



DATE OF MEETING: October 16, 2025

TO: Salt Spring Island Local Trust Committee

FROM: Oluwashogo Garuba, Planner 2  
Salt Spring Island Team

COPY: Chris Hutton, Regional Planning Manager

SUBJECT: Land Use Bylaw amendment to bring existing use into compliance at the expiration of existing Land Use Contract Bylaw 195  
Applicant: Darryl Janyk  
Location: 355 Blackburn Road, SSI

## RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee Bylaw No 546 cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025”, be read a first time (PLRZ20240021, 355 Blackburn Road).
2. That the Salt Spring Island Local Trust Committee Bylaw No 546 cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025”, be read a second time (PLRZ20240021, 355 Blackburn Road).
3. That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No 546, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025”.

## REPORT SUMMARY

This staff report presents a bylaw to amend Salt Spring Island Land Use Bylaw No. 355 (LUB) to permit the current uses on the subject property and bring it into compliance with the LUB at the expiration of Land Use Contract (LUC) Bylaw No. 195. Staff recommends that the Salt Spring Local Trust Committee (LTC) consider reading the draft bylaw a first and second time, request that staff proceed with scheduling a community information meeting and public hearing, and consider the application in relation to the Islands Trust Policy Statement (ITPS).

## BACKGROUND

This report follows the preliminary staff report presented to the LTC on May 8, 2025, where the following resolutions were passed (previous staff report including site context and photos, correspondence and referral responses can be found on the [Salt Spring Island Current Applications webpage](#)):

### **SS-2025-060**

**It was MOVED and SECONDED,**

that the Salt Spring Island Local Trust Committee request staff to proceed with processing application PLRZ20240021.

**CARRIED**

**SS-2025-061**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee request staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone THE NORTH EAST ¼ OF SECTION 85, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT EXCEPT THAT PART IN PLAN 35855, from Agriculture 2 (A2) to Agriculture 2 variant c (A2 (c)).

**CARRIED**

Staff proceeded with processing application PLRZ20240021 as directed by the LTC, draft bylaws were prepared and sent to the applicable agencies as advised in May 8, 2025 staff report. The proposed bylaw and referral responses have been included in Attachments 1 and 2 respectively.

## **ANALYSIS**

### **Policy/Regulatory**

The SS LTC is unfettered in its consideration of a rezoning and may choose to request more information, proceed more incrementally, or defer the application.

#### ***Islands Trust Policy Statement:***

An assessment of the proposed application relative to the Islands trust Policy statement was undertaken and it was determined that it is consistent with the Policy statement. The Policy Statement Directives Only Checklist, in accordance with section 1.9 of the “Policy Statement Implementation” portion of the Islands trust Policy and Procedures Manual, would be presented to LTC for review and consideration in a future staff report if at such time draft bylaws are presented for third reading.

### **Issues and Opportunities**

See staff report considered at the [May 8, 2025](#) LTC meeting for a detailed discussion of issues and opportunities associated with this application.

### **Consultation**

In accordance with LTC resolution SS-2025-061, this application was referred to the applicable agencies as advised in the May 8, 2025 staff report. Referral was sent out July 23, 2025, and Advisory Planning Committee (APC) and Agricultural Advisory Planning Committee (AAPC) meeting was held on September 25, 2025 where the application was considered.

The AAPC after a discussion of the application passed the following resolution:

**It was MOVED and SECONDED,**

That the Agricultural Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that draft Bylaw No. 546 proceeds with support for the following reasons:

- Occupants’ excellent record of land stewardship.

**CARRIED**

The APC after a discussion of the application which included the history of the property passed the following resolution:

**It was MOVED and SECONDED,**

That the Agricultural Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that draft Bylaw No. 546 proceeds.

## **CARRIED**

Tsawout First Nation has requested a 30-day extension of the referral period in order to consider the application at a meeting with leadership as they believe that the proposed amendment is likely to adversely affect their rights and title interests. In a recent meeting, staff advised that they intend to articulate these concerns in a referral response.

Responding First Nations have primarily advised that these lands do not lie in their core territory and that they thus defer to other Nations in whose core territory the lands are located. The Tsawout First Nation is one such nation and LTC may want to consider that awaiting the response of Tsawout First Nation is a way to not only respect the Tsawout's request, but that of responding First Nations as well.

### **Rationale for Recommendation**

As outlined in the May 8, 2025 Staff Report, the proposed Land Use Bylaw amendment is generally consistent with the Islands Trust Policy Statement and as such, can be tabled. However, the granted referral extension at this time would be disingenuous if the timeline for referral response is restrained. I therefore recommends that the LTC read Draft Bylaw No. 546 for a first and second time and request staff to proceed with public hearing. Staff also recommends a Community Information Session in advance of the Public Hearing.

### **ALTERNATIVES**

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

#### **1. Amend the Draft Bylaw No. 546**

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

1. *That Salt Spring Island Local Trust Committee amend Bylaw No. 546, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025", by [list amendments...]* (PLRZ20240021, 355 Blackburn Road).
2. *That Salt Spring Island Local Trust Committee Bylaw No. 546, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025", be read a first time, as amended* (PLRZ20240021, 355 Blackburn Road).
3. *That Salt Spring Island Local Trust Committee Bylaw No. 546, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025", be read a second time, as amended* (PLRZ20240021, 355 Blackburn Road).
4. *That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No 546, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025" as amended.*

#### **2. Deny the application**

The LTC may deny the application. 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 PLRZ20240021 for the following reasons...*

**3. Advance the application to public hearing**

Presented for analysis purposes at this time, the LTC may consider advancing this application with the understanding that Tsawout First Nation may or may not provide comment before the bylaws can advance to third reading. Staff do not recommend this option as Tsawout First Nation staff have advised that they do have concerns and intend to articulate them:

1. *That the Salt Spring Island Local Trust Committee Bylaw No 546 cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025”, be read a first time (PLRZ20240021, 355 Blackburn Road).*
2. *That the Salt Spring Island Local Trust Committee Bylaw No 546 cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025”, be read a second time (PLRZ20240021, 355 Blackburn Road).*
3. *That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No 546, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 4, 2025”.*

**NEXT STEPS**

If the recommended resolutions are accepted, draft bylaw No. 543 will be read a first and second time. The application will return to the SS LTC for consideration of second reading following receipt of final referral comments.

Submitted By:	Oluwashogo Garuba, Planner 2	October 1, 2025
Concurrence:	Chris Hutton, Regional Planning Manager	October 10, 2025

**ATTACHMENTS**

1. Draft Bylaw No. 546
2. Referral Responses

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 546**

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

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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. 4, 2025”.

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw, 1999,” is amended as follows:

2.1 Section 1.1 – Definitions is amended by adding the following new definition:

“**Artisan studio**” means the use of premises for the production, and optional display and sale of, arts and crafts made from materials such as metal, wood, textile, glass, or stone.

“**Assembly hall**” means a use of a *building* or *structure* for the assembly, gathering, or meeting of persons for religious, charitable, philanthropic, cultural or educational purpose.

2.2 Schedule “A” – Zoning Map, is amended by changing the zoning classification for THE NORTH EAST 1/4 OF SECTION 85, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT EXCEPT THAT PART IN PLAN 35855 from Agriculture 2 (A2) to Agriculture 2 variant c (A2 (c)), 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.

2.3 Section 9.1 – Agricultural Zones, Subsection 9.1.5 is amended by inserting the following “**Zone Variation – A2 (c)**”

(13) Despite all other regulations of this bylaw the following additional principal uses are permitted:

- a) Artisan Studio
- b) Schools, pre-schools and *child day care* centres
- c) Religious retreat
- d) Meditation halls
- e) Assembly hall

(14) The following accessory uses are permitted:

- a) Non-commercial accessory recreational uses
- b) *Dwelling units* for resident staff
- c) *Dwelling units* accessory to another permitted principal use

- (15) Surface and road drainage ditches which intercept or concentrate subsurface effluent in a surface water system which flows into Blackburn Creek or Blackburn Lake must not be permitted.

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\_\_\_\_

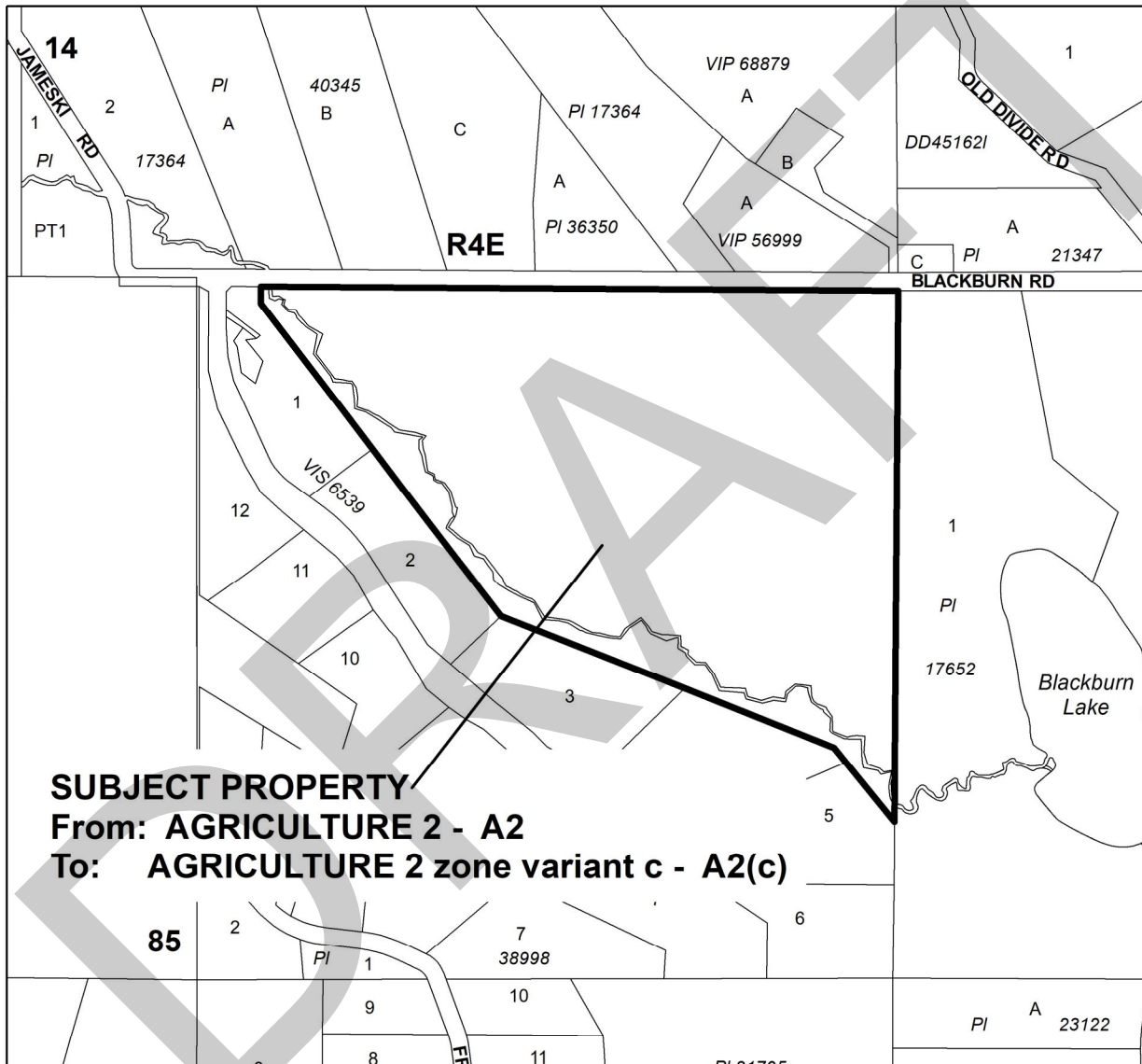
ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

SALT SPRING ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 546

Plan No. 1



# BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

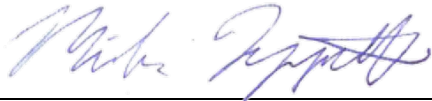
Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area

(Island)



(Signature)

2025-07-31

(Date)

546

(Bylaw Number)

Manager, Community Planning Division

(Title)

Cowichan Valley Regional District

(Agency)

# BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area  
(Island)

*Nadine Mourao*

(Signature)

September 2, 2025  
(Date)

546

(Bylaw Number)

Legislative Clerk / Deputy Secretary

Thetis Island Local Area Trust Committee

# BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

\_\_\_\_\_  
Salt Spring Island Trust Area  
(Island)

*J. Chonk*

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
September 9, 2025  
(Date)

\_\_\_\_\_  
546  
(Bylaw Number)

\_\_\_\_\_  
Jas Chonk, Legislative Clerk  
(Title)

\_\_\_\_\_  
Galiano Island Local Trust Committee  
(Agency)



## Pauquachin First Nation

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24-Jul-2025 10:57 PDT

Islands Trust  
Attn: Rob Pingle

Proposed Decision: Defer to Coast Salish  
Project Name: Salt Spring Land Use Bylaw Amendment 546  
Date Received: 23-Jul-2025  
Pauquachin First Nation's Consultation Spectrum Assessment: Level 1

Pauquachin First Nation is in receipt of the referral for: Salt Spring Land Use Bylaw Amendment 546

This area appears to be on/in an area that Pauquachin First Nation would recognize as being outside our title and governance areas. As such, I would categorize this as a Level 1 rights area for Pauquachin First Nation. Level 1 identifies that the project appears to be wholly within another First Nations title and Governance area. Our interests in this area would be limited to Trade, First Nations Government-to-Government and inter-community relationships, but not necessarily Title and governing authorities, which would be Pauquachin First Nation's highest S.35 interests and would require high end of the Haida spectrum consultation.

Given this assessment we would defer to the First Nation(s) whose traditional territory this project lies within or is affected by the project. Should Pauquachin First Nation identify greater interests in the future we retain the right to revise this assessment. However, at this time, we defer to any Nation(s) whose title and governing authorities are directly affected.

Sincerely,

Monty Horton, Lands Governance Officer

Pauquachin First Nation

Tel: 250-937-9195

Email: [lands@pauquachin.com](mailto:lands@pauquachin.com)



Ts'uubaa-asatx Nation  
313B Deer Lake Road  
Lake Cowichan, British Columbia  
V0R 2G0  
Phone: 250-749-3301  
Fax: 250-749-4286

25-Jul-2025 10:25 PDT

Islands Trust  
Attn: Rob Pingle

Project Name: Salt Spring Land Use Bylaw Amendment 546  
Date Received: 23-Jul-2025  
Ts'uubaa-asatx Nations Consultation Spectrum Assessment: Level 3

'Au Si'em:

The project area appears to fall within the Hul'q'umi'num Statement of Intent as submitted to the BC Treaty Commission process, but outside Ts'uubaa-asatx Nation's core title area. Ts'uubaa-asatx Nation would recognize this area as being in close proximity to other Hul'q'umi'num or Nuu-chah-nulth First Nation Tumuhw (lands). As such, I would categorize this as a Level 3 rights area for Ts'uubaa-asatx Nation. Level 3 identifies that Ts'uubaa-asatx Nation had harvesting, trade and Nation to Nation relations, but not necessarily sole title and governing authorities, which would be Ts'uubaa-asatx Nation's highest S.35 interests and would require high end of the Haida spectrum consultation.

However, Level 3, is still considered to be a very high consultation matter as it represents our inter-community cultural activities and shared title and harvesting areas with our Hul'q'umi'num or Nuu-chah-nulth relatives. Despite this we would generally defer to the First Nation(s) whose traditional territory fronts this area. Should Ts'uubaa-asatx Nation identify greater interests in the future we retain the right to revise this assessment. However, at this time, we defer to any Nation(s) whose title and governing authorities are directly affected.

'Uy' Skweyul,

Monty Horton

Hul'q'umi'num language terms:

'Au Si'em: a term denoting high respect.

'Uy' Skweyul: good day.