



File No.: PLRZ20260013
X Ref: PLDVP20240286
 SS-DP-2023.9
 PLTUP20250097

DATE OF MEETING: August 27, 2026
TO: Salt Spring Island Local Trust Committee
FROM: Milad Panahifar, Planner 1, Salt Spring Island Team
COPY: Jason Youmans, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Rezoning a Residential zoned Parcel to allow Commercial use within the Ganges Village Core
 Applicant: Martin Ogilvie
 Location: 116 Jackson Avenue

RECOMMENDATIONS

1. That Salt Spring Island Local Trust Committee Bylaw No. 553, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026”, be read a first time.
2. That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 553, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026” is not contrary to or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

This report provides information on an application to rezone a split-zoned property from Residential 6 (R6) and Residential 6, variant (b) (R6(b)) to a Commercial 3 zone variant. The proposed zoning would permit all uses allowed in the Commercial 3 zone, while retaining the funeral home, single-family dwelling or duplex use currently allowed. See “Proposed Uses” section in “Issues and Opportunities” below. The application also seeks amendments to the siting regulations applicable to the subject property. This report recommends first reading to the draft Land Use Bylaw amendment.

BACKGROUND

This report follows a preliminary staff report to the March 19, 2026 meeting of the SS LTC where the following resolutions were passed (previous staff reports including site context and photos can be found on the [Salt Spring Island Current Applications webpage](#).)

SS-2026-025

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee waive the requirement for the stormwater management report pursuant to Bylaw No. 175.

CARRIED

SS-2026-026

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to proceed with the application PLRZ20260013 (116 Jackson Avenue).

CARRIED

SS-2026-027

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee request staff to schedule Community Information Meeting for the commercial rezoning proposal.

CARRIED

SS-2026-028

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff request staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone LOT 2 SECTION 1 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN EPP99513 (PLRZ20260013, 116 Jackson Avenue) from Residential 6 and Residential 6(b) to a Commercial zone variant to allow the uses specified in staff report dated March 19, 2026. (Attachment 4).

CARRIED

SS-2026-029

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee request staff to refer to and seek input from the Advisory Planning Commission, First Nations and other applicable agencies that an application has been received to amend the Salt Spring Island Land Use Bylaw No. 355, 1999.

CARRIED

SS-2026-030

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee support the release of restrictive covenant CA8813681 from LOT 2 SECTION 1 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN EPP99513.

CARRIED

This application was reviewed by the Advisory Planning Commission at its April 30, 2026 meeting. At that meeting, the APC passed the following resolution:

It was MOVED and SECONDED,

that the Advisory Planning Commission recommends to the Salt Spring Island Local Trust Committee that application PLRZ20260013 proceed.

CARRIED

See staff report of [March 19, 2026](#) for further site context and images of the subject property.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff have assessed the proposed uses relative to the Islands Trust Policy Statement and find that the proposed bylaw are in with that document. See Appendix No. 2 for the Policy Statement Directives Only Checklist.

Issues and Opportunities

Water and Sewer Servicing

The subject property is in the Ganges Sewer Local Service Area.

OCP Policy C.4.2.2.4 states: *When the Local Trust Committee receives rezoning applications that apply to land within the Ganges Sewer Local Service Area or the Maliview Estates Sewer Local Service Area, it shall refer the application to the Capital Regional District. The CRD will advise of any requirements or conditions of servicing applicable at the time.*

The Ganges Sewer Local Services Commission was referred the proposed rezoning application but has not provided a referral response. Staff recommend that the Local Trust Committee withhold bylaw adoption until confirmation is received from the Ganges Sewer Commission that it has no concerns with

the proposed zoning change, or that any concerns it raises can be addressed. Staff will follow up with the CRD on the status of this referral.

The subject property is also in the North Salt Spring Waterworks District. NSSWD *did* respond to the bylaw referral, recommending approval and advising that it has no concerns with the proposal at this time.

Proposed Uses

Under the proposed C3(a) zone the following uses would be permitted:

Uses permitted under C3	C3(a) Additional uses
Indoor retail sales and rentals	One single-family dwelling; or one duplex.
Indoor retail services, excluding Laundromats	Funeral homes
Automobile rentals with a maximum of five vehicles stored on-site	Outdoor retail sales of nursery plants and home gardening supplies
Restaurants	Offices
Automobile service stations	Bank or Credit Union
Collection of recyclable materials, excluding outdoor sorting and storage	Day care centres for children, seniors, or people with special needs
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	

Setbacks

The C3(a) zone proposed introduces interior side lot line setbacks that are less than other commercial zones that abut residential-zoned properties. Commercial 1 (C1) zoning, for example, requires a side lot line setback of 6.1 metres where a lot is adjacent to residential-zoned land, as is the case with the subject property. The applicant, and consequently the proposed C3(a) zone, proposes interior side lot line setbacks of 1.5 metres. Neighbouring properties will receive notice ahead of any public hearing on the proposed bylaw and the owners can share their perspectives on the proposed setbacks at that time.

The C3(a) zone proposes a front lot line setback of 4.5 metres, which is consistent with Commercial 2 (C2) zoning on the island. Conventional Commercial 3 (C3) zoning requires a front lot line setback of 7.5 metres.

Sidewalk Contribution

As a condition of the previous subdivision approval, the applicant submitted a cheque in the amount of \$13,530, inclusive of a 10% contingency, to the Capital Regional District (CRD) to be held in reserve for the future construction of a sidewalk with boulevard. The funds are currently held in the CRD Transportation Service account and are intended to contribute toward the future construction of a pathway or sidewalk along Jackson Avenue when the CRD undertakes such works in the area. This subdivision condition has therefore been satisfied.

Amenity Zoning

Rezoning the subject property for commercial uses while simultaneously permitting existing residential uses will likely increase the value of the land. The applicant and the LTC may wish to consider whether some of that increased value should be realized by the community in the form of a community amenity.

OCP policy B.5.2.2.5 appears to provide the LTC with guidance in this regard: "The Local Trust Committee could consider rezoning applications to allow a higher percentage of commercial site coverage or higher floor space ratios as part of a proposal to provide an eligible community." A list of eligible community amenities is available in Schedule H.3 of the OCP. See Appendix 3 of this staff report.

Consultation

Referrals of rezoning bylaws to agencies, organizations and First Nations rights and title holders commenced on May 12, 2026 with the referral response period ending on July 12, 2026. Staff note correspondence for a bylaw amendment may be received up until the end of the public hearing.

Statutory notification of the proposed rezoning will be made in accordance with [Section 466 of the Local Government Act](#) and [Salt Spring Island Development Procedures Bylaw No. 304](#) at time of public hearing. Staff recommend that all neighbours fronting or directly abutting Jackson Road be notified of the proposed bylaw amendment as increased traffic is an identified issue for this application. Correspondence relating to this application can be found on the Salt Spring Island Current Applications webpage.

Agencies

Staff have received referral responses from the following agencies:

Island Health; North Pender Local Trust Committee; Galiano Island Local Trust Committee; Mayne Island Local Trust Committee; Thetis Island Local Trust Committee; CRD Electoral Area Services; CRD Regional Planning and Transportation; Cowichan Valley Regional District; Ministry of Housing and Municipal Affairs

All confirmed that the proposal does not affect their interests.

The North Salt Spring Waterworks District also responded and recommended approval, advising that it has no concerns with the proposal at this time.

First Nations

The following First Nations have submitted referral responses indicating that their interests are unaffected by the proposed bylaw amendments or that they have comments at the time:

Tsawwassen First Nation, Ts'uubaa-asatx Nation, Penelakut Tribe, Pauquachin First Nation

Tsawout First Nations Referral Response

Following on referral of the application by the LTC, staff from Tsawout First Nation inquired if an Archaeological Impact Assessment has been completed for the property and whether any future site alterations or ground disturbing activities are anticipated. The Nation further requested that any future development proposals associated with the rezoning be referred to Tsawout for review to ensure potential impacts to archaeological resources can be appropriately assessed.

Staff provided an update to the Tsawout Nation advising that Islands Trust mapping resources did not identify archaeological potential on the subject property, and that the applicant has not undertaken or submitted an Archaeological Impact Assessment. Staff also clarified that the current application does not directly authorize new construction; rather, it seeks to bring into compliance a development that was previously permitted under a Temporary Use Permit.

Staff further advised that any future development applications would be considered on their own merits and may be subject to additional review and approval processes, including consideration of archaeological interests and any associated requirements, as appropriate.

Staff from the Nation subsequently visited the site and discussed a Section 219 covenant with the property owner. The covenant sought by the Nation would require the owner to conduct a pre-construction site walk-through with representatives of the Nation and to retain First Nations cultural monitors during excavation, site preparation, and any other ground-disturbing activities on the property.

Staff were advised that Tsawout First Nation is considering the possibility of a covenant; however, a formal referral response requesting a covenant has not been received.

SS LTC can consider whether to request the applicant to obtain an AIA.

Community Information Meeting:

At its meeting of March 2026, SS LTC directed staff to schedule a community information meeting about the proposed land use changes. Staff have not yet scheduled such a meeting, but will do so ahead of public hearing.

Rationale for Recommendation

1. *That Salt Spring Island Local Trust Committee Bylaw No. 553, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026", be read a first time.*
2. *That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 553, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026" is not contrary to or at variance with the Islands Trust Policy Statement.*

Staff Comment: The proposed Land Use Bylaw amendment is generally consistent with relevant [Salt Spring Island Official Community Plan No. 434](#) policies and objectives as well as the Islands Trust Policy Statement and as such, can be give first reading.

ALTERNATIVES

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

1. Amend Proposed Bylaw No. 553

SS LTC may wish to amend the proposed bylaw. If selecting this alternative, the SS LTC should describe the specific amendment. Recommended wording for resolution:

That Salt Spring Island Local Trust Committee amend draft Bylaw No. 553, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026", by [list amendments...]

And

That Salt Spring Island Local Trust Committee Bylaw No. 553, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026", be read a first time, as amended.

2. Waive the public hearing requirement.

SS LTC may choose not to hold a Public Hearing for this rezoning bylaw. Under Section 464(2) of the [Local Government Act](#), a Public Hearing is not required if an Official Community Plan is in effect and the proposed bylaw is consistent with it.

If the LTC selects this alternative, Section 467 of the Local Government Act requires that notice be given in place of a Public Hearing notice. This notice must be issued before the bylaw is given first reading, the LTC cannot give first reading until the notice has gone out. Recommended resolution wording:

That the Salt Spring Island Local Trust Committee waive the requirement to hold a Public Hearing for the "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026" pursuant to Section 464(2) of the Local Government Act and direct staff to provide notice under Section 467 of the Local Government Act.

3. Request Staff to schedule a public hearing

SS LTC may choose to direct staff to schedule a Public Hearing. If the LTC selects this alternative, it should note that once the Public Hearing has been closed, no further submissions may be received from the public. All submissions received at the Public Hearing will form part of the public record. Recommended resolution wording:

That the Salt Spring Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 553, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2026”.

Given that SS LTC has not received a formal referral response from Tsawout First Nation, but the Nation has expressed interest in the file, and given that the Ganges Sewer Commission has not provided a referral response, staff do not recommend that a public hearing be scheduled at the present time, as receipt of either of these items would be considered new information that the LTC would not be able to consider without holding a second public hearing after the fact.

4. Request further information

SS LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased costs to the applicant. If selecting this alternative, the SS LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns]

5. Proceed no further

The SS LTC may decide to proceed no further with the application. Staff advise that the implication of this alternative is that the file would be closed and Bylaw Compliance and Enforcement will be informed of the outcome. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for the resolution:

That the Salt Spring Island Local Trust Committee deny application PLRZ20260013 (116 Jackson Avenue). for the following reasons: [list reasons...].

NEXT STEPS

If the recommended resolutions are accepted, proposed Bylaw No. 553 will be given first reading and staff will liaise with Tsawout First Nation and the Ganges Sewer Commission to obtain formal referral responses.

Submitted By:	Milad Panahifar, Planner 1	August 7, 2026
Concurrence:	Jason Youmans, Regional Planning Manager	August 7, 2026

APPENDICES

1. Proposed Bylaw No. 553

2. Islands Trust Policy Statement Directives Only Checklist
3. OCP Schedule H.3

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 553

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

The Salt Spring Island Local Trust Committee, being the Local 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, 2026”.

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 **Schedule “A” - Zoning Map** is amended by changing the zoning classification for LOT 2 SECTION 1 RANGE 3 EAST NORTH SALT SPRING ISLAND COWICHAN DISTRICT PLAN EPP99513, from Residential 6 (R6) and Residential 6(b) (R6(b)) to Commercial 3(a) (C3(a)) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” to Bylaw No. 355 as are required to effect this change.

2.2 **Section 9.2 – COMMERCIAL ZONES**, Subsection 9.2.4 – “Exceptions in Particular Locations” is amended by adding a new C3(a) zone variation as follows:

“Zone Variation - C3 (a)”

(11) The following additional uses are permitted:

- (a) One single-family dwelling; or one duplex.
- (b) Funeral homes
- (c) Outdoor retail sales of nursery plants and home gardening supplies
- (d) Offices
- (e) Bank or Credit Union
- (f) Day care centres for children, seniors, or people with special needs

(13) Despite Subsection 4.3.1(1), the front lot line setback is reduced to 4.5 metres.

(14) Despite Subsection 4.3.1(2), the rear lot line setback is reduced to 3.0 metres.

(15) Despite Subsection 4.3.1(3), the interior side lot line setback is reduced to 1.5 metres.

And by making consequential numbering alterations to effect this change.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

[public hearing date should be consistent with chronology and can be after first or second reading; If two public hearings, only indicate the date of the last one]

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____

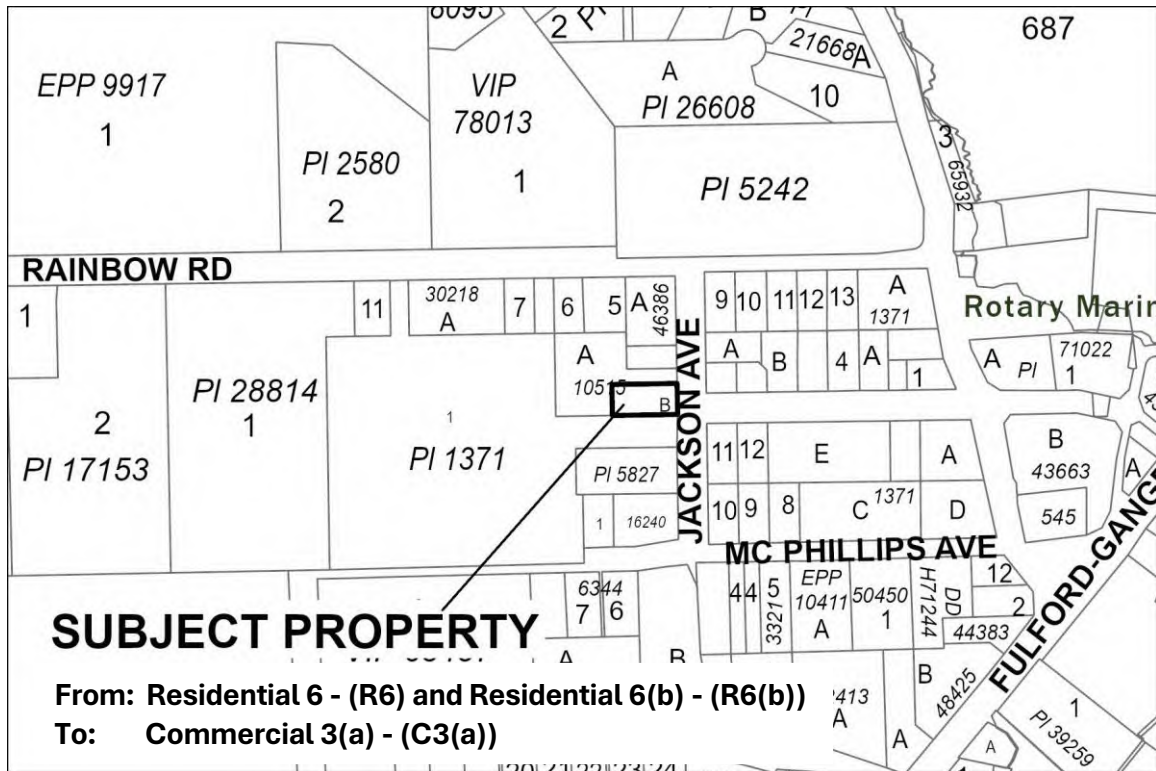
ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 553**

Plan No. 1





Islands Trust

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: PLRZ20260013 | Bylaw No: 553
116 Jackson Avenue, SSI (PID: 031-451-977)

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

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

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

- a. *Building* sites should not to be subject to geological hazards.
- b. *Building* sites should be clustered in about 20-30% of the parcel, with the remainder of the land left as open space. Open space should be designed to include *Environmentally Sensitive Areas* or good agricultural soils on the property.
- c. *Building* sites should be screened by natural vegetation from public roads, neighbouring properties and farmland.
- d. driveway access to *building* sites should be minimized with shared driveways, although each site must be accessible to emergency vehicles.
- e. *buildings* sites and driveways should be positioned and constructed to fit local topography and to minimize impacts on the environment.
- f. where subdivision of the property could have resulted in the dedication of public parkland and public access to a water body, they should also be dedicated as part of a Shared Residential Zoning application.
- g. *buildings* should incorporate *sustainable building* criteria, including, but not necessarily limited to, energy efficiency and water *conservation* measures.

H.3 APPENDIX 3 - AMENITY ZONING

Amenity zoning is the granting of additional development potential by the Local Trust Committee in exchange for the voluntary provision of a community amenity by the land owner. Any amenity rezoning should advance the Object of the Islands Trust and the goals and objectives of this OCP, and should be consistent with the following guidelines. Amenity rezoning may be considered on a case-by-case basis, upon application for rezoning. The approval of an amenity rezoning should be conditional on compliance with the following policy guidelines. These guidelines do not pre-determine a favourable outcome for any particular application.

H.3.1 Guidelines for Amenity Zoning Applications

- H.3.1.1 Where appropriate, applications for amenity zoning should propose a density level that does not exceed the target density levels outlined in this Plan for the applicable Land Use Designation. For example, an application in the Rural Neighbourhoods Designation should propose a density level no greater than 1 lot per 1.2 ha, as outlined in the policies for that Designation (See Policy B.2.5.2.3).
- H.3.1.1 Where appropriate, applications for amenity zoning should propose a density level that does not exceed the target density levels outlined in this Plan for the applicable Land Use Designation. For example, an application in the Rural Neighbourhoods Designation should propose a density level no greater than 1 lot per 1.2 ha, as outlined in the policies for that Designation (See Policy B.2.5.2.3)
- H.3.1.2 Applications for amenity zoning should propose that one of the eligible community amenities listed in Section H.3.2 will be provided in exchange for the higher density level being requested.
- H.3.1.3 Increased density may take the form of additional lots or additional dwelling units. The Local Trust Committee should ensure the total number of additional dwelling units allowed in exchange for community amenities on Salt Spring Island does not exceed 40. This maximum number of total additional dwelling units should be reviewed each time that the OCP is reviewed.
- H.3.1.4 It is intended that applications should be for relatively modest increases in density, consequently the Local Trust Committee should not consider applications in which more than 10 additional dwelling units are proposed in exchange for any one community amenity.
- H.3.1.5 Amenity Zoning Applications should be consistent with other policies of this Plan.

H.3.1.6 Prior to approving any amenity zoning application, the Local Trust Committee should give consideration to the appropriateness of the land for the increased density. The following factors should be considered where relevant:

- a. environmental values are identified prior to site clearing and design.
- b. development is located away from areas with high environmental values, and natural buffers are placed between the development site and sensitive features.
- c. development is concentrated in areas with lower environmental values.
- d. site plans protect biodiversity, clean air, and clean water.
- e. development is located away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.
- f. the impacts of roads are minimized and development is located in proximity to and accessible to existing services, constructed roads, and transit, and the development should have the potential to contribute to reducing community dependence of travel by automobile
- g. the fragmentation of habitat is minimized.
- h. potable water quality is maintained and an adequate supply is available to support the permitted level of development.
- i. air quality is maintained and energy efficient design, greenhouse gas emissions and climate change adaption are considered.
- j. energy- and water-efficient development is designed to conserve natural resources.
- k. development minimizes waste, and manages waste in an environmentally sound manner.
- l. that the development would not compromise archaeological, First Nations cultural, historical, heritage sites or significant or outstanding landscape features.
- m. that the development would be located away from community water system supply watersheds and community well capture zones.

The Local Trust Committee should request that the applicant provide reports and other information satisfying concerns that the Local Trust Committee considers relevant, including provision of a site plan that shows how additional lots, *building* sites and accesses will be designed to minimize negative impacts. The Local Trust Committee may consider the use of site-specific zoning, covenants, designation of development permit areas, or a combination of tools to implement these criteria.

H.3.2 Eligible Community Amenities

H.3.2.1 The Local Trust Committee could consider Amenity Zoning applications that would provide the following eligible community amenities:

*(Note: the amenities within this list are **not** in order of priority)*

- a. the dedication of intact *Environmentally Sensitive Areas* to a public or private *conservation* body, or protection through *conservation* covenant.
- b. land for, or construction of, affordable or *special needs housing*.
- c. the dedication of public park and recreation lands, or of funds to be held in trust for their purchase, to the Capital Regional District.
- d. land that is acceptable to the Salt Spring Fire District for the location of a fire station, if provided to the District at no charge and it results in public ownership of the Ganges Firehall site.
- e. land for community-owned farmland or land for community agricultural processing or storage facilities provided to the Salt Spring Farmers' Institute or a community farmland trust organization.
- f. the provision and construction of bicycle lanes, pedestrian and bicycle pathways or trails that add to or support links in the island trail network.

- g. the dedication of alignment and construction of a Ganges Alternate Route.
- h. protection, restoration and designation of heritage property.
- i. suitable, productive forest land donated to a community organization for the operation of a community owned and managed woodlot.
- j. implementation of energy efficient *building* design criteria that exceeds that required by the B.C. Building Code or other regulations.
- k. land or facilities for community cultural or recreational purposes.
- l. the permanent formal protection of an archaeological site or other site of significance to First Nations peoples.

H.3.2.2 The Local Trust Committee could consider applications that would provide either a maintenance annuity or funds in trust for the purchase or development of all or part of an eligible community amenity.

H.3.3 Guidelines for Amenity and Density Valuation

H.3.3.1 The appraised dollar value of the community amenity provided should not be less than 75% of the increase in the value of the land attributable to the rezoning. The increase in the land value should be calculated as the gross difference between the appraised value of the land before and after the rezoning. Costs associated with the rezoning application, site preparation costs, and profit should not be deducted from the calculation of the increase in the value of the land.

H.3.3.2 The appraised value of both the proposed community amenity and of the increased density should be determined by means of a report provided by an independent professional appraiser, or other independent qualified professional, selected by and reporting to the Local Trust Committee. The cost of the valuation analysis should be borne by the applicant through the mechanism of a cost recovery agreement. Where valuation of the proposed amenity or of the proposed increase in land value are complex or there may be extraordinary costs, the Local Trust Committee may request that the applicant disclose financial information related to the proposal to the appraiser or to Island Trust staff and the appraiser or Islands Trust staff may enter into an agreement not to disclose confidential information.

H.3.3.3 Where the proposed community amenity includes areas of land and valuation of the amenity is difficult or impractical, the Local Trust Committee may consider an alternative to undertaking financial appraisal of the value of the amenity. In such instances, the Local Trust Committee may consider permitting a maximum of one additional parcel or one additional dwelling unit for each parcel of dedicated land that is equal to the base minimum average parcel size for the Land Use Designation where it is located. For example, if land in the Uplands Designation is dedicated, a maximum of one density could be exchanged for each 8 ha dedicated or protected.

H.3.4 Application Procedures

H.3.4.1 Applications to exchange higher density levels for community amenities should be considered by the Local Trust Committee on a case-by-case basis upon application for rezoning by the landowner.

H.3.4.2 Detailed specifications of the community amenity to be provided are to be included in the rezoning application.

H.3.4.3 Where a community amenity is to be provided to a third party for operation and maintenance, the application should be accompanied by a written agreement from that party to accept and maintain the amenity for the intended use. Covenants, housing agreements, or other tools should be used to ensure the amenity is used as intended. Parties chosen to hold an amenity should be public

bodies or well-established non-profit groups with a mandate consistent with the amenity provided.

- H.3.4.4 When a community amenity is provided in exchange for extra density, the amenity must be provided or legally guaranteed at the time of adoption of the rezoning.
- H.3.4.5 Community amenities provided in exchange for a higher level of density should be identified with a plaque that outlines the nature of the amenity/density exchange. If the amenity is intended for public use, then the hours of operation and the body responsible for operation and maintenance should also be identified.
- H.3.4.6 The Local Trust Committee shall request that the applicant provide reports prepared by a qualified licensed or registered professional satisfying any of the above concerns that the Local Trust Committee considers relevant. The Local Trust Committee may consider requiring development information through adoption of a development approval information bylaw.

H.4 APPENDIX 4 - TRANSFER OF DEVELOPMENT POTENTIAL

H.4.1 Guidelines for Applications to Transfer Development Potential

The purpose of transfer of development potential is to allow for the consideration of applications that would result in the transfer of development potential from *environmentally sensitive areas*, lands that are hazardous, or lands that have cultural, historical, agricultural or landscape significance, while supporting the clustering of development potential in areas more suitable for development.

Transfer of Development Potential, sometimes referred to as “Density Transfer”, is the ability to rezone land such that it results in a reduction in development potential in one location and an increase in development potential in another, with no overall, or net, increase in density. The development potential usually takes the form of lots or units and the transfer is achieved by simultaneously changing the zoning on the “donor” and “receiver” parcels, or areas, to reflect the changed subdivision potential or permitted number of units on each. Transfer of development potential may be considered on a case-by-case basis, upon application for rezoning. The approval of a transfer of density through rezoning should be conditional on compliance with the following policy guidelines. These guidelines do not pre-determine a favourable outcome for any particular application.

- H.4.1.1 Applications should propose a reduced development potential on property within a Development Potential Donor Area. An increased development potential should be proposed on property within a Development Potential Receiving Area (See Map 26). Applications could also be made to transfer development potential within a Development Potential Receiving Area if such a transfer would achieve a community objective.
- H.4.1.2 Applications should not propose a density level in a Development Potential Receiving Area that exceeds the highest density level allowed in that Area, where base and higher densities are established
- H.4.1.3 Generally, applications should demonstrate the overall unsuitability of the sending area for the zoned development potential and the overall suitability of the proposed receiving area for an increase in development potential. Priority should be given to applications which can demonstrate that a transfer of development potential would result in preservation of sensitive ecosystems.
- H.4.1.4 Property where the development potential is being decreased should be protected by one or more of the following tools:
 - a. Rezoning that allows a reduced level of development or only a public use, combined with a