

16 Oct. 2013

File: SS-RZ-2013.7

**To:** Salt Spring Island Local Trust Committee for October 24, 2013 meeting  
**From:** Kelly Gesner, Contract Planner

**Re:** **Application to Amend the Official Community Plan and the Land Use Bylaw**

**Applicant:** Eric Booth  
**Owner:** Salt Spring Ventures Inc.

**Civic Address:** Park Drive, Salt Spring Island

**PID:** 004 255 500

**Legal Description:** Lot 10, Section 2, Range 3 East, North Salt Spring Island, Cowichan District, Plan 14710

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## THE PROPOSAL:

The purpose of this application is to amend the Official Community Plan (OCP) and the Land Use Bylaw (LUB) for Lot 10, Plan 14710, on Park Drive, Ganges Village.

The future land-use designation in the OCP is Ganges Village – Upper. No change in the designation is required. The application to amend the OCP is a textual one, to add a new policy to permit the proposed residential density.

The application is also for an amendment to the LUB, amending the zone for Lot 10 from Residential 2 (R2) to proposed new zone variation Residential 2(a) [R2(a)]. The current R2 zoning on this 1.326-hectare property permits development at 25 units/hectare for a maximum of 33 units and restricts site coverage to 25%. The maximum height is established as 7.6 metres, provided that not more than two storeys are permitted in any structure. The proposed R2(a) zone is to permit an additional 50 units, which are proposed to be affordable multi-family dwellings. A relaxation of the height restriction is requested, to allow for a height of 11 metres or three storeys. Site coverage would not exceed 25%.

The purpose of this preliminary report is to introduce the application to Local Trust Committee (LTC) and seek direction regarding the affordable housing component and for referral so that a more complete analysis of the application may be undertaken in accordance with the Salt Spring Island OCP.

## SITE CONTEXT:

The subject property consists of a 1.326-hectare lot located in Upper Ganges Village, as shown in Figure 1 below. The property is bound by Park Drive to the north, Gustaf Road to the east, Kanaka Road to the south and residential lots to the west.

The zoning on three sides (west, north and east) is the Residential 6 Zone, permitting single-family and duplex dwellings. The Community Facility 1-zoned property to the south accommodates Gulf Islands Secondary School.

The centre of the property contains a pond, locally known as Swanson's Pond. The pond is surrounded by a partially-cleared area and trees around the property edges. The applicant has provided correspondence with Ministry of Environment staff and a Qualified Environmental Professional identifying a watercourse in the Gustaf Road right-of-way and on the eastern side of the southern property line as a "non-fish bearing, constructed ditch".



Figure 1: Orthophoto of neighbourhood, subject property outlined in yellow

Gustaf Road, which forms the eastern boundary of the subject property, is a dedicated but unopened road right-of-way that is a well-used pedestrian connection between Park Drive and the Gulf Islands Secondary School, seen in the background in Figure 2, on Kanaka Road.

The drainage ditch within this right-of-way is on the right-hand side of Figure 2, between the pedestrian path and the subject property.



**Figure 2: Gustaf Road looking south from Park Drive**

A second drainage ditch along the southern boundary of the subject property, on the north side of Kanaka Road, meets the Gustaf Road ditch in the southeastern corner of the site, where a culvert is installed.

Figure 3 shows Kanaka Road, the second drainage ditch and vegetation along the southern boundary of the property.



**Figure 3: Kanaka Road and southern boundary of subject property on the right**

Figure 4 on the next page is a 2009 aerial photo of the site, with “Swanson’s Pond” shown in the centre, and the surrounding neighbourhood.

## BACKGROUND:

The subject property was rezoned from R6 to R2 many years ago. A development permit, SS-DP-2005.7, was applied for in 2005 and approved on May 13, 2010. This permit was for 33 garden homes. The original permit was subsequently amended by SS-DP-2011.6 for 33 townhome units in four two-storey buildings.



**Figure 4: Orthophoto of subject property and immediate neighbourhood**

## CURRENT PLANNING STATUS OF SUBJECT PROPERTY:

### Islands Trust Policy Statement:

If the Local Trust Committee resolves to proceed with the application, staff will follow up with a report that analyzes compliance with the Policy Statement and the Directives Only Checklist in accordance with Section 1.9 “Policy Statement Implementation” of the Islands Trust Policy Manual. Referral responses from service agencies will be helpful in completing this task.

### Official Community Plan

The OCP designation for the property is Ganges Village – Upper (GVU). The objectives of the Ganges Village designation include the following:

- B.5.2.1.2 To encourage some additional residential use of Ganges Village in a way that adds vitality to the village. To allow more islanders to live close to village services and employment.
- B.5.2.1.6 To maintain the economic viability of Ganges Village by guiding development into a compact, pedestrian-friendly form within a defined containment boundary with a broad variety of complementary uses.

Affordable, rental and special needs housing objectives include the following:

- B.2.2.1.1 To provide opportunities for the creation of affordable, rental and special needs housing.
- B.2.2.1.2 To integrate affordable, rental and special needs housing into appropriate residential areas where community services are most accessible.
- B.2.2.1.5 To cooperate with senior governments, the Capital Regional District, housing industry, funding sources and community organisations to provide affordable, rental and special needs housing on Salt Spring Island.

The application is for a mix of 33 market and 50 affordable housing units in four buildings, located within easy walking distance of village services and employment. The proposed development would not require an amendment to the OCP future land-use designation.

OCP Policy B.5.1.2.2 is particularly relevant. In part, this policy states: "The maximum residential density allowed on any single property will remain at 37 units per ha. However, where a multifamily development is comprised of special needs housing or affordable seniors' supportive housing, the density of development may exceed 37 units per ha, provided it does not exceed a floor space ratio of 0.6, a site coverage of 33 percent, a maximum of two storeys and a maximum of 50 units in any one development."

The applicant has requested the addition of a site-specific OCP policy as follows:

*Despite residential density levels and maximum number of storeys provided for elsewhere in the Plan, the Trust Committee could support (a) in addition to the existing allowable residential density, an application for up to 50 multi-family, affordable housing units at a combined maximum density of 63 units/hectare and (b) a maximum of three storeys, on Lot 10, Section 2, Range 3 East, North Salt Spring Island, Cowichan District, Plan 14710*

The proposal merits consideration as it has the potential for assisting the Salt Spring Island community to meet the above objectives of providing affordable accommodation in the Ganges Village area.

#### Land Use Bylaw

The LUB contains the following definition:

**"dwelling unit, affordable housing"** is a deed-restricted and/or a rent-controlled *dwelling unit* that is secured by a housing agreement registered on title, and may include *special needs housing* and *seniors dwelling units*.

An affordable housing agreement between the owner of the property and a public agency (other than the Local Trust Committee) that will commit to its administration would have to be registered on title to the property.

In light of the specificity of this definition and the need for an affordable housing agreement, staff feels that an in-depth review of relevant policies and zoning requirements would be most effective if undertaken after receipt of feedback from servicing agencies and potential affordable

housing agreement holders. A more comprehensive discussion of relevant OCP policies and zoning regulations would be undertaken in a subsequent report.

**COMMUNITY INFORMATION MEETING(S):**

No community information has been scheduled. The applicant may wish to obtain and consider comments from early referrals, the Advisory Planning Commission and the CRD SSI Transportation Commission prior to scheduling a community information meeting.

**RESULTS OF CIRCULATION**

The application has not yet been circulated, as this is a preliminary report.

**STAFF COMMENTS**

The OCP and LUB amendments requested are significant. The following chart is intended to facilitate the comparison between what is currently permitted and what is requested.

	<b>R2 Zone<sup>1</sup></b>	<b>Proposed R2(a) Zone</b>	<b>Change</b>	<b>OCP Guidelines</b>
Maximum density	25 units/ha. (market housing)	63 units/ha. (market and affordable housing)	+ 38 units/ha.	37 units/ha. (> 37 if affordable units)
Total units for Lot 10	33 units	83 units	+ 50 units	50 units
Maximum lot coverage	25%	25%	no change	33%
Maximum height	7.6 m or 2 storeys	11.0 m or 3 storeys	+ 3.4 m or 1 storey	2 storeys
Number of parking spaces required for multi-family	1.25/unit (42)	1.25/unit (104)		
Number of parking spaces for seniors' housing facilities	1 per 2 units (17)			
Number of spaces designed for use by the disabled	4	9		
Number of bicycle parking spaces required (multi-family)	33 + one 6-space rack	83 + one 6-space rack		
Number of bicycle parking spaces required (seniors)	3			

While OCP Policy B.5.1.2.2 supports an increase in density, the policy is specific about certain restrictions: “where a multifamily development is comprised of special needs housing or affordable seniors’ supportive housing, the density of development may exceed 37 units per ha,

<sup>1</sup> This interpretation of the LUB zone R2 is as it applies to Lot 10 without subdivision.

provided it does not exceed a floor space ratio of 0.6, a site coverage of 33 percent, a maximum of two storeys and a maximum of 50 units in any one development.”

The applicant suggests that, if the property were approved to be subdivided into two parcels, one of 0.897 ha. and another of 0.43 ha., the combined allowable number of units would be 83. This calculation is based on developing the first parcel at the maximum 37 multi-family units/ha. per OCP Policy B.5.1.2.2 ( $0.897 \times 37 = 33$ ) and the second parcel for the maximum 50 special-needs housing or affordable seniors’ supportive housing.

One of the main purposes of an OCP is to ensure that servicing is coordinated with future land uses. Part 26, Division 2 and Division 11, of the *Local Government Act* draw attention to this need, while Section 905 in Division 7 provides direction on housing agreements for affordable and special-needs housing.

#### Housing Agreement

An affordable housing agreement with an appropriate agency is critical to the future processing of this application. In the absence of a draft agreement, there is uncertainty about the viability of the proposal in terms of the OCP and LUB amendments requested. Therefore, it would appear practical for the applicant to obtain a draft affordable housing agreement and provide it to Islands Trust prior to the initiation of referrals.

In the interests of furthering the application without delay, however, staff is seeking LTC direction to proceed with referrals immediately upon receipt of the draft agreement.

#### Service Agency and Advisory Referral

In light of local government’s requirement to ensure that adequate servicing is available for proposed land-use changes and in consideration of the magnitude of the changes requested, this application merits early consultation with the CRD and with Ganges service providers.

As the application is significant in both scope and complexity, staff also feels that advice from the Advisory Planning Commission would be helpful.

### **RECOMMENDATIONS**

THAT the Salt Spring Island Local Trust Committee REFER application SS-RZ-2013.7 to the CRD Housing Secretariat, the CRD Building Inspection, the CRD Ganges Sewer Committee, the CRD Salt Spring Island Transportation Commission, North Salt Spring Waterworks District, and the Ministry of Transportation & Infrastructure for early consultation concerning the proposed OCP amendment and the housing agreement.

THAT the Salt Spring Island Local Trust Committee REFER application SS-RZ-2013.7 to the Salt Spring Island Advisory Planning Commission for review and comment.

THAT the Salt Spring Island Local Trust Committee request that the application SS-RZ-2013.7 proceed no further until receipt of a draft affordable housing agreement from an appropriate body prior to LTC considering the preparation of the requested bylaws.

Respectfully submitted by:

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Kelly Gesner, Contract Planner

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Date

Concurred by:

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Leah Hartley, Regional Planning Manager

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Date