



DATE OF MEETING: February 15, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Louisa Garbo, Island Planner, Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Housing Action Program Proposed Measures

RECOMMENDATIONS

1. That the Salt Spring Island Local Trust Committee request staff to proceed with research on funding and the referral process on the Tiny Homes Village Pilot Project.
2. That the Salt Spring Island Local Trust Committee amend standing resolution SS-2021-109 to state - Enforcement activities will be deferred for all existing unlawful dwellings being used for residential purposes until there are safe, secure appropriate housing options that are affordable for all demographics and household types in perpetuity, except in the following circumstances:
 - a) there are concerns regarding health and safety;
 - b) there are concerns that sewage is not being disposed of in an approved septic or sewage disposal system;
 - c) there are concerns that septic or sewage disposal systems are being used in excess of capacity or ability as a result of unlawful dwellings;
 - d) there are concerns of possible contamination of wells or other drinking water sources;
 - e) unlawful dwellings are in environmentally sensitive areas;
 - f) there are non-permitted campgrounds; and,
 - g) that the Salt Spring Island Local Trust Committee may give direction to resume enforcement activities on any property that poses risk to the health and safety of the neighbouring residents and the residents on the property in question.
3. That the Salt Spring Island Local Trust Committee Bylaw No. 528., cited as “Salt Spring Island Land Use Bylaw, 199, Amendment No. 4, 2021”, be read a first time.
4. That the Salt Spring Island Local Trust Committee request staff to send Bylaw No. 528 to external agencies, groups, and First Nations for referral.
5. That the Salt Spring Island Local Trust Committee accept this status report on a proposed amendment to the Local Trust Committee Official Community Plan Bylaw No. 434, 2008, to allow accessory dwelling units on Salt Spring Island, and to request staff to proceed with the community outreach and early engagement with First Nations.

BACKGROUND

a. Tiny Homes Village Pilot Project

The proposed pilot project is part of the measure of the Housing Action Program Project Charter to address housing issues such as density, diverse housing options, sustainable building design, and preservation of the sensitive ecosystem on the island, but most importantly, to provide a mix of housing types in appropriate

locations as outlined in the Salt Spring that is sustainable, innovative and affordable. The proposed Tiny Homes Village Pilot Project intends to test the viability of sustainable development and affordable building designs for Salt Spring Island residents with the creation of housing units within very small footprint while offering liveable and efficient spaces for the residents. The objectives of the pilot projects include:

- Prioritize affordable housing options through diverse housing forms and tenure types;
- Promote fee-simple affordable housing in a building-strata subdivision;
- Preserve, protect, restore, and connect environmentally sensitive areas;
- Encourage and promote leading-edge sustainable building, landscaping, and land use designs; and
- Encourage a full-scale, replicable approach to address the pilot project objectives.

The draft Pilot Project framework was presented to the Task Force at their meeting in November 2021. Several concerns were raised by the Task Force, which included the lack of proponents responding to the pilot project, the proposed size limits, and no mechanism to ensure the rental amount would remain affordable should those units become rental units. Upon discussion, the Task Force voted, by resolution as shown below, to forward their support of the Pilot Project to SS LTC for consideration with one dissent and one abstain vote citing concerns with the affordability of these units.

“That the Housing Action Program Task Force recommend the Salt Spring Local Trust Committee proceed with the proposed Tiny Homes Village Pilot Project.”

Staff shared the proposed pilot project with the Technical Working Group consisting of staff members from various ministries and the Capital Regional District (CRD). The preliminary comments included that all units must be building code compliant and that the alternative supply of potable water must also comply with all health and safety requirements. Staff has also consulted with Transition Salt Spring on their Rainwater Harvesting Rebate program. The organization expressed support of the project and agreed to collaborate on the technical side of finding solutions to the provision of potable water for the pilot project.

b. Minor amendment to Standing Resolution SS 2021-213

At their meeting On November 9, 2021, SS LTC approved the Standing Resolution recommended by the Housing Action Task Force, with the first part stating:

“That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force’s recommendation to amend standing resolution SS-2021-109 to state that enforcement activities will be deferred for all unlawful dwellings being used for residential purposes until there are safe, secure appropriate housing options that are affordable for all demographics and household types in perpetuity, except in the following circumstances”.

Staff is proposing to add the word “existing” to state “... will be deferred for all existing unlawful dwellings.....;” the added word will provide clarity and to prevent the unintended consequences of allowing new illegal dwellings to be established.

c. Bylaw Amendment on Accessory Dwelling Units (ADUs)

In response to the community need for immediate actions to help ease the housing crisis, the Housing Action Program Task Force, at their meeting on August 19, 2021, requested SS LTC to consider an amendment to the Salt Spring Island Land Use Bylaw No. 355 (LUB) to allow secondary suites to be developed in all zones on Salt Spring Island. On November 9, 2021, SS LTC subsequently adopted the resolution below requesting staff to explore the option of not only allowing secondary suites but all accessory dwelling units to be permitted on the island:

SS-2021-217

That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force's recommendation and request staff to report back on potential bylaw amendments to permit accessory dwelling units in all zones.

CARRIED

Draft Bylaw 528 is presented for consideration of first reading. Staff have included new definitions for accessory dwelling units and secondary suites. Secondary suites regulations are proposed to be simplified and the number of lots permitting secondary suites would expand from an estimated 1500 lots to an estimated 3,500 although these numbers need to be confirmed via mapping services and that service was not available at time of drafting this report. Staff note that lots within the Agricultural Land Reserve additionally permit secondary suites.

ANALYSIS

Policy/Regulatory

Accessory Dwelling Units (ADUs):

The recommendation from the Housing Action Program Task Force to amend the secondary suite section of the LUB is one of the actions proposed in the Housing Action Program. The Housing Action Program Project Charter intends to provide a holistic approach to address housing issues on the island, including the balance of housing with the environmental conditions, infrastructure servicing, natural resources, and growth management. For this reason, the proposed amendment to the SS LUB to allow secondary suites in all zones permitting single-family dwelling units as a principal use to the exception of Rural Uplands, Rural Watershed, or Rural Islet. Secondary Suites in all zones must take into consideration of the following Islands Trust Policy Statement:

- 3.2.2 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.*
- 3.4.4 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.*
- 3.4.5 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.*
- 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.*
- 4.5.10 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.*
- 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.*
- 5.8.6 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.*

Allowing accessory dwelling units, including detached secondary suites, in all zone must also consider the following policies set forth in the Salt Spring Island Official Community Plan (OCP):

A.5.2.5 The Local Trust Committee should not make zoning changes that would result in more development or greater impacts on areas identified as Environmentally Sensitive.

A.6.2.2 The Local Trust Committee will consider the energy efficiency attributes and climate change adaptation and mitigation impacts in all rezoning applications that propose an increase in density or significant change of use.

B.2.1.2.1 Zoning changes should be avoided if they would likely result in a larger island population than is expected under the development potential zoned in 2008. Exceptions to this policy are to be few and minor and only to achieve *affordable housing* and other objectives of this Plan.

B.2.2.2.13 The Local Trust Committee may give consideration to amending the Land Use Bylaw to allow secondary suites in dwellings as *affordable housing* under certain circumstances. Any initiative to allow suites should address the following criteria:

- a. A maximum of one suite is allowed per dwelling.
- b. The owner occupies either the principal dwelling or the suite.
- c. Suites should only be allowed in areas with an adequate supply of potable water.
- d. Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- e. New construction of dwellings with suites in areas containing sensitive ecosystems or areas that are hazardous for development should be managed by development permit.
- f. The use of suites will not be for short-term rental, in accordance with the Land Use Bylaw.
- g. Regulations should limit suites to 40% of the floor area of the principal dwelling and no more than 90 m² of floor area.
- h. *Building* safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- i. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that suites are affordable and to address occupancy.
- j. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.
- k. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.
- l. The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles.
- m. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of suites on the island.
- n. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied suites.

B.2.2.2.14 Seasonal cottages should continue to be allowed wherever they are allowed by current zoning. The Local Trust Committee may also consider amending the Land Use Bylaw to allow the use of seasonal cottages as full time affordable rental housing units in certain areas. In order to encourage housing for families, the Land Use Bylaw may be amended to permit cottages with a maximum floor area of 90 m² on lots 2 hectares or larger in area, while retaining the existing floor area limits on cottages on lots between 1.2 hectares and

2 hectares in area.

Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:

- a. Full time residence of cottages should only be allowed in areas with an adequate supply of potable water.
- b. Full time residence of cottages should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- c. New construction of cottages for full time residence should be not allowed in areas containing sensitive ecosystems or areas that are hazardous for development.
- d. The use of cottages will not be for short-term rental in accordance with the Land Use Bylaw.
- e. *Building* safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- f. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that cottages are affordable and to address occupancy.
- g. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.
- h. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.
- i. The Local Trust Committee may also consider limits on the location of cottages to minimize dependency on private automobiles.
- j. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of full-time units on the island.
- k. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied cottages.

C.3.1.1.1 To ensure that the potential water demand of development within community water systems does not exceed the licensed capacity, or the amount of water that can be safely withdrawn from each system's water source.

C.3.1.1.2 To reduce, delay or avoid the impacts of withdrawing additional water from surface water bodies.

C.3.1.1.3 To encourage a variety of *conservation* methods in all community water systems.

C.3.2.2.2 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):

- 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

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.

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.

Furthermore, although the following statement in the SS OCP intends to be as informational only, it has been served as guidance on monitoring the population density and development growth, which will require evaluation if ADU is being permitted in all zones.

Background Note: There are approximately 5800 residential lots on Salt Spring Island (2007). While approximately 1300 of these are vacant, local zoning allows for the construction of a single family dwelling on each of them. Of the existing residential parcels, many are large enough that they can be further subdivided under the existing local subdivision bylaw. A few are zoned for multi-family use. All told, the number of dwelling units (not including seasonal cottages and suites) that could be built on Salt Spring Island under current residential zoning is estimated to be about 8150. The eventual population of Salt Spring Island that might result from the zoning now in place is estimated to be a little over 17,000.

Pursuant to the Local Government Act Section 478 (2), which stated that “All bylaws enacted or works undertaken by a council, board or greater board, or by the trustees of an improvement district, after the adoption of (a)an official community plan, or, (b)an official community plan under section 711 of the Municipal Act, R.S.B.C. 1979, c. 290, or an official settlement plan under section 809 of that Act, before the repeal of those sections became effective, must be consistent with the relevant plan.” Moreover, prior land use bylaw amendment attempted to allow cottages in all zones had resulted in a restricted number to be permitted due to a legal opinion on the amendment not consistent with the parameter of “few and minor” per section B.2.1.2.1 and “zoning changes incrementally” per B.2.2.2.13 of the SS OCP. An amendment to permit ADUs to be permitted in all zones will be affected by the same policies; therefore, an amendment to the relevant SS OCP policies will be required. Should SS LTC support the amendment to the SS OCP process, staff will immediately begin the early conversation with First Nations as required by the Islands Trust First Nations Engagement Principles, and the necessary public engagement processes per the Local Government Act section 879 and 882.

In the meantime, staff is proposing an interim action by amending the Salt Spring Island Land Use Bylaw No. 355 (LUB) to permit secondary suites in all zones (with appropriate conditions or exceptions) to help alleviate the housing crisis and to provide an affordable housing option.

The proposal will not yet permit accessory dwelling units to be allowed within an accessory structure as set out in the reasons and policies above. However, Bylaw 528 does define accessory dwelling units, significantly expand the number of lots permitting secondary suites, and reduce redundant regulations.. Bylaw 528 intends to comply with the following provisions of the SS OCP policies; therefore, an amendment to the SS OCP will not be required:

- limits the size of secondary dwelling units;
- Ensure adequate potable water supply;
- Avoid watersheds and community well capture zones that supply community drinking water;
- Minimize auto dependency;
- Address ongoing affordability;
- Must not be used for short-term rental; and
- Zoning changes incrementally.

Bylaw 528 removes Schedule “I” “Secondary Suites Map” from the LUB and instead excludes secondary suites from environmentally sensitive zones and watershed zones while allowing them in all other zones that permit single-family dwellings as a principal use. Other notable changes to the SS LUB are highlighted below.

A definition to the term ‘density’ is being considered. The proposed definition intends to encourage a detached secondary suite to be constructed on top of the existing accessory structure rather than

expanding the footprint of the accessory structure by building to the side of an accessory structure. The definition is also intended to implement a recommendation item #6 per the “Affordable Housing in the Trust Area: Strategic Actions for Islands Trust,” as shown in Appendix 4, which suggests how density should be measured. Explore alternative metrics that measure building footprints and land impacts instead of dwelling units. It further stated that floor area ratio as a density metric would protect natural values while giving people more flexibility to provide different forms of housing on residential properties.

A definition for ‘Accessory dwelling unit’ is being considered. The proposed definition intends to set the table for if and when an OCP amendment is made to expand the total island build out. Deciding where to permit the broad use will be the matter for a future bylaw amendment and community engagement. It is feasible that a draft LUB amendment to consider this use is presented at time of proposed OCP amendments. The definition for secondary suites is amended to be a sub-definition of accessory dwelling unit (“accessory dwelling unit – secondary suite”). This permits zoning regulations to specify conditions and locations for these specific types of accessory dwelling units. Furthermore, the proposal of allowing secondary suites to be permitted in all zones includes exceptions in certain areas. The restrictions proposed intend to protect sensitive areas, and finite resources such as potable water.

Staff presented a general overview of the proposed LUB Section 3.16 to the Technical Working Group, Salt Spring Water District, and CRD, collaborate with Transition Salt Spring, and seek recommendation from Salt Spring Island Watershed Protection Alliance (SSIWPA), and preliminary conversation with First Nations. Staff are cognizant that work to develop an island wide water balance map may include strong evidence to suggest densities be placed in areas currently protected as sensitive. If such evidence is made available, this, and all available evidence will be considered when drafting amendments to the OCP.

Issues to Consider

As a result of the preliminary review with agencies and First Nations, issues to be addressed are highlighted below:

- Proposed amendments to Land Use Bylaw no. 355 on Proof of Water is underway;
- Proof of water requirements;
- Building Code requirement on ADUs;
- Detached secondary suites and all ADUs must comply with single-family building code requirements;
- NSSWD concerns on existing limited water capacity;
- Public engagement and consultation with First Nations;
- Data on existing secondary suites and the future number secondary suites as a result of this bylaw.
- Referral to agencies, organizations and First Nations.

Consultation

Referrals of rezoning bylaws to agencies, organizations and First Nations typically occur at time of first reading. The SS LTC may consider if it wishes to undertake additional consultation beyond the below groups identified in this report and direct staff accordingly.

<i>Public Agencies</i>	<i>Islands Trust/Local Government</i>	<i>First Nations*</i>
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<ul style="list-style-type: none"> ▪ BC Assessment Authority ▪ CRD – All Referrals⁺ ▪ CRD – SSI Economic Sustainability Commission ▪ CRD – SSI Building Inspection⁺ ▪ CRD – SSI Director ▪ CRD – SSI Transportation Commission ▪ CRD – Housing Secretariat ▪ Vancouver Island Health Authority⁺ 	<ul style="list-style-type: none"> ▪ Galiano Island Local Trust Committee⁺ ▪ Mayne Island Local Trust Committee⁺ ▪ North Pender Island Local Trust Committee⁺ ▪ Thetis Island Local Trust Committee⁺ ▪ Cowichan Valley Regional District⁺ ▪ Islands Trust Bylaw Enforcement and Compliance⁺ ▪ Islands Trust – Trust Conservancy Board 	<ul style="list-style-type: none"> ▪ Cowichan Tribes ▪ Halalt First Nation ▪ Lake Cowichan First Nation ▪ Lyackson First Nation ▪ Penelakut Tribe ▪ Stz’uminus First Nation ▪ Malahat First Nation ▪ Pauquachin First Nation ▪ Tsartlip First Nation ▪ Tsawout First Nation ▪ Tseycum First Nation ▪ Semiahmoo First Nation ▪ Tsawwassen First Nation ▪ Hul’qumi’num Treaty Group <i>(for information only)</i> ▪ Te’Mexw Treaty Association <i>(for information only)</i> <p><i>*And others as determined by SIPA & Ministry of Municipal Affairs</i></p>
	Community Agencies/Groups	

⁺ Draft bylaw referral agencies/groups/Local Trust Committees

Statutory notification of the proposed rezoning will be made in accordance with [Section 466](#) of the *Local Government Act* and the [Salt Spring Island Development Procedures Bylaw No. 304](#) at time of public hearing.

NEXT STEPS

- Early conversation with First Nations on the tiny homes pilot project and the amendment to allow accessory dwelling units.
- Continue the efforts to consult and collaborate with First Nations, agencies and community organizations.
- Officially launch the project by posting the Tiny Home Village Pilot Project on the Housing Action Program page and promoting the project through appropriate venues.
- Research on available funding to support the pilot project.
- Collaborate with agencies and community groups to explore solutions to the water supply issues for the pilot project.
- Initiate the official SS OCP amendment process and continue to explore amendments to the SS LTC Official Community Plan Bylaw No. 434, 2008, as they relate to accessory dwelling units.
- Proceed with the amendment to the SS LTC Bylaw No. 355, 1999 related to secondary suites.
- Legal review on the proposed draft bylaw on secondary suites.

Submitted By:	Louisa Garbo, Island Planner	February 3, 2022
Concurrence:	Stefan Cermak, Regional Planning Manager	February 4, 2022

ATTACHMENTS

- Appendix 1 Tiny Homes Pilot Project Framework and Criteria
- Appendix 2 Draft Amendment to SS LTC Bylaw No. 355 on Secondary Suites
- Appendix 3 Draft Amendment to SS LTC Bylaw No. 355 on Secondary Suites (with strikethroughs)
- Appendix 4 Affordable Housing in the Trust Area: Strategic Actions for Islands Trust

Tiny-homes Village Pilot Project Framework & Criteria

I. Pilot Project Framework

On January 19, 2021, the Salt Spring Island Local Trust Committee (SSI LTC) approved the Housing Action Program Project Charter to ensure the Islands Trust takes a holistic approach to address housing issues such as density, diverse housing options, sustainable building design and preservation of the sensitive ecosystem on the island. Most importantly, the Housing Action Program seeks to implement the objective of providing a mix of housing types in appropriate locations as set forth in the Salt Spring Island Official Community Plan. Proposed actions within the Housing Action Program Project Charter include exploring incentive programs to promote housing projects that are sustainable, innovative and affordable. This Pilot Project initiative under the Housing Action Program intends to test the viability of sustainable development and building designs that are affordable for Salt Spring Island residents.

II. Objectives

The Tiny-homes Village Pilot Project intends to:

- Prioritize affordable housing options through diverse housing forms and tenure types;
- Promote fee-simple affordable housing in a building-strata subdivision;
- Preserve, protect, restore, and connect environmentally sensitive areas;
- Achieve objectives and strategies within the [Islands Trust Strategic Plan](#);
- Encourage and promote leading-edge sustainable building, landscaping, and land use designs; and
- Encourage a full-scale, replicable approach to address the pilot project objectives.

*Preference will be given to projects that are on, or can provide reasonable access to active transportation networks, housing designed for special needs, and/or housing that advance Islands Trust's Reconciliation Declaration.



III. Projects Sustainability Features

The proposed project must, at a minimum, demonstrate thoughtful implementation of conservation design practices that:

- Provide sustainable safe-drinking water supply;
- Protect water quality;
- Reduce or not increase flooding and storm water runoff;

- Protect sensitive ecosystems and biodiversity;
- Protect and recharge aquifers;
- Protect surface water;
- Preserve or enhance capacity of local food systems;
- Minimize carbon outputs and greenhouse gas emissions; and
- Provide common areas that enhance social well being for activities such as art production, local food production, passive recreation, or other similar community-based programs.

IV. Pilot Project Incentives

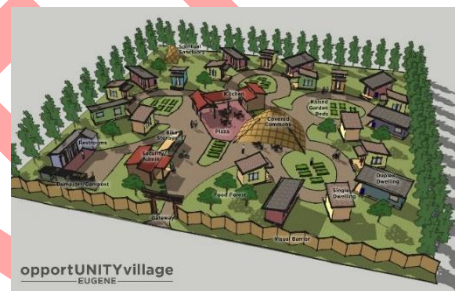
Incentives may include:

- Increased dwelling unit density;
- Amending land use regulations by staff to support the project;
- Dedicated planning staff time to expedite a rezoning process;
- Provide technical support on water system and possible water rebate; and
- Assistance on searching for relevant grant funding.

V. Eligibility Criteria

The following criteria must be met in order for a proposal to be considered:

- The applicant must have experience with residential housing development, or include project partners with relevant expertise;
- Project must be supported by a viable pro- forma or demonstrate adequate funding that the project can be developed. ;
- The project must include the following:
 - A minimum of 10 dwelling units;
 - Each dwelling unit should be within 500 square feet and constructed on a permeant foundation;
 - Energy efficient technologies, green building methods and sustainable features as identified in Section III.
 - Each dwelling unit must be a fully functional housing unit that includes basic amenities such as kitchen and bathroom; and
 - The design of each dwelling Unit must receive or be capable of receiving an occupancy permit.



*Applications within the Agricultural Land Reserve and watershed designated areas are not supported at this time. A standard subdivision project will not be expedited since the process is outside LPS's jurisdiction.

VI. Submission Requirements

- A proposal that describes the proponent's organization and experience;

- All relevant development information including, but not limited to, project site location, lot size, proposed density/dwelling units, building layout, a conceptual site plan or building-strata subdivision, landscape plan and architectural elevation design;
- A proposal outlining concept feasibility and timeline; and
- A report that identifies how the project meets objectives in Section II, the sustainability features proposed in Section III, and how it complies with the Pilot Project’s criteria outlined in Section V.
- Successful submissions may still require further design and report work.

VII. Review Process

- Local Planning Services staff will review all submissions and make a recommendation to SSI LTC on which project should be selected in consideration of the above criteria.
- The SSI LTC will make a decision on which proposal will become a Pilot Project. Deadline for each submission is n March of each year. A new pilot project will be chosen annually as long as the SSI LTC has dedicated resources. Once approved as a Pilot Project, prior to the proposal moving forward to the rezoning, building-strata subdivision, development and/or building permit review process.
- Incentives will be granted by resolution of the SSI LTC. The proponent may be required to enter into binding agreement with the SSI LTC.

VIII. Example of Timeline

Applications to be received by:	March 2022
First Pilot Project to be awarded by:	April 2022
First Pilot Project to complete legislative stage by:	April 2023
First Pilot Project to be built out by:	April 2025
Second Pilot Project to be received by:	March 2023
Second Pilot Project to be awarded by:	April 2023
Second Pilot Project to complete legislative stage by:	April 2024
Second Pilot Project to be built out by:	April 2026

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 528

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

The Salt Spring Island Local Trust Committee, being the 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 Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 4, 2021”.

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 By adding the following to Section 1.1 Definitions:

“Density” means a measure of the intensity of development to the area of the site, lot, or parcel including the number of units on a *site* measured in units or areas, percentage of lot coverage, total *floor area* of *building structure*, or floor area ratio, as the case may be.

“Accessory Dwelling Unit” means a *dwelling unit* accessory to a *single-family dwelling unit* intended as an independent and separate unit which contains its own sleeping, living, cooking and sanitary facilities, and its own independent entrance. Accessory dwellings may be contained within the *principal single-family dwelling unit* or located in a detached *accessory structure*.

2.2 By replacing the existing definition of Secondary Suite in Section 1.1 Definitions – with the following:

“Accessory Dwelling Unit, Secondary Suite” means a self-contained *accessory dwelling unit* fully contained within and subordinate to a *single-family dwelling unit*.

2.3 By removing Schedule “I” Secondary Suites Map.

2.4 By replacing Section 3.16 – Secondary Suites – with the following:

3.16 ACCESSORY DWELLING UNITS - SECONDARY SUITES

3.16.1 Secondary Suites are permitted within, or attached to a permitted *principle single-family dwelling unit* provided that:

- (1) the *principal single-family dwelling unit* or the secondary suite is occupied by the owner of the dwelling; or

- (2) the principal single-family *dwelling unit* or the secondary suite is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.
- (3) the secondary suite is not located within a portion of a *lot* that is identified as a community well capture zone on Map 22 of the Salt Spring Island Official Community Plan;
- (4) the secondary suite is not located within an existing community water system, except, where alternative *potable* water supply, in compliance with this bylaw, is provided; or, written confirmation from the operator of the community water system that site has sufficient capacity to supply the secondary suite;
- (5) the secondary suite is not located within a portion of a *lot* that is zoned Rural Uplands, Rural Watershed, or Rural Islet as designated on Schedule A of the Salt Spring Island Land Use Bylaw No. 355; and
- (6) a secondary suite must not be operated as a *Bed and Breakfast* home-based businesses, nor rented on a *temporary* basis.

3.16.2 There is a maximum of one secondary suite permitted per *lot*.

3.16.3 A *secondary suite* shall not be permitted on the parcel if a cottage has been constructed and a cottage shall not be permitted on the parcel if a *secondary suite* has been constructed.

3.16.4 The entrance to a secondary suite from the exterior of the building must be separate from the entrance to the *principal single-family dwelling unit*.

3.16.5 The maximum floor area for a secondary suite is forty per cent (40%) of the floor area of the *principal single-family dwelling unit* and no more than ninety square metres (90 m²) of floor area.

3.16.6 A secondary suite must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS _____ DAY OF _____ 20_____

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD 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

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 528

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

The Salt Spring Island Local Trust Committee, being the 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 Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 4, 2021”.

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 By adding the following to Section 1.1 Definitions:

“Density” means a measure of the intensity of development to the area of the site, lot, or parcel including the number of units on a site measured in units or areas, percentage of lot coverage, total floor area of building structure, or floor area ratio, as the case may be.

“Accessory Dwelling Unit” means a dwelling unit accessory to a single-family dwelling unit intended as an independent and separate unit which contains its own sleeping, living, cooking and sanitary facilities, and its own independent entrance. Accessory dwelling units may be contained within the principal single-family dwelling unit or located in a detached accessory structure.

2.2 By replacing the existing definition of *Secondary Suite* in Section 1.1 Definitions – with the following:

“Accessory Dwelling Unit, Secondary Suite” means a self-contained *accessory dwelling unit* fully contained within and subordinate to a *single-family dwelling unit*.

2.3 By removing Schedule “I” Secondary Suites Map

2.4 By replacing Section 3.16 – Secondary Suites – with the following:

3.16 ACCESSORY DWELLING UNITS - SECONDARY SUITES

3.16.1 Secondary Suites are permitted within, or attached to a permitted principal single-family dwelling unit provided that:

~~Information Note:—Secondary suites are also permitted on lots within the Agricultural Land Reserve, zoned Agriculture 1 and Agriculture 2 by this Bylaw.~~

~~Information Note: Secondary suites that are permitted by these regulations also require a building permit from the Capital Regional District Building Inspection Office to be fully legalized.~~

~~3.16.2 A dwelling unit is permitted to contain a secondary suite provided that:~~

- (1) the *principal single-family dwelling unit* or the *secondary suite* is occupied by the owner of the dwelling; ~~or~~
- (2) the *principal single-family dwelling unit* or the *secondary suite* is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.
- (3) the secondary suite is not located within a portion of a lot that is identified as a Community Well Capture Zone on Map 22 of the Salt Spring Island Official Community Plan;
- (4) the secondary suite is not located within an existing community water system, except, where alternative potable water supply, in compliance with this bylaw, is provided; or, written confirmation from the operator of the community water system that the site has sufficient capacity to supply the secondary suite;
- (5) the secondary suite is not located within a portion of a lot that is zoned Rural Uplands, Rural Watershed, or Rural Islet as designated on Schedule A of the Salt Spring Island Land Use Bylaw No. 355; and
- (6) a secondary suite must not be operated as a Bed and Breakfast home-based business, nor rented on a temporary basis.

~~3.16.32~~ There is a maximum of one *secondary suite* permitted per lot.

3.16.3 A secondary suite shall not be permitted on the parcel if a cottage has been constructed and a cottage shall not be permitted on the parcel if a secondary suite has been constructed.

~~3.16.4 A secondary suite must be located contained within the walls of the building that contains the principal dwelling unit.~~

~~3.16.54~~ The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.

~~3.16.65~~ The maximum floor area for a secondary suite is forty per cent (40%) of the floor area of the principal dwelling unit and no more than ninety square metres (90 m²) of floor area.

3.16.6 A *secondary suite* must not be *subdivided* from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.

3.16.77 A secondary suite must not be subdivided from the principal dwelling unit under the Land Title Act or the Strata Property Act.

~~3.16.11 Where water is supplied to a secondary suite by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity to supply the secondary suite.~~

~~Information Note: The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity.~~

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS _____ DAY OF _____ 20_____

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD 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

Affordable Housing in the Trust Area: Strategic Actions for Islands Trust Appendix 4

	Recommendation	Source	Priority	Timing	Staff Comment
ISLANDS TRUST POLICY STATEMENT					
1.	Review the Islands Trust Policy statement and give consideration to: <ul style="list-style-type: none"> a) giving affordable housing a greater profile for its role in sustainable communities b) including a reference to affordable housing in its policy direction to LTCs and municipalities 	Housing Tool Kit	High	Medium – align with policy statement review	Islands Trust Council is intending to update the Islands Trust Policy Statement. Strong direction from Trust Council to LTCs assist in interpreting the Islands Trust mandate and in defining how affordable housing fits into Trust Council’s vision for the future. Policy Statement directives shape the OCP policies and LUB regulations within local trust areas.
2.	Review the Islands Trust Policy statement to ensure that it: <ul style="list-style-type: none"> a) includes clear and well-thought out definition of ‘affordability’ b) includes clearly articulated vision, goal and objectives for affordable housing c) gives affordable housing a greater profile for its role in sustainable communities d) includes a reference to affordable housing in its policy direction to LTCs and municipalities 	Housing Tool Kit	High	Medium – align with policy statement review	As above.
3.	Consider initiating a Trust-wide Affordable Housing Strategy, with direction to LTCs to develop Local Trust Area-specific components.	Housing Tool Kit	low	Medium – align with policy statement review.	The Islands Trust Policy Statement could give LTCs such direction. Trust Council should follow the recommendations and include affordable housing in its Policy Statement review. The Policy Statement is a legislative tool and has more teeth than an Affordable Housing Strategy would.
MODEL BYLAWS					
4.	Bring forward a thorough analysis of alternative ways of measuring density and how to manage any corresponding impacts.	Housing Forum Final Report; Daniels, 2003.	Medium	Long Term	Such an analysis would support understanding and consideration of model bylaws suggested below. Should include concepts such as floor area ratio, home plate proposals (Agricultural Land Commission), and cottage housing (Daniels, 2003).

5.	Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws.	Daniels, 2003, Tool Kit, 2010.	High	Short Term	Redefine how density is measured. Explore alternative metrics that measure building footprints and land impacts instead of dwelling units. Floor area ratio as a density metric will protect natural values while giving people more flexibility to provide different forms of housing on residential properties.
6.	Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.	Daniels, 2003, Tool Kit, 2010.	High	Short Term	Imbed extra density allowances in land use bylaw residential zones. Extra density can only be realized in exchange for an eligible community amenity such as affordable housing, ensured with a housing agreement, or protection of ecosystems by way of a conservation covenant. Ensure rainwater catchment systems are required for any additional density.
7.	Develop model bylaws to address the use of building stratas as a tool for affordable housing.	New	High	Short Term	The Strata Property Act enables property titles to be subdivided without subdividing the land (and causing the associated impacts). This tool should be carefully considered and managed as a way to enable co-ownership of land with multiple property tiles that can each be financed separately by a conventional lender. This option could become a key strategy if land values continue to escalate.
8.	Develop model bylaws for secondary suites and cottages to be standardized across the Islands Trust Area according to best practices.	New	Medium	Short Term	Suites and cottages should be used to intentionally target needs identified in housing needs assessments. Secondary suites should be considered as an island's primary rental stock for singles, while cottages should be considered as rental or ownership family housing. Floor area limits should be able to be varied where appropriate (locate the size limits in the regulations, not the definitions, of a land use bylaw).
9.	Develop model rental housing zoning bylaw.	New	Low	Long Term	This is a new recommendation stemming from recent legislative amendments. It is considered low priority because purpose built, multi-family rental housing is not always viable in Trust Area communities. It may be more efficient to

					the rental zoning powers through a development application for multi-family rental housing.
HOUSING AGREEMENTS					
10.	Continue development of a program for Islands Trust to hold and administer housing agreements on behalf of local trust committees.	Housing Tool Kit	High	Short term	Islands Trust has developed resources and capacity to administer housing agreements. This function should continue to be supported and developed.
COORDINATION					
11.	Trust Council to use coordination authority of Islands Trust Act to strike a multi-stakeholder and inter-jurisdictional affordability committee by region. Make sure to include regional districts and the health authorities. Create terms of references based on mutual cooperation and a commitment to considering affordability in application processes and regulatory requirements.	New	High	Short term	Coordinate policy across different jurisdictions to ensure different regulations are not in conflict and to ensure affordability is considered and enabled wherever possible. This committee should consult mortgage experts and representatives from the building industry to inform policy coordination with current economic realities.
ADVOCACY					
12.	Advocate other regulatory agencies find a way to permit alternative solutions for affordable housing pilot projects.	Housing Tool Kit	Medium	Long Term	This is an advocacy item that requires discussion by Trust Council. Trust Council could advocate the BC Building Code include minimum standard exemptions that ensured environmental standards are met, as are health and safety standards of buildings. It could be addressed through coordination, as noted above.
13.	Initiate an ongoing Housing Council consisting of membership from a broad range of stakeholders.	Housing Tool Kit	Low	Long Term	The Islands Trust governance structure is prescribed by the Islands Trust Act. This recommendation is best directed at community groups. A community based Housing Council could be initiated by community groups to coordinate affordable housing initiatives and speak with one voice to government agencies such as Trust Council.
14.	Advocate senior levels of government increase funding for affordable housing specifically targeting low density, rural communities.	Housing Tool Kit	High	Long Term	Affordable housing proponents need funding support which is a Provincial and Federal role.
15.	Advocate senior levels of government provide additional funding for seniors housing, support	Housing Forum Final	Medium	Long Term	Land owners and developers may need funding support to add community value to

	services, public transportation options, medical services, and for commercial establishments to upgrade with universal design standards.	Report			developments. Land use and transportation are inter-dependent and related.
TRUST FUND BOARD					
16.	Explore the potential for the creation of an affordable housing Land Trust.	Housing Tool Kit	Medium	Long Term	Trust Council could consider expanding the role of the Trust Fund Board to create an affordable housing land trust. This would be a fundamental change to the Islands Trust and should be explored in the context of the Trust Fund Board role, mandate, and legislative authority.
17.	Explore the potential for and required changes to the Trust Fund Board to allow it to hold land on an interim basis for affordable housing.	Housing Tool Kit	Low	Long Term	Trust Fund Board can own land and currently has a property acquisition role, however it may only hold land in support of furthering the mandate of Islands Trust. This is a key discussion for Trust Council in interpreting the Islands Trust mandate and the definition of unique amenities.
HOUSING NEEDS ASSESSMENTS					
18.	Continue on-going coordination and funding for Housing Needs Assessments across the Islands trust Area.	Housing Tool Kit	Medium	Long Term	Housing Needs Assessments have been completed for the Islands Trust Area. Legislation requires they be updated every five years.
19.	Support Bowen Island Municipality in updating its Housing Needs Assessment using a consistent methodological approach as done for the other regions of the Islands Trust Area.	New	High	Short term	The housing needs assessments conducted in 2018 excluded the Bowen Island Municipality. There may be opportunities for cost sharing or other coordinated supports that would assist the BIM in updating its 2008 HNA.