



File No.: SS-RZ-2019.1
X-Ref: SS-TUP-2018.2

DATE OF MEETING: December 15, 2020
TO: Salt Spring Island Local Trust Committee
FROM: Geordie Gordon, Planner 2
Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager
SUBJECT: OCP amendment and Rezoning
Applicant: Nick Williams and Emily Myers
Location: 248 Upper Ganges Rd

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust the following:
 - a. A report from a Professional Engineer providing a water quality analysis that demonstrates that the surface water and groundwater from each proposed water supply source or well is potable or can be made potable (as defined in Schedule H of Land Use Bylaw No. 355 and Guidelines for Canadian Drinking Water Quality) with a treatment system customarily used in a single-family dwelling, and include a plan of the subject property indicating each well location where a water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
 - b. A report from a Professional Engineer providing a statement regarding the adherence to construction standards in the Groundwater Protection Regulation for each surface water supply source.
 - c. A report from a Professional Engineer demonstrating a rainwater storage, treatment, and delivery system for potable water designed in accordance with Canadian Standards Association rainwater harvesting system standard CSA B805- 18 capable of supplying potable water of an amount sufficient for all proposed General Employment uses.
 - d. A report from a Professional Engineer commenting on compliance with, and implementation of all recommendations of the attached storm water management plan (2015). The updated report should include any further action necessary to address the possibility of hazardous material spill.
 - e. An Assessment Report, completed by a Professional Engineer or Geoscientist, which identifies following aspects of the existing dug well:
 - i. Vulnerability to surface contamination;

- ii. **Distance and interference to other wells, surrounding land uses and waste water disposal fields;**
 - iii. **Potential impacts to groundwater;**
 - iv. **Sustainability on a year round basis;**
 - v. **Any other relevant information as determined by the professional.**
2. **That the Salt Spring Island Local Trust Committee request staff to prepare a draft bylaw to amend the Salt Spring Island Official Community Plan Bylaw No. 434, 2008 to add Lot A, Section 4, Range 4 East, North Salt Spring Island, Cowichan District, Plan 42183 to Map 19 – Development Permit Area 2 – Non-Village Commercial and Industrial and to change the Designation from Residential Neighbourhoods to General Employment and Commercial Services.**
3. **That the Salt Spring Island Local Trust Committee request staff to prepare a draft bylaw to amend the Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone Lot A, Section 4, Range 4 East, North Salt Spring Island, Cowichan District, Plan 42183 from Residential 7 to a General Employment zone variant permitting at minimum, the following uses:**
- a. **Boat building, servicing and repairs;**
 - b. **Rental, repair, sales, and service of equipment, machinery, boats, and vehicles;**
 - c. **One accessory dwelling and one home based business accessory to the dwelling unit.**

REPORT SUMMARY

The purpose of this report is to present the Salt Spring Island Local Trust Committee (LTC) with a preliminary staff report for the proposed amendments to the Salt Spring Official Community Plan Bylaw No. 434 and Salt Spring Island Land Use Bylaw No.355 to permit the continuance of a General Employment operation primarily engaged in boat and equipment repair, as well as continuation of personal services (a hair salon) that currently operates as a home based business.

This Staff Report examines a large number of relevant policies, evaluates the proposed rezoning in consideration these policies and provides recommendations to proceed with the application.

BACKGROUND

The main General Employment use on the property, Mid Isle Marine is a full service marine shop performing repair, maintenance and service work on boats, as well as small engine repair. Mid Isle Marine also sells outdoor power equipment.

The subject property also contains two dwelling units (one small suite in the retail office and workshop building, and a single family dwelling). The subject property also contains a home based business that is contained within an accessory building.

The General Employment uses of Mid Isle Marine have exceeded the parameters of what could be considered a home-based business, though at what point this transition happened is unknown (see appendix 1 for historical air

photo review). The applicants have stated that the subject property has been used for boat service and equipment sales for 20 years. The current operators purchased the operation from previous owners and have further expanded some of the uses. A Temporary Use Permit was obtained in 2015 (see appendix 4) for the general employment uses. A renewal application was submitted in 2018 but it was not advanced due to non-compliance with the TUP or land use bylaw. TUPs considered for renewal cannot be altered.

It was determined that the parameters of the issued TUP had been exceeded and uses on the lot had been expanded, primarily in relation to the use of the lower yard for boat parking and that application for a rezoning would be required. The proposal is proceeding primarily as a result of Bylaw Compliance and Enforcement action for contravention of the previously issued TUP.

The rezoning application was made in 2019, and was held by staff pending the outcome of the Industrial Lands Uses Project and the adoption of Bylaws 488, 489, and 490 earlier this year, which updated Industrial zones and policies in the Official Community Plan and Land Use Bylaw to General Employment.

The subject property is located on Upper Ganges Road, in close proximity (approximately 100 m South) of the intersection of Upper Ganges and Long Harbour Roads. The property is 0.8 ha (1.98 acres) in area, and has been substantially developed to accommodate the existing uses on site: boat repair workshop, equipment sales area, boat parking and short-term storage, equipment storage, a hair salon, a small living suite, and a single family dwelling.

Surrounding land uses are primarily residential to the North, South, East, and West. Commercial activity exists to the North (Merchant Mews) as well as to the South (Hastings House, Moby's Pub). A nearby commercial operation, Francis Bread, is also subject to a rezoning application to permit existing commercial operations.

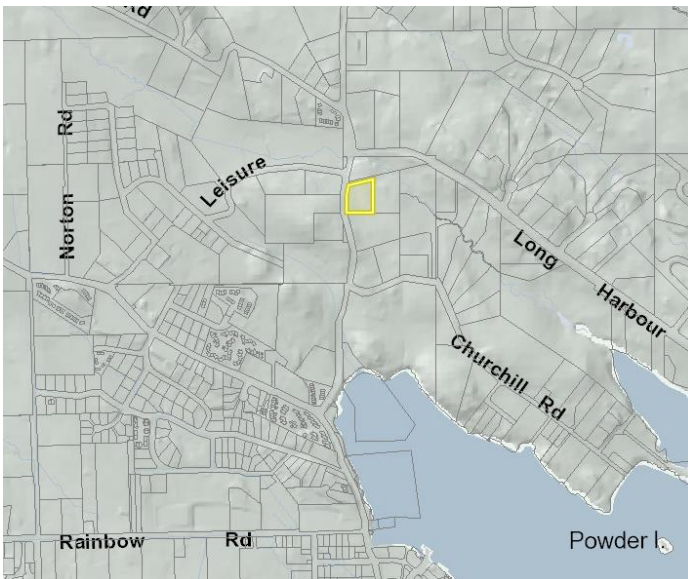


Figure 1: Location of subject property.



Figure 2: Ortho photo of subject property (2017 data).

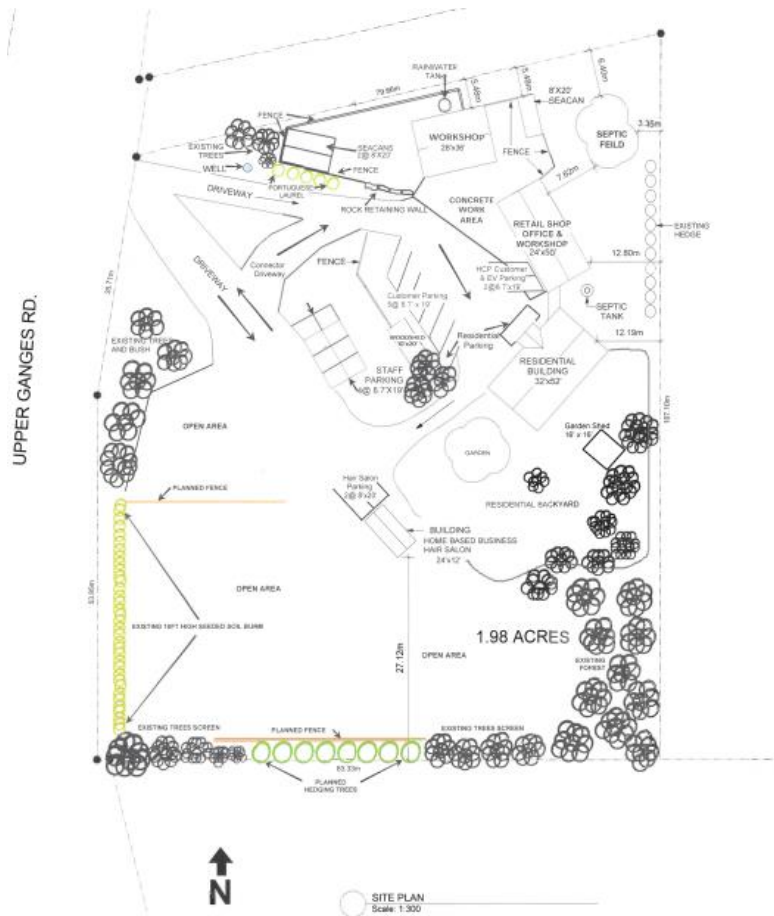


Figure 3: Site plan for proposed rezoning.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff have reviewed the Islands Trust Policy Statement in consideration of the application and determined a number of policies that apply to this application (see appendix 3). At time of this initial report, staff have determined that the application is not in significant opposition to any of the policies, but that the proposal will need to be further refined through the application process. If the Local Trust Committee resolves to proceed with the application, in a future report staff will assess compliance with the Policy Statement using the Directives Only Checklist in accordance with Section 1.9 of Trust Council Policy 1.3.i.

Official Community Plan:

The subject property is currently designated Residential Neighbourhood (RN) in the OCP. The proposed OCP amendment would be to change the Land Use Designation to General Employment and to include the subject property within Development Permit Area 2 – Non-Village Commercial and Industrial. The objectives of the General Employment Designation are the following:

- B.3.3.1.1 To provide an adequate amount of land zoned for general employment use that is affordable, appropriately services and well located to accommodate local economic development.
- B.3.3.1.2 To accommodate additional commercial and general employment land uses where there is a community need, with a preference for those with a low demand for transportation and energy infrastructure requirements. To carefully consider the addition of other clustered sites for general employment operations, to keep needed businesses on the island or to attract needed businesses onto the island.
- B.3.3.1.3 To ensure that general employment uses are located in a way that reduces impacts on neighbouring properties and the natural environment.
- B.3.3.1.4 To avoid the location of large scale, heavy industry on Salt Spring Island.
- B.3.3.1.5 To allow for the development of affordable homes in combination with general employment land uses.
- B.3.3.1.6 To ensure that industrial waterfront zones are primarily occupied by industries dependent upon a marine location.
- B.3.3.1.7 To accommodate temporary industrial uses in appropriate locations

Staff have highlighted the following General Employment and Commercial Services policy as being particularly relevant to the rezoning application:

- 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.

Evaluation of Applicable OCP Policies

Staff have reviewed the OCP in its entirety and identified the following fifteen policies and objectives as being relevant to the application. A brief discussion is provided below (see appendix 3 for a full assessment of OCP policies).

1. Policy A.4.6.1 recognizes the need for **varied livelihoods and a vibrant economy** in maintaining the community character. The occurring use contributes to the island economy.
2. Policy A.4.6.3 encourages **living wage, meaningful, year-round employment** and income generating opportunities to allow young people and families to remain on the island. The occurring use provides employment and operator has a young family.
3. Policies A.6.2.2 and A.6.2.3 recommend **energy and resource efficient** approach to design and development for significant changes of use. The current operation utilizes (non-potable) rainwater collection. The LTC may wish to request further conservation approaches in the application.

4. Policy A.5.2.13 recommends an **ecosystem-based approach to site design and development**. The subject property has been substantially developed, and options to pursue this approach may be limited. Staff consider that a covenant restricting and guiding further development, or specifying restoration activity, would generally achieve this objective.
5. Policy A.8.2.12 recommends **consideration of archaeological potential and impact**. The subject property contains areas of archeological potential.
6. Policies B.2.2.2.10 and B.2.2.2.12 allow for the **development of a flexible dwelling unit** in General Employment and Commercial Services Land Use Designation. There are currently two dwelling units (in separate structures) established on the property.
7. Policy B.2.2.2.15 recommends consideration of allowing **secondary suites as affordable units** under certain conditions. The subject property includes two dwellings in separate structures.
8. Policy B.2.5.2.2 recommends that **additional general employment uses should not be created** in the Rural Neighbourhoods designation. The employment uses indicate the requirement for a land use designation change.
9. Policy B.3.2.2.1 recommends that **home based businesses** be allowed in all areas where residential use is permitted. The proposed zoning would incorporate an existing home-based business (hair salon) into the personal services permission.
10. Policy B.3.3.2.7 recommends against **unnecessary heavy or extractive industries**. The proposed rezoning would take partially in-doors but does not involve basic processing and manufacturing of materials or products predominately from extracted or raw materials, or involve flammable or explosive materials.
11. Policy B.3.3.2.10 specifies that if **additional general employment** land is required for the community, rezonings for this purpose should be focused on 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. The subject property is in close proximity to the junction of Long Harbour and Upper Ganges Rd.
12. Policy C.2.2.2.15 recommends **support of non-automotive transportation and public transit service**. The subject property is accessible by transit and within cycling distance of Ganges village and Long Harbour ferry terminal
13. Objective C.3.1.1.1 encourages the ensuring that **the density and intensity of land use is not increased** in areas which are known to have concerns with the supply of potable water. The subject property is in proximity to two water service areas with known water supply issues.
14. Policy C.3.3.2.2 and C.3.3.2.5 recommend **evidence of an adequate supply of water** without adverse impacts to neighbouring uses or requirement for import of water from off-island. Staff have included a recommendation that the LTC request further evidence in this regard.
15. Policy C.4.2.3.1 recommends **evidence that sewage can be treated on site** without adverse impacts to neighbouring uses.

Development Permit Area 2 – Non-Village Commercial and General Employment

The subject property is proposed to be included within Development Permit Area 2 under the proposed OCP amendment. As per the description of the Permit Area in the OCP, DPA 2 is intended to identify objectives and guidelines for the form and character of commercial and general employment development outside Village Designations, as well as for the protection of farming on adjacent lands. A development permit application is not *required* as part of the rezoning process, but would be required for any future development that triggers a DP under the requirements for DPA 2 and we considered at time of the TUP. The LTC may wish to consider methods to capture issues of form and character as these issues were partially the subject of bylaw enforcement due to the owners developing beyond permission. These methods could include requiring and issuing a Development Permit in conjunction with the rezoning, or requiring a covenant that would encompass issues such as:

- Access;
- Vegetative buffers;
- Maintaining a rural character;
- Built form;
- Parking, especially boat parking and associated sight lines;
- Lighting and signage;
- Screening;
- Impacts to surrounding properties; and
- Environmental contamination.

If considering a covenant to enforce the above issues, the LTC should consider the implications of ongoing covenant compliance monitoring versus what might be achieved through a Development Permit.

Land Use Bylaw:

The subject property is zoned Residential 7 (R7) under Land Use Bylaw No. 355, which permits the following uses:

Principal Uses, Buildings and Structures	R7
<i>Single-family dwellings</i>	◆
<i>Duplexes</i>	
<i>Duplexes constructed before July 31, 1990</i>	◆
<i>Multi-family dwellings</i>	
Dental and medical office <i>services</i> for a maximum of two medical practitioners	◆
Elementary schools, pre-schools and <i>child day care</i> centres	◆
Hospitals and <i>public</i> health care facilities	◆
<i>Community halls</i>	◆
<i>Non-commercial outdoor active recreation</i>	◆
<i>Churches</i>	◆
<i>Agriculture, excluding intensive agriculture</i>	◆

<i>Public service uses</i>	◆
<i>Seniors' supportive housing complex</i>	
Accessory Uses	
<i>Home-based businesses, subject to Section 3.13</i>	◆
<i>Seasonal cottages subject to Section 3.14</i>	◆

At the time of application, the applicants had requested a zoning change to a Commercial 6 zone variant that would allow for the following *uses, buildings and structures*:

C6	
Principal Uses, Buildings and Structures	
Offices for <i>use by building</i> construction professionals and trades	◆
Automobile rentals with a maximum of five vehicles stored on-site	◆
<i>Funeral homes</i>	◆
<i>Retail sales</i> of <i>building</i> supplies, appliances and furniture	◆
<i>Light industry</i> , excluding <i>uses</i> that consume or <i>use</i> more than 1600 litres/day of water	◆
<i>Wholesale sales</i>	◆
Storage of goods and vehicles, with the exception of <i>outdoor</i> storage of derelict vehicles or equipment, or waste materials	◆
Boat building, servicing and repairs	◆
<i>Service</i> , repairs and sales of vehicles and equipment.	◆
Collection of recyclable materials, excluding <i>outdoor</i> sorting and storage	◆
<i>Public service uses</i>	◆
Accessory Uses	
<i>Indoor retail sales accessory</i> to another permitted <i>use</i>	◆
<i>Dwelling units accessory</i> to a <i>commercial use</i>	◆

However, the Land Use Bylaw was subsequently amended in the time period following the application as a result of the conclusion of the Industrial Lands Uses Project earlier this year. The Commercial 6 zone was eliminated, with some of those uses migrating to the General Employment designation.

In addition to the uses allowed by Commercial 6 zoning at time of application, the applicant requested the following uses:

- Outdoor retail sales;
- Home based business accessory to residential use; and
- Multi-family dwelling unit (2 units).

Staff have assessed the requests of applicant and determined that a more appropriate designation for rezoning would be General Employment 1 (GE1) or a zone variant thereof:

	GE1
Principal Uses, Buildings and Structures	
Boat <i>building</i> , servicing and repairs	◆
Car wash <i>accessory</i> to vehicle and equipment sales, rental and repair	◆
Collection of recyclable materials, excluding <i>outdoor</i> sorting and storage	◆
<i>Commercial composting facility</i>	◆
<i>Contractor's shop</i>	◆
<i>Creative industry</i>	◆
<i>Farm-related light industry</i>	◆
Food processing, including off-farm storage and processing	◆
<i>Funeral homes</i>	◆
<i>Indoor storage</i>	◆
<i>Light industry</i>	◆
<i>Public service uses</i>	◆
<i>Public utility uses</i>	◆
Rental, repair, sales, and <i>service</i> of equipment, machinery, boats, and vehicles	◆
Sales of <i>building</i> supplies, appliances and furniture, including <i>outdoor</i> sales and storage	◆
Veterinarian clinics and animal hospitals	◆
<i>Wholesale sales</i>	◆
Accessory Uses	
<i>Retail sales accessory</i> to a permitted <i>principal use</i>	◆
One <i>dwelling unit accessory</i> to a permitted <i>principal use</i>	◆
<i>Office use accessory</i> to a permitted <i>principal use</i>	◆

The above uses do not include two aspects that the applicants have requested: multiple dwelling units and home-based businesses (hair salon). The LTC may wish to include either *home-based businesses* or *personal services* as part of a GE1 zone variant. The following definitions are relevant to this consideration:

“personal service” means a commercial use that is primarily engaged in providing services involving the care of a person or his or her personal goods or apparel.

The Land Use Bylaw contains parking regulation requirements depending on use and intensity of use. Under the proposed land use change, the subject property would be required to provide parking spaces as calculated by the following table:

**TABLE 3
MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES**

LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
RESIDENTIAL			
<i>Single-family dwelling</i>	2 per unit	0	0
<i>Seasonal Cottage or Secondary Suite</i>	1 per unit	0	0
<i>Home-based businesses</i>	1 per non-resident employee (or full-time equivalent)	0	0
GENERAL EMPLOYMENT			
<i>Light Industry</i>	1 per employee	5%*	1 per 10 employees
<i>Storage</i>	1 per employee	5%*	0
<i>Other industrial or General Employment</i>	1 per employee	5%*	1 per 10 employees

Based on a proposed use of a single family dwelling, a secondary suite, and General Employment uses employing eight employees, a total of 12 parking spaces are required. From the proposed site plan, a total of 14 spaces are currently provided.

Issues and Opportunities

Scale of use

The proposed rezoning represents the codifying of considerable increases in intensity and density of use of the subject property. The uses are already primarily established, though the rezoning to General Employment would allow for the further expansion of the property. The size of the property – 0.8 ha (1.98 acres) and the distribution of uses throughout the property have resulted in uses in close proximity to surrounding properties. Although the applicants have sought to maximize the screening of uses through retention or planting of landscape buffers, as well as construction of fences, the impacts of use have likely contributed to a loss of rural character in the neighbourhood and may be viewed as undesirable. Options for scaling back the intensity of use at this point are somewhat limited – and would likely involve the removal of uses and reclamation of land currently used for what would best be characterized as General Employment uses.

Water Supply and Quality

No water supply information was supplied at time of the rezoning application. During the site visit, staff were advised there are two primary water sources – a dug well which serves the dwellings on the property and a rainwater collection system that serves the general employment uses on the property. Staff were also advised that the applicants have water rights to a surface water body on an adjacent property – though how much and for what purpose (i.e. irrigation, domestic, etc.) is not known.

The capacity of the dug well is not known, and due to the nature of dug wells, testing the capacity is somewhat limited. The Province of BC does not typically recommend the use of dug wells due to the possibility of surface water contamination and pollution. However, in cases where water supply is limited, they may be used. The province provides a [best practices guidance document](#) for the use of dug wells.

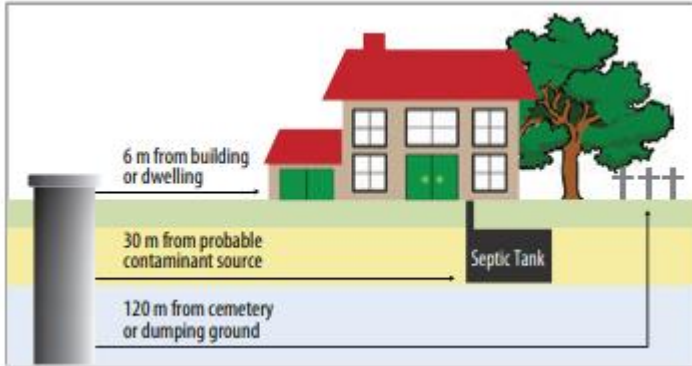


Figure 4: Separation distances for dug well¹.

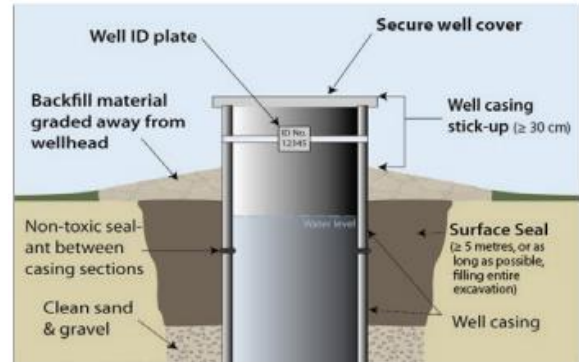


Figure 5: Recommended construction of dug well¹.

The applicants have indicated to staff that rainwater collection is primarily utilized for general employment uses – the boat repair workshop. The existing rainwater storage capacity has been estimated by the applicants at 60,000 L, though this has not been verified by staff at time of this report.

As the rainwater has been primarily used for servicing and repair of boats, the water has not been made potable. Without a system to make this collected water potable, it cannot be counted towards a potable water supply at this time. Staff have provided a resolution to receive a report for an engineered system to make collected rain water potable.

In order to proceed with the rezoning and consideration of uses, staff consider it prudent to request further documentation related to not only to the quantity of water that can be supplied, but the quality. Staff have provided a recommended resolution to request further documentation.

Based on water requirements in Land Use Bylaw No. 355, there following amounts are relevant to the discussion:

¹ Retrieved from https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/water-wells/bc_gov_dugwell_brochure.pdf

Table 1: Proposed Water

Estimated Supply		Estimated Demand	
Rainwater collection (General Employment)	60,000 L capacity (est.) Unknown provision/day	General Employment Use	900 L/day (20%)
Dug well (Domestic)	Unknown/day	Single Family Dwelling	1600 L/day (34%)
Water licence (use unknown)	Unknown/day	Secondary Suite	1200 L/day (26%)
		Personal Services	900 L/day (20%)
<i>Total</i>	<i>Unknown</i>	<i>Total</i>	<i>4600 L/day</i>

North Salt Spring Waterworks District

The subject property is contained within Islands Trust mapping for the North Salt Spring Waterworks District (NSSWD), though the applicants have stated that no connection exists and that establishing a connection is not possible as the infrastructure ends two properties to the south:

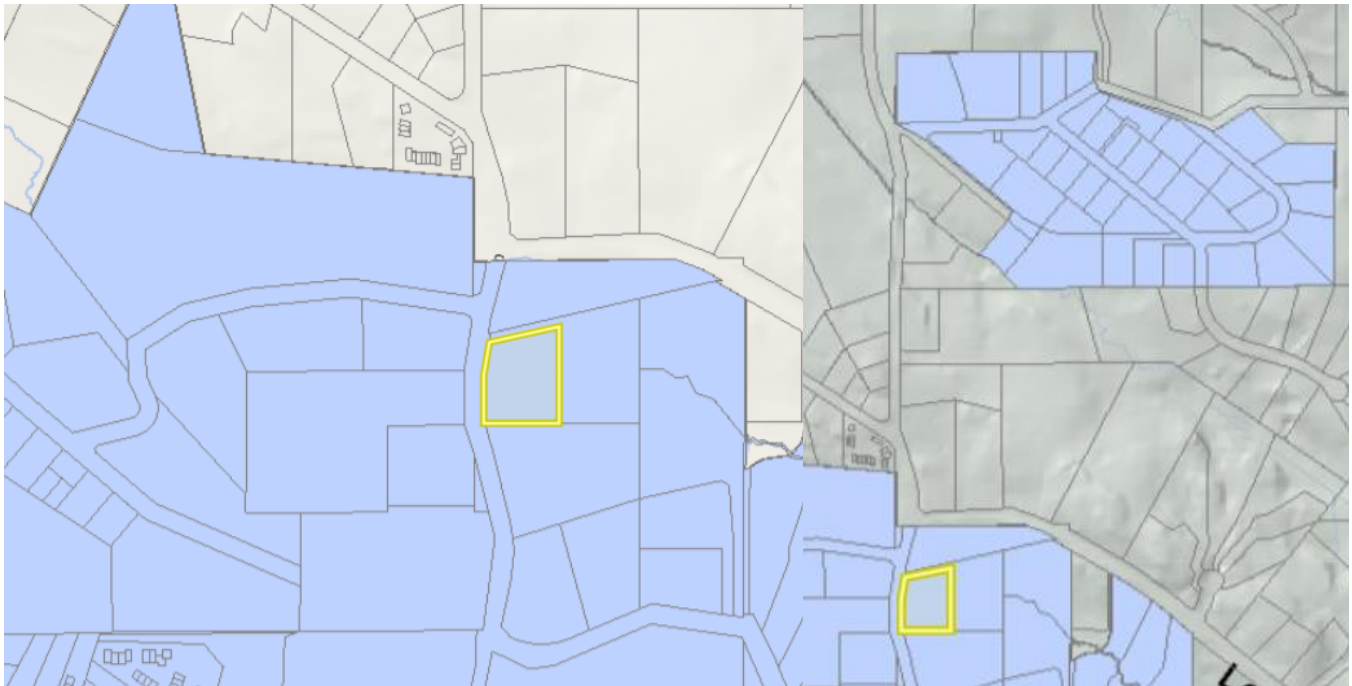


Figure 5 – Left: Service area of NSSWD in blue, subject property highlighted in yellow. Right: Location of Cedar Lane Water System to North of subject property

Since 2014, a NSSWD moratorium has prevented any increase in demand on NSSWD properties. The NSSWD policy currently stipulates “all properties currently on the District’s parcel tax roll will be allowed a single ¾ inch (19mm) connection for either a single residential unit or a single commercial unit”. Though the subject property is included within NSSWD mapping, acquiring the service at the subject property appears to be unlikely. Given NSSWD policy, two connections (domestic and general employment) would also likely be required.

The subject property is also within close proximity to the Cedar Lane Water System, which has known water quantity and supply issues

The Official Community Plan contains objectives (C.3.1.1.1) that advises the LTC to ensure that the density and intensity of land use is not increased in areas which are known to have concerns with the supply of potable water. While the subject property is technically not subject to restrictions in either of the identified water service areas, staff recommend consultation with both.

Availability of General Employment Land

Land zoned for the uses proposed through this application is in limited supply on Salt Spring Island. At time of this report, a survey of real estate listings did not find any General Employment land listed for sale.

The SSI LTC Industrial Land Uses Project concluded earlier this year with the adoption of Bylaw Nos. 488, 489, 490 in July 2020. This project aimed to “encourage socio-economic diversity, and to enhance economic sustainability and security on Salt Spring Island, by seeking to meet the needs for commercial industrial lands for the next 25 years.”

While somewhat out of date, the project was guided by an industrial land needs assessment prepared by Urbanics Consultants, completed in August of 2013. The assessment found that in order to accommodate the forecasted employment growth through 2036, Salt Spring Island would need to add an average of 0.67 acres of industrial zoned-land per year. The assessment also found, in general, the inventory of industrial-zoned land was insufficient to accommodate current or forecasted demand. Staff have not analyzed the underlying assumptions of this forecasting, but have anecdotally heard that the situation remains consistent since the time of the assessment in 2013.

The assessment found that the greatest challenge is faced by industrial (now General Employment) operations seeking to expand beyond what might be permitted as a home-based business – that there is a shortage of suitable spaces. While Mid-Isle Marine would not be appropriately described as “fledgling”, it is a business that has demonstrated considerable growth over the past five-plus years.

The Industrial Land Uses Project did recognize this potential shortfall in land supply in Bylaw 488, which amended the OCP to specify the area that further General Employment lands could be provided, if needed. The subject property falls within the vicinity of one described area - the intersection of Long Harbour and Upper Ganges Rd.

Precedent Setting and Public Perception

Many, if not all, of the uses that are proposed to be permitted through the rezoning application have already been established in substantial contravention of the existing zoning on the property. The applicants did obtain a Temporary Use Permit in 2015 to authorize some of the uses, but were again found to have exceeded the permissions at time of renewal and were subject to bylaw enforcement. There is an established history of uses exceeding permissions on the subject property. While each rezoning is considered on its own merits and do not set precedents for future LTC decisions, there is a risk that favourable consideration of this proposal may signal

that lack of compliance with the Salt Spring Island Bylaw No. 355 regarding non permitted General Employment Uses is acceptable provided the landowner is prepared to eventually submit an application for rezoning.

Community Amenity

Discussion of community amenity contribution has been limited in consideration of the rezoning application, due to the supportive OCP policies for rezoning to General Employment in this area. If the LTC resolves to entertain an aspect of the rezoning that would go above what is contemplated by these policies – such as additional dwelling units – staff would recommend some provision of a community amenity, such as the designation of the additional dwelling as affordable, that any extra suite is rental only, or that it be built to specific green building standards. However, discussion of a second dwelling may be more logically contemplated once there is more certainty around the provision of water necessary to support a second dwelling.

Discussion of a community amenity may result following referral to CRD PARC and the Salt Spring Island Transpiration Commission related to pathway and connectivity requests.

Storm water drainage

Due to the nature of the work undertaken on the property, there exists the potential for a spill of oil or gas that could contaminate groundwater resources. At time of issuance of the TUP in 2015, a storm water management plan was supplied that made recommendations to minimize the impacts if such a spill were to occur. Staff have recommended receiving an update to this report to ensure that all recommendations were implemented in accordance with the plan, as well as any further actions or upgrades that may be required given the growth of area of use since 2015.

Consultation

No referrals have been conducted at time of this report; referral of bylaws to agencies and First Nations typically occurs at time of first reading such that there is a bylaw on which to provide comment.

This application also requires an OCP amendment. As per [Section 475](#) of the Local Government Act, the LTC must provide at least one opportunity for consultation with “persons, organizations and authorities it considers will be affected”. At time of consideration of this initial report, the LTC should determine if consultation should be early and ongoing – which would require additional consultation beyond that identified by staff. Staff have not identified any issues that would require additional consultation.

In waiting for consultation until a draft bylaw is given first reading, those persons, organizations and authorities consulted will be able to give more substantive feedback on a more certain set of conditions and with some indication of LTC support.

At time of this report, staff consider that all neighbours within 100 meters of the subject property as well as the following organizations and authorities may have interests affected by the proposal and should be included in the referral process:

- Vancouver Island Health Authority
- CRD Building Inspection
- CRD PARC
- North Salt Spring Waterworks District
- Cedar Lane Water
- Ministry of Transportation and Infrastructure

- Salt Spring Fire Rescue
- BC Assessment Authority
- BC Transit
- All First Nations identified by the Ministry of Indigenous Relations and Reconciliation

Based on a distance of 100 m, the following properties would be subject to mail notification:

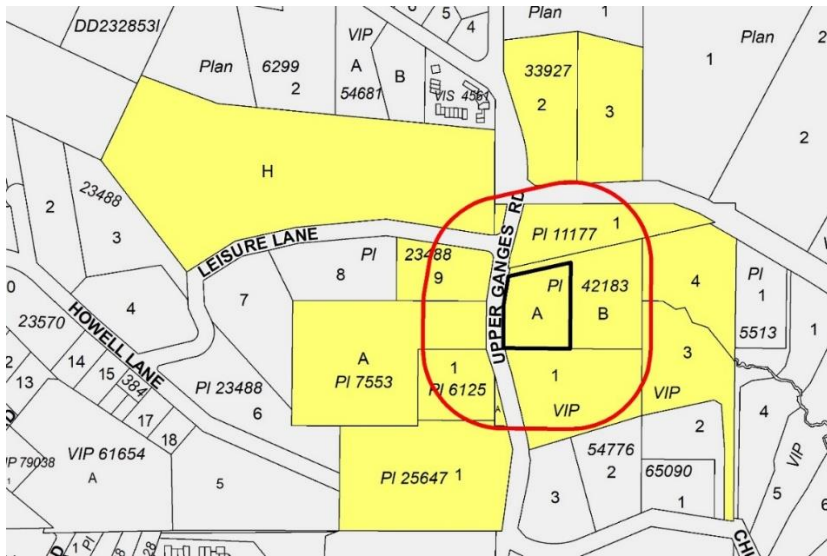


Figure 6: Properties subject to mail notification

No correspondence has been received at the time of preparing this report, but may be received before or during the LTC meeting. Correspondence may be sent to ssiinfo@islandstrust.bc.ca

Protocols

No protocols, Memorandums of Understanding (MOUs) or Letters of Understanding (LOU) have been identified as being relevant to this application.

First Nations

Following LTC consideration of the initial staff report, if the LTC resolves to proceed with the application, it will be sent to the Islands Trust Senior Intergovernmental Policy Advisor for review.

First Nations to be engaged during the referral and consultation period will be developed in consultation with the Islands Trust Senior Governmental Policy Advisor.

Rationale for Recommendation

Staff recommend moving forward with the application based primarily on the supportive OCP policies for General Employment rezoning in the area of the subject property. There are a number of outstanding issues that will need to be addressed if the LTC resolves to proceed with the application, namely the question of water quantity and quality. Staff have drafted a number of resolutions in an effort to address these issues.

ALTERNATIVES

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

1. Request a Revised Application

If the LTC determines that the requested General Employment uses represent a scale of use that is excessive for the subject property, they may request a revised application reducing the uses. Staff advise that the implications of such a request are increase processing time and potentially increased cost to the applicant. Given that most of the requested uses area already occurring on the property, the applicants may be challenged in reducing the uses. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a revised application including a site plan which:

- a. Reduces the area of the property that may be utilized for General Employment purposes;*
- b. Provides a landscaping plan specifying new development;*
- c. Increases screening to adjacent properties.*

2. Proceed No Further

The LTC may decide to proceed no further with this application. Staff advise that the implications of this alternative continued bylaw enforcement action. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-RZ-2019.1 for the following reasons:

- a. The application represents an increased intensity of use that is incompatible with surrounding land uses;*
- b. That the water supply required for the proposed uses has not been demonstrated;*
- c. That the Official Community Plan contains policies that direct the LTC to not increase intensity of use in areas with known water quantity and quality issues;*
- d. The applicant has not demonstrated that a sufficient alternative appropriately zoned site is not available.*

NEXT STEPS

If the LTC accepts staff recommendation, the applicant will be required to submit the requested information before proceeding with the application. Staff will draft a bylaw for consideration of first reading at an upcoming LTC meeting.

Submitted By:	Geordie Gordon, Planner 2	December 2, 2020
Concurrence:	Stefan Cermak, Regional Planning Manager	December 3, 2020

ATTACHMENTS

1. Maps, Plans, Photographs
2. Site Context
3. ITPS/OCP Policies
4. 2015 TUP

HISTORIC AIR PHOTOS



2000



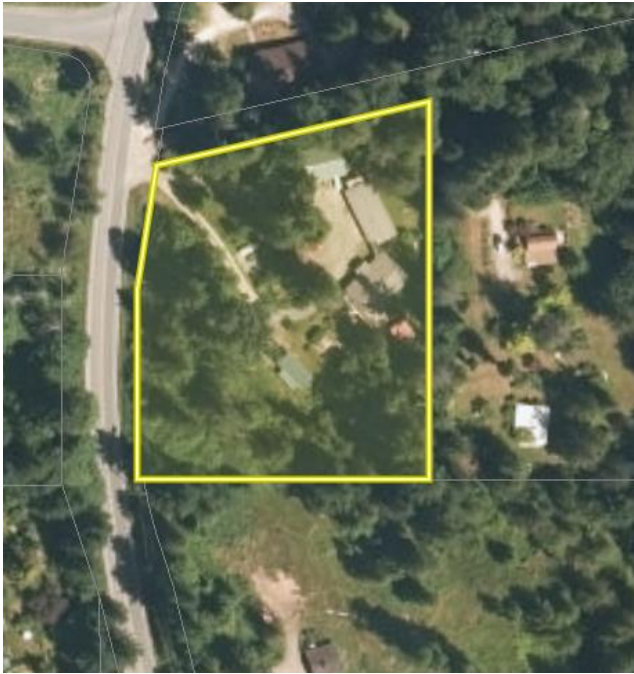
2002



2005



2009



2013



2017

PHOTOS FROM SITE VISIT (NOVEMBER 19, 2020)



Figure 1: Driveway Entrance



Figure 2: Existing dwelling (right) and workshop/retail area (left)



Figure 3: Retail entrance/parking -second dwelling at entrance



Figure 4: View of single family dwelling



Figure 5: Main workshop area/outdoor workshop



Figure 6: Parking/storage

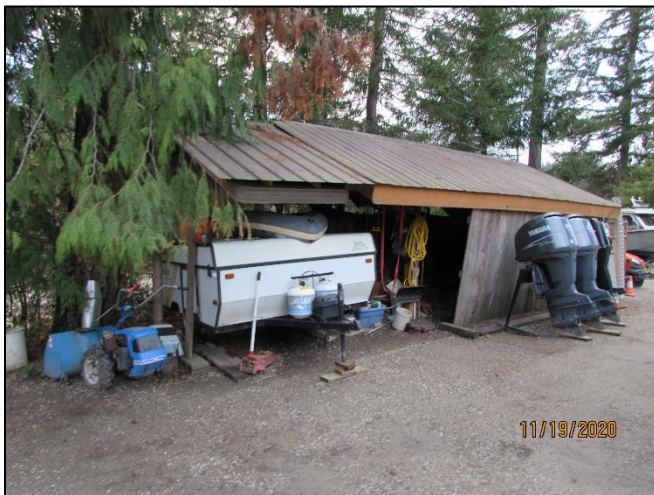


Figure 7 : View of storage area



Figure 8: View of storage/outdoor retail area.



Figure 9: Seacan storage within lot line setback



Figure 10: Outdoor work area



Figure 11: Outdoor storage and work area, rainwater tanks



Figure 12: View of home based business building



Figure 13: Home based business (hair salon) and parking



Figure 14: Lower storage yard – boat parking



Figure 15: Lower storage area



Figure 15: View of boat parking area



Figure 16: Lower yard storage area



Figure 17: Planted vegetation screening



Figure 18: Lower yard equipment storage area



Figure 18: Lower yard equipment storage area



Figure 19: Office area and rear of workshop area behind



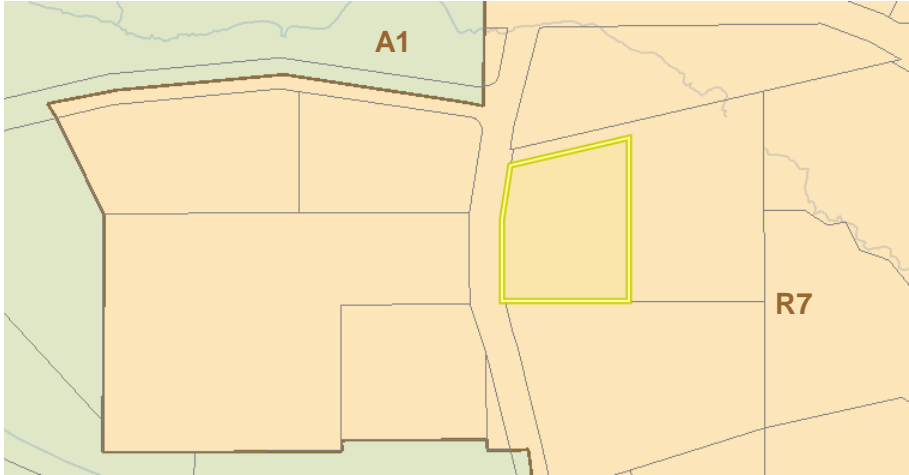
Figure 20: Septic field area

ATTACHMENT #2 – SITE CONTEXT

LOCATION

Legal Description	Lot A, Section 4, Range 4 East, North Salt Spring Island, Cowichan District, Plan 42183
PID	001-308-408
Civic Address	248 Upper Ganges Road, SSI

LAND USE

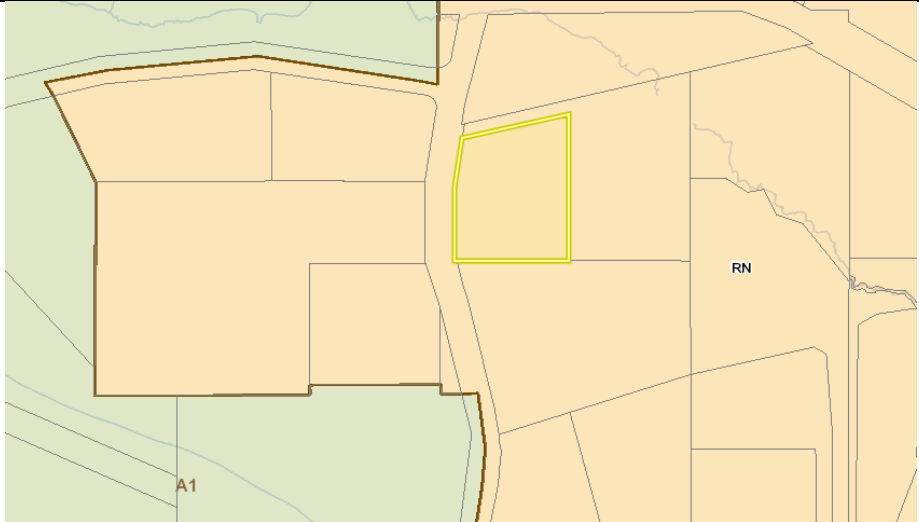

Current Land Use	<p>Commercial – servicing, storage & retail sales for marine/outdoor power equipment</p> <p>Residential – single family dwelling unit and home based business (hair salon)</p>
Surrounding Land Use	<p>Residential & Agriculture</p>  <p><i>Islands Trust Zoning Map (subject property indicated in yellow)</i></p>

HISTORICAL ACTIVITY

File No.	Purpose
SS-DVP-1986.9	Accessory building not exceeding 50' x 30' maximum floor area authorized (building siting and height to be in conformity with relevant provision of Zoning Bylaw)
UN-RZ-1988.14	No information on file or in TAPIS.
SS-SDP-2015.1	Soil deposited on driveway
SS-TUP-2015.2	Temporary Use Permit (TUP) for Equipment and Small Engine Sales & Service
SS-TUP-2018.2	Renewal of TUP – application closed at applicant request

POLICY/REGULATORY


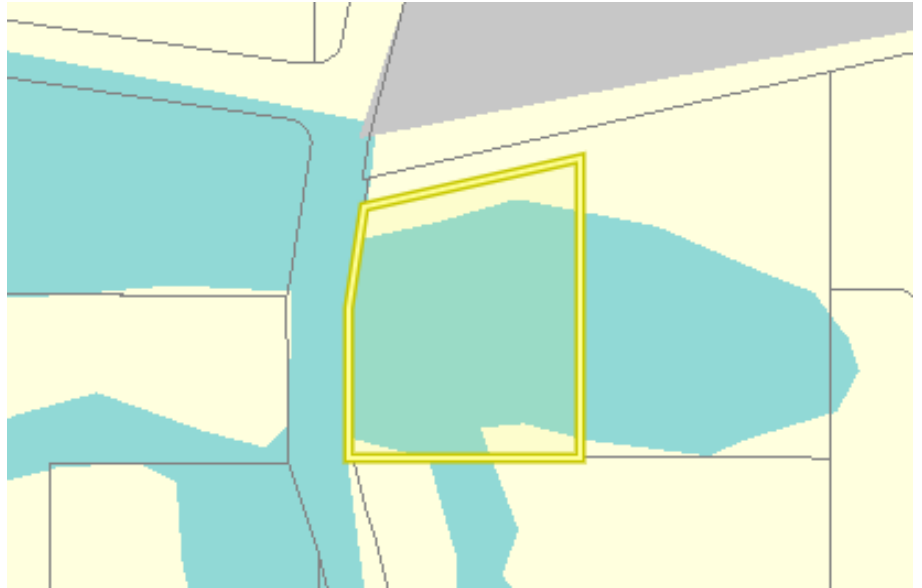
Official Community Plan Designations	Residential Neighbourhoods (RN)
--------------------------------------	---------------------------------

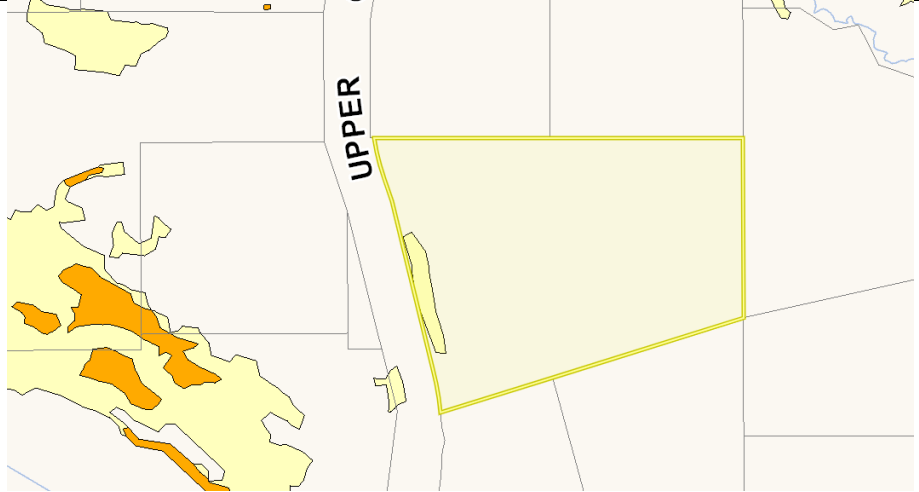
	 <p><i>Islands Trust Land Use Designation Map (subject property indicated in yellow)</i></p>  <p><i>Islands Trust Land Development Permit Areas (subject property indicated in yellow)</i></p>
<p>Land Use Bylaw</p>	<p>The subject property is zoned Residential 7 (R7). The R7 zone permits the following principal uses:</p> <ul style="list-style-type: none"> • Single-family dwellings • Duplexes constructed before July 31, 1990 • Dental and medical office services for a maximum of two medical practitioners • Elementary schools, pre-schools and child day care centres • Hospitals and public health care facilities • Community halls • Non-commercial outdoor active recreation • Churches • Agriculture, excluding intensive agriculture • Public service uses <p>The R7 zoning permits the following accessory uses:</p> <ul style="list-style-type: none"> • Home-based businesses, subject to Section 3.13 • Seasonal cottages subject to Section 3.14

	<p>The maximum combined lot coverage of all buildings and structures is 33%</p> <p>The subject property is 0.8-hectares / 1.98-acres in area.</p> <p>Total approximate floor area of accessory buildings on lot Seacans (3): 44.59m² + Workshop: 93.64m² + Retail/Office/Workshop: 111.48m² + Garden Shed: 23.78m² + Hair Salon: 26.75m² = 300.24m² (not including woodshed) Less 50' x 30' permitted Accessory Building (per SS-DVP-1986.9) = 188.76m²</p> <p>3.12.5 With the exception of a <i>seasonal cottage</i> or other permitted <i>accessory dwelling</i> unit, the total <i>floor area</i> of all <i>accessory buildings</i> and <i>structures</i> on a <i>lot</i> must not exceed 70 square metres for <i>lots</i> that are 1.2 ha or less in area and 185 square metres for <i>lots</i> that are greater than 1.2 ha in area. One <i>building</i> with a <i>floor area</i> less than 25 square metres may be excluded from the calculation of total <i>floor area</i> for <i>accessory buildings</i> and <i>structures</i>.</p> <p>Less 25m² building (Garden Shed: 23.78m²) = 167.98m²</p>
Other Regulations	
Water Servicing	<p>The property is contained within the North Salt Spring Water Works (NSSWD). Application requires referral to NSSWD as per OCP policy C.3.2.2.1 to determine water supply to subject property.</p> <p>Application site plan also identifies a well on the property, no well data has been supplied as part of the application. G Wells data shows a well on subject property with Well Yield of ½ gallon (1.9 litres) per minute.</p> <p>https://apps.nrs.gov.bc.ca/gwells/well/64566</p>
Sewage Disposal	<p>No evidence supplied that increased amount of sewage from proposed expansion can be treated on site as per OCP policy C.4.2.3.1. Assumption that current septic system is adequate for current needs, though no septic filing was provided at time of application.</p>
Title Charges	<p>CA4941679: Local Government Act Permit (SS-TUP-2015.2) – <i>expired 11JAN2019</i></p> <p>DF S44316: Municipal Act Permit (SS-DVP-1986.9)</p> <p>S108847: Annexed Easement</p> <p>P15351: Easement</p> <p>EB40006: Statutory Right of Way (BC Hydro)</p>
Bylaw Enforcement	<p>SS-BE-2010.36 – Short Term Vacation Rental (STVR). File closed May 29, 2013.</p> <p>SS-BE-2015.1 – Commercial Use. TUP issued in 2015 (expired 2019). File on hold as application submitted (SS-RZ-2019.1).</p>

SITE INFLUENCES

Islands Trust Fund	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
Regional Conservation Strategy	The subject property is primarily within the MEDIUM relative value area for important natural areas in the Salt Spring Island Local Trust Area.

	
Species at Risk	<p>SAR (Public) Species: None Currently Mapped SAR (Public) Ecological Community: None Currently Mapped</p>
Sensitive Ecosystems	<p>ITEM: Young Forest & Rural SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped RAR Watercourse: None Currently Mapped</p>  <p><i>Islands Trust Ecosystem Mapping (ITEM)</i></p>
Hazard Areas	<p>Low Risk Steep Slopes are mapped on the eastern portion of the property Yellow = Low Risk Orange = Moderate Red = High</p>

	 <p><i>Islands Trust Slope Mapping</i></p>
Archaeological Sites	<p>Remote Access to Archeological Data (RAAD) mapping indicates the subject property has areas of archaeological potential.</p> <p>Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.</p>
Climate Change Adaptation and Mitigation	<p>The subject property is situated along the Long Harbour Bus Route and is located approximately 1 kilometer from Ganges. The subject property ranges in elevation from approximately 28 metres to 38 metres above sea level.</p> <p>Site clearing and more impervious surfaces could increase storm water drainage. Increased client and employee traffic would increase greenhouse gas emission due to increased vehicular use.</p>
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

APPENDIX 3 – POLICIES

ISLANDS TRUST POLICY STATEMENT

Staff have reviewed the Islands Trust Policy Statement in full and highlight the following directive policies as potentially relevant to the application. Staff will provide an analysis of the Islands Trust Policy Statement prior to third reading of any bylaw(s) drafted in response to this application.

No.	ISLANDS TRUST POLICY STATEMENT POLICIES
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.
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
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.
5.6	Cultural and Natural Heritage
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.

If the Local Trust Committee resolves to proceed with the application, staff will follow up with a report analysing compliance with the Policy Statement and the Directives Only Checklist in accordance with Section 1.9 of the “Policy Statement Implementation” portion of the Islands Trust Policy and Procedures Manual.

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN No. 434

Staff have reviewed the Salt Spring Island Official Community Plan in full and highlight the following policies as relevant to the application for consideration.

[\\islandstrust.local\DFSMain\EDM\09 Current Planning\12 SS\3650 RZ\25 Applications \(P\)\2019\SS-RZ-2019.1 - 248 Upper Ganges Road\06 Staff Reports\Staff Report 01\SS-LTC_2020-15-12_SS-RZ-2019.1_RPT_ATT03_Policies.docx](\\islandstrust.local\DFSMain\EDM\09 Current Planning\12 SS\3650 RZ\25 Applications (P)\2019\SS-RZ-2019.1 - 248 Upper Ganges Road\06 Staff Reports\Staff Report 01\SS-LTC_2020-15-12_SS-RZ-2019.1_RPT_ATT03_Policies.docx)

OCP Objective/Policy	Complies	Planner Comments
A.4.6.1 To recognize the important role that varied livelihoods and a vibrant economy play in our community's unique character.	yes	Rezoning authorizes the continuation of a livelihood (boat and equipment repair) that contributes to diversity of the local economy.
A.4.6.3 To encourage living-wage, meaningful, year-round employment and income-generating opportunities that especially enable young people and families to remain on the island.	Yes	Provides year-round employment – applicants are also have a young family.
A.6.2.3 Rezoning applications proposing a significant increase in density or significant change of use may be requested to include a calculation of the projected carbon budget, or demonstrate conformity with LEED Neighbourhood Design criteria, or the equivalent.	More Information Required	Uses to be authorized through rezoning process can be considered a significant change of use. Structures are already substantially in place. If the LTC wished to request a carbon budget or demonstrate compliance to building performance, it would likely be retroactive.
<p>B.2.2.2.10 In zones where single family dwellings are presently allowed, the Local Trust Committee should consider changing local zoning to also allow (as an alternative to a single family dwelling), a flexible unit dwelling that:</p> <ul style="list-style-type: none"> a. has a maximum of two storeys, and b. has a maximum floor area, and c. could contain between one and three dwelling units, depending on the needs and wishes of the property owner. <p>Flexible unit dwellings should only be allowed on lots larger than 1.2 ha or on smaller lots in village areas. If zoning is changed to allow flexible unit dwellings, design guidelines and zoning regulations should be developed to ensure the dwellings fit into single-family neighbourhoods.</p>	More Information Required	If the LTC wishes to entertain the possibility of a flexible housing unit (the applicants have requested two housing units), staff can provide policy analysis in an upcoming staff report. It would appear that that the lot area requirements are not met (though see below)
B.2.2.2.12 Flexible unit dwellings could also be allowed in zones in the General Employment and Commercial Services Land Use Designation, where a property is primarily used for general employment and commercial services purposes.	More Information Required	The LTC may wish to have the provision of a flexible unit considered in an upcoming staff report.
B.2.4.1.2 To continue to accommodate non-residential uses that are compatible with medium density residential use.	No	The scale of use that exists on the property is not compatible with the current land use designation (Rural Neighbourhoods)
B.2.4.2.2 Zones within the Residential Neighbourhoods Designation will continue to accommodate the medium density residential uses and the other compatible land uses allowed in the existing bylaw.	No	The subject property is not zoned for General Employment within this designation – so cannot be considered to be allowed to “remain”. The policy speaks against rezoning for general employment use in this area, though there is some tension with the policy identifying

Existing commercial, general employment and multi-family zones will also remain, but zoning changes should not be made to locate more of these zones on additional lands in this Designation, with the exception of multiple-family affordable housing projects.		the subject area as suitable for rezoning to general employment.
B.3.2.2.1 Home based businesses will continue to be allowed in all areas where residential use is permitted and will be regulated by zoning.	Undetermined	Current HBB use (hair salon) is suitable as accessory to residential use – however, the use on the property is not primarily residential. If the LTC wishes to continue to permit this use, it would likely be best included as a personal services permission.
B.3.2.2.2 The Local Trust Committee could consider rezoning applications from owners of larger properties who wish to operate a home-based industry, such as light manufacturing, assembly, and repair services. Such industries could occupy more space and employ more people than would normally be allowed for a home-based business. Should the Committee consider such applications, it should ensure that this use would be limited to those industries that can operate compatibly with the quiet rural character of the island, could be well-screened by vegetation and would not have a significant negative effect on the neighbourhood or the natural environment. The Committee should also consider a way of guiding the design of sites and buildings used for home based industries, such as through the Development Permit process.	Yes	This proposal can be seen as resulting from the growth of what may have at one point been at the scale of a HBB. However, the ability to operate “compatibly with the quiet rural character of the island, could be well-screened by vegetation and would not have a significant negative effect on the neighbourhood or the natural environment.” May be at issue. Staff have recommending inclusion of the property within DPA 2 to control future growth.
B.3.3.1.1 To provide an adequate amount of land zoned for general employment use that is affordable, appropriately services and well located to accommodate local economic development.	Yes	The supply of General Employment Land is generally low on Salt Spring Island. The subject property is located in an area that is envisioned for future expansion by OCP policy.
B.3.3.1.2 To accommodate additional commercial and general employment land uses where there is a community need, with a preference for those with a low demand for transportation and energy infrastructure requirements. To carefully consider the addition of other clustered sites for general employment operations, to keep needed businesses on the island or to attract needed businesses onto the island.	Yes	The business appears to be well patronized by island residents – certainly the number of boats on the island require the associated maintenance and repair facilities. Servicing of equipment (i.e. chainsaws) also provides a service to islanders. Whether or not this represents an effective clustering of general employment is less clear, though the OCP does contemplate general employment in this area.
B.3.3.1.3 To ensure that general employment uses are located in a way that reduces impacts on neighbouring properties and the natural environment.	More Information Required	As the subject property has been largely developed for the proposed uses, notification to the surrounding properties should give the LTC insight into the current impact.
B.3.3.1.4 To avoid the location of large scale, heavy industry on Salt Spring Island.	Yes	Proposed uses do not meet the definition of heavy industry.

B.3.3.1.5 To allow for the development of affordable homes in combination with general employment land uses.	More Information Required	While housing units exist on the subject property (and are included in the application), there has not been the consideration of the provision of these units as affordable and what enforcement would require.
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.	Yes	Subject property is in the general vicinity of the area described as Long Harbour and Upper Ganges.
B.3.3.2.13 The Local Trust Committee should consider rezoning applications that would allow some general employment uses to locate in village sites, in combination with commercial and residential uses. The Committee should only consider such applications if the proposed use would be compatible with the general objectives for villages.	n/a	Not contained within village boundary
B.6.2.2.16 When it considers rezoning applications that are not related to farming, the Local Trust Committee will ensure the availability of water for farming would not be reduced because of a zoning change. If a rezoning application would result in an increase in water use, the Local Trust Committee will ask the Agricultural Advisory Committee for advice about the potential impacts on farming.	More information required	Agriculture properties are in the general vicinity of the subject property. If the LTC resolves to proceed with the application, they may wish to request that any water report includes a statement on the impact to surrounding properties, specifically agricultural properties.
C.2.2.2.15 When considering rezoning applications, the Local Trust Committee should ensure that the proposed zoning change supports the development of non-automotive transportation and public transit service.	More information required	The proposed rezoning does not appear to actively support the development of non-automotive transportation and public transit service, though it does not impede it's development and is on an established bus route. Referral the Transportation Commission is recommended.
C.3.1.1.1 To apply the precautionary principle in ensuring that the density and intensity of land use is not increased in areas which are known to have concerns with the supply of potable water.	More information required	The subject property is in proximity to two water service areas (NSSWD and Cedar Lane) that have known quantity issues. However, the uses have already been established, and in that sense could not be considered "new" uses. Staff have recommended requesting additional reports form the applicants on the water requirements.
C.3.2.1.1 To ensure that the potential water demand of development within community water systems does not exceed the licensed capacity, or the amount of water that can be safely withdrawn from each system's water source.	n/a	Although the subject property is within the mapped NSSWD service area, the applicants have indicated that service by the district is not feasible at this time. If the LTC resolves to proceed with the application, Staff have recommended referral the NSSWD after first reading.
C.3.2.1.3 To ensure that zoning changes in the North Salt Spring Waterworks District do not result in such a level of development that water cannot be supplied to needed	n/a	Although the subject property is within the mapped NSSWD service area, the applicants have indicated that service by the district is not feasible at this time. If the

<p>public facilities or would not be available for firefighting purposes. In particular, to ensure that water remains available for hospital and school expansion, and affordable housing.</p>		<p>LTC resolves to proceed with the application, Staff have recommended referral the NSSWD after first reading.</p>
<p>C.3.2.1.4 To encourage a variety of conservation methods in all community water systems</p>	<p>More information required</p>	<p>The applicant has stated that rainwater collection is utilized for general employment uses, staff have recommended requesting further information</p>
<p>C.3.2.1.5 To ensure that zoning changes within the boundaries of water systems do not result in such a level of demand on island water sources that agricultural activities cannot obtain water</p>	<p>n/a</p>	<p>Although the subject property is within the mapped NSSWD service area, the applicants have indicated that service by the district is not feasible at this time. If the LTC resolves to proceed with the application, Staff have recommended referral the NSSWD after first reading.</p>
<p>C.3.2.2.1 When the Local Trust Committee receives rezoning applications for land inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will be asked if water could be supplied to the proposed new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or under-developed properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to suggest other water supplies so that the application could be considered. Examples are rainwater catchment, groundwater use or a water conservation program. The Local Trust Committee could make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or affordable housing projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.</p>	<p>More information required.</p>	<p>Although the subject property is within the mapped NSSWD service area, the applicants have indicated that service by the district is not feasible at this time. If the LTC resolves to proceed with the application, Staff have recommended referral the NSSWD after first reading.</p>

<p>C.3.2.2.5The Local Trust Committee will continue to cooperate with community water system operators to ensure water supply issues are considered before zoning changes are made. The Committee should also continue to assist in the development of better estimates of projected water demands and supply potential. The Committee could consider zoning changes that would limit land uses with a high water demand. The Committee particularly recognizes that this Plan could critically affect the North Salt Spring Waterworks District's ability to meet future needs and will cooperate with the District to address this issue.</p>	<p>More information required.</p>	<p>Although the subject property is within the mapped NSSWD service area, the applicants have indicated that service by the district is not feasible at this time. If the LTC resolves to proceed with the application, Staff have recommended referral the NSSWD after first reading</p>
<p>C.3.2.2.6The Local Trust Committee will continue to encourage water conservation through guidelines for xeriscape landscaping of commercial, general employment and multi-family developments in island villages.</p>	<p>More information required</p>	<p>Although the subject property is not within the villages designation, xeriscaping could be encouraged for future development and could be controlled at the Development Permit stage where applicable.</p>
<p>C.3.2.2.11 When the Local Trust Committee receives applications for zoning changes within a water system's boundaries, and the zoning change would increase the demand for water, the Committee will consider the impacts on agriculture, as further outlined in Section B.6.2.</p>	<p>More information required</p>	<p>The impact to agriculture water supplies is unknown. Staff recommend that any report on water supply comment on the impact to surrounding uses including agriculture.</p>
<p>C.3.3.2.2When considering rezoning applications, the Local Trust Committee should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. If the proposed use is expected to need more water than the uses already allowed on the property, then the Committee should ask for evidence that wells or other water supplies in the neighbourhood would not be depleted. The Committee should also consider whether water use would affect agricultural activities or deplete any springs necessary to maintain fish habitat. Should a zoning change be proposed where groundwater supplies are not adequate, the applicant could be encouraged to find other means of supplying water. Rainwater catchment or a water conservation program could be considered.</p>	<p>More information required</p>	<p>The proposed uses are not defined as new, as they have already been established, Staff recommend that any report on water supply comment on the impact existing wells and other water sources.</p>
<p>C.4.2.3.1When the Local Trust Committee receives rezoning applications for land without community sewer service, it should ask for evidence that the expected amount of sewage can be treated on site and effluent disposed of on-site without it</p>	<p>More information required</p>	<p>It is unknown what sewage servicing will be required and what sewage services will be used if development proceeds. It is unclear whether the proposed septic system as filed with Island Health will adequately serve the proposed development. It is recommended that the applicant provide evidence that the expected amount of</p>

reaching the surface of the land, discharging into a body of water, or contaminating a supply of potable water.		sewage can be treated on site and effluent disposed of on-site without it reaching the surface of the land, discharging into a body of water, or contaminating a supply of potable water.
---	--	---



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
SS-TUP-2015.2

TO: N. Williams, E. & K. Beamish

1. This Permit applies to the land described below:

PID: 001-308-408

Lot A, Section 4, Range 4 East, North Salt Spring Island, Cowichan District,
Plan 42183

2. This Permit is issued to allow the following:

A commercial and industrial use consisting of servicing and sales of marine equipment and small engines.

3. This Permit is valid for a period of three years from the date of issuance. The use may be carried out subject to the following conditions:

- 3.1 The buildings, landscaping, parking, and general site layout shall be in accordance with Schedule 1.
- 3.2 The commercial and industrial use (the use) on the property shall be screened from public view in accordance with Schedule 2.
- 3.3 The use shall be located in the designated area in accordance with Schedule 2.
- 3.4 A maximum of one vehicle or trailer or boat may be located within public view adjacent to the road on the subject property.
- 3.5 The use shall permit one sign not exceeding 1.8 square metres in addition to signs for existing permitted uses on the property. The sign shall be in accordance, in all other respects, with *Salt Spring Island Local Trust Committee Land Use Bylaw No. 355*.
- 3.6 The use must not create noise that exceeds 60 decibels outside the boundaries of the lot for durations exceeding five minutes, at frequencies of up to 10 times per business day.
- 3.7 The use must not produce vibration, smoke, dust, odour, litter, electrical interference, fire hazard, effluent, or glare detectable outside the boundaries of the lot.

- 3.8 The use must not result in contamination of any soil or surface water by solvents, glues, chemicals or other substances deleterious to human and environmental health and safety.
- 3.9 The use shall occur within the hours of 8:00 a.m. to 5:30 p.m. from Monday to Friday. During the months of April to September the use may also occur on Saturdays during the same hours.
- 3.10 Storage of boats, for a period exceeding 2 weeks, shall not be permitted on this lot. A maximum of 3 boats may be stored simultaneously on the lot at any time.
- 3.11 Islands Trust staff may enter the subject property at any time during business hours to ensure compliance with the Temporary Use Permit.
- 3.12 This permit shall be in accordance with the Landscaping report approved by Islands Trust attached to this permit as Schedule 3.
- 3.13 This permit shall be in accordance with the stormwater drainage report approved by Islands Trust attached to this permit as Schedule 4.

All in accordance with Schedule 1, 2, 3, and 4 attached to and forming part of this permit, as signed and dated by the Deputy Secretary of Islands Trust.

- 4 This Permit does not relieve the Permittee from the need to secure all other approvals necessary for the proposed use.

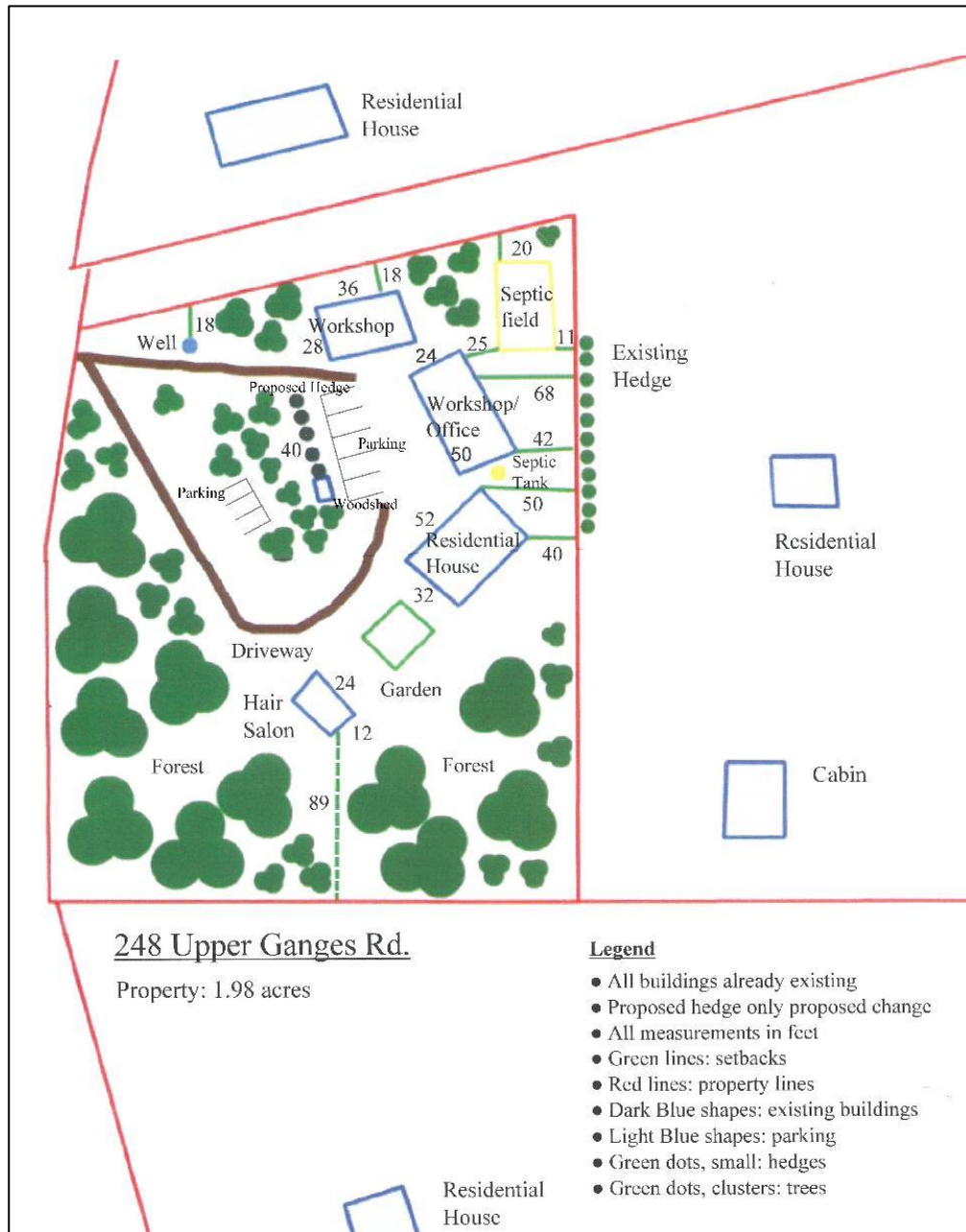
**AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE
THIS 7TH DAY OF JULY, 2015.**

Deputy Secretary

January 11, 2016

Date Issued

**Salt Spring Island Local Trust Committee
 Temporary Use Permit
 SS-TUP-2015.2
 Schedule 1**

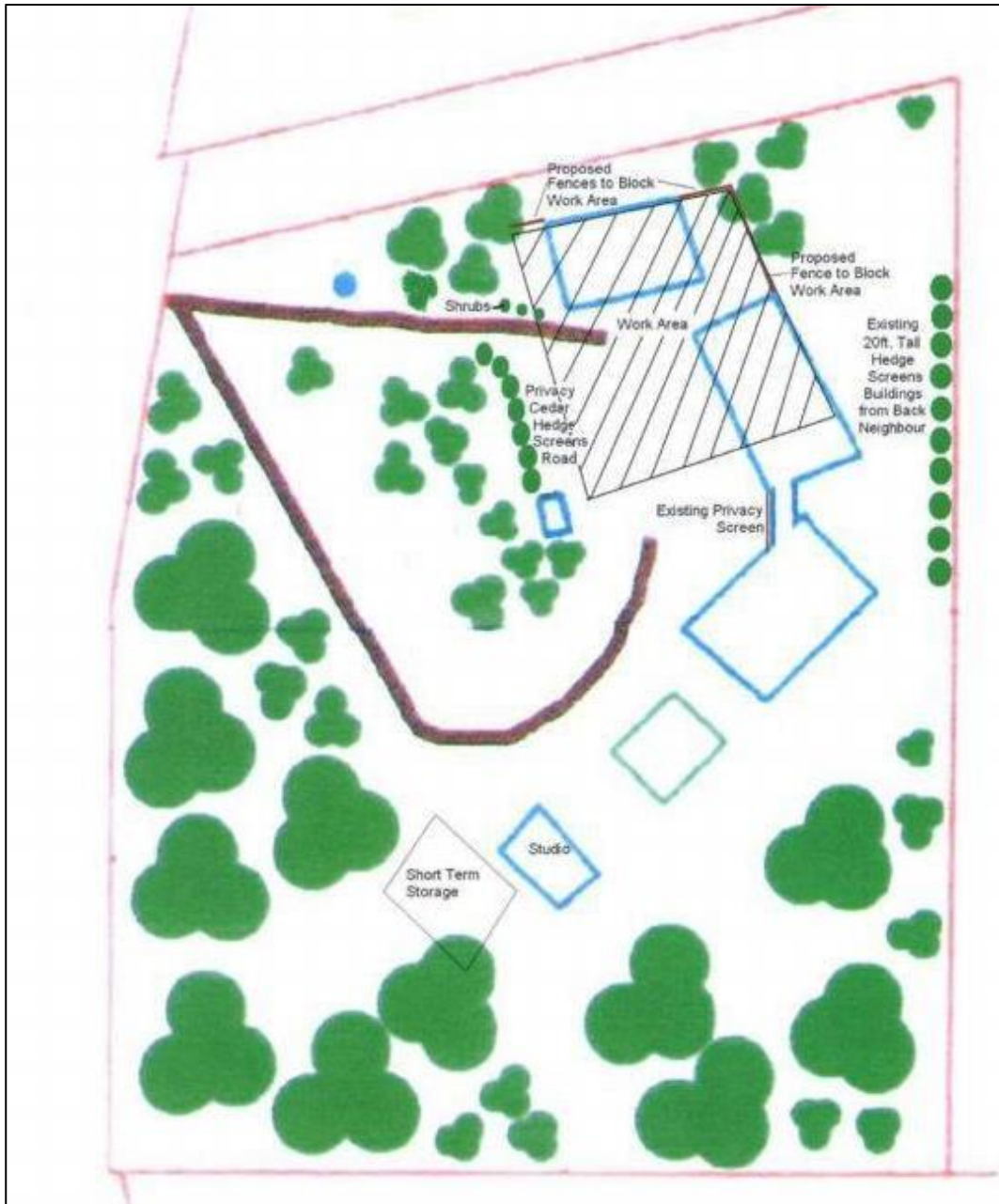


I hereby certify this to be Schedule 1, which is attached to and forms part of Temporary Use Permit SS-TUP-2015.2

 Deputy Secretary, Islands Trust

 January 11, 2016
 Date Issued

Salt Spring Island Local Trust Committee
Temporary Use Permit
SS-TUP-2015.2
Schedule 2



I hereby certify this to be Schedule 2, which is attached to and forms part of Temporary Use Permit SS-TUP-2015.2

Deputy Secretary, Islands Trust

January 11, 2016

Date Issued



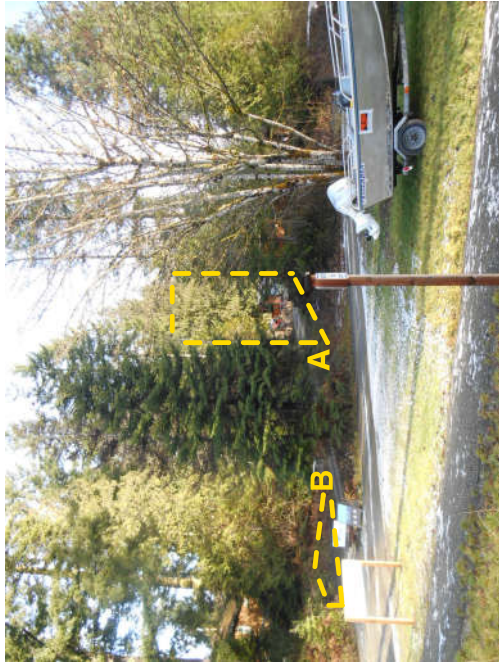
DESIGN RATIONALE

The landscape design specifically addresses a gap in existing vegetation that affords a view to the workshop from Upper Ganges Road, & restoration along the driveway edge. A recently erected solid cedar fence provides some visual screening of the parking area as well as some minor sound buffer. Planting an evergreen laurel hedge on the west side of the fence will create a 'green' backdrop to views of the site, through existing vegetation, from Upper Ganges Road. The additional space available west of the fence, as opposed to east of the fence, will allow the shrubs to flourish, i.e., to grow to greater width and height, and afford more sound buffering than if planted east of the fence.

The design also recommends planting 2 native red cedar trees on a small, seasonally wet, level area in the view gap, 2/3 of the way up the driveway. Although initially somewhat small, the cedars will appreciate and help absorb the winter moisture, quickly grow to fill in the view gap, and are in keeping with existing native vegetation in the area. Planting larger trees is not recommended due to increased susceptibility to transplant shock, root ball size, and decreased availability.

The driveway edge is to be restored by creating a rough and loose surface where it has been driven on or otherwise compacted and planted with native, evergreen, salal. Existing natural vegetation will work its way into edge of driveway areas and the new salal will help with aesthetics and give a head start to the understory layer. The intent is to have a naturalized border along the driveway.

Mid Isle Marine,
 248 Upper Ganges Road
Landscape Plan
 1:500



A. Area to have trees and shrubs planted for screening.
 B. Area to have shrubs planted for revegetation.

Recommended Nursery Stock

Trees	Quantity	Botanical Name	Common Name	Size
	2	Thuja plicata	Western Red Cedar	1.5m ht; 5 gal.
Medium Shrubs	Quantity	Botanical Name	Common Name	Size
	16	Gaultheria shallon	Salal	2 gal.
	20	Prunus laurocerasus	Laurel	1 gal.*

Note: Plants sizes available locally as specified at Fraser's Thimble Farm.

* Already on site, ready for planting.



LADR LANDSCAPE ARCHITECTS
 28-665 Duval Rd., Victoria, B.C. V8Z 0A8
 Phone: (250) 586-9105 Fax: (250) 412-0489

Project No: 1548

Date: Jan 7-16

**Gooding
Hydrology**



**DRAINAGE STUDY
248 Upper Ganges Rd
Saltspring Island, BC**

**For
Mid-Isle Marine
Ganges, B.C.**

**By
Dave Gooding, P.Eng.
Gooding Hydrology
Saltspring Island**

October 2015

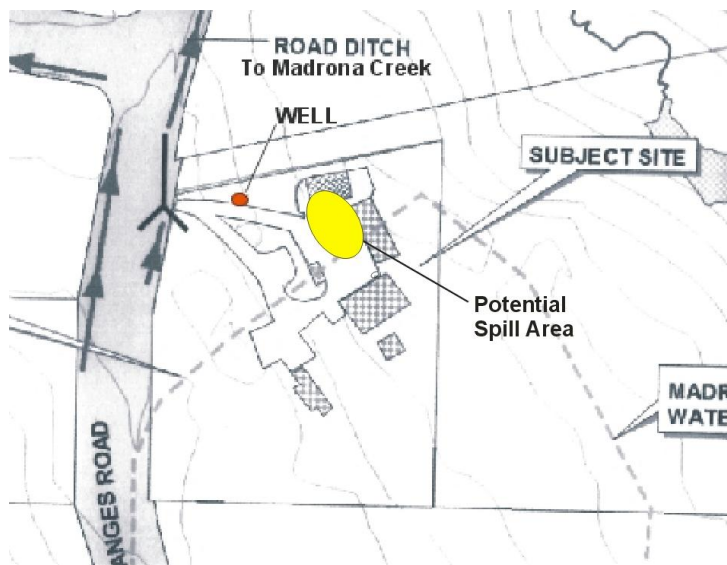
Background

Gooding Hydrology was contacted by Eric Beamish, for Mid Isle Marine, to do a drainage study of 248 Upper Ganges Road, for the requirements of a Temporary Use Permit from Islands Trust to enable their business use of the subject property.

Site visits were made during late September and October 2015. The developed site has an already established drainage system which is adequate for use as a residential property. However, Mid Isle Marine repairs and services boats, their motors, and chainsaws, and there is potential for oil or gas spills.

Environmental Sensitivities

There are two sensitive locations where oil or gas entering the groundwater or surface flows would impact resources:



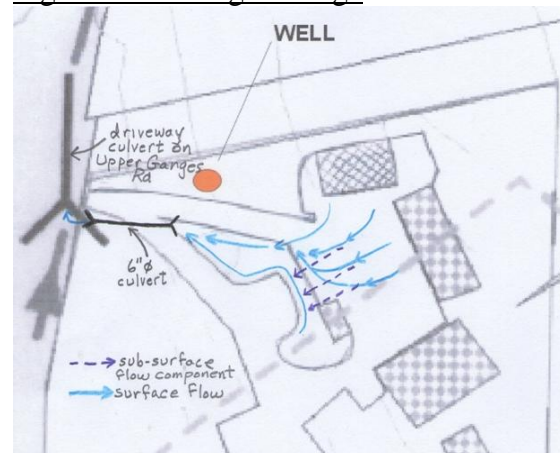
- A shallow excavated well is located on the north side of the main driveway, near its low point on the west side of the lot.
- The drainage from the developed portion of the lot drains west into the ditch line along the east side of Upper Ganges Road. This ditch runs into Madrona Creek, which is classified as a fish stream.

Existing Drainage

Existing surface drainage from the potential accidental spill area on the parking and work areas of the yard (yellow oval above) converges on the south side of the top of the driveway. From there it is tipped down the side slope, to the low area at the base of the drive.

Some flow, particularly on the permeable west side of the parking area, goes sub-surface. A layer of impermeable clay, underlying the native soil and fill of the upper parking & work area, and showing at the surface at the bottom of the driveway,

Figure 2: Existing drainage



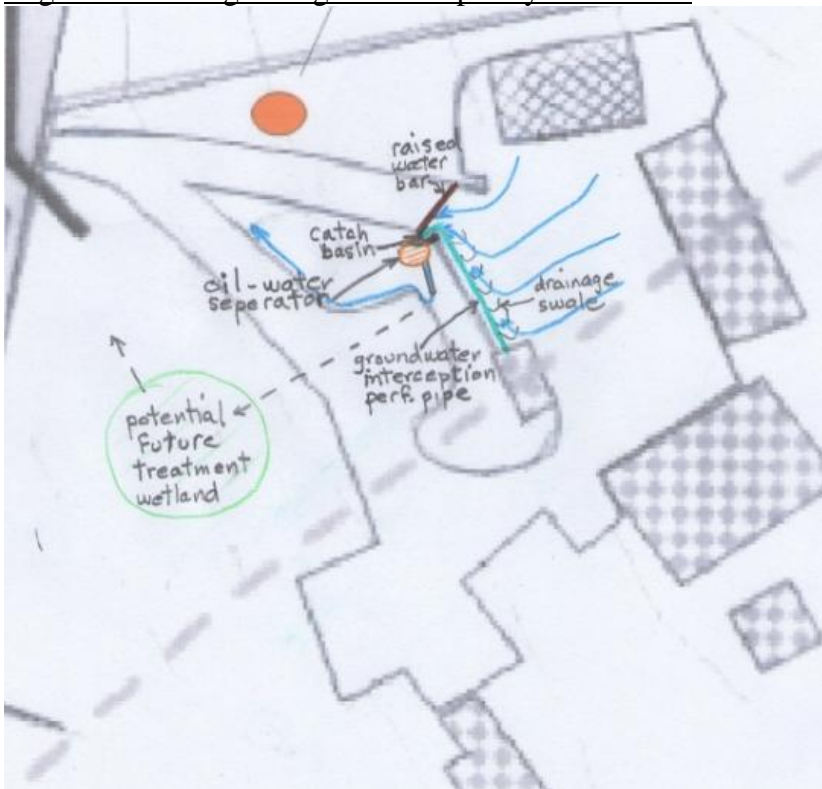
causes this sub-surface flow to emerge from the lower hillside and along the base of the slope. Both flows join and leave the property through a 6 inch culvert under the lower driveway and the pedestrian walkway, to the ditch on the east side of Upper Ganges Rd.

T.U.P. Drainage Design

Improvements to the drainage system, to prevent oil or gas from an accidental spill which may enter the surface or groundwater, and then exit the site, are needed. Only approximately the upper third of the parking and work area, where a spill is most likely to occur, are topped with well compacted driveway crush, which has a low permeability. Near the shop on the north side, surfacing appears to be a permeable drain rock, while the lower parking area is a permeable sandy gravel. This entire area needs to be surfaced with a low permeability well compacted driveway crush. Any spills onto this surface can be blotted up, and the contaminated surface crush scraped out and replaced with clean crush.

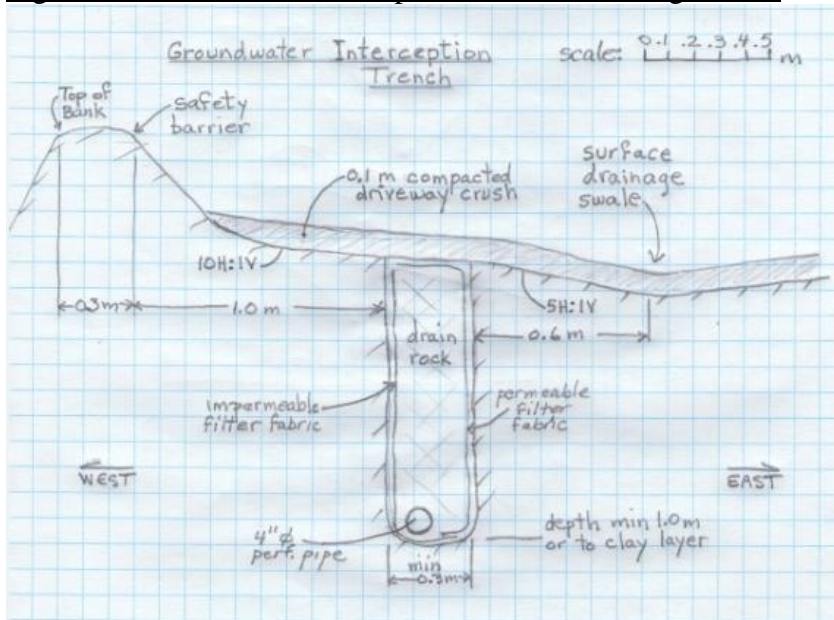
Surface drainage from the parking/work area should flow down to a swale along the bottom of the area, be directed by the drainage swale into a catch basin, and then into an oil-water separator. To catch any small spills, which might have gone unnoticed, and have slowly penetrated through the compacted crush surface into sub-surface flow, groundwater should be captured by a drain rock trench and groundwater interception perforated pipe along the down-slope west side of the parking area, which will also be directed into the oil-water separator. A general layout is shown below.

Figure 3: Drainage design for Temporary Use Permit



A cross section of the west downhill edge of the parking area, with the layout of the groundwater interception trench and perforated pipe, is shown in more detail below.

Figure 4: Groundwater interception trench & drainage swale



Compliance with Bylaw 355 Section 5.7

The present drainage system, and the proposed improvements to it, are in compliance with bylaw 355 section 5.7.1 to 5.7.8. While some groundwater will be intercepted by the drain rock trench and perforated pipe, this has no significant impact as this groundwater would have emerged as surface flow from the bank, on the clay layer boundary.

Long Term

If this location is to be used for mechanical repair and servicing for the long term, the floor of the boat repair shop and an adequate pad between the boat and small engine shops should be covered in concrete or paving, sloped in to a drain which is piped directly to the oil-water separator. Consideration should be given to constructing a secondary water treatment artificial wetland between the oil-water separator and runoff's release to the Upper Ganges Road ditch, in the area shown in figure 3 above.

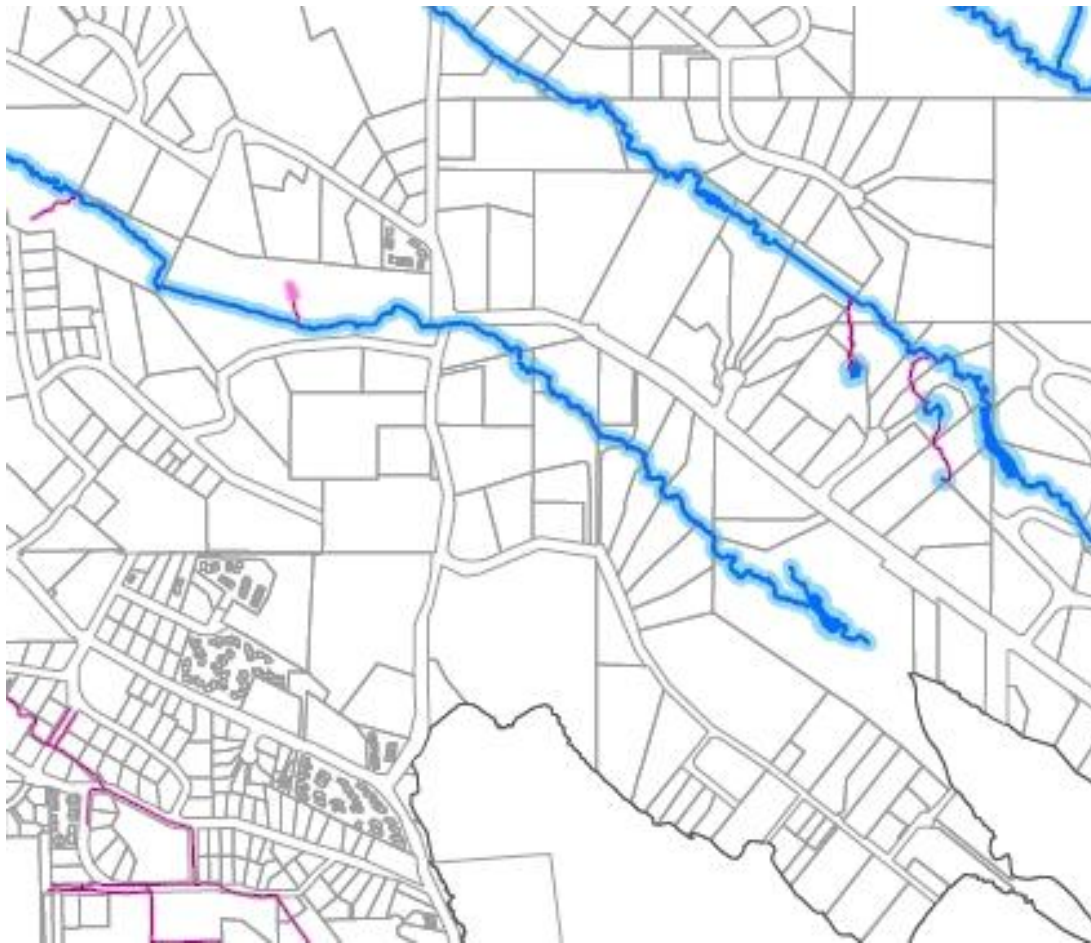


Dave Gooding, P.Eng.

Appendix 1: Lot Location



Appendix 2: Islands Trust mapping of the DPA7 fisheries stream Madrona Creek



Appendix 3: Photos

Photo 1: Work area and boat shop center, small engine shop to right



Photo 2: Parking area. Well visible by white bobcat right of center



Photo 3: Driveway from Upper Ganges Rd, well visible on left of drive, oil-water separator proposed location above blue and white sign



Photo 4: From Long Harbour Rd junction, Madrona Creek crossing and ditchline from 248 Upper Ganges Rd

