



DATE OF MEETING: April 27, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Geordie Gordon, Planner 2
Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager
SUBJECT: Rezoning to permit six dwelling units
Applicant: Dale Rivers (Seaisle Development)
Location: 114 Swanson Rd.

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust the following:
 - a. A water management report from a Professional Engineer or Geoscientist providing:
 - i. 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.
 - ii. Proof of groundwater well(s) registration including well tag number(s) and well records
 - iii. Proof of FLNRORD groundwater licence application that authorizes the withdrawal of a minimum of 10,950 litres per day of groundwater;
 - iv. a statement regarding the adherence to construction standards in the Groundwater Protection Regulation for each surface water supply source.
 - b. A Riparian Areas Protection Regulation report from a Qualified Environmental Professional containing requirements and recommendations to protect the existing Riparian Area on the subject property during construction.
 - c. A storm water management plan prepared by a qualified engineer. The plan should ensure that no flooding of downstream properties occurs as a result of the proposed development.

2. That the Salt Spring Island Local Trust Committee direct staff, upon receipt of a water management plan from the applicant, to refer the plan to the Secretary to the Comptroller of Water Rights, Island Health, CRD Building Inspection and the North Salt Spring Water District for review and comment.
3. That the Salt Spring Island Local Trust Committee request that staff refer the application to Capital Regional District for confirmation that the subject property can be serviced by the CRD's sanitary sewer system and CRD comments on the requirements for the applicant to connect to the sewer system.
3. That the Salt Spring Island Local Trust Committee request that the applicant revise the rezoning application to consider the following aspects:
 - a. Reduced water consumption through alternative non-potable supply for landscaping;
 - b. Sustainable building techniques and energy efficient building design;
 - c. The provision of an eligible community amenity as outlined in Official Community Plan Volume 2 Appendix 3 – Amenity Zoning.
4. 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 8, SECTION 3, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 21557 from Residential 6 to a Residential 6 zone variant that permits a maximum of six dwelling units.
5. That the Salt Spring Island Local Trust Committee will withhold third reading of the proposed bylaw until a conditional water licence authorizing the withdrawal of at least 9,600 litres per day is issued by FLNRORD and any applicable mitigating measures to ensure water sustainability are agreed upon.

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 Salt Spring Island Land Use Bylaw No.355 to rezone the 0.5 hectare (1.23a acre) subject property from Residential 6 to a Residential 6 zone variant to permit a maximum of six dwelling units. The proposed rezoning represents an increase of four units over the number permitted under current zoning. Staff recommend drafting and advancing a bylaw at this initial stage pending the receipt of essential servicing information, primarily a successful groundwater licence application to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD) required to serve the proposed number of dwelling units off of two wells. The applicant is also proposing to provide sewer servicing through the CRD system; extension of the system will be required.

BACKGROUND

The applicant is seeking to develop a currently vacant lot on Swanson Road. The applicant has considered various avenues of development for the subject property and had previously pursued a three lot subdivision in 2014 that was ultimately withdrawn. Various servicing challenges (primarily water as a result of the North Salt Spring Waterworks District moratorium) have stalled progress on seeking a greater density on the subject property. The applicant intends to support the current application with a ground water licence authorizing the use of two existing drilled wells. The applicant has indicated that previous development on the property included a residential trailer with associated septic filed – both of which have since been removed.

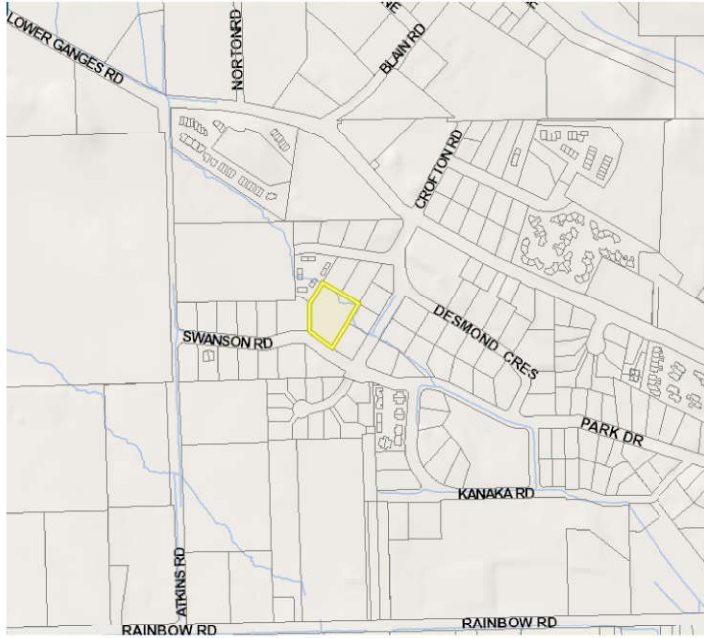


Figure 1: Location of subject property.



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

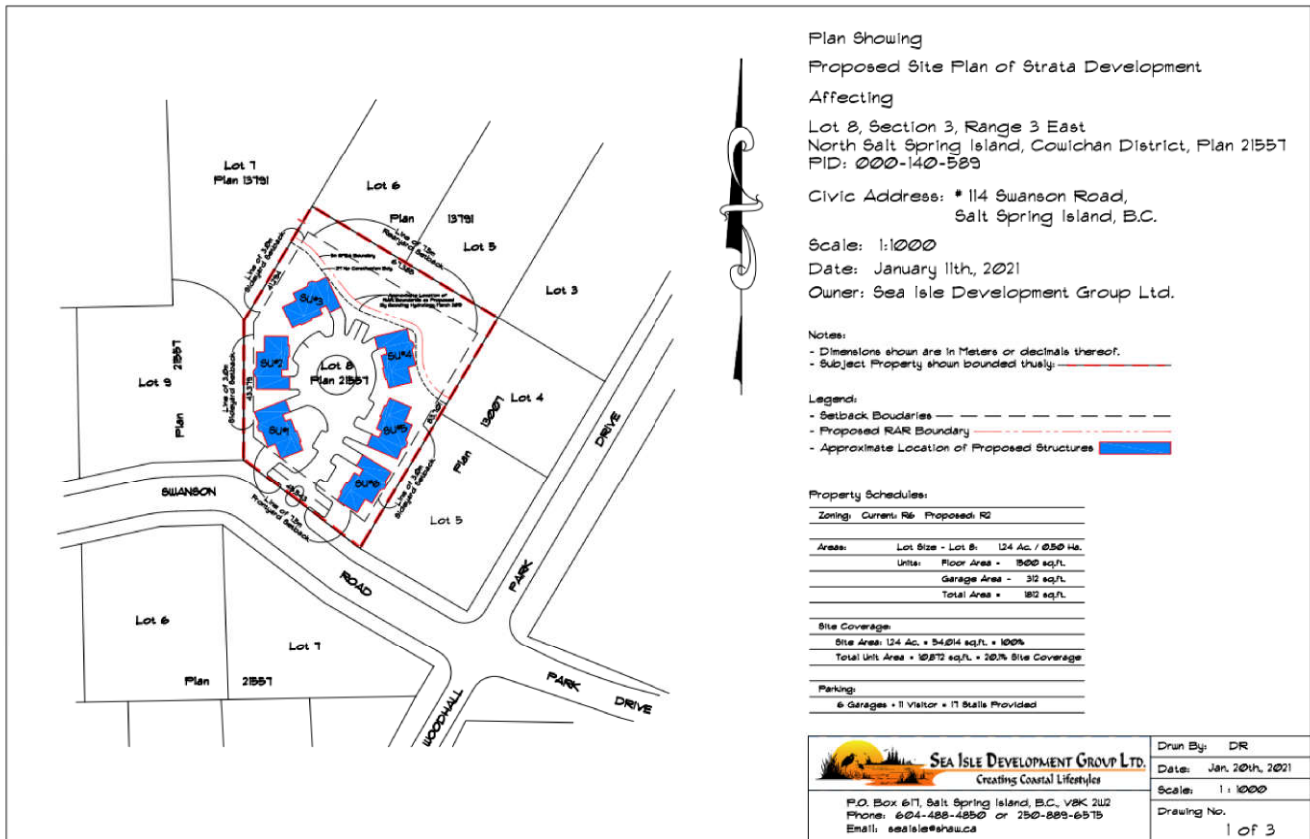


Figure 3: Proposed six-unit strata development.

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 designated as Ganges Village Upper (GVU) in the Salt Spring Island Official Community Plan Bylaw No. 434. The following GVU policies and objectives are relevant to the proposed rezoning:

OBJECTIVES

- B.5.2.1.1 To accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island.
- 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.5.2.1.3 To encourage pedestrian and bicycle trail connections and amenities throughout Ganges.
- B.5.2.1.5 To align development potential within Ganges with the available water supply and sewage treatment capacity.
- 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.
- B.5.2.1.7 To ensure that development respects the small-town feel and heritage aspects that make the village attractive to visitors and residents alike.

POLICIES

- B.5.2.2.2 Zones within the Ganges Village Designation will continue to allow the wide range of commercial, general employment, institutional land uses and the various densities of residential development allowed by existing zoning.
- B.5.2.2.3 The Local Trust Committee should consider rezoning applications that would allow the addition of some affordable and special needs housing in the Ganges Village Designation, as outlined in Section B.2.2.2.
- B.5.2.2.4 The Local Trust Committee could consider rezoning applications to allow a slightly higher density of residential development than permitted by current zoning **as part of a proposal that provided an eligible community amenity** (see Appendix 3) or as part of a proposal to transfer development

potential (see Section B.2.3.2 and Appendix 4). The Ganges Village Designation is a Development Potential Receiving Area. However, development potential should only be transferred to the North Salt Spring Waterworks District if the District can establish that any incremental demand can be met through water conservation or expansion of licensed supply capacity, or if water is to be supplied from another source.

- B.5.2.2.6 When considering rezoning applications in the Ganges Village designation, the Local Trust Committee will consider the impact that the proposed change would have on the Ganges sewer treatment plant. The Local Trust Committee should obtain confirmation from the Capital Regional District of sewage system capacity for any change to zoning within the boundaries of the sewered area that may result in a significant change in sewage volume or quality. This policy is further outlined in Section C.4.2.

Evaluation of Applicable OCP Policies

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

1. Objective A.4.4.7 recognizes **development should be managed to protect our sense of community** in maintaining the community character.
2. Policy A.5.2.8 encourage protection of **riparian corridor habitats**. The subject property has a riparian corridor along the rear property line.
3. Objective A.8.2.9 recommends that **heritage features are not damaged** as a result of development. The subject property does not have a registered archaeological site but has areas of potential.
4. Policy A.5.2.15 encourages **sustainable building techniques through support for implementation of energy efficient building design**. The LTC may wish to request sustainable approaches in the application.
5. Objective A.7.1.2 and Policy A.7.2.2 requires the assurance that **development does not increase flooding of downslope properties**. Staff recommend requiring a storm water management plan.
6. Objectives B.2.2.1.1 and B.2.2.1.2 encourage **opportunities for the creation of affordable, rental and special needs housing**. The application does not propose the creation of affordable housing in exchange for increased densities.
7. Policy B.2.2.2.9 suggests allowing a rezoning to **permit the same densities that would be created through subdivision**. Applications should be consistent with guidelines H.2.1 of Appendix 2. The application is likely not consistent with all guidelines, primarily the clustering of the buildings to 20-30% of the parcel.
8. Objective B.5.2.1.3 **encourages pedestrian and bicycle trail connections** and amenities throughout Ganges. The applicant has indicated to staff the potential provision of a pedestrian path along the front lot line of the subject property.
9. Policy B.5.2.2.3 recommends **considering rezoning applications that would allow the addition of some affordable and special needs housing in the Ganges Village Designation**. The application does not propose to offer any affordable housing.

10. Policy B.5.2.2.4 allows for the **rezoning of a GUV property for a slightly higher density of residential use as part of a proposal that provides an eligible community amenity** in Appendix 3.
11. Objectives C.2.3.1.5 and C.2.3.1.6 **specifies the requirement for adequate parking facilities**, including parking for the disabled. The parking requirements could likely be accommodated on site.
12. Objective C.3.1.1.1 **applies 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. Staff have not received information that adverse impacts on water supply would not occur if the density is increased.
13. Objective C.3.1.1.2 acknowledges **surface water supply sources are finite** and under Provincial control and more effective use, management and sharing should be encouraged in land use decision making. The LTC may wish to require the applicant to specify effective use of water resources.
14. Objective C.3.2.1.3 **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 public facilities** or would not be available for firefighting purposes. Well reports and referral to NSSWD should determine impacts.
15. Objective C.3.2.1.4 **encourages a variety of conservation methods in all community water systems**. The subject property is not proposed to a part of the community water system, but conservation measures could be required.
16. Objective C.3.2.1.5 is intended 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. Well reports and referral to NSSWD should determine impacts.
17. Objective C.3.2.2.1 specifies that **applications for land inside the boundaries of a community water system**, it will refer the application to the operators of the affected system to determine impacts. Staff have recommended that the application be referred to the NSSWD.
18. 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.
19. Objective C.3.2.2.15 encourages all developments and public institutions located within waterworks districts **to conserve water and to avoid using potable water to maintain ornamental landscapes that are not drought-resistant**. The use of rainwater catchment systems or recirculated water is particularly encouraged to reduce demand. The applicant
20. Policies C.4.2.2.3 and C.4.2.2.4 require that **developments outside the CRD Ganges Sewer Local Service Area be referred to the CRD**. Staff have recommended referral of the application to the CRD.

Development Permit Area 7 – Riparian Areas

A rear portion of the subject property is contained within Development Permit Area (DPA) 7 – Riparian Areas. The intent of this DPA is to:

- Protect the biological diversity and habitat values of riparian and aquatic ecosystems;

- Protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation;
- Minimize adverse impacts of land use practices on fish habitat, which includes plant habitats in riparian areas.

Various activities within the Riparian require obtaining a Development Permit, including:

- Removal, alteration, or destruction of vegetation.
- Soil removal, soil deposit or soil disturbance.
- Development of drainage systems.

The requirement to obtain a DP for DPA 7 as a result of the proposed rezoning has not been determined at time of this report, but staff have recommended a RAR report, subject to location of sewer connection (see Issues and Opportunities Section).



Figure 4: Extent of Development Permit Area 7 – Riparian Area on subject property.

Development Permit Area 1 – Island Villages

The entirety of the subject property is contained within Development Permit Area (DPA) 1 – Island Villages. The intent of this DPA is to: guide the community's most significant, concentrated and visible new development so that it is compatible with existing buildings, with the natural environment and with community objectives for villages.

Staff have not determined that the proposed rezoning will require a Development Permit, however this assessment is subject to change as the application progresses. Activities that could require a DP include:

- new construction or alterations to existing buildings on land zoned for commercial, general employment or multi-family use if the new development is of a size that must provide off-street parking (according to local bylaws) or if the new development would change the capacity of an existing parking lot;
- development of a parking lot with more than ten spaces for commercial, general employment or multi-family residential use;
- removal of vegetation within 7.5 m of a lot line that abuts land zoned for residential or commercial guest accommodation uses (excluding the emergency removal of a hazardous tree).

Land Use Bylaw:

The subject property is zoned Residential 6 (R6) under Land Use Bylaw No. 355, which permits the following uses:

	R6
Principal Uses, Buildings and Structures	
<i>Single-family dwellings</i>	◆
<i>Duplexes</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>Public service uses</i>	◆
Accessory Uses	
<i>Home-based businesses</i> , subject to Section 3.13	◆

	R6
Lot Coverage and Floor Area	
Maximum combined per cent <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i>	33
Maximum <i>floor space ratio</i>	N/A
Maximum <i>floor area</i> of a <i>building</i> used for a <i>community hall</i> , <i>church</i> , <i>pre-school</i> , or <i>day care</i> centre (square metres)	930
Maximum total <i>floor area</i> of <i>farm buildings</i> and <i>farm structures</i> (square metres)	N/A
Maximum average <i>floor area</i> of all units in a <i>seniors' supportive housing complex</i> or in any phase of a <i>seniors' housing complex</i> (square metres)	N/A
Maximum <i>floor area</i> of a <i>dwelling unit</i> (square metres)	N/A
Height	
Maximum <i>height</i> of a <i>dwelling unit</i> (metres)	*
Setbacks	
Minimum <i>exterior side lot line</i> setback (metres)	N/A
Number of Units and Minimum Site Areas	
Maximum number of <i>dwelling units</i> per ha, provided <i>community sewage collection service</i> is provided	N/A
Maximum number of <i>dwelling units</i> per <i>lot</i>	2
Minimum <i>lot area</i> required for more than one <i>dwelling unit</i> (ha) with the exception of <i>secondary suites</i> , where permitted	.16 ⁴
Minimum <i>lot area</i> required for a <i>child day care</i> centre (ha)	2ha

The applicant has requested a zoning change from Residential 6 to Residential 2. In order to achieve the requested density in the built form (detached dwellings), staff have recommended instead drafting a Residential 6 zone variant that would permit a maximum of six dwelling units. For reference, Residential 2 permits the following:

	R2
Principal Uses, Buildings and Structures	
<i>Single-family dwellings</i>	◆
<i>Duplexes</i>	◆
<i>Multi-family dwellings</i>	◆
<i>Public service uses</i>	◆
Accessory Uses	
<i>Home-based businesses, subject to Section 3.13</i>	◆

	R2
Lot Coverage and Floor Area	
Maximum combined per cent <i>lot coverage</i> of all <i>buildings and structures</i>	25
Maximum <i>floor space ratio</i>	N/A
Maximum <i>floor area</i> of a <i>building</i> used for a <i>community hall, church, pre-school, or day care centre</i> (square metres)	N/A
Maximum total <i>floor area</i> of <i>farm buildings and farm structures</i> (square metres)	N/A
Maximum average <i>floor area</i> of all units in a <i>seniors' supportive housing complex</i> or in any phase of a <i>seniors' housing complex</i> (square metres)	N/A
Maximum <i>floor area</i> of a <i>dwelling unit</i> (square metres)	N/A
Height	
Maximum <i>height</i> of a <i>dwelling unit</i> (metres)	*
Setbacks	
Minimum <i>exterior side lot line setback</i> (metres)	N/A
Number of Units and Minimum Site Areas	
Maximum number of <i>dwelling units</i> per ha, provided community sewage collection <i>service</i> is provided	25
Maximum number of <i>dwelling units</i> per <i>lot</i>	N/A
Minimum <i>lot area</i> required for more than one <i>dwelling unit</i> (ha) with the exception of <i>secondary suites</i> , where permitted	0.3
Minimum <i>lot area</i> required for a <i>child day care centre</i> (ha)	N/A

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 six single family dwellings, a total of 12 parking spaces are required. The applicant is proposing to provide 17 parking spaces (6 garages and 11 visitor stalls – not specifically designated for use by the disabled at time of application).

Water Sustainability Act

The *Water Sustainability Act* (WSA) is the principal law for managing the diversion and use of water in the province. Under the WSA, all non-domestic water users are required to obtain a water licence in order to remove and use ground water in the manner specified. The following water use purposes are relevant to this application:

"**domestic purpose**" means the use of water for household purposes by the occupants of, subject to the regulations, one or more private dwellings, other than multi-family apartment buildings, including, without limitation, hotels and strata titled or cooperative buildings, located on a single parcel, including, without limitation, the following uses:

- (a) drinking water, food preparation and sanitation;
- (b) fire prevention;
- (c) providing water to animals or poultry kept
 - (i) for household use, or
 - (ii) as pets;
- (d) irrigation of a garden not exceeding 1 000 m² that is adjoining and occupied with a dwelling;

"**waterworks purpose**" means the carriage or supply of water by one person or entity for the use in British Columbia of another person or entity.

Water Utility Act/Utilities Commission Act

Under the Water Utility Act a private water utility is defined as “a person/business who owns or operates equipment or facilities for the delivery of domestic water service to five (5) or more persons or to a corporation for compensation.”

Water utilities are typically required in rural areas where community water service is required and there is no other provider (e.g. NSSWD).

The applicability of the Water Utility Act to this application has not been conclusively determined at time of the initial staff report.

Issues and Opportunities

Intensity of Use

The applicant is proposing to increase the intensity of use on the property by increasing the density of dwellings by four over what is currently permitted. When considering such increase, primary consideration is given to the appropriateness of the use in the location as well as the impacts, both positive and negative. At time of the initial report, staff have not received the relevant information to properly assess the impacts. Official Community Plan policies and objectives are generally in favour of the increased intensity of use, subject to receipt of further information. Staff analysis of the application and appropriateness of it is subject to change as the requested information is received.

North Salt Spring Waterworks District/Water Supply and Quality

The subject property is within the NSSWD service area. The continuing moratorium on new water connections prevents the proposed development from being serviced by NSSWD. Official Community Plan policies and objectives encourage the precautionary principle when making land use decisions in areas with known water quantity and water quality supply issues. Official Community Plan policies also require that the application be referred to NSSWD for review and comment.

At this initial stage of referral staff are challenged to provide any analysis of water supply and quality issues as staff have not been provided any reporting related to well pumping tests or water quality testing.

Under the *Water Sustainability Act*, the applicant is required to obtain a water licence since the use is not considered to be domestic (providing water to a strata). The applicant should be required to obtain a water licence that is sufficient to supply the amount of water required to supply the proposed development. At this time, staff are unaware of the volume of water use that is being sought through a potential water licence application. Once a water licence application is made to Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD), the application will be referred to Islands Trust staff for comment. Based on the water supply table in Section 5 of the Land Use Bylaw, 1,600 litres per day is volume required for a single family dwelling. Staff also recommend including 225 litres per day for home based businesses for each home. The water licence should therefore need to authorize the daily withdrawal of at least 10,950 litres in order to supply the proposed dwellings.

Depending on the outcome of the water licence application, staff may recommend additional mitigation measures (i.e. continuous monitoring) be required through a covenant to ensure that sustainable management of the ground water resource is achieved on a long term basis.

There are a number of applicable OCP policies that encourage the careful management and conservation of water resources. The LTC may wish to explore options for requiring the applicant to provide means to meet these policies and objectives, such as the requirement of rainwater collection for non-potable uses (i.e. irrigation).

In addition to the water licence from FLNRORD, pending the providing of water servicing details, the applicant may be required to obtain Certificate of Public Convenience and Necessity (CPCN) required to operate a private water utility as defined in the Water Utility Act in order to provide the water services to the proposed development from one water system. The details of this requirement will be determined as the application advances.

The applicant will also require approval from the regional health authority (Island Health) under the Drinking Water Protection Act and Drinking Water Protection Regulation.

Sanitary Sewer

The applicant is proposing to utilize sanitary sewer servicing to the subject property in lieu of septic servicing. The subject property is included within the CRD's Ganges Sewerage Service Area, but there is no servicing on the property as indicated on the following maps:

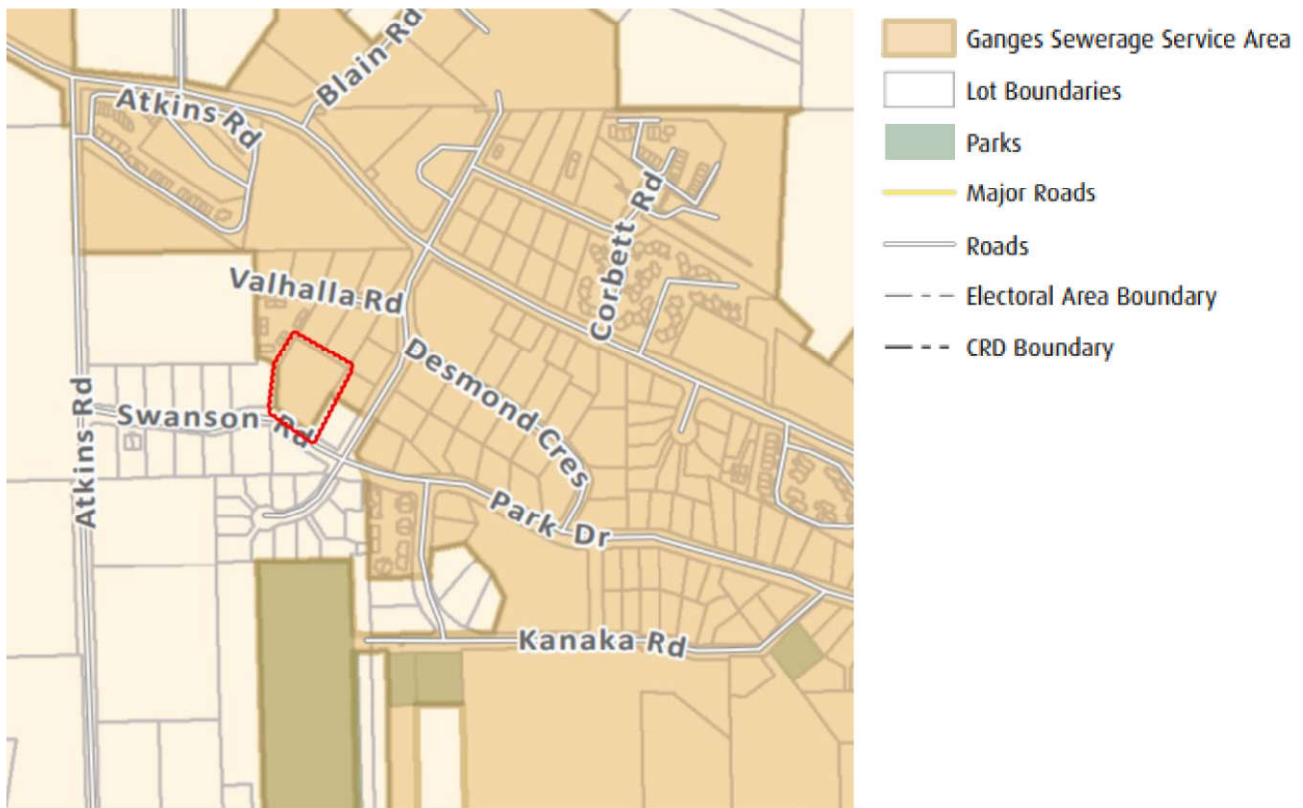


Figure 5: Location of subject property in CRD Sewer Area



Figure 6: Location of CRD Sewer infrastructure.

Options to connect to the CRD Sewer are limited to two options: to connect to the gravity collector main at the rear of the property, or to bring the infrastructure south along Park Drive and West along Swanson Road. Option 1 would require a trench being cut across the Riparian Area at the rear of the property:



Figure 7: Options for connection to sewer system. Option 1 would require a cut across a Riparian Area, option 2 requires additional sewer infrastructure (in purple dashed line).

The application will require referral to the CRD for comments on connection to the sewer system. Staff have recommended that the referral happen at an early stage before bylaw drafting to ensure that the proposed development can be serviced for the density proposed, as well as the requirements for the applicants and the cost associated with doing so.

Community Amenity and Density

Rezoning applications to permit increased density are supported by OCP policies which specify the increased density could be granted by the LTC if the proposed use is for affordable housing or is accompanied by the provision of an eligible community benefit as outlined in Appendix 3 (H.3) of the OCP. The list of eligible community amenities that could reasonably be considered through this application includes the following:

- the dedication of intact Environmentally Sensitive Areas to a public or private conservation body, or protection through conservation covenant;
- land for, or construction of, affordable or special needs housing;
- the dedication of public park and recreation lands, or of funds to be held in trust for their purchase, to the Capital Regional District;
- Land for community-owned farmland or land for community agricultural processing or storage facilities provided to the Salt Spring Farmers' Institute or a community farmland trust organization.
- the provision and construction of bicycle lanes, pedestrian and bicycle pathways or trails that add to or support links in the island trail network;
- Implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.

The applicant has not proposed to include any of the above in seeking a higher density on the subject property. Staff have recommended that the LTC request that the applicant consider what amenities may be provided through the application. If the LTC wishes to request the provision of a community amenity, the procedures are specified in Appendix 3 (H.3), attached as appendix 4 here.

As per the policies of the OCP, an increase in density should not exceed that permitted under the applicable land use designation – in this case the Ganges Village Designation contemplates a mix of medium (one dwelling per 0.10 to 2 ha) to high density residential use (greater than one dwelling per 0.10 ha). Based on a lot size of 0.50 ha, the request of six dwelling units would qualify as high density.

The Official Community Plan also contains policies that support rezoning that allow for an increased density that could otherwise be achieved through subdivision. This increased density is not predicated on the provision of a community amenity, but is directed by a specific set of guidelines in Appendix 2 (H.2) of the OCP. Staff analysis has determined that the application is unlikely able to meet the specified guidelines, in particular H.2.1.3 (b) that requires clustering of building sites to 20-30% of the parcel.

Staff note that based on the subdivision servicing regulations for Residential 6 properties, a minimum lot average of 0.11 ha is required. The subject property is 0.5 ha, in which case a three lot subdivision could be realized; the permission for a duplex on each property would allow six dwelling units, though not all as detached dwellings proposed through the rezoning. The subdivision requirements specify connection to a community water system (NSSWD), which is not currently possible.

Development Permit Areas

The subject property is contained within two Development Permit Areas (DPAs), DPA 1 – Island Villages and DPA 7 – Riparian Areas. Based on the proposed development, it is likely only E.1.10 Guidelines regarding Stormwater

Drainage and Water Pollution from DPA 1 will apply. Staff have recommended requesting that a stormwater management plan be provided. At minimum the plan should address the following:

- requirements to protect property from flooding, erosion and other undesirable impacts;
- Drainage changes should not result in flooding of downstream properties or watercourses;
- Ensure no detrimental impacts to adjacent properties;
- Ensure no pollution to groundwater supplies;
- Cause no impact to Riparian Areas.

The recommended storm water management plan would best be prepared in tandem with a Riparian Areas report so that the reports can speak to one another. The requirements for sewer connection may dictate the requirements of a Riparian Areas report, therefore the method of sewer connection should be determined prior to the finalizing of the Riparian Report.

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.

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
- 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

As noted above, staff recommend referring the application to the CRD for comment on sewer connection prior to the drafting of a bylaw.

Correspondence

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

In the absence of supporting material related to servicing of the subject property, staff are challenged to provide a strong recommendation to the LTC. However, a review of OCP objectives and policies does not find strong opposition to the proposed increase in density. The Ganges Village Area is generally targeted for increased densities and diversity of housing stock. Higher densities are typically sought in tandem with a community amenity, which staff recommend the LTC request from the applicant.

In the absence of necessary information, staff recommend advancing the application so that the applicant may provide information as recommended by staff in the resolutions. Staff further recommend stressing to the applicant that successful rezoning from Islands Trust will require approvals from other agencies including but not limited to the CRD, FLNRORD, and Island Health.

ALTERNATIVES

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

1. Deny the application

The LTC may deny the application. Staff advise that the implications of this alternative are closure of the application and an assessment of any applicable refund to the applicant. 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-2021.1 for the following reasons [insert reasons].

NEXT STEPS

If the LTC accepts staff's recommendation, a bylaw will be drafted. The applicant will be requested to provide further information to advance the application following first reading.

Submitted By:	Geordie Gordon, Planner 2	April 14, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	April 14, 2021

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. ITPS/OCP Policies
4. Amenity Zoning Guidelines

ATTACHMENT #1 – SITE CONTEXT

LOCATION

Legal Description	LOT 8, SECTION 3, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 21557
PID	000-140-589
Civic Address	114 SWANSON RD SALT SPRING ISLAND


LAND USE

Current Land Use	Vacant residential
Surrounding Land Use	Residential, North - commercial (Upper Ganges shopping area) West – Agricultural


HISTORICAL ACTIVITY

File No.	Purpose
SS-SUB-2014.1	3 lot subdivision (withdrawn)

POLICY/REGULATORY

Official Community Plan Designations	Ganges Village Upper (GVU) Development Permit Area 1 – Island Villages Development Permit Area 7 – Riparian Areas 
Land Use Bylaw	Residential 6 (R6)
Other Regulations	Within NSSWD
Covenants	Mortgages
Bylaw Enforcement	SS-BE-2018.8 Development (tree cutting and vegetation clearing) in DPA 7 Riparian without a DP.

SITE INFLUENCES

Islands Trust Conservancy	Referral not required.
Regional Conservation Strategy	 <p>The subject property is identified as low priority in the RCS.</p>
Species at Risk	None mapped.
Sensitive Ecosystems	None mapped.
Hazard Areas	None mapped.
Archaeological Sites	<p>RAAD mapping shows areas of archeological potential. 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>Moderate GHG emission increase expected from approval for increased housing. No potential impacts on proposed development expected from anticipated or possible climate change induced hazards, eg sea level rise.</p>
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

ATTACHMENT # 2 – PHOTOGRAPHS



Photo 1: Front property line looking south east.



Photo 2: Looking east to interior property line.



Photo 3: Looking north to rear property line.



Photo 4: Front property line looking west.



Photo 5: Looking west to interior lot line.



Photo 6: Looking west to interior line.



Photo 7: Looking south along property line.



Photo 8: Developed are in proximity to RAR.



Photo 9: Riparian Area



Photo 10 : Rear property line

Plan Showing
Proposed Site Plan of Strata Development
Affecting

Lot 8, Section 3, Range 3 East
North Salt Spring Island, Cowichan District, Plan 21557
PID: 000-140-589


Civic Address: # 114 Swanson Road,
Salt Spring Island, B.C.

Scale: 1:1000

Date: January 11th, 2021

Owner: Sea Isle Development Group Ltd.

Notes:

- Dimensions shown are in Meters or decimals thereof.
- Subject Property shown bounded thusly: 

Legend:

- Setback Boundaries 
- Proposed RAR Boundary 
- Approximate Location of Proposed Structures 

Property Schedules:

Zoning: Current: R6 Proposed: R2

Areas:	Lot Size - Lot 8: 124 Ac. / 0.50 Ha.
Units:	Floor Area - 1500 sqft.
	Garage Area - 312 sqft.
	Total Area = 1812 sqft.


Site Coverage:

Site Area: 124 Ac. = 54,214 sqft. = 100%
Total Unit Area = 10,872 sqft. = 20% Site Coverage

Parking:

6 Garages + 11 Visitor = 17 Stalls Provided



 SEA ISLE DEVELOPMENT GROUP LTD. Creating Coastal Lifestyles	Drawn By: DR
	Date: Jan. 20th, 2021
	Scale: 1 : 1000
	Drawing No. 1 of 3

P.O. Box 617, Salt Spring Island, B.C., V8K 2U2
 Phone: 604-488-4850 or 250-889-6515
 Email: sea@seaisle.com

**Plan Showing
Existing Site Plan and Peripheral Features
Affecting**

**Lot 8, Section 3, Range 3 East
North Salt Spring Island, Cowichan District, Plan 21557
PID: 000-140-589**


**Civic Address: # 114 Swanson Road,
Salt Spring Island, B.C.**

Scale: 1:1000








Date: January 11th, 2021

Owner: Sea Isle Development Group Ltd.

Notes:

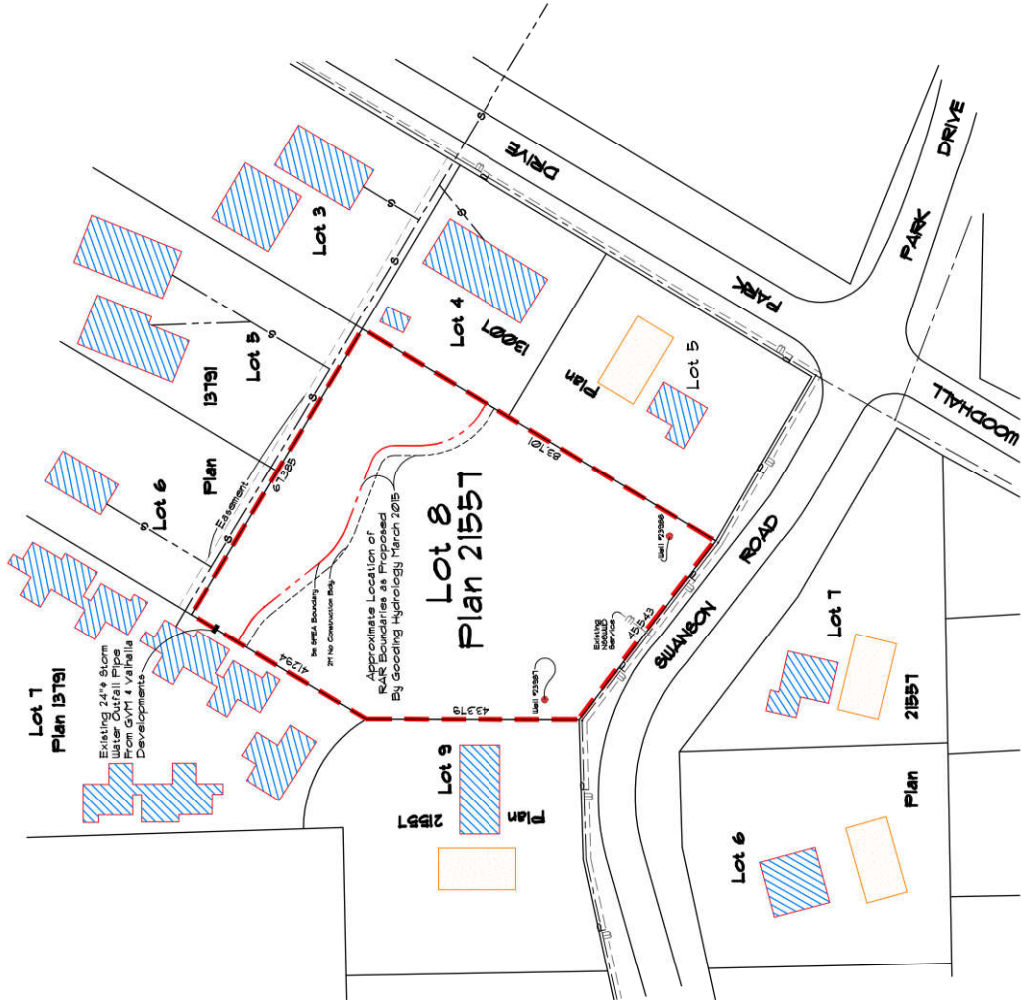
- Dimensions shown are in Meters or decimals thereof.
- Subject Property shown bounded thusly: 


Legend:

- Drilled Well Locations 
- Water Line 
- Power Line 
- Sanitary Sewer Line 
- Proposed RAR Boundary 
- Approximate Location of Existing Structures 
- Approximate Location of Septic Fields 

Property Schedules:

Zoning - Current	R6
Current Lot Size - Lot 8:	124 Ac. / 6250 Ha.



 SEA ISLE DEVELOPMENT GROUP LTD. Creating Coastal Lifestyles	Drawn By: DR
	Date: Jan. 20th, 2021
P.O. Box 617, Salt Spring Island, B.C., V8K 2U2 Phone: 604-488-4850 or 250-889-6515 Email: sea@seaisle.com	Scale: 1 : 1000
	Drawing No. 2 of 3

Plan Showing

Portion of Registered Legal Plan # 21557

Affecting

Lot 8, Section 3, Range 3 East
 North Salt Spring Island, Cowichan District, Plan 21557
 PID: 000-140-589

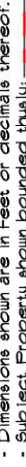
Civic Address: # 114 Swanson Road,
 Salt Spring Island, B.C.

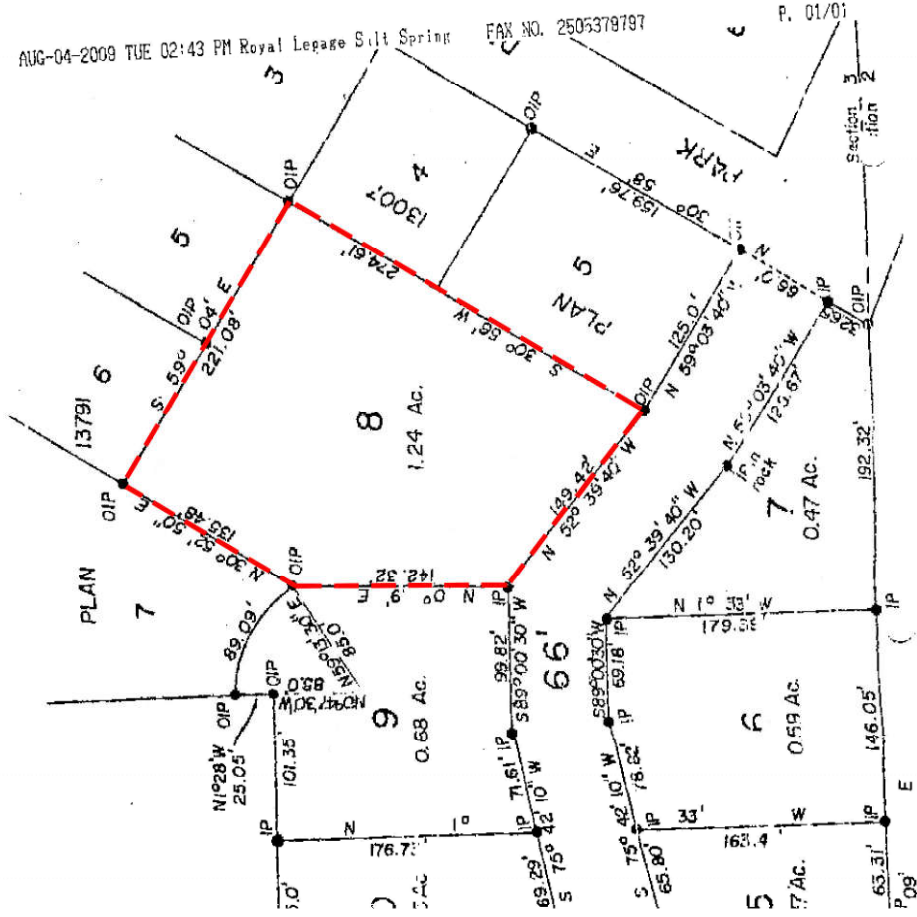
Scale: N.T.S.


Date: January 11th, 2021

Owner: Sea Isle Development Group Ltd.

Notes:

- Dimensions shown are in Feet or decimals thereof.
- Subject Property shown bounded thusly: 



 SEA ISLE DEVELOPMENT GROUP LTD. Creating Coastal Lifestyles	Drawn By: DR
	Date: Jan. 20th, 2021
P.O. Box 617, Salt Spring Island, B.C., V8K 2U2 Phone: 604-488-4850 or 250-889-6515 Email: sea@seahaw.ca	Scale: 1 : 1000
	Drawing No. 3 of 3

APPENDIX 3 – ITPS AND OCP 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.	DIRECTIVE POLICY
3.3	Freshwater and Wetland Ecosystems and Riparian Zones
3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

No.	DIRECTIVE POLICY
4.3	Wildlife and Vegetation
4.4	Freshwater Resources
4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
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

No.	DIRECTIVE POLICY
5.1	Aesthetic Qualities
5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
5.2	Growth and Development
5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
5.3	Transportation and Utilities
5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
No.	DIRECTIVE POLICY

5.5	Recreation
5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
5.6	Cultural and Natural Heritage
5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
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.

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.

OCP Objective/Policy		Complies	Planner Comments
A.4.4.7	To recognize that development should be managed to protect our sense of community and maintain our ability to absorb changes	Yes	Sense of community is not expected to be altered through application, providing housing may increase sense of community.
A.5.2.8	<p>The Local Trust Committee will encourage protection of Crown foreshore, wetland, stream and riparian corridor habitats, other sensitive ecosystems, and wildlife habitat through the development permit process:</p> <p>a. The Local Trust Committee will update watercourse mapping and development permit area designations and guidelines to comply with provincial Riparian Area Regulations.</p> <p>b. The Local Trust Committee will undertake updated sensitive ecosystem mapping and should designate sensitive areas as development permit areas for protection of the natural environment.</p> <p>c. The Local Trust Committee will support efforts to map the locations of heron and</p>	Undetermined	Staff have requested RAR report.

	<p>raptor nests and will review regulations and standards for a protective buffer. The Local Trust Committee should designate development permit areas for the protection of sensitive nest trees.</p> <p>d. The Local Trust Committee will support efforts to map the habitat of threatened or endangered species and will consider designating development permit areas for the protection of such habitat.</p>		
A.5.2.13	<p>The Local Trust Committee encourages landowners and others to utilize current best practices and guidelines in undertaking an ecosystem-based approach to site planning and development. An example is the guidelines in the manual <i>Develop With Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2006</i>, prepared by the B.C. Ministry of Environment. Landowners and developers are encouraged to utilize the following principles in new development:</p> <p>a. identify environmental values prior to site clearing and design.</p> <p>b. locate development away from areas with high environmental values, and place natural buffers between the development site and sensitive features.</p> <p>c. concentrate development in areas with low environmental values.</p> <p>d. develop and implement site plans that protect biodiversity, clean air, and clean water.</p> <p>e. locate developments away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.</p> <p>f. locate developments away from areas of agricultural potential and establish buffers</p>	Undetermined	<p>Opportunities beyond preservation of the RAR are likely limited. Staff have recommended exploring opportunities for water conservation and efficient building design.</p>

	<p>between the development site and farmland.</p> <p>g. minimize impacts of roads and driveways and reduce fragmentation of habitat.</p> <p>h. maintain water quality.</p> <p>i. maintain air quality and reduce greenhouse gas emissions.</p> <p>j. design energy- and water-efficient developments that conserve natural resources.</p> <p>k. minimize wastes, and manage wastes in an environmentally sound manner.</p> <p>l. work with the local community to maximize the benefits of good environmental planning at the community and site level.</p> <p>The Local Trust Committee should continue to ensure that these principles are reflected in its regulations and development permit area guidelines.</p>		
A.5.2.15	The Local Trust Committee should develop ways to encourage sustainable building techniques through support for implementation of energy efficient building design and building practices as demonstrated through recognized building certification programs such as R-2000, Built Green Platinum, and LEED.	Undetermined	Staff have recommended exploring options to do so through the application.
A.7.1.2	To avoid the creation of new flooding hazards or the aggravating of existing flood hazards that could result from changes to storm water drainage patterns.	Undetermined	Storm water management plan requested.
A.7.2.2	The Local Trust Committee will continue to require applicants for large new commercial, general employment or multifamily developments in village areas to ensure their development does not	Undetermined	Storm water management plan requested.

	increase flooding of downslope properties. Such effects will be managed through the Development Permit process or through Land Use Bylaw regulations.		
A.8.2.9	When it considers rezoning applications that concern land with a known heritage feature, archaeological site, or other First Nations cultural site, the Local Trust Committee should ensure that the heritage features would not be damaged as the result of a zoning change.	Yes	No known archaeological site on property. Referral to First Nations recommended.
B.2.2.1.1	To provide opportunities for the creation of affordable, rental and special needs housing.	No	Application does not propose affordable housing.
B.2.2.1.2	To integrate affordable, rental and special needs housing into appropriate residential areas where community services are most accessible.	No	Application does not propose affordable housing.
B.2.2.2.9	Where a lot has subdivision potential, the Local Trust Committee should consider rezoning applications that would allow the property owner to build (without subdividing) the same number of single family dwellings on the lot as could be built after subdivision. Such shared residential rezoning applications should be consistent with the guidelines in H.2.1 of Appendix 2.	Partially	Density does not exceed that allowed by subdivision, though built form is different (single dwellings vs duplex), clustering of buildings not possible on small lot.
B.5.2.1.3	To encourage pedestrian and bicycle trail connections and amenities throughout Ganges	Undetermined	Opportunity for trial can be explored through application.
B.5.2.2.3	The Local Trust Committee should consider rezoning applications that would allow the addition of some affordable and special needs housing in the Ganges Village Designation, as outlined in Section B.2.2.2.	No	Application does not propose affordable housing.
B.5.2.2.4	The Local Trust Committee could consider rezoning applications to allow a slightly higher density of residential development than permitted by current zoning as part of	Undetermined	Application does not propose providing community amenity, but

	a proposal that provided an eligible community amenity (see Appendix 3) or as part of a proposal to transfer development potential (see Section B.2.3.2 and Appendix 4). The Ganges Village Designation is a Development Potential Receiving Area. However, development potential should only be transferred to the North Salt Spring Waterworks District if the District can establish that any incremental demand can be met through water conservation or expansion of licensed supply capacity, or if water is to be supplied from another source		may be explored during application.
C.2.3.1.5	To provide off-street parking and loading spaces sufficient to provide for the needs of various land uses. To do so in a way that protects the safety of public roads and pedestrian routes.	Yes	Sufficient parking proposed.
C.2.3.1.6	To provide adequate and convenient parking for the disabled.	Yes	Sufficient parking proposed.
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.	Undetermined	More information (water management report) required.
C.3.1.1.2	To acknowledge that the surface water supply sources on the island are finite and remain under Provincial control and that more effective use, management and sharing of the resource should be encouraged to support present commitments and future desired land use decisions.	Undetermined	More information (water management report) required.
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 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.	Undetermined	More information (water management report) required. Referral to NSSWD recommended.

C.3.2.1.4	To encourage a variety of conservation methods in all community water systems	Undetermined	No specified in application. Conservation measures recommended.
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	Undetermined	More information (water management report) required.
C.3.2.2.1	<p>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.</p> <p>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</p>	Undetermined.	More information (water management report) required. Referral to NSSWD recommended.

	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.		
C.3.2.2.2	<p>In addition to policy C.3.2.2.1, the Local Trust Committee should not make zoning changes within the North Salt Spring Waterworks District that could mean that water will not be available (under the District's existing license) for the following projects (in order of priority):</p> <ul style="list-style-type: none"> a. essential services such as hospitals and schools needed within the district to serve the island's projected population. b. special needs and affordable housing needed by the community. <p>The Local Trust Committee could make an exception to this policy so that one of the above projects could proceed before another of higher priority. However, it must be satisfied that the District will receive a sufficiently larger water license in time to serve the higher priority project when it is needed.</p>	Undetermined.	More information (water management report) required. Referral to NSSWD recommended
C.3.2.2.5	The 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	Undetermined.	More information (water management report) required. Referral to NSSWD recommended
C.3.2.2.15	All developments and public institutions located within waterworks districts are encouraged to conserve water and to avoid using potable water to maintain	Undetermined.	No specified in application. Conservation measures recommended.

	ornamental landscapes that are not drought-resistant. The use of rainwater catchment systems or recirculated water is particularly encouraged to reduce demand.		
C.4.2.2.3	<p>Map 8 shows the area of properties included in the Ganges Sewer Local Service Area. When making decisions about including properties outside that area (i.e. Map 8), the Ganges Sewer Local Service Committee and the CRD Board could consider supporting inclusion if a study is undertaken to identify the capacity required to serve anticipated development potential allowed under current zoning, and if the proposed inclusion would satisfy one of the following:</p> <ul style="list-style-type: none"> a. The parcel has a failed on-site treatment system and repair or replacement to protect the environment from sewage discharge is not considered possible. b. The inclusion of the parcel will result in the construction of a density of affordable housing that would not be possible without community sewer servicing. c. The inclusion of the parcel is needed to support development of a community facility or will generate a significant community benefit. d. The parcel can be provided with a service connection without the need to extend the sewer system. 	Undetermined	Referral to CRD required. Staff recommend early referral prior to first bylaw reading.
C.4.2.2.4	When the Local Trust Committee receives rezoning applications that apply to land within the Ganges Sewer Local Service Area or the Maliview Estates Sewer Local Service Area, it shall refer the application to the Capital Regional District. The CRD will advise of any requirements or conditions of servicing applicable at the time.	Undetermined	Referral to CRD required. Staff recommend early referral prior to first bylaw reading.

H.3 APPENDIX 3 - AMENITY ZONING

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

H.3.1 Guidelines for Amenity Zoning Applications

- H.3.1.1 Where appropriate, applications for amenity zoning should propose a density level that does not exceed the target density levels outlined in this Plan for the applicable Land Use Designation. For example, an application in the Rural Neighbourhoods Designation should propose a density level no greater than 1 lot per 1.2 ha, as outlined in the policies for that Designation (See Policy B.2.5.2.3).
- H.3.1.1 Where appropriate, applications for amenity zoning should propose a density level that does not exceed the target density levels outlined in this Plan for the applicable Land Use Designation. For example, an application in the Rural Neighbourhoods Designation should propose a density level no greater than 1 lot per 1.2 ha, as outlined in the policies for that Designation (See Policy B.2.5.2.3)
- H.3.1.2 Applications for amenity zoning should propose that one of the eligible community amenities listed in Section H.3.2 will be provided in exchange for the higher density level being requested.
- H.3.1.3 Increased density may take the form of additional lots or additional dwelling units. The Local Trust Committee should ensure the total number of additional dwelling units allowed in exchange for community amenities on Salt Spring Island does not exceed 40. This maximum number of total additional dwelling units should be reviewed each time that the OCP is reviewed.
- H.3.1.4 It is intended that applications should be for relatively modest increases in density, consequently the Local Trust Committee should not consider applications in which more than 10 additional dwelling units are proposed in exchange for any one community amenity.
- H.3.1.5 Amenity Zoning Applications should be consistent with other policies of this Plan.
- H.3.1.6 Prior to approving any amenity zoning application, the Local Trust Committee should give consideration to the appropriateness of the land for the increased density. The following factors should be considered where relevant:
- a. environmental values are identified prior to site clearing and design.
 - b. development is located away from areas with high environmental values, and natural buffers are placed between the development site and sensitive features.
 - c. development is concentrated in areas with lower environmental values.
 - d. site plans protect biodiversity, clean air, and clean water.
 - e. development is located away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.
 - f. the impacts of roads are minimized and development is located in proximity to and accessible to existing services, constructed roads, and transit, and the development should have the potential to contribute to reducing community dependence of travel by automobile
 - g. the fragmentation of habitat is minimized.