with an engineer's report…also discussion about avoiding landscape screens…	• Incorrect…no "loophole" exists. Engineer's reports are part of the DPA process, not an exemption from it. • DPA is for form and character, stormwater management, and agricultural impacts. Form and character applies only to new and visible developments or those of certain size (ex: >15 parking spaces, >280m^2 new impervious surfaces, >185m^2 in gross floor area). • Bylaw 355 Section 3.4.2 requires a vegetation screen in a buffer area when industrial and commercial uses are not contained within a building… A number of options for improving compliance with the requirement, including more proactive enforcement.
6. Zoning and land represents stored wealth. Don't mess with it.	• Intention is to ensure that no uses are lost.
7. Extended period of time between community consultations on this project, starting with the ITF report, followed by the IAPC report, etc., negates a sense of ongoing community consultation	• This is a challenge. The history of the project, with all preceding reports, is available on the Islands Trust website for public review. The history was also reviewed briefly in the community meeting materials. • There were people in the audience who had participated in the earlier phases, and wanted to see how the project was

Community Member Comment	Response
	evolving.
8. Meetings should have been better advertised and timed for the evenings.	• Turnout for meetings was reasonably high. • The meeting in the evening was the least well attended.

Other comments

These comments are part of the larger discussion about encouraging business and economic development on Salt Spring Island, but not specific to zoning or supportive Official Community Plan policies.

Community Member Comment	Response
1. How important is it to have correct zoning from a tax rate perspective?	• Zoning is a contributing factor in determining assessed values, which in turn affect tax rates. See excerpt from BC Assessment's website for explanation. *BC Assessment determines the current assessment roll property assessments reflecting their physical condition and permitted use as of **October 31**, using a valuation date of **July 1**, in the year immediately prior to the annual assessment roll.* *In determining assessed value, an appraiser considers a wide variety of factors such as size, age, shape, quality, condition and location of properties. Services in the area (location, views, neighbourhood) and supply and demand may also influence property value. Changes such as new construction or inventory, **permitted use (e.g. zoning),** property class, occupation, eligibility for an exemption or in the taxing jurisdiction boundary will be reflected on the assessment roll. (Emphasis added)* *Source: https://www.bcassessment.ca/About-Us/how-bc-assessment-works*
2. Lack of enforcement of zoning is the "elephant in the room"	• Provisions regarding compliance with the bylaw and violations processes are set out in section 2 of the bylaw • Enforcement is expensive and typically complaint-driven; landowners are encouraged to comply before penalties are imposed and expensive court proceedings undertaken. • Is there public appetite for more proactive enforcement and associated cost? • Consistent "flaunting the rules" will invariably reflect negatively on the community and individual business

Community Member Comment	Response
	involved
3. Lowering of business (commercial and industrial) taxes to be comparable to residential taxes the only way to encourage home-based businesses to get proper zoning	• For 2015, in the Gulf Islands, general residential mil rate is 0.57, whereas for light industry or general business it is 2.92. For major industry it is 5.5. Source: http://www2.gov.bc.ca/gov/content/taxes/property-taxes/annual-property-tax/understand/tax-notice/tax-rates . • The setting of tax rates is outside of the mandate of the Islands Trust.

Responses to Community Feedback

It is important to note that in all three areas proposed for possible nodal development of "General Employment" zoning, community members expressed concerns or fears about additional development in these areas. In the Fulford area, the concern was to keep the uses small and maintain the rural atmosphere; In the Rainbow Road area, the concern was to protect the agricultural uses; and in the Upper Ganges area, the concern was to protect the quiet residential neighbourhood character of the area.

Given that local governments rely on private enterprise to give life to any plans that are made, these responses confirm the approach of waiting until specific properties with specific proposed uses are proposed for rezoning, at which time, knowing the community's concerns, the proponent can tailor the development to addressing the needs, whether it is a traffic study, construction to be in character with the local area, vegetation screening, etc.

The process of rezoning is considerably simplified and shortened if an Official Community Plan amendment is not also required. By providing a policy within the Official Community Plan, which directs the Local Trust Committee to consider rezoning applications for General Employment uses within certain neighbourhoods, each application can be considered on its merits and the neighbourhoods have the opportunity to be notified about any proposals.

In total, as part of this process, over 5 acres of land is proposed to be zoned for General Employment uses. The zoning framework has been simplified by reducing the number of zones from 11 to 6, and the draft zones are more flexible in terms of permitted uses. All C6 and industrially zoned property owners have had the chance to comment directly on the proposals, either in public meetings or via phone or email.

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 489

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 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. 1, 2016".

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 The **TABLE OF CONTENTS** is amended by deleting the words " 9.7 INDUSTRIAL ZONES" and replacing it with the words "9.7 GENERAL EMPLOYMENT ZONES".

   2.2 Section **1.1 – DEFINITIONS**, Sub-Section 1.1.1 is amended by deleting the following definitions in their entirety:

   "industry, farm-related light"
   "industry, heavy"
   "service"
   "wholesale sales"

   2.3 Section **1.1 – DEFINITIONS**, Sub-Section 1.1.1 is amended by adding the following new definitions:

   ""abattoir" means buildings or structures used for the processing of farm products that involves the handling, slaughter, cutting, wrapping and storage of processed livestock."

   ""commercial composting" means the use of land for commercially processing organic matter through the controlled biological decomposition of organic materials using composting technology (which may include physical turning, windrowing, in-vessel, static pile aeration or other mechanical handling), in accordance with the *Environmental Management Act and Public Health Act* and its associated Organic Matter Recycling Regulation, together with the Capital Regional District's Composting Facilities Regulation Bylaw."

   ""contractor's shop" means an enclosed space used for the housing and/or operating of machinery, the provision of services, the fabrication of building-related products, interior storage, and may include the contractor's business office and exterior storage."

““creative industry” means music, art and craft studios, picture framing, schools (commercial, art, vocational), and small-scale research facilities.”

““industry, farm-related light” means an industry that takes place indoors, and comprises the storage and manufacture of *farm products*, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, provided live animals are not involved in any aspect of the operation and the rendering of raw animal products and processing of *agricultural waste* does not occur.”

““service” means a use that is engaged primarily in providing assistance, as opposed to products, to individuals, general employment businesses, government and other enterprises; and may include personal, business, repair and professional services.”

““vehicle dismantling” means wrecking or dismantling vehicles or recycling or disposing of parts and other waste material from vehicles, as regulated by the Vehicle Dismantling and Recycling Industry Environmental Planning Regulation.”

““wholesale sales” means a commercial use that consists of the selling of merchandise to retailers and to general employment, commercial, institutional or professional business users, contractors, other wholesalers, or the provision of a brokering or agency service for the selling of merchandise to such users.”

2.4 Section **3.4 – VEGETATION SCREENS**, Article 3.4.2(1) is deleted in its entirety and replaced with:

“3.4.2(1) general employment and commercial uses that are not contained within a building with the exception of a farm business.”

2.4 Section **3.10 – VEHICLE STORAGE**, Subsection 3.10.1 is deleted in its entirety and replaced with:

“3.10.1 Except as permitted in the General Employment 1, General Employment 2, General Employment 3, and General Employment 4 zones and except for the parking of vehicles accessory to a permitted use existing on the same lot, no lot may be used for:

(1) the parking or storage of more than two vehicles, which are not completely enclosed in a permitted building; or
(2) the keeping of detached parts of vehicles, unless the parts are completely enclosed in a permitted building.”

2.5 **PART 3 – GENERAL REGULATIONS – (USES, BUILDINGS AND STRUCTURES)** is amended by adding a new Section 3.21 as follows:

“3.21 Abattoir Regulations

3.21.1 Despite the setback regulations specified in Subsection 9.7.2 – Size Siting and Density of Permitted Uses, Buildings and Structures, no *abattoir* may be located within the following setbacks from *lot lines*, *zone* boundaries or road access easements:

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(a) Setback from *front lot line*: 15 metres
(b) Setback from *interior side lot line*: 7.5 metres
(c) Setback from non-*general employment zone* boundaries: 15 metres

3.21.2 Combined mass of livestock in all *confined livestock areas* shall not exceed 4550 kilograms at any one time."

2.6 **PART 3 – GENERAL REGULATIONS – (USES BUILDINGS AND STRUCTURES)** is amended by adding a new Section 3.22 as follows:

"3.22 Commercial Composting Regulations

3.22.1 Backyard, household level composting is a permitted use in all residential zones.
3.22.2 Agricultural waste composting is a permitted use in all zones that permit agriculture.
3.22.3 Composting of organic matter which originates at the site of the composting operation is a permitted use is all zones.
3.22.4 *Commercial composting*, and all other composting, is subject to regulation by the Capital Regional District per Composting Facilities Regulation Bylaw.

Information Note: Commercial composting facilities must also comply with other regulations including the provincial Organic Matter Recycling Regulation (OMRR), the BC Agriculture Waste Control Regulation, WorkSafeBC and other applicable regulations. The BC Farm Industry Review Board is set up to address issues arising from farm activities including odour."

2.7 Section **5.4 – PANHANDLE LOTS**, Subsection 5.4.1 is amended by deleting the word "Industrial" and replacing it with the words "General Employment".

2.8 Section **5.5 – POTABLE WATER**, Subsection 5.5.5, Table 1, line 7 is amended by deleting the word "Industrial" and replacing it with the words "General Employment" as follows:

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day per lot)
Dwelling unit	1600
Secondary suite	1200
Seasonal cottage	680
Bed and breakfast home-based business	225/bedroom
Commercial or *General Employment use*	900
Community hall or *church*	1590
School	50/classroom
Commercial guest accommodation units	450/unit
Campground	225/campsite

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2.9 Section **6.1 – STANDARDS FOR SIGNS**, Subsection 6.1.8, Table 2, line 3 is amended by deleting the word "Industrial" and replacing it with the words "General Employment" as follows:

TABLE 2 – SIGN REGULATIONS		
ZONE or USE	***MAXIMUM NUMBER OF SIGNS PER* PRINCIPAL USE**	**MAXIMUM TOTAL SIGN AREA**
Commercial *zone*s, Commercial Accommodation *zone*s, Community Facility *zone*s, Comprehensive Development 2 *Zone*, *General Employment zone*s	2	1.8 square metres per business or *use*
Schools, *community hall*s, hospitals, art centres and *public* recreation centres with a gross *floor area* greater than 600 square metres	2	1.8 square metres per use, not internally illuminated.
Shoreline 1 and 2 *zone*s	2	3.7 square metres per business or *use*, un-illuminated.
All other *zone*s	1 per *lot* plus 1 per *home-based business*	1 square metre per *lot*, un-illuminated

2.10 Section **7.1 – REQUIREMENTS FOR PARKING AND LOADING SPACES**, Subsection 7.1.5, Table 3 is amended by deleting the heading "INDUSTRIAL" and replacing it with the words "GENERAL EMPLOYMENT" and under the new "General Employment" heading deleting the words "*Light Industry*" and replacing it with the words "*General Employment*" as follows:

GENERAL EMPLOYMENT			
General employment	1 per employee	5%*	1 per 10 employees
Storage	1 per employee	5%*	0
Wholesale sales	1 per 185 sq.m. sales area	5%*	0
Other industrial or general employment	1 per employee	5%*	1 per 10 employees

2.11 Section **7.6 – STANDARDS FOR LOADING SPACES**, Subsection 7.6.1 is amended by deleting the word "industrial" and replacing it with the words "*general employment*".

2.12 Section **9.2 – COMMERCIAL ZONES** is amended by deleting the words "Commercial 5 (C5)" and "Commercial 6 (C6)" from the first paragraph.

2.13 Section **9.2 – COMMERCIAL ZONES**, Subsection 9.2.1 (1) is amended by deleting the words "Commercial 5 and Commercial 6", and by adding the word "and" before the words "Commercial 4."

2.14 Section **9.2 – COMMERCIAL ZONES**, Subsection 9.2.1 (1) Table, is amended by deleting columns "C5" and "C6" in their entirety.

2.15 Section **9.2 – COMMERCIAL ZONES**, Subsection 9.2.2, Table, is amended by deleting columns "C5" and "C6" in their entirety and by deleting the third information note in its entirety and replacing it with the following:

"Information Note: Vegetation screens are required where commercial or general employment uses take place outside of a building adjacent to non-commercial or non-general employment uses. See Subsection 3.4.2."

2.16 Section **9.2 – COMMERCIAL ZONES**, Article 9.2.3(1) is amended by deleting the words "Commercial 5 (C5)" and "Commercial 6 (C6)" from the first paragraph.

Section **9.2 – COMMERCIAL ZONES**, Subsection 9.2.3,Table, is amended by deleting columns C5 and C6.

2.17 Section **9.2 – COMMERCIAL ZONES**, Subsection 9.2.4, Zone Variation C4(a) Clause 13 (b) is amended by deleting the word "industrial" and replacing it with the words "general employment" and Clause 13 (c) is amended by deleting the words "non-industrial" and replacing them with the words "non-general employment".

2.18 Section **9.2 – COMMERCIAL ZONES**, Subsection 9.2.4, Zone Variation – C6(a) Clauses (18) and (19) are deleted in their entirety.

2.19 Section **9.4 – COMMUNITY FACILITIES ZONES**, Article 9.4.2(1),Table, lines 6, 7 and 8 are amended by deleting the word "industrial" and replacing it with the words "general employment" as follows:

	CF1	CF2
Lot Coverage and Floor Area		
Maximum combined *lot coverage* of all *buildings* and *structures* (per cent)	25	25
Setbacks		
Despite Subsection 4.3.1, the following *lot line* setbacks apply for the specific *zone* indicated:		
Minimum *rear lot line* setback abutting *commercial* or *general employment zone* (metres)	3.0	*
Minimum *interior side lot line* setback abutting non-*commercial* or non-*general employment zone* (metres)	7.5	7.5
Minimum *interior side lot line* setback abutting *commercial* or *general employment zones* (metres)	*	7.5
Minimum *exterior side lot line* setback (metres)	*	7.5

* Indicates the provisions of Section 4.3 apply.

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2.20 Section **9.7 – INDUSTRIAL ZONES** is deleted in its entirety and replaced with the following:

"9.7 – GENERAL EMPLOYMENT ZONES

The regulations in the tables in this Section apply to land in the General Employment 1 (GE1), General Employment 2 (GE2), General Employment 3 (GE3), and General Employment 4 (GE4) zones as indicated by the column headings.

9.7.1 – Permitted Uses of Land, Buildings and Structures

Information Note: Where land is in the Provincial Agricultural Land Reserve, the following uses are permitted only if they are also permitted by the Agricultural land Commission . Land uses permitted by the Agricultural Land Commission are only permitted if they are also consistent with this Bylaw. Section 3.3 – Agricultural Uses - of this Bylaw permits farming use to occur in any zone, if it is in the Agricultural Land Reserve.

Information Note: Section 3.4 – Vegetation Screens of this Bylaw outlines the requirements for vegetation screens on lots occupied by outdoor general employment uses.

(1) In addition to the *uses* permitted in Subsection 3.1 – Uses Permitted In All Zones – of this Bylaw, the following *uses*, *buildings* and *structures* and no others are permitted in the General Employment zones indicated:

	GE1	GE2	GE3	GE4
Principal Uses, Buildings and Structures				
Agriculture, farm buildings and structures	◆	◆	◆	
Boat building, servicing and repairs	◆	◆	◆	◆
Car wash		◆	◆	
Car wash accessory to vehicle and equipment sales, rental and repair	◆	◆	◆	
Collection of recyclable materials, excluding outdoor sorting and storage	◆	◆	◆	
Commercial composting facility	◆	◆	◆	
Contractor's shop	◆	◆	◆	
Creative industry	◆	◆	◆	
Farm-related light industry	◆	◆	◆	
Food processing, including off-farm storage and processing	◆	◆	◆	
Funeral homes	◆	◆	◆	
Indoor storage	◆	◆	◆	
Light industry	◆	◆	◆	
Office	◆	◆	◆	
Public service uses	◆	◆	◆	
Public utility uses	◆	◆	◆	
Rental, repair, sales, and service of equipment, machinery, boats, and vehicles	◆	◆	◆	
Residential uses above other principal	◆	◆	◆	

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	GE1	GE2	GE3	GE4
permitted use				
Sales of building supplies, appliances and furniture, including outdoor sales and storage	◆	◆	◆	
Veterinarian clinics and animal hospitals	◆	◆	◆	
Wholesale sales	◆	◆	◆	
Abattoir		◆	◆	
Cement factory			◆	
Heavy equipment rental, sales, and service		◆	◆	
Storage of goods and vehicles, with the exception of outdoor storage of derelict vehicles or equipment, or waste materials		◆	◆	
Outdoor storage of commercially licensed trucks or bulk fuel products for use on SSI			◆	
Processing and sorting of construction aggregates for use on SSI, excluding asphalt			◆	
Processing, sorting, and storage of timber and other wood products produced on SSI or to be used on SSI, including sawmills and planing mills			◆	
Storage (indoor or outdoor) of waste materials directly related to principal permitted uses			◆	
Vehicle and other metal dismantling and recycling			◆	
Marine dependent uses				◆
Accessory Uses				
Retail sales accessory to a permitted principal use	◆	◆	◆	◆
One dwelling unit accessory to a permitted principal use				◆
Office use accessory to a permitted principal use				◆

9.7.2 – Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) Subject to Part 4 General Regulations (Siting), buildings and structures in the General Employment zones must comply with the following regulations regarding size, siting and density:

	GE1	GE2	GE3	GE4
Lot coverage and units per hectare				
Maximum combined lot coverage of all buildings and structures (per cent)	75	66	33	33
Maximum floor area of accessory dwelling units (square metres)	185	185	185	185
Setbacks				
Despite Subsection 4.3.1, the following lot line setbacks apply for the specific zone indicated:				
Minimum front lot line setback (metres)	*	*	*	*
Minimum rear lot line setback abutting a lot not	6	6	7.5	10

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in a General Employment zone (metres)				
Minimum rear lot line setback abutting a lot in a General Employment zone (metres)	3	3	3	3
Minimum interior side lot line setback abutting a lot not in a General Employment zone (metres)	6	6	7.5	6
Minimum interior side lot line setback abutting a lot in a General Employment zone (metres)	3	3	3	3
Minimum exterior side lot line setback (metres)	6	7.5	7.5	7.5
For *commercial composting* facilities, minimum setback distances from all property lines (metres)	30	30	30	--
Height				
Despite Section 3.8, the maximum permitted height of buildings and structures applies for the specific zones as indicated:				
Maximum height of buildings and structures (metres)	*	*	11	11

* Indicates the provisions of Section 3.8 apply

9.7.3 Stormwater Management

If the area of *impervious surface* on any *lot* in a *General Employment zone* totals 280 square metres or more, then no further *impervious surface* may be constructed on the *lot* except in accordance with a design prepared by an *engineer* which ensures that the pre-development and post-development stormwater run-off rate, flow pattern and water quality are as similar as is reasonably feasible and that runoff is managed in a manner consistent with the *Land Development Guidelines*. Stormwater runoff facilities must be operated and maintained at all times in accordance with the original design and the *Land Development Guidelines*.

9.7.4 Subdivision and Servicing Requirements

(1) The regulations in this subsection apply to the subdivision of land under the Land Title Act and the Strata Property Act for the General Employment 1, General Employment 2, General Employment 3, and General Employment 4 *zones*.

Information Note: For land in the Agricultural Land Reserve, see Part 5 – General Regulations (Subdivision).

	GE1	GE2	GE3	GE4
Lot Areas and Minimum Service Levels				
Minimum area of an individual lot that may be created through subdivision, provided each lot has an individual on-site sewage treatment system and an adequate supply of potable water (ha)	0.6	0.6	0.6	0.6
Minimum lot area that may be created through subdivision, provided that each lot is connected to community sewage collection system (ha)	0.2	0.2	0.2	0.2

9.7.5 Exceptions in Particular Locations

(1) On those lands in General Employment zones that are identified on Schedule "A" by a letter in brackets, the following additional regulations apply:

Zone Variation – GE1(a)

(2) The following principal uses, buildings and structures are permitted, but no others:
- (a) Light industry
- (b) Funeral homes
- (c) Retail sales of building supplies, appliances and furniture
- (d) Wholesale sales
- (e) Storage of goods and vehicles, with the exception of outdoor storage of derelict vehicles or equipment, or waste materials
- (f) Public service uses
- (g) Farm-related light industry
- (h) Offices
- (i) Personal services
- (j) Dwelling unit in Strata Lot 4 Plan VIS4561
- (k) Creative industry
- (l) Food processing, including off-farm storage and processing

Provided that water consumption for any individual use does not exceed 1000 litres per day.

(3) The following accessory use is permitted:
- (a) Indoor retail sales accessory to another permitted use.

Zone Variation – GE2(a)

(4) The following additional uses are permitted within lands zoned GE-2(a):
- (a) *Indoor* and *outdoor retail sales* and *wholesale sales* of *building* supplies, garden supplies, appliances and furniture, with *accessory outdoor* sales and storage.

(5) The following size and siting regulations apply to lands zoned GE-2(a):
- (a) Despite the *lot coverage* regulations in the GE-2 zone in Subsection 9.7.2, the *lot coverage* for *buildings* and *structures* must not exceed 20 per cent of the lot area.
- (b) Despite the *lot coverage* provisions, individual *buildings* must not exceed 3,250 square metres in area.
- (c) Despite *setback* provisions in Subsection 9.7.2(1) of the GE-2 zone, when the lot is abutting a lot in the Agricultural Land Reserve a 15 metre *building* setback is required."

2.21 **SCHEDULE "A" LEGEND,** lines 21, 22, 23 and 24, are amended by deleting the Zone Name word "Industrial" and replacing them with the words "General Employment" and by deleting the Zone Abbreviations "In1", "In2", "In3", "In4" and replacing them with the following Zone Abbreviations "GE1", "GE2", "GE3", "GE4".

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2.22 This bylaw is further amended by making such consequential numbering alterations to effect all changes.

2.23 **SCHEDULE "A" – ZONING MAP** is amended by changing the zoning classification of:

i. Lot 1, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 47303 (PID: 011-948-841, 181 Beddis Road), from split zoned Agriculture 1 (A1) and Industrial 2 – (In2) to split zoned Agriculture 1 (A1) and General Employment 2 – (GE2), as shown on Plan No. 1;
ii. Lot A, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan EPP19759 (PID: 028-971-981, 189 Beddis Road), from Industrial 1 (b) – (In1(b)) to General Employment 2 – (GE2), as shown on Plan No. 1;
iii. Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289, Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD 253481I) and Except That Part in Plans VIP60214 and EPP19759 (PID: 006-461-794, 225 Beddis Road), from Industrial 1 (c) – (In1(c)) to General Employment 2 (a) – (GE2(a)), as shown on Plan No. 1;
iv. Lot A, Section 18, North Salt Spring Island, Range 4 East, Cowichan District, Plan VIP60214 (PID: 023-004-614, 427 Fulford-Ganges Road), from Industrial 3 – (In3) to General Employment 2 – (GE2), as shown on Plan No. 1;
v. Lot A, Section 3, Range 3 East, North Salt Spring Island, Cowichan District, Plan 30232 (PID: 001-274-520, 340 Lower Ganges Road), from Industrial 1 – (In1) to General Employment 1 – (GE1), as shown on Plan No. 2;
vi. Lot B, Section 3, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23707 (PID: 003-141-331, 115 Desmond Crescent), from Industrial 2 (a) – (In2(a)) to General Employment 1 – (GE1), as shown on Plan No. 2;
vii. Lot 1, Section 14, Range 5 East, North Salt Spring Island, Cowichan District, Plan 8397 (PID: 005-511-313, 804 Fulford Ganges Road), from Industrial 1 – (In1) to General Employment 1 – (GE1), as shown on Plan No. 3;
viii. Lot 1, District Lot 2018, Section 15, Range 1, South Salt Spring Island, Cowichan District, Plan VIP75141 (PID: 025-639-749, 111 Morningside Drive), from Industrial 4 (a) – (In4(a)) to General Employment 4 – (GE4), as shown on Plan No. 4;
ix. Lot A, Section 15, Range 1, South Salt Spring Island, Cowichan District, Plan VIP75140 (PID: 025-639-269, 111 Morningside Drive), from Industrial 4 (a) – (In4(a)) to General Employment 4 – (GE4), as shown on Plan No. 4;
x. Lot A, Section 15, Range 1, South Salt Spring Island, Cowichan District, Plan 12935 (PID: 004-459-083, 111 Morningside Drive), from Industrial 4 (a) – (In4(a)) to General Employment 1 – (GE1), as shown on Plan No. 4;
xi. Lot 2, Section 2, Range 3 East, North Salt Spring Island, Cowichan District, Plan 2580, Except Part In Plan 17428 (PID: 006-301-924, 166 Rainbow Road), from split zoning Industrial 1 – (In1) and Rural 6 – (R6) to General Employment 2 – (GE2), as shown on Plan No. 5;
xii. Lot 11, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 (PID: 005-893-615, 191 Rainbow Road), from Industrial 2 – (In2) to General Employment 1 – (GE1), as shown on Plan No. 5;
xiii. Lot A, Section 2, Range 4 East, North Salt Spring Island And District Lot 689, Cowichan District, Plan VIP65932 (PID: 023-882-921, 151 Lower Ganges Road), from Industrial 1 – (In1) to General Employment 1 – (GE1), as shown on Plan No. 5;

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xiv. Lot 1, Section 1, Range 4 East, North Salt Spring Island, Cowichan District, Plan 17396 (PID: 003-930-521, 101 Fulford-Ganges Road), from Industrial 4 (a) – (In4(a)) to General Employment 4 – (GE4), as shown on Plan No. 5;

xv. Lot A, District Lot 1, North Salt Spring Island, Cowichan District, Plan 16224 (PID: 004-031-059, Scott Point Drive), from Industrial 4 (a) – (In4(a)) to General Employment 4 – (GE4), as shown on Plan No. 6;

xvi. Lot 1, Section 77, South Salt Spring Island, Cowichan District, Plan 22493 (PID: 003-247-414, 210 Stewart Road), from Industrial 2 (a) – (In2(a)) to Rural – (R), as shown on Plan No. 7;

xvii. Lot A, Section 77, South Salt Spring Island, Cowichan District, Plan 24036 (PID: 002-963-027, 174 Stewart Road), from Industrial 2 (a) – (In2(a)) to General Employment 3 – (GE3), as shown on Plan No. 7;

xviii. Lot 1, Section 77, South Salt Spring Island, Cowichan District, Plan 36865 (PID: 000-427-748, 190 Stewart Road), from Industrial 2 (a) – (In2(a)) to General Employment 3 – (GE3), as shown on Plan No. 7;

xix. Lot A, Section 77, South Salt Spring Island, Cowichan District, Plan 30343 (PID: 001-271-610, 194 Stewart Road), from Industrial 2 (a) – (In2(a)) to General Employment 3 – (GE3), as shown on Plan No. 7;

xx. Lot 2, Section 77, South Salt Spring Island, Cowichan District, Plan 36865 Except That Part In Plan VIP78193 (PID: 000-427-756, 260 Stewart Road), from Industrial 2 (a) – (In2(a)) to General Employment 3 – (GE3), as shown on Plan No. 7;

xxi. Lot 1, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 000-936-715, 145 Robinson Road), from Rural – (R) to General Employment 1 (GE1) as shown on Plan No. 8;

xxii. Lot 2, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 000-936-723, 125 Robinson Road), from Rural – (R) to General Employment 1 (GE1) as shown on Plan No. 8;

xxiii. Lot 3, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 005-640-482, 117 Robinson Road), from Rural – (R) to General Employment 1 (GE1) as shown on Plan No. 8;

xxiv. Lot 4, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 001-648-284, 111 Robinson Road), from Industrial 2 – (In2) to General Employment 1 (GE1) as shown on Plan No. 8;

xxv. Lot 6, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 005-640-539, 330 Upper Ganges Road), from Industrial 2 – (In2) to General Employment 1 (GE1) as shown on Plan No. 8;

xxvi. Lot 7, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 005-640-601, 334 Upper Ganges Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 8;

xxvii. Lot 5, Block A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (PID: 000-155-071, 320A Upper Ganges Road), from Industrial 1 – (In1) to General Employment 1 – (GE1), as shown on Plan No. 8;

xxviii. Lot A, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan VIP54681 (PID: 017-860-261, 347 Upper Ganges Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 8;

xxix. Lot B, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan VIP54681 (PID: 017-860-270, 331 Upper Ganges Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 8;

xxx. Strata Lots 1 to 23, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Strata Plan VIS4561, Together With an Interest in the

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Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (PIDs: 024-120-677, 024-120-693, 024-120-707, 024-120-715, 024-120-723, 024-120-731, 024-120-740, 024-120-758, 024-120-766, 024-120-774, 024-120-782, 024-207-799, 024-207-802, 024-207-811, 024-207-829, 024-207-837, 024-207-845, 024-207-861, 024-207-896, 024-621-323, 024-621-331, 024-621-340, 024-621-358; 315 Upper Ganges Road), from Commercial 6 (a) – (C6(a)) to General Employment 1 (a) – (GE1(a)), as shown on Plan No. 8;

xxxi. Lot 3, Section 1, Range 2 East, North Salt Spring Island, Cowichan District, Plan 7202 (PID: 005-759-447, 345 Rainbow Road), from Industrial 4 – (In4) to General Employment 3 – (GE3), as shown on Plan No. 9;

xxxii. Lot B, Section 1, Range 2 East, North Salt Spring Island, Cowichan District, Plan VIP66899 (PID: 024-113-131, 317 Rainbow Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxiii. Lot A, Section 1, Range 2 East, North Salt Spring Island, Cowichan District, Plan VIP66899 (PID: 024-113-123, 321 Rainbow Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxiv. Strata Lot 2, Section 1, North Salt Spring Island, Range 2 East, Cowichan District Strata Plan VIS3892, Together With an Interest in the Common in Proportion to the Unit Entitlement Of The Strata Lot as Shown on Form 1 (PID: 023-327-251, 325 Rainbow Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxv. Strata Lot 1, Section 1, North Salt Spring Island, Range 2 East, Cowichan District, Strata Plan VIS3892, Together With an Interest in the Common in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (PID: 023-327-227, 327 Rainbow Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxvi. Strata Lot 1, Section 1, Range 2 East, North Salt Spring Island, Cowichan District, Strata Plan VIS4634, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (PID: 024-216-470, 319 Rainbow Road), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxvii. Strata Lot 2, Section 1, Range 2 East, North Salt Spring Island, Cowichan District, Strata Plan VIS4634, Together With an Interest in the Common Property in Proportion to the Unit Entitlement Of The Strata Lot as Shown on Form 1 (PID: 024-216-500, 131 Knott Place), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxviii. Strata Lot 3, Section 1, Range 2 East, North Salt Spring Island, Cowichan District, Strata Plan VIS4634, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (PID: 024-216-518, 125 Knott Place), from Commercial 6 – (C6) to General Employment 1 – (GE1), as shown on Plan No. 9;

xxxix. Lot 2, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 17153 (PID: 003-910-725, 203 Rainbow Road), from split zoned Agriculture 1 (A1) and Industrial 1 (a) – (In1(a)) to split zoned Agriculture 1 (A1) and General Employment 1 – (GE1), as shown on Plan No. 9;

xl. That Part of Parcel D (DD 47530I) Of Section 8, Range 2 East, and of Sections 5, 6, 7, 8, and 9, Range 3 East, North Salt Spring Island, Cowichan District, Lying Within Said Section 8, Range 2 East, and Sections 8 and 9, Range 3 East, Except Part in Plans VIP67771 and EPP24686 (PID: 000-155-306, 367A Robinson Road), from split zoned Agriculture 1 – (A1), Rural – (R), Shoreline 8 – (S8), and Industrial 2 – (In2) to split zoned Agriculture 1 – (A1), Rural – (R),

Shoreline 8 – (S8), and General Employment 2 – (GE2), as shown on Plan No. 10;

xli. Strata Lot A, Section 78, South Salt Spring Island, Cowichan District Strata Plan VIS6760 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 027-925-811, 1415 Fulford Ganges Road), from Industrial 2 – (In2) to General Employment 2 – (GE2), as shown on Plan No. 11;

xlii. Strata Lot C, Section 78, South Salt Spring Island, Cowichan District Strata Plan VIS6760, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 027-925-838, 80 Garner Road), from Industrial 2 – (In2) to General Employment 2 – (GE2), as shown on Plan No. 11;

xliii. Strata Lot B, Section 78, South Salt Spring Island, Cowichan District Strata Plan VIS6760, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V (PID: 027-925-820, 1429 Fulford Ganges Road), from Industrial 2 – (In2) to General Employment 2 – (GE2), as shown on Plan No. 11;

xliv. Lot 2, Section 78, South Salt Spring Island, Cowichan District, Plan 29468 (PID: 001-383-001, 1449 Fulford Ganges Road), from split zoned Rural – (R) and Industrial 2 – (In2) to split zoned Rural – (R) and General Employment 2 – (GE2), as shown on Plan No. 11;

xlv. The North West 1/4 of Section 60, South Salt Spring Island, Cowichan District Except Parts in Plans 24110, 21769, 25612, 26491 and 26909 (PID: 009-744-274, 190 Reynolds Road), from split zoned Agriculture 1 – (A1), Rural – (R), and Industrial 3 – (In3) to split zoned Agriculture 1 – (A1), Rural – (R), and General Employment 1 – (GE1), as shown on Plan No. 12;

xlvi. Lot L, Section 20, Range 4 East, North Salt Spring Island, Cowichan District, Plan 8350 (PID: 005-504-279, 251 Fulford-Ganges Road), from Industrial 1 – (In1) to General Employment 1 – (GE1), as shown on Plan No. 13.

xlvii. Lot A, Section 20, Range 4 East, North Salt Spring Island, Cowichan District, Plan 8350 (PID: 005-504-007; 156 Alders Avenue), from Industrial 1 – (In1) to General Employment 1 – (GE1), as shown on Plan No. 13.

xlviii. Lot 1, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 20357 (PID: 000-444-243; 152 McPhillips Avenue), from Commercial 1(d) – (C1(d)) to General Employment 1 – (GE1), as shown on Plan No. 14.

xlix. Lot A, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 16240 (PID: 000-410-624; 106 Jackson Avenue), from Commercial 1 – (C1) to General Employment 1 – (GE1), as shown on Plan No. 14.

l. Lot 1, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 (PID: 005-937-965; 108 Jackson Avenue), from Rural 6 – (R6) to General Employment 1 – (GE1), as shown on Plan No. 14.

li. Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Except Parts in Plans 3542, 5827, 10515, 16240 and Except that Part Lying Between Lots 6 and 7, Plan 5827, and to the North of a Straight Boundary Extending from the South East Corner of said Lot 7 of said Plan to the South West Corner of Lot 6 of said Plan (PID: 007-511-914; 114 Jackson Avenue), from split zoned Agriculture 1 – (A1) and Rural 6 – (R6) to split zoned Agriculture 1 – (A1), Rural 6 – (R6) and General Employment 1 – (GE1), as shown on Plan No. 14.

lii. Lot A, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 10515 (PID: 005-269-466; 118 Jackson Avenue), from Rural 6(b) – (R6(b)) to General Employment 1 – (GE1), as shown on Plan No. 14.

DRAFT

liii. Lot B, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 10515 (PID: 005-269-482; Jackson Avenue), from Rural 6 – (R6) to General Employment 1 – (GE1), as shown on Plan No. 14.

liv. Lot 2, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 (PID: 000-677-990; 122 Jackson Avenue), from Rural 6 – (R6) to General Employment 1 – (GE1), as shown on Plan No. 14.

As shown on Plans No. 1 through 14 attached to and forming part of this bylaw. And by making such alterations to Schedule "A" – Zoning Map as are required to effect these changes.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

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____

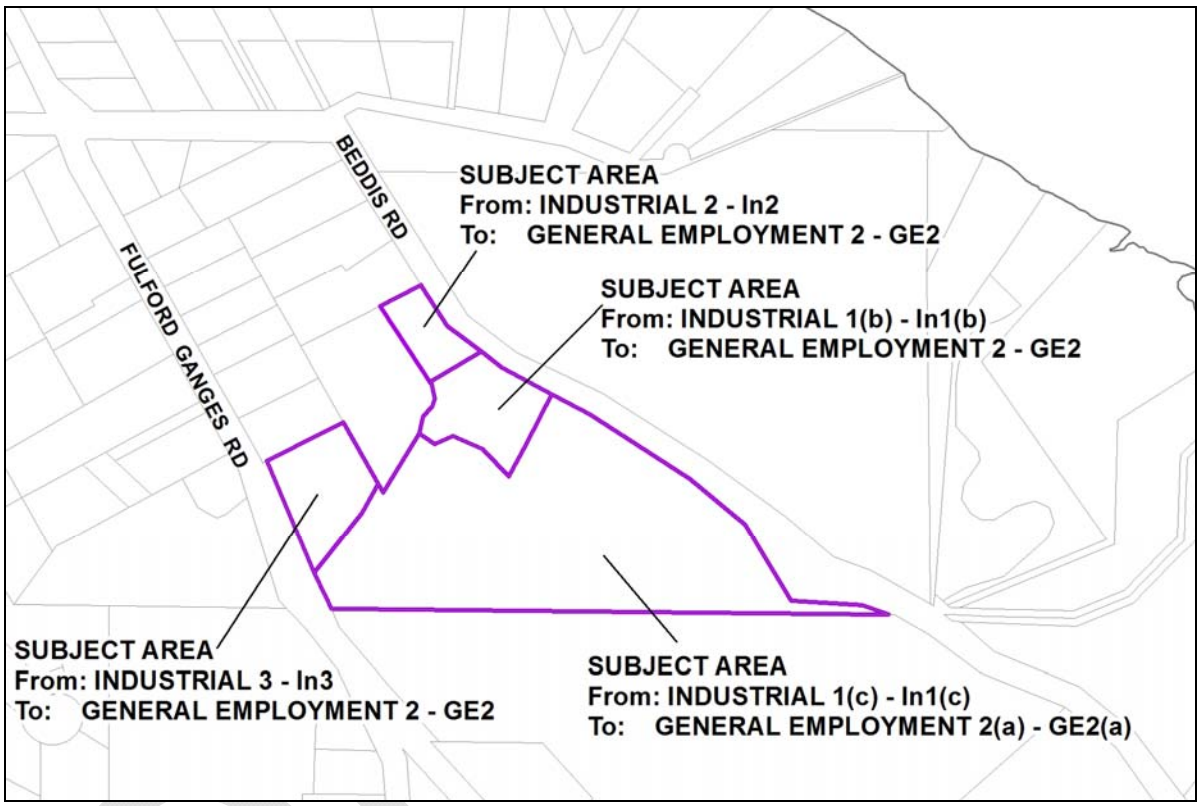
ADOPTED THIS _____ DAY OF _____ 20____

Chair **Secretary**

DRAFT

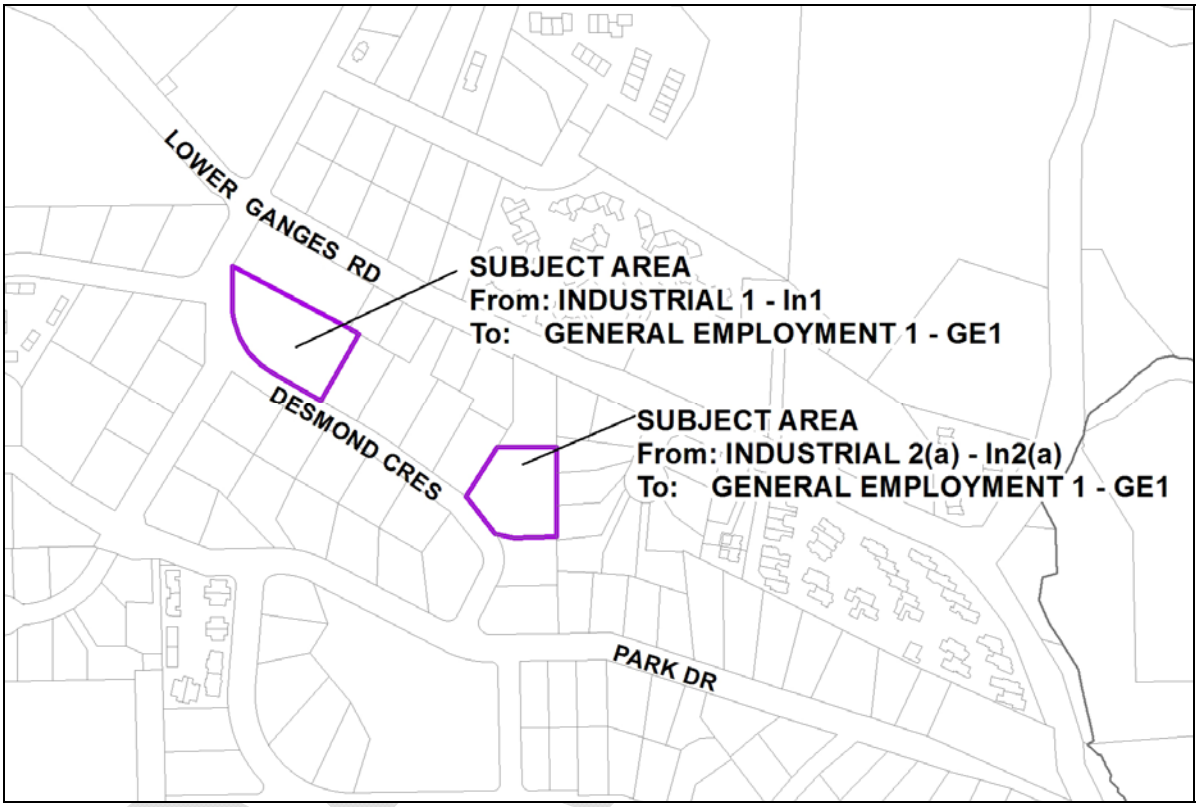
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 1



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 2



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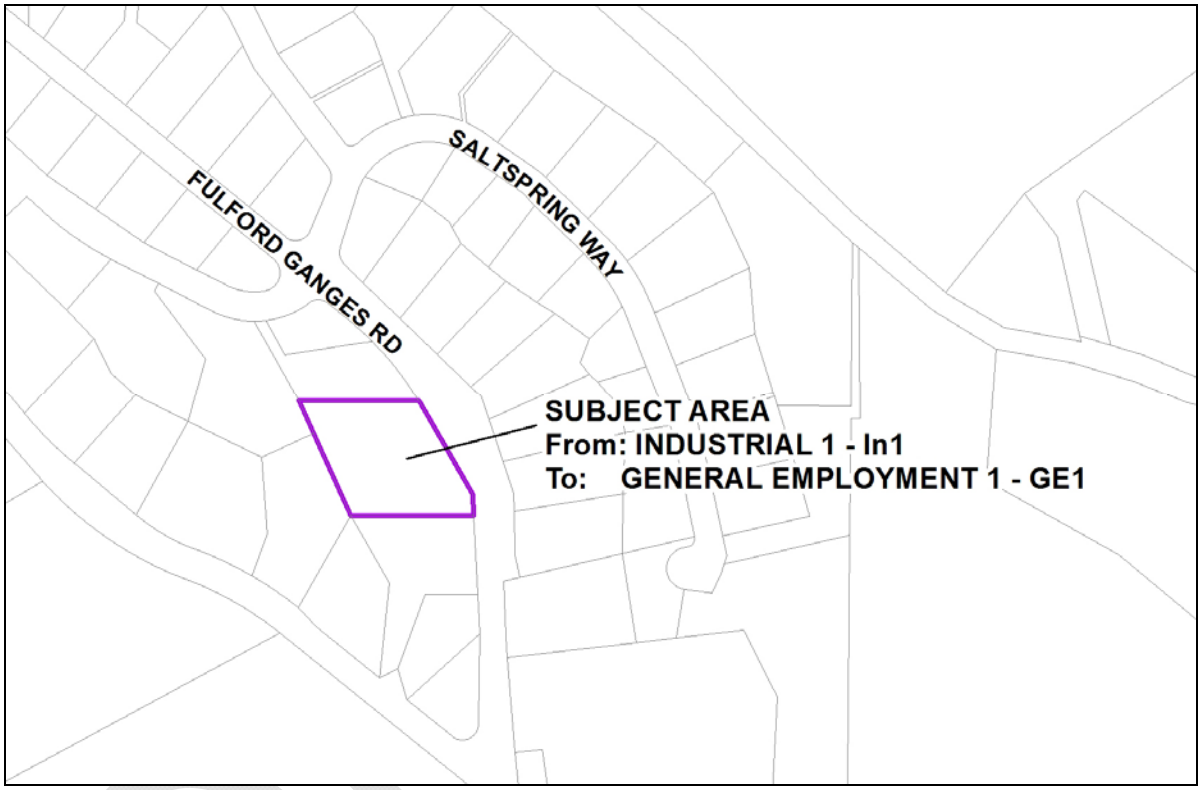
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 3



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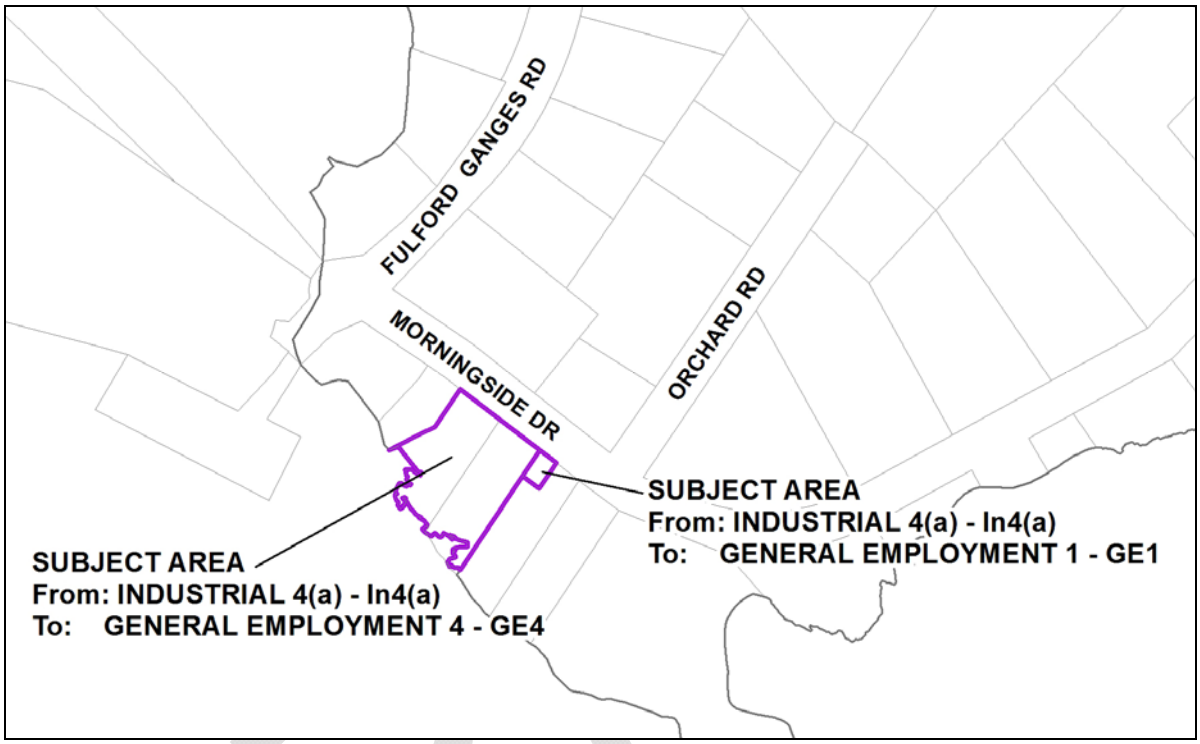
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 4



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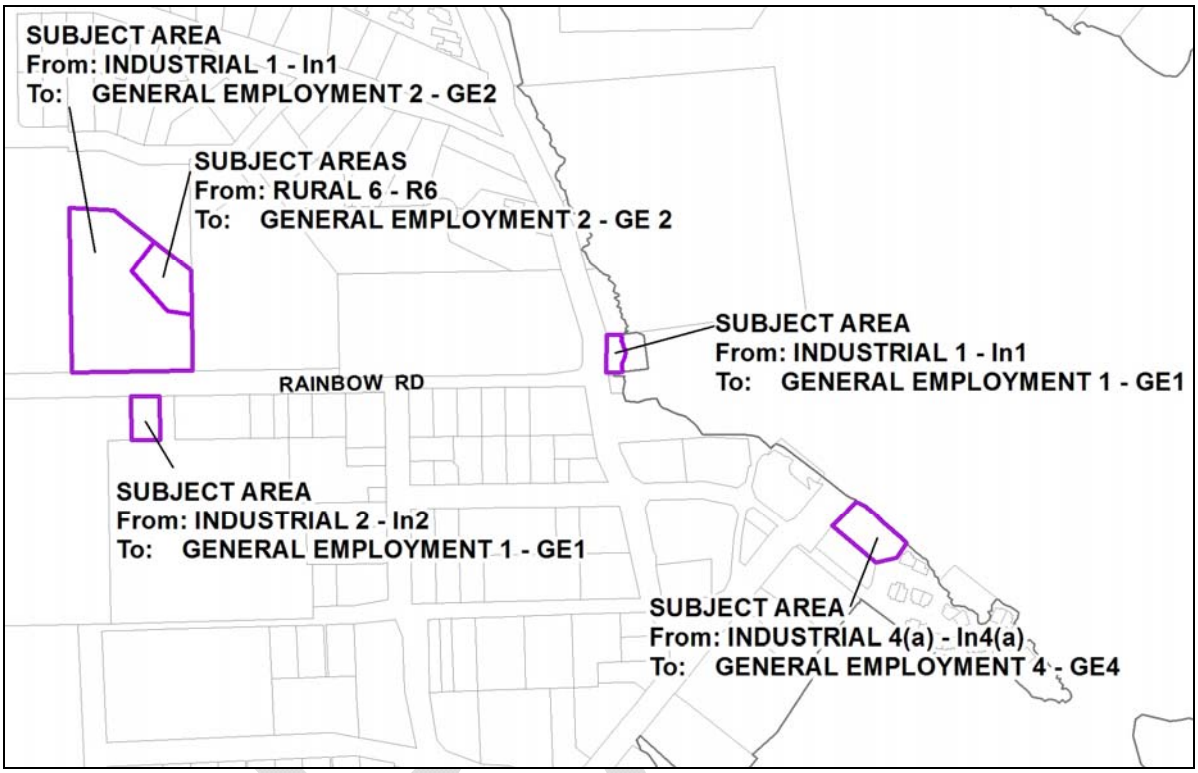
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 5



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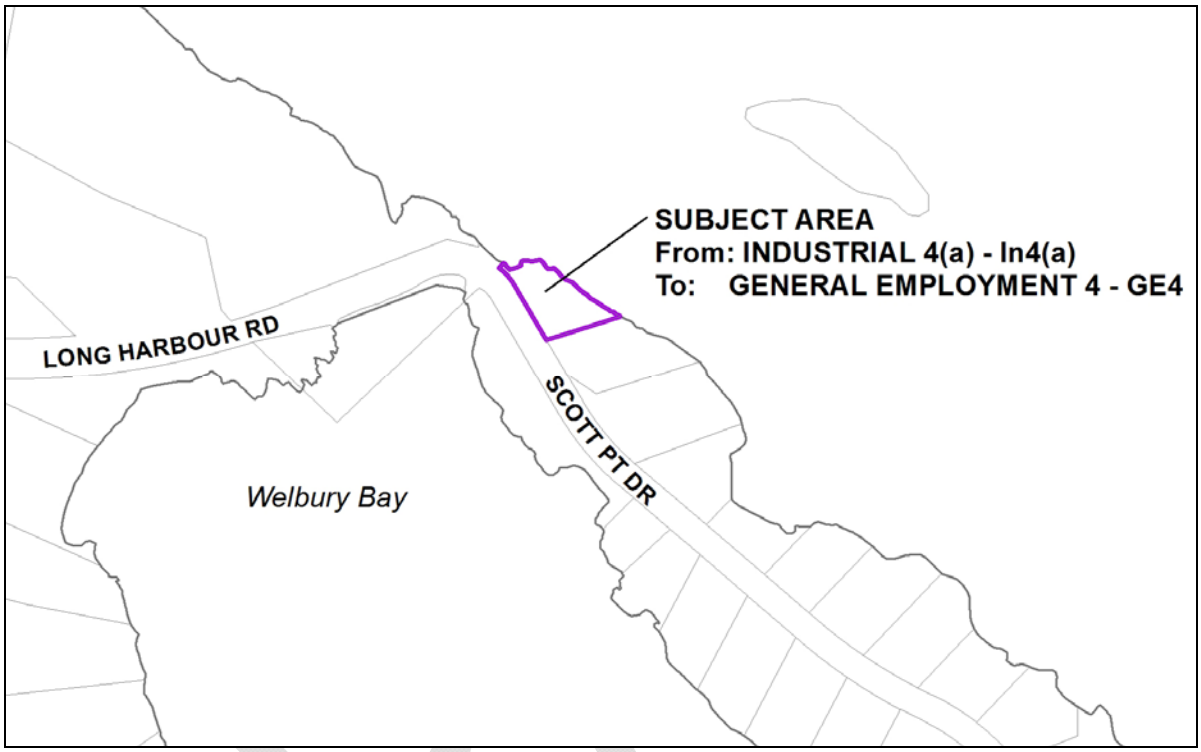
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 6



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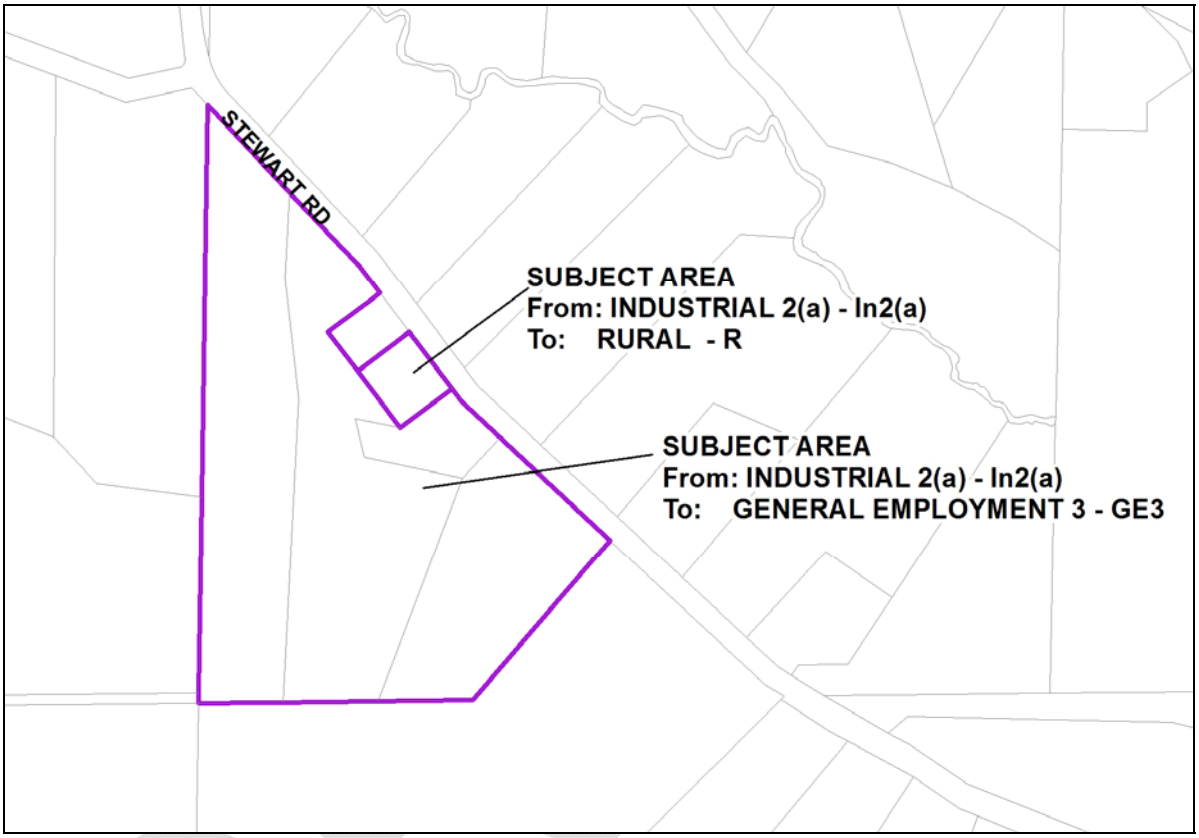
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 7



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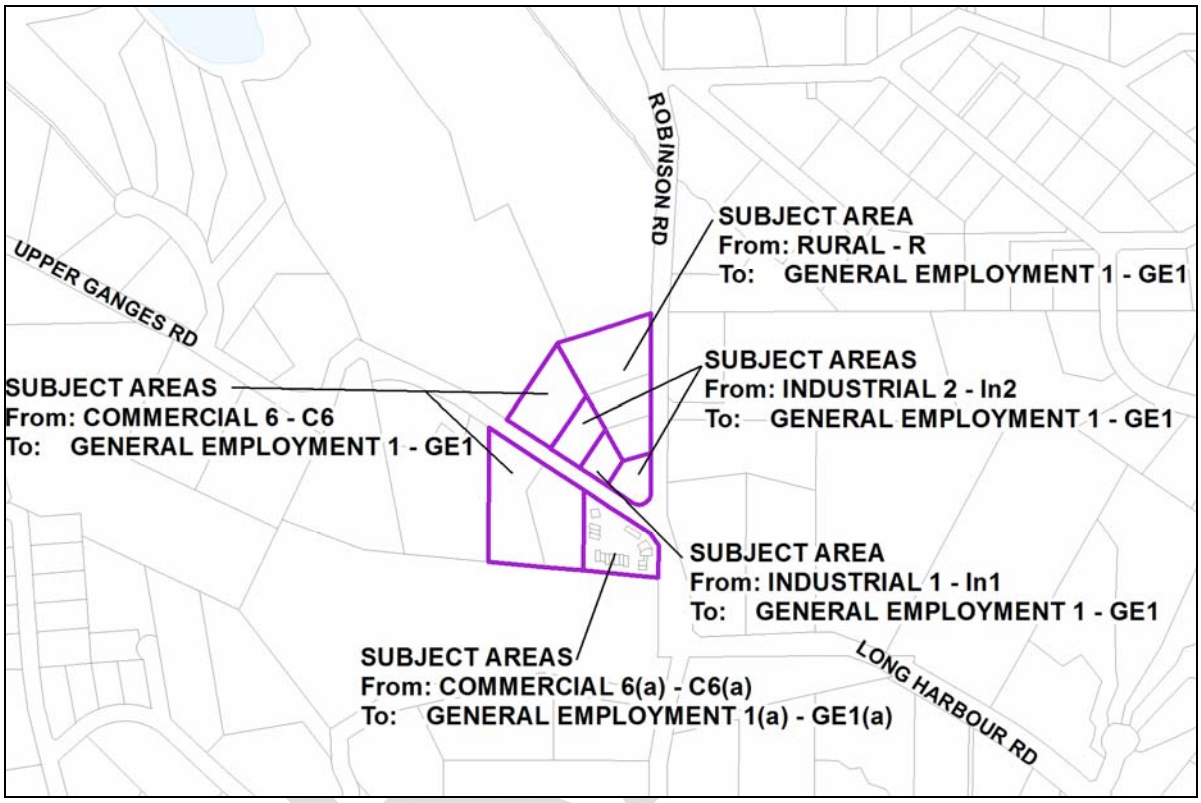
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 8



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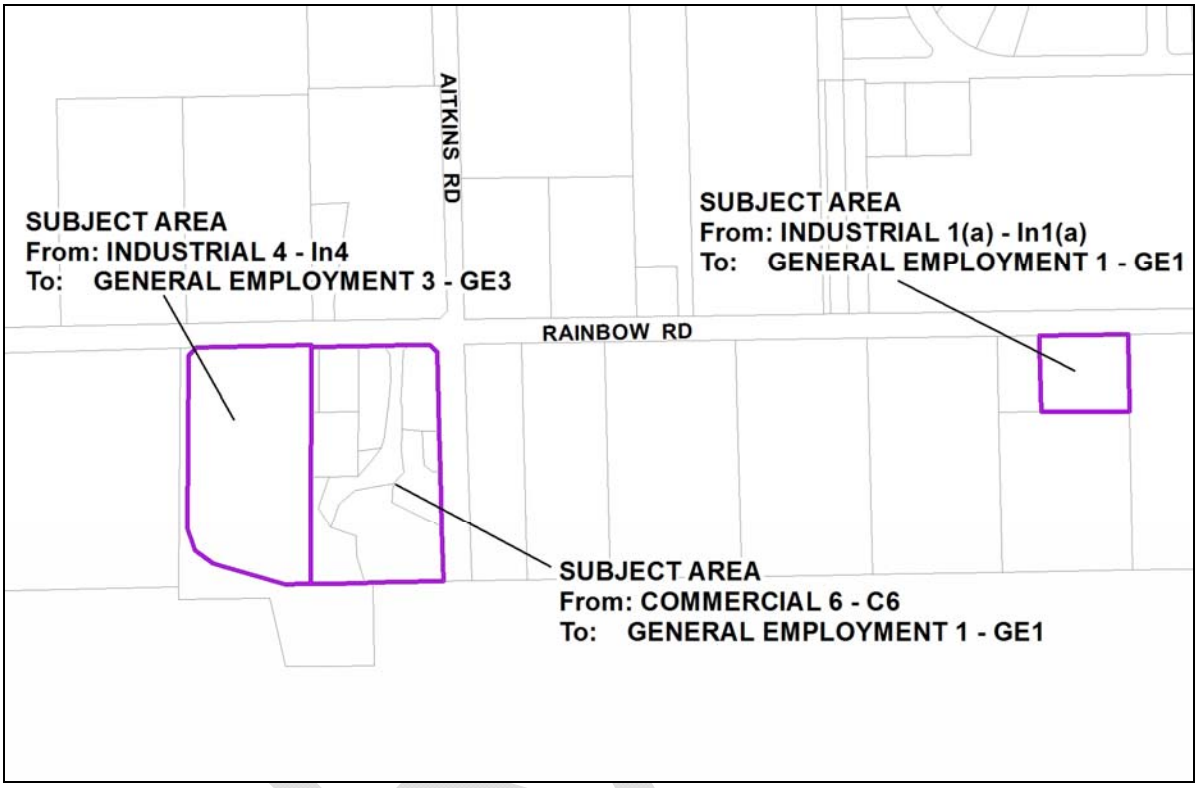
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 9



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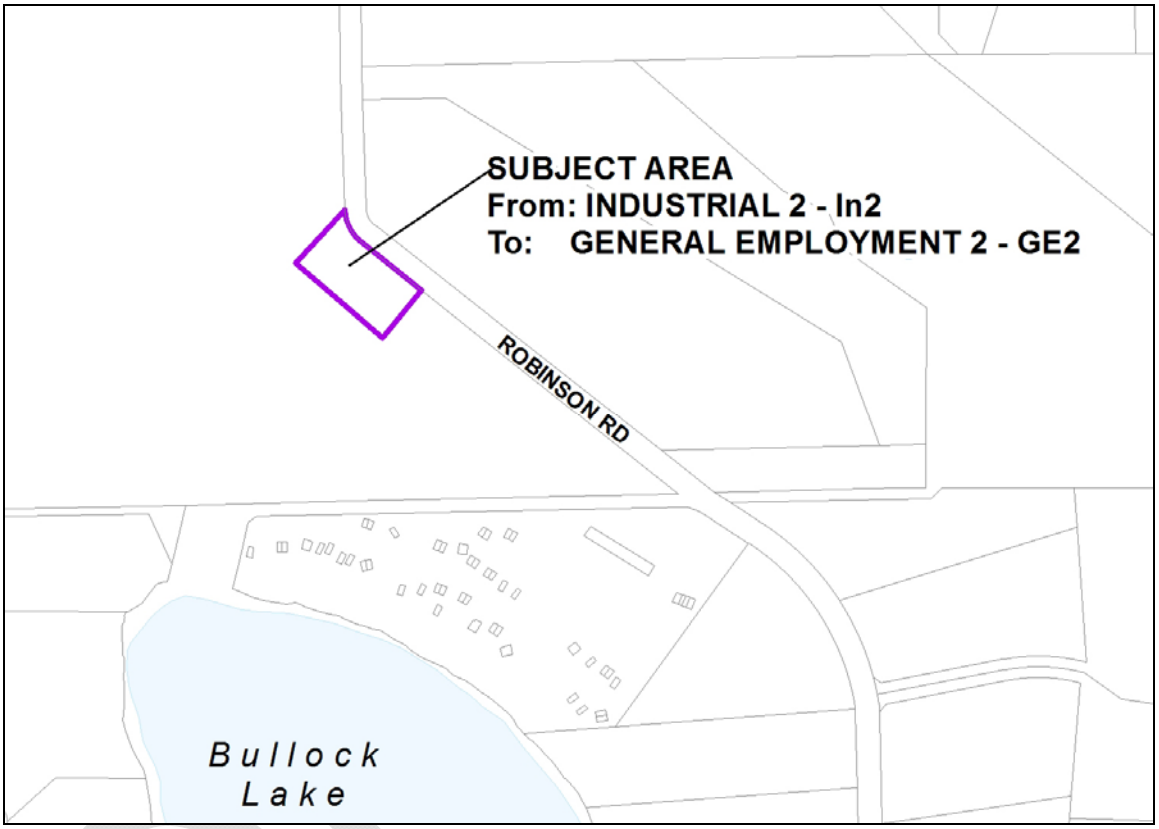
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 10



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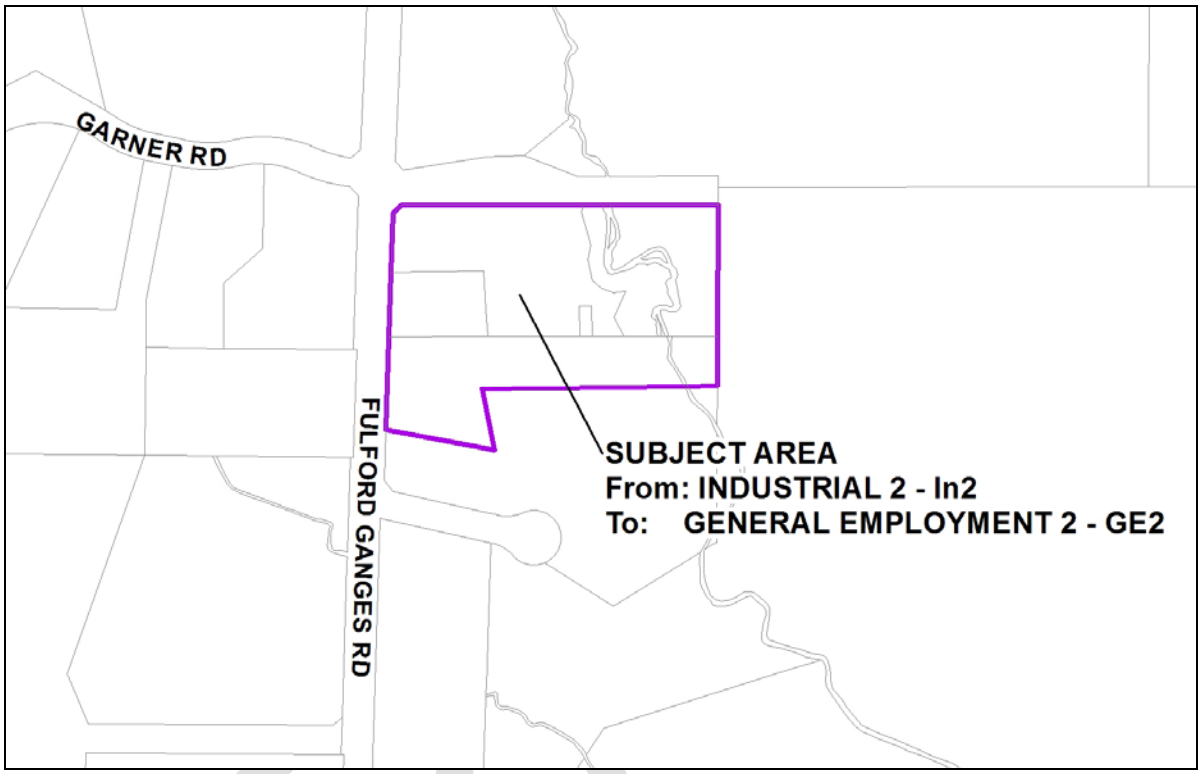
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 11



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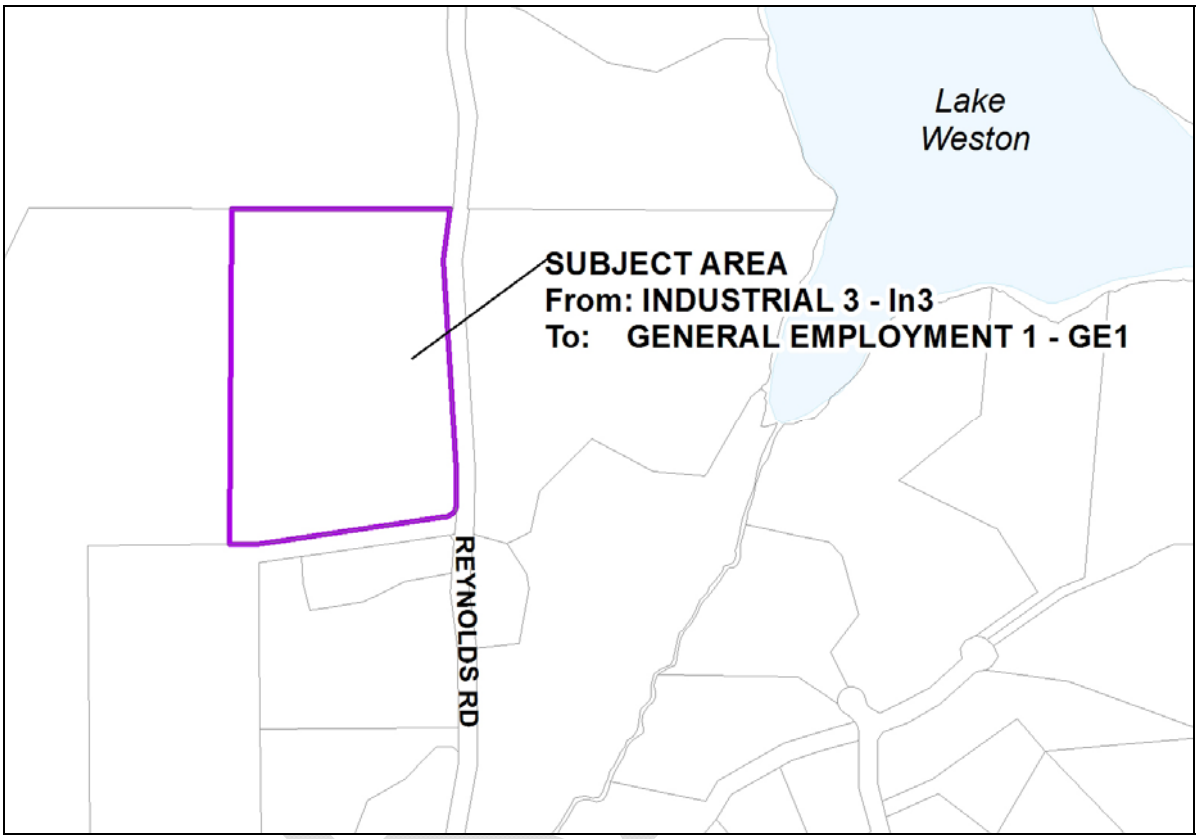
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 12



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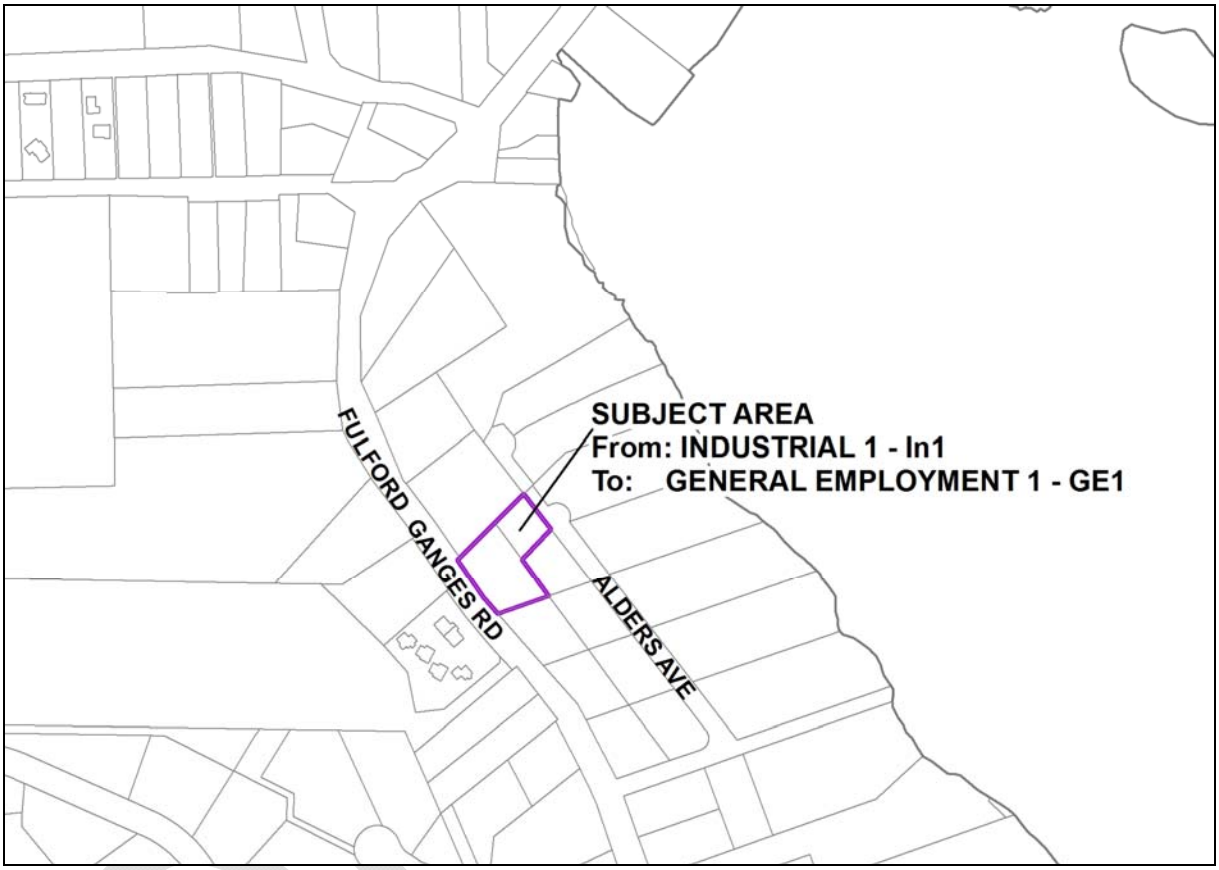
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 13



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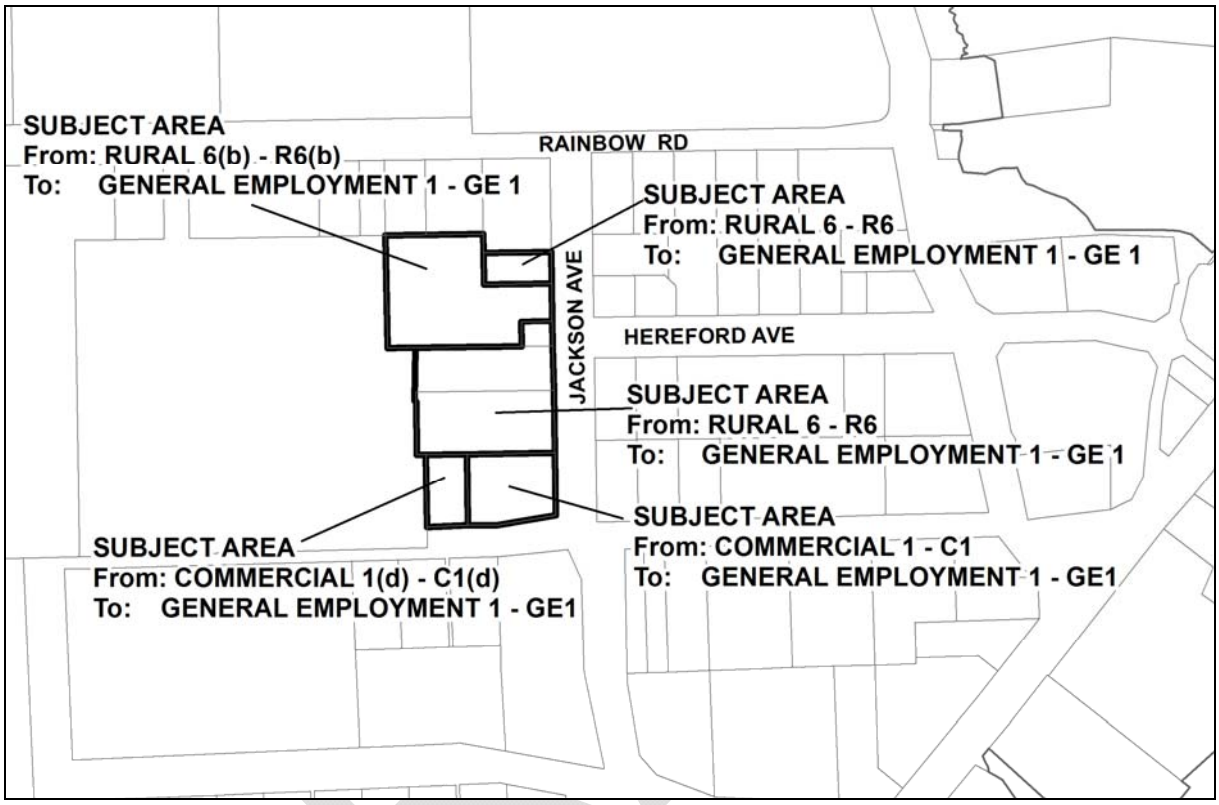
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 489

PLAN NO. 14



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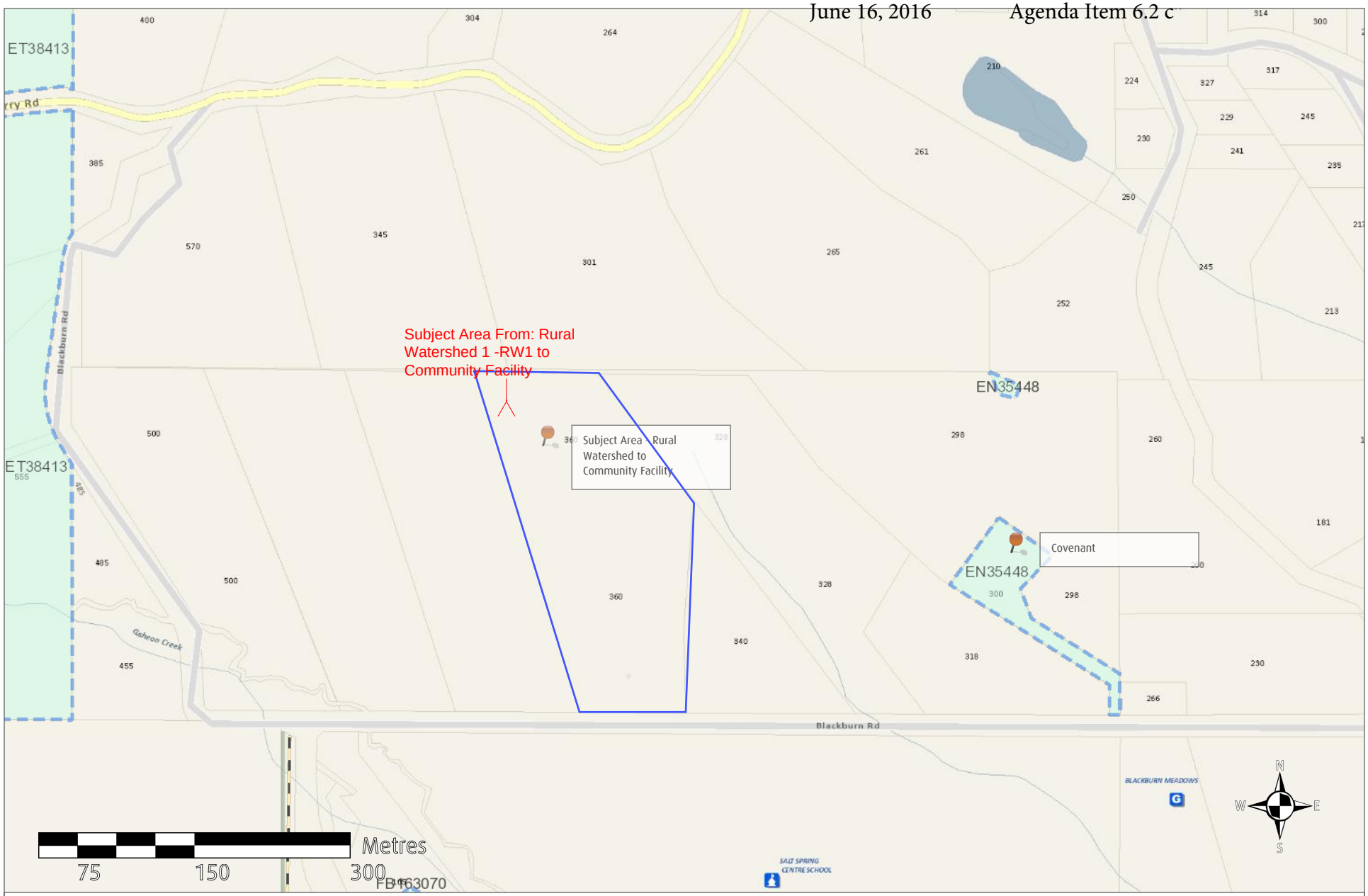

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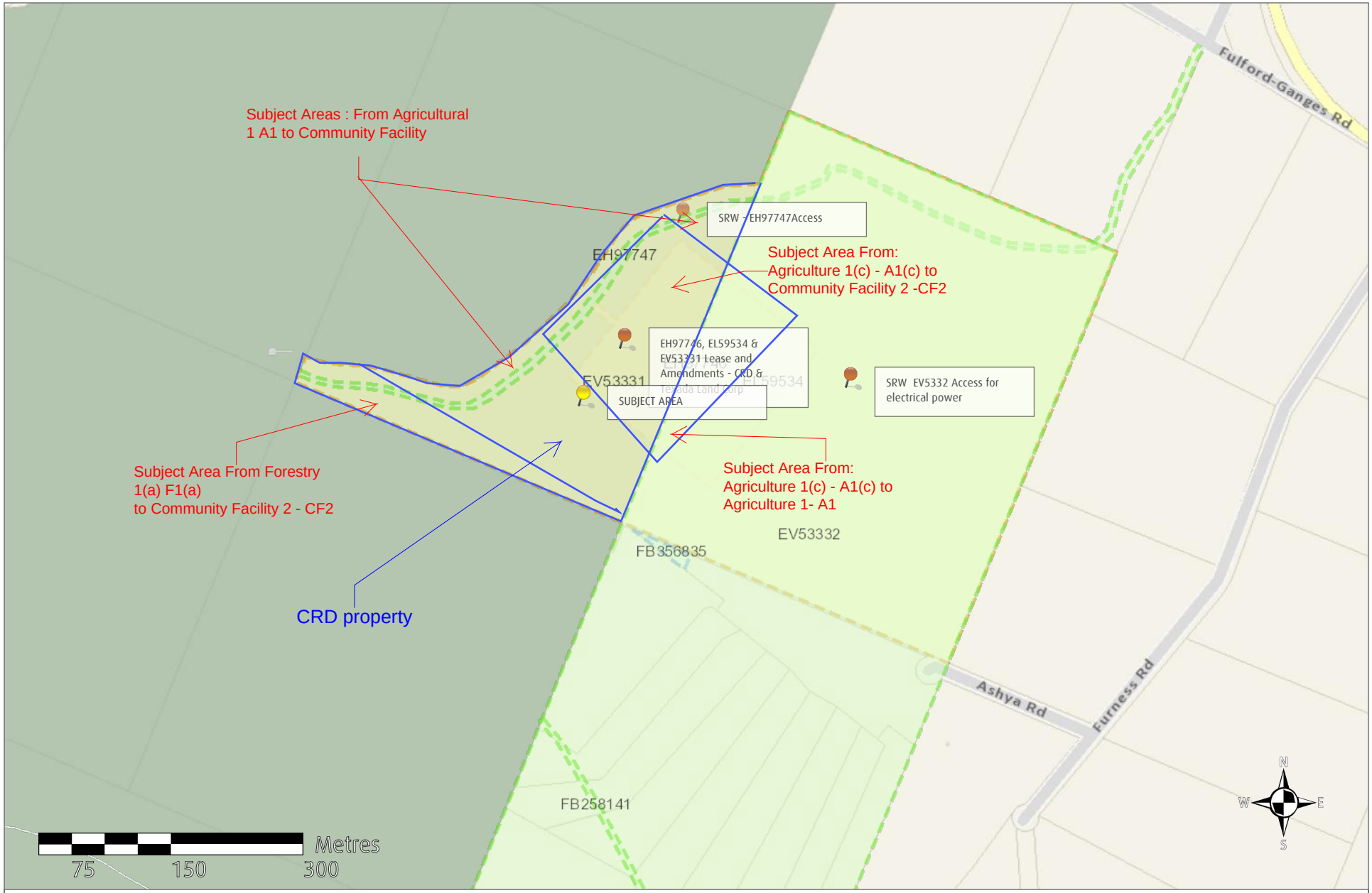
Printed Thu, May 5, 2016

Map CRD Interests PLAN 1

Intramap 2.0

Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca



Important

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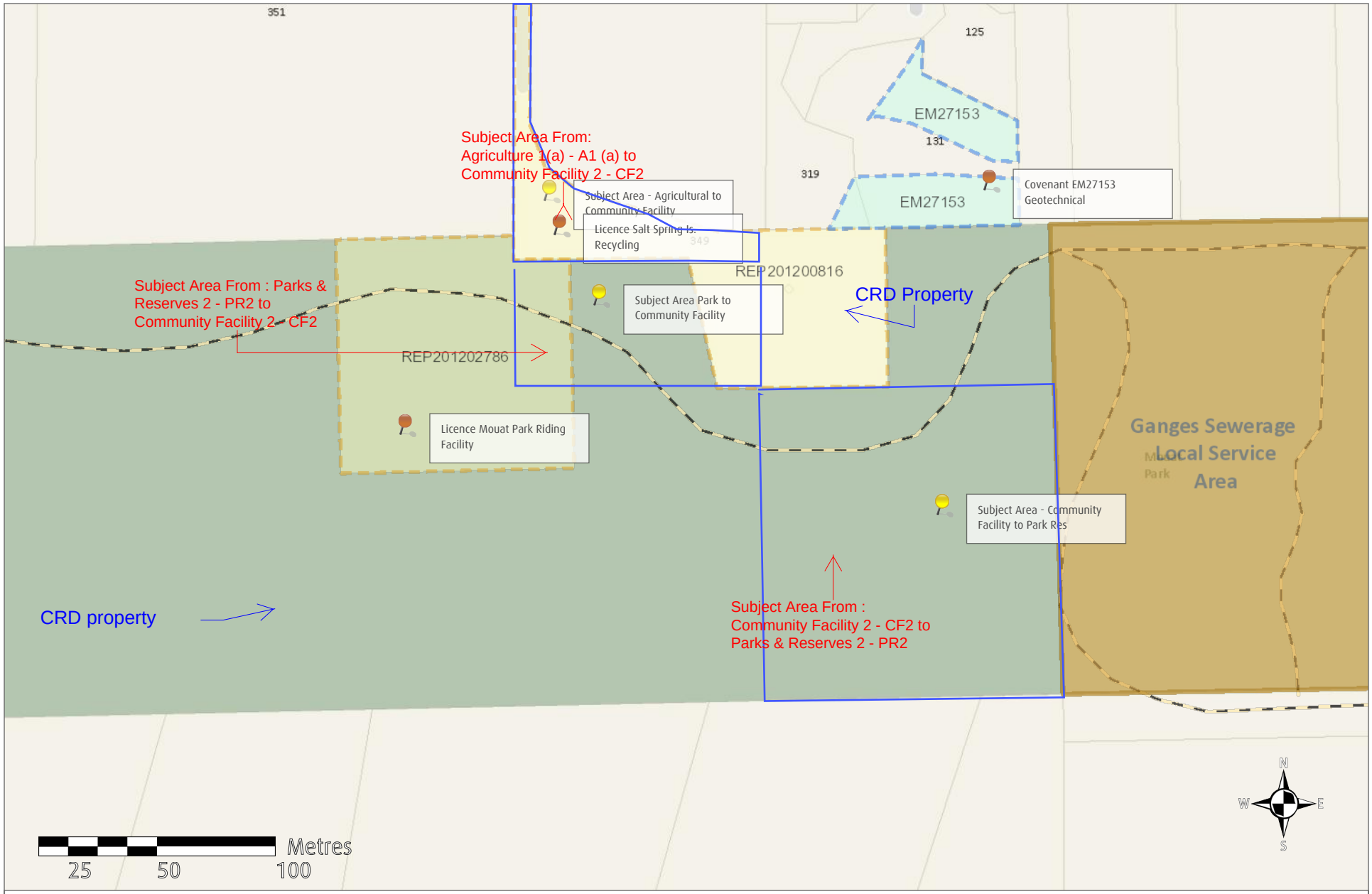
Printed Thu, May 5, 2016

MAP 2 CRD Interests PLAN 2

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca



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Printed Thu, May 5, 2016

Map 3 CRD Interests PLAN 3

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca

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Printed Thu, May 5, 2016

Map 4 CRD Interests PLAN 4

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca

PRELIMINARY BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 490 **Date:** May 3, 2016

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

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

PURPOSE OF BYLAW:

This Bylaw amends the Salt Spring Island Land Use Bylaw No. 355 by amending the zoning classification of 4 existing Waste Management Facilities which are located at:

- Liquid waste transfer station, on Burgoyne Bay Road
- Ganges sewer, on Seaview Ave., and
- Recycling on Rainbow Road
- Garbage Service S.S., Blackburn Road

GENERAL LOCATION:

Salt Spring Island, Electoral Area F

LEGAL DESCRIPTION:

Salt Spring Island, Electoral Area F

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

Bylaw No. 434

OTHER INFORMATION:

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Chloe Fox

Title: Planning Consultant

This referral has been sent to the following agencies:

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Regional Agencies

CRD – All Referrals
CRD - K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – SSI Transportation Commission
CRD – Ganges Water & Sewer Commission
CRD – SSI Director
CRD – SSI Building Inspection
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – SSI Liquid Waste Disposal Local Service Commission
CRD- SGI Small Craft Harbours Commission
Vancouver Island Health Authority
CRD - Beddis Water Service Commission
CRD – Highland Water & Sewer Local Services Commission
CRD - Fernwood Water Local Services Commission
CRD – Fulford Water Service Commission

PLEASE TURN OVER ➔

Provincial Agencies
Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Community, Sport & Cultural Development
Ministry of Energy and Mines
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC
Ministry of Jobs, Tourism & Skills

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District
Islands Trust Fund

Non-Agency Referrals
North Salt Spring Waterworks District
SSI Chamber of Commerce
SSI Fire Protection District
SS Farmer's Institute
SSI Farmland Trust
SSI Abbatoir Society
SSI Agricultural Alliance
Cusheon Lake Stewardship Committee
SSI Water Council Society
SSI Water Preservation Society
Reginal Hill Waterworks District

First Nations
Te'Mexw Treaty Association
Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut First Nation
Semiahmoo First Nation

PRELIMINARY BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	490
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

STAFF REPORT

March 3, 2016 **File No.:** 6500-20

To: Salt Spring Island Local Trust Committee
For the March 10, 2016 meeting

From: Beverly Suderman and Chris Hall, Consultants, IPS Island Planning Services

Re: Industrial Zoning: Update on Work Program, Community Consultation and Draft Bylaw

INTERIM REPORT

This report is intended to provide the Local Trust Committee (LTC) with options for moving forward on the implementation of the recommendations of the Industrial Advisory Planning Commission with regard to a General Employment zoning framework to replace the existing Industrial and C6 zoning.

BACKGROUND:

IPS Island Planning Services (IPS) has been retained to continue the work set out in the Industrial Rezoning Project Charter (May 2013). Essentially the IPS scope of work is to consult with neighbourhoods and community, begin First Nations consultations, and draft the necessary bylaws that would give force to the IAPC's priority recommendations for the LTC's consideration.

The current report outlines the results of the initial neighbourhood and community consultations, provides a summary of First Nations' concerns heard to date, and presents draft bylaws for consideration by the LTC.

POLICY CONTEXT

The Salt Spring Island vision, as documented in Section A.3 of the Official Community Plan, is stated, in part, as follows:

> *We understand that social and economic development must be in harmony with our mandate. We accept that there are limits to growth, limits to resources, and limits to the ability of our environment to absorb continued development. We recognize human impacts and understand that healthy societies depend on healthy ecosystems, and we will work to minimize our impacts and restore the land. Our need to protect the land must also ensure its agricultural future, not only because agriculture is a traditional way of island life, but also because in a changing world it is imperative that we enhance the security of our supply of food.*
>
> *We also look to secure the future of our community, to ensure that it remains rural and resident-centred, with economic opportunities to support a broad range of*

people. We appreciate the extraordinary artistic and creative talents among our residents. And we hope that the children who grow up here will not only find it a place to remember but will always be proud to call it home.

This excerpted statement provides an eloquent context for the challenges facing the Local Trust Committee as it works to update the Land Use Bylaw to create an environment that fulfills this vision: a strategy that protects the environment and is resident-centred, while providing economic opportunities for a broad range of people who live on Salt Spring Island.

Islands Trust Policy Statement

The Islands Trust Policy Statement commits the Trust Council to ensuring "that economic opportunities should be compatible with the conservation of resources and protection of community character" (Section 5.7.1). The supporting policy directs that "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" (Section 5.7.2).

Trust Council Strategic Plan

The 2014-2018 Trust Council Strategic Plan contains the following policies and objectives relevant to this project:

Strategic Plan Element	Comments
Objective 5: Enhance (protect/restore) community character, socio-economic diversity and economic sustainability. Strategy 5.2: Use land use planning tools to promote economic sustainability Activity L.5.2.2, scheduled for FY 2015/2016, is to amend LUB to ensure an appropriate supply of land zoned for emerging industrial and/or commercial needs in the Salt Spring Island LTA	Activity L.5.2.2 is in process.

A BRIEF OVERVIEW OF THE PROPOSED CHANGES

In total, three bylaws are submitted for consideration (Appendix 3):

1. Bylaw 488 – Modifications to the Salt Spring Island Official Community Plan;
2. Bylaw 489 – Modifications to the Salt Spring Island Land Use Bylaw related to the implementation of a General Employment zoning framework; and
3. Bylaw 490 – Modifications to the Salt Spring Island Land Use Bylaw related specifically to the rezoning of a number of waste management properties on Salt Spring Island.

Proposed Bylaw 488: Modifications to the SSI Official Community Plan (OCP)

Although the focus of the Industrial Zoning project is on amending the Land Use Bylaw, several of the changes and recommendations require an amendment to the Official Community Plan as well:

- Providing a definition of "general employment" as a basis for the zoning changes in the Land Use Bylaw. The proposed definition for general employment is as a

  > "use that primarily consists of making or preparing artifacts for sale. This can include small-scale processing or manufacture (for example, map-making,

blacksmithing or jam-making), medium-scale businesses (for example, cold storage for agricultural produce or boat-building), or large-format businesses (for example, automobile sales, contractor supply businesses, cement plant). This does not include heavy industry."

- Providing a policy context for the LTC to entertain rezoning applications in certain areas of Salt Spring Island:
    - Modifications to policy B.3.3.2.10 – This policy permits the LTC to consider rezoning applications for industrial uses in the Rainbow and Atkins roads area. The revised policy adds the areas at the junction of Long Harbour and Upper Ganges Roads and near the junction of Fulford-Ganges and Beaver Point Roads for consideration.
    - Associated modifications to land use designations as shown on OCP Map 1 – Plan Area and Shoreline Designations, and to Maps 7 & 8 – Waste Management Facilities.

- Adding or modifying development permit guidelines to address new uses introduced in the Land Use Bylaw.

To harmonize the language between the OCP and the LUB, the language of the OCP has been changed throughout the document from "industrial" to "general employment"; to ensure that the document remains grammatically correct, associated changes in the language have also been made.

Other substantive changes include:

- Deletion of policy B.3.3.2.5 – This policy called for an inventory of existing industrially zoned land and facilities, together with an assessment of projected demand, which has been accomplished.

- Development Permit Area 2 – Non-Village Commercial and Industrial (DPA2) guidelines for the protection of agriculture have been modified to bring them into alignment with the latest guidance from the Ministry of Agriculture. The existing buffer width of 3 m has been extended to 8 m, when a property line borders agricultural lands. Building setbacks to be at least 15 m from the property line when the subject property adjoins agricultural lands.

- DPA2 guidelines for commercial composting facilities added.

Proposed Bylaw 489: Modifications to the SSI Land Use Bylaw (LUB)

The most obvious change is to the language from "industrial" to "general employment" with any associated changes to ensure the document remains grammatically correct.

The most substantial change is a rewriting of Section 9.7 – Industrial in the bylaw, with a complete reworking of the permitted uses, and a review of the site coverage and setback regulations, as well as the zone variations.

Four key principles were applied in revising this section of the bylaw:

1. That there would be no loss of uses in the transition from "industrial" and C6 to "general employment" zoning;
2. That the intensity of use on a site would be reflected in the site coverage and setback regulations. Consequently, uses close to villages would have higher lot coverage (to fit

compatibly within commercial areas), while larger uses with potentially more land use conflicts would be on larger lots with larger setbacks away from the village areas;
3. That there would be increased flexibility of uses within the zones. Therefore, all uses permitted in GE1 are also permitted in GE2, (along with other additional uses in GE2). All uses permitted in GE2 are permitted in GE3, (with additional uses). NOTE: GE4 has been maintained as a marine-dependent uses only zone.
4. That the overall framework would be simplified, and the number of zones would be reduced.

The current LUB contains provisions for five basic industrial zones (including C6), and six zone variations, for a total of 11 zones. The proposed bylaw contains provisions for four basic general employment zones and two zone variations, for a total of 6 zones. With the rezoning of the liquid waste transfer station, it is possible to eliminate the A1(c) zone variation as well.

Table 1 outlines the zone equivalencies. In certain cases, a property was assigned either a GE1 or a GE2 zoning. That was dependent in part on the size of the property, and its ability to withstand a larger range of uses, based in part on its location.

Table 1: Zone equivalency chart, proposed Bylaw 489

Existing	Proposed	Notes
C6	GE1	
C6(a)	GE1(a)	Merchant Mews
In1	GE1 or GE2	
In1(a)	GE1	Murakami
In1(b)	GE2	Farmland Trust
In1(c)	GE2(a)	Slegg on Beddis
In2	GE1 or GE2	
In2(a)	GE3	Car wrecking
In3	GE2	
In4	GE3	
In4(a)	GE4	Marine dependent uses

New permitted uses that have been added to the General Employment zones include:

- Agriculture, farm buildings and structures – These were permitted in certain zone variations, so this use was extended to all general employment zoned properties;
- Car wash – to recognize existing uses;
- Commercial composting facility – There have been inquiries recently, so this is a use that may be required soon;
- Contractor's shop – to replace "Offices for use by building construction professionals and trades" and clarify the meaning;
- Creative industry – at the recommendation of the IAPC;
- Food processing, including off-farm storage and processing – to reflect current uses in some areas, and to address demand;
- Offices – at the request of business/property owners, in alignment with IAPC recommendations;
- Residential uses above other principal permitted uses – in alignment with OCP policy B.2.2.2.12, and at the request of business/property owners.

In terms of lot coverages and setbacks, the following changes are proposed:

- GE3 only – increase in rear and interior side setbacks from 6 m to 7.5 m to better buffer non-general employment lands;
- For properties moving from C6 to GE1, a slight reduction in required setbacks, from 6.1 m to 6 m;
- GE1 permissible lot coverage of 75%; GE2 permissible lot coverage of 50%; and GE3 permissible lot coverage of 33% -- current lot coverage in industrial zones is either 33% or 75%.
- GE4 only – increase in rear lot line setback to 10 m, to correspond with setbacks from the water regulations elsewhere in the bylaw.
- For commercial composting uses, the proposed setbacks are 30 m from the property lines, in accordance with guidance provided by the Ministry of Environment in response to the Organic Matter Recycling Regulation.

In terms of subdivision potential, it is proposed that in cases where GE zoned properties are connected to a "community sewage collection system," the minimum lot size can be as low as 0.2 ha. This change is supported by OCP policy B.3.3.2.8.

Other substantive changes include:

- Definition of farm-related light industry has been modified to increase the list of permitted uses by adding "storage" of farm products.
- New definitions added:
    - Abattoir (from proposed bylaw no. 483, which is currently awaiting adoption);
    - Commercial composting;
    - Contractor's shop;
    - Creative industry;
    - Vehicle dismantling (to replace Auto Wrecking – this change was in process through the "housekeeping" bylaw in development).
- Abattoir uses are moved from a zone variation into a more generally permitted use in the GE2 and GE3 zones.
- The addition of commercial composting regulations.
- Deleting references to the C5 zone (a housekeeping item) and C6 zone. All C6 zoned properties become GE1 zoned, in the new framework.
- Changing the zoning on the Merchant Mews from C6(a) to GE1(a). The zone variation is being kept due to the water restrictions within it. A few uses are being added: food processing, creative industry.
- Changes to the zoning map to reflect General Employment zoning.

Proposed Bylaw 490: Modifications to the SSI Land Use Bylaw (LUB)

A second bylaw to amend the LUB is proposed to specifically address zoning for four waste management facilities on Salt Spring Island. Three of these are owned by the Capital Regional District:

- Liquid waste transfer station, on Burgoyne Bay Rd
- Ganges sewer, on Seaview Ave, and
- Recycling on Rainbow Road.

The fourth property is on Blackburn Road, and is privately owned and operated under license to the CRD.

Please also note that the existing CF2 zoning for the recycling facility on Rainbow Road is spread over two properties, both of which are owned by the CRD, one of which is Mouat Park.

Should this facility need to be expanded, the current zoning framework would allow the park to be split into two pieces. The proposed reorientation of the existing zoning would allow the recycling facility to expand (should it be necessary) and allow the park to maintain continuity from east to west. Figure 1 illustrates the adjustment.

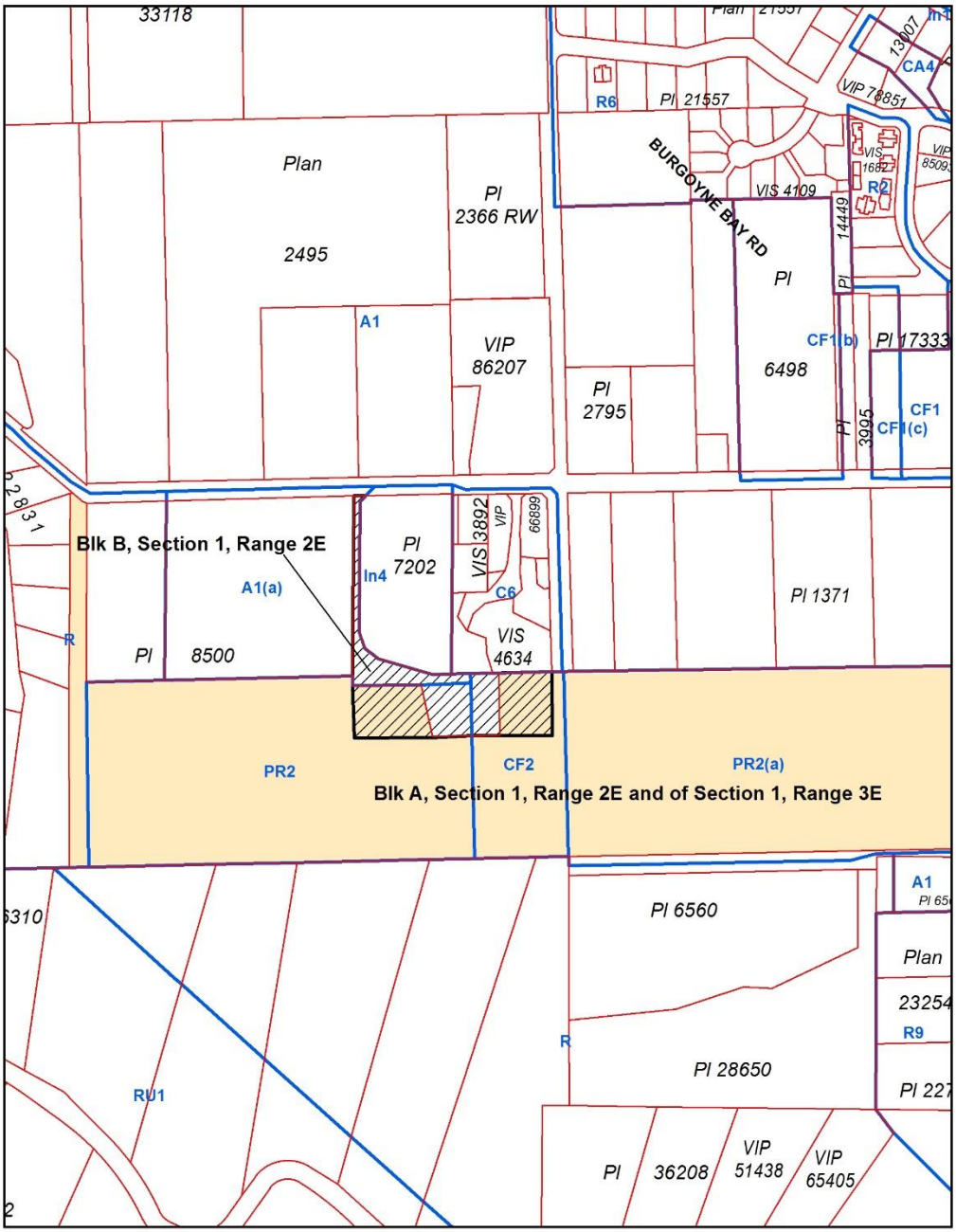


Figure 1 Current CF2 zoning (shown with blue lines) & proposed zoning (shown with cross-hatching)

ISSUES and OPTIONS

Issue: Concern that not enough land is being rezoned for general employment purposes

The Salt Spring Island Industrial Needs Assessment report (2013, p. 4) estimated that for the period from 2011-2016, the demand would be 0.67 acres per year or 3.35 acres of industrially zoned land for the five-year period. As part of this process, 3 properties along Robinson Road in the vicinity of Merchant Mews are proposed for rezoning from Rural (R) to GE1, for a total land area of 2.86 acres. (These properties are already designated for industrial and commercial services uses in the OCP.)

While this addition to appropriately zoned lands may relieve some demand pressure, it is not adequate to meet overall need, particularly since it is already 2016, and it can be anticipated that the Island is entering into the next five-year period of demand.

Option: Designate and rezone the west side of Jackson Road for general employment purposes

There are a number of underutilized parcels on the west side of Jackson Road, which abut the ALR on the west (rear) side, and abut Ganges Village within walking distance of the core on the east side. All of these properties, with the exception of the access driveway to the agricultural parcel behind, are located within DPA1 (Island Villages). The total area of these properties is approximately 2 acres.

With careful design, these properties could add needed vitality to the area, and meet some of the demands for parking or other needs of the Village core. Such an initiative could also provide a test case to determine how the GE zoning works in proximity to a village area. Agricultural buffering, in the form of vegetative screening and a 15 m rear yard setback, would be required to protect the lands behind.

Figure 2 Jackson Road area for GE designation

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to add the Jackson Road properties to draft bylaws 488 and 489, and to contact the property owners to inform them about the proposed change.

Issue: Addition of retail uses at waste management facilities

A potential buyer is contemplating purchasing the Blackburn Road property, in which case, they would like to add a "ReStore" concept to it. This would require a modification to the provisions of the Community Facility 2 (CF2) zoning, by adding retail sales and retail services accessory to the waste transfer station.

However, it is unclear whether this change should be made at this time, because (as far as is known) an offer to purchase the Blackburn Road property has not been made. If the change is made in the absence of assurances about the proposed uses, it could result in uncertainty as to how the change would be applied. Therefore, the LTC may wish to hold off on including this aspect of proposed Bylaw 490.

Options:

1. Direct staff to add retail sales and retail services as an accessory use in the CF2 zone.
   OR
2. Maintain status quo until such time as a rezoning application comes forward.

Issue: ALR designation on lands that are also desirable for general employment uses, and may not be as productive as agricultural lands outside of the ALR

On Salt Spring Island, there are 2,920 hectares in the Agricultural Land Reserve (ALR), which is approximately 15% of the land area. A total of 3,011 hectares is currently being farmed with 56% within the ALR and 44% outside the ALR. There are an additional 884 hectares of ALR land which are available for agriculture but currently not farmed.[1]

The IAPC recommended three possible areas to zone more land for general employment purposes:

1. In the area of the intersection of Rainbow and Atkins roads, which already has a small cluster of industrial uses and is supported by OCP policy B.3.3.2.10.
2. In the area of the intersection of Long Harbour and Upper Ganges roads, which also has a small cluster of industrial uses. This area would be incorporated into OCP policy B.3.3.2.10, in draft bylaw 488.
3. An area near Fulford. The original recommendation was to encourage industrial zoning in the area of the gravel pit on Musgrave Road. It is now proposed in an area closer to the Fulford Village, near the junction of Fulford-Ganges and Beaver Point roads. This area would also be added to OCP policy B.3.3.2.10 in draft bylaw 488.

These lands, while desirable for general employment uses due to proximity to population centres, access roads, and flat topography, also have areas in the Agricultural Land Reserve. Appendix 1 to this report contains maps showing the overlap.

Although the Islands Trust and community may desire that these lands be used for general employment purposes, there will be challenges in obtaining the necessary approval from the Agricultural Land Commission. This tends to result in frustration for all parties, and expense for rezoning applicants.

A third issue is that the community, as a whole, has expressed a strong desire to see industrial and general employment uses developed in the Rainbow/Atkins Road area, although individual property owners in the area may feel differently.

[1] BC Ministry of Agriculture, Agricultural Land Use Inventory report (2007), based on 2006 survey data.

Part of the solution, outside of the scope of this project, is for the Islands Trust to pursue a strategy with the Agricultural Land Commission to redraw the boundaries of the ALR for Salt Spring Island, such that agriculturally productive lands are incorporated into the ALR, while those which are less desirable are excluded. The outcome would ideally be no net loss of agricultural lands. The Trustees are currently pursuing this strategy.

Another part of the solution is to enhance the existing regulatory framework to better buffer agricultural uses when considering rezoning applications for general employment zoning in these areas. Sometimes general employment uses are on lands that are part of the ALR. Generally these uses predate the existence of the ALR, and so are permitted to continue. At other times, general employment uses are on lands that are adjacent to ALR or other agricultural lands. It is particularly in these latter cases that greater regulation may be most beneficial.

Options:

1. Undertaking an agricultural edge planning exercise, to ensure that protection measures are in place along the ALR boundaries

On Salt Spring Island there is a significant amount of interface between agriculture and other land uses. Diverse agricultural activities can result in concerns from non-farming neighbours about dust, odour, or noise. Farmers can also experience impacts from non-farm neighbours, including trespass, litter, crop theft and flooding. Agricultural operations are more vulnerable where they are adjacent to non-agricultural uses.

BC's Strengthening Farming Program, though the edge planning process, has been focused on enhancing land use compatibility and ensuring the security of agriculture at the interface, i.e. the "edge." The Ministry has developed the "Guide to Edge Planning" to assist local governments in exploring the available planning tools.

- Advantages:
    - Comprehensive process for addressing interface issues between non-agricultural and agricultural land uses along the border areas;
    - Can result in a tailor-made solution to issues on Salt Spring Island;
    - May be useful in supporting discussions with the ALC about re-aligning the ALR boundary.
- Disadvantages:
    - Expensive, in terms of resources, including time.

2. Upgrading of regulatory requirements without an edge planning exercise

The Islands Trust can undertake a review of existing Land Use Bylaw provisions and Development Permit guidelines, specific to the issue of better protection of agriculture on the Island generally, and in proximity to general employment uses specifically. Without pre-judging the results of this study, it may suggest changes to setbacks from agricultural lands, buffering and vegetative screening of agricultural lands, and more tightly control the list of activities which are exempted from the requirement for development permits, particularly in Development Permit Area 2. Such a review would require community input, and involvement of the agricultural and business communities.

- Advantages:
    - May result in better outcomes for agricultural areas adjacent to general employment or commercial areas, without being as time consuming or expensive as edge planning
    - More likely to be able to be completed "in-house" by Islands Trust staff

- Disadvantages:
    - May require significant time and resources.

3. Continue with the status quo

- Advantages:
    - No direct costs
- Disadvantages:
    - Conflict will continue.

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding agricultural protection and report back with a recommendation.

Issue: Some industrial property owners are not good neighbours

During the community consultations, a theme emerged about threats to the Island's tourism economy and aesthetic through unsightly business premises.

1. Greater enforcement of existing LUB provisions, like vegetative screening, and conditions of development permits

Enforcement is expensive and, therefore, typically complaint-driven. On the other hand, consistent "flaunting the rules" reflects negatively on the community and the individual business involved, and may hurt other businesses or industries, including tourism and agriculture. Even when enforcement actions are undertaken, the first step is always to encourage landowners to comply before penalties are imposed and expensive court proceedings undertaken.

- Advantages:
    - Can address some community irritation related to unsightly premises;
    - Can reduce threats to other industries, such as tourism and agriculture.
- Disadvantages:
    - In many cases, baseline data is not available, making it difficult to assess the extent of the violation.
    - Expensive

2. Upgrading of existing LUB and Development Permit provisions

The overall framework for ensuring that industrial uses are good neighbours may be too lax. For example, although Land Use Bylaw No. 355, Section 3.4.2 requires that all outdoor industrial and commercial uses require vegetative screening, it became apparent during community consultations that some industrial property owners are openly flouting this provision without direct personal consequences. The current Development Permit guidelines for non-Village Industrial and Commercial uses may be too permissive, in that too many possible uses are exempt, which in turn may mean less discussion and thought as to how properties are developed. An upgrade of DP guidelines may help reduce conflicts.

- Advantages:
    - May help reduce conflicts.
    - May result in better business development outcomes for the community.

    - Could be combined with option 2 from the previous section related to issues around the protection of agriculture.
    - Could (potentially) be completed “in-house” by Islands Trust staff.
- Disadvantages:
    - May require significant time and resources.
    - Community may be “exhausted” from numerous bylaw changes and is generally not receptive to perceived greater regulation

3. Continue with the status quo

- Advantages:
    - No direct costs
- Disadvantages:
    - Conflict will continue.

Optional Resolution:

THAT the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding improving the aesthetic outcomes of new business development and report back with a recommendation.

COMMUNICATIONS AND COMMUNITY CONSULTATION

Official Community Plan amendments require the LTC to consider opportunities for consultation with persons, organizations and authorities it considers may be affected by these proposals. For this reason, consultation with First Nations having an interest or claim on Salt Spring Island has begun, in the interests of consulting early and often. Both the Lyackson First Nation and Cowichan Tribes have expressed a strong interest in the proposed OCP amendments, although no written input or feedback has yet been received. Other First Nations are expected to also have a strong interest.

However, the perspective that was shared verbally indicates that the Coast Salish peoples made extensive use of the inland areas of Salt Spring as well as the coastal areas, and so interior areas of the island need to be scrutinized for archaeological sites or other cultural footprints in a systematic and scientific way, combining traditional knowledge with the science of archeology. One idea that was suggested in a preliminary way is that traditional knowledge holders may wish to walk the land in the areas proposed for future general employment zoning, to determine whether there are any cultural or archaeological issues with those areas prior to designation within the OCP.

Community and neighbourhood consultations took place on February 16, 2016, with three meetings in various places and at various times of the day. The purpose of these meetings was to gather feedback and input from business owners and the community in response to the preliminary draft version of the land use bylaw related to the general employment zoning, which would begin to implement the IAPC’s recommendations. A full report of the results of these meetings is attached to this report as Appendix 2.

One concern was how the bylaw amendment process would unfold, and whether the community would have additional chances to comment in the process. Figure 2 outlines a simplified trajectory for the development and evolution of the bylaws, showing the initial consultation

(February 16, 2016) in the top left, and the stages that the bylaws will need to go through before these proposed changes take effect.

Other community concerns have been addressed directly through changes to the draft bylaw:

1. Definition of “creative industry” simplified and made more flexible, i.e. less specific, by naming a permitted use as “art, music, and craft studios” and deleting those that were more specific and could be included into this use.
2. Deletion of “general employment” as a permitted use. The concern expressed was that it was too vague.
3. Addition of permitted uses:
    a. Offices, and
    b. Residential uses above other principal permitted use.
4. Removal of provisions regarding indoor vs outdoor uses that appeared to constrain property owners from their current uses.
5. Specification that boat-building is a permitted use in GE4 (marine-dependent use).

A full list of the community’s concerns and the response to those concerns is found in the comprehensive community consultation report, as Appendix 2 to this report.

PROCESS CONSIDERATIONS

Because of the complexity of the proposed changes, the following considerations are recommended:

- A vigorous First Nations engagement strategy, involving visits to the key First Nations to explain the proposals and (possibly, after having taken advice from representatives of the key First Nations) a joint meeting to present and discuss the proposed bylaws. This strategy may require the opportunity for Islands Trust representatives, business and property owners, and First Nations knowledge holders to walk the land together to assess First Nations interests on the land.

- A comprehensive and extended bylaw review period for agencies with an interest in the outcome of these bylaws. At a minimum, these agencies would include the Department of Fisheries and Oceans, Ministry of Transportation, Ministry of Environment, Ministry of Forests, Lands and Natural Resource Operations, Ministry of Community, Sport and Cultural Development, Agricultural Land Commission, Island Health, Capital Regional District, Salt Spring Island Transportation Commission, Salt Spring Island Parks Commission, Salt Spring Island Chamber of Commerce, Farmers’ Institute, Farmland Trust, Abattoir Society, Agricultural Alliance, Salt Spring Fire and Rescue, and neighbouring Local Trust Committees and Municipalities. Of particular concern is the Agricultural Land Commission, given competition for land for general employment purposes in areas that have been designated as part of the Agricultural Land Reserve.

- A second direct correspondence with all industrially and C6 zoned property and business owners, with updated bylaws. The first letter, with attachments, was successful in alerting directly affected people about the changes. During the community consultation meetings, the Trustees committed to continuing direct engagement with property and business owners. A second letter after the agency and First Nations review and any subsequent modifications to the bylaws would inform property owners about any changes, and provide them an opportunity to communicate any concerns to the Trustees and Islands Trust staff in advance of second reading.

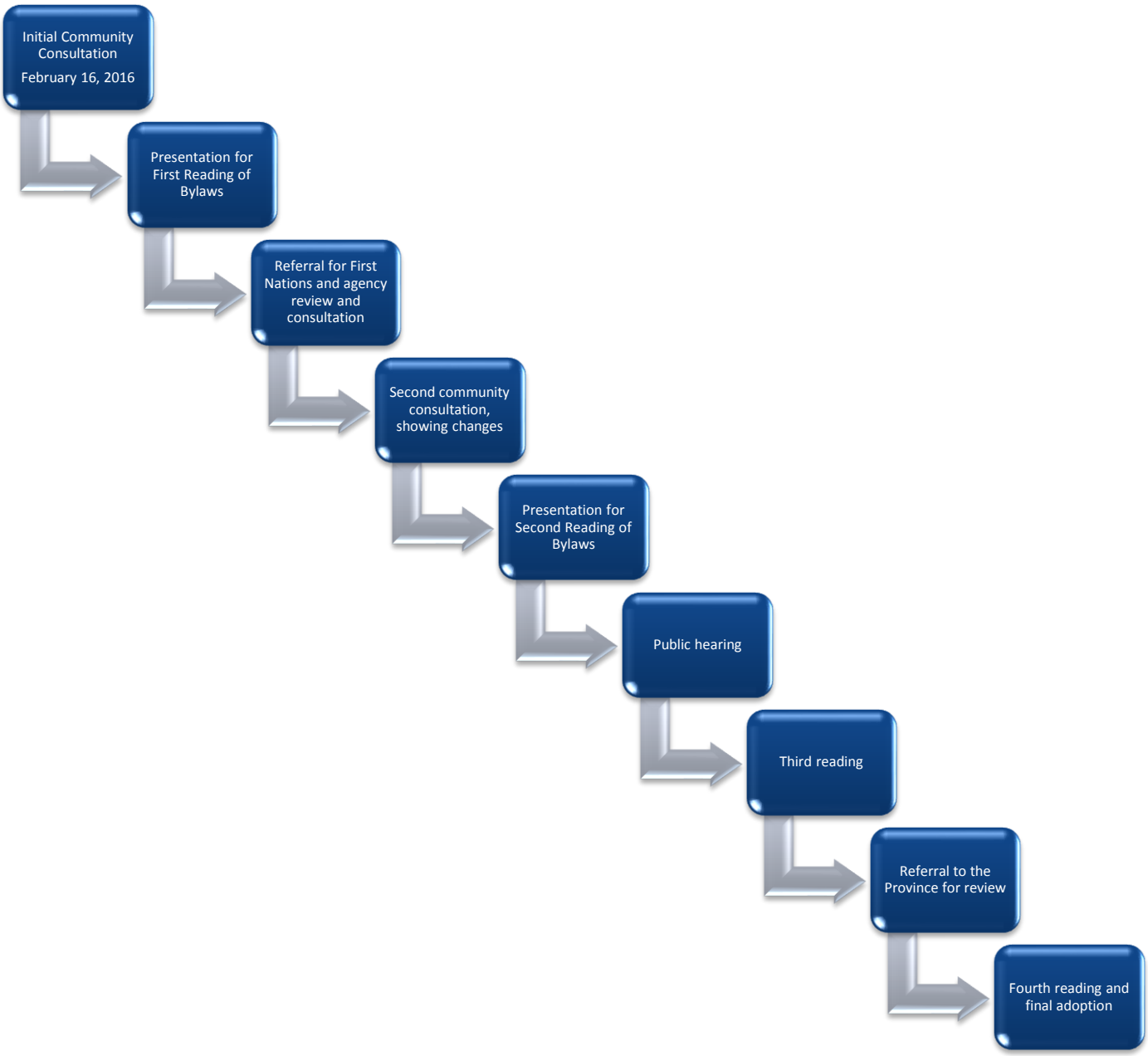


Figure 3 Bylaw adoption process showing opportunities for community input

- A second community consultation process, involving community meetings to discuss the proposed changes.

As part of the community's comments, the suggestion was made that the LTC notify all property owners in the vicinity of the individual properties being rezoned. However, given the number of properties involved, this suggestion is unwieldy. Local Government Act Section 466 (7) states that "Subsection (4) does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration." Subsection (4) deals with notification of the neighbours when a change to permitted uses or density of an area is proposed.

CONCLUDING COMMENTS:

The analysis indicates that there are a number of items to be addressed in a concurrent fashion to ensure that the project proceeds with clear direction, and maintains momentum. Procedurally, given the level of detail required to implement the IAPC's recommendations, and the potential impact of these proposals on the land base and First Nations interests, it is important that agency and First Nations referrals move ahead in a timely, but not rushed, manner. Community engagement on an ongoing basis will be important, including direct correspondence with property owners and the larger community. This engagement needs to be thoughtful and timely, so that the next level of engagement is understood to be connected to the same project, and not something new and unexpected.

The issue of how to address challenges to the regulatory framework to create better outcomes for businesses and the community came to the forefront during this process. Some of the issues identified may be best addressed in collaboration with the Chamber of Commerce and other business organizations, to encourage property owners to be more respectful of the intent of the regulations, and present a better face to their community, given impacts of unsightly premises on tourism and related businesses.

RECOMMENDATIONS:

1. **THAT** the Salt Spring Island Local Trust Committee direct staff to develop a comprehensive First Nations engagement strategy for consideration of the implications of these bylaws, with particular focus on Bylaw 488 to amend the Official Community Plan.
2. **THAT** the Salt Spring Island Local Trust Committee refer the draft bylaws 488, 489, and 490 to First Nations, government referral agencies, public agencies, the Advisory Planning Commission, the Salt Spring Island Parks Commission, and the Salt Spring Island Transportation Commission.
3. **THAT** the Salt Spring Island Local Trust Committee direct staff to develop a comprehensive community engagement strategy, including direct correspondence with C6 and industrially-zoned property and business owners, with appropriate notifications through the media for the larger community.
4. **THAT** the Salt Spring Island Local Trust Committee directs staff to add the Jackson Road properties to draft bylaws 488 and 489, and contact the property owners to inform them about the proposed change.
5. **THAT** the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding agricultural protection and report back with a recommendation.
6. **THAT** the Salt Spring Island Local Trust Committee directs staff to investigate the relative advantages of Options 1 & 2 regarding improving the aesthetic outcomes of new business development and report back with a recommendation.

Prepared and Submitted by:
Beverly Suderman
IPS Island Planning Services

March 3, 2016

Date

Concurred in by:

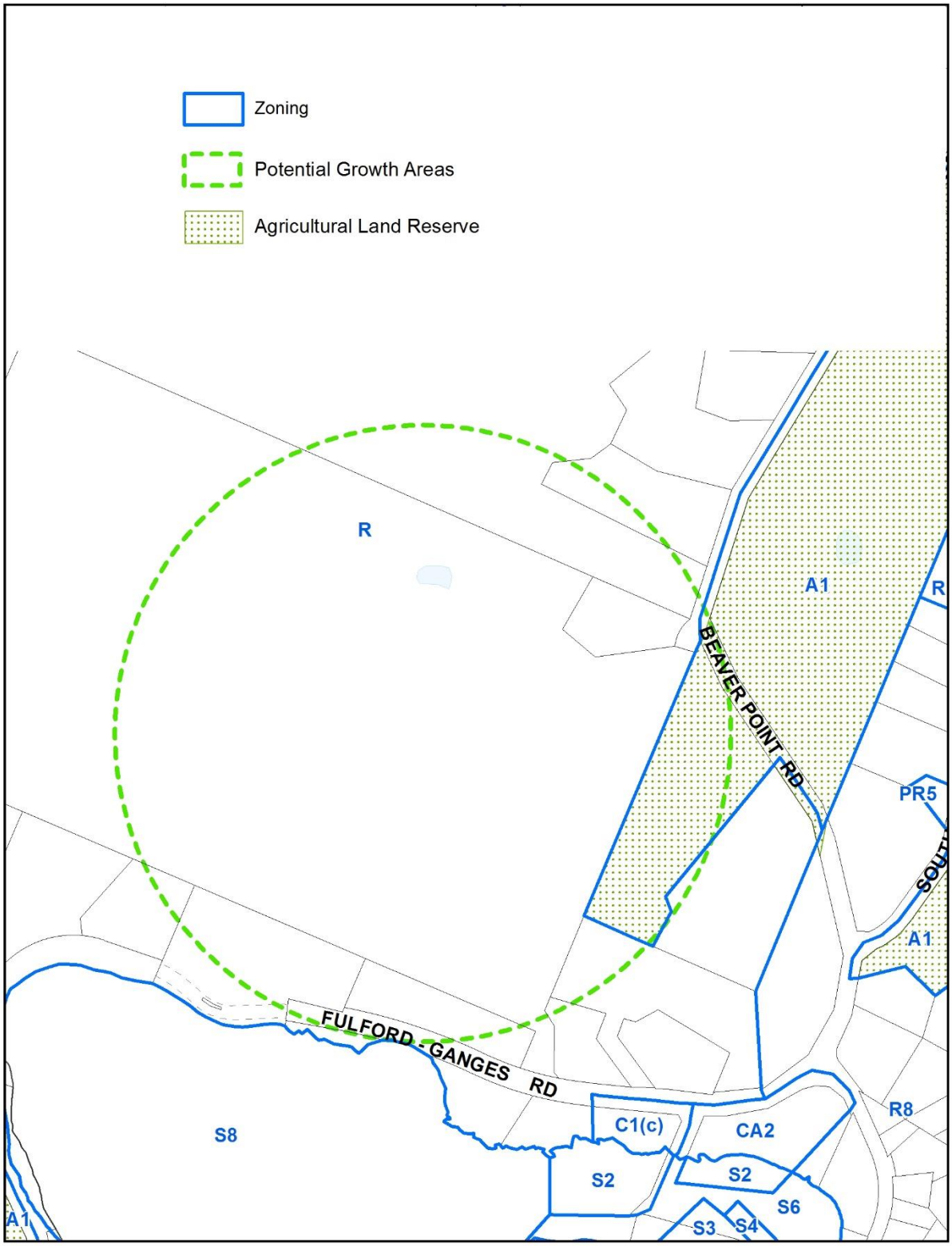
Date

Appendices:

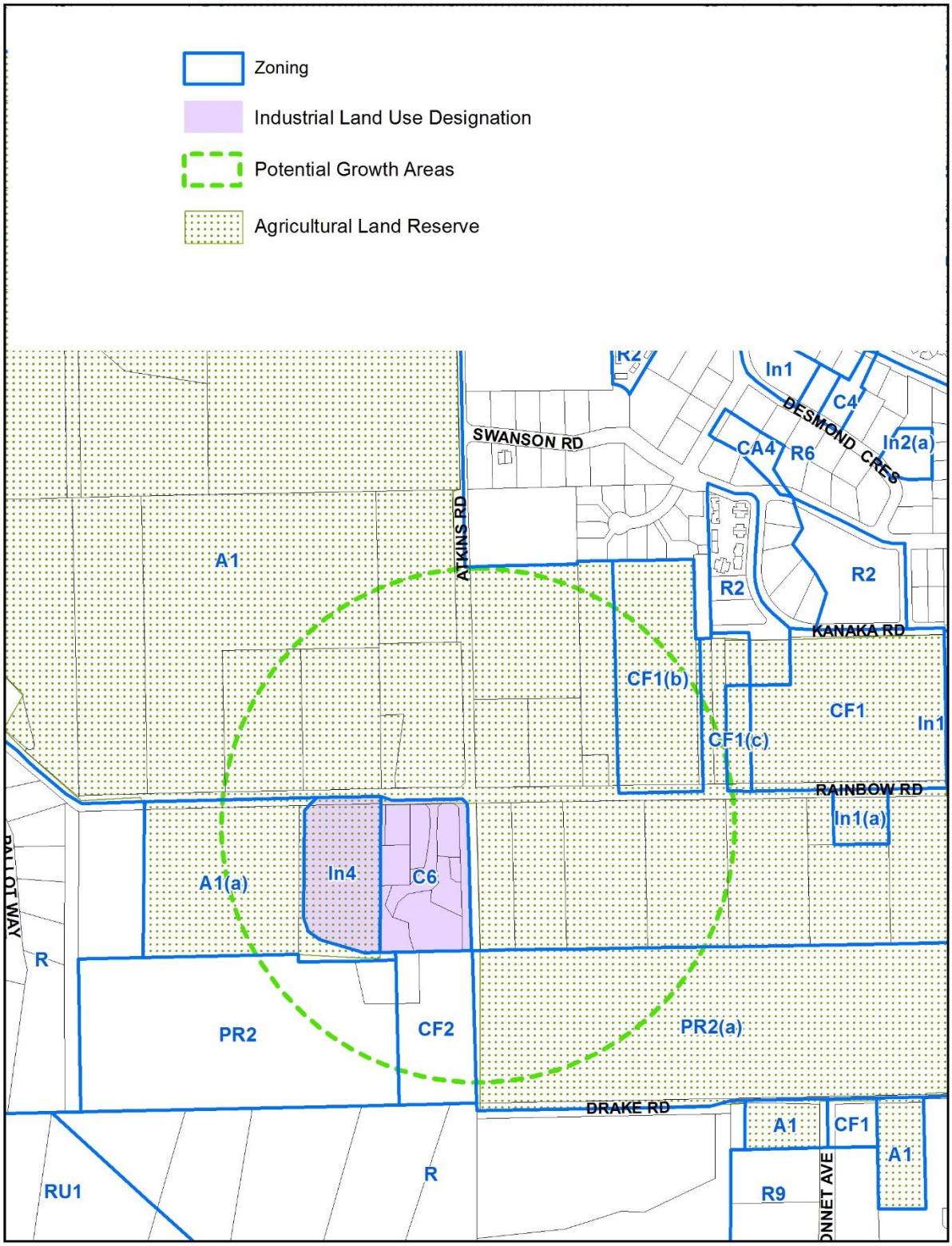
A.1 - Maps showing the overlap between ALR lands and proposed general employment nodes.
A.2 - Community Consultation Report, February 24, 2016, prepared by Beverly Suderman
A.3 - Draft Bylaw No. 488
A.4 - Draft Bylaw No. 489
A.5 - Draft Bylaw No. 490

Appendix 1

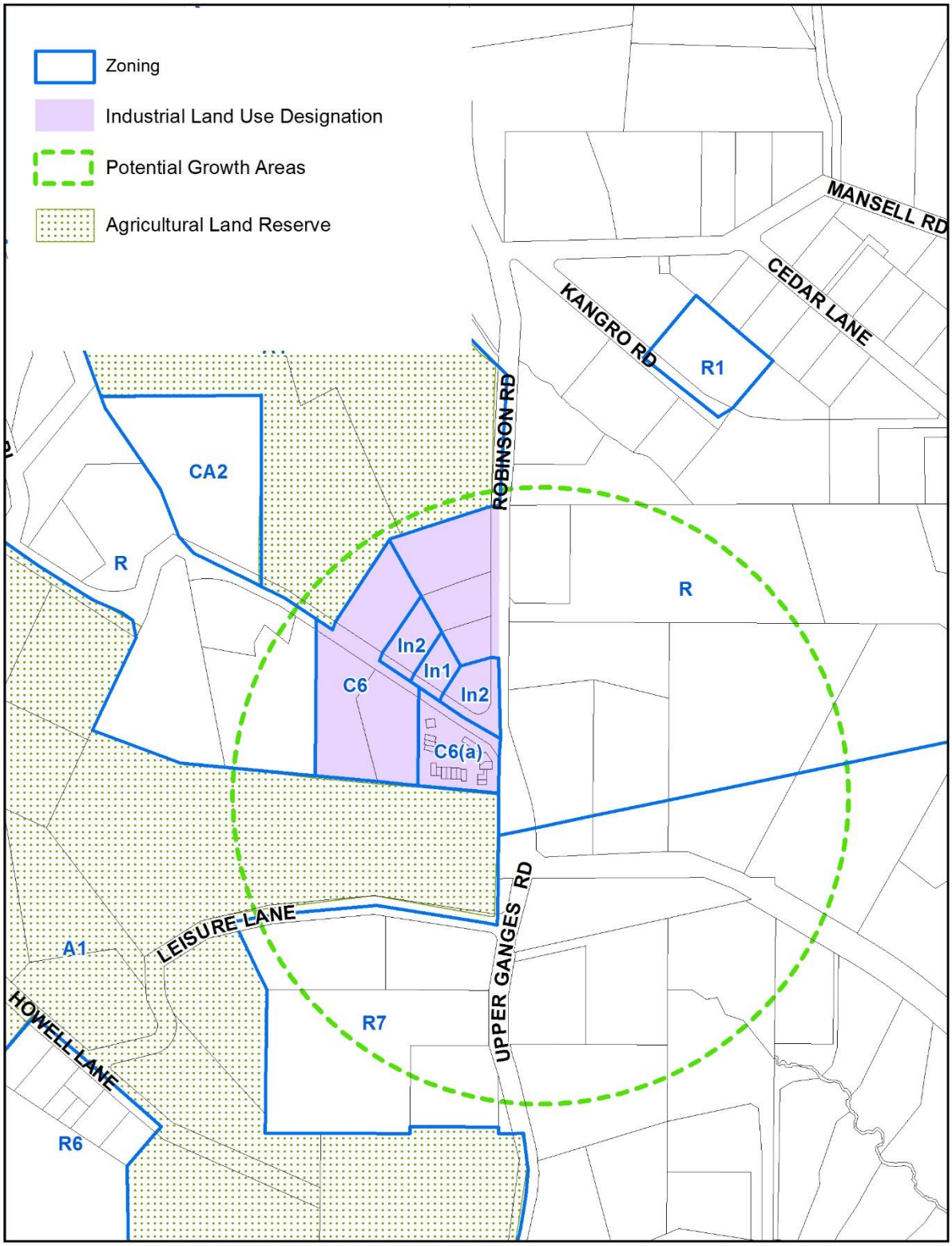
Attachment 1:
Maps showing the overlap of ALR lands with proposed general employment areas



1 Proposed area for general employment: Fulford



2 Proposed area for general employment: Rainbow & Atkins Roads



3 Proposed areas for general employment: Upper Ganges & Robinson Roads

Appendix 2

2/24/2016

Industrial Zoning Project

Community Consultation Report

Beverly Suderman
IPS ISLAND PLANNING SERVICES

Industrial Zoning Project

Community Consultation Summary

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Executive Summary

The purpose of the Industrial Zoning project is to provide for greater flexibility of industrial and service commercial uses within the zoning framework while continuing to protect community interests. It is hoped that through greater flexibility of uses, a greater percentage of the existing OCP-designated and zoned lands will be available for use. Also, the community's need for additional commercial and industrial lands can be more easily met through OCP policy identifying areas on the Island for potential rezonings.

Three community open houses were held on February 16, 2016. All property owners with lands zoned industrial or C6 received a letter notifying them about the meetings, with a summary of proposed changes. Additionally, advertising for these meetings followed the usual Islands Trust protocol. These meetings were successful in that the community demonstrated a high level of interest, and engaged with the material, providing valuable feedback to the consultants, Islands Trust staff, and Trustees about issues with the preliminary draft work, and their hopes and dreams for the future of Salt Spring Island.

The community's comments have been organized into three categories:

1. Substantive comments – comments which address the substance of the draft bylaws which were under review;
2. Process comments – comments which address how the consultation moved forward, and suggestions for doing things differently next time; and
3. Other comments – comments which are outside of the scope of Land Use Bylaw modifications, but which are important to address in an overall plan to stimulate economic development on Salt Spring Island.

A key principle of this process is that there is to be no loss of uses. Therefore, the input of business owners has been invaluable in identifying gaps or errors in the preliminary draft work. Changes have been made to better align the list of permitted uses for the draft General Employment zones according to this principle.

Lot coverage and setbacks have been modified to be consistent with other regulations or to reflect the distinctions between GE1, GE2, and GE3 zones. The logic is that less intensive GE1 uses on smaller lots which are within or in close proximity to a village require greater lot coverage, whereas more intensive GE3 zoning has more permitted uses, are typically removed from village centres because the uses are larger or more intensive, and therefore more buffering is required.

Both lot coverage and setbacks are amenable to modification in hardship cases through a Development Variance Permit. Existing structures that currently encroach into setback areas or exceed the lot coverage specifications are considered "legal non-conforming". While this may not be desirable, it is manageable since it would only affect a few properties.

Only one property owner mentioned the proposed changes in setbacks as a specific concern, and seemed satisfied with the change. Another person raised this with regard to a neighbouring property, but it is unclear as to how this might affect the subject property.

Some property owners expressed concerns about lot coverage due to the perceived loss of development potential, rather than a concern about actual uses. Lot coverages, as proposed, are very generous. For

example, 33% lot coverage for a 1 ha (2.47 ac) property is 3,300 sq m (35,500 sq ft) of allowable structures. If these structures were to be built with two storeys, this number would double.

In direct response to the community's input, a number of changes have been made to the draft bylaw:

1. Definition of "creative industry" simplified and made more flexible, i.e. less specific, by naming a permitted use as "art, music, and craft studios."
2. Deletion of "general employment" as a permitted use.
3. Addition of permitted uses:
    a. Offices,
    b. Residential uses above other principal permitted use.
4. Correction of inadvertent loss of uses through specification of indoor vs outdoor uses.
5. Specification that boat-building is a permitted use in GE4 (marine-dependent use).

In total, as part of this process, over 5 acres of land is proposed to be zoned for General Employment uses. The zoning framework has been simplified by reducing the number of zones from 11 to 6, and the draft zones are more flexible in terms of permitted uses.

Introduction

Three community open houses related to the Industrial Zoning Project were scheduled for Tuesday, February 16, 2016:

1. From 10:00 am to 12 Noon – Fulford Seniors Centre
2. From 2:00 to 4:00 pm – Merchant Mews, Shared Space
3. From 5:30 to 7:30 pm – Gulf Islands Secondary School Multi-Purpose Room

Advertising for these meetings was done through the *Driftwood*, as well as on-line media services. The Islands Trust also has an e-mail notification service for residents on the Island who wish to be notified of upcoming meetings. Additionally, all property owners with lands zoned industrial or C6 received a letter notifying them about the meetings, with a summary of the proposed changes. There was an issue with one property owner, who heard about the meetings but did not get a letter. Upon investigation, this proved to be an error in the transfer of information from a provincial database which has since been corrected.

The first two open houses were well-attended,[1] with most people arriving at the start time. Therefore, the consultants made presentations about the material to the attending community members, and took questions and comments throughout the presentations. The third open house was less well attended, and the conversations between community members and planners or trustees were more one-on-one. There was no presentation of the material.

Some community members and business owners were unable to attend the open houses, and contacted the consultants via phone or email.

This report documents the comments received, both at the meetings and through conversations with individuals.

Community Comments Received

Substantive comments

Community Member Comment	**Response**
1. Composting facilities. a. Confusion over the regulations and why the need to regulate as a land use if regulated by so many other agencies b. Details of composting requires significant consideration to avoid problems including making it abundantly clear what and where non-commercial composting may occur. For example, is abattoir waste the same as agricultural waste?	• Land uses are regulated by Land Use Bylaw • Regulation of how the composting is to be done is by other levels of government • Composting for residential and agricultural purposes exempt in the draft bylaws • May need further study, particularly in regard to abattoir use • Need to distinguish between commercial composting (which involves the sale of the composted product) and other composting

[1] At the Fulford meeting, there were approximately 30 people in attendance. At the Merchant Mews meeting, there were approximately 26 people in attendance. At the High School, approximately 12 people attended.

Community Member Comment	Response
2. Setback for composting: On a small property such as ours (.6 hectare), the proposed 30 meters from all property lines pretty much rules out the feasibility of composting, even though it is very important for our agricultural activities, including both primary production and processing. The setback would place the compost in the same location that is required in our development permit for the main building.	• Need to distinguish between commercial composting and on-site, non-commercial composting. • Issues can arise with community-scale composting, which the 30 m setback is intended to address, rather than household or on-site business or agricultural composting.

3. Rather than a dispersed pattern of general employment uses across the island, the best approach is to develop an industrial park. A number of participants identified that they would like to see an Industrial Park (most people indicated the Rainbow Road area) with infrastructure in place to accommodate the needs of the Island now and into the future.	• Different schools of thought on this question
	• Industrial parks:
	  ○ Are not park-like – can be ugly
	  ○ Concentrate demand for infrastructure into one area (expensive to support)
	  ○ Concentrate traffic flows into one area
	  ○ Concentrate pollution into one area
	  ○ Can be effective, particularly if the waste stream from one business becomes an input for the next business
	  ○ Would require that a private landowner develop it
	• Dispersed approach:
	  ○ Avoids above issues
	  ○ Keeps jobs near where people live
	  ○ Used effectively in Europe to maintains rural character and protects the visual aesthetic for other businesses, such as tourism
	• Nodal approach:
	  ○ A compromise by providing for the clustering of new uses in select areas of the island
	  ○ Proposed through OCP for 3 areas on the Island
	  ○ Would require rezoning of individual properties
	• At this time, the nodal approach is being proposed as the most viable option for

Community Member Comment	Response
	Salt Spring Island, based on the IAPC report. The identification of nodes is the focus of the OCP amendment. Should it be approved, this policy will provide guidance as to where a private land owner could propose an industrial park.
4. Appear to be loss of uses going from C6 to GE1, such as loss of outdoor auto repair, light industry, sales, vehicle, boat and equipment servicing etc.	• No intention to lose uses • Split between indoors in GE1 and outdoors in GE2 has been re-evaluated. • More outdoor uses permitted in GE1.
5. C6 permits multiple accessory dwelling units, but the draft GE1 zoning permits only 1	• OCP policy supports integration of flexible or affordable housing into industrial areas (Policy B.2.2.2.12; Objective B.3.3.1.5) • Ability to add accessory dwelling units depends on ability to get water connection, as well as zoning. • Residential above a principal permitted use has been introduced to address these concerns.
6. Changes to exterior side lot lines, i.e. increased to 7.5 m; reduces flexibility on small lots	• Proposed exterior side lot lines are consistent with existing industrial zoning • Under C6 zoning, exterior side lot lines are 6.1 m. • For GE1 uses, exterior side lot lines changed to 6 m.
7. What about contractors yards?	• Current permitted uses include “Offices for use by building construction professionals and trades” – which can be confusing because of the emphasis on offices. People in building construction and other trades often have needs that include a workshop, equipment storage, as well as an office. • Contractor’s yard or shop requires a definition in the bylaw, to be clear on what is meant.
8. Concern about uses on Lee’s Hill: gravel and waste transfer	• Valid current permit for the quarry; valid permit for waste transfer station. Legal non-conforming use. • Not proposed to give it an industrial classification in the bylaw. • Islands Trust working with the CRD on developing a long term waste management plan for SSI.
9. Concern about Stowell Lake Farms? Not	• Stowell Lake Farms is proposed to receive

Community Member Comment	Response
being rezoned?	a GE zone; may have been confusion about the OCP map, because it is not proposed to be designated for industrial (General Employment) in the OCP
10. Noted that if Stowell Lake given GE2 zoning then they could subdivide to 0.6 ha lots.	• Stowell Lake Farm is currently split zoned with In3 which permits 0.6 ha lots – so no change
11. Foreshore zoning should match marine dependent zoning (GE4).	• No change between current In4(a) and GE4 – both are marine-dependent uses only • Water lot lease holders are responsible for ensuring that their uses are compatible with their lease provisions and with their current zoning • Shoreline zones are not addressed in this project, but a placeholder policy is proposed that the LTC may consider shoreline rezoning in areas adjacent to marine dependent general employment zoning.
12. Discussion about Marcotte's properties: not being used for industrial purposes	• Current uses for the property include heavy equipment parking, indoor service to and repairs to vehicles, equipment and machinery, and auto wrecking • Possible to consider limiting GE3 zoning to current auto wrecking area, and zone the rest as GE2 (fewer possible uses) • Much of the land is undevelopable due to steep slopes
13. Desire to see the ability to subdivide lots to sizes less than 0.6 ha	• OCP policy permits the LTC to consider proposals for smaller industrial lots (0.2 ha), which would require a zoning change (B.3.3.2.8) • Issue with regard to servicing of very small lots (water and sewer). • New provision for subdivision of GE zoned properties to 0.2 ha, provided that each lot is connected to community sewage collection system.
14. Want offices in GE zones	• Can be added as a principal use
15. Slegg Lumber and Windsor Plywood both sort and store timber – accessory vs principal use for outdoor storage is a problem	• Slegg Lumber has unique zoning, which (aside from the name) is not changing. • To address Windsor Plywood's concerns, would need to amend GE2 to permit outdoor building supply sales. • Place sawmills and planing mills uses in

Community Member Comment	Response
	GE3.
16. Desire to have some GE3 zoning at Garner and Fulford Ganges Road (old site for Starbarcks and Mid-Isle Marine).	• Property owner should submit specific plan for consideration. That plan should address lot sizes and uses.
17. How useful is GE4 zoning in these days? Past purposes no longer needed, i.e. bulk fuel storage	• Once waterfront industrial lands are lost, they are gone forever. Wise to maintain. Uses may again be needed, or other new uses for the waterfront not yet anticipated.
18. Does the community want more acreage for use, or a denser more intensive use of existing? – Both	• The general increase in permitted uses should make it feasible to increase intensification of use on existing properties. • Setbacks and lot coverage reviewed • Some properties are being rezoned from Rural to General Employment in the Merchant Mews area. The demand for increased acreage is partially being met.
19. Encouraging to see increased uses in GE1 and GE2 zones	• This is what the Advisory Committee report strongly recommended
20. Concerns about losing value of land due to decreasing potential lot coverage from 75% to 50% ... or to 33% for certain types of uses.	• Lot coverage provided are similar to other jurisdictions and are rarely a problem. • 33% lot coverage on a 1 ha lot permits building space of 30,000+ sq ft, and double that if a two-storey building is constructed. It is still generous. • If situations arise that demonstrate that the lot coverage sections are inadequate, then a variance permit may be appropriate.
21. Need to protect the tourist industry as the only really growing industry on the Island – needs the pastoral rural aesthetic; keep industrial uses near the central core, leaving the rest of Salt Spring rural and fairly empty	• LUB provides for vegetative screening of properties with outdoor uses. • DP guidelines for non-village commercial and industrial provide for form and character. • There are ways to address non-compliance, but community support would be required, either for greater enforcement, or through support to business owners to make vegetative screening more functional and effective.
22. Risk: people will buy land zoned industrial to keep it out of industrial uses	• A good reason not to pre-zone properties.
23. Need a long term strategic plan to deal with land use on Salt Spring Island	• The recommendations of the Industrial Advisory Committee (and its consultation

Community Member Comment	Response
	process) are the driving force in proceeding with the Industrial amendments. These amendments are the first step in implementing the IAPC's 25 year plan for general employment uses. • Trustees support the development of an Integrated Community Sustainability Plan for the island to address all land uses. This will require support from the community as well as all the agencies serving the community.
24. Do not make abattoirs a general employment use. Don't need more than one on Salt Spring Island	• Even if the use is permitted generally in a zone, market forces would need to be in place for more than one to be established on the Island. • Possible to keep this use as a zone variation.
25. Include all Commercial zoning in the revision, not just C6	• For this particular project the focus is on industrial. The most significant difference between the Commercial and proposed GE zones, is that GE zones do not permit retail sales as a principle use. The intent is to keep retail uses in the Village cores. • The IAPC recommended that all commercial zoning be considered, but that will be dealt with as part of a total land use bylaw review. • If this change in zoning for industrial works well, it may be possible to address all commercial zoning in a general bylaw review.
26. Rezone all of Ganges to multi-uses: GE1 or GE2	• Ganges is a mix of zoning, permitting a much broader mix of uses than GE1 or GE2 would permit. • If GE1 were to permit retail sales, it might undermine the downtown core commercial areas. • However, there may be an area along Jackson Rd, on the edge of downtown, to test GE zoning adjacent to a village core area.
27. Remove "General Employment" as a permitted use. It is too wide open, and could allow anything.	• Agreed. General Employment will remain the names of the zones, but not appear as a "permitted use."
28. Home-based business regulations work	• Concur

Community Member Comment	Response
well	
29. Where does a radio station fit into this framework? Merchant Mews had one, and there is talk about one coming back.	• Section 3.1 of the Land Use Bylaw include "public utilities" as a use permitted in all zones. • The definition of public utility includes, telephone, cablevision or telecommunication services. • Radio stations are part of telecommunication services, and therefore are permitted in all zones.
30. Rainbow Road discussions. Suggest consideration of GE uses closer to or on Pallot Way… One resident from area says "bring the neighbourhood a plan…" Others said, "skip policy and make some decisions."	• Historically, there has been strong resistance to industrial zoning in this area, due to concerns about possible encroachment into agricultural area. • Some of the land is in the ALR and the Land Commission has not supported removal of the designation in this area.
31. What happened to the "old" plan for an industrial corridor down Rainbow Road and the Ganges Alternate Route?	• Plans were incorporated into Land Use policy (OCP), but with limited uptake as yet because: o Some of these lands are part of the ALR, and the ALC is reluctant to take land out of the ALR o Cost…Topography makes the routing a challenge for the Ministry responsible.
32. Atkins Road ROW extends to Mouat's Park. Questions about how to use for access to lot neighbouring access	• Directed to MOTI for additional assistance
33. Concerns expressed about potential for increasing industrial uses along Upper Ganges Road and around Merchant Mews. Could interfere with residential neighbourhood uses: increased traffic, etc.	• Three small lots are proposed for rezoning from Rural to General Employment 1 along Robinson Road. This is in accordance with the OCP, which has designated this area for additional Industrial and Commercial Services. • For any additional land to be rezoned in this area, a full rezoning application process will be required. Measure to determine impact could be required as part of the rezoning application.
34. More GE should be located under nearby power lines (Merchant Mews)	• BC Hydro does not permit any structures within 30 m of the power lines due to high risks.
35. Going from C6 to GE1 -- Limitation on # of vehicles below what is reasonable for operating a garage. If there needs to be a	• Consider amending bylaw to include "auto repair and servicing" as a permitted use and not restrict the

Community Member Comment	Response
number, then 15 might be appropriate	number of vehicles • Amend the terminology to insert "commercial" before vehicles so that the limitation applies only to large commercial and not private vehicles • Limit on number of vehicles has been removed.
36. Merchants' Mews currently has four food businesses and five artists' studios. These are permitted uses as Farm–related light industry and Wholesaling, and Light Industry. It would seem appropriate, however, to use the new language by adding "Creative Industry" and "Food Processing, including off-farm storage and processing" to zone variation GE1(a). Indeed, failing to do so may place these uses at risk if future interpretation of the bylaw fails to recognize these uses due to outdated language.	• Agreed. Will make the change.
37. That changes to the zoning framework will affect the value of the current zoning	• Unique zoning tends to limit the permitted uses on a property, thereby reducing its market value, rather than the reverse.
38. Industrial zoning in Fulford should be limited to small "non-industrial" businesses to keep the rural atmosphere.	• The intention is that no heavy industrial uses will be permitted. • The Industrial Lands Needs Assessment study confirms that most need for "industrial" zoning is for small businesses, which would (probably) fit the commenter's definition of "non-industrial". • This comment represents the strong associations between the word industry, and images of smokestacks, pollution, etc.
39. Fulford gravel pit was shown as Industrial area in IAPC report. Residents do not want it, and fear that this process will allow it to become so.	• Given past community concerns about the environmental impacts of converting a gravel pit to an industrial area, the Fulford gravel pit is not under consideration as a possible area for industrial uses.
40. What is proposed for the unused Shell property in Fulford?	• No longer owned by Shell. • The Islands Trust has not heard of any proposed development for this property.
41. There is a need for additional industrial	• The area near the Fulford village

Community Member Comment	Response
land in the Fulford area, particularly within and on the edges of the Village	proposed for consideration may address this problem.

Process comments

Community Member Comment	Response
1. A number of business owners did not receive the invitation to the meetings, or the back ground material	• Apology was offered to Mr. Quesnel for error in the database; • Follow up conversation with head office regarding process for updating the database. Error has been corrected through annual updating from BC Assessment Office; • Only one other business owner has come forward with concerns, and that issue was traced to BC Assessment's database.
2. Lack of sufficient notice for neighbours of owners of Industrial lands. Local Government Act (LGA) Section 466 (formerly Section 892) requires notifications about meetings	• Notice of proposed changes and a public hearing will precede any change to the bylaw. Notice can be given in a number of ways including media in accordance with provincial legislation and Islands Trust policy. • Section 466 is specifically about notifications for public hearings, which occur between first and third readings of a bylaw. • The current meetings were held prior to the submission of any bylaws for the LTC's consideration. Therefore these provisions do not apply to this process. • The Trustees made a commitment to ensure that all industrial property owners will be properly notified about any upcoming meetings, even if it isn't required by the LGA.
3. That the process was a "done deal" and the community consultation is a farce.	• The issues related to industrial zoning have been under study by the Islands Trust since 2008, and have involved extensive public and stakeholder consultations. • Background to the current draft bylaw proposals explained at the meetings; • There will be opportunities for further input as these bylaws are proposed to the LTC and go through the review process. • Please pass on concerns and comments

Community Member Comment	Response
	to the Trust office
4. Accusations of "jack-potting" certain property owners and discriminating against others	• Process is not intended to create winners or losers in the zoning process • A number of the rezoning applications (4) are for community facilities related to waste management, which was an issue of concern to the IAPC. • Only 3 lots are proposed to be rezoned from Rural (R) to General Employment 1 (GE1) in the Merchant Mews area. These are already designated in the OCP for such uses. • All other rezoning is transferring existing C6 and industrial zoning into the new General Employment zoning framework. • All industrial land owners benefit from the increases in permitted uses.
5. DPA2 loopholes. Don't need a permit with an engineer's report…also discussion about avoiding landscape screens…	• Incorrect…no "loophole" exists. Engineer's reports are part of the DPA process, not an exemption from it. • DPA is for form and character, stormwater management, and agricultural impacts. Form and character applies only to new and visible developments or those of certain size (ex: >15 parking spaces, >280m^2 new impervious surfaces, >185m^2 in gross floor area). • Bylaw 355 Section 3.4.2 requires a vegetation screen in a buffer area when industrial and commercial uses are not contained within a building… A number of options for improving compliance with the requirement, including more proactive enforcement.
6. Zoning and land represents stored wealth. Don't mess with it.	• Intention is to ensure that no uses are lost.
7. Extended period of time between community consultations on this project, starting with the ITF report, followed by the IAPC report, etc., negates a sense of ongoing community consultation	• This is a challenge. The history of the project, with all preceding reports, is available on the Islands Trust website for public review. The history was also reviewed briefly in the community meeting materials. • There were people in the audience who had participated in the earlier phases, and wanted to see how the project was

Community Member Comment	Response
	evolving.
8. Meetings should have been better advertised and timed for the evenings.	• Turnout for meetings was reasonably high. • The meeting in the evening was the least well attended.

Other comments

These comments are part of the larger discussion about encouraging business and economic development on Salt Spring Island, but not specific to zoning or supportive Official Community Plan policies.

Community Member Comment	Response
1. How important is it to have correct zoning from a tax rate perspective?	• Zoning is a contributing factor in determining assessed values, which in turn affect tax rates. See excerpt from BC Assessment's website for explanation. *BC Assessment determines the current assessment roll property assessments reflecting their physical condition and permitted use as of **October 31**, using a valuation date of **July 1**, in the year immediately prior to the annual assessment roll.* *In determining assessed value, an appraiser considers a wide variety of factors such as size, age, shape, quality, condition and location of properties. Services in the area (location, views, neighbourhood) and supply and demand may also influence property value. Changes such as new construction or inventory, **permitted use (e.g. zoning),** property class, occupation, eligibility for an exemption or in the taxing jurisdiction boundary will be reflected on the assessment roll. (Emphasis added)* *Source: https://www.bcassessment.ca/About-Us/how-bc-assessment-works*
2. Lack of enforcement of zoning is the "elephant in the room"	• Provisions regarding compliance with the bylaw and violations processes are set out in section 2 of the bylaw • Enforcement is expensive and typically complaint-driven; landowners are encouraged to comply before penalties are imposed and expensive court proceedings undertaken. • Is there public appetite for more proactive enforcement and associated cost? • Consistent "flaunting the rules" will invariably reflect negatively on the community and individual business

Community Member Comment	Response
	involved
3. Lowering of business (commercial and industrial) taxes to be comparable to residential taxes the only way to encourage home-based businesses to get proper zoning	• For 2015, in the Gulf Islands, general residential mil rate is 0.57, whereas for light industry or general business it is 2.92. For major industry it is 5.5. Source: http://www2.gov.bc.ca/gov/content/taxes/property-taxes/annual-property-tax/understand/tax-notice/tax-rates . • The setting of tax rates is outside of the mandate of the Islands Trust.

Responses to Community Feedback

It is important to note that in all three areas proposed for possible nodal development of "General Employment" zoning, community members expressed concerns or fears about additional development in these areas. In the Fulford area, the concern was to keep the uses small and maintain the rural atmosphere; In the Rainbow Road area, the concern was to protect the agricultural uses; and in the Upper Ganges area, the concern was to protect the quiet residential neighbourhood character of the area.

Given that local governments rely on private enterprise to give life to any plans that are made, these responses confirm the approach of waiting until specific properties with specific proposed uses are proposed for rezoning, at which time, knowing the community's concerns, the proponent can tailor the development to addressing the needs, whether it is a traffic study, construction to be in character with the local area, vegetation screening, etc.

The process of rezoning is considerably simplified and shortened if an Official Community Plan amendment is not also required. By providing a policy within the Official Community Plan, which directs the Local Trust Committee to consider rezoning applications for General Employment uses within certain neighbourhoods, each application can be considered on its merits and the neighbourhoods have the opportunity to be notified about any proposals.

In total, as part of this process, over 5 acres of land is proposed to be zoned for General Employment uses. The zoning framework has been simplified by reducing the number of zones from 11 to 6, and the draft zones are more flexible in terms of permitted uses. All C6 and industrially zoned property owners have had the chance to comment directly on the proposals, either in public meetings or via phone or email.

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 490

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 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, 2016".

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 Section **9.1 – AGRICULTURAL ZONES**, Subsection **9.1.5 Exceptions in Particular Locations**, Zone Variation A1(c) Articles (4) to (6), are deleted in their entirety.

   And by making such consequential numbering alterations to effect these changes.

   2.2 **SCHEDULE "A" – ZONING MAP** is amended by changing the zoning classification of:

   (a) Lot C, Section 14, Range 4 East, North Salt Spring Island, Cowichan District, Plan 40345 (PID: 000-183-750, 360 Blackburn Road), from Rural Watershed 1 – (RW1) to Community Facility 2 – (CF2), as shown on Plan No. 1.

   (b) The North 1/2 of Section 3, Range 1, South Salt Spring Island, Cowichan District Except that Part in Plan VIP75183 (PID: 009-726-276, 133 Burgoyne Bay Road), from split zoning Forestry 1(a) – (F1(a)), Agriculture 1(c) – (A1(c)), and Agriculture 1 – (A1) to Community Facility 2 – (CF2), as shown on Plan No. 2.

   (c) The North 1/2 Of Section 4, Range 1, South Salt Spring Island, Cowichan District (PID: 009-726-691, 118 Ashya Road), from Split Zoning Agriculture 1(c) – (A1(c)), and Agriculture 1 – (A1) to Agriculture 1 – (A1), as shown on Plan No. 2.

   (d) Block B, Section 1, Range 2E, North Salt Spring Island, Cowichan District (PID: 024-926-035, 349 Rainbow Road), from split zoning Park and Reserves 2 – (PR2), Community Facility 2 – (CF2), and Agriculture 1(a) – (A1(a)) to Park and Reserves 2 – (PR2), Community Facility 2 – (CF2), and Agriculture 1(a) – (A1(a)) as shown on Plan No. 3.

   (e) Block A, Section 1, Range 2 East, and of Section 1, Range 3 East, North Salt Spring Island, Cowichan District (PID: 024-938-670, Drake Road), from split zoning Parks and Reserves 2 – (PR2), Community Facility 2 – (CF2), and Parks and Reserves 2(a) – (PR2(a)) to split zoning Parks and Reserves 2 – (PR2), Community Facility 2 – (CF2), and Parks and Reserves 2(a) – (PR2(a)) as shown on Plan No. 3.

(f) Lot A, Section 1, Ranges 3 And 4 East, North Salt Spring Island, Cowichan District, Plan 42413 (PID: 001-943-995, 104 Seaview Avenue), from split zoning Park and Reserves 2 – (PR2) and Community Facility 2 – (CF2), to Community Facility 2 – (CF2) as shown on Plan No. 4.

As shown on Plans No. 1 through 4 attached to and forming part of this bylaw. And by making such alterations to Schedule "A" – Zoning Map of Bylaw No. 355 as are required to effect these changes.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME 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____

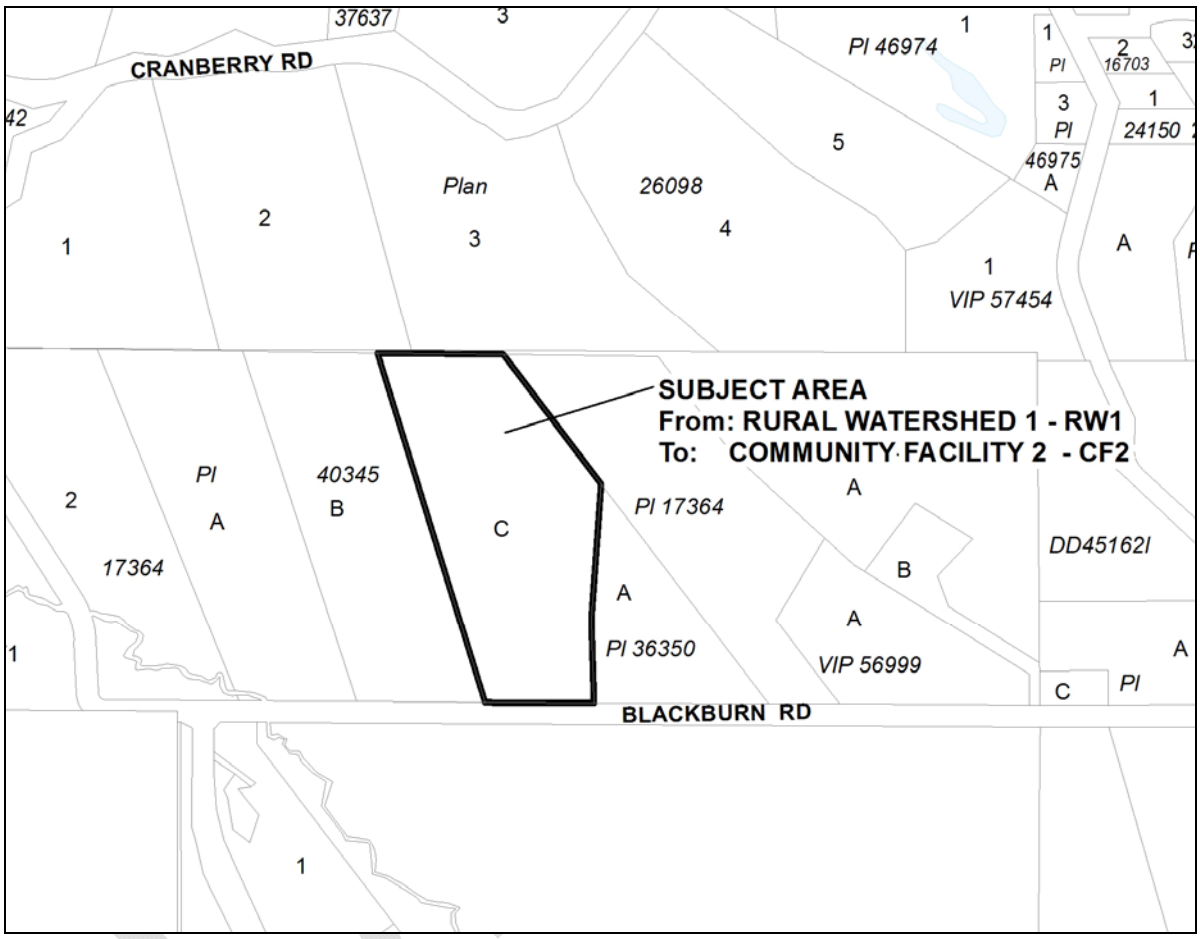
ADOPTED THIS _____ DAY OF _____ 20____

Chair **Secretary**

DRAFT

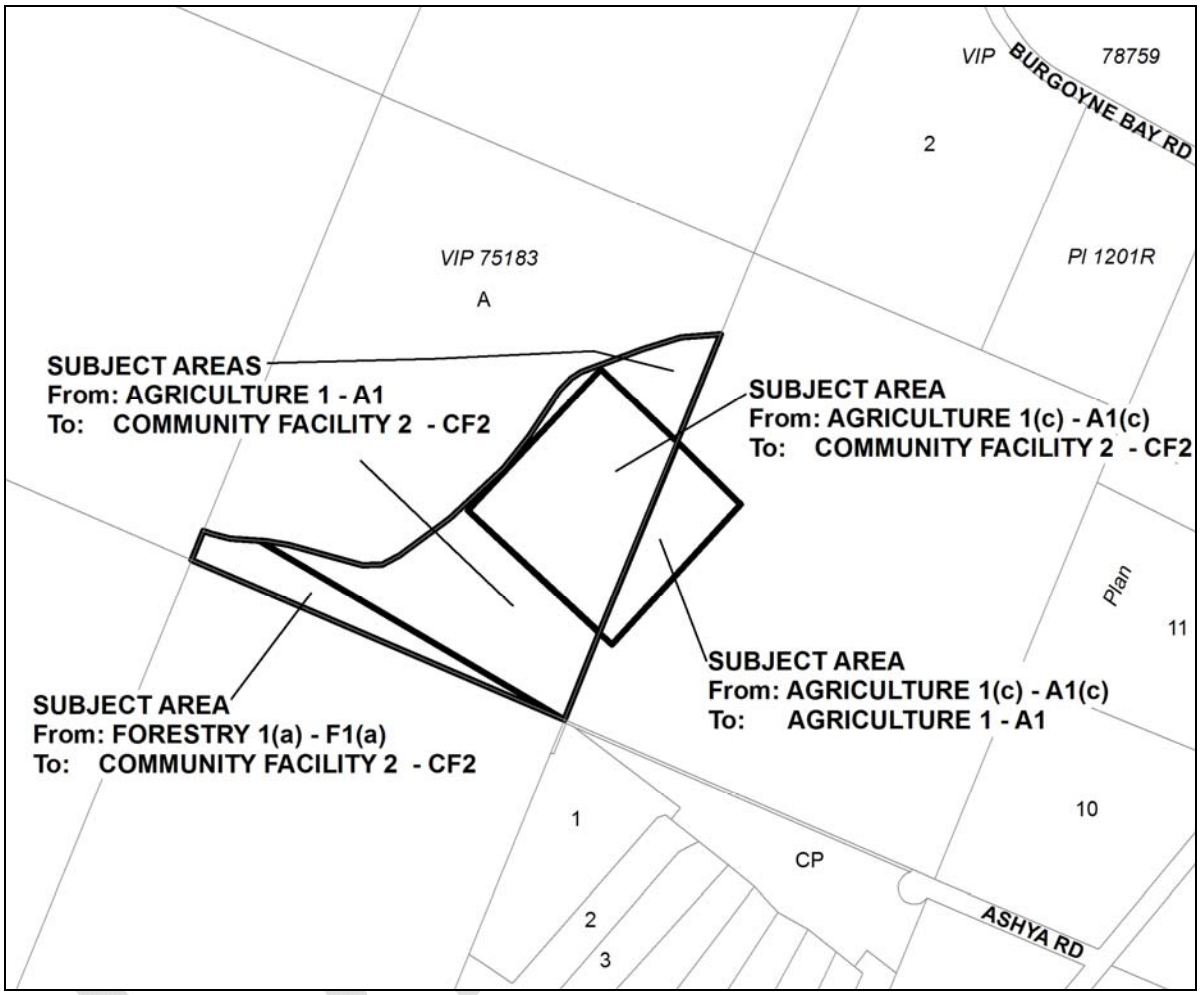
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 490

Plan No. 1



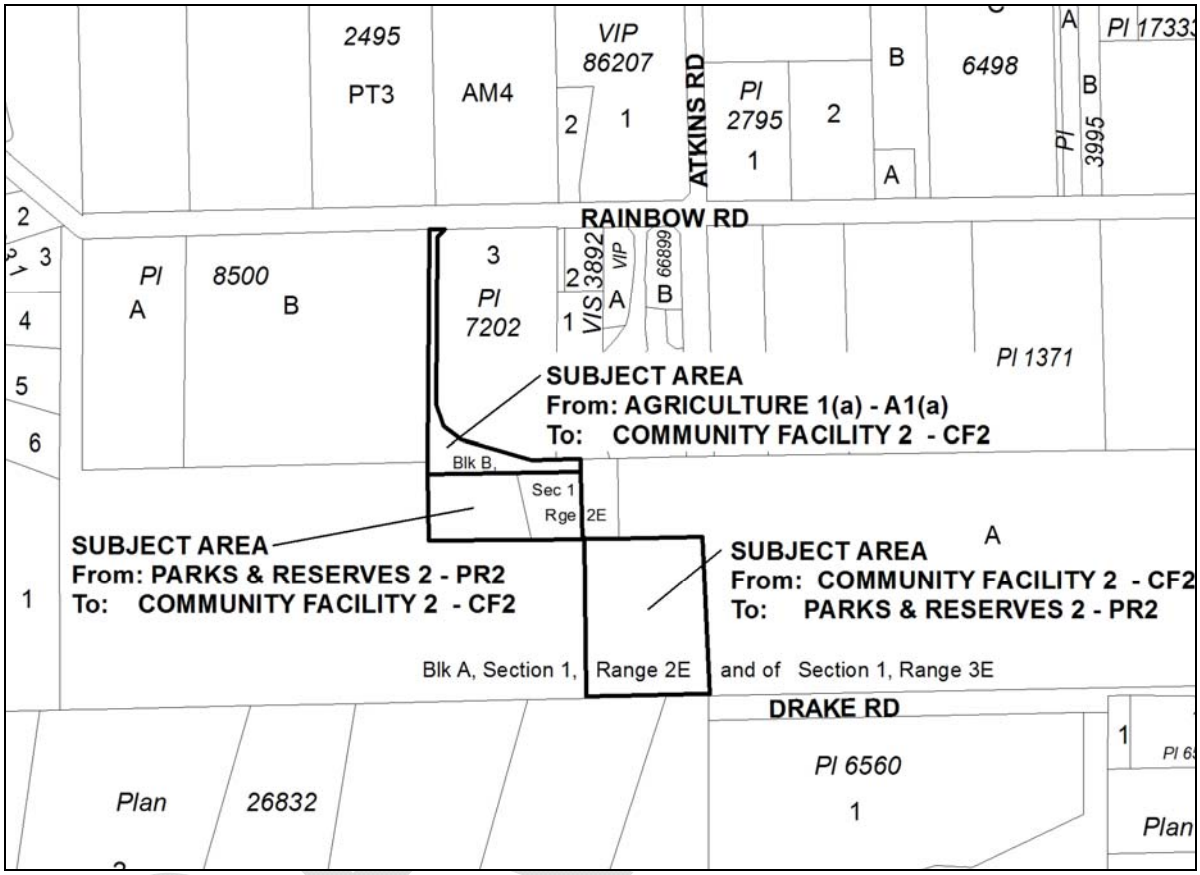
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 490

Plan No. 2



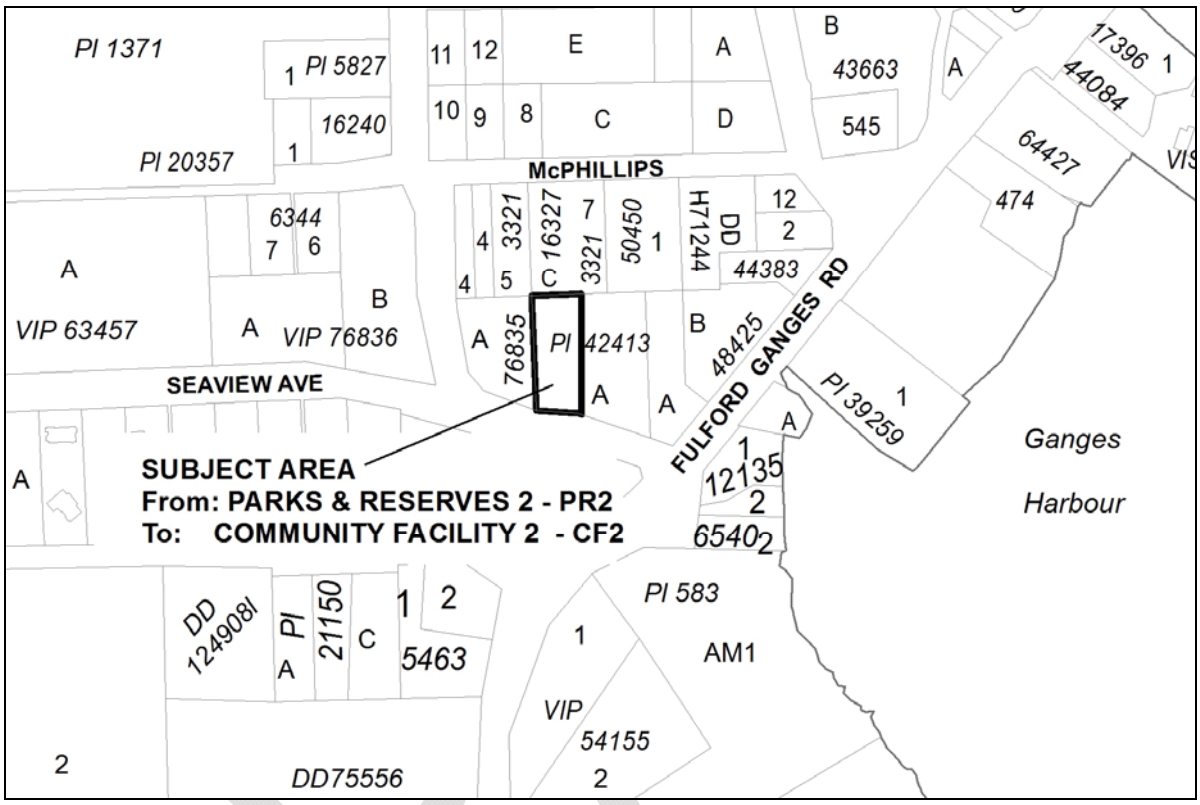
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 490

Plan No. 3



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 490

Plan No. 4



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 491 **Date:** April 6, 2016

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days, by May 6, 2016. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the summer of 2016.

APPLICANTS NAME / ADDRESS:

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

PURPOSE OF BYLAW:

To rezone four properties abutting a proposed Ganges Harbour Boardwalk.

GENERAL LOCATION:

Ganges Harbour, Salt Spring Island

LEGAL DESCRIPTION:

(a) Lot A, Section 1, Ranges 3 and 4 East, North Salt Spring Island, and of District Lot 2066 Cowichan District, Plan VIP83860 and a portion of the Shoreline (PID 027-249-794, 145 Lower Ganges Road)
(b) Lot 1 Sec.1, Ranges 3 and 4, North Salt Spring Island, Cowichan District, Plan 49983 and a portion of Shoreline (PID 017-088-364, Lower Ganges Road)
(c) Lot A, Section 2, Range 4 East, North Salt Spring Island and District Lot 689, Cowichan District, Plan VIP 65932 (PID 023-882-921, 151 Lower Ganges Road)
(d) Lot 3, Section 2, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP 59755 and a portion of the Shoreline (PID 018-951-775).

SIZE OF PROPERTIES AFFECTED:

(a) 0.02 hectares
(b) 14.86 square metres
(c) 0.1 hectares
(d) 3.97 hectares,

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

- Ganges Village Core
- Shoreline Development

OTHER INFORMATION:

To amend Salt Spring Island Land Use Bylaw No. 355 to provide for a new, mixed use, yet primarily commercial zoning to accommodate four properties abutting or fronting the proposed "Ganges Harbour Walk" in Ganges on Salt Spring Island. See attached staff report and proposed bylaw at first reading for further details.

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Stefan Cermak

Title: Regional Planning Manager, Salt Spring Island Planning Team

This referral has been sent to the following agencies:

Federal Agencies
Fisheries & Oceans, Canada – Habitat & Enhancement
Transport Canada Programs

Regional Agencies
CRD – All Referrals & K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – SSI Building Inspection
CRD – SSI Director
CRD – SSI Transportation Commission
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – Ganges Water & Sewer Commission
CRD – SSI Liquid Waste Disposal Local Service Commission
CRD – SGI Small Craft Harbours Commission

PLEASE TURN OVER →

Provincial Agencies

BC Assessment Authority
Ministry of Community, Sport & Cultural Development
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations (Environment)
Ministry of Forest Lands & Natural Resource Operations
- Front Counter BC
Ministry of Jobs, Tourism & Skills
Ministry of Transportation and Infrastructure

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
School District 64
SSI Chamber of Commerce
SSI Fire-Rescue
SSI Harbour Authority
SSI Salmon Enhancement Society

First Nations

Te'Mexw Treaty Association
Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut First Nation
Semiahmoo First Nation

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	491
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

STAFF REPORT

March 1 2016

File No.: 6500-20
Ganges Village Area - Boardwalk

To: Salt Spring Island Local Trust Committee
For the meeting of March 10, 2016

From: Beverly Suderman and Chris Hall, Consultants, Island Planning Services

Re: Draft Zoning for properties fronting Ganges Boardwalk

PURPOSE

This report provides the Local Trust Committee (LTC) with a draft bylaw for properties abutting the proposed Ganges Harbour Boardwalk. The draft bylaw is based on the LTC's direction at its Feb. 11th 2016 meeting and the consultants report dated Feb 2, 2016.

BACKGROUND

IPS Island Planning Services has been retained to continue the work set out in the Boardwalk Project Charter (January 2015). This report builds on three previous reports on the topic.
The first, dated May 7, 2015, provided a breakdown of the seven properties fronting the proposed boardwalk, detailing zoning, site conditions and potential uses. Appendix 1 and 2 of this first report contains a comprehensive review of OCP and Zoning provisions applicable to the area.
The second report, dated August 24, 2015, described a scope of work for an appraisal to be undertaken to determine the value of the boardwalk as a community amenity.
The last report dated Feb. 2, 2016 outlined land use considerations and options for zoning and land use amendments, DP provisions, and process recommendations. It also reflects the community consultations, which took place on January 27 and 30, 2016.
At its Feb 11, 2016 meeting, the LTC adopted the following motion:
"*THAT the Salt Spring Island Local Trust Committee request staff (consultant) to prepare draft bylaws for the Ganges Boardwalk Completion project in accordance with the recommendations contained in the staff report dated February 2, 2016."*

DRAFT BYLAW CONSIDERATIONS

The following principles were outlined in the prior report to the LTC as a guide in creating a new zone:

- Seek a standard approach for all four properties;
- Ensure compliance with OCP policies;
- Respect the interests of both the community and landowners;
- Provide a basis for fuller discussion with parties involved to enable the boardwalk project to proceed in a timely fashion

Proposed Uses

Accordingly, the proposed land use bylaw provide for a new, mixed use, yet primarily commercial zoning to accommodate the four properties abutting or fronting the proposed "Ganges Harbour Walk". The new zone provides for a range of uses that reflect some of the current uses, requested uses, and others that would be complimentary to the proposed walkway. The number of uses permitted is broader than the current individual zones while also reducing unnecessary regulation (i.e. constrictions for commercial accommodation unit sizes).

It is anticipated that the construction of the Harbour Walk will reinvigorate this portion of the Ganges Village. Others uses that are more compatible with the waterfront location and pedestrian access will replace some of the historic uses. To that end the focus is on Commercial and limit Residential, Industrial, and Commercial Accommodation uses above commercial uses. The subject properties will be able to take advantage of commercial uses that are already widely available along the existing walkway in the Village core. These include: general retail sales and services, indoor production and sale of crafts, artwork, and jewellery[1], restaurants, and options for multifamily housing.

Inserted into the Commercial Zone category are some of the uses in the Commercial Accomodation and Industrial zones that reflect the maritime uses currently in place and expected to continue. It is also proposed that the current shoreline zoning adjacent the Gulf Georgia lot (the Fishery) be amended to commercial moorage (Shoreline 1) in line with its current uses.

Overall, the zone provides for a wide range of uses, and eliminates some of the current challenges with existing zonings, both of which are consistent with OCP policy B.5.1.2.2:

> *Zoning in Village Designations will continue to allow the mix of commercial, institutional, cultural and multi-family land uses that are currently allowed. Commercial zoning should be simplified with fewer zones and a broader range of uses allowed in each. The maximum residential density allowed on any single property will remain at 37 units per ha.*

Siting Provisions

The bylaw also amends Section 9.2.2 dealing with *Size, Siting and Density of Permitted Uses, Buildings and Structures.* Two subsections have been added. The first provided that offices, multifamily units and commercial guest accommodation be situated above the ground level. This is common in commercial mixed-use areas to ensure an active and interesting frontage while preserving privacy for those living and working but not needing high public visability. The second subsection is an existing provision in the CA1 zone and is carried over into the new C7 zone to maintain continuity for marina activities.

One of the challenges in drafting the bylaw has been establishing appropriate setbacks given the wide range of uses. A 10m rear-yard setback has been proposed which is consistent with other waterfront zones. It is expected, however, that in some situations this setback may be excessive particularily for commercial uses that will want some semi-public space directly onto the boardwalk (i.e. restaurant patios, outside retail displays). It is proposed that the Development Permit and Development Variance Permit is the best way of addressing this matter if and when it arises.

Subdivision and Servicing Requirements

It is not expected that any of the properties will be subdivided into smaller parcel, but to ensure consistency in the regulations, the C7 zone has been added with similar standards in other commercial zones.

---

[1] The bylaw creates a new use and definition for "creative industries". This use arises out of the work currently being undertaken on redrafting the Industrial and C6 sections of the Land Use Bylaw. It was felt appropriate to introduce into this draft bylaw since the use is one that is anticipated in the area.

ADOPTION PROCESS

One of the primary reasons for creating this new zone is to enable a dialogue with the affected property owners and to obtain the approvals necessary to construct the boardwalk. Accordingly, the following process considerations are recommended:

- Give first reading only to the proposed bylaw to enable adequate time for referral and full review (by landowners in particular) to ensure clarity as to bylaw provisions and conditions precedent to adoption,
- Make any bylaw adjustments arising from consultations, and move to second reading, ideally, with reports on archeological and ecological matters in hand prior to public hearing,
- Public hearing and decision on 3rd reading, and finally,
- Withhold final adoption until appropriate agreements are in place regarding riparian consent, provision of statutory rights of way and other considerations such as financial contributions to enable the boardwalk project to proceed.

RECOMMENDATIONS

1. THAT Salt Spring Island Local Trust Committee Bylaw 491, cited as "Saltspring Island Land Use Bylaw, 1999, Amendment No. 2, 2016", be read a first time.

2. THAT the Salt Spring Island Local Trust Committee confirm that it has reviewed the Islands Trust Policy Statement Directive Only Checklist and determines that Bylaw 491, cited as "Saltspring Island Land Use Bylaw, 1999, Amendment No. 2, 2016", is not contrary to or at variance with the Islands Trust Policy Statement.

3. THAT the Salt Spring Island Local Trust Committee directs staff to refer Bylaw No. 491 to First Nations, government referral agencies, and the Advisory Planning Commission.

Prepared and Submitted by:
Chris Hall March 2 2016

Date

Concurred in by:

Date

Attachments:
A1- Draft Bylaw 491
A2 - Islands Trust Policy Statement Directive Only Checklist

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 491

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2016".

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 Section 1.1 Definitions, Sub-Section 1.1.1 is amended by adding the following new definition:

   "Creative industry" means music, art and craft studios, picture framing, schools (commercial, art, vocational), and small-scale research facilities.

   2.2 Section 9.2.1 - Permitted Uses of Land, Buildings and Structures, Section 9.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures, and Section 9.2.3 Subdivision and Servicing Requirements are deleted in their entirety and replaced with the following:

   9.2.1 Permitted Uses of Land, Buildings and Structures

C1	C1	C2	C3	C4	C5	C6	C7
Principal Uses, Buildings and Structures							
Indoor retail sales and rentals	♦	♦	♦				♦
Indoor retail services, excluding Laundromats	♦	♦	♦	♦			
Laundromats	♦						
Outdoor retail sales of nursery plants and home gardening supplies	♦	♦					♦
Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items for *retail* or *wholesale sales*, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day	♦	♦	♦				♦
Offices	♦	♦		♦			♦
Banks and credit unions	♦	♦					
Indoor commercial recreation and amusement facilities	♦	♦			♦		♦

Restaurants	♦	♦	♦				♦
*Churche*s	♦	♦					
Libraries	♦	♦					
Offices for *use* by *building* construction professionals and trades	♦	♦				♦	
Automobile service stations			♦				
Automobile rentals with a maximum of five vehicles stored on-site	♦	♦	♦			♦	♦
Veterinarian clinics and animal hospitals	♦	♦					
Indoor commercial and vocational *schools*	♦	♦					
Daycare centres for children, *seniors*, or people with special needs	♦	♦					
*Funeral home*s						♦	
*Multifamily dwelling unit*s		♦					♦
Commercial guest accommodation in *hotel*s or *guesthouses*.		♦					♦
Retail sales of *building* supplies, appliances and furniture						♦	
Light industry						♦	♦
Wholesale sales						♦	
Storage of goods and vehicles, with the exception of *outdoor* storage of derelict vehicles or equipment, or waste materials						♦	
Boat building, servicing and repairs						♦	♦
Service, repairs and sales of vehicles and equipment.						♦	
Collection of recyclable materials, excluding *outdoor* sorting and storage	♦		♦		♦	♦	
*Public service use*s	♦	♦	♦	♦	♦	♦	♦
Neighbourhood or *marine pub*, accessory to a *marina*							♦
Marina and *marina services*							♦
Marina administration and *services,* including washrooms, showers and laundry facilities							♦
Marine fuelling stations							♦
Marine related retail stores and offices							♦
Boat rentals and docks							♦
Marine equipment rentals, excluding *personal watercraft*							♦
Creative Industry							♦
Accessory Uses							
Indoor retail sales accessory to another permitted *use*						♦	
*Dwelling unit*s *accessory* to a *commercial use*	♦	♦	♦	♦	♦	♦	
Restaurant *accessory* to another permitted use					♦		
Home-based businesses accessory to residential use		♦					♦

PROPOSED

9.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) The following uses identified in Section 9.2.1 are not permitted on the ground level in the C7 Zone only: *Offices, Multifamily Dwelling units, Commercial guest accommodation*.

(2) *Building* setbacks from the *natural boundary* of the sea do not apply to *building*s or *structures* used for boat *building*, boat repairs, boat rental and *marina* administration and *service*s.

(3) Subject to Articles 1 and 2 above, and Part 4 – General Regulations (Siting), *Commercial Zones* must comply with the following regulations regarding size, siting and density:

	C1	C2	C3	C4	C5	C6	C7
Lot Coverage and Floor Area							
Maximum combined *lot coverage* of all *building*s and *structures* (percent)	75	75	33	33	33	75	33
Minimum size of a *dwelling unit* (square metres).	N/A	30	N/A	N/A	N/A	N/A	N/A
Number of Units							
Maximum number of *multi-family dwelling unit*s per hectare	N/A	37	N/A	N/A	N/A	N/A	37
Maximum number of *commercial guest accommodation units* per *lot*, operation or site	N/A	50	N/A	N/A	N/A	N/A	50
Setbacks and Siting							
Despite Subsection 4.3.1, the following *lot line* setbacks apply in the specific *zone* indicated:							
Minimum *Front lot line setback* (metres)	0.0	4.5	*	*	*	*	0.0
Minimum *Rear lot line* setback abutting non-*commercial* or non-industrial *zone* (metres)	6.1	*	*	*	*	6.1	10
Minimum *Rear lot line* setback abutting a *commercial* or industrial *zone* (metres)	0.0	*	*	*	*	6.1	10
Minimum *Interior side lot line* setback abutting non-*commercial* or non-industrial *zone* (metres)	6.1	*	*	*	*	6.1	*
Minimum *Interior side lot line setback* abutting *commercial* or industrial *zone* (metres)	0.0	*	*	*	*	6.1	10
Minimum *Exterior side lot line* setback (metres)	0.0	*	*	*	*	6.1	*
*Dwelling unit*s are not permitted in a *basement* or below any *commercial use*	N/A	♦	N/A	N/A	N/A	N/A	N/A

PROPOSED

* Indicates provisions in Section 4.3 apply. *Information Note: Under the Highways Act, special permission from the Ministry of Transportation and Infrastructure is required to place structures within 4.5 metres of a highway right-of-way.* *Information Note: Required setbacks from water bodies are outlined in Sections 4.4 and 4.5.* *Information Note: Vegetation screens are required where commercial or industrial uses take place outside of a building adjacent to non-commercial or non-industrial uses. See Subsection 3.4.2.*

9.2.3 Subdivision and Servicing Requirements

(1) The regulations in this Subsection apply to the *subdivision* of land under the *Land Title Act* and the *Strata Property Act* for the Commercial 1, Commercial 2, Commercial 3, Commercial 4, Commercial 5, Commercial 6, and Commercial 7 Zones .

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2.

	C1	C2	C3	C4	C5	C6	C7
Minimum Lot Areas, Water Supply, and Sewage Treatment Servicing Requirements.							
Minimum area of an individual *lot* that may be created through *subdivision*, provided each *lot* has an individual on-site sewage treatment system and an adequate supply of *potable* water (hectare)	1	1	1	1	1	.6	1
Minimum area of an individual *lot* that may be created through *subdivision* provided each *lot* has an individual on-site sewage treatment system and connection to a *community water system* (hectare)	1	.4	1	1	.2	.15	1

2.3 Schedule "1" – Zoning Map, is amended by changing the zoning classification of:

(a) Lot A, Section 1, Ranges 3 and 4 East, North Salt Spring Island, and of District Lot 2066 Cowichan District, Plan VIP83860 and a portion of the Shoreline (PID 027-249-794, 145 Lower Ganges Road) from Residential 6 and Shoreline 6, to Commercial 7.

(b) Lot 1 Sec.1, Ranges 3 and 4, North Salt Spring Island, Cowichan District, Plan 49983 and a portion of Shoreline from Residential 6 and Shoreline 6, to Commercial 7.

(c) Lot A, Section 2, Range 4 East, North Salt Spring Island and District Lot 689, Cowichan District, Plan VIP 65932 (PID 023-882-921, 151 Lower Ganges Road) from Industrial 1, to Commercial 7; and water lot lease DL2092 from Shoreline 6 to Shoreline 1.

(d) Lot 3, Section 2, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP 59755 (PID 018-951-775**)** and a portion of the Shoreline from Commercial Accommodation 1(d) and Shoreline 1, to Commercial 7.

PROPOSED

As shown on Plan No. 1 attached to and forming part of this bylaw. And by making such alterations to Schedule "A" – Zoning Map of Bylaw No. 355 as are required to effect these changes.

READ A FIRST TIME THIS	10TH	DAY OF	MARCH	2016
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____

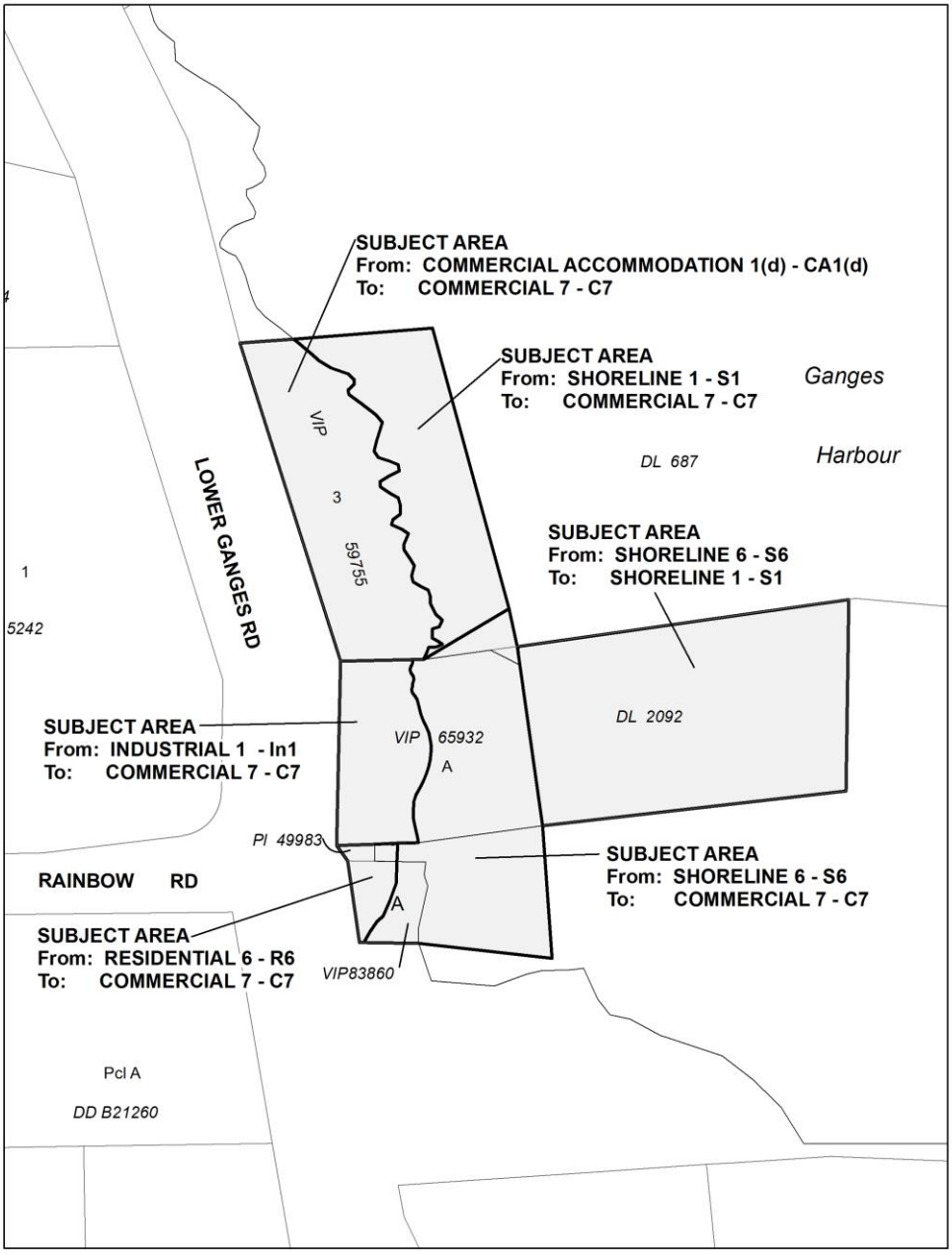
Chair **Secretary**

PROPOSED

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 491

Plan No. 1



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 492 **Date:** April 18, 2016

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee

PURPOSE OF BYLAW:

A bylaw to amend the Salt Spring Island Land Use Bylaw No. 355 for minor housekeeping amendments which fall within one of the three following criteria:

- congruent with current legislation;
- clarification for consistent interpretation; and
- consistent with intended purpose.

GENERAL LOCATION:

Salt Spring Island and Associated Islands and Waters

LEGAL DESCRIPTION:

Capital Regional District Electoral Area "F" including Salt Spring Island, Associated Islands and Waters

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
		Salt Spring Island Local Trust Committee Bylaw No. 434

OTHER INFORMATION:

Please fill out the Response Summary on the back of this form. If your agency's interests are *"Unaffected"*, no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Seth Wright

Title: Planner

This referral has been sent to the following agencies:

Provincial Agencies
Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC

First Nations
Te'Mexw Treaty Association
Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut First Nation
Semiahmoo First Nation

Regional Agencies
CRD – All Referrals & K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – SSI Building Inspection
CRD – SSI Director
CRD – SSI Transportation Commission
CRD – Parks & Community Services
CRD – Ganges Water & Sewer Commission
CRD – SSI Liquid Waste Disposal Local Service Commission
Vancouver Island Health Authority

Non-Agency Referrals
North Salt Spring Waterworks District
School District 64
SSI Chamber of Commerce
SSI Fire-Rescue
SSI Harbour Authority

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	492
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

STAFF REPORT

Date: March 31, 2016 **File No.:** 4015 – Industial Land Uses

To: Salt Spring Local Trust Committee for April 7, 2016 meeting

From: Seth Wright, A/ Planner 2, Local Planning Services

Re: **Technical Land Use Bylaw Update – Draft Bylaw 492**

INTERIM REPORT

PURPOSE

This Staff Report presents draft Bylaw 492 for consideration by the Salt Spring Island Local Trust Committee (LTC) of the technical Land Use Bylaw update. Appendix 1 contains the draft Bylaw and Appendix 2 contains a table of the proposed amendments alongside staff comments detailing why the amendment is proposed. The report of this staff report is to consider first reading and refer the draft bylaw to public agencies and First Nations.

PROJECT OBJECTIVES

The goal of the industrial Land Use Bylaw Update work program is to encourage socio-economic diversity and to enhance economic sustainability and security on Salt Spring Island by meeting the needs for commercial industrial lands for the next 25 years.

The technical Land Use Bylaw Update arose out of the Industrial Land Use Bylaw Update to address issues with the Salt Spring Island Land Use Bylaw due to changing legislation, clarity of interpretation, and consistency.

BACKGROUND

At its October 1, 2015 regular meeting, the Salt Spring Island Local Trust Committee (LTC) received a Staff Report regarding the Land Use Bylaw Technical Update containing a table of proposed amendments, attached as Appendix 1. Following some discussion, the following resolution was introduced and carried:

> **SS-2015-169**
> That the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999," for technical housekeeping amendments as outlined in Appendix 1 of the Staff Report, dated September 24, 2015.

Persuant to this resolution, staff drafted a bylaw to amend the Land Use Bylaw, which is attached to this Staff Report as Appendix 1. An updated table of amendments containing rationale for the proposed changes is also attached as Appendix 2.

RECOMMENDATIONS

THAT Salt Spring Island Local Trust Committee Bylaw No. 492, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016," is read a first time.

THAT the Salt Spring Island Local Trust Committee request staff to refer Bylaw No. 492 to the Salt Spring Island Advisory Planning Commission for comment.

THAT the Salt Spring Island Local Trust Committee request staff to refer Bylaw No. 492 to public agencies and First Nations.

Prepared and Submitted by:

Seth Wright, A/ Planner 2 | Date

Concurred by:

Stefan Cermak, Regional Planning Manager | Date

APPENDICES

1. Draft Bylaw 492
2. Table of Proposed Amendments

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 492

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 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 as for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016."

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

   2.1 The pages "**A NOTE TO READERS**" and "**PUBLIC REVIEW PROCESS PRIOR TO ADOPTION OF BYLAW 355**" are deleted in their entirety.

   2.2 Prior to **Part 1 – INTERPRETATION**, the preamble "A BYLAW TO ESTABLISH LAND USE REGULATIONS FOR SALT SPRING ISLAND, INCLUDING DEADMAN, FIRST SISTER, GOAT, RUSSELL, SECOND SISTER, AND THIRD SISTER ISLANDS AND ASSOCIATED ISLETS AND WATERS WITHIN THE SALT SPRING ISLAND LOCAL TRUST AREA THAT ALSO LIE WITHIN ELECTORAL AREA "F" OF THE CAPITAL REGIONAL DISTRICT" is deleted in its entirety and replaced with:

   "A BYLAW TO ESTABLISH REGULATIONS RESPECTING THE USE OF LAND AND WATER, INCLUDING THE USE, SITING, AND SIZE OF BUILDINGS AND STRUCTURES, THE PROVISIONS OF PARKING, SIGNS, AND THE SUBDIVISION OF LAND WITHIN THE SALT SPRING ISLAND LOCAL TRUST AREA THAT ALSO LIE WITHIN ELECTORAL AREA "F" OF THE CAPITAL REGIONAL DISTRICT."

   2.3 Section **1.1 DEFINITIONS**, Sub-Section 1.1.1 is amended as follows:

      2.3.1 The definition of **"dock"** is deleted in its entirety and replaced with the following new definition:

      "**"dock"** means a float on the surface of the water that is connected to the shoreline by means of a platform and ramp and that is used as a landing or *wharfage* place for water craft. A platform and ramp to access a dock may not exceed a height of 1 metre and a width of 1.2 metres."

      2.3.2 The definition of **"dwelling, two-family"** is deleted in its entirety and replaced with the following new definition:

      "**"duplex"** means a *building* consisting of two *dwelling units*."

2.3.3 The definition of **"commercial guest accommodation"** is deleted in its entirety and replaced with the following new definition:

"**"commercial guest accommodation"** means a *commercial* enterprise, other than *a bed & breakfast home-based business* that consists of the *temporary* rental of *commercial guest accommodation units*, *campsites* or *tourist hostel* bed space to travellers or vacationers whose permanent domicile or home life is elsewhere, and excludes the use of any land or improvements under a time share plan as defined in the Real Estate Development Marketing Act unless the term of occupancy by an individual is less than 30 days."

2.3.4 The definition of **"farm business"** is deleted in its entirety and replaced with the following:

"**"farm business"** means a business in which one or more *farm operations* are conducted by the farm operator on one or more *lots*."

2.3.5 The definition of **"farm operation"** is deleted in its entirety and replaced with the following new definition:

"**"farm operation"** means any of the following activities:

(a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;

(b) clearing, draining, irrigating or cultivating land;

(c) using farm machinery, equipment, devices, materials and structures;

(d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;

(e) conducting any other agricultural activity on, in or over agricultural land; and includes

(f) intensively cultivating in plantations, any

  (i) specialty wood crops, or

  (ii) specialty fibre crops prescribed by the Minister of Agriculture;

(g) conducting turf production;

  (i) outside of an agricultural land reserve, or

  (ii) in an agricultural land reserve with the approval under the Agricultural Land Commission Act;

(h) *aquaculture* as defined in the Fisheries Act if carried on by a person licensed, under Part 3 of that Act, to carry on the business of *aquaculture*;

(i) raising or keeping fur bearing animals or game, within the meaning of a regulation made under the Animal Health Act, by a person licensed or permitted to do so under that Act;

(j) processing or direct marketing by a farmer of one or both of

  (i) the products of a farm owned or operated by the farmer, and

(ii) within limits prescribed by the Minister of Agriculture, products not of that farm, to the extent that the processing or marketing of those products is conducted on the farmer's farm;

but does not include:

(k) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the Forest and Range Practices Act;

(l) breeding pets or operating a *kennel*;

(m) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the Minister of Agriculture."

2.3.6 The definition of **"fur farm"** is deleted in its entirety.

2.3.7 The definition of **"grade"** is deleted in its entirety and replaced with the following new definition:

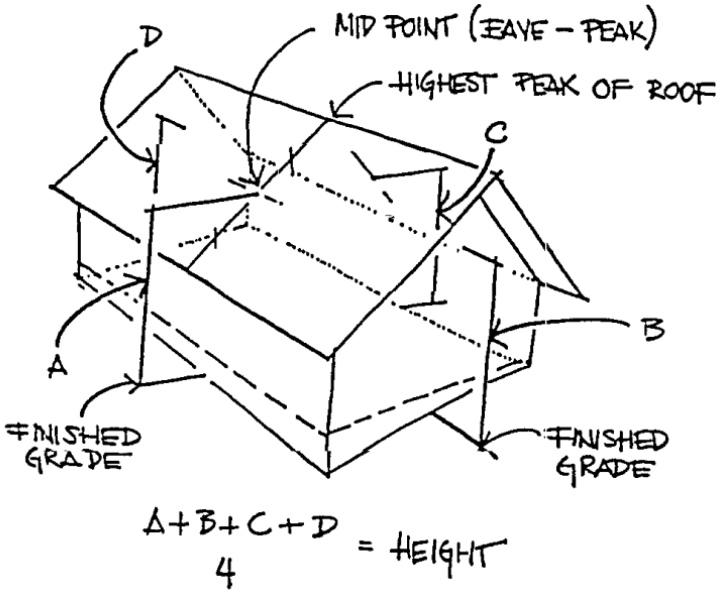
"**"grade"** means the average elevation of the ground at a distance of 2 metres from a *building* or *structure* determined by averaging the finished elevations at the midpoints of all exterior walls, excluding any artificial mounds of earth, rocks or structures."

2.3.8 The definition of **"height"**, including the illustration, is deleted in its entirety and replaced with the following definition and illustration:

"**"height"** means the average vertical distance measured between the highest point of the *building* or *structure* and *grade*, and is determined as follows:

a) for *buildings* with flat or dome roofs or for *structures* without a roof, the highest point is the highest part of the *building* or *structure*;

b) for *buildings* and *structures* with pitched roofs, the highest point is the mid-point between the highest ridge and the highest eave, excluding dormers."



2.3.9 The definition of **"lot line"** is deleted in its entirety and replaced with the following new definition:

""**lot line"** means the boundary of a *lot*; and

"front lot line" means the *lot line* common to the *lot* and an abutting *highway* or an abutting access route in a bare land strata plan. Where a lot abuts more than one distinct highway, the shorter *lot line,* that is at least 20 metres, is considered the *front lot line*. In the case of a hooked lot, the lot line that adjoins the larger portion of the parcel is considered the *front lot line.* In the case of a *panhandle lot*, the line that is generally parallel to the access road or *highway* and perpendicular to the *lot line*s that form the *access strip* is also considered the *front lot line;* and

"rear lot line" means the *lot line* that most closely parallels and is most distant from the *front lot line*, and where the rear portion of a *lot* is bounded by two intersecting side *lot line*s the point of intersection is deemed the *rear lot line*; and

"exterior side lot line" means a *lot line* that is not a *front* or *rear lot line* and that is common to the *lot* and an abutting *highway* or an access route in a bare land strata plan; and

"interior side lot line" means a *lot line* that is not a *front*, *rear* or *exterior side lot line*."

2.3.10 The definitions of **"marine pub"** and **"neighbourhood pub"** are deleted in their entirety and replaced with the following new definitions:

""**liquor primary"** means an establishment licensed under the Liquor Control and Licensing Act where the service of liquor is the primary focus of the business, but excludes nightclubs."

2.3.11 The definition of **"manufactured home"** is deleted in its entirety and replaced with the following new definition:

"**"manufactured home"** means a *dwelling unit* that is manufactured in accordance with CSA A277 Standards, designed and intended for *residential* occupancy and manufactured either wholly or in part at an offsite location, and also includes *mobile homes*."

2.3.12 The definition of **"potable"** is deleted in its entirety and replaced with the following new definition:

"**"potable"** means water that is safe to drink, fit for domestic purposes, and, without limiting the foregoing, is of no less a standard than that specified in Schedule "H"."

2.3.13 The definition of **"school"** is deleted in its entirety.

2.3.14 The definition of **"school, elementary"** is deleted in its entirety.

2.4 Part 1 – Interpretation is amended by adding a new Section 1.4 as follows:

"**1.4 USE OF ITALICS**

1.4.1 The use of italics in this Bylaw indicates that the term shall be interpreted as defined in **Section 1.1 DEFINITIONS**."

2.5 **Section 3.2 USES PROHIBITED IN ALL ZONES**, Article 3.2.1(2) is deleted in its entirety and replaced with the following new Article:

"(2) *disposal* of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged under the Sewage System Regulation of the Public Health Act or the Environmental Management Act."

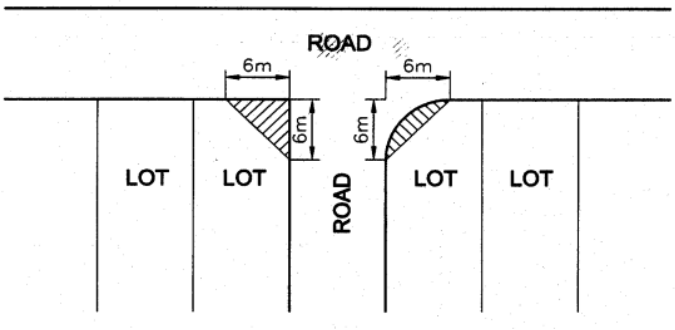
2.6 **Section 3.12 ACCESSORY BUILDINGS AND STRUCTURES**, Subsection 3.12.4 is deleted in its entirety and replaced with the following new text:

"An *accessory building* other than a *seasonal cottage* or other permitted *accessory dwelling unit* may not contain a shower enclosure, a bathtub, a *kitchen,* or more than three separate rooms*.* Despite the foregoing, *farm buildings* used solely for non-*residential agricultural* purposes may have more than three separate rooms and may have a *commercial kitchen*."

2.7 **Section 3.13 HOME-BASED BUSINESSES**, Subsection 3.13.5, Articles (b) and (c) are amended by deleting the words "home occupation" and replacing them with the words "*home-based business*".

2.8 **Section 3.13 HOME-BASED BUSINESSES**, Subsection 3.13.7 is amended by deleting the words "Residential 10" from the list.

2.9 **Section 4.2 VISIBILITY AT INTERSECTIONS**, Subsection 4.2.1 first paragraph is amended by replacing the measurement "15 m" with the measurement "6 metres" and by deleting the illustration in its entirety and by replacing it with the following new illustration:



2.10 **Section 4.3 SETBACKS FROM LOT LINES AND ACCESS EASEMENTS**, Subsection 4.3.1 is amended by adding the following new Information Notes:

"Information Note: In addition to the setbacks detailed here, the Ministry of Transportation and Infrastructure requires a 4.5 metre setback from public roads.

Information Note: In the case of panhandle lots, front lot lines, include the lot line perpendicular to the access strip as detailed in the definition of front lot line."

2.11 **Section 4.3 SETBACKS FROM LOT LINES AND ACCESS EASEMENTS**, Subsection 4.3.9 is amended by adding the following new Information Note:

"Information Note: Additional regulations for campground layout and setbacks are contained in Schedule "F" of this Bylaw."

2.12 **Section 4.4 SETBACKS FROM WATER BODIES – FLOOD PROTECTION** is amended by deleting the words "- Flood Protection" from the heading.

2.13 **Section 4.4 SETBACKS FROM WATER BODIES – FLOOD PROTECTION**, Subsection 4.4.2 is amended by deleting the words "or where erosion protection works have been designed and placed by an engineer with provisions for maintenance."

2.14 **Section 4.4 SETBACKS FROM WATER BODIES – FLOOD PROTECTION**, Subsection 4.4.5, the first "*Information Note*" is amended by deleting the words "if the Ministry of Environment, Lands and Parks has confirmed that the proposed variance would not increase the risk of flooding to structures."

2.15 **Section 4.5 SETBACKS FROM WATER BODIES – WATER QUALITY PROTECTION,** Subsection 4.5.1, the "*Information Note*" is amended by deleting "*However, the Medical Health Officer of the Capital Health Region may impose conditions to ensure proper functioning of sewage disposal facilities*."

2.16 **Section 5.1 LOT AREA**, Subsection 5.1.3 is deleted in its entirety.

2.17 **Section 5.5 POTABLE WATER**, Subsection 5.5.2, the "*Information Note*" is deleted in its entirety and replaced with the following new Information Note:

"Information Note: If multiple lots are connected to the same source of water, the water system is subject to Island Health's regulations of water supply systems and may be subject to the Water Utility Act."

2.18 **Section 5.6 SEWAGE DISPOSAL**, Subsection 5.6.1 is amended by deleting the words "the Capital Health Region's Subdivision Assessment Standards" and replacing them with the words "Island Health Subdivision Standards."

2.19 **Section 7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES**, Table 3, **RESIDENTIAL** category is amended by deleting the words "Single-family *dwelling unit*" and replacing them with the words "*Single-family dwelling*".

2.20 **Section 7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES**, Table 3, **RESIDENTIAL** category is amended by deleting the words "Multi-family *dwelling units*" and replacing them with the words "*Multi-family dwelling*."

2.21 **Section 7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES**, Table 3, **RESIDENTIAL** category is amended by deleting the words "*Secondary Suite*" and replacing them with the words "*Seasonal Cottage* or *Secondary Suite*."

2.22 **Section 9.1 AGRICULTURAL ZONES**, Subsection 9.1.1, Table, Accessory Uses category is amended by deleting in its entirety the following words: "One additional *dwelling unit* provided that it:" and clauses a), b) and c) in their entirety and replacing them with the following:

"One additional *dwelling unit* provided that it:

a) is a *mobile home* for immediate family consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or
b) is a *secondary suite* that is consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or
c) is a *farmworkers' dwelling unit* that has been specifically approved through a Non-Farm Use application to the Agricultural Land Commission."

2.23 **Section 9.2 COMMERCIAL ZONES**, Article 9.2.2(1), table is amended by deleting the first "*Information Note*" in its entirety and replacing it with the following new Information Note:

"Information Note: In addition to setbacks contained in this bylaw, the Ministry of Transportation requires that all structures must be placed at least 4.5 metres from the right of way unless a setback permit is first obtained."

2.24 **Section 9.2 COMMERCIAL ZONES**, Clause 9.2.4(6)(a) is amended by deleting the words "*accessory* to a permitted *commercial use*."

2.25 **Section 9.5 COMPREHENSIVE DEVELOPMENT ZONES**, Article 9.5.1(1), Table, Accessory Uses category is amended by deleting the words "*Seasonal cottages* subject to Section 3.14" and replacing them with the words "*Seasonal cottages* subject to Section 3.14 and Subsection 9.5.2."

2.26 **Section 9.6 FORESTRY ZONES**, "*Information Note*" is deleted in its entirety.

2.27 **Section 9.6 FORESTRY ZONES**, Table, is amended by deleting the "*Information Note*".

2.28 **Section 7.1 PARKING REGULATIONS**, Subsection 7.1, **TABLE 3**, **COMMERCIAL** category is amended by deleting the words "Restaurants and pubs" and replacing them with the words "Restaurants and *Liquor-primary* establishments."

2.29 **Section 9.2 COMMERCIAL ZONES**, Clause 9.2.4(3)(a) is amended by deleting the words "Neighbourhood or *marine pub*" and replacing them with the words "*Liquor-primary*."

2.30 **Section 9.3 COMMERCIAL ACCOMMODATION ZONES**, Article 9.3.1(1) Table, **Principal Uses, Buildings and Structures** category is amended by deleting the words "*Neighbourhood* or *marine pubs*" and replacing them with the words "*Liquor-primary."*

2.31 **Section 9.5 COMPREHENSIVE DEVELOPMENT ZONES**, Article 9.5.1(1) Table, **Principal Uses, Buildings and Structures** category is amended by deleting the words "*Two-family dwellings*" and replacing them with the words "*Duplexes* constructed before July 31, 1990."

2.32 **Section 9.6 FORESTRY ZONES**, Article 9.6.1(1) is amended by deleting the words "*Two-family dwellings* constructed before July 31, 1990" and replacing them with the words "*Duplexes* constructed before July 31, 1990."

2.33 **Section 9.9 RESIDENTIAL ZONES**, Article 9.9.1(1), Table is amended by deleting the words "*Two-family dwellings*" and replacing them with the word "*Duplexes.*"

2.34 **Section 9.9 RESIDENTIAL ZONES**, Article 9.9.1(1) is amended by deleting the words "*Two family dwellings* constructed before July 31, 1990" and replacing them with the words "*Duplexes* constructed before July 31, 1990."

2.35 **Section 9.9 RESIDENTIAL ZONES**, Article 9.9.2(1), Footnote 4 is amended by deleting the words "*two-family dwelling unit*" and replacing them with the word "*duplex*."

2.36 **Section 9.9 RESIDENTIAL ZONES**, Article 9.9.2(1), the following new footnote is added to the "Minimum lot area required for more than one *dwelling unit* (ha) with the exception of *secondary suites*, where permitted" for the "R6" zone and subsequent footnotes are renumbered accordingly:

"[4] except that two *dwelling units* are only permitted as a *duplex* and not as two *single-family dwellings*."

2.37 **Section 9.9 RESIDENTIAL ZONES**, Article 9.9.4(11) is amended by deleting the words "Two-family *dwellings*" and replacing them with the word "*Duplexes*."

2.38 **Section 9.9 RESIDENTIAL ZONES**, Article 9.9.4(19) is amended by deleting the words "two-family *dwellings*" and replacing them with the word "*duplexes."*

2.39 **Section 9.11 SHORELINE ZONES**, Article 9.11.1(1) is amended by deleting the first paragraph in its entirety and replacing it with the following new paragraph:

"In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *accessory uses*, *buildings* and *structures* and no others are permitted in the Shoreline Zones indicated, provided that they are not located within 10 metres of eelgrass (Zostera marina) or kelp (Macrocystis sp.) plants indicated in Schedule K, and provided that they are not located within 125 metres of clam beds identified on Map 10 of the Salt Spring Island Official Community Plan. For certainty, the only *buildings* permitted in the Shoreline Zones are *accessory buildings*."

2.40 The following references to the Agricultural Land Reserve and Agricultural Land Commission are amended as follows:

2.40.1 **Section 3.3 AGRICULTURAL USES**, Subsection 3.3.1 is amended by deleting the words "Provincial Agricultural Land Reserve" and replacing them with the words "Agricultural Land Reserve".

2.40.2 **Section 3.16 DWELLINGS ON LARGE FARMS**, Subsection 3.16.1 is amended by deleting the "*Information Note*" in its entirety and replacing it with the following new Information Note:

"Information Note: Where a lot is in the Agricultural Land Reserve, the addition of more than one permanent detached dwelling unit on a lot requires the permission of the Agricultural Land Commission."

2.40.3 **Section 5.1 LOT AREA**, Articles 5.1.2(1) and 5.1.2(2) are deleted in their entirety and replaced with the following new Articles:

"(1) approved for *subdivision* under the authority of the Agricultural Land Commission Act; or

(2) exempted by the Agricultural Land Commission Act or regulations thereto."

2.40.4 **Section 9.1 AGRICULTURAL ZONES**, Subsection 9.1.1, is amended by deleting the first "*Information Note*" in its entirety and replacing it with the following new Information Note:

"Information Note: Most land in the Agriculture 1 or Agriculture 2 zones is also in the Agricultural Land Reserve. Where this is the case, the accessory uses listed below are permitted only if they are also approved by the Agricultural Land Commission. Any non-farm uses permitted by the Agricultural Land Commission are only permitted if they are also consistent with this bylaw."

2.40.5 **Section 9.2 COMMERCIAL ZONES**, Subsection 9.2.1, is amended by deleting the "*Information Note*" in its entirety.

2.40.6 **Section 9.3 COMMERCIAL ACCOMMODATION ZONES**, Subsection 9.3.1, is amended by deleting the "*Information Note*" in its entirety.

2.40.7 **Section 9.7 INDUSTRIAL ZONES**, Subsection 9.7.1, is amended by deleting the "*Information Note*" in its entirety.

2.41 **SCHEDULE "A" - LEGEND** is deleted in its entirety.

2.42 **SCHEDULE "A" - ZONING MAP** is amended by changing the following zoning classifications:

2.42.1 LOT 1 (DD EF41073), SECTION 76, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 24362 from Park and Reserves 5 (PR5) to Rural (R), as shown on Plan No. 1, attached to and forming part of this bylaw.

2.42.2 PARK AS SHOWN ON PLAN 14541 from Rural (R) to Park and Reserves 5 (PR5), as shown on Plan No. 1, attached to and forming part of this bylaw.

2.43 **SCHEDULE "A" - ZONING MAP** is amended by changing the zoning classification of LOT 6, SECTION 77, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 40878 from Commercial Accommodation 5 (CA5) to Commercial Accommodation 5(a) (CA5(a)), as shown on Plan No. 2 attached to and forming part of this bylaw.

2.44 **SCHEDULE "H" - POTABLE WATER QUALITY STANDARDS** is amended by changing WATER QUALITY PARAMETER for ARSENIC from "0.025 MG/L" to "0.010 MG/L".

2.45 **SCHEDULE "H" - POTABLE WATER QUALITY STANDARDS** is amended by changing WATER QUALITY PARAMETER for FECAL COLIFORM from "1/100 ML" to "0/100 ML".

2.46 By adding a new **SCHEDULE "K" - PRESENCE OF EELGRASS** as shown on Plan No. 3 attached to and forming part of this bylaw.

2.47 **ATTACHMENT 1 - TABLE OF METRIC-IMPERIAL CONVERSIONS** is deleted in its entirety.

READ A FIRST TIME THIS 7TH DAY OF APRIL 2016

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____

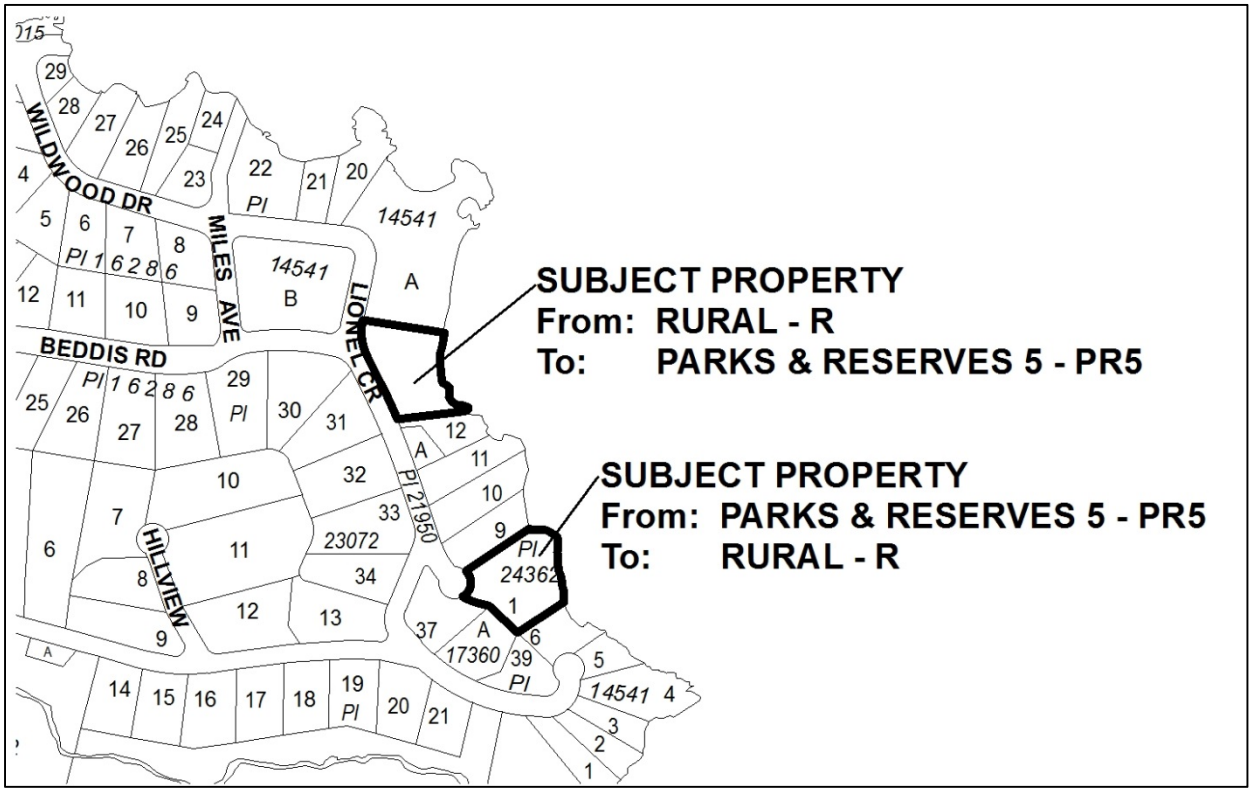
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

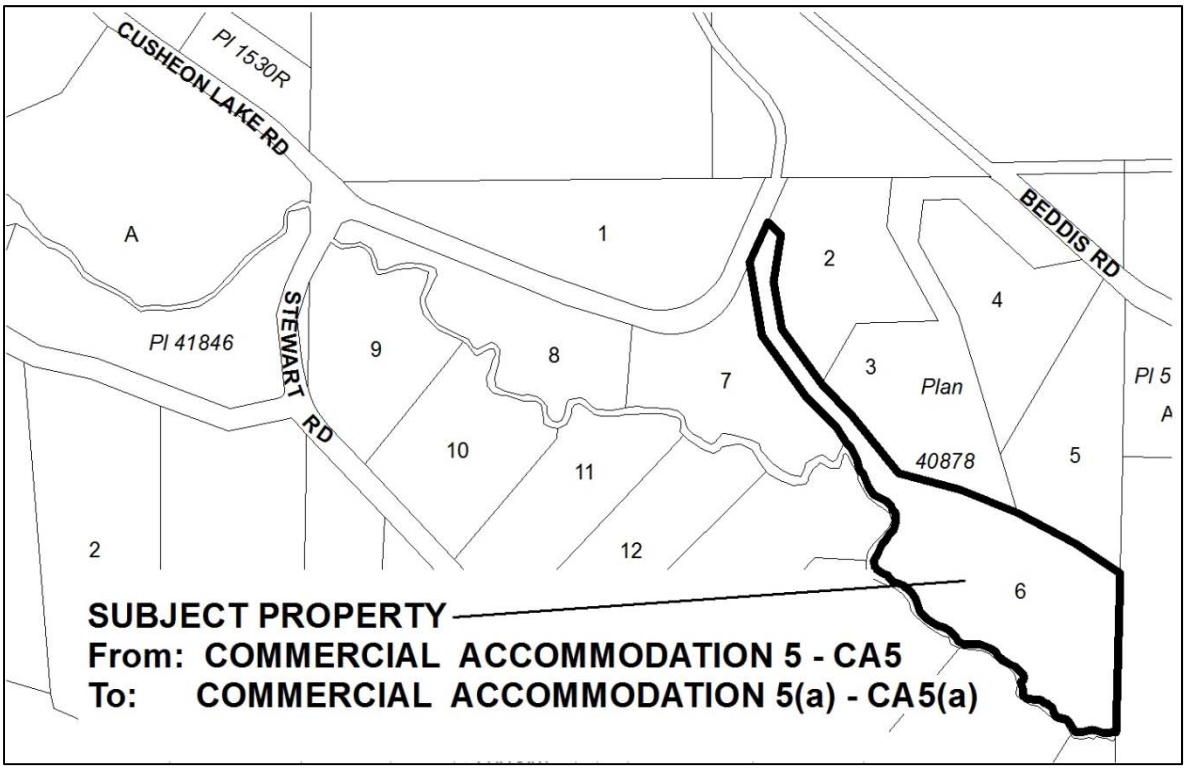
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 492

PLAN NO. 1



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 492

PLAN NO. 2



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 492

PLAN NO. 3

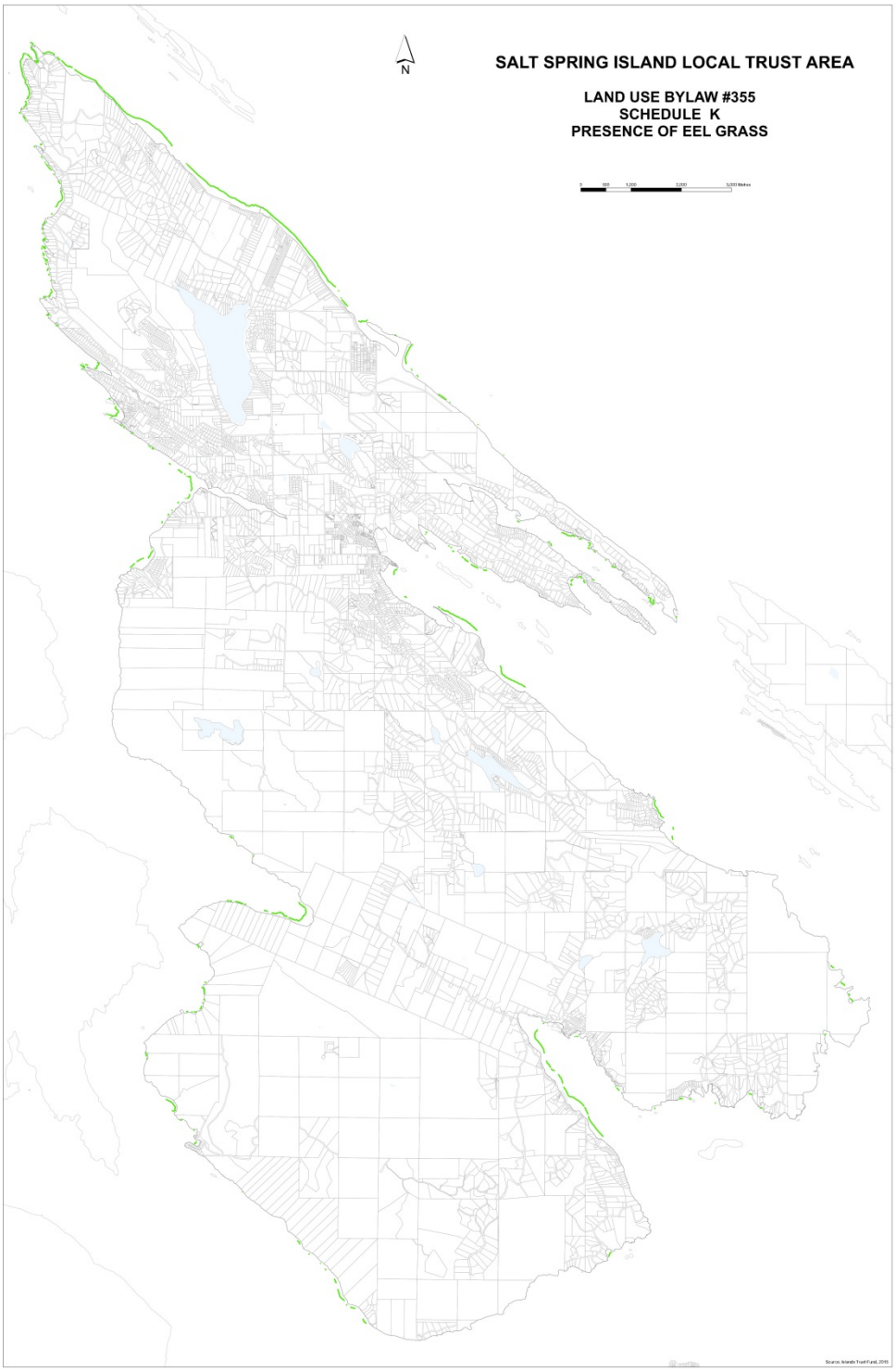


Table of Proposed Land Use Bylaw Technical Amendments

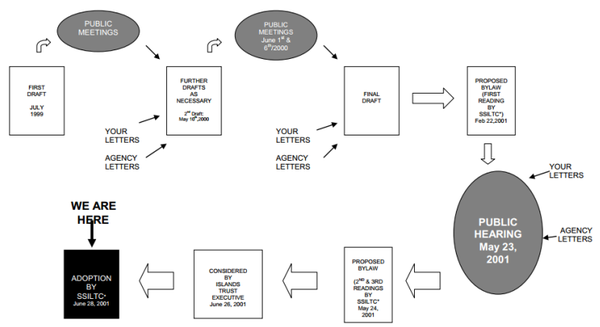
	Section	Current Text	Proposed Amendments	Staff Comments
2.1	**A NOTE TO READERS & PUBLIC REVIEW PROCESS PRIOR TO ADOPTION OF BYLAW 355**	This is the Adopted version of a new Land Use Bylaw for Salt Spring Island, including nearby islands and islets. In July of 1999, a First Draft of this bylaw was released, followed by community open houses and meetings in the fall. A Second Draft was then developed based on comments received from the public and from other government agencies. It was released for further community discussion in May of 2000. As with the First Draft, community members and those government agencies that deal with the Salt Spring Island area were asked to review the Second Draft and to make comments. This bylaw covers zoning (land use, density and siting), *subdivision*, off-street parking requirements, *sign* regulations and drainage. Salt Spring Island Zoning Bylaw 123 and Salt Spring Island Subdivision Bylaw 207, both of which are administered by the Salt Spring Island Local Trust Committee (SSILTC), currently cover these topics. Those bylaws would be repealed once a new bylaw is in place. This bylaw was given First Reading by the SSILTC on February 22, 2001. It was again circulated to other government agencies and made available to the public for further comment. A formal Public Hearing regarding the bylaw was held on May 23rd, 2001. After the Public Hearing, the bylaw was further amended by the SSILTC. As the amendments were minor, the SSILTC proceeded to give the Bylaw Second and Third Readings on May 24, 2001. The Bylaw was forwarded to the Executive Committee of the Islands Trust and received its approval on June 26, 2001. It was Adopted by the Salt Spring Island Local Trust Committee on June 28, 2001. **PUBLIC REVIEW PROCESS PRIOR TO ADOPTION OF BYLAW 355**  *Salt Spring Island Local Trust Committee	The pages "A NOTE TO READERS" and "PUBLIC REVIEW PROCESS PRIOR TO ADOPTION OF BYLAW 355" are deleted in their entirety.	▪ Removal of these pages is recommended as content is dated, contains errors, and is unnecessary.

Table of Proposed Land Use Bylaw Technical Amendments

	Section	Current Text	Proposed Amendments	Staff Comments
2.2	**Preamble**	A BYLAW TO ESTABLISH LAND USE REGULATIONS FOR SALT SPRING ISLAND, INCLUDING DEADMAN, FIRST SISTER, GOAT, RUSSELL, SECOND SISTER, AND THIRD SISTER ISLANDS AND ASSOCIATED ISLETS AND WATERS WITHIN THE SALT SPRING ISLAND LOCAL TRUST AREA THAT ALSO LIE WITHIN ELECTORAL AREA "F" OF THE CAPITAL REGIONAL DISTRICT	The current preamble is deleted in its entirety and replaced with "A bylaw to establish regulations respecting the use of land and water, including the use, siting, and size of buildings and structures, the provisions of parking, signs, and the subdivision of land within the Salt Spring Island Local Trust Area that also lie within Electoral Area "F" of the Capital Regional District."	▪ Islands Trust legal counsel advises that a bylaw should contain a substantive purpose statement that clearly defines the purpose of the bylaw.
2.3.1	**1.1 Definitions**	**"dock"** means a float on the surface of the water that is connected to the shoreline by means of a platform and ramp and that is used as a landing or *wharfage* place for water craft.	The definition of **"dock"** is deleted in its entirety and replaced with the following new definition: **"dock"** means a float on the surface of the water that is connected to the shoreline by means of a platform and ramp and that is used as a landing or *wharfage* place for water craft. A platform and ramp to access a dock may not exceed a height of 1 metre and a width of 1.2 metres.	▪ The bylaw, at present, does not provide clarity around the permitted width of the platform attached to the upland. This regulation is consistent with current practice and taken from the North Pender Land Use Bylaw.
2.3.2	**1.1 Definitions**	**"dwelling, two-family"** means a *building* consisting of two *dwelling unit*s.	The definition of "**dwelling, two-family**" is deleted in its entirety and replaced with the following new definition: "**duplex**" means a *building* consisting of two *dwelling units*.	▪ The use of *two-family dwelling* has caused confusion and inconsistent interpretation. Staff have researched the historical zones where *two-family dwellings* have been permitted and found that, in all cases, only duplexes were intended.
2.3.3	**1.1 Definitions**	**"commercial guest accommodation"** means a *commercial* enterprise, other than a *bed & breakfast home based business* that consists of the *temporary* rental of *commercial guest accommodation units, campsite*s or *tourist hostel* bed space to travellers or vacationers whose permanent domicile or home life is elsewhere, and excludes the use of any land or improvements under a time share plan as defined in the *Real Estate Act* or successor legislation unless the term of occupancy by an individual is less than 30 days.	The definition of "**commercial guest accommodation**" is deleted in its entirety and the following definition is added: **"commercial guest accommodation"** means a *commercial* enterprise, other than a *bed & breakfast home-based business* that consists of the *temporary* rental of *commercial guest accommodation units, campsite*s or *tourist hostel* bed space to travellers or vacationers whose permanent domicile or home life is elsewhere, and excludes the use of any land or improvements under a time share plan as defined in the Real Estate Development Marketing Act unless the term of occupancy by an individual is less than 30 days.	▪ The Real Estate Act has been replaced – in this regard – by the Real Estate Development Marketing Act. ▪ Section 36(1)(e) of the Interpretation Act indicates that if an act is repealed and replaced by another act, any regulations made under the former enactment remain in force and are deemed to have been made under the new enactment, in so far as they are not inconsistent with the new enactment. Therefore the phrase "or successor legislation" is unnecessary.
2.3.4	**1.1 Definitions**	**"farm business"** means a *use* in which a *farm operation* is conducted by the farm operator on one or more *lots* in Salt Spring Island Local Trust Area.	The definition of "**farm business**" is deleted in its entirety and replaced with: "**farm business**" means a business in which one or more *farm operations* are conducted by the farm operator on one or more *lots*.	▪ Staff recommend updating for consistency with the Farm Practices Protection ("Right to Farm") Act.

Table of Proposed Land Use Bylaw Technical Amendments

	Section	Current Text	Proposed Amendments	Staff Comments
2.3.5	**1.1 Definitions**	**"farm operation"** means any of the following activities: growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals; clearing, draining, irrigating or cultivating land; using farm machinery, equipment, devices, materials, and *structures*; applying fertilizers, *compost*, manure, pesticides and biological control agents; intensively cultivating, in plantations, speciality wood crops or speciality fibre crops prescribed by the Minister of Agriculture; turf production; a*quaculture*; raising or keeping game, within the meaning of the Game Farm Act, by a person licensed to do so under the Act; raising or keeping fur bearing animals, within the meaning of the Fur Farm Act, by a person licensed to do so under the Act; storage, processing or direct marketing by a farmer of the products of a *farm business*; but does not include any of the following: a forest practice defined in the Forest Practices Code of British Columbia Act; the sale of processed wood products, breeding pets or operating a *kennel*; or growing, producing, raising or keeping exotic animals as defined by the Minister of Agriculture.	The definition of "**farm operation**" is deleted in its entirety and replaced with the following new definition: **"farm operation"** means any of the following activities: (a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals; (b) clearing, draining, irrigating or cultivating land; (c) using farm machinery, equipment, devices, materials and structures; (d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying; (e) conducting any other agricultural activity on, in or over agricultural land; and includes (f) intensively cultivating in plantations, any (i) specialty wood crops, or (ii) specialty fibre crops prescribed by the Minister of Agriculture; (g) conducting turf production; (i) outside of an agricultural land reserve, or (ii) in an agricultural land reserve with the approval under the Agricultural Land Commission Act; (h) *aquaculture* as defined in the Fisheries Act if carried on by a person licensed, under Part 3 of that Act, to carry on the business of *aquaculture*; (i) raising or keeping fur bearing animals or game, within the meaning of a regulation made under the Animal Health Act, by a person licensed or permitted to do so under that Act; (j) processing or direct marketing by a farmer of one or both of (i) the products of a farm owned or operated by the farmer, and (ii) within limits prescribed by the Minister of Agriculture, products not of that farm, to the extent that the processing or marketing of those products is conducted on the farmer's farm; but does not include: (k) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the Forest and Range Practices Act; (l) breeding pets or operating a *kennel*; (m) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the Minister of Agriculture;	▪ Permitted farm operations are protected by the Farm Practices Protection Act (Right to Farm Act). Therefore, the definition should be parallel. The proposed definition was taken from the Right to Farm Act and amended in the following ways: ○ "…involved in carrying on a farm business" deleted to remove circularity with farm business definition in Land Use Bylaw ○ Remove (j) [Repealed 2014-16-107.] and renumber remaining accordingly. ▪ The Game Farm Act and Fur Farm Act have been supplanted by the Animal Health Act.

Table of Proposed Land Use Bylaw Technical Amendments

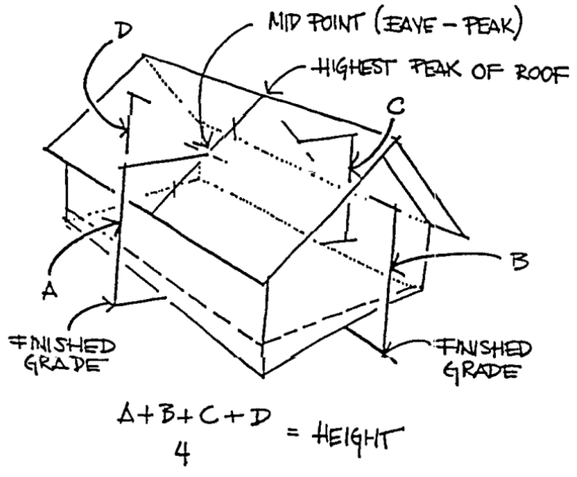
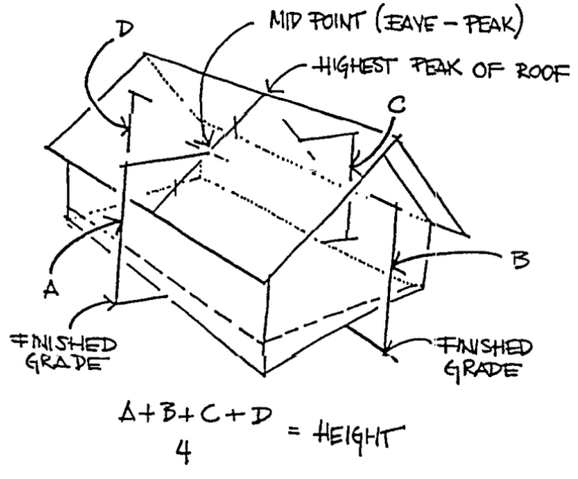
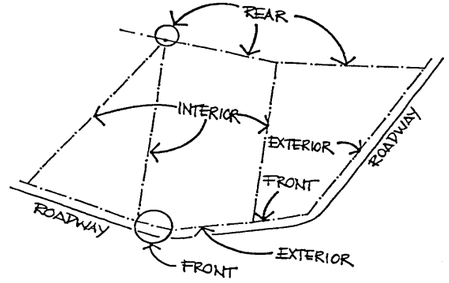
	Section	Current Text	Proposed Amendments	Staff Comments
2.3.6	**1.1 Definitions**	**"fur farm"** means a *farm business* licensed as a *fur farm* under the Fur Farm Act.	The definition of "**fur farm**" is deleted in its entirety.	▪ The Fur Farm Act has been replaced by the Animal Health Act, but the definition is unnecessary.
2.3.7	**1.1 Definitions**	**"grade"** means the average elevation of the ground at a distance of 2 m from a *building* or *structure* determined by averaging the finished elevations at the midpoints of all the exterior walls.	The definition of "**grade**" is deleted in its entirety and replaced with the following new definition: **"grade"** means the average elevation of the ground at a distance of 2 metres from a *building* or *structure* determined by averaging the finished elevations at the midpoints of all exterior walls, excluding any artificial mounds of earth, rocks or structures.	▪ Planters or other artificial mounds are sometimes employed to inflate the permitted height of a structure, and so an explicit exclusion is recommended in accordance with existing practice.
2.3.8	**1.1 Definitions**	**"height"** means the vertical distance to the highest point of the upper roof for flat roofs; to the deck line of mansard roofs and to the average *height* between eaves and the ridge of the upper roof of a *structure* for gable, hip and gambrel roofs; and in the case of a *structure* without a roof, to the highest point of the *structure*, all measured from *grade.* 	The definition of "**height**" is deleted in its entirety and replaced with: **"height"** means the average vertical distance measured between the highest point of the *building* or *structure* and *grade*, and is determined as follows: a) for *buildings* with flat or dome roofs or for *structures* without a roof, the highest point is the highest part of the *building* or *structure*; b) for *buildings* and *structures* with pitched roofs, the highest point is the mid-point between the highest ridge and the highest eave, but excludes dormers. 	▪ Definition is unclear in interpretation of upper roof and results in inconsistent interpretations between Islands Trust and CRD Building Inspection. ▪ The recommended definition is derived from the City of Victoria's Zoning Bylaw and harmonized with the current definition.

Table of Proposed Land Use Bylaw Technical Amendments

	Section	Current Text	Proposed Amendments	Staff Comments
2.3.9	**1.1 Definitions**	**"lot line"** means the boundary of a *lot*; and **"exterior side lot line"** means a *lot line* that is not a *front* or *rear lot line* and that is common to the *lot* and an abutting *highway* or an access route in a bare land strata plan; **"front lot line"** means the *lot line* common to the *lot* and an abutting *highway,* or an abutting access route in a bare land strata plan; and where there are two or more such *lot line*s, the shortest line (other than corner cuts) is deemed the *front lot line*; in the case of a *panhandle lot*, the line that is generally parallel to the access road or *highway* and perpendicular to the *lot line*s that form the *access strip* is considered the *front lot line:* **"interior side lot line"** means a *lot line* that is not a *front*, *rear* or *exterior side lot line*; *and* **"rear lot line"** means the *lot line* that most closely parallels and is most distant from the *front lot line*, and where the rear portion of a *lot* is bounded by intersecting side *lot line*s the point of intersection is deemed the *rear lot line*. *Information Note Examples shown in following sketch*  	The definition of "**lot line**" is deleted in its entirety and replaced with the following new definition: **"lot line"** means the boundary of a *lot*; and **"front lot line"** means the *lot line* common to the *lot* and an abutting *highway* or an abutting access route in a bare land strata plan. Where a lot abuts more than one distinct highway, the shorter *lot line,* that is at least 20 metres, is considered the *front lot line*. In the case of a hooked lot, the lot line that adjoins the larger portion of the parcel is considered the *front lot line.* In the case of a *panhandle lot*, the line that is generally parallel to the access road or *highway* and perpendicular to the *lot line*s that form the *access strip* is also considered the *front lot line;* and **"rear lot line"** means the *lot line* that most closely parallels and is most distant from the *front lot line*, and where the rear portion of a *lot* is bounded by two intersecting side *lot line*s the point of intersection is deemed the *rear lot line*; and **"exterior side lot line"** means a *lot line* that is not a *front* or *rear lot line* and that is common to the *lot* and an abutting *highway* or an access route in a bare land strata plan; and **"interior side lot line"** means a *lot line* that is not a *front*, *rear* or *exterior side lot line*.	▪ Rather than alphabetical order, lot lines should be ordered according to logical deduction. ▪ Staff have encountered conflict in providing a consistent and reasonable interpretation of this definition in evaluating complex lot shapes and orientations. This definition provides greater clarity and consistency.
2.3.10	**1.1 Definitions**	**"marine pub"** means an establishment for which a class F License has been issued under the Liquor Control & Licensing Act. **"neighbourhood pub"** means an establishment for which a Class D license has been issued under the Liquor Control and Licensing Act.	The definitions of "**marine pub**" and "**neighbourhood pub**" are deleted in their entirety and the following new definition is added: "**liquor primary**" means an establishment licensed under the Liquor Control and Licensing Act where the service of liquor is the primary focus of the business, but excludes nightclubs.	▪ The *marine pub* and *neighbourhood pub* classes of liquor licenses have been replaced with "liquor-primary" licenses under the Liquor Control and Licensing Act. Liquor-primary includes pubs, bars, lounges, and nightclubs; of these, nightclubs have a greater incompatibility and should be permitted only on a site-specific basis.

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2.3.11	**1.1 Definitions**	**"manufactured home"** means a *dwelling unit* that is manufactured in accordance with the Canadian Standards Association C277 Series of Standards, designed and intended for *residential* occupancy and manufactured either wholly or in part at an offsite location.	The definition of "**manufactured home**" is deleted in its entirety and replaced with the following new definition: **"manufactured home"** means a *dwelling unit* that is manufactured in accordance with CSA A277 Standards, designed and intended for *residential* occupancy and manufactured either wholly or in part at an offsite location, and also includes *mobile homes*.	▪ The current definition contains an error in referring to the Canadian Standards Association C277 standards instead of the CSA A277 Standards. ▪ There has been some confusion about whether a mobile home and manufactured home are synonymous and this amendment provides some clarification.
2.3.12	**1.1 Definitions**	**"potable"** means water that is safe to drink, fit for domestic purposes, and, without limiting the foregoing, is of no less a standard than that specified in Appendix "H".	The definition of "**potable**" is deleted in its entirety and replaced with the following new definition: "**potable**" means water that is safe to drink, fit for domestic purposes, and, without limiting the foregoing, is of no less a standard than that specified in Schedule "H".	▪ The current definition erroneously refers to Schedule H as Appendix H.
2.3.13	**1.1 Definitions**	**"school"** means any *building* or part of a *building* that is designed, constructed or used for the *public* or non-profit education of children up to and including *Grade* 12.	The definition of "**school**" is deleted in its entirety.	▪ The use of public and non-profit has been determined by the courts to be people zoning and therefore should be removed. ▪ The various types of schools conflict with the application of this definition (i.e. pre-school, art school, vocational school, etc.) ▪ Removing the definition results in the application of the common or dictionary definition. ▪ The definition of elementary school is unreasonably restrictive (i.e. up to grade 5). Removing the definition allows elementary school were permitted to be interpreted according to the common – more flexible – definition.
2.3.14	**1.1 Definitions**	**"school, elementary"** means a *school* providing education of children up to and including *Grade* 5.	The definition of "**school, elementary**" is deleted in its entirety.	▪ The definition of elementary school is unreasonably restrictive (i.e. up to grade 5). ▪ Removing the definition allows elementary school to be interpreted according to the common definition.

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2.4	**1.4 Use of Italics**	*None.*	A new Section 1.4 is added as follows: 1.4 **Use of Italics** 1.4.1 The use of italics in the bylaw indicates that the term shall be interpreted as defined in Section 1.1 [*Definitions*].	▪ There is no note in the bylaw indicating why words are italicised.
2.5	**3.2.1 Uses Prohibited in All Zones**	The following *uses*, *building*s and *structures* are prohibited in every *zone*: (2) *disposal* of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged under the Sewage *Disposal* Regulation, the *Agricultural Waste* Control Regulation or the Waste Management Act;	Article 3.2.1(2) is deleted in its entirety and replaced with the following new Article: (2) *disposal* of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged under the Sewage System Regulation of the Public Health Act or the Environmental Management Act.	▪ The Sewage Disposal Regulation has been repealed and replaced by the Sewerage System Regulation. ▪ The Waste Management Act has been repealed and replaced by the Environmental Management Act, which encompasses the Agricultural Waste Control Regulations.
2.6	**3.12.4 Accessory Buildings and Structures**	An *accessory building* other than a *seasonal cottage* or other permitted *accessory dwelling unit* may not contain a shower enclosure, a bathtub, a *kitchen,* or more than three separate rooms. Despite the foregoing, barns used solely for non-*residential agricultural* purposes may have more than three separate rooms.	Subsection 3.12.4 is deleted in its entirety and replaced with the following new text: "An *accessory building* other than a *seasonal cottage* or other permitted *accessory dwelling unit* may not contain a shower enclosure, a bathtub, a *kitchen*, or more than three separate rooms. Despite the foregoing, *farm buildings* used solely for non-*residential agricultural* purposes may have more than three separate rooms and may have a *kitchen*."	▪ The term barns should be replaced with farm building to maintain consistent language. ▪ The term farm building is defined, whereas the term barn is not.
2.7	**3.13.5 Home Based Businesses**	(a) No *home-based business* may create noise that exceeds 40 dB beyond the *lot* on which the *home-based business* takes place. (b) No home occupation may produce vibration, smoke, dust, odour, litter, electrical interference, fire hazard, effluent or glare detectable outside the boundaries of the *lot*. (c) No home occupation may result in contamination of any soil or surface water by solvents, glues, chemicals or other substances deleterious to human and environmental health and safety.	Deleting the words "home occupation" and replacing them with the words "*home-based business*".	▪ The term home occupation should be replaced with *home-based business* for consistency of language and definitions. ▪ The term *home-based business* is defined, whereas the term home occupation is not.

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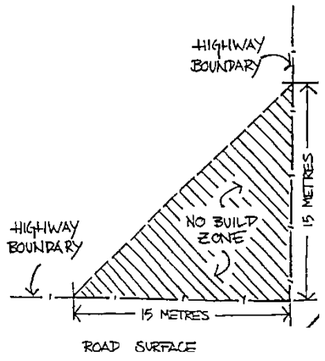
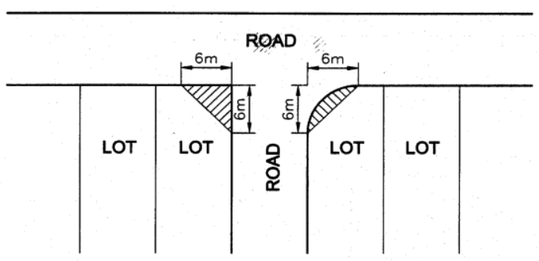
2.8	**3.13.7 Home-Based Businesses**	*Bed and Breakfast home-based businesses* are permitted only in the following zones: Agriculture 1 Agriculture 2 Comprehensive Development 3 Forestry 1 Forestry 2 Residential 6 Residential 7 Residential 8 Residential 9 Residential 10 Rural Rural Watershed 1 Rural Uplands 1 Rural Uplands 2	Deleting the words "Residential 10" from the list.	▪ *Home-based businesses* are not permitted in the Residential 10 zone, and therefore B&Bs should not be permitted, as they are a type of home-based businesses. ▪ The Residential 10 zone applies to about 30 properties north of Charlesworth Rd (Bishop's Green; developed by Three Point Properties).
2.9	**4.2.1 Visibility At Intersections**	No *building* or *structure* exceeding 0.75 metres in *height* may be sited within the triangle formed by the boundaries of two intersecting *highway*s and a line joining points on those boundaries 15 m from their point of intersection, as illustrated in the following sketch:  	Replacing the measurement "15 m" with the measurement "6 metres" and deleting the illustration in its entirety and replacing it with the following new illustration:  	▪ Reduction of no build zone is recommended for consistency with the reduction from 15 m x 15 m to 6 m x 6 m sight triangles by the Ministry of Transportation and Infrastructure.

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2.10	**4.3.1 Setbacks from Lot Lines and Access Easements**	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: (1) Setback from *front lot line*: 7.5 m (2) Setback from *rear lot line*: 7.5 m (3) Setback from *interior side lot line*: 3.0 m (4) Setback from *exterior side lot line*: 4.5 m	Following Subsection 4.3.1, the following Information Notes are added: *Information Note: In addition to the setbacks detailed here, the Ministry of Transportation and Infrastructure has a 4.5 metre setback from public roads.* *Information Note: In the case of panhandle lots, front lot lines include the lot line perpendicular to the access strip as detailed in the definition of front lot line.*	▪ Fix the typo in the heading ▪ For convenience, staff recommends an information note about the MoTI setback. ▪ For clarity and convenience, staff recommends an information note about panhandle lots.
2.11	**4.3.9 Setbacks from Lot Lines and Access Easements**	The minimum setbacks for a *campsite* are 30 m from the *front lot line* and 15 m from any other *lot line*.	Following Subsection 4.3.9, the following Information Note is added: Information Note: Additional regulations for campground layout and setbacks are contained in Schedule "F" of this Bylaw.	▪ Schedule F prescribes additional setbacks and regulations for campsites and campgrounds and should be highlighted in this campsite regulation.
2.12	**4.4.1 Setbacks from Water Bodies – Flood Protection**	No *building* or *structure* except a fence, *pumphouse* or *boathouse* may be sited within 15 m of the *natural boundary* of any *water body*.	Remove "- Flood Protection" from heading.	▪ This subsection has been previously interpreted as Flood Plain Exemptions under the Local Government Act. However, there are no designated flood plains. ▪ Exceptions from this clause must be processed as Development Variance Permit applications.
2.13	**4.4.2 Setbacks from Water Bodies – Flood Protection**	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 or where erosion protection works have been designed and placed by an engineer with provisions for maintenance.	Deleting the words "or where erosion protection works have been designed and placed by an engineer with provisions for maintenance."	▪ The portion of this clause proposed for removal has resulted in numerous illegal erosion protection works within setbacks, on foreshore crown land, and within Development Permit Area 3 - Shoreline.
2.14	**4.4.2 Setbacks from Water Bodies – Flood Protection**	*Information Note: Variances to the setbacks in this Section can be considered by the Salt Spring Island Local Trust Committee if the Ministry of Environment, Lands and Parks has confirmed that the proposed variance would not increase the risk of flooding to structures. However, in considering such variances, the Trust Committee will also take into account factors such as environmental and aesthetic impacts.*	Deleting the words "if the Ministry of Environment, Lands and Parks has confirmed that the proposed variance would not increase the risk of flooding to structures."	▪ The Ministry of Environment no longer provides such assurances.

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2.15	**4.5 Setbacks from Water Bodies – Water Quality Protection**	*Information Note: Where sewage disposal fields and septic pits are legally sited prior to the adoption of this bylaw, this bylaw would not limit the owner's ability to use, maintain and alter the facilities in place, provided that maintenance and alterations do not cause them to be any closer to the natural boundary of a water body than they already are. However, the Medical Health Officer of the Capital Health Region may impose conditions to ensure proper functioning of sewage disposal facilities.*	Deleting the words "*However, the Medical Health Officer of the Capital Health Region may impose conditions to ensure proper functioning of sewage disposal facilities*."	▪ The Capital Health Region has been replaced by Island Health, which only receives and documents septic filings, but does not impose conditions.
2.16	**5.1.3 Lot Area**	Where land is in the Forest Land Reserve, the minimum *lot area* applies only when land is: (1) approved for *subdivision* within the Forest Land Reserve under the Forest Land Commission Act, Regulations thereto, or Orders of the B.C Land Reserve Commission; or (2) exempted by the Forest Land Commission Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission.	Subsection 5.1.3 is deleted in its entirety.	▪ The Forest Land Reserve and Forest Land Commission were concluded in 2002. The Private Managed Forest Land Act was subsequently created in 2003, but contains no equivalent regulations affecting lot area for subdivision.
2.17	**5.5.2 Potable Water**	*Information Note: If two or more lots are connected to the same source of water, the water system is subject to the Safe Drinking Water Regulations, administered by the Capital Health Region.*	The Information Note is deleted in its entirety and replaced with the following new Information Note: *Information Note: If multiple lots are connected to the same source of water, the water system is subject to Island Health's regulations of water supply systems and may be subject to the Water Utility Act.*	▪ The Capital Health Region and the *Safe Drinking Water Regulations* have been replaced by Island Health regulations.
2.18	**5.6.1 Sewage Disposal**	Each *lot* that is proposed to be created by *subdivision* must be demonstrated by the applicant to contain or be capable of being serviced by an area or areas of sufficient size and appropriate characteristics to satisfy the setback requirements of Subsection 4.5.1 and the requirements of the Capital Health Region's Subdivision Assessment Standards for an on-site sewage treatment system for the *buildings*, *structures* and *uses* that are permitted on the *lot* by this Bylaw.	Subsection 5.6.1 is amended by replacing the words "the Capital Health Region's Subdivision Assessment Standards" and replacing them with the words "Island Health Subdivision Standards."	▪ The Capital Health Region's Subdivision Assessment Standards have been replaced by the Island Health Subdivision Standards.
2.19	**7.1 Requirements for Parking and Loading Spaces**	TABLE 3 Single-family *dwelling unit*	Table 3 is amended by replacing "Single-family *dwelling unit*" with "*Single-family dwelling*."	▪ Revise dwelling units to dwellings for consistency with language elsewhere and definitions.
2.20	**7.1 Requirements for Parking and Loading Spaces**	TABLE 3 Multi-family *dwelling units*, except for seniors' housing facilities…	Table 3 is amended by replacing "Multi-family *dwelling units*" with "*Multi-family dwelling*."	▪ Revise dwelling units to dwellings for consistency with language elsewhere and definitions.

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2.21	**7.1 Requirements for Parking and Loading Spaces**	TABLE 3 *Secondary Suite*	Table 3 is amended by deleting the words "*Secondary Suite*" and replacing them with the words"*Seasonal Cottage* or *Secondary Suite*."	▪ *Seasonal cottages* do not presently have a parking requirement in the bylaw, but staff have interpreted the bylaw to require 1 parking space for a *seasonal cottage*.
2.22	**9.1.1 Accessory Uses**	**One** additional *dwelling unit* provided that it: *a)* is a *mobile home* consistent with General Order 1 #1622/83 of the B.C. Land Reserve Commission, or *b)* is a *secondary suite* that is consistent with Policy #043/98 of the B.C.Land Reserve Commission, or *c)* is a *farmworkers' dwelling unit* that has been specifically approved by application to the B.C. Land Reserve Commission. *Information Note: General Order #1622/83 of the B.C. Land Reserve Commission permits one additional dwelling unit in the form of a temporary mobile home to house family members or farm help, with specific conditions. Policy #043/98 of the B.C. Land Reserve Commission permits one secondary suite as part of the main dwelling unit provided it meets specific conditions. Where the construction of a permanent detached farm worker's dwelling unit is proposed, this bylaw requires that an application be made to the B.C. Land Reserve Commission, through the Salt Spring Island Local Trust Committee. The need for additional farm workers to be housed on the property in a **permanent detached** second dwelling unit will be evaluated in the context of criteria developed by the Ministry of Agriculture and Food and the B.C. Land Reserve Commission.*	Subsection 9.1.1 is amended by deleting the permitted accessory use and Information Note that begins with "One additional dwelling unit provided that it:…" in its entirety and replacing it with the following: One additional *dwelling unit* provided that it: a) is a *mobile home* for immediate family consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or b) is a *secondary suite* that is consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or c) is a *farmworkers' dwelling unit* that has been specifically approved through a Non-Farm Use application to the Agricultural Land Commission.	▪ The General Orders and Policies are out of date. To avoid future conflict with administrative changes to ALC policies, the regulation should refer to regulations, which experience less frequent change. ▪ Revise for accuracy, consistency, and clarity.
2.23	**9.2.2 Commercial Zones**	*Information Note: Under the Highways* Act*, special permission from the Ministry of Transportation and Highways is required to place structures within 4.5 m of a highway right-of-way.*	Delete the first Information Note in its entirety and insert the following new Information Note: *Information Note: In addition to setbacks contained in this bylaw, the Ministry of Transportation requires all structures must be placed at least 4.5 metres from the right of way unless a setback permit is first obtained.*	▪ The Highways Act has been replaced by the Transportation Act. ▪ The Transportation Act does not refer to the setback, but information and applications for the permit can be accessed online.
2.24	**9.2.4 Exceptions in Particular Locations**	**Zone Variation – C1(f)** (6) Notwithstanding the permitted *uses* of land, *buildings* and *structures* set out in Subsection 9.2.1, the following *use* only is permitted: (a) a *parking lot accessory* to a permitted *commercial use*.	Deleting the words "accessory to a permitted commercial use."	▪ The application of notwithstanding is in conflict with the use of the word only (i.e. …accessory to a permitted commercial use" where no other uses are permitted). ▪ Communication with land owner is required.

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2.25	**9.5 Comprehensive Development Zones**	*Seasonal cottages* subject to Section 3.14	Deleting the words "*Seasonal cottages* subject to Section 3.14" and replacing them with the words "*Seasonal cottages* subject to Section 3.14 and Subsection 9.5.2."	▪ Section 3.14 states that seasonal cottages can be constructed on lots of 1.2 ha in size or larger, unless otherwise specified, whereas the size, siting and density of CD3 zone requires a minimum lot area of 2 ha for seasonal cottages.
2.26	**9.6 Forestry Zone**	*Information Note: Forestry zones indicate those lands that are designated by the provincial government as Forest Land Reserve.* ***Within these lands, the provincial government's Forest Land Reserve Act does not permit a local government, such as the Salt Spring Island Local Trust Committee or a municipality, to adopt any bylaw "that would have the effect of restricting, directly or indirectly, a forest management activity relating to timber production or harvesting".***	The Information Note is deleted in its entirety.	▪ The Forest Land Reserve and Forest Land Reserve Act are no longer in existence.
2.27	**9.6 Forestry Zone**	*(Information Note: this use is subject to the special permission of the Land Reserve Commission)*	The Information Note is deleted.	▪ The Land Reserve Commission is no longer in existence.
2.28	**7.1 Parking Regulations**	Restaurants and pubs	TABLE 3: MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES is amended by replacing "Restaurants and pubs" with "Restaurants and *Liquor-primary* establishments."	▪ The Liquor Control and Licensing Act no longer provides regulations for *Neighbourhood Pubs* or *Marine Pubs*. Instead *liquor-primary* licenses are issued. This bylaw proposes to replace all pubs to liquor-primary.
2.29	**9.2 Commercial Zones**	Neighbourhood or *marine pub*	Clause 9.2.4(3)(a) is amended by replacing "Neighbourhood or *marine pub*" with "*Liquor-primary*."	▪ As above.
2.30	**9.2 Commercial Zones**	*Neighbourhood or marine pubs*	Article 9.3.1(1) is amended by replacing "*Neighbourhood* or *marine pubs*" with *Liquor-primary."*	▪ As above.
2.31	**9.5 Comprehensive Development Zones**	*Two-family dwellings*	Article 9.5.1(1) is amended by deleting the words "*Two-family dwellings* constructed before July 31, 1990" and replacing them with the words "*Duplexes* constructed before July 31, 1990."	▪ The use of the phrasing two-family dwelling in concert with inconsistent presence of hyphens and plural has led to inconsistent interpretation. ▪ Through historic research of the preceding Land Use Bylaws, staff have found that only duplexes were intended in all applications and recommend the use of duplexes to avoid future confusion.

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2.32	**9.6 Forestry Zones**	*Two-family dwellings* constructed before July 31, 1990	Article 9.6.1(1) is amended by replacing "*Two-family dwellings* constructed before July 31, 1990" with "*Duplexes* constructed before July 31, 1990."	▪ As above.
2.33	**9.9 Residential Zones**	*Two-family dwellings*	Article 9.9.1(1), Table is amended by deleting the words "*Two-family dwellings*" and replacing them with the word "*Duplexes.*"	▪ As above.
2.34	**9.9 Residential Zones**	*Two family dwellings* constructed before July 31, 1990	Article 9.9.1(1) is amended by deleting the words "*Two family dwellings* constructed before July 31, 1990" and replacing them with the words "*Duplexes* constructed before July 31, 1990."	▪ As above.
2.35	**9.9 Residential Zones**	*Two family dwellings* constructed before July 31, 1990	Footnote 4 is amended by deleting the words "*two-family dwelling unit*" and replacing them with the word "*duplex*."	▪ As above.
2.36	**9.9 Residential Zones**	*None.*	The following new footnote is added to the "Minimum lot area required for more than one *dwelling unit* (ha) with the exception of *secondary suites*, where permitted" for the "R6" zone and subsequent footnotes are renumbered accordingly: [4] except that two *dwelling units* are only permitted as a *duplex* and not as two *single-family dwellings*.	▪ As above
2.37	**9.9 Residential Zones**	Two-family *dwellings*	Article 9.9.4(11) is amended by deleting the words "Two-family *dwellings*" and replacing them with the word "*Duplexes*."	▪ As above.
2.38	**9.9 Residential Zones**	two-family *dwellings*	Article 9.9.4(19) is amended by deleting the words "two-family *dwellings*" and replacing them with the word "d*uplexes*."	▪ As above.
2.39	**9.11.1 Permitted uses of Land Buildings and Structures (Shoreline Zones)**	In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *uses*, *accessory buildings and structures* and no others are permitted in the Shoreline Zones indicated, provided that they do not result in the removal or permanent shading of eelgrass (*Zostera marina*) or kelp (*Macrocystis sp*.) plants, and provided that they are not located within 125 m of clam beds identified on Map 10 of the Salt Spring Island Official Community Plan. For certainty, the only b*uildings* permitted in the Shoreline Zones are *accessory buildings*.	Deleting the text preceding the table in its entirety and inserting the following: In addition to the *uses* permitted in Subsection 3.1.1 of this Bylaw, the following *accessory uses*, *buildings* and *structures* and no others are permitted in the Shoreline Zones indicated, provided that they are not located within 10 metres of eelgrass (Zostera marina) or kelp (Macrocystis sp.) plants indicated in Schedule "K", and provided that they are not located within 125 m of clam beds identified on Map 10 of the Salt Spring Island Official Community Plan. For certainty, the only *buildings* permitted in the Shoreline Zones are *accessory buildings*.	▪ The Islands Trust Fund has mapped the perimeter of Salt Spring Island for the presence of eelgrass, thus providing a more accessible analysis of its presence.

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2.40	**3.3, Agricultural Uses, 3.16, Dwellings on Large 5.1, Farms, 9.1 Lot Area, Agricultural Zones**	Provincial Agricultural Land Reserve *Information Note: Where a lot is in the Agricultural Land Reserve or the Forest Land Reserve, the construction of more than one permanent detached dwelling unit on a lot requires the permission of the Land Reserve Commission.* approved for *subdivision* within the Agricultural Land Reserve under the Agricultural Land Reserve Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission; or exempted by the Agricultural Land Reserve Act, Regulations thereto, or Orders of the B.C. Land Reserve Commission. *Information Note: Most land in the Agriculture 1 or Agriculture 2 zones is also in the Provincial Agricultural Land Reserve.* ***Where this is the case, the accessory uses listed below are permitted only if they are also approved by the B.C. Land Reserve Commission****. Any* ***non-farm*** *land uses that may be permitted by the B.C. Land Reserve Commission are only permitted if they are also consistent with this Bylaw.*	Amending the following references to the Agricultural Land Reserve and Agricultural Land Commission: In Subsection 3.3.1, replacing "Provincial Agricultural Land Reserve" with "Agricultural Land Reserve" In Subsection 3.16.1, delete the Information Note in its entirety and replace it with the following: *Information Note: Where a lot is in the Agricultural Land Reserve, the addition of more than one permanent detached dwelling unit on a lot requires the permission of the Agricultural Land Commission.* Deleting Article 5.1.2(1) in its entirety and replacing it with "approved for *subdivision* under the authority of the Agricultural Land Commission Act; or" Deleting Article 5.1.2(2) in its entirety and replacing it with "exempted by the Agricultural Land Commission Act or regulations thereto." In Subsection 9.1.1, delete the first Information Note in its entirety and replace it with the following: *Information Note: Most land in the Agriculture 1 or Agriculture 2 zones is also in the Agricultural Land Reserve. Where this is the case, the accessory uses listed below are permitted only if they are also approved by the Agricultural Land Commission. Any non-farm uses permitted by the Agricultural Land Commission are only permitted if they are also consistent with this bylaw.* In Subsection 9.2.1, delete the first Information Note in its entirety. In Subsection 9.3.1, delete the first Information Note in its entirety. In Subsection 9.7.1, delete the first Information Note in its entirety.	▪ References to the Agricultural Land Reserve and Commission are inconsistent and can create confusion. ▪ The Forest Land Reserve has been terminated.

Table of Proposed Land Use Bylaw Technical Amendments

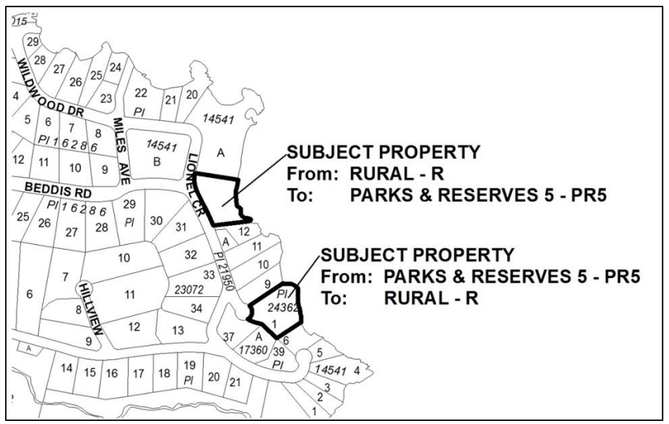
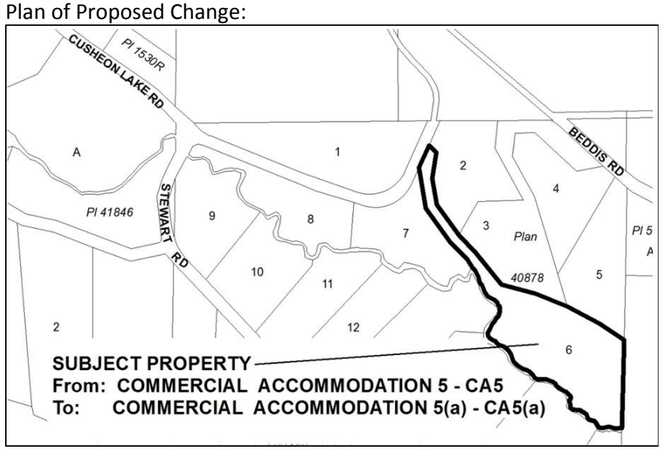
	Section	Current Text	Proposed Amendments	Staff Comments
2.41	**Schedule "A"** **Legend** **Zoning Map**	Plan of Proposed Change:  	LOT 1 (DD EF41073), SECTION 76, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 24362 from Park and Reserves 5 (PR5) to Rural (R), as shown on Plan 1, attached to and forming part of this bylaw. PARK AS SHOWN ON PLAN 14541 from Rural (R) to Park and Reserves 5 (PR5), as shown on Plan 1, attached to and forming part of this bylaw.	▪ At time of adoption of Bylaw 355, Beddis Beach Park was inadvertently zoned Rural, while the nearby residential lot was zoned as a park. ▪ This amendment will change the zoning of the residential privately-held lot to its intended Rural-zone designation and change the zoning of the park dedication to its intended Park and Reserves-zone designation.
2.42	**Schedule "A"** **Legend** **Zoning Map**	Plan of Proposed Change:  	LOT 6, SECTION 77, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 40878 from Commercial Accommodation 5 (CA5) to Commercial Accommodation 5(a) (CA5(a)), as shown on Plan 2 attached to and forming part of this bylaw.	• 640 Cusheon Lake Road was inadvertently zoned CA4 instead of CA4(a) in the creation of the first zoning map for Bylaw 355.

Table of Proposed Land Use Bylaw Technical Amendments

<table>
<tr><th></th><th>Section</th><th>Current Text</th><th>Proposed Amendments</th><th>Staff Comments</th></tr>
<tr><td>2.43</td><td>Schedule “A” Legend</td><td>SCHEDULE “A”- LEGEND
<table><tr><th>Zone Name</th><th>Zone Abbrevia-tion</th><th>See Bylaw Section</th></tr><tr><td>Agriculture 1</td><td>A1</td><td>9.1</td></tr><tr><td>Agriculture 2</td><td>A2</td><td>9.1</td></tr><tr><td>Commercial 1</td><td>C1</td><td>9.2</td></tr><tr><td>Commercial 2</td><td>C2</td><td>9.2</td></tr><tr><td>Commercial 3</td><td>C3</td><td>9.2</td></tr><tr><td>Commercial 4</td><td>C4</td><td>9.2</td></tr><tr><td>Commercial 5</td><td>C5</td><td>9.2</td></tr><tr><td>Commercial 6</td><td>C6</td><td>9.2</td></tr><tr><td>Commercial Accommodation 1</td><td>CA1</td><td>9,3</td></tr></table></td><td>Schedule “A” – Legend is deleted in its entirety.</td><td>• This legend is redundant, unnecessary, and creates a confusing duplication of Schedule “A” – Zoning Map.</td></tr>
<tr><td>2.44</td><td>Schedule “H” Potable Water Quality Standards</td><td>WATER QUALITY PARAMETER STANDARD
(less than THE following UNLESS OTHERWISE INDICATED)

ARSENIC 0.025 MG/L</td><td>Changing the allowable level of arsenic from “0.025 MG/L” to “0.010 mg/L”</td><td>• The maximum acceptable concentration (MAC) of arsenic has been reduced in the October 2014 Guidelines for Canadian Drinking Water Quality to 0.010 mg/L</td></tr>
<tr><td>2.45</td><td>Schedule “H” Potable Water Quality Standards</td><td>WATER QUALITY PARAMETER STANDARD
(less than THE following UNLESS OTHERWISE INDICATED)

FECAL COLIFORM 1/100 ML</td><td>Changing the allowable level of fecal coliform from “1/100 ML” to “0/100 mL”</td><td>• Fecal coliforms are a subset of total coliforms and as 0/100 mL of Total Coliforms are permitted; 0/100 mL of Fecal Coliforms must therefore be permitted.</td></tr>
<tr><td>2.46</td><td>Schedule “K” Presence of Eel Grass</td><td>None.</td><td>Schedule K – Presence of Eel Grass, is added, as shown on Plan No. 3 attached to and forming part of this bylaw.</td><td>• Eelgrass mapping will assist staff and applicants in quickly and easily evaluating whether docks are permitted in the adjacent foreshore to their upland parcel.</td></tr>
<tr><td>2.47</td><td>Attachment 1 Table of Metric-Imperial Conversions</td><td></td><td>Remove Attachment.</td><td>▪ This table is unnecessary, contains incorrect equivalencies, and should not be part of the bylaw.</td></tr>
</table>

Making a difference...together

Salt Spring Island Electoral Area
145 Vesuvius Bay Road
Salt Spring Island, BC, V8K 1K3

T: 250.537.4448

www.crd.bc.ca

June 3, 2016

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

RE: 181 Brinkworthy Place - Community Park Development

The Salt Spring Island Community Economic Development Commission (CEDC) would like to indicate our support for developing a community park located at 181 Brinkworthy Place on Salt Spring Island as proposed by the Salt Spring Island Parks and Recreation Commission.

Having a diverse community directly reflects the health of the community economy. Recreational facilities and parks attract and retain businesses and families, as well as attract tourists.

The proposed project is aligned with four of the six priorities identified in the CEDC 2015 Action Plan and we expect a positive impact on the following:

- ✓ Retain younger families on the island;
- ✓ Tourism development;
- ✓ Advancing opportunities to diversify the economy;
- ✓ Infrastructure and land use.

Please accept this letter as formal recognition of the value of this project in helping the Salt Spring Island Parks and Recreation Commission increase recreation opportunities while providing economic growth to the local economy.

Sincerely,

Randy Cunningham
Vice Chair, Salt Spring Island CEDC

CC: Jon Suk, Chairman, Salt Spring Island Parks and Recreation Commission