



Making a difference...together

SALT SPRING ISLAND TRANSPORTATION COMMISSION

Notice of Meeting on **Tuesday, June 17, 2014 at 4:00 PM**

145 Vesuvius Bay Road, Salt Spring Island, BC

Donald McLennan
Ross Simpson
Wayne McIntyre

Andrew Haigh
Nigel Denyer

Robin Williams
Sheryl Taylor-Munro

Dennis Fortin
Kevin Bell

AGENDA

1. Approval of Agenda

2. Adoption of Minutes of May 20, 2014

3. Presentations/Delegations

3.1 Henry Kamphof, Senior Manager, CRD Housing Secretariat (via Skype) and Janis Gauthier JG Consulting Services

Re: 161 Drake Road

4 Motion to Close Meeting in accordance with the Community Charter Part 4, Division 3, Section 90 (1)

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

5 Reports-Chair and Director

6 Outstanding Business

6.1 Islands Trust Referral SS-RZ-2103.5 Rezoning and OCP Amendment at Bullock Lake 315 Robinson Road

That the Salt Spring Island Transportation Commission recommends

- Should the LTC approve the rezoning and OCP amendment of Bullock Lake Cottages, the Salt Spring Island Transportation Commission recommends that the Islands Trust accept the community amenity offered by the Owner/Applicant to facilitate pedestrian and cycling infrastructure by providing access to 4 meters of property adjacent to the existing highway allowance along the entire frontage of the property along Robinson Road;
- And that the Owner/Applicant construct a separate multi-use pathway along this same frontage at their cost and that the multi-use pathway be built to CRD specifications;

- And that for any areas of the pathway along this same frontage that are contained within private property that a statutory right-of-way be registered in favour of the CRD and in a form acceptable to the CRD;
- And further, that the CRD assume the maintenance and liability upon acceptance of the completed works.

6.2 Islands Trust Referral SS-RZ-2013.9 Rezoning for Multi-Family Affordable Housing Complex at 161 Drake Road

That the Salt Spring Island Transportation Commission (SSITC) recommends to the Island's Trust that the applicant for the rezoning of 161 Drake Road construct a multi-use pathway along the entire frontage of the property along Drake Road as the Island's Trust Official Community Plan identifies Drake Road as a main or secondary bicycle route on Map 4; and further the SSITC supports the concept of a pilot project that may include electric vehicle charging stations, and/or a car share program.

6.3 Islands Trust Referral SS-RZ-2013.3 Rezoning and OCP Amendment- 119-150 Ashya Road

That the Salt Spring Island Transportation Commission advise Island's Trust that their interests are unaffected by the application to amend the Official Community Plan and Land Use Bylaw for 119 – 150 Ashya Road.

6.4 Special Group Trips and Special Transit Services

That the Salt Spring Island Transportation Commission advises the Capital Regional District to approve the Special Event Service request made to Salt Spring Transit by a Girl Guides group for June 27-July 1, 2014.

7 New Business

7.1 Transit Monthly Revenues Report and Ridership numbers

7.2 Transit 5 Year Operating Budget

8 Correspondence

8.1 Email Dated May 27, 20214 from Craig Richenback, Northern Youth Abroad re: Request for two bus passes

8.2 Clean Air Bylaw No 2401-Oral Report

9 Next meeting July 22, 2014

10 Adjournment

Communications and Information only items-see appendix A



Making a difference...together

**Minutes of the Regular Meeting of the Salt Spring Island Transportation Commission
Held May 20, 2014 in the Portlock Park Meeting Room, Salt Spring Island, BC**

DRAFT

PRESENT: **Director:** Wayne McIntyre

Commission Members: Donald McLennan (Chair); Robin Williams; Andrew Haigh; Sheryl Taylor-Munro; Nigel Denyer; Kevin Bell

Staff: Karla Campbell, Senior Manager; Keith Wahlstrom, Contract Engineer, CRD; Michele Akerman, Recording Secretary

Absent: Ross Simpson, Dennis Fortin

Chair called meeting to order at 4:05pm

1. Approval of Agenda

MOVED by Commissioner Denyer, **SECONDED** by Commissioner Taylor-Munro,
That the agenda be approved with the following additions:

- Item 3.2 add: Rolly Cook and Maxine Leichter regarding Islands Trust Referral SSRZ2013.5 Rezoning and OCP Amendment at Bullock Lake.

CARRIED

2. Adoption of Minutes

MOVED by Director McIntyre, **SECONDED** by Commissioner Taylor-Munro,
That the minutes of April 15, 2014 meeting be adopted with the following amendments:

- Amend 5.1(a), to read *Discussions with Windsor Plywood*
- Amend 4, Directors Report, to read:
 - *Thanks to Robin for his hard work on the April 5th BC Transit special day of recognition for the 100,000 SSI transit system rider in one year.*
 - *Invite extended to Minister Naomi Yamamoto, Minister of Small Business and Tourism to visit SSI in June.*
 - *Worked on SSI Ferry Action Alliance matters. Attended the AVICC Conference with Trustee Grams where the first stage of the UBCM report on the economic impact of ferry policies on coastal was presented and discussed and funding for the next stage was approved.*
 - *At AVICC also reviewed the fact that SSI is not considered rural as it is part of the CRD. Restricts access to many provincial and federal rural programs.*
- Amend 3.1, John Wakefield – Wayfinding Signage
 - *Aimed at improving the cyclists experience and help us increase ridership as laid out in the PCMP. The CRD is promoting Wayfaring by drafting a bicycle Wayfinding Guidelines for Utility Cycling, and set aside some funding to get some signage in the ground.*
 - *There is funding to put towards implementation and get signage “in the ground” this year. The amount available will depend on how many municipalities are in a position to move forward by the end of the year.*
 - *Funding opportunity \$32,000, with 16 possible contenders, lowest amount available is \$2,000.*
 - *The Commission needs to indicate if they would like to pursue the available funding.*

CARRIED

3. **Presentations/Delegations**

Robert Lapham and Myrna Moore, Re: BC Transit Annual Operating Agreement

Overall the increase of the budget over last year was 3.2%, and that takes in to account the 660 annualized hours. Budget also reflects the four buses that need to be replaced this year.

The Commission requested an updated copy of the five year transit Operating Budget.

MOVED by Commissioner Williams, **SECONDED** by Commissioner Bell,
That the Salt Spring Island Transportation Commission receive the BC Transit Annual Operating Agreement for information.

CARRIED

3.1 Rolly Cook and Maxine Leichter -Bylaw Referral-Islands Trust – SS-RZ-2013.5 - 315 Robinson Road

Maxine Leichter presented her concerns regarding Bullock Lake. The Commission raised a point of order as the topic did not fall within the scope and jurisdiction of the Transportation Commission.

Rolly Cook presented that there is a probability of numerous people on site and it is quite a distance from the Ganges core. There should be a proper pathway going from Bullock Lake and linking up with another path for people to travel safely. It should enhance the community and Downtown Ganges, which is what OCP suggests.

There was discussion regarding current pathway projects and possible connectivity.

4. **Reports – Chair and Director**

Chair Report

- No answer back from BC Ministry of Transportation on the \$100,000 grant application that we sent out in December.
- Island Pathways and Partners Creating Pathways have been awarded a \$75,000 to support the PCP projects this year.
- Salt Spring Transit received an amount of money from someone in their will, who wishes to remain anonymous.
- Bike to work week kick-off celebration is on May 24th at the location of the new bus shelter.

CRD Director's Report

- Various commission meetings, including the Ganges Sewer to review impact of proposed affordable housing project on Drake Road and the CEDC to structure a community input plan to complete the SSI Economic Development action plan.
- May 6th the CRD Chief Administrative Officer and senior management team came to SSI to present an overview of the CRD and to address various commission and committee governance matters.
- Minister Yamamoto, Minister of Small Business and Tourism, will be coming to SSI on June 20th. Visit will be co-sponsored by the SSICEDC and the SSI Chamber of Commerce and will include formal events and a tour.

- CRD Board approved an SSI Community Works Fund allocation of \$25,000 for the development of a cycling and pedestrian trail map to integrate with the Experience the Gulf Islands initiative.
- SSI received a CRD Active Transportation Innovation grant program award of \$75,000 for Islands Pathways.
- Special CRD Board meeting was held April 30th on First Nations matters; there are 10 First Nations within the CRD. Two First Nations made presentations to the Board.
- Meeting with Rose Murakami at her request to review the pictorial history of the involvement of the Murakami family and Winsor principles in the berm removal, culvert construction, etc. along Rainbow Road.

5. Outstanding Business

5.1 North Ganges Transportation Plan

5.1.1 Working Group Deliberations

The working group is planning to meet with the parents groups to provide more information on the Rainbow Road Project working through the Trustees. High School student council and School Trustees are on side.

5.1.2 Motion from School District 64

Board of Education passed a motion endorsing, in principle, the North Ganges Transportation Plan for the Rainbow Road Pathway Project, subject to the school district's approval of final design drawing for the pathway project and subject to the school district reaching a satisfactory land use agreement for the pathway with the Capital Regional District.

5.1.3 Strategic Approach to Ministry of Transportation

General discussion regarding having an evolving strategic approach with Ministry of Transportation (MOTI). Discussion around leadership of projects and how priority is assigned to each project.

Staff has already initiated meetings with MOTI to discuss priorities, the roundabout, and any questions the Commission has.

Defer to next meeting

5.2 Bus Shelter Update

Commissioner Williams advised a meeting was held with Bellavance Welding for the steel structure portion of the shelter. Completion of the project is expected to be August 2014.

MOVED by Commissioner Williams, **SECONDED** by Commissioner Haigh, That the Salt Spring Island Transportation Commission accept the Bellavance bid with a budget ceiling of \$12,000 and a glass ceiling of \$3,000.

CARRIED

5.3 PCP 2014 Project Update

Island Pathways is collecting the money and they have \$20,000 so far, there is \$15,000 available from this Commission and \$75,000 for the innovative

infrastructure. There are sufficient funds to do both pathways this year. The Lower section, Harbours End pathway is completing some of the design elements with Philip and then there is the kiosk which is part of the innovative portion.

Staff mentioned a few concerns, Harbours End has archeological issues, and it has to be determined if there is no excavating in that area can it move ahead. The other issue is when we are adding material do we need a Silt Mitigation Plan. Staff to go out and look at connectivity from the intersection from Upper Lower Ganges Road toward the village.

5.4 CRD Wayfinding signage initiative – Technical Advisory Committee recommendations

MOVED by Commissioner Haigh, **SECONDED** by Commissioner Williams, That the Salt Spring Island Transportation Commission advises CRD Salt Spring Island to communicate the following to CRD Active Transportation via John Wakefield the SSI representative on the CRD Pedestrian and Cycling Master Plan (PCMP) PAC:

- CRD SSI wishes to collaborate with CRD Active Transportation on a wayfinding signage initiative which builds on the recommendations in the PCMP SSI Edition
- The PCMP SSI Edition provides good guidance for locating the signs on the Primary Interconnector Network (page 34 in the PCMP)
- A budget contribution along the lines of that proposed by CRD Active Transportation would be sufficient to launch the program on Salt Spring
- Volunteer manpower is available on Salt Spring to launch the program following the precedents of previous signage initiatives

CARRIED

Commissioner Bell and Denyer opposed.

6. New Business

6.1 Island's Trust Bylaw Referral – SS-RZ-2013.5 – Rezoning and OCP Amendment at Bullock Lake (315 Robinson Road)

MOVED by Commissioner McLennan, **SECONDED** by Commissioner Williams,

- Should the LTC approve the rezoning and OCP amendment of Bullock Lake Cottages, the Salt Spring Island Transportation Commission recommends that the Islands Trust accept the community amenity offered by the Owner/Applicant to facilitate pedestrian and cycling infrastructure by providing access to 4 meters of property adjacent to the existing highway allowance along the entire frontage of the property along Robinson Road;
- And that the Owner/Applicant construct a separate multi-use pathway along this same frontage at their cost and that the multi-use pathway be built to CRD specifications;
- And that for any areas of the pathway along this same frontage that are contained within private property that a statutory right-of-way be registered in favour of the CRD and in a form acceptable to the CRD;
- And further, that the CRD assume the maintenance and liability upon acceptance of the completed works.

It was generally agreed to defer consideration of the motion.

7. **Adjournment**

MOVED by Director McIntyre, **SECONDED** by Commissioner Haigh,
That the meeting be adjourned at 6:15pm

CARRIED

CHAIR

SENIOR MANAGER



Islands Trust

BYLAW REFERRAL FORM

Salt Spring Island Transportation Commission
Agenda June 17, 2014
Item 6.1

Island: Salt Spring Island Trust Area Bylaw No.: N/A Date: March 7, 2013

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information, a Public Hearing to consider the Bylaw will be held once the proposal is advanced through the bylaw approval process.

APPLICANTS NAME / ADDRESS:

Cameron Chalmers c/o Platform Properties
315 Robinson Road, Salt Spring Island

PURPOSE OF BYLAW:

Note this is a preliminary referral for input into a rezoning application and OCP amendment prior to bylaw drafting. The applicant proposes to amend the Official Community Plan designation of the subject property from Rural Neighbourhoods to a new designation "Bullock Lake Recreational Cottage" and rezone the property from Rural (R) to a new zone that would permit 50 commercial guest accommodation units and a 557.4 m² (6000 ft²) multi-use "amenity" building.

GENERAL LOCATION:

315 Robinson Road, Salt Spring Island

LEGAL DESCRIPTION:

Strata Lots 1- 51, Section 7 Range 3 East, North Salt Spring Island Cowichan District Strata Plan VIS4458 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

SIZE OF PROPERTY AFFECTED:

6.20 ha (15.32 ac)

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Neighbourhood

OTHER INFORMATION:

This is a preliminary bylaw referral for early consultation. A second referral may be circulated if a bylaw is proposed for this development. Attached is a copy of a staff report received by the Salt Spring Island Local Trust Committee on February 27, 2014.

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this proposal.

(Signature)

Name: _____

Title: _____

This referral has been sent to the following agencies:

Federal Agencies

N/A

Regional Agencies

Capital Regional District
CRD Building Inspection
CRD Engineering Services
CRD Regional Parks
CRD Economic Development Commission
Island Health

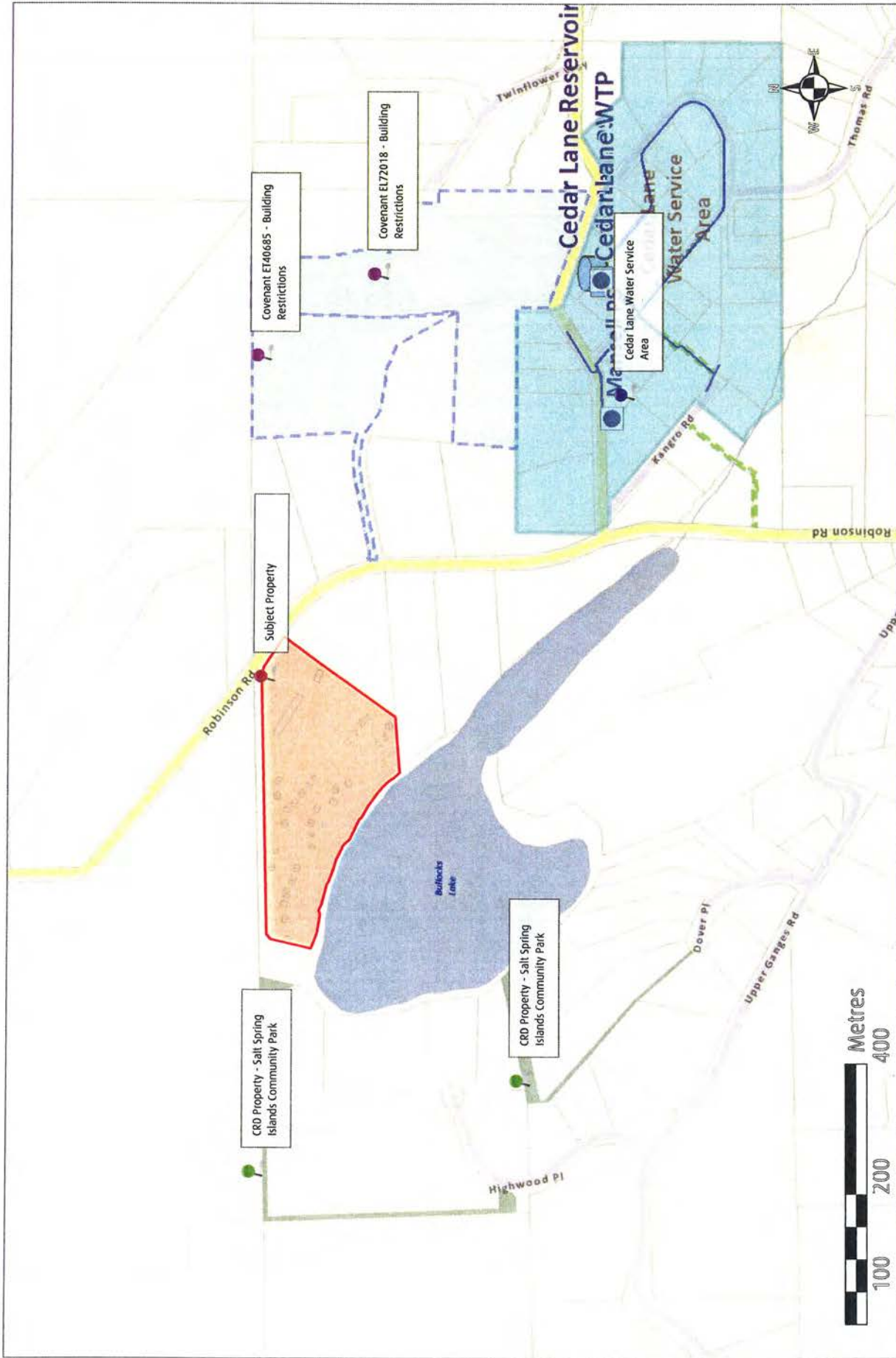
Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Environment
Ministry of Transportation & Infrastructure

Adjacent Local Trust Committees and Municipalities

N/A

PLEASE TURN OVER →



Important

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Printed Wed, Mar 12, 2014

CRD Interests

Islands Trust SS-RZ-2013.5

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>

CRD
Building Infrastructure & Systems

STAFF REPORT

Date: February 20, 2014 **File No.:** SS-RZ-2013.5

To: Salt Spring Island Local Trust Committee
For the meeting of February 27, 2014

From: Justine Starke, Island Planner, Salt Spring Island

CC: Cameron Chalmers

Re: Rezoning and OCP Amendment Bullock Lake Cottages

Owner: 0915294 BC LTD

Applicant: Cameron Chalmers

Location: 315 Robinson Road
Strata Lots 1- 51, Section 7 Range 3 East, North Salt Spring Island Cowichan District
Strata Plan VIS4458 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

THE PROPOSAL:

This report presents a revised Bullock Lake Cottages development proposal for consideration of the Local Trust Committee. The applicant proposes to change the OCP designation of the subject property from Rural Neighbourhoods to a new designation "Bullock Lake Recreational Cottage" and rezone the property from Rural (R) to a new zone that would permit 50 commercial guest accommodation units and a 557.4 m² (6000 ft²) multi-use "amenity" building. The application was revised to exclude Phase 2, and remove Lots 2, 3, 4, 5 from any proposed development.



Existing Built Form Example

Specifically, the application is to create a "Bullock Lake Recreational Cottages" Official Community Plan policy framework that would include the following amendments:

1. Creation of a "Bullock Lake Recreational Cottages" designation and definition based on the development existing and proposed for the property for inclusion in the OCP;
2. An amendment to Map 1 of the OCP to redesignate Strata Lots 1-51 from the current Rural designation to the "Bullock Lake Recreational Cottages" designation;
3. The development of specific policy statements for the Local Trust Committee to consider in response to any future rezoning or development applications.

The proposed Land Use Bylaw amendment creates a new zoning framework to accommodate the Bullock Lake Cottages project. The proposal is to create a Comprehensive Development Zone (or new general commercial or commercial accommodation zone). The fundamental elements of the new zone are proposed to include the following:

1. New definitions of "recreational cottage" and "recreational cottage accommodation" or similarly named buildings and uses that permits the construction

- and use of cottages as non-residential cottage units for occupancy by owners, as well as managed accommodation units for the travelling public;
2. Inclusion of permitted use provisions to accommodate the amenity building, including accessory office space and a caretaker's suite;
 3. Size, siting, and setback criteria that reflects the built form on the property.

The application was further revised on February 3, 2014 with an amenity plan that proposes:

1. "The Amenity Building" – a multi-purpose building proposed to be available to community groups for booking at a reduced rate (cost recovery). The facility would also be reserved 20 hours/month priority booking for community groups. Community use of the building would be secured through a community use agreement.
2. "Conservation Covenant" – would establish a 30 metre conservation area through restrictive covenant that would protect the foreshore of Bullock Lake along the five properties owned by the applicant; equates to approximately 2.37 ha (5.68 ac) of land. In discussion with staff, the applicant has confirmed this to include a baseline ecological inventory of the existing sensitive ecosystem.
3. "Pedestrian/Bike Path Improvement" – a highway reservation agreement or public access easement agreement (or other mutually agreeable tool) to facilitate a bike/pedestrian path along the Robinson Road frontage of Strata Lots 1-51 and Lots 2-5 (excluding existing utilities and infrastructure).
4. Public Access to Lots 2-5 – 2.37 ha (5.86 acres) secured through legal agreement for a range of possible public uses. Suggestions include community gardens, passive recreation, or park uses. This would include restrictive covenant or other mechanism to prohibit future private development on these lots.

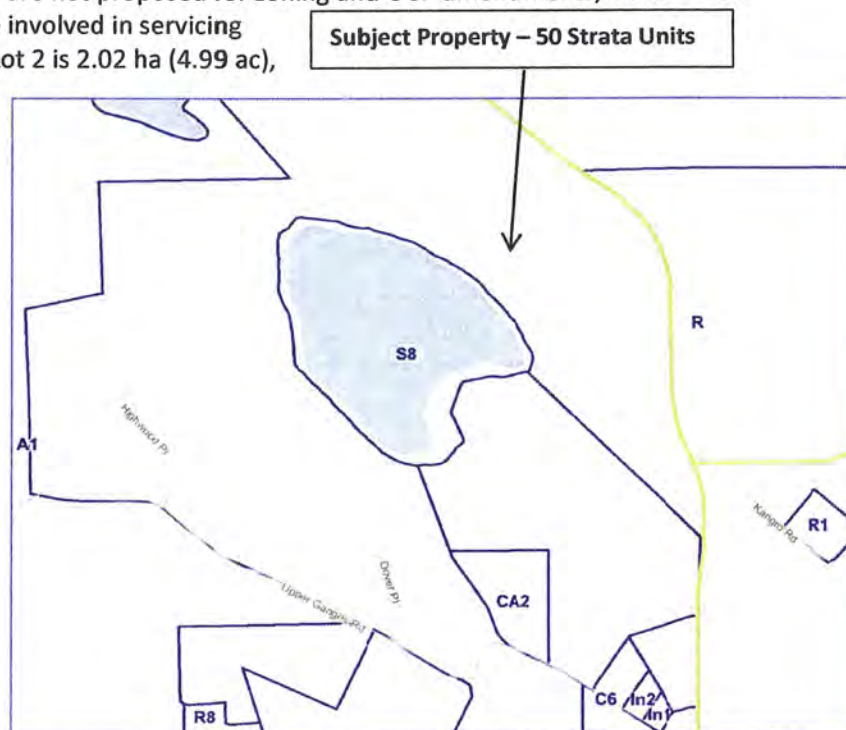
(Please see Appendix 1 to review full details of the amenity proposal)

SITE CONTEXT:

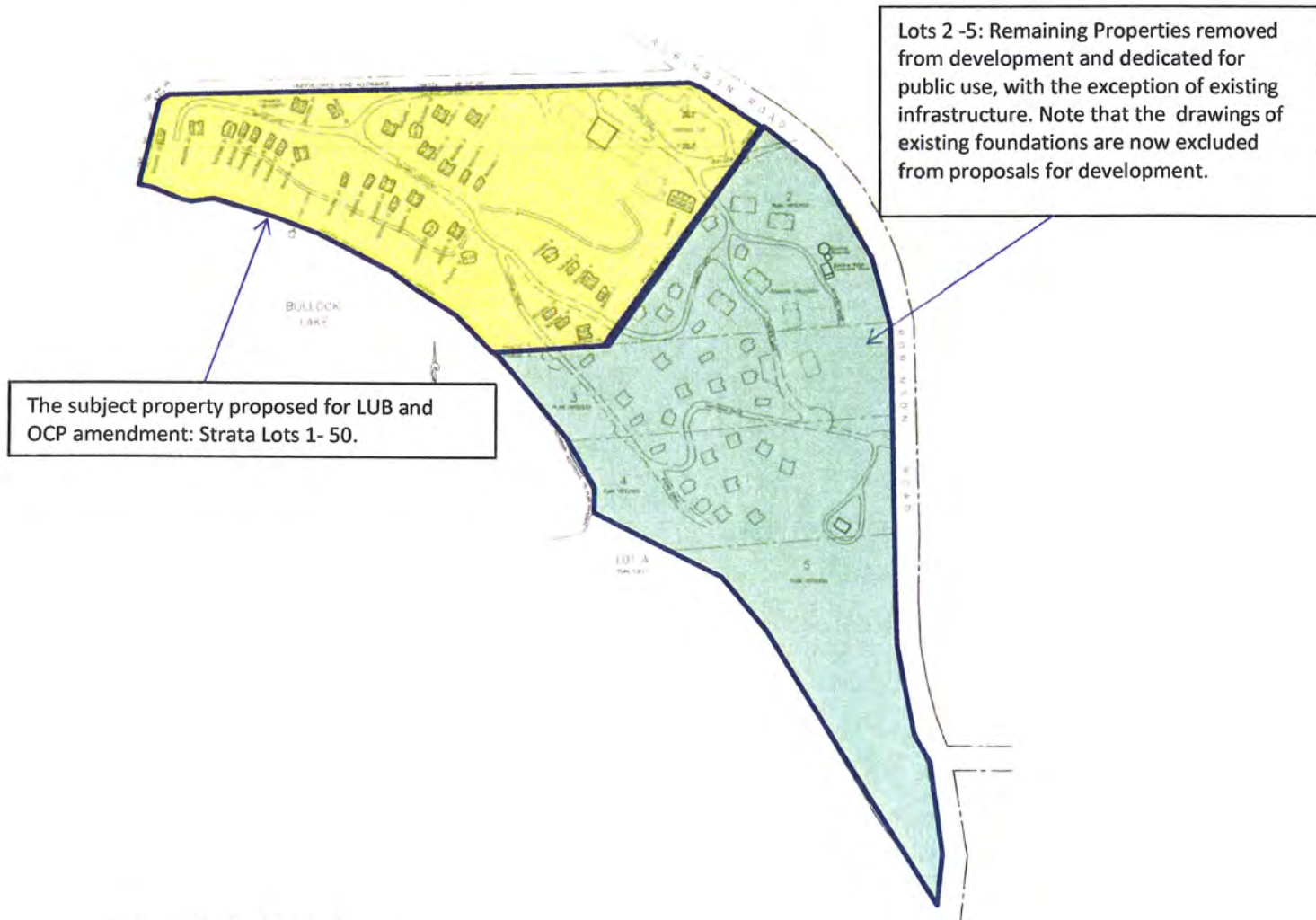
The total area of the site proposed for development is 6.20 ha (15.32 ac) and includes 50 strata lots and common property. The remaining lots 2-5 are not proposed for zoning and OCP amendments, but are held by the owner of the development and are involved in servicing infrastructure and in amenity proposals. Lot 2 is 2.02 ha (4.99 ac), Lot 3 is 2.02 ha (4.99 ac), and Lot 4 is 2.05 ha (5.07 ac). Lot 5 is 2.06 ha (5.1 ac) – it is in common ownership and has reciprocal access easements over Lots 1-4.

All subject properties have frontage on Robinson Road to the north and east, and frontage on Bullock Lake to the south and west.

There is an unopened Ministry of Transportation Right of Way on the western edge of the property. The subject properties are approximately 2.8 km from Ganges Village.



Bullock Lake Resorts Site Plan:



SITE CONTEXT CON'T:

According to Salt Spring Island Land Use Bylaw No. 355 the subject properties are zoned Rural (R). Properties to the northeast and to the south are zoned Agriculture 1 (A1) and are in the Agricultural Land Reserve. The neighbouring properties to the north and west and across Robinson Road to the east are also zoned Rural.

The subject properties are in a rural residential and agricultural neighbourhood. The property to the north is forested. The properties to the east and across Bullock Lake are residential, and two properties to the south are used for farming. The subject properties and properties to the north and east are designated "Rural Neighbourhoods" in the Salt Spring Island Official Community Plan Bylaw No. 434. There are two properties on the south side of Bullock Lake designated "Agriculture;" and Bullock Lake is designated "Marine Lake".

The subject properties slope toward Bullock Lake. There are 50 structures (cottages between 60 and 95% complete) on the strata lots and a foundation for an approximately 900 m² (9687 ft²) building on Strata Lot 1 and an additional 390 m² (4197 ft²) foundation on the strata common property. There are foundations for 73 additional structures on Lots 2, 3, and 4, which are no longer the subject of the proposed LUB and OCP amendments.

The average size of the structures on the strata lots is 105.95 m² (1140 ft²). The site also includes paved strata access routes on the common property that connect the existing structures and the servicing. There is connection to a water treatment building (approximately 90 m², 969 ft²) and reservoir (approximately 30 m², 323 ft²) on Lot 2 and a wastewater treatment building (approximately 120 m², 1292 ft²) on Lot 4. There is one dock that provides access to Bullock Lake.

Surrounding properties draw water either from individual wells or from Bullock Lake. Bullock Lake has been fully allocated in terms of water licenses. The surface area of Bullock lake is 10.2 ha (25.2 acres)¹. The lake has an estimated volume of 510 cubic decameters and flushes approximately once a year².

BACKGROUND

The Salt Spring Island Local Trust Committee received a preliminary report on this application on July 25, 2013. The Salt Spring Island Local Trust Committee passed the following resolution:

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee encourage the applicant for SS-RZ-2013.5 to hold a community information meeting (Chalmers, 315 Robinson Road). CARRIED

On November 14, 2014 the Salt Spring Island Local Trust Committee reviewed a request to enter into cost recovery for the applicant to resource a peer review of the technical reports. The SSI LTC passed the following resolution.

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee invite the applicant of SS-RZ-2013.5 (315 Robinson Road) to return with a request for extraordinary services and cost recovery in order to peer review its technical reports, following receipt of a revised proposal for a Land Use Bylaw and Official Community Plan amendment, and following a staff report that includes policy analysis of the revised proposal. CARRIED

The applicant did conduct community consultation on the project prior to finalizing submission of a revised development proposal. Site tours were advertised through the summer and fall and surrounding neighbours were invited to tour the site. There has also been selective consultation with community groups such as Water Council and the Chamber of Commerce. A community information meeting was held on November 30, 2013. On January 9, 2014, the SSI LTC received an update report with correspondence and results of the community consultation activities.

The following technical reports have been submitted with the application. All reports are available at the Islands Trust office.

- Applicant submission, "Bullock Lake Cottages Application for Official Community Plan Amendment and Rezoning," dated April 2013
- Revised Application – January 2014
- Amenity Proposal – February 3, 2014
- Economic Impact Study prepared by Grant Thornton, "Economic Impact Study, Bullock Lake Cottages, Salt Spring Island", dated December 2012

¹ Government of BC, Domestic Water Supply Potential of Blackburn, Bullock's, Ford, and Stowell Lakes Salt Spring Island, 1981. Retrieved from <http://www.env.gov.bc.ca/wat/wq/studies/drink81.pdf>

² Sprague, J. Nine Lakes on Salt Spring Island BC: Size, Watershed, Inflow, Precipitation and Evaporation, 2009. Retrieved from <http://www.islandstrust.bc.ca/ltr/ss/pdf/ssrptninelakes.pdf>

- Technical Memorandum (Water), prepared by Kerr Wood Leidal “Bullock Lake Cottages, Development Water Demands and Sustainable Well Yield”, dated May 1, 2013
- Hydrogeological Impact Assessment prepared by Waterline Resources Inc. “Hydrogeological Impact Assessment, Bullock Lake Cottages, Salt Spring Island, British Columbia”, dated May 14, 2013
- Technical Memorandum (Septic) prepared by Kerr Wood Leidal, “Wastewater System Assessment”, dated May 1, 2013.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Official Community Plan

Volume 1 - Land Use and Servicing Policies: The subject property is designated Rural Neighbourhoods (RL) by the OCP Bylaw No. 434. Bullock Lake is designated “Marine Lake”.

The entire shore of Bullock Lake is identified as a wetland on *OCP May 9a: Environmentally Sensitive Ecosystems* and on *Map 12: Potential and Existing Fish Habitat*. Robinson Road has been designated as a *Heritage and Scenic Road* by Map 15 and as a *bicycle route* by Map 5 of the OCP.

Please see Appendix 2(a) to review the OCP objectives that are considered relevant to this proposal; Appendix 2(b) contains an assessment of OCP policies. The discussion under “Staff Comments” is grounded in these objectives and policy considerations.

Volume 2 - Development Permit Area Policies: According to OCP Bylaw No. 434, the subject properties are located in the following Development Permit Areas:

- Development Permit Area 2: Non-Village Commercial and Industrial Island Villages,
- Development Permit Area 4: Lakes, Streams, and Wetlands, and
- Development Permit Area 5: Community Well Capture Zones.

Currently there is no application for any works; however development permit provisions would apply to any future construction including the proposed “amenity” building.

Land Use Bylaw 355

The land is currently zoned Rural by Land Use Bylaw 355.

Bullock Lake is currently zoned Shoreline 8.

The applicant has proposed including additional regulations in the Land Use Bylaw. The following elements of zoning would be relevant to LTC deliberations and could be drafted as part of a Bylaw:

Commercial Guest Accommodation Regulations: The applicant proposes to add new regulations to the Land Use Bylaw that would govern commercial guest accommodation.

Parking and Accessory Uses: LTC is encouraged to consider appropriate accessory uses and parking requirements for such a use. The Land Use Bylaw currently directs that one parking space be provided for each commercial guest accommodation unit. The applicant has indicated that they would seek a caretaker unit in addition to the 50 units of commercial guest accommodation.

Setbacks and Siting: The structures for Phase 1 and the treatment plants for servicing have been constructed, so LTC has limited ability to deliberate on appropriate siting for principal buildings. Further

measures to ensure that setbacks remain vegetated and clear of development may be proposed by the application following further consultation.

Trust Policy Statement:

If the Local Trust Committee resolves to proceed with the application, based on the OCP analysis staff will follow up with a report that analyses compliance with the Policy Statement and the Directives Only Checklist in accordance with Section 1.9 "Policy Statement Implementation" of the Islands Trust Policy Manual.

INTERESTS:

Islands Trust Fund:

The subject properties are not adjacent to any Islands Trust Fund properties.

Sensitive Ecosystems and Hazard Areas:

The shoreline of Bullock Lake, on the subject property as well as Lots 2-5, are identified as wetlands by the Islands Trust Ecosystem Mapping database. The same portions are identified on *OCP May 9a: Environmentally Sensitive Ecosystems*. The subject properties are also identified on *Map 12: Potential and Existing Fish Habitat*. The subject properties held by the owner are in a drainage basin that leads to a known fish bearing stream. Mapping has been completed by Madrone Environmental Services in June 2013 that identifies the Bullock Lake and shoreline wetlands as fish supporting and suggests a 10 metre SPEA for Bullock Creek.

Archaeological Sites:

Based on the data provided by the Provincial Remote Access to Archaeological Data, there are no known archaeological sites or areas of "significant potential" to contain unknown but protected archaeological sites on the subject property. This application will be referred to First Nations stakeholders as it proposes an amendment to the Official Community Plan.

Bylaw Enforcement:

There are no Islands Trust bylaw enforcement files on the subject properties.

Covenants:

- An Islands Trust Restrictive Covenant currently registered on title requires:
 - No construction: within 7.5 metres of Bullock Lake or 15 metres of any watercourse.
 - Flood protection: all construction to be 1.5 metres above natural boundary of the lake or any watercourse.
- Reciprocal internal access easements over the lots.
- Notice of Interest under Builder's Lien Act
- Statutory Rights of Way for BC Hydro and TELUS

Agricultural Land Reserve:

There is adjacent land in the Agricultural Land Reserve to the north and south. Groundwater supply has been demonstrated to be connected with land in the Agriculture Land Reserve across Robinson Road. A preliminary referral of the application to the Agricultural Advisory Planning Commission is recommended, as well as early consultation with the Agricultural Land Commission and the Ministry of Agriculture.

Servicing:

WATER

The applicant has provided two reports concerning water:

- Technical Memorandum dated May 1, 2013 from Kerr Wood Leidal regarding the water demand for the proposed development and sustainable well yield
- Hydrogeological Impact Assessment dated May 14, 2013 (received May 24, 2013) from Waterline Resources Inc.

A permit dated July 31, 2013 to operate the water system has been issued by the Island Health Authority. The permit contains the following conditions:

1. Correct the filter backwash line with an acceptable air gap to waste.
2. Implement a monitoring program to obtain additional information on the wells.

Early consultation with Island Health and the Ministry of Environment water Management Branch is therefore recommended.

The memo from Kerr Wood Leidal analyzed projected demand for the 50 units based on the following assumptions:

- Per capita water use will be 155 litres per day
- Occupancy of 2.5-3.0 persons per unit
- Water demand for the proposed additional multi-use building was estimated to be 30 litres per guest, for a maximum of 150 guests



The calculations in the memo posited a range of water demand from 6 m³ per day to 30 m³ per day and assumed that the average use would be 10.5 m³ per day. The sustainable yield for the production wells was 16.1 m³ (16 100 litres) a day averaged over the year, which would mean that with the projected demand, the development would require an additional 310 m³ of water in July and August, when demand is expected to be highest. The memo from Kerr Wood Leidal concluded that there is an adequate supply of water based on these projections if an additional storage tank is constructed to cover the shortage expected in July and August. This additional storage would ensure the resort does not draw ground water in the summer, but uses the stored water for daily use.

Current rural servicing standards as reflected in the Salt Spring Island Land Use Bylaw No. 355 suggest the following:

- 680 Litres per day for a seasonal cottage, or
- 450 litres per day for a commercial guest accommodation unit, or
- 225 litres per day per bedroom for a bed and breakfast, and
- 1590 litres per day for a community hall or church

The table below presents water requirements that could be anticipated for 50 units using the subdivision standards of Bylaw 355:

Use	Land Use Bylaw Standards	Water Required for 50 units*
Seasonal Cottage	680 litres	35 590 litres
Commercial Guest Accommodation	450 litres per unit	24 090 litres
Bed and Breakfast	225 litres per bedroom	24 090** litres

*includes 1590 litres per day for Community Hall use

**assuming two bedrooms

The applicant's proposal suggests that water management measures could be implemented to support volumes less than those contemplated by the Land Use Bylaw. Measures proposed by Kerr Wood Leidal to manage and reduce the water use include:

- Use of reclaimed water for toilet flushing in multi-use building
- Efficient fixtures (low flow showerheads and toilets, and high efficiency clothes washers)
- No dishwashers in cottages
- Installation of water meters
- Water consumption monitoring program

It is suggested that this conservation program be further developed and secured through a legal agreement that also compelled the future Strata Corporation to report consumption results to the SSI LTC annually, in order to ensure water demand does not exceed the demand assumptions in the water reports or the sustainable yield of the wells. While this has been discussed with the applicant, there is yet to be a commitment provided in writing. The VIHA permit for the waste disposal facility also requires the owner to implement a water conservation education program for strata owners.

The applicant has provided written correspondence dated February 12, 2014 confirming its previous offer to enter into a cost recovery process for third party peer review of the hydrogeological and water supply reports submitted in support of the rezoning application for 50 cottages. This would be advisable, given the concerns raised with the assumptions inherent in the water reports as well as the general concern over water security of the region.

WASTE DISPOSAL FACILITY

The applicant has submitted a Technical Memorandum from Kerr Wood Leidal dated May 1, 2013 that provides an assessment of the constructed wastewater system and the expected wastewater flow for the 50 units. A permit was issued by the Ministry of Environment in 1996 to discharge 95 m³ of effluent per day. The permit was transferred to the current owners in 2012. According to the permit, the owner is required to post financial security and receive final certification of the facility and operators before the final operational permits will be issued. The permit also requires the applicant to undertake a monitoring program. It is noted that a study of Phosphorous levels are not required as part of the monitoring program.

The BC Sewerage System Standard Practices Manual states that daily wastewater flow rates are 1136 litres per residence for one and two bedroom residences up to 148 m² (1593ft²). For 50 units the effluent discharge would total 56.8m³ per day (in addition to 4.5³ per day for the multi-use building). The Kerr Wood Leidal memo suggests that a more conservative estimate be used and estimates that the average daily flow would be 17.5 m³ per day with a peak daily flow of 34.8 m³ per day. The memo states that the treatment facility will provide advanced secondary wastewater treatment that meets the Ministry of Environment permit requirements.

The wastewater report analyzes the impact of 50 units and the multi-use building, noting that the systems in place "will work together to minimize the amount of nitrogen and phosphorus discharged into the receiving environment". The report states that the wastewater will be similar to Class A municipal wastewater effluent which is defined in the "Municipal Wastewater Regulation" under the *Environmental Management Act* as: "high quality municipal effluent resulting from advanced treatment with the addition of disinfection and nitrogen reduction."

Impact on Riparian Area/shoreline

As noted, the Bullock Lake shoreline is identified as a sensitive ecosystem. The application notes that no additional development of the foreshore is contemplated and has proposed a conservation covenant to protect the riparian area within a 30 metre buffer (the Riparian Area Assessment found the SPEA to only be 10 metres). A larger, 30 metre buffer may assist in protecting other riparian values beyond fish habitat (such

as water quality). It is recommended that a Registered Professional Biologist conduct a baseline ecological inventory of the proposed conservation area. The SSI LTC may also consider requesting a report from a professional limnologist (or another relevant field) on avoiding the potential for nutrient loading, including phosphorus, of the lake. Protection of an intact environmentally sensitive area through a conservation covenant is identified as an eligible community amenity in the Official Community Plan.

The current zoning of Bullock Lake would not permit additional docks. The existing dock may be lawfully non-conforming with the Salt Spring Island Land Use Bylaw 355; the onus is on the land owner to demonstrate the dock was constructed prior to Bullock Lake being zoned Shoreline 8 in 2001. If the dock is to be established as legal non-conforming under Section 911 of the Local Government Act, removal of the dock may be required.

Best Management Practices for determining lakeshore development capacity are available and have been used in BC and other jurisdictions³. The Government of Ontario has sponsored research resulting in a Lakeshore Capacity Assessment Model⁴ that suggests a maximum number of units based on lake characteristics. Part of that calculation would include recognition of existing development potential around Bullock Lake. There are 11 properties currently surrounding the lake in addition to the properties under consideration for this application. If proceeding with this application LTC may wish to have this evaluation completed by the applicant recognizing potential for development of all properties under current zoning.

Contaminated Sites

Community members have alleged contamination from the historical construction and burned materials from the fire to be buried on the site. It should be noted that the area of concern is not on the property where the 50 strata lots are located, but on the adjacent Lot 2 which houses the servicing infrastructure. On January 9, 2014, the SSI LTC passed a resolution requesting information on how to address this.

In 1997, the Salt Spring Island Local Trust Committee, along with all the other Islands Trust Local Trust Areas, passed a resolution to opt out of the site profile system under the Environmental Management Act. (A site profile is a form on which information about the land and the past and present uses of a site is recorded. These forms are used under the Act to screen property for possible contamination). Nevertheless, all land owners and operators are still subject to other provisions in the Environmental Management Act Regulations. For example, a site owner, operator or trustee is required to submit a site profile directly to a Director of Waste Management when a site is decommissioned or subject to foreclosure, even when the local government has chosen to opt out of receiving site profiles⁵. Land Use Bylaw 355 Section 3.2.1(2) prohibits disposal of any waste matter on land except as may lawfully be discharged under the Sewage Disposal Regulation, the Agricultural Waste Control Regulation or the Waste Management Act.

The applicant has updated that the following actions are underway:

- Tour of the property in November with concerned community member(s) to specifically define the area of concern

³ East Kootenay Integrated Lake Management Partnership and Interior Reforestation Co. Ltd, Columbia Lake Shoreline Management Guidelines for Fish and Wildlife Habitats, 2010. Retrieved from ftp://ftp.rdek.bc.ca/pdf/planning%20files/ekilmp/columbia/columbiashorelinemanagementguidelines_august242010_a.pdf

⁴ Government of Ontario, Lakeshore Capacity Assessment Handbook, 2010, Retrieved from http://www.ene.gov.on.ca/stdprodconsume/groups/lr/@ene/@resources/documents/resource/std01_079878.pdf

⁵ http://www.env.gov.bc.ca/epd/remediation/fact_sheets/pdf/fs06.pdf

- After the January 9, 2014 LTC meeting, the applicant extensively excavated the area of concern in order to gain an understanding of what may be located there.
- A relatively minimal amount of ash-based non-native material was found, including a small amount of wood construction waste and metal brackets.
- The applicant feels they have been able to define the area, and at this point do not believe the area represents a dump site of toxic material.
- An environmental engineer has been contracted and will be submitting the material found for laboratory analysis as the land use process moves along, in order to confirm this does not pose an environmental problem to the area.

Transportation

Access from Ganges Village to the site is via Robinson Road. Road is designated as a segment of Scenic and Heritage Road by OCP Map 15. The road is also designated as a bicycle route on by OCP Map 5. Initial development plans propose a single main strata access road to Robinson Road with an additional emergency access. The strata access routes that provide access to the existing structures and servicing infrastructure have been developed. The strata council(s) would retain ownership of these access routes as common property.

The application did not include details regarding the impact of the proposal on existing traffic patterns. The property is approximately 2.8 kilometres away from Ganges which is generally considered to be on the outer limit of walkability⁶. However, width and alignment of Robinson Road past Long Harbour Road does not support pedestrian connectivity and makes walking less attractive to users.

The provision and construction of bicycle lanes, pedestrian and bicycle pathways or trails that add to or support links in the island trail network are considered an eligible community amenity in the Official Community Plan. A pedestrian path/bicycle path has been proposed by the applicant to run along Robinson Road. Should the application proceed, the details of this would be worked out in consultation with the CRD Transportation Commission and potentially Island Pathways. Early consultation and referral to the CRD Transportation Commission and the Ministry of Transportation and Infrastructure is therefore recommended.

Climate Change Mitigation and Adaptation

This application proposes to make use of resources that have already been used in the construction of the structures and alterations to the site. The applicant has also made reference to the carbon benefits of excluding Lots 2-5 from development. Pedestrian and/or bicycle infrastructure help mitigate climate change impacts. A shuttle bus or bicycle valet to and from the ferries could be included in the resort's operating program – this would encourage guests to leave their cars and come to Salt Spring on foot or by bike.

Economic Impact

The existing 50 units are already strata-titled and the proposed multi-use facility building will be owned by the strata corporation. The intent of the project is for each unit to be individually owned, with the owners having the option to include their unit in a managed rental pool. The applicant has submitted an Economic Impact study which posits the economic benefits of the development to the community of Salt Spring Island, based on economic multipliers. The study was not updated to reflect the revised application, but the information provided regarding Phase 1 is relevant. The study concludes that:

⁶ For discussion of this issue see: Moudon et al. Journal of Physical Activity and Health, 2006. Retrieved from http://activelivingresearch.com/files/JPAH_7_Moudon.pdf

- Construction of the amenity building and other development projected under “phase 1” will yield an estimated 40 full time jobs over the construction period, with a total estimated economic output of \$5.9 million.
- Once the resort is in full operation (phase 1) the operating impacts are projected to directly employ the equivalent of 32 full time workers annually, with direct expenditures totalling \$2,164,000.
- The cottages will generate visitation to Salt Spring Island and will not compete directly with existing accommodation facilities on Salt Spring Island.
- It characterizes the model as a destination resort with unique amenities distinct from other commercial accommodation types on SSI.
- The strata ownership model will generate extra community economic benefits through owner usage
- When in operation, the resort will contribute to the local economy by demanding cleaning services and supplies; office services and supplies; catering; events coordination; wedding planners; landscaping services; property/strata management services.

COMMUNITY INFORMATION MEETING(S):

The applicant held a community information meeting on November 30, 2013. The results of this meeting as well as a summary of consultation to date were provided at the January 9, 2014 SSI LTC Meeting.

Should the application proceed, LTC may wish to deliberate on an early referral to the Advisory Planning Commission, Agricultural Advisory Planning Commission, First Nations as well as other relevant agencies detailed in this report.

CORRESPONDENCE:

Since January 9, 2014, several neighbours and community members have submitted correspondence. This correspondence is attached as Appendix 4. The correspondence and general reaction to this proposal demonstrate significant neighbourhood concerns with the proposal; there is particular concern over water supply, impacts on adjacent wells, land use and impacts on the Bullock Lake ecosystem. There is also concern about the relative economic benefits to the Salt Spring economy that can be expected. The correspondence should be considered in its entirety, along with correspondence in previous SSI LTC agenda packages; please also consider the results of the community meeting in November 2013 that was hosted by the applicant at the LTC’s request and included in the January 9, 2014 staff report to the SSI LTC.

STAFF COMMENTS:

The applicant proposes to change the OCP designation of the subject properties from Rural Neighbourhoods to a new designation “Bullock Lake Recreational Cottage” and rezone the property from Rural (R) to a new zone that would permit 50 commercial guest accommodation units and a 557.4 m² (6000 ft²) multi-use building on Bullock Lake. This application is unique in its history and the fact that, with the exception of the amenity building, the built form of the proposal is largely complete. The existing buildings have never been occupied and the resort has never been used. Underlying discussion of the application is a question of the “existing non conformity” of the development. This is a matter that is separate from the land use planning deliberations of LTC and for which planning staff do not offer perspective or advice. From a policy perspective, the application proposes a significant increase in density from the existing zoning and OCP designation.

The key question for LTC to consider is whether there is merit in amending the OCP to support the rezoning of this property in order to support the existing built form to be used as a resort destination. The Salt Spring Island Official Community Plan contains a number of objectives and policies that relevant, as can be seen in

reviewing the appendices. Central to this application are considerations of impacts to ground water, impacts to the ecological health of Bullock Lake, neighbourhood impacts, and economic benefits.

Ground Water

The area is known to have issues with groundwater supply. The Kerr Wood Leidal memo assumed a completed water distribution system and concluded that the treatment system in place is adequate. This memo described two production wells on the property, a water treatment plant, and a water storage reservoir with a capacity of 332 m³.

The technical memorandum concerning water demands and sustainable well yield confirm there is adequate water for the proposed density and uses. The reports provided by the applicant make conservative assumptions about water use for occupancy of the 50 units. Estimates for water supply are based on the size of the units (assuming 2 bedrooms and average unit occupancy of 2.5 or 3 people). The report assumes water demand of 155 litres of water per day per capita which is less than the current requirements of the Land Use Bylaw and of the requirements of the Capital Regional District at the time of Building Permit application.

The water analysis notes that there will be water shortages during July and August and recommends additional water storage to make up the difference between demand and supply. The Waterline Resources Inc. report concluded that the existing wells are directly connected to wells on a neighbouring property. This report also concludes that the production wells are not likely to be connected to Bullock Lake and that pumping from the wells will not impact the water levels of the lake. The assumption that 16.1 m³ is a sustainable well yield is based on current water use of 3.3 m³ on the neighbouring ALR property. If water pumping from the neighbouring well increases, pumping 16.1 m³ litres per day for the commercial guest accommodation use is anticipated to draw down the aquifer.

It is recommended that should the SSI LTC proceed with this application, it enter into a cost recovery agreement with the applicant to have the water reports peer reviewed, as has been suggested by the applicant. Essential to this third party peer review is an analysis of the underlying assumptions and an assessment of the projected levels of water demand. Should this peer review support the conclusions of the existing reports, it is recommended that, as conditions of bylaw approval:

- the applicant install water metres on each of the units
- the applicant develop a water conservation management plan that includes education and holds consumption rates of each strata unit owner to those estimated in the water reports
- that the future strata corporation be required by legal agreement to report annually to the SSI LTC with the resulting water metre data for each of the strata units.

Economic Benefits

The applicant's economic impact study proposes that the cottages will generate visitation to Salt Spring Island that will not compete directly with existing resorts. The strata ownership model is proposed to complement the community by having the owners more engaged and committed to the community than on-time tourists. It is also thought this model will generate extra community economic benefits with year round spending. When in operation, the resort will contribute to the local economy by demanding cleaning services and supplies; office services and supplies; catering; events coordination; wedding planners; landscaping services; property/strata management services.

Health of Bullock Lake

The shoreline is known to be a sensitive ecosystem and an important riparian area for fish protection. The conservation covenant would include a baseline ecological inventory and an analysis of how to protect the riparian area from disturbance.

Potential impacts of the proposed development on Bullock Lake may be addressed through the conservation covenant and/or further professional reports offered by the applicant. To further conform with OCP policies, it is recommended that a drainage report be commissioned, as well as a professional report that makes recommendations on avoiding an increase in nutrient loading that may degrade water quality of the lake. The LTC may also seek specific advice from Ministry of Environment at time of Bylaw referral.

Neighbourhood Impact

While the neighbourhood has already been visually impacted by the development, the resort has never been occupied or used. The current zoning of the property and surrounding area permits low density residential development. The change in use will be screened from the road but the siting of the proposed development on the lake and the proposed size of the development is likely to have impacts on the character of the neighbourhood, especially with regard to traffic, noise, water supply, and level of activity.

Land or facilities for community cultural or recreational purposes is an eligible community amenity. The proposal to dedicate Lots 2-5 for community use has the potential to improve the neighbourhood by offering a opportunities for community gardening, hiking, or passive recreation. Removing these properties from residential development also serves to keep the neighbourhood less developed. Provision of transportation alternatives such as a pathway along frontage of Lots 1-51 and Lots 2- 5 as well as a conservation covenant along the shoreline are considered to meet some climate change goals and mitigate the traffic impact of the proposed development.

Community Amenity

The guidelines for amenity zoning applications are attached as Appendix 2(c). These guidelines do not contemplate an increase in density as significant as that proposed for this application. Further, the guidelines specify that the increase in density permitted as a result of the amenity contribution should not exceed the maximum density permitted by the existing neighbourhood designation. Despite this, the applicant has offered an amenity package that strengthens the proposal's compliance with OCP policies and also mitigates some of the perceived negative impacts of the development.

OCP Compliance

As can be seen by reviewing the OCP objectives attached in the Appendix 2a, there are a number of areas where the scale and location of this development is at odds with the goals of the community plan. The application proposes a density envisioned in the previous CA-2 Commercial Accommodation Zone, but proposes a significant increase in density for the current Rural Zoning. Without the proposed amendment to the OCP designation, the proposal is notably inconsistent with the policies of the Rural Neighbourhoods designation. However, the application is proposing a different OCP designation and deliberations should focus on the *OCP policies* that guide this decision. Appendix 2b demonstrates that there are two policies where the application conflicts directly with OCP policy and mitigative measures cannot be taken:

1. *B.2.3.2.3 Village containment boundaries for Ganges, Fulford and Channel Ridge Village are identified by the Village Designations on Map 1. The intent of village containment boundaries is to keep village development compact, and prevent 'leap frog' development, reduce the need for additional infrastructure and services, minimize the loss of rural lands, and minimize impacts on sensitive ecosystems and other environmentally sensitive areas. The Local Trust Committee should not approve rezoning applications that would allow large new commercial, institutional or multifamily development outside Village Designations. Exceptions should be made for new village or hamlet applications, for applications to provide affordable housing, for neighbourhood convenience stores and for home based businesses as*

outlined in Section B.3.2. Expansion or extension of containment boundaries should only be considered where there are no available sites within the containment boundaries. Any such expansion or extension should incorporate land next to an existing boundary, lands which do not contain sensitive ecosystems, lands which do not exhibit geo-technical or other hazards, lands that are along existing transportation routes, and lands which can provide efficient access to potable water and other services.

2. B.3.1.2.7 *No additional properties on Salt Spring Island should be zoned for resorts, hotels or motels until the percentage of built units has reached at least 80 per cent of the current (2008) development potential. Future levels of development around lakes and streams should be restricted if there would be negative impacts on the supply or quality of freshwater resources.*

A key deliberation is whether the future growth of Salt Spring Island would benefit from this proposal. The policy analysis reveals that there are a number of areas where the application can implement policy direction by proposing to protect the sensitive ecosystem, offering community benefits such as land and a facility for cultural activities and recreation, building an energy efficient amenity building, and by dedicating a bike/pedestrian path. Central to determining consistency with the OCP policies is the necessity to ensure that the resort will not negatively impact the groundwater supply of the neighbourhood. Further mitigation of the impacts of the development would be assisted by a drainage report, and the conservation covenants to ensure protection of water quality and the riparian area.

RECOMMENDATIONS:

OPTION 1: PROCEED NO FURTHER

The Local Trust Committee is advised that if it does not, in its discretion, consider an application to be sufficiently consistent with the Official Community Plan, it need not proceed further. As noted, there are many objectives of the OCP that caution against the location and scale of this proposal. There also are two key policies that are inherently at odds with the proposal, as discussed above. The precautionary principle is a central tenant of the Official Community and supports a motion of proceed no further.

OPTION 2: PROCEED TO EARLY CONSULTATION WITH AGENCIES

It is recommended that the SSI LTC decide on "Option 2." While the application is not seen to further a number of OCP objectives, it is the policies that require consistency in evaluating whether an application is in direct collision with an OCP. A deeper understanding of the application relative to the OCP policies can be achieved through a peer review of the water reports; a study of the potential for phosphorus to enter the lake, through feedback from relevant agencies; and through negotiations with the partners needed for implementation of the amenity package. In exercising this level of due diligence, the SSI LTC can indeed apply a precautionary approach and allow the community to consider the relative benefits of the proposal as a whole.

If the LTC does consider proceeding, the following next steps are recommended in advance of drafting bylaws for consideration:

1. Direct staff to refer the current staff report to the Advisory Planning Commission and the Agricultural Advisory Planning Commission.
2. Direct staff to send a preliminary referral to First Nations as well as the Ministry of Environment, Island Health, the Cedar Lane Water District, the Capital Regional District Transportation Commission, CRD Park and Recreation Commission, the CRD Economic Development Commission,

the Ministry of Transportation and Infrastructure, the Agricultural Land Commission, and the Ministry of Agriculture.

3. Direct staff to enter into a cost recovery agreement with the applicant for third party review of the potable and waste water reports, according to mutually agreed terms of reference. Essential to this third party peer review is an analysis of the underlying assumptions and an assessment of the projected levels of water demand. Should this peer review not support the properties' ability to provide water for the resort use without depleting neighbouring wells or exceeding a sustainable yield of the aquifer, it is recommended that the SSI LTC proceed no further with the application.
4. In order to lend certainty to the application, staff note that the anticipated steps prior to public hearing and/or prior to bylaw adoption would include:
 - a) Conservation Covenant to protect a 30 metre riparian area along the shore of Bullock Lake (excluding existing works). This covenant is to be informed by a baseline inventory of the riparian area performed by a Registered Professional Biologist or Ecologist, and including recommendations for mitigating upland impacts on the conservation area; and measures for annual covenant monitoring.
 - b) Implementation (through works or legal agreement) of a drainage study of the land that holds Lots 1-50 and common property, conducted by a Professional Engineer with expertise in hydrogeology.
 - c) Implementation (through works or legal agreement) of a professional report by a limnologist or similar registered professional that makes recommendations for avoiding any nutrient loading of Bullock Lake that may result from the resort's operation. If nutrient loading cannot be avoided, the SSI LTC is recommended to proceed no further with this application.
 - d) That the amenity building be required to include energy efficient design that exceeds the BC Building Code
 - e) A Community Use agreement for the amenity building to ensure reduced rental rates for community groups and 20 hours/month of priority booking.
 - f) Installation (or mechanisms to ensure installation) of water metres on each of the units
 - g) Development of a water conservation management plan that includes education of future strata members and guests
 - h) Implementation of the water conservation plan through a legal requirement for annual reporting to the SSI LTC by the future Strata Corporation, confirming consumption rates of each strata unit do not exceed the sustainable yield identified through professional reports
 - i) Construction (or mechanisms to ensure construction) of an additional water storage tank as per recommendations in the Kerr Wood Leidal water report.
 - j) Agricultural buffers as landscaping provisions in the bylaw
 - k) Agreement with the Transportation Commission or other entity for the dedication and construction (or other agreement) of a pedestrian or bicycle path along Robinson Road (excluding existing accesses and works).
 - l) Public Access to Lots 2-5 – secured through legal agreement for a range of possible public uses including but not restricted to: community gardens, passive recreation, or park uses. This would include restrictive covenant or other mechanism to prohibit future private development on these lots.
 - m) Any required easements to implement the project's goals.

RECOMMENDATIONS:

THAT the Salt Spring Island Local Trust Committee direct staff to refer the current staff report dated February 20, 2014 for application SS-RZ-2013.5 (Chalmers, 315 Robinson Road) to the Advisory Planning Commission and the Agricultural Advisory Planning Commission.

THAT the Salt Spring Island Local Trust Committee direct staff to send a preliminary referral of application SS-RZ-2013.5 (Chalmers, 315 Robinson Road) to First Nations as well as the Ministry of Environment, Island Health, the Cedar Lane Water District, the Capital Regional District Transportation Commission, CRD Park and Recreation Commission, the CRD Economic Development Commission, the Ministry of Transportation and Infrastructure, the Agricultural Land Commission, and the Ministry of Agriculture.

THAT the Salt Spring Island Local Trust Committee direct staff to enter into a cost recovery agreement with the applicant of SS-RZ-2013.5 (Chalmers, 315 Robinson Road) for third party review of the potable and waste water reports, according to a terms of reference mutually agreed to by the applicant and Islands Trust staff.

Prepared and Submitted by:

Justine Starke, Island Planner, Salt Spring
Island

Date

Concurred in by:

Leah Hartley

Date

Appendix 1: Amenity Proposal
Appendix 2a: OCP Objectives
Appendix 2b: OCP Policy Analysis
Appendix 2c: Amenity Zoning OCP Extracts
Appendix 3: Correspondence

**Amenity Proposal
Bullock Lake Cottages
315 Robinson Road
Salt Spring Island, BC
February 3, 2014
File #: SS-RZ-2013.5**

1 Introduction

The following represents a comprehensive amenity proposal in support of the application for Official Community Plan (OCP) and Land Use Bylaw (LUB) amendment at 315 Robinson Road. It is based on the revised application for the 50 existing cottage units submitted January 2014.

2 Background

In May 2013 application was made for OCP and LUB amendment to restore a commercial land use and appropriate zoning regulations for the 50 existing cottages and the existing foundations for another 73 units as a future second phase for a total of 123 cottages. The application also included a +/- 6,000 sq.ft. amenity building.

In January 2014, the Owner revised the application to eliminate any consideration of future development on the existing foundations, and limiting the application to only the 50 cottages that have been built on the property, a 60% reduction in the scale of the initial proposal.

The amendment was driven largely by comments and feedback heard through the public consultation process. That process also identified other community needs and aspirations that have informed this amenity proposal.

3 Proposed Amenities

The following amenities are being offered in conjunction with the approval of the rezoning application for the 50 existing cottages. All amenities will be provided or appropriately secured before adoption of the zoning bylaw. Any additional amenity requests, offsite improvements, or alterations to the proposal will affect this amenity proposal.



3.1 The Amenity Building

Amenity

The proposal includes the provision of an amenity building as described in the application. The upper level of the building will be made available to not-for profit and community groups and organizations on a cost-recovery basis as community space. The intent is the facility could be used for community meetings, gatherings, celebrations, and learning.

Implementation

The Owner is prepared to offer a "community use agreement" to make the facility available to not-for-profit organizations and other community organizations for events. The agreement will include provisions to cap the rental rate at the true cost-recovery rate for cleaning service and triple net for all community based rentals. The agreement will provide for a minimum availability of 20 hours per month for community use. The agreement will also contain provisions regarding scheduling practices for additional community use above the 20 hours per month which will be provided for at the reduced rental rate.

3.2 Conservation Covenant

Amenity

To acknowledge the sensitivity of the Bullock Lake foreshore, the Owner is prepared to enter into a conservation covenant, or other similar restrictive covenant, to preserve the foreshore of Bullock Lake and Bullock Creek riparian area.

In addition to the covenant, the Owner will agree to posting interpretive signage at all access points and at various intervals along the lake frontage advising of the sensitivity of the lake, and its importance to adjacent agricultural users, and to encourage preservation of the foreshore area.

Implementation:

If a suitably qualified and willing conservation organization (including the Islands Trust Fund) can be identified in a timely manner, the Owner will enter into a conservation covenant as legally described with that organization. If a suitably qualified and willing organization cannot be identified in a timely manner, the Owner will enter into a similar restrictive covenant prohibiting any disruption or development of the foreshore.



In either event, the agreement will establish no-development and no disturbance areas of 30 metres from the current surveyed boundary of the entire Bullock Lake and Bullock Creek frontages. This will equate to approximately 2.37 ha (5.86) acres of land to be conserved in perpetuity.

The agreement will also require the Owner, or any successors such as the Strata Council, to post and maintain interpretive signage about the ecological and agricultural importance of Bullock Lake for at all access points and at intervals along the frontage. If a conservation organization is involved, they can prepare the content of the signage in concert with the Owner should they choose.

The agreement will acknowledge the presence of the existing dock, and will provide for its repair or replacement with a similar size dock. Any existing development or improvement that exists as of the date of approval will be identified and exempted from the agreement.

3.3 Pedestrian/Bike Path Improvement

Amenity

In acknowledgement of the significance and extent of the Robinson Road frontage, the Owner is prepared to work with the Capital Regional District and/or Islands Pathways to facilitate pedestrian and cycling improvements along the extent of the Robinson Road frontage. This will involve making land available adjacent to the existing highway allowance for a separated pedestrian/cycling path.

Implementation

The Owner is prepared to enter into a highway reservation agreement, public access easement agreement, or other mutually agreeable document to provide access to 4 metres of the Strata Lots 1-51, and Lots 2-5 except where existing entrances, parking areas, service roads, as well as existing and future utilities and infrastructure are located. This amounts to a land dedication of up to 0.26 ha (0.64 acres).

Any agreement will indemnify and save harmless any Owner, Owner Developer, or Strata Corporation.

Any agreement will allocate responsibility for ongoing maintenance to the CRD, Islands Pathways, or other suitable organization. Additional details about the frontage trail will emerge through consultation with the CRD's Transportation Commission, and review of the relevant transportation and cycling plans.



3.4 Public Access to Lots 2-5

Amenity

The Owner is prepared to make most of Lots 2-5 available for public access and public use, except for the existing infrastructure locations. Under the current zoning, the land may be used for agricultural uses such as community gardens or other site suitable agriculture. Under the uses permitted in all zones, passive recreation such as pathways, agriculture, or other park uses are permitted for public enjoyment. This will result in approximately 6.23 ha. (15.39 acres) being made available for public access, in addition to the 2.37 ha (5.86 acres) of land encumbered by conservation covenants and existing servicing infrastructure.

Though there may be a small level of development for pathways, community agriculture, or park use, it is anticipated that the land will remain largely undeveloped and be allowed to regenerate to help protect the integrity of the lake, provide habitat, and offset some of the carbon impacts arising from the operationalization of the existing 50 cottages. The intent of the Owner is to preserve sensitive portions as described in the conservation covenant section, and then secondarily to provide public access for a range of public uses on the portions suitable for such use.

Implementation

There are several implementation options, depending on the long-term ownership of the lands, which will be resolved through the process. Though subject to final decision and negotiation, the present proposal is to have the Strata corporation own the land so as to protect the existing water and sanitary treatment plants and associated infrastructure. Security of existing utilities between properties is already restricted on title through reciprocal easement agreements.

The land would then be encumbered with agreements such as a park use agreement, public access easement agreement or other community use that permits public access to portions of it for pathways, community agriculture, passive recreation, and small park use such as a tot-lot, provided said access does not conflict with the conservation covenant areas, and protects the existing and future water and sewer infrastructure. Details of future development or programming will emerge through the remaining community and agency consultation.

There would likely also be a restrictive covenant preventing development or construction on the site for anything other than the uses noted above.

The Owner, Owner Developer, and/or Strata Corporation would all be indemnified and held harmless by any agreement.



4 Summary

As mentioned, the amenity proposal is calibrated to the approval of the rezoning application as amended in January 2014 for the 50 existing cottages. The amenity proposal would see approximately 9.11 ha (22.5 acres) of the 14.36 ha (35.5 acre) property, or over 61% of the land available, set aside for pedestrian improvements, conservation or community use.

Though this proposal suggests implementation options, the Owner is open to discussing whatever mechanisms or approaches necessary to achieve the amenities described herein.



Islands Trust

BYLAW REFERRAL FORM

Fax: (250) 537-9116
ssinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: N/A Date: April 10, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information, a Public Hearing to consider the Bylaw will be held once the proposal is advanced through the bylaw approval process.

APPLICANTS NAME / ADDRESS:

Janis Gauthier c/o J.G. Consulting Services Ltd.
2161 Fulford-Ganges Road
Salt Spring Island
V8K 1Z7

PURPOSE OF BYLAW:

Note this is a preliminary referral for input into a rezoning prior to bylaw drafting.
The Capital Regional District (CRD) proposes a multi-family affordable housing complex of up to 80 units to be built within the Ganges Village core. The units will be a mix of non-profit, mixed entry-level homeowner and affordable rental housing with complementary amenities. Housing affordability will be ensured through long-term housing agreements.

GENERAL LOCATION:

161 Drake Road, Salt Spring Island

LEGAL DESCRIPTION:

Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District Plan EPP20136; PID: 028-848-870

SIZE OF PROPERTY AFFECTED:

2.2 ha (5.5 ac)

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Core

OTHER INFORMATION:

This is a preliminary bylaw referral for early consultation. A second referral will be circulated when a bylaw is proposed for this development. Attached is a copy of a staff report received by the Salt Spring Island Local Trust Committee on March 20, 2014

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this proposal.

(Signature)

Name: _____

Title: _____

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Transportation & Infrastructure

Regional Agencies

Capital Regional District (may include Ganges Sewer Commission and the Transportation Commission)
CRD Engineering Services
School District #64
Salt Spring Island Fire Rescue

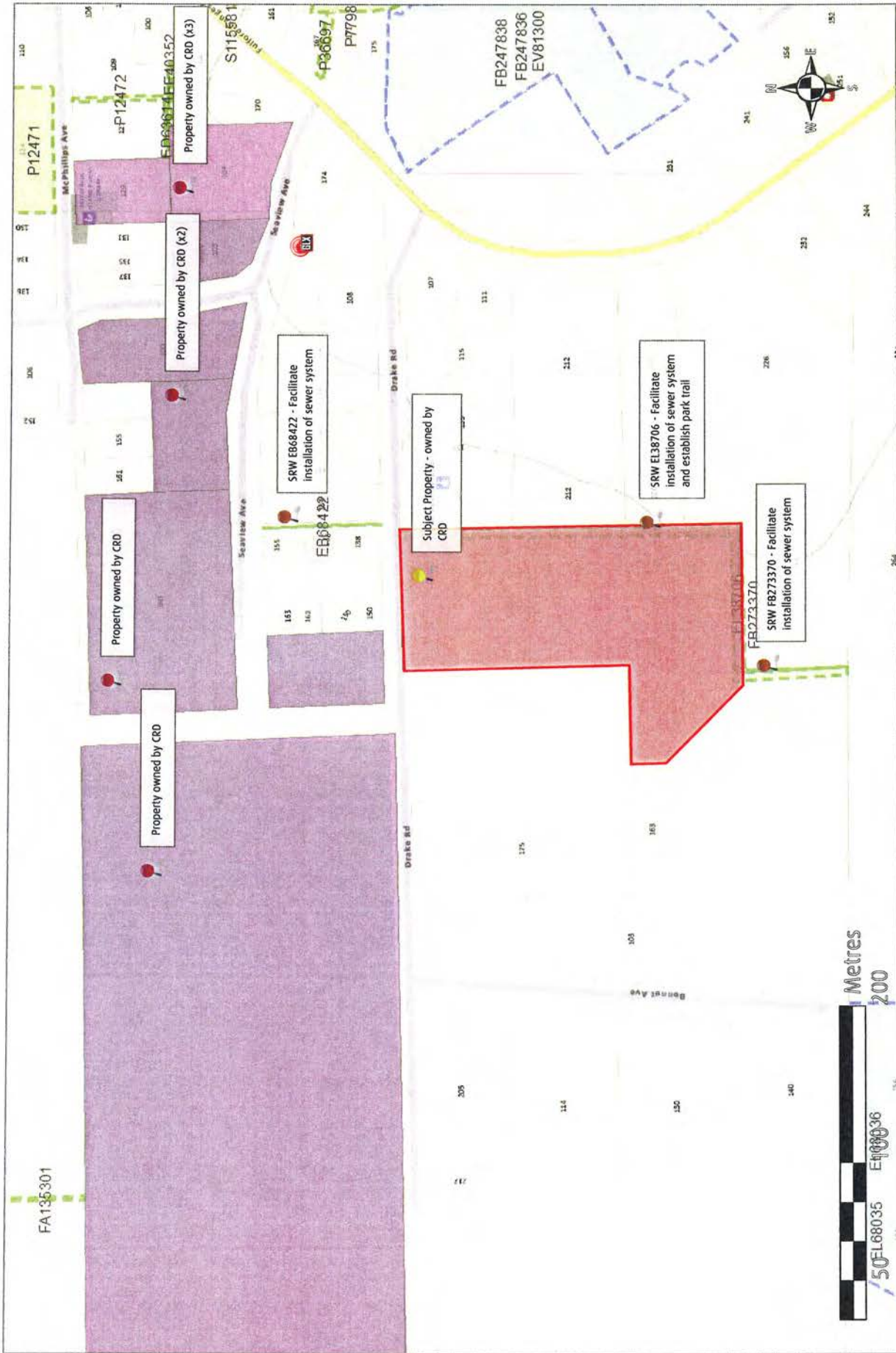
Federal Agencies

N/A

Adjacent Local Trust Committees and Municipalities

N/A

PLEASE TURN OVER →



Important

This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or reliability of the information shown on this map. The CRD is not responsible for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Printed Tue, Apr 15, 2014

CRD Interests

Salt Spring Islands SS-RZ-2013.9

Intramap 2.0

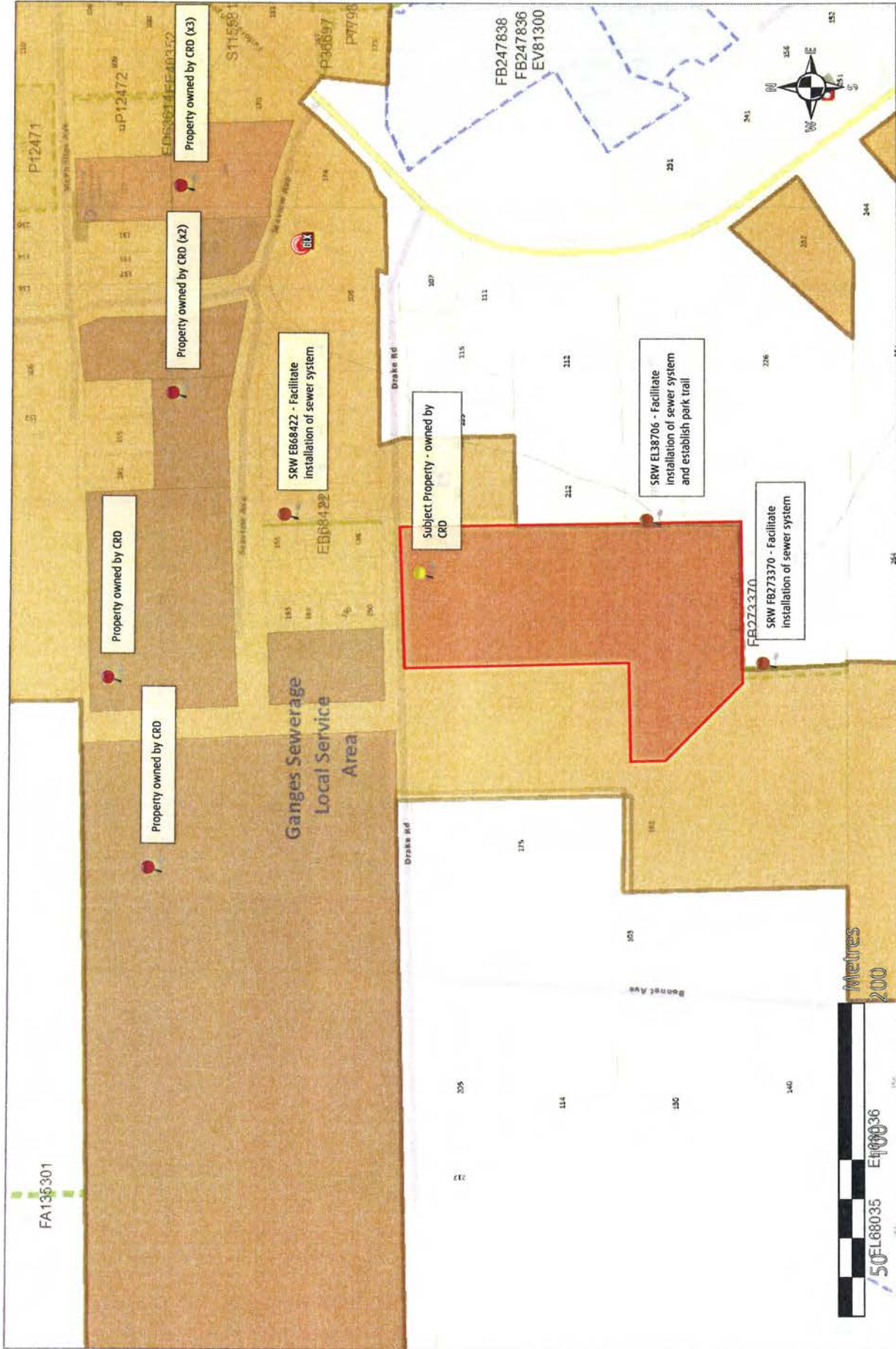
Capital Regional District

gis@crd.bc.ca

http://www.crd.bc.ca

CRD

Working to make a better place to live



Important

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Printed Tue, Apr 15, 2014

CRD Interests

Salt Spring Islands SS-RZ-2013.9

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca



STAFF REPORT

Date: March 11, 2014

File No.: SS-RZ-2013.9

To: Salt Spring Island Local Trust Committee
For meeting of February 27, 2014

From: Stefan Cermak
Planner, Local Planning Services

CC: Janis Gauthier

Re: Rezoning Application: Preliminary Report

Owner: Capital Regional District

Applicant: Janis Gauthier, JG Consulting Services Ltd.

Location: Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District
Plan EPP20136; PID: 028-848-870

Civic Address: 161 Drake Road, Salt Spring Island

THE PROPOSAL

The Capital Regional District (CRD) proposes a multi-family affordable housing complex of up to 80 units to be built within the Ganges Village core (Figure 1). The applicant proposes a 3-phase master plan that establishes maximum density, footprint, parking requirements, height limits, and environmental requirements. The units will be a mix of non-profit, mixed entry-level homeowner and affordable rental housing with complementary amenities. The applicant is seeking flexibility regarding phasing and building form to allow the project to be guided by need and market conditions and capital funding opportunities. Housing affordability will be ensured through long-term housing agreements.

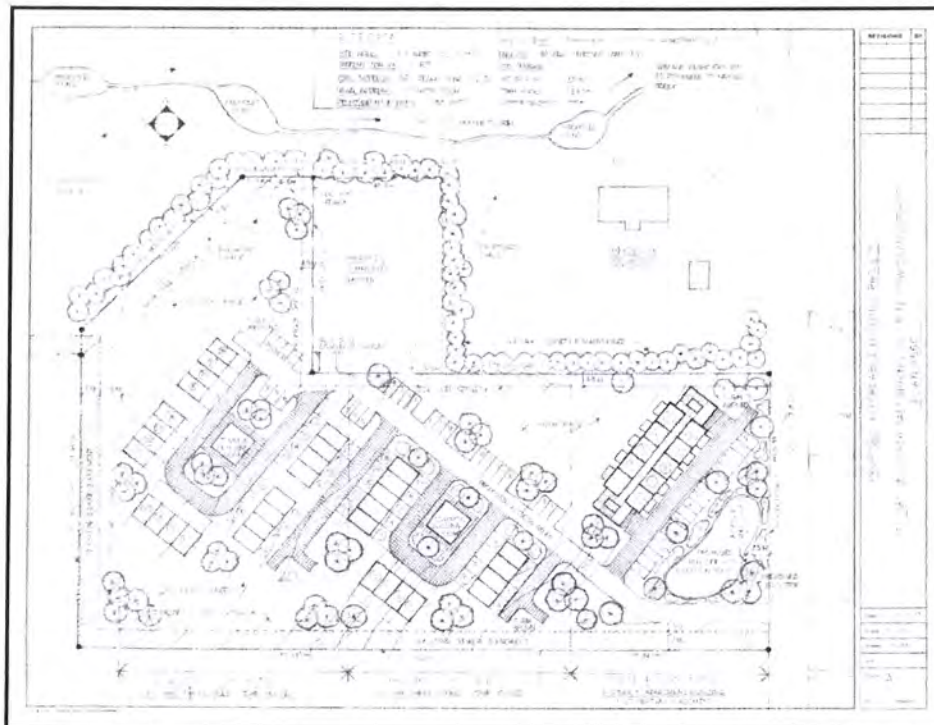


Figure 1 DRAFT Conceptual site design by D. Gunn July 2013

Appendix 1 contains the applicant's submission. The submission includes a report outlining the proposal and includes an extensive list of technical reports and other material noted throughout this report including:

- Preliminary Drainage Plan
- Phase I Environmental Site Assessment
- Site Plan
- Transitions Salt Spring's Community Energy Group letter of interest
- North Salt Spring Waterworks water availability letter
- Ganges Sewer Commission sewerage capacity availability letter, CRD Engineering requirements for sewerage connection; Applicant Report submitted by Stantec Consulting Ltd, dated December 2, 2013 to meet CRD requirements
- Changes in Housing Supply 2009-2013
- Homeowner Housing Supply July 2013
- Rental Housing Supply July 2013

SITE CONTEXT

The subject location is a 5.5 acre vacant lot located at 161 Drake Road (Figure 2). The lot was subdivided from the adjacent Phoenix School site owned by School District 64, in 2012. The Ministry of Education approved the subdivision on condition of the transfer of land to the CRD's Land Banking Services for the purposes of developing affordable housing.

The site is located on the edge of downtown Ganges and within walking distance of schools, shopping, and most services. Immediately surrounding properties include Mouat Park to the north-west, Phoenix School to the west, vacant residential land to the south, and Our Lady of Grace Catholic Church to the east. Residential lots are to the north and north east. Several nearby properties are within the Agricultural Land Reserve including significant portions of Mouat's Park and properties to the south-east.

The lot slopes steadily from south to north (from Mt. Belcher to Ganges) towards Drake Road with drainage leading to Ganges Creek. The site has varied vegetation including western red cedar, maple trees, a mix of indigenous and invasive shrubs, and other. A sewer line is buried beneath a park trail maintained by the CRD along the eastern and southern boundaries of the property. The path is part of the Ganges Pathway systems as shown in Official Community Plan map 17 and forms part of a network of trails connecting pedestrians from downtown Ganges to Cudmore Height Park in the Bishops Walk development and eventually to Wilkie Way.



Figure 2 161 Drake Road outlined in yellow, green shaded areas are lots in the Agricultural Land Reserve

CURRENT PLANNING STATUS OF SUBJECT LANDS

Trust Policy Statement

Staff will submit a Policy Directives checklist for LTC consideration at time of considering first reading for a draft bylaw.

Official Community Plan

The subject lot is designated as part of the Ganges Village Core in the Official Community Plan map 1 (Figure 3). OCP objectives and policies are either generally supportive or very supportive of the proposal. OCP policies that may limit the proposal require the applicant to demonstrate to the LTC that community water and sewer provider requirements are met. It may be feasible to structure a zoning bylaw that permits units over time as servicing requirements are met. For a complete list of applicable OCP objectives and policies see Appendix 2.

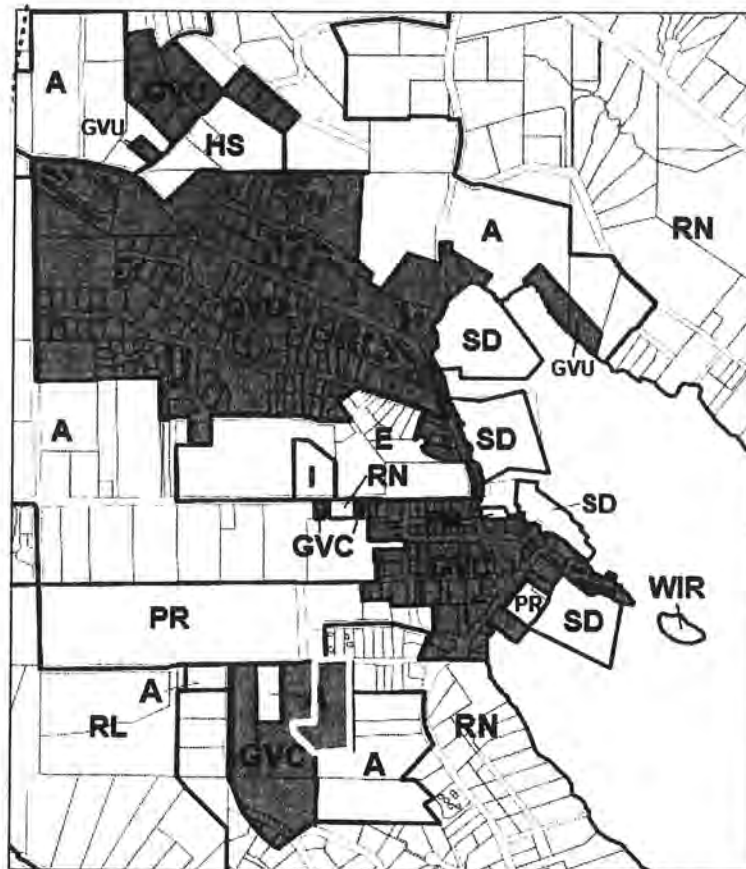


Figure 3 The subject property, outlined in white, is within the Ganges Village Core (GVC)

Below is a brief discussion on the policies most relevant to the application or those that need to be addressed:

B.2.2.2: Affordable, rental and special needs housing, multi-family dwelling policy

B.2.2.2.18 Preference should be given to rezoning applications for multiple-unit affordable housing projects that:

- a. are based on the housing needs of existing residents and are not meant to be mainly marketed to off-island residents.

- b. would provide owned or rental housing, possibly through non-traditional means such as co-housing, cooperative ownership, sweat equity projects or land trusts.
- c. would create durable, and water and energy efficient housing.
- d. provide walking, transit or cycling links to village services.
- e. provide safe walking, transit, or cycling links to a school, if the project is designed for families.
- f. include appropriate site and building designs, such as those outlined in Development Permit Area 1.
- g. that are in or near island villages, except where the affordable housing would be linked to and support farming.

Staff comment: The applicant has provided an exhaustive rationale for affordable housing as a result of community consultation and planning over the last seven years. The application provides strong evidence of need and has adapted the application accordingly (Appendix 1).

An affordable housing agreement with an appropriate agency is critical to the future processing of this application. A Housing Agreement is implemented via an administrative bylaw. Adoption of a Housing Agreement bylaw would be a condition of zoning approval. Therefore, a draft Housing Agreement should be submitted as soon as possible with consideration of a Housing Agreement bylaw before second reading of a rezoning bylaw and before a Public Hearing. Staff note that inclusion of the CRD Housing Secretariat in the steering committee of the project adds some certainty to the inclusion of a Housing Agreement as does the acceptance of the CRD to receive the subject property from the School District based on condition of providing affordable housing.

B.5.1.2 General Village Land Use Policies

- B.5.1.2.2 Zoning in Village Designations will continue to allow the mix of commercial, institutional, cultural, and multi-family land uses that are currently allowed. The maximum residential density allowed on any single property will remain at 37 units per ha. However, where a multifamily development is comprised of special needs housing or affordable seniors' supportive housing, the density of development may exceed 37 units per ha, provided it does not exceed a floor space ratio of 0.6, a site coverage of 33 percent, a maximum of two storeys and a maximum of 50 units in any one development.

Staff comment: Proposed density is 37 units/ha.

B.5.2.2 Ganges Village Designation Policies

- 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.

Staff comment: The "Stantec Sewer Review" dated December 2, 2013 (Appendix 1) suggests that the proposal may add to the need for upgrades to the Ganges sewerage system especially for relevant influent and effluent pumps. As well, the "Drake Road Pre-Development Stage 1 Site and Concept Report" dated June 30, 2008 (Appendix 1) notes that installation of the sanitary sewer in 2007 along the eastern boundary of the subject lot led to diversion of drainage which in turn "caused flooding of Drake Road, infiltrated the

sewer, and impacted Ganges sewer treatment." The report suggests that "the problem needs to be solved by the relevant agencies."

The applicant has also submitted a preliminary stormwater plan. The Stormwater Plan dated May 7, 2008, by Grange Engineering Associates Ltd. The Stormwater Plan will require updating to reflect the current proposal. However, the Stormwater Plan will be required when the applicant applies for a Development Permit and therefore need not be a condition of approval for rezoning. The Stormwater Plan may require addendums as the project moves through the various development phases to meet Development Permit amendment requirements.

The applicant has already been working proactively with the CRD to meet requirements as evidenced in the addendums to the application. At time of drafting this report the Stantec Sewer Review" dated December 2, 2013 is being reviewed by CRD engineering staff after which it will be referred to the Ganges Sewer Commission. Confirmation from the CRD that the proposal meets CRD requirements should be attained before second reading of a bylaw, before Public Hearing.

- B.5.2.2.9 The Local Trust Committee may consider changing zoning to permit some 3-storey buildings in areas away from the shoreline, the Ganges Village Core and established view corridors.

Staff comment: The applicant is proposing some 3 storey buildings away from the shoreline, on the outskirts of the Ganges Village core and away from established view corridors.

B.6.2.2 Agriculture Land Use Policies

- B.6.2.2.18 When it considers rezoning applications for land that borders or drains into agricultural land, the Local Trust Committee will ensure that zoning changes are not made in a way that would have a negative effect on farming. For example, the Committee could require that a vegetation buffer be maintained on land that is being rezoned next to farm land, if the proposed use could result in conflicts with a farming operation. The Committee should also ensure that a zoning change would not result in detrimental changes to natural drainage or pollution of water supplies. The Agricultural Advisory Committee will be asked for advice about rezoning applications on land that borders or drains into agricultural land.

Staff comment: The proposal borders, but does not drain into agriculture land. The Ministry of Agriculture's Guide to Edge Planning dated June 2009 recommends a total minimum separation distance of 30m (15m of which is a 6m tall vegetative buffer) between housing units and ALR boundary to most effectively mitigate the impact of urban and farming activities. The Agricultural Advisory Committee and Ministry of Agriculture staff will be asked for advice about the rezoning application. A vegetated buffer may be included within a zoning bylaw.

C.2 Transportation Servicing Objectives

- C.2.1.1.4 To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.

Staff comment: The applicant's submission states that the applicant has had initial discussions with the Ministry of Transportation and Infrastructure to assess traffic concerns. No significant concerns were identified "with the possible exception of the creation of a key-lock left-hand turn land onto Drake Road" from Fulford-Ganges Road. The applicant recognizes there may be a need for "an engineering analysis and recommendation" report. The applicant has also submitted that the project team is exploring a potential pilot project with Transitions Salt Spring's Community Energy Group which may include electric vehicle charging stations, and/or a car share program. Staff recommend early referral to the

Ministry of Transportation and Infrastructure, Salt Spring Fire and Rescue, and the CRD Transportation Commission for early recommendation considerations.

C.2.3 Automobile and Bicycle Parking Objective

C.2.3.1.3 To minimize the land area devoted to automobile parking,

Staff comment: The applicant has proposed to develop only 40% of the required parking with the rationale being that low income housing may equate with less car ownership, there is access to transportation alternatives, and the subject property is in close proximity to amenities and schools. While the above objective recommends reduced parking, no associated policies are given. Staff recommend the applicant provide evidence based rationale to support the significant decrease in required parking.

C.3.2 Community Water Systems Objectives and Policies

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.

Staff comment: The North Salt Spring Waterworks (NSSWD) letter dated May 14, 2013 states that the District will provide water service when all applicable charges and fees are paid including possible extensive improvements to the distribution system. Staff followed up with NSSWD Feb 12, 2013 to discuss intent of letter ensuring that all District current and future needs are met without compromise.

C.3.2.2.1 When the Local Trust Committee receives rezoning applications for land inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will be asked if water could be supplied to the proposed new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or under-developed properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to suggest other water supplies so that the application could be considered. Examples are rainwater catchment, groundwater use or a water conservation program.

The Local Trust Committee could make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or affordable housing projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.

Staff comment: The North Salt Spring Waterworks (NSSWD) letter dated May 14, 2013 states that the District will provide water service when all applicable charges and fees are paid including possible extensive improvements to the distribution system. Staff followed up with NSSWD Feb 12, 2013 to discuss intent of letter ensuring that all District current and future needs are met without compromise. Confirmation from the NSSWD that the proposal meets NSSWD considerations should be attained before second reading of a bylaw, before Public Hearing.

- C.3.2.2.6 The Local Trust Committee will continue to encourage water conservation through guidelines for xeriscape landscaping of commercial, industrial and multi-family developments in island villages.

Staff comment: the applicant proposes that the project will implement a number of water saving features, including metering, rainwater and grey water re-use for irrigation wherever practical, flow control devices, water saving devices, drought resistant landscaping, and efficient irrigation.

C.4 Liquid Waste Management Policy

- C.4.2.2.4 When the Local Trust Committee receives rezoning applications that apply to land within the Ganges 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.

Staff comment: The "Stantec Sewer Review" dated December 2, 2013 (Appendix 1) suggests that the proposal may add to the need for upgrades to the Ganges sewerage system especially for relevant influent and effluent pumps. As well, the "Drake Road Pre-Development Stage 1 Site and Concept Report" dated June 30, 2008 (Appendix 1) notes that installation of the sanitary sewer in 2007 along the eastern boundary of the subject lot led to diversion of drainage which in turn "caused flooding of Drake Road, infiltrated the sewer, and impacted Ganges sewer treatment." The report suggests that "the problem needs to be solved by the relevant agencies."

The applicant has already been working proactively with the CRD to meet requirements as evidenced in the addendums to the application. At time of drafting this report the Stantec Sewer Review" dated December 2, 2013 is being reviewed by CRD engineering staff after which it will be referred to the Ganges Sewer Commission. Confirmation from the CRD that the proposal meets CRD requirements should be attained before second reading of a bylaw, before Public Hearing.

Land Use / Zoning Bylaw

Current zoning for the subject property is Residential 9 (R9). R9 permits three dwelling units or approximately 1.6 dwelling units per hectare. The proposal is to change the zoning from R9 to a variant of R1 which would increase the permitted density to 37 units per hectare (Figure 4). This is the maximum density recommended within the Official Community Plan and permitted within the Land Use Bylaw.

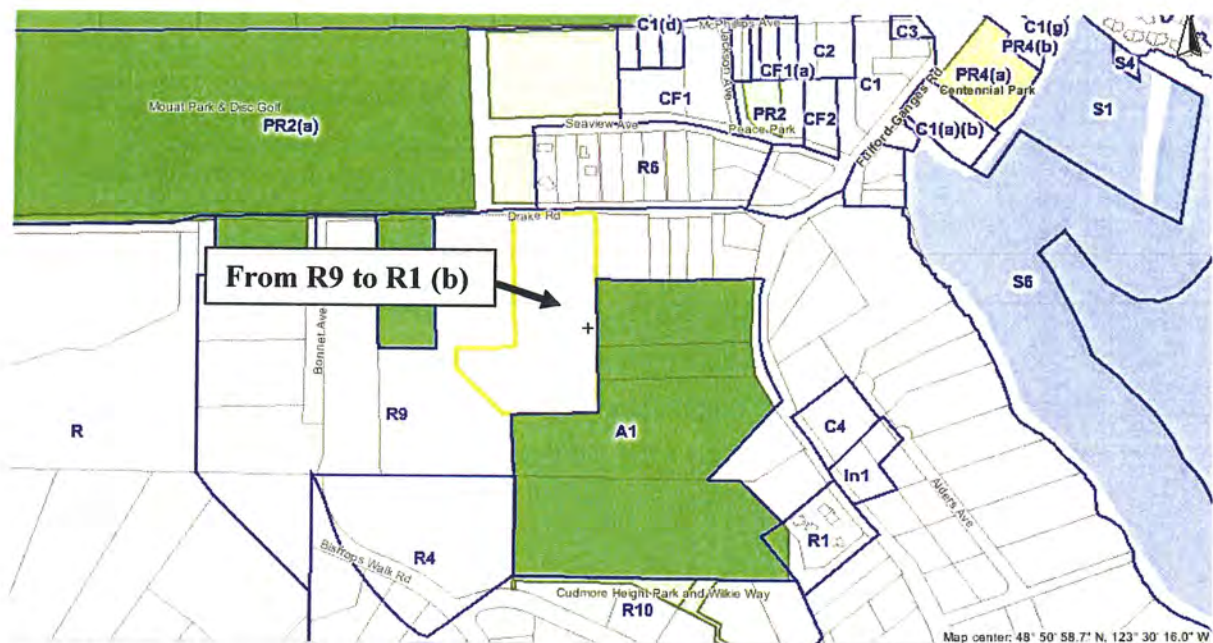


Figure 4 Proposed rezoning of subject property from Residential 9 to a variant of Residential 1

The purpose of the increased density is to create up to 80 affordable housing units in a 3-phase development program. Phase 1 construction could begin as early as 2015 with phases 2-3 following as need is demonstrated and funding becomes available. No clearer timeline was given by the applicant. The project design will be needs-based, with a mix of housing types including entry level homeowner housing, rental housing for low to moderate income singles, families, and supported housing for seniors or others as need dictates. The applicant envisions the potential for rental units included as secondary suites in some homeowner units or as 'mortgage helpers' to improve affordability for homeowners. These secondary suites are included in the total projected number of units (Table 1).

Table 1 Preliminary Unit Mix Proposal for 161 Drake Road

	Preliminary unit mix targets				Preliminary sq.ft./unit		
	Phase I	Phase II	Phase III	Total	Low	Avg.	High
Homeowner units	0	14	26	40	900	1,000	1,000
Small homeowner units	6	4	0	10	400	500	600
Rental units	14	4	2	20	700	800	900
Small rental units	<u>10</u>	<u>0</u>	<u>0</u>	<u>10</u>	350	<u>400</u>	450
Total units	30	22	28	80		813	

The rezoning may include amending the minimum permitted lot area in R1. The applicant requests an increased height to 11.0 m to allow a three storey apartment building. Variations to interior setbacks and general siting may be confirmed at time of Development Permit although setbacks from the neighbouring Agricultural Land Reserve should be included at time of rezoning.

Home based businesses may require restrictions in consideration to the extent that they are compatible with the residential uses, given noise, traffic, water usage and/or other considerations. The applicant has also requested consideration of accessory structures to be used for possible accessory

uses such as child care provision. Further discussion with the applicant will be required to consider all desired uses.

The applicant proposes 40 parking stalls (0.5 stalls /unit) versus the 100 parking stalls (1.25 stalls/unit) currently required in the land use bylaw. The land use bylaw requires that 8 parking stalls be designated for use by the disabled and the provision of at least 5 bicycle parking spaces. OCP policy C.2.3.1.3 supports reduced land for parking but does not consider the significant proposed reduction in the proposal. Conditions for approval for the reduction in parking stalls may include the applicant provide evidence based research to support the proposal and ongoing confirmation of partnerships with local groups providing transportation alternatives.

Islands Trust Fund:

The subject property is not adjacent to an Islands Trust Fund property or lots with Islands Trust Fund covenants.

Sensitive Ecosystems and Hazard Areas:

The subject property does not have identified sensitive ecosystems within the Islands Trust Ecosystem Mapping database. There is a significant amount of water moving down the site, draining south to north into drainage along Drake Road and eventually into Ganges Creek. The applicant has submitted a drainage plan and Environmental Site Assessment. Drainage is generally to be managed in partnership with the neighbouring School District lot.

Riparian Areas Regulation:

The site is subject to the Riparian Areas Regulation (RAR). A local government may not approve or allow development (physical alterations or subdivision) to proceed unless notified by the province of British Columbia that the RAR requirements have been met. Generally, the applicant must provide a RAR Assessment Report to the ministry which includes protection measures for the riparian areas. These protective measures could be included within the rezoning or the development permit and must be included at time of subdivision.

Archeological Sites:

Based on the data provided by the Provincial Remote Access to Archaeological Data, there are no known archaeological sites or "areas of significant potential to contain unknown but protected archaeological sites on the subject property". This application would be referred to First Nations stakeholders if it proposed an amendment to the Official Community Plan.

Bylaw Enforcement:

There are no open Islands Trust bylaw enforcement files on the subject property.

Covenants:

There are no covenants on title. A Statutory Right of Way (pathway and sewer line) exists along the eastern and southern boundaries of the property.

Climate Change Mitigation and Adaptation:

The application includes climate change mitigation and adaptation measures such as:

- Location encouraging walking and cycling
- Proposed layout that maximizes solar gain for passive heating
- Proposed energy and water efficient building design
- Proposed cooperation with community group bringing photovoltaic electric vehicle charging stations

Neighbourhood Character:

Changes to land use are always of concern to those nearby. In this instance, there has been a history of land clearing, residential, and educational use on the site. The site has retained its approximate features since 2005. A change in the intensity of use may impact the surrounding residential neighbourhood.

RESULTS OF CIRCULATION/COMMUNITY INFORMATION MEETING(S)

The applicant held two interactive information sessions in late 2012 targeted to specific stakeholders including:

- Non-profit housing providers, and
- Phoenix School community and Drake Road neighbours.

According to the applicant, the SSI Housing Council planned and hosted the information sessions. The format was a mix of presentation, self-guided and guided tours through display materials, and an interactive site design exercise.

After presentations, participants were requested to complete a survey of their perspectives on the key elements of the plan and how it responds to housing needs in the community, and about potential impacts to the neighbourhood.

According to the applicant, feedback in both information sessions and surveys was positive, with no messaging that would suggest major changes to the basic project assumptions or direction. The only exceptions were a stronger than expected preference for rental, and an expression of need for both lower priced homeowner units and rental rates.

Based on feedback, the Steering Committee decided to increase the proposed number of units from 60 to 80 as a key strategy to introduce better affordability. The additional 20 units include 10 'tiny' homeowner units, and 10 'tiny' rental units targeted to lower income residents.

Community consultation is proposed after LTC consideration of a draft bylaw as well as the legislatively required notification process and Public Hearing.

STAFF COMMENTS

The application is for considerable change to the density on the subject property. The change will impact service providers and the surrounding neighbourhood as well as be a significant provider of affordable housing.

Servicing

Early referrals to service providers may assist the LTC by providing confirmation that the proposal meets service provider requirements and should be attained before second reading of a bylaw or before Public Hearing. The applicant is also aware of nearby undeveloped non-profit housing sites that could benefit from joint planning and/or site servicing including the Lion's Club at the corner of Drake Road and Bonnet Avenue and the Community Services Society site directly south of the Lion's Club. Staff recommends the applicant continue dialogue with these community housing groups to minimize future infrastructure upgrade requirements.

Neighbourhood

Neighbourhood issues may be drainage, traffic, and agriculture and a general change in character via increased density. Traffic, agricultural, and some drainage issues may be assessed further by early referrals to help inform drafting of a bylaw. Drainage issues may be further assessed by the applicant submitting a Riparian Areas Assessment Report to the ministry. Consideration of neighbourhood concerns may further be captured when hosting a Community Information Meeting, during the required notification process, and at time of Public Hearing.

Affordable Housing

The purpose of the application is for the provision of affordable housing. The adoption of a Housing Agreement bylaw could be a condition of zoning approval. Consideration of a Housing Agreement should be made before second reading or a Public Hearing of this rezoning application.

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

NEXT STEPS

The proposal has merit in meeting affordable housing needs as expressed in the Official Community Plan and as demonstrated in the applicant's community consultations. Full build out of all phases will require some upgrade or expansion of water, sewerage, and possibly road systems. As such staff are advising that the proposed site specific bylaw may need to tie density levels to infrastructure updates. LTC should now hear from service agencies as to the requirements for upgrades and measures to coordinate permitted uses and densities to these upgrades.

Staff advise merit in early referral of the proposal so that LTC is informed of dialogue with service providers and receives early input of its advisory committees. The following resolutions implement the staff recommendations.

RECOMMENDATIONS

1. THAT the Salt Spring Island Local Trust Committee REFER application SS-RZ-2013.9 (161 Drake Road, JG Consulting Services Ltd.) to the Salt Spring Island Advisory Planning Commission, the Agricultural Advisory Planning Commission, the Capital Regional District, the Ministry of Agriculture, School District #64, Salt Spring Fire and Rescue, and the Ministry of Transportation and Infrastructure for review and comment.
2. That the Salt Spring Island Local Trust Committee DIRECT staff to request the applicant to provide evidence based rationale supporting the proposed 60% decrease in required parking (SS-RZ-2013.9, 161 Drake Road, JG Consulting Services Ltd.).
3. That the Salt Spring Island Local Trust Committee DIRECT staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District Plan EPP20136 from Residential 9 to a variant of Residential 1 in order to permit additional residential density on the subject property for affordable housing (SS-RZ-2013.9, 161 Drake Road, JG Consulting Services Ltd.).

4. That the Salt Spring Island Local Trust Committee DIRECT staff to request the applicant to submit a draft affordable housing agreement for Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District Plan EPP20136 (SS-RZ-2013.9, 161 Drake Road, JG Consulting Services Ltd.)..

Respectfully submitted by:

Stefan Cermak

Date

Concurred in by:

Leah Hartley

Date

Appendices

Appendix 1: Applicant submission

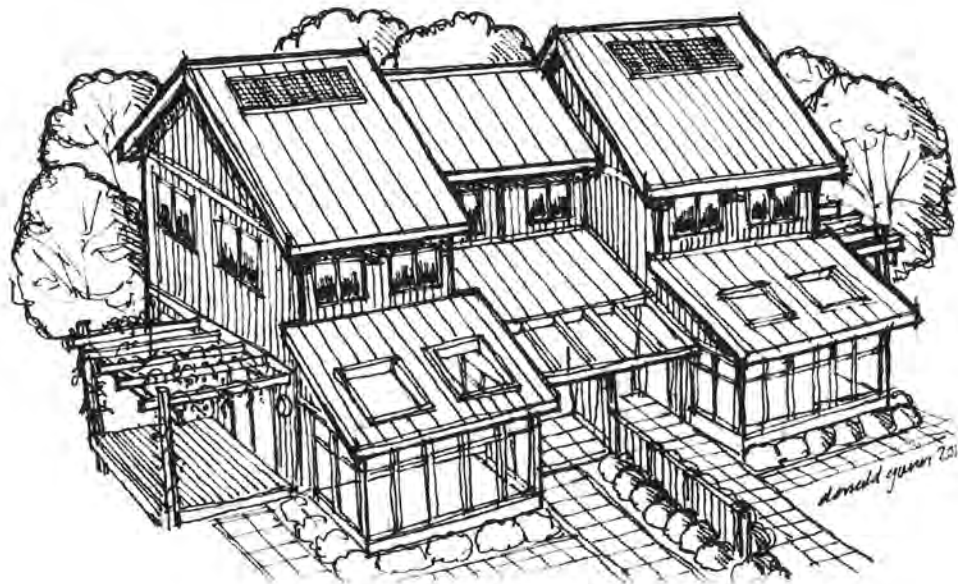
Appendix 2: OCP Extracts Relevant to the Application

DRAKE ROAD AFFORDABLE HOUSING

60-80 Units of Non-Profit Homeowner and Rental Housing

Affordable housing for low to moderate income residents

AFFORDABLE HOUSING
CONCEPTUAL SKETCH



REZONING PROPOSAL

A Collaboration of Community Partners

School District 64

Capital Regional District

August 2013

Affordable Housing is a Cornerstone of Community Sustainability and Quality of Life

DRAKE ROAD AFFORDABLE HOUSING

Rezoning Proposal

August 2013

Planning and pre-development work for this project has been made possible by generous contributions and participation from:

*School District 64
Capital Regional District
Canada Mortgage and Housing
Real Estate Foundation of BC
Salt Spring Island Housing Council Society*

The Project is directed by a Joint Steering Committee with the following members:

*Lisa Halstead, School District 64 Superintendent
Rod Pingle, School District 64 Trustee
Rod Scotvold, School District 64 Treasurer
Wayne McIntyre, CRD Director
Henry Kamphof, CRD Housing Secretariat Seniors Manager*

The Applicant:

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We wish to thank the many members of the community who contributed their time to describe housing needs on Salt Spring and to make many excellent suggestions on how to address those needs.

A special thanks is extended to Jeff Hopkins, former School District Superintendent, whose vision and perseverance led this project to where it is today.

Drake Road Affordable Housing Rezoning Proposal

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DRAKE ROAD AFFORDABLE HOUSING Rezoning Proposal

1. INTRODUCTION

PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide project history and background, and to communicate preliminary plans to the Local Trust Committee (LTC) and to the public. The objective is to seek feedback from the LTC on the concept, reaction to proposed density, and get an indication of any early concerns, conditions or suggestions for proceeding.

BACKGROUND

The School District 64 has been contemplating using a portion of the Phoenix School site for affordable housing for over a decade, in response to persistent housing challenges faced by students' families and school staff. The District has worked tirelessly to secure Ministry of Education approval, which was granted in 2012. A 5.5 acre property was then subdivided from the larger Phoenix School site and, as a condition of Ministry approval, transferred to the CRD's Land Banking Service for the purposes of developing affordable housing.

Preliminary project planning and feasibility analysis began in 2006, with funding from Canada Mortgage and Housing, and the Real Estate Foundation of British Columbia. Site planning started with an environmental and ecological assessment of the property (see **Appendix 1**). This study began with an evaluation of the site's potential to provide ecological and environmental services such as rainwater storage, flood control, wildlife habitat and biodiversity, food production, carbon sequestration, and renewable energy. These functions defined which areas should not be built upon, as a starting point for the site design process.

The working concept developed was for approximately 60 units, with a mix of entry-level homeowner and affordable rental housing. Initial community consultations yielded very positive feedback on the concept, but indicated that the planned price points for both homeowner and rental units were still not affordable to many residents, especially those of very low incomes. These residents have been identified as having high priority needs in Salt Spring's Housing Needs Assessment.

As a result of this feedback, the concept has been revised to include an additional 20 units of 'tiny' homes, both homeowner and rental units, for a total of 80 units. The objective is to widen the range of incomes served to better address the needs of Salt Spring's diverse community.

APPROACH TO RE-ZONING APPLICATION

This project intends to set the bar high with respect to affordability, and will clearly demonstrate that it addresses OCP housing affordability and other community objectives and policies. While affordable housing can be considered an amenity, we recognize that the amenity zoning process is complicated, time consuming and carries uncertain outcomes. Accordingly, this application for increased density is based on the merits of affordable housing alone.

We propose a comprehensive master plan that considers the full impact of all phases of the development. This will provide a maximum density, unit mix (tenure and approximate size range), basic design parameters (height, size/footprint), and a mechanism to achieve and maintain affordability, but to retain flexibility as to specific building forms, unit sizes and tenures within the overall plan.

Planning will take into consideration potential future development of other multi-family non-profit housing in the neighbourhood, to consider compatibility and opportunities to collaborate. Non-profit providers with nearby housing development sites include the Lions Club site, the Diocese site (Community Services Society), and the IWAV–Abbeyfield adjacent property. During initial discussions, representatives of these organizations have indicated interest in coordination with regard to targeting need, joint planning or development of site services, and/or cooperation in development of community amenity spaces.

Initial contact has also been made with other private property owners inquiring about opportunities to participate in planning and cost sharing of site service upgrades; exploration of the further potential participation of other landowners will be expanded as planning for services evolves.

SUBDIVISION

The subdivided parcel was transferred to the Capital Regional District, under their subdivision approval authority pursuant to section 99(1)(h)(ii) of the *Land Title Act*. The Act delegates subdivision approval authority to the Regional District when land is transferred between levels of government, and as such does not require Ministry of Transportation (MoT) approval.

Nevertheless, MoT was consulted to ensure preliminary site planning will meet future phasing and/or individual strata lots subdivision application requirements. When basic site servicing and design features are defined, further planning will include consultation with MoT to ensure that the MoT subdivision and Islands Trust re-zoning application processes are closely coordinated and each agency's requirements are clearly understood and met.

2. DESCRIPTION OF PROPERTY

SITE LOCATION

The 5.5 acre site is located at 161 Drake Road, just east of the Phoenix School, with access available off Drake Road. It is well situated near the downtown core of Ganges, and within walking distance to schools, shopping, and most services. The site is completely undeveloped.

The general character Drake Road is rural residential, with mostly mixed older single-family housing on a narrow, heavily wooded and winding dead-end road. Across from the property is Mouat Park, a 23-hectare Provincial Regional Park which follows a significant portion of the north side of Drake Road, ensuring no further development will occur along that section of the road.

Immediately surrounding properties include Mouat Park to the north, the Hart Bradley Lions Club Hall property to the west, a large parcel of vacant resident land to the south, and Our Lady of Grace Catholic Church to the east, and single family residential to the north and east.



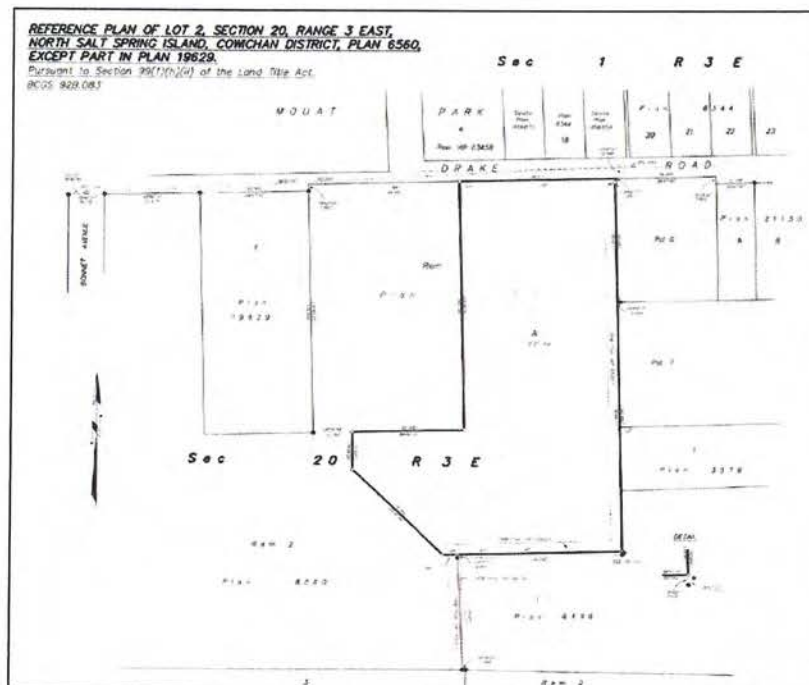
Location with other nearby non-profit housing sites

SITE DESCRIPTION

The site is a fairly typical naturally regenerating western red cedar site, that was logged and the lower sections farmed early in the century. It is notable for its rich bird life, which is attracted to the small wetlands, rich berry thickets, mature maples and wildlife trees close to forest cover.

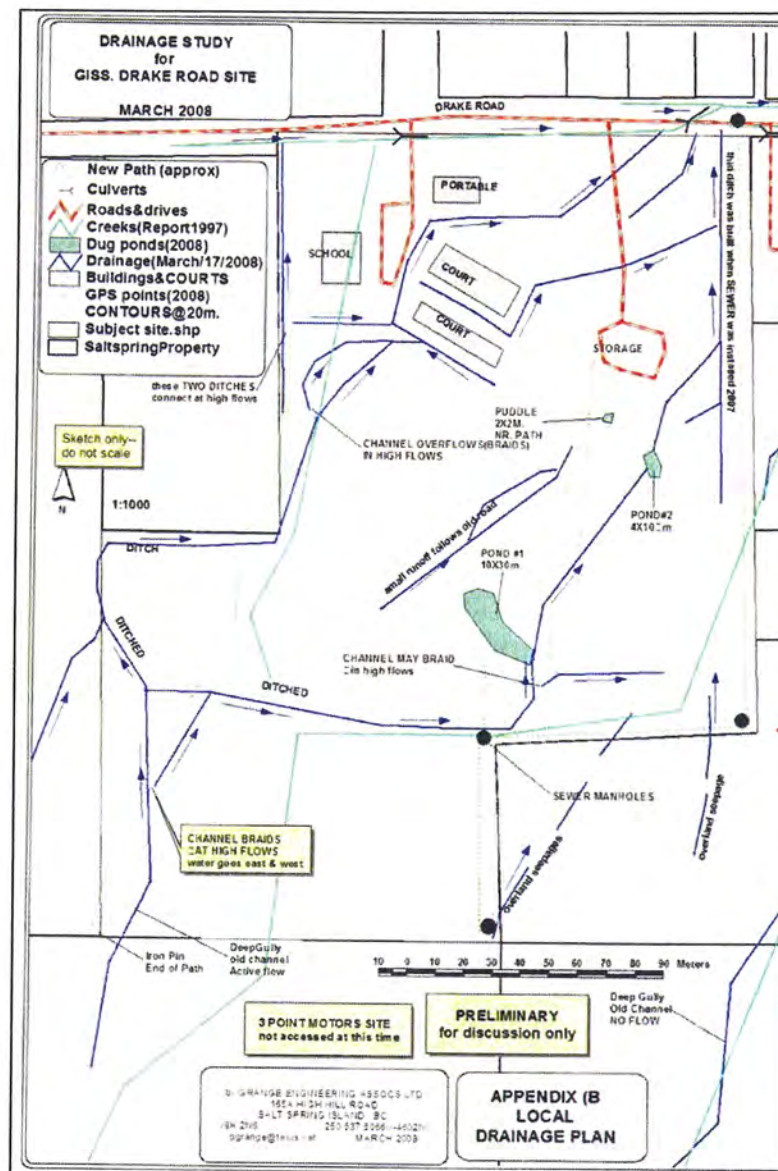


Facing east – School Board site on right, Provincial Park on left



Site survey as subdivided from Phoenix School Site

The site slopes generally downwards towards the north to Drake Road. There is a significant amount of water moving down the site from the properties above, making water management a key issue. A drainage plan was undertaken early in the design process, with consideration to flood and silt control, rainwater storage for irrigation, wildlife needs and landscape features. Please see **Appendix 2** for a copy of the Preliminary Drainage Report.



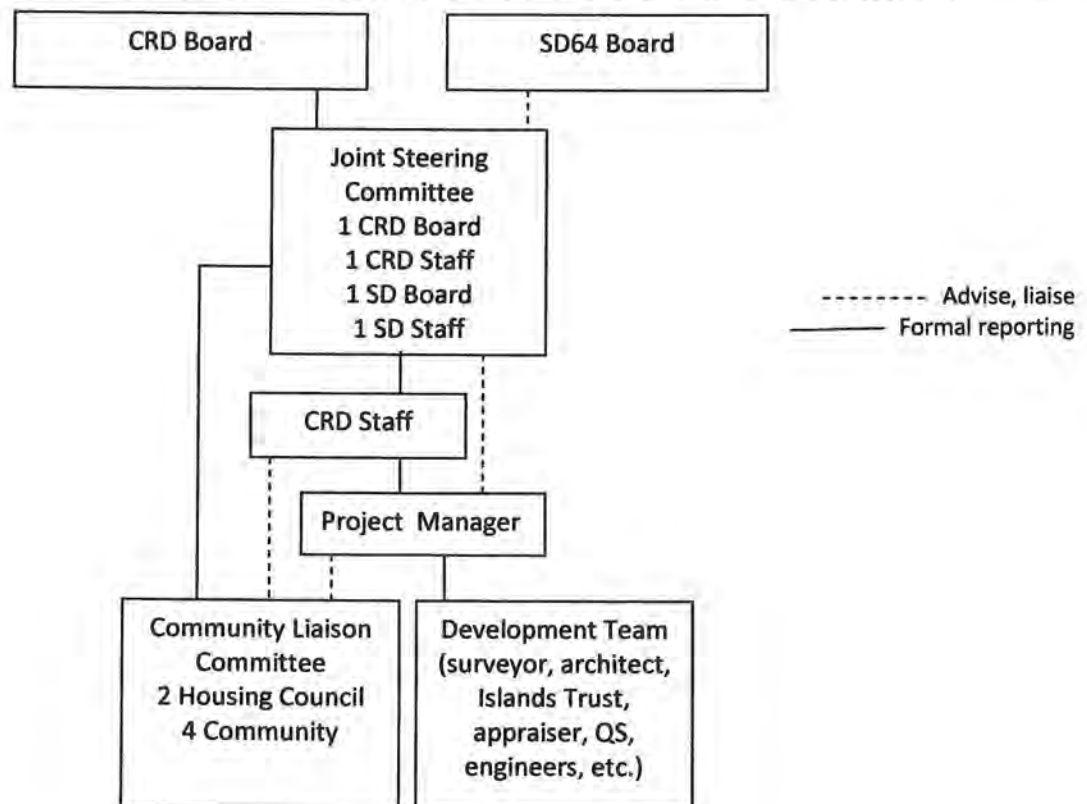
Preliminary Site Drainage Plan

A Phase I Environmental Site Assessment (ESA) was also undertaken, to identify any potential environmental concerns arising from present or past activities on the site and surrounding properties. No concerns were identified. Please see **Appendix 3** for a copy of the ESA.

3. PROPONENT INFORMATION

The owner of the property is now the Capital Regional District, since title has been transferred from School District 64 under a Memorandum of Understanding that governs the intended use, planning principles, and housing and affordability objectives.

The project is overseen by a Joint Steering Committee, with membership from both the School District and the CRD, with a mandate to oversee and guide the project's design and development. As planning evolves, a Community Liaison Committee will be formed to provide advice and recommendations and to assist in community consultations.



4. APPLICANT INFORMATION

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5. ZONE CHANGES

REQUEST TO THE ISLANDS TRUST

The request to the Islands Trust is for a site-specific multi-family affordable housing zone that permits up to 80 units of non-profit, mixed entry-level homeowner and affordable rental housing with complementary amenities (14.5 units per acre). For comparison purposes, this would produce density similar to Kingfisher, Pioneer Village, and Greenwoods in R1 zones.

Zoning changes requested would allow a combination of 2-storey and 3-storey buildings. (We understand that the Local Trust Committee can consider increased height to 3 stories in DPA1 without an OCP amendment.) Changes should also permit the inclusion of common building space in each phase to permit such uses as day care, meeting and program space, or other compatible uses. We also request that home based businesses be permitted to the extent that they are compatible with the residential uses, given noise, traffic, water usage and/or other considerations.

We request zoning approval for a comprehensive master plan that considers the full impact of all three phases of the development. It would establish maximum density and footprint, parking requirements, general building forms, height limits, environmental requirements, but leave flexibility as to the number and specific building forms and tenures in each phase to allow the project to be guided by need and market conditions and foundation and/or senior government capital funding opportunities.

OCP OBJECTIVES AND POLICIES

We recognize that density increases are constrained by the OCP, even for affordable housing, and are to be 'few and minor'. We further recognize that the proposed density increase will be viewed as an exception, and will require housing agreements to ensure long-term affordability is maintained. This proposal is guided by the following OCP land use objectives and policies:

B.2 RESIDENTIAL LAND USE OBJECTIVES AND POLICIES

B.2.1.1 OBJECTIVES

- B.2.1.1.1 To support a mix of housing types in appropriate locations without compromising protection of the natural environment.
- B.2.1.1.2 To develop zoning that allows many different types of housing and accommodates a diverse population.
- B.2.1.1.3 To acknowledge that a framework that limits growth may restrict housing choices as supply is limited; to respond to the challenge of fostering socio-economic diversity within such a framework.

B.2.1.2.1 POLICIES

- 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.

We recognize the importance of considering and striving to meet multiple community objectives, when planning and developing this project. The Memorandum of Understanding that guides the project specifically identifies environmental sustainability, and good growth management practices as consistent with OCP policies, as other important community objectives to be considered in addition to affordable housing objectives.

There is a strong appreciation of other community objectives in the design of this project, which will also guided and informed by the following OCP objectives:

A.4 COMMUNITY OBJECTIVES

- A4.2** Sustainability
- A4.3** Limits to Growth
- A4.4** Our Sense of Community
- A4.5** Community Health and Safety
- A4.6** Islands Livelihoods and Economics

CONSISTENCY WITH OCP OBJECTIVES AND POLICIES

We appreciate the inherent challenges in striving to achieve multiple community objectives, and the resulting need to prioritize and compromise in order to achieve a balanced mix between sometimes conflicting priorities.

This project was planned with best efforts to achieve appropriate affordability targets, while still respecting and always considering other community objectives. Some of the key elements of the project that demonstrate this consideration include:

- **Site location** – the site is located on the outskirts of Ganges Village, walking distance to schools, shopping, public transportation and most services. This is an ideal candidate for multi-family housing, as it can be serviced by both community water and sewer.
- **Site planning** – the proposal is designed to complement the natural environment, with the starting point for site design based on a comprehensive assessment of the environmental and ecological values of the property. Design is clustered to minimize site disturbance and appropriately manage stormwater. Automobile use is minimized, and walking and cycling are encouraged. Landscaping and

interface with Drake Road is designed to ensure a good fit within the character of the neighbourhood.

- **Housing types** – housing forms, tenure and pricing are intended to accommodate a diverse Salt Spring population, targeting low to moderate income residents. Housing forms include small apartments and small to mid-sized townhouse-style buildings; homeowner and rental opportunities will be available in most forms.
- **Housing design** – Homes are small, simple and energy and resource efficient, with increased heights to minimize footprints. Placement and layout of units maximize solar gain for passive heating and cooling.
- **Affordability and need** – housing type and pricing is evidenced-based, according to the community housing needs assessment. Housing agreements as tools to ensure affordability is maintained in the long term will be used.
- **Community building** – There will be meaningful community and neighbourhood consultations, to ensure that concerns are considered and accommodated whenever possible. On site-common facilities and amenities are designed to meet the needs of residents and to foster the sense of a family-friendly community.

HOUSING AGREEMENTS

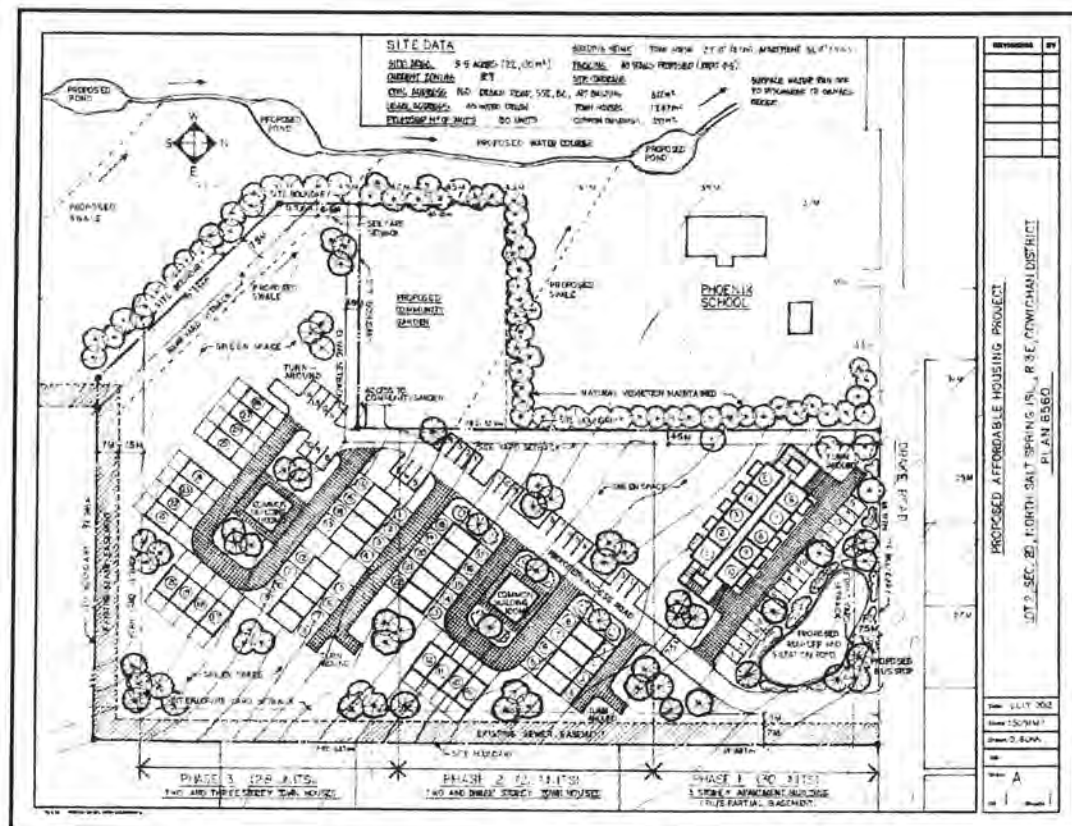
Housing agreements will be utilized to maintain sale prices and rents at affordable levels over the long-term. It has not yet been determined who will hold and administer the agreements, although discussions have taken place with both the Salt Spring Island Housing Council and the CRD about this function.

The CRD has the capacity to hold the agreements, and administration could be undertaken on a contract basis with the Housing Council. The Housing Council's mandate is to coordinate the implementation of the Community Affordable Housing Strategy, which identifies housing agreement administration as one of the important roles for the Council. Both entities have expressed an interest in considering these roles.

6. SITE PLAN

The conceptual site plan below was developed to solicit community and neighbourhood perspectives, undertake preliminary feasibility analysis, establish affordability targets, seek potential funding partnerships, and to secure Islands Trust Local Trust Committee feedback before refining plans. Please see the **Appendix 4** for larger scale plans.

Consideration was given to the ecological/biophysical capacity of the site, community housing need as identified by the Housing Needs Assessment, non-profit housing society and neighbourhood input, CMHC, BC Housing and CRD funding requirements, and OCP objectives and policies.



DRAFT Conceptual site design D. Gunn July-2013

To support this site plan as well as sustainability objectives of the Salt Spring Community Energy Strategy and Climate Action Plan, the project team is exploring a potential pilot project with Transitions Salt Spring's Community Energy Group.

Included in **Appendix 5** is a copy of the letter of interest from this group, which outlines their interest in exploring the feasibility of bringing in photovoltaic electric vehicle charging stations, a car share program, and/or solar hot water installations.

SITE COVERAGE

The proposed design minimizes building footprint and impervious surface areas and retains as much green space as possible. The site area is 5.5 acres (22,100 sq.m. or 237,880 sq.ft.). The concept plan provides for a total of 30,882 sq.ft. of building footprint, resulting in a coverage of approximately 13%. Depending on final building form and configuration, site coverage could increase, but would not exceed 18%.

	<u>sq.m.</u>	<u>sq.ft.</u>
Apartment building	822	8,848
Townhouses	1,847	19,881
Common buildings	<u>200</u>	<u>2,153</u>
Total building footprint	2,869	30,882
Site building coverage	13%	

The main access road will be paved. Vehicular access within the proposed courtyard areas will be a form of pervious surface to help minimize effects of storm water runoff.

TRAFFIC

Initial neighbourhood consultations did not yield any particular concerns about traffic, however we realize that, understandably, this issue will arise in upcoming public information meetings and public hearings. Part of the strategy to minimize traffic impact will be to simply reduce automobile usage, supported by the parking strategies described on the following page.

For safety reasons the entrance to the project will be along the eastern boundary to maximize the distance from the entrance to the adjacent Phoenix Elementary School.

Initial discussions with the Ministry of Transportation have suggested that road upgrade requirements will be minimal, with the possible exception of the creation of a key-lock left-hand turn lane onto Drake Road and/or into the project off Drake Road, upon engineering analysis and recommendation. Road dedication requirements will be limited to a narrow strip along Drake Road, to bring frontage in line with other properties.

Traffic flow within the property boundaries is designed to minimize access within courtyard areas, for both safety and aesthetic reasons. While not yet reflected on the site plan, small walking trails will be provided between project phases, to the dedicated walking trails (see proposed park dedication p. 13), and to the community garden proposed for the adjacent Phoenix School site.

PARKING

Efforts will be made to minimize traffic impacts in the neighbourhood and all parking will be contained on-site. The site plan reflects a substantial relaxation of the LUB requirement for multi-family projects (1.25 stalls/unit); standard LUB requirements would translate to 100 parking stalls for 80 units. We propose 40 stalls (0.5 stalls/unit) as reflected in the concept plan.

We feel quite strongly that reduced parking for this project is appropriate for several reasons. First, given its close proximity to Ganges Village and nearby bus transportation, residents do have walking, bicycling and public transportation options. Next, by encouraging less vehicle traffic, the neighbourhood will be more pedestrian and bicycle friendly and reduce the residents' carbon footprint; this is an important community objective. Finally, automobile ownership and operation is very costly, and a residence that includes workable alternatives reduces the affordability burden for residents.

To support the objective of reduce automobile usage, the project team is exploring the potential for a car-share pilot program in collaboration with a Transitions Salt Spring's Community Energy Group under an initiative that brings in electric vehicle charging stations. Included in **Appendix 5** is a copy of the letter of interest from this group.

Exploratory discussions have been held with a representatives of the CRD Salt Spring Island Transportation Commission and the non-profit Island Pathways about the potential to collaborate on transportation related initiatives that will benefit both this housing project and further community objectives such as walking paths, bus shelters, and pedestrian and cyclist safety initiatives. A delegation to advise the Transportation Commission of project plans is planned for the Fall 2013 as an initial step towards to formal discussions.

Resulting project plans may be expected to include connections to and/or upgrade of walking/cycling paths to Ganges, ideally to include public seating and resting areas, as well as strategically placed internal 'short cut' walkways within the project itself. Other strategies include exploring an agreement with a neighbouring non-profit housing provider for a walking path easement to the existing bus route on Fulford-Ganges Road. Finally, secure bicycle storage and parking will be provided on-site for residents.

COMMUNITY SEWERAGE CAPACITY

Confirmation of adequate plant capacity and the project's ability to connect to the system is currently underway. The property is in the sewerage area, and initial CRD staff feedback indicates that sewerage capacity for the project should be available, but inclusion is not a matter of right. There is a Ganges sewerage system main line running along the eastern edge of the property, which is of sufficient size to accommodate the proposed development.

A request has been made to the Ganges Sewer Commission for inclusion in the system, along with a request for relaxation of the charges payable on the basis of anticipated lower than average water usage for this development and a resulting lower sewerage generated per household. Lower water usage will be obtained through a number of water saving design features, and importantly through lower than average number of occupants per household, driven by the small unit sizes.

Average household size in multi-family residences in the CRD is 2.3 occupants (2001 Census), which is the basis upon which the Ganges Sewer Commission estimates the 1,035 litres per day of sewerage generated per household when considering inclusion in the system. We expect an average household size of 1.9 persons, as calculated below:

	#	Avg. sq.ft	Avg. #
<u>Household size</u>	<u>units</u>	<u>/ unit</u>	<u>occupants</u>
Homeowner units	40	1,000	2.3
Tiny homeowner units	10	500	1.25
Rental units	20	800	1.8
Tiny rental units	<u>10</u>	<u>400</u>	<u>1.0</u>
Total /average	80	813	1.9

This project anticipates producing far less sewerage, based on water savings (see section on water below) and the smaller average household size. Our preliminary estimates are reductions of up to 35% (673 litres per day per household), calculated as follows:

<u>Sewerage Generated</u>	sewerage	Avg. #	Sewerage	
	/person	persons	/unit	
Multi-family dwelling units	450	2.3	1,035	(CRD bylaw 3262)
Water saving reduction 20%	<u>-90</u>			
Net anticipated	360	1.9	673	

Attached in **Appendix 7** is a letter from CRD Engineering Services, indicating the engineering analysis that is required to confirm availability, approve connection, and establish connection charges. This analysis is underway, and expected to be available prior to this application being considered by the LTC.

COMMUNITY WATER AVAILABILITY

The property is in the North Salt Spring Water service area, and the District has provided a letter to confirm that they will provide water service upon payment of all charges and fees.

The current water main to the property may not be sufficient to service the entire 3 phases of this development, especially given the proposed move from 60 to 80 units in the rezoning application. Engineering assessments will be undertaken in the next stages of planning to determine if and when the water main will need to be upgraded, and to consider options that may also serve the planning or development needs of other property owners in the neighbourhood.

According to Environment Canada, the average daily domestic water use per person is 343 litres per day, but that water efficiency and savings programs can save up to 40% of typical usage or potentially as low as 206 litres/day/person. The CRD recently reported an analysis of water usage between 1999-2008, indicating an average of 297 litres/day/person in the CRD. They further indicated they would expect a lower usage on Salt Spring due to our tiered water payment system.

This project will implement a number of water saving features, including metering, rainwater and grey water re-use for irrigation wherever practical, flow control devices, water saving devices (efficient fixtures and appliances), drought resistant landscaping and efficient sprinkling/irrigation technology. Our target is a minimum 20% reduction over the national average, or 274 litres per person per day. This represents approximately 7% less than the CRD average.

Included in **Appendix 8** is a copy of the letter from North Salt Spring Waterworks, confirming availability of water services.

PARKLAND DEDICATION

We anticipate that a parkland dedication will likely be required as part of the MoT subdivision process, and propose making dual use of the existing sewer easement as a walking path to Ganges that connects to the pathway across Drake Road. This easement is currently used by pedestrians, and could be improved with public seating and resting areas and both hard and soft landscaping features.

The area of the existing easement along the eastern and southern boundaries of the property is approximately 7 metres wide by 300 metres long, or upwards of 10% of the overall site. The pathway could be extended along the southwest edge of the property to provide access to the proposed community garden, adding another 70 metres to the dedication, up to a total of about 12% of the overall site.

DEVELOPMENT PERMIT AREA 1 OBJECTIVES AND GUIDELINES

The property is in Development Permit Area 1 – Island Villages (DPA1), which guides form and character through site design, building location and access. DPA1 objectives and guidelines provided design guidance for the site and will inform the building design process.

DPA 1 Objectives

This affordable housing proposal meets DPA1 objectives by creating a compact, walkable neighbourhood that encourages pedestrian access and reduces automobile usage.

Pedestrian access around the site will be enhanced, and could include walking trails to neighbouring properties and to the Village core through Mouat Park.

The site layout protects the resident's views, by positioning buildings and planning building heights to provide view corridors for as many units as possible, as well as taking best advantage of the solar aspects of the site. Best efforts will be made to use local artisanship and materials whenever possible.

The site design is intended to work with the natural features of the land, including the existing topography, water patterns, vegetation and significant trees. Landscaping will focus on native species with efforts to enhance the rural character of the neighbourhood.

A comprehensive storm water management plan will be developed, based on the existing drainage study (see **Appendix 2**). The proposed approach is to allow incoming upland water to pass through the site, but to capture water generated onsite in a storage pond.

Water storage ponds, of which there are already two, can be created/enhanced for gravity-fed irrigation for both the project landscaping and the planned community garden on the adjacent Phoenix School site.

DPA 1 Guidelines

Further planning for project will be done in accordance with DPA1 guidelines wherever applicable and possible, making special efforts to reduce any impacts on the neighbourhood, including the Phoenix School.

Features to be included and considered in further site planning include:

- enhanced walking paths on existing sewer right of way, through Mouat Park and/or other rights of way to the Ganges Village core and/or the bus route,
- accessible, internal walking paths,
- secure bicycle storage on site for residents,
- building sites and layouts to maximize solar gain,

- setbacks and hard and soft landscaping buffers between neighbouring properties, between phases, and between buildings where practical,
- parkland dedication for walking path via improvement of existing sewerage easement,
- internal circulation that integrates common space and access to pathways,
- parking located off-street, in small landscaped pockets in close proximity to residences,
- existing topography maintained without significant alterations, and
- landscaping design that creates an informal appearance, with a focus on low-maintenance, drought resistant plantings.

Features to be considered in further building design planning will include:

- clustered buildings with staggered or recessed entrances wherever possible,
- asymmetrical designs in buildings and/or placement of buildings,
- ground access for townhouses, and an elevator for apartments,
- adequate storage in apartment buildings, common buildings and/or individual units,
- requested height variance for some 3 storey buildings, with stepped designs to reduce apparent mass,
- stepped structures to conform to existing topography to create a pedestrian scale feeling and minimize site disturbance.

7. CURRENT USE OF PROPERTY

The site is currently undeveloped. It is 2.23 ha (5.5 ac) in size, and is currently zoned R-9. This zone permits single family dwellings with seasonal cottages (with conditions and on lots of 1.2 ha or greater) and various compatible non-residential uses.

LUB 355 provides that with community water and sewer, the property could be subdivided into lots of a minimum of 0.4 ha (0.99 ac). Accordingly, without re-zoning, there could be a maximum of 5 single family dwellings.

8. PROPOSED USE OF PROPERTY

VISION AND GUIDING PRINCIPLES

We envision a healthy diverse neighbourhood, with a mix of housing forms, including rental and homeowner options, in a range of prices based on the needs of the community. Safe, secure and affordable housing for families and individuals of low to moderate income will be provided. Complementary services, programs and amenities can be provided through use of common buildings.

Environmental sustainability is an important guiding principle, and best efforts will be made to incorporate as many environmental values as possible in planning, design and construction.

Community values, needs and priorities will be considered throughout the development process. We commit to meaningful consultations with neighbours, and to do our utmost to address any concerns and to incorporate appropriate planning and construction solutions.

Economic development and local capacity building are important objectives, and as such efforts will be made to engage with local housing providers, contractors and trades to provide as many opportunities as possible for involvement.

HOUSING OBJECTIVES

The objective is to create up to 80 affordable housing units in a 3-phase development program. The project design will be needs-based, with a mix of housing types including entry level homeowner housing, rental housing for low to moderate income singles, families, and supported housing for seniors or others as need dictates. We envision the potential for rental units included as secondary suites in some homeowner units, as 'mortgage helpers' to improve affordability for homeowners.

Preliminary unit mixes by phase have been developed as a guide for further planning. This mix as well as unit sizes will necessarily vary as planning moves forward, however the table below reflects the project's current targets with respect to density, tenure and unit sizes.

	Preliminary unit mix targets				Preliminary sq.ft./unit		
	<i>Phase I</i>	<i>Phase II</i>	<i>Phase II</i>	<i>Total</i>	<i>Low</i>	<i>Avg.</i>	<i>High</i>
Homeowner units	0	14	26	40	900	1,000	1,000
Tiny homeowner units	6	4	0	10	400	500	600
Rental units	14	4	2	20	700	800	900
Tiny rental units	<u>10</u>	<u>0</u>	<u>0</u>	<u>10</u>	350	<u>400</u>	450
Total units	30	22	28	80		813	

While our preliminary planning and feasibility work is based on this unit mix, it is important to maintain flexibility with respect to exact numbers of each to allow the project to respond to the market and to funding opportunities as they arise. Having said that, the project is committed to 80 units in a mix of homeowner and rental units, and a range of unit sizes to meet the needs of Salt Spring's diverse population.

CONSTRUCTION TIMING TARGETS

Construction of Phase I could begin as early as 2015, with Phases II-III following as need is demonstrated and funding becomes available.

HOUSING FORMS

The project will be a residential strata, with a to-be-determined mix of apartment-style and semi-detached units. The buildings will be situated within the site according to the existing topography to minimize disturbance.

Apartments will be 3-stories, with an elevator. The concept plan provides for one 30-unit apartment building in Phase I, however this building could be smaller and/or built in Phase II or III. Apartment units will likely be predominately rental tenure, although some could be individually strata-titled and offered for sale. We expect these units to be smaller in size, and to include many of the 'tiny' units. Many are expected to be bachelor and 1-bedroom suites, but with the possible inclusion of some small 2-bedroom units.

The majority of the units are expected to be 2-storey townhouse style. The concept plan provides groupings of 4-5 units each, however, this could vary. Those on steeper areas of the site will include walk-out bottom floor rental suites, either as 'mortgage helpers' for homeowners, or owned and operated on a non-profit basis. Both primary units and secondary suites will have ground level entrances wherever possible. These are expected to be the larger units, likely mostly 2 and 3 bedroom suites targeted to families.

Each of the 3 phases will include either a separate common building or attached common space for meeting and program space, child care, storage and/or other compatible uses.

AFFORDABILITY OBJECTIVES

The Salt Spring Island Housing Needs Assessment, as well as feedback from initial community consultations clearly and consistently indicates that the highest needs are for residents of lower incomes. Affordability targets have been established, by balancing the demonstrated needs of the community with the financial feasibility realities of this project.

This project will be developed on a non-profit basis, providing substantial opportunity to deliver both homeowner and rental units at the low-end of the market, ideally with as many as possible well below market. Rental housing is particularly difficult to deliver in lower price ranges, as many residents' incomes are not sufficient to support typical levels of project mortgage financing and management and operating costs.

Provincial and Regional housing grants will be sought to underwrite the costs of units targeted to lower income residents, however, availability is limited and timing uncertain. As such, initial affordability targets set for this project are presented as a range of prices and incomes, recognizing that government or other funding opportunities cannot be guaranteed to enable delivery to lower targets.

Preliminary project costing models have been developed and reviewed by a professional Quantity Surveyor. These provided preliminary estimates of sales prices and rental rates required to cover costs, and have defined the 'high' end of the range of target prices, and resulting incomes targeted for both homeowner and rental units.

Target levels for senior government grants and partnering non-profit housing society fundraising initiatives have also been developed, based on funding that may typically be available to an affordable housing project of this sort. This has defined the targeted low end of the range of prices (and resulting incomes targets), and best efforts will be made to secure government, foundation and other funding commitments to allow as many lower priced units as possible.

Provided below are estimates of range of housing prices we expect to offer, targeting the 'average' by securing grants and other fundraising to introduce as many in the 'low' range as possible.

Estimates of incomes required for each unit type and price range are based upon standard mortgage qualification criteria (75% loan, 6% long term interest rate, 25-year amortization, and payments of 30% of income) for home purchases, and 30% of income for rental housing.

This provides a fairly broad range of pricing and incomes, consistent with the project's objective of meeting a diversity of needs.

<i>Unit Types</i>	<i>Total</i>	<u>Preliminary sales, rental targets</u>			<u>Preliminary income targets</u>		
		<i>Low</i>	<i>Avg.</i>	<i>High</i>	<i>Low</i>	<i>Avg.</i>	<i>High</i>
Homeowner units	40	\$212,500	\$250,000	\$287,500	\$40,800	\$48,000	\$55,200
Tiny homeowner	10	\$125,000	\$150,000	\$175,000	\$24,000	\$28,800	\$33,600
Rental units	20	\$450	\$600	\$750	\$18,000	\$24,000	\$30,000
Tiny rental units	<u>10</u>	\$325	\$350	\$375	\$13,000	\$14,000	\$15,000
Total units	80						

We recognize that this produces a crude estimate of affordability, however, it does provide useful benchmarks and targets for costing and fundraising, and to signal intentions for the rezoning process.

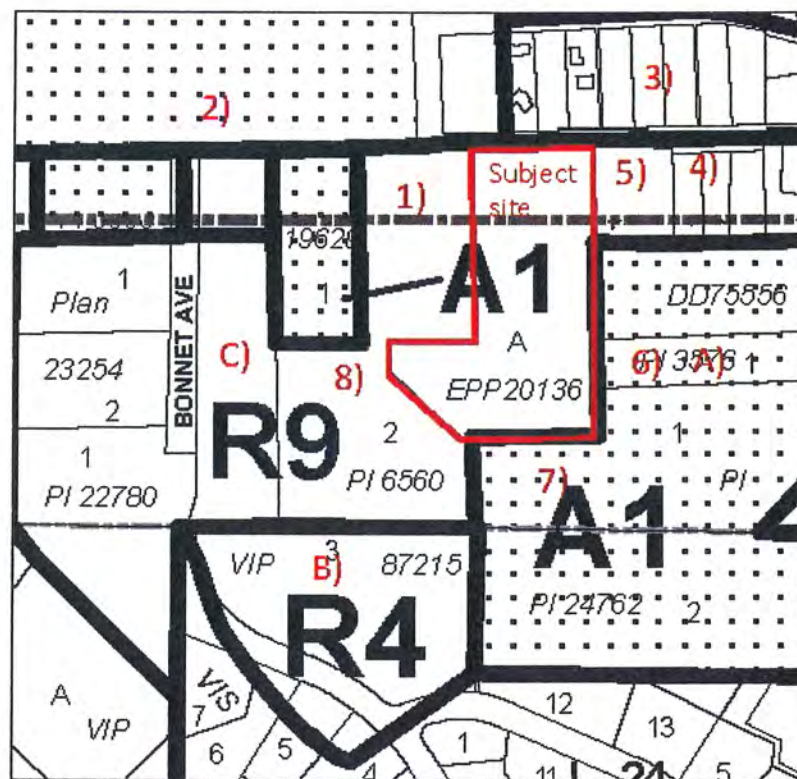
There may be various other mechanisms to assist a family with their shelter costs, including such things as private gifts or loans for higher ratio financing, or rent-to-own scenarios, etc. These techniques, while appropriate and available in some circumstances, have not been considered in this analysis.

A review of Salt Spring's existing housing supply, with comparisons to the needs as identified in the Housing Needs Assessment is further detailed in **Appendices 8-11**.

9. CURRENT USE OF ADJACENT PROPERTIES

The general character Drake Road is rural residential. Current uses of **adjacent properties 1-8** are listed below, with locations identified on the map.

- 1) Phoenix School adjacent to the west
- 2) Mouat Park across Drake Road to the northwest
- 3) Single family residential across Drake Road to the northeast
- 4) Single family residential along Drake Road to the east
- 5) Our Lady of Grace Catholic Church along Drake Road to the east
- 6) Single family residential on larger acreages along the east
- 7) Single family residential on larger acreages along the south
- 8) Green space and proposed community garden to the southwest



Neighbourhood Zoning map

Other **nearby non-profit housing sites A-C** identified on the map that could produce mutual benefits from joint planning and/or site servicing include the following:

- A) Abbeyfield and IWAV – 3 acres, zoned A1
- B) Community Services Society – 5 acres, zoned R4
- C) Lion's Club – 3 acres (est.), zoned R9

10. REASONS TO SUPPORT BYLAW AMENDMENT

The key reasons to support this rezoning proposal are as follows:

Affordability and Need

- The home pricing and rental ranges target some of the Island's greatest needs, as identified in Salt Spring's Housing Needs Assessment.
- Income targets for homeowner units range from \$40,800 to \$55,200, or as low as \$24,000 to \$33,600 or a small number of 'tiny homes'.
- Income targets for rental units range from \$18,000 to \$30,000, or as low as \$13,000 to \$15,000 for a small number of 'tiny homes'.

OCP Affordability Objectives

- The proposal meets many of the housing affordability objectives in the OCP and produces affordable homeowner and rental housing.
- It is appropriately located on the outskirts of Ganges Village, close to all services and amenities.
- The project can accommodate families, singles, seniors and/or be accessible to persons with disabilities.
- The proposal represents collaboration with senior government, the CRD, local housing providers and trades, and multiple funding partners.

Community Project

- This is a community partnership, designed to be developed and operated on a non-profit basis.
- Guiding principles include meaningful neighbourhood consultation and community communication.
- Priority use of local professionals and trades will build capacity and economic development opportunities wherever possible.
- Efforts will be made to coordinate planning and development with other property owners in the neighbourhood.
- Efforts will be made to collaborate with other community organizations to implement, where applicable, other compatible community objectives.
- School student involvement will be considered where appropriate.

Further details on each of these key reasons to support the bylaw amendment are provide on the following pages.

AFFORDABILITY AND NEED

This project is in response to SSI's long-standing shortage of affordable housing, and was initiated and motivated by the School District's desire to help maintain school enrollment and reverse the trend of declining numbers of young families on Salt Spring Island.

It is planned and designed to be needs-based, using the Islands Trust initiated Housing Needs Assessment (2009) as a guide. The Housing Needs Assessment is identified in the OCP as a tool to help the Local Trust Committee to set priorities:

B.2.2 Affordable, rental and special needs housing

- B.2.2.2.1 The Local Trust Committee will initiate a Housing Needs Assessment, to be updated regularly and on the basis of which the Local Trust Committee may establish priorities for consideration of affordable housing applications.

For the purposes of housing affordability, we will refer to 'households', which is used by CMHC as more appropriate measure than 'census families'. Households include all persons living in a given dwelling, whereas families exclude single individuals. Single persons form close to one third of Salt Spring's population according to the 2006 Census (1,360 one-person households of 4,320 total households), making this an important demographic to consider and include wherever possible and practical.

According to the Housing Needs Assessment, median household income from the 2006 Census was \$45,693.

OCP HOUSING AFFORDABILITY OBJECTIVES

This project intends to meet the following affordable, rental and special needs objectives stated in the OCP:

B.2.2 Affordable, rental and special needs housing

B.2.2.1 OBJECTIVES

- B.2.2.1.1 To provide opportunities for the creation of affordable, rental and special needs housing.
- B.2.2.1.2 To integrate affordable, rental and special needs housing into appropriate residential areas where community services are most accessible.
- B.2.2.1.3 To provide, through zoning, the opportunity for island seniors to remain in the community, especially in their own or their families' homes.
- B.2.2.1.4 To cooperate with senior governments, the Capital Regional District, housing industry, funding sources and community organisations to provide affordable, rental and special needs housing on Salt Spring Island.

SSI HOUSING NEEDS ASSESSMENT 2009

This project is designed to be needs-based, with Terms of Reference as defined in the Memorandum of Understanding between the School District and the CRD specifically requiring consideration of the 2009 Housing Needs Assessment. This concluded:

"There is a critical and increasing need for more affordable housing to satisfy Salt Spring's population's most basic requirements. There is a large gap in the supply of homeowner housing that is attainable to the general population. The supply of rental housing is in very short supply, often in poor condition and likewise very expensive, and a portion of the supply is only available seasonally. There is an increase in homeless persons, many of which are harder to house because they need additional supports."

GAPS IN SUPPLY 2009

The Housing Needs Assessment specifically identified a gap in supply of homeownership units in the \$300,000 and lower price range, with a good supply in all price ranges over that amount. The assessment identified an extreme lack of homeowner options for households earning under about \$45,000.

Likewise with rental housing, the Needs Assessment identified little available supply (that is in good condition) for lower income residents, with gaps especially for one person households and female-led single parent families with incomes under about \$33,000.

Excerpts of the relevant sections of the Housing Needs Assessment (HNA) that calculates affordability levels based on to Salt Spring demographics and income are included in **Appendix 11**.

HOUSING SUPPLY 2013 COMPARED TO 2009 HNA

Pending the next update to the SSI Housing Needs Assessment to reflect new Census and current housing market data, a brief review of the existing housing supply was undertaken to identify broad changes in the market since 2009. Please see **Appendices 8-10** for homeowner and rental supply details.

The objective is to clearly demonstrate that this project is targeting a segment of the population whose housing needs are unlikely to be able to be met in the market due to affordability reasons.

Affordability of Existing Homeowner Supply

July 2013 listings of single family homes and townhouses (SF & TH) provided by the 'DataWiz' produced by local Realtor Tom Navratil were summarized to calculate incomes required to afford existing supply (see **Appendices 8-9** for details).

<u>SF & TH</u>	<u>Jul-2013</u>	<u>Income req'd</u>
Average \$	\$677,650	\$130,000
Median \$	\$549,900	\$105,000

This data suggests that while prices have dropped substantially in recent years, most of the supply remains unaffordable to many Salt Spring residents. In order to afford an average-priced home (\$677,650), a household income of approximately \$130,000 is required (using conventional mortgage lending criteria). To afford a median-priced home (\$549,900), an income of \$105,000 would be required.

Using 2006 median household income of \$45,693 as a benchmark, an affordable homeowner supply would have a median price of \$196,400, significantly lower than current available supply. Please see **Appendix 11** for excerpts of the 2009 Housing Needs Assessment for details of this calculation.

Within the current supply, there are only 2 listings of homes under \$200,000, and few options for those seeking homes under \$250,000. This means little affordable to families earning under about \$55,000, and virtually none for those earning less than \$45,000.

Affordability of Rental Supply

A brief and very simple review of the rental housing listed on the Salt Spring Exchange and in the Driftwood was also undertaken to calculate incomes required to afford existing supply (see **Appendix 10** for details).

An estimate of income required to afford existing supply is based on the standard benchmark of 30% of income, as follows:

	<u># listed</u>	<u>avg.\$</u>	<u>income</u>
<u>Unit type</u>	<u>Jul-13</u>	<u>Jul-13</u>	<u>req'd</u>
Rooms	7	\$500	\$20,000
Bachelor	5	\$606	\$24,240
1-bedroom	11	\$845	\$33,800
2-bedroom	16	\$1,134	\$45,360
3-bedroom	<u>10</u>	<u>\$1,623</u>	<u>\$64,920</u>
Total/Avg.	50	\$1,016	\$40,159

This data suggests that there are very few rental options for very low income singles, virtually none for very low income families, and few for families earning below the median household income of \$45,693.

GAPS IN SUPPLY 2013

While this supply and affordability review does not constitute a full community needs assessment, it does confirm many of the findings from the 2009 study. Some of the conclusions regarding more affordable options include:

Homeowner Housing

- There remain virtually no homeowner options under \$200,000.
- There is currently a modest supply of homes in the \$200,000 to \$300,000 range, which has not been available in many years.
- There is a very strong supply of homes in the \$300,000 to \$400,000 range, representing a significant increase over previous years, and providing options for households with incomes ranging from \$57,000 to \$76,000.
- The largest supply is in the \$400,000 to \$500,000 range, providing many options and good choice for households with income of \$76,000+.

Rental Units

- There are virtually no available units under \$500, affordable to individuals earning under \$20,000.
- There are no family units (2-bed +) under \$800, affordable to families earning under \$32,000.
- There are very few family units (2-bed +) under \$1,000, affordable to families earning under \$40,000.
- There is a modest supply of family units affordable to households of median income and above.

HOW THIS PROJECT ADDRESSES CURRENT NEED

Homeowner Affordability

This project will target gaps in the supply of lower priced homes, affordable to residents of low to moderate income. Homeowner needs targeted are primarily in the \$250,000 range, affordable to those earning between \$40,800 and \$55,200. Included in the proposal are also 10 'tiny homes' targeting pricing around \$150,000, affordable to those earning as little as \$28,800. Please see p. 20 for proposed sales price ranges.

Rental Affordability

This project will primarily target residents of low to moderate income, with efforts to bring average rents in around \$600 (range of \$450 to \$750). Accordingly, most rental units should be affordable to those earning between \$18,000 and \$30,000. Plans are to include some 'tiny' rental units with rents as low as \$375, affordable to those earning as little as \$15,000. Please see p. 20 for proposed rental rate ranges.

COMMUNITY ENGAGEMENT AND SUPPORT

This project is truly a community partnership with the land donated by the School District, CRD holding the land and overseeing the development, and a to-be-formed Community Liaison Committee to ensure community perspectives are considered. The Liaison Committee membership will include representatives of the Salt Spring Island Housing Council Society, whose mandate is to oversee implementation of the SSI Community Affordable Housing Strategy and as such has a strong appreciation of community needs and priorities.

This project also has the support of CMHC and the BC Real Estate Foundation, who have funded much of the pre-development work to-date. BC Housing is now involved as well, which will enable the inclusion of housing targeted to lower income families and individuals.

Guiding Principles

The Memorandum of Understanding under which this project is governed is quite specific with regards to expectations about community engagement, including the following guiding principles:

- Meaningful neighbourhood consultation,
- Regular community communication,
- Capacity development,
- Priority use of local professional and trade expertise,
- Coordination of development with neighbouring land owners, and
- School student involvement

We recognize that while affordability is a critical objective, other community objectives are also important, and as such the Memorandum of Understanding also lists as the following guiding principles:

- Environmental sustainability
- Consistency with OCP policies
- Good growth management practices

Community Consultations

In order to gauge community reaction to preliminary plans, two interactive information sessions were held in late 2012, targeted to the following Stakeholders:

- Non-profit housing providers, and
- Phoenix School community and Drake Road neighbours.

The SSI Housing Council planned and hosted the information sessions. The format was a mix of presentation, self-guided and guided tours through display materials, and an interactive site design exercise.

After presentations, participants were requested to complete a survey of their perspectives on the key elements of the plan and how it responds to housing needs in the community, and about potential impacts to the neighbourhood.

Feedback in both information sessions and surveys was positive, with no messaging that would suggest major changes to the basic project assumptions or direction. The only exceptions were a stronger than expected preference for rental, and an expression of need for both lower priced homeowner units and rental rates.

These concerns about affordability and rental supply, led to a decision by the Steering Committee to increase the proposed number of units from 60 to 80 as a key strategy to introduce better affordability. Accordingly, the current plan includes an additional 10 'tiny' homeowner units, and 10 'tiny' rental units targeted to lower income residents, for a total of 80 units.

We recognize that any increase in density will be of interest and possibly of concern to residents in the neighbourhood, and are committed ongoing discussions to hear their perspectives and to find solutions to address any concerns they may have.

Included in **Appendices 12-13** for reference are copies of the display materials and surveys from the information sessions, and a report on the outcome.

11. APPENDIX

1. Environmental and Ecological Assessment
2. Preliminary Drainage Plan
3. Phase I Environmental Site Assessment
4. Site Plans
5. Transitions Salt Spring's Community Energy Group letter of interest
6. North Salt Spring Waterworks water availability letter
7. Ganges Sewer Commission sewerage capacity availability letter
8. Changes in Housing Supply 2009-2013
9. Homeowner Housing Supply July 2013
10. Rental Housing Supply July 2013
11. Excerpts of the relevant sections of the Housing Needs Assessment (HNA)
12. Community Consultations: display materials
13. Community Consultations: outcome and survey results

due to its size, not included, available for viewing at the Islands Trust

Includes applicant response: Sewer Study dated Dec. 2, 2013

Appendices 11-13 not included, available for viewing at the Islands Trust



Islands Trust

BYLAW REFERRAL FORM

Ph: (250) 537-9116
Fax: (250) 537-9116
ssinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: N/A Date: April 10, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information, a Public Hearing to consider the Bylaw will be held once the proposal is advanced through the bylaw approval process.

APPLICANTS NAME / ADDRESS:

Robyn Kelln
22 - 3088 Francis Street
Richmond, BC
V7C 5V9

PURPOSE OF BYLAW:

The applicant proposes to amend the Official Community Plan designation of the subject property from Forestry to Rural Neighbourhood and rezone the 9 lot strata property from Forestry variant (F1(a)) to a Rural zone variant (R(n)). The proposed amendments would permit a secondary suite in each lots principle dwelling unit and permit year round occupancy of a cottage on 5 of the lots condition to registration of a Housing Agreement for affordable housing. For clarity, the remaining 4 lots would continue to be permitted a seasonal cottage which only permits temporary occupancy totalling 45 days a year. In summary, the applicant is proposing increased density on 9 lots, some in the form of affordable housing.

GENERAL LOCATION:

119-150 Ashya Road, Salt Spring Island

LEGAL DESCRIPTION:

Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778

SIZE OF PROPERTY AFFECTED:

18 ha

ALR STATUS:

Common Property:
approximately 3 ha.

OFFICIAL COMMUNITY PLAN DESIGNATION:

Forestry

OTHER INFORMATION:

A Staff Report is attached which includes the proposed bylaws in the appendices.

Please fill out the Response Summary on page 3 of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this proposal. Thank You.

(Signature)

Name: Stefan Cernak

Title: Planner 2, Islands Trust, Salt Spring Island

This referral has been sent to the following agencies:

First Nations

Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Hul'qumi'num Treaty Group (for information only)
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - Te'Mexw Treaty Association
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Gabriola Island Local Trust Committee for Valdes Island
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee for Kuper Island

Cowichan Valley Regional District
Municipality of North Cowichan

Federal Agencies

N/A

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority
Ministry of Agriculture
Ministry of Forests, Lands and Natural Resource Operations
Ministry of Transportation & Infrastructure

Regional Agencies

Capital Regional District
CRD Building Inspection
CRD Engineering Services
CRD Regional Parks
CVRD Building Inspection

Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
RCMP
SSI Fire-Rescue

Date: February 18, 2014

File No.: SS-RZ-2013.3

To: Salt Spring Island Local Trust Committee for February 27, 2014 Meeting
From: Stefan Cermak, Planner 2, Local Planning Services

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

Owner: Sebring Homes Inc, Nikolaos Karvouniaris, Ashya Properties Ltd, Jamie J Colligan, 0952482 B C Ltd, 0946435 BC Ltd.

Applicant: Robyn Kelln (previously Eric Booth)

Location: 119-150 Ashya Road

Legal: Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778

Preliminary Report:

☐

Interim Report (#3):

☒

Final Report:

☐

THE PROPOSAL

The applicant proposes to amend the Official Community Plan designation and zoning on the subject properties in order to permit affordable housing units. Each of the nine strata lots currently permits a single family dwelling and a seasonal cottage. This application would allow those seasonal cottages to be used year round as permanent residences and would permit secondary suites in the single family dwellings.

The applicant has proposed that a restrictive covenant could accomplish some affordable housing objectives in light of the expected timeframe for negotiating a housing agreement with the Capital Region Housing Commission.

A summary of staff response to the proposal is that the proposed covenant does not accomplish affordable housing objectives and policies, nor does it meet policy standards of enforceability and protection of Islands Trust interest in the matter. Other solutions to ensuring the affordability of additional dwelling units are recommended.



Figure 1: Subject Properties with Orthophoto, Zoning, and ALR Designation

BACKGROUND

This staff report supplements Staff Reports dated: August 13, 2013 and October 16, 2013.

At the August 22, 2013 Local Trust Committee regular business meeting the LTC referred the application to the Advisory Planning Commission (APC) for consideration. At the September 19, 2013 Advisory Planning Commission meeting, the APC recommended to the Local Trust Committee that it proceed no further with application SS-RZ-2013.3 due to various concerns. On September 24, 2013, the applicant proposed a different approach to ensuring some affordable housing aspects of the residential development. The applicant proposed placing a restrictive covenant on title that might accomplish some of the objectives of the affordable housing policies in the Official Community Plan (OCP).

At the October 24, 2013 Local Trust Committee regular business meeting, the LTC considered the applicant's revised proposal and passed the following resolutions:

SSI-246-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Official Community Plan No. 434 to redesignate Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778 from Forestry and Agriculture to Rural Neighborhoods in order to permit increased residential density for affordable housing (SS-RZ-2013.3, 119-150 Ashya Road, Booth).

CARRIED

SSI-247-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone Strata Lots 1-9, section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778 from Forestry 1(a) to Rural (n) in order to permit additional residential density on the subject properties for affordable housing (SS-RZ-2013.3, 119-150 Ashya Road, Booth). CARRIED

SSI-248-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to enter into a cost recovery agreement with the applicant of application SS-RZ-2013.3 pursuant to Trust Council policy and the Salt Spring Island planning application fees bylaw to request Islands Trust legal counsel review of the draft covenant submitted October 10, 2013 (119-150 Ashya Road, Booth). CARRIED

SSI-249-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to, pending an approved cost recovery agreement, administer a legal services request for review of the draft covenant submitted October 10, 2013 regarding SS-RZ-2013.3 (119-150 Ashya Road, Booth). CARRIED

Use of a Covenant to Meet Some Affordable Housing Policies

On September 24, 2013 the applicant proposed using a covenant as an approach to meet some affordable housing policies in order to advance the residential development. The LTC directed staff to enter into a cost recovery agreement for a legal review of the covenant. Staff followed LTC direction

according to Islands Trust Policy and Procedure Manual policy 5.3.i, section E.1.2, which requires planning staff to provide instructions to legal counsel to ensure that draft covenants are enforceable and that they protect the Local Trust Committee's interest in the matter.

After review of the covenant, it is staff's opinion that the restriction of use of a building or the land for affordable housing is not an enforceable use under section 219 of the Land Title Act and therefore does not protect the LTC's affordable housing interest in the matter. Most clauses in the covenant are either redundant, unrelated to the application, or may be better captured in a zoning bylaw. The few specific clauses related to affordability are unenforceable. On January 30, 2014, the agent wrote a correspondence to two trustees informing them that he had found a lawyer who suggests the clauses could be amended "to produce an enforceable clause." Communications are included in Appendix 4. Regardless; staff do not recommend that the LTC pursue the covenant as a means of implementing Official Community Plan (OCP) affordable housing objectives and policies. Rather, staff recommend a housing agreement as per Local Government Act s. 905.

Draft Bylaw

As per LTC direction, staff has drafted bylaws to amend the OCP and Land Use Bylaw "in order to permit increased residential density for affordable housing" (Appendix 2). An example of wording for a draft bylaw is as follows:

"Zone Variation – R (n)

Despite Schedule "I" to Bylaw 355, *secondary suites* are permitted as *affordable housing dwelling units*.

A seasonal cottage may be occupied as an *affordable housing dwelling unit*.

In the Land Use Bylaw *affordable housing dwelling unit* means "a deed restricted and/or a rent controlled *dwelling unit* that is secured by a housing agreement registered on title, and may include *special needs housing* and *seniors dwelling units*." However, as discussed below, the example given was amended based on further analysis of the Islands trust Policy Statement, the Official Community Plan, and on discussion with the applicant.

CURRENT PLANNING STATUS OF SUBJECT LANDS

Trust Policy Statement

Islands Trust Policy D.1.3.i "Policy Statement Implementation" states that "Under Section 15(4) of the Islands Trust Act a bylaw submitted to the Executive Committee by a local trust committee... must not be approved the Executive Committee, or Trust Council, if it is contrary to or at variance with the Islands Trust Policy Statement."

The proposal is non-compliant with Trust Policy Statement directive 5.2.5. The proposal may also be at variance with other Islands Trust policy directives although, after discussion with the applicant, it is feasible that these variances may be subjective or feasibly addressed. A Policy Statement Directive Checklist is included in Appendix 3. Below is a brief discussion on how the bylaw may be inconsistent or at variance with the Policy Statement:

Density Inconsistency

The original zoning application proposes density increase in an unsuitable area which is not in compliance with policy directive 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."

The density limit for Rural Neighbourhoods (if approved) is given in OCP policy B.2.5.2.3 which states:

"... New zones created in this Designation will not generally have a density that exceeds 1 lot per 2 ha. However, the Local Trust Committee could make an exception by allowing a density of 1 lot per 1.2 ha as part of a proposal that provided an eligible community amenity...or as part of a proposal to transfer development potential."

As mentioned in previous staff reports, the subject properties are designated density donor areas, not designated receiving areas as per map 26 of the Official Community Plan. Regardless, the average lot area is 2 ha if including the southern common property (the northern common property is zoned Agriculture, is included in the Agricultural Land Reserve, and has not been included by the applicant in the rezoning application). The applicant's proposal is for 18 additional dwelling units or 1 unit per 0.66 ha (Table 1). As per Trust Policy Statement 5.2.5 and OCP Policy B.2.5.2.3 the proposal should not be made for more than 5 additional dwelling units to keep within density limits and only if an eligible community amenity is provided. Affordable Housing is a community amenity; however, the application has not followed the guidelines for amenity zoning as found in Appendix 3 of the Official Community Plan.

Table 1 Density Limits for Subject Property in Rural Residential Designation

Trust Policy Statement 5.2.5 and OCP Policy B.2.5.2.3	Dwelling units (unit) / hectare (ha)
Maximum Rural Neighbourhood Density	1 unit / 2 ha
Exception with community amenity	1 unit / 1.2 ha
Subject Lots and Proposal	
Current Density	1 unit / 2 ha
Proposed density (9 dwelling units, 9 cottages, 9 secondary suites)	1 unit / 0.66 ha
Maximum additional density with community amenity (5 additional dwelling units)	1 unit / 1.26 ha

Other Variances

The application may have variances to earlier approvals which may require redress through the bylaw approval process. If the application is to proceed, staff recommend the LTC direct staff to advise the applicant to consider providing evidence of addressing the variances as discussed in the issues section below.

Official Community Plan

The proposal is to change the OCP Land Use Designation from Forestry to Rural Neighbourhood. As will be discussed later, the OCP amendment also proposes permitting secondary suites in Rural

Neighbourhoods despite density restrictions. The draft OCP amendment bylaw is included in Appendix 1.

The preliminary staff report dated August 13, 2013 provided a brief analysis of OCP objectives and policies and concluded that "increased density should be located away from environmentally sensitive or resource lands and natural hazard areas." There are no mapped environmentally sensitive areas on the subject properties and the proposal is to remove the resource land designation. The application may accommodate further revisions to fulfill OCP policies energy and water efficient designs. Implementation of energy and water efficient designs could be made conditional of zoning approval and implemented via a covenant, building scheme, or within a housing agreement.

Land Use Bylaw

The preliminary staff report dated August 13, 2013 provided a focused analysis of Land Use Bylaw regulations. To briefly summarize:

The subject properties are zoned F1 (a). The existing zone variation allows density similar to Rural zoning and greater than otherwise permitted in Forestry zones by specifying that the minimum average area of lots that may be created through subdivision is 2 ha, and the minimum area of an individual lot may be 0.6 ha, provided there is an individual on-site sewage treatment system per lot and an adequate supply of potable water.

The applicant proposes a "Rural Zone Variant" that would capture the current parcel sizes and would permit secondary suites in the single family dwellings and year round residential use of the seasonal cottages, both subject to affordable housing agreements. The applicant has not proposed to change other elements of the Land Use Bylaw like siting or parking requirements. The draft land use bylaw amendment is included in Appendix 2.

Issues

In the preliminary staff report dated August 13, 2013, staff identified servicing including development in a hazardous area, and affordable housing as issues. The applicant has provided several technical studies addressing some of these issues. Below is a summary of the technical service reports the applicant provided and is followed by potential LTC actions.

Geotechnical

Report by Brimwell Engineering Ltd, dated Sept 17, 2013 (revised Sept. 20, 2013). The report identifies that the switchback driveway **does not** meet driveway standards: "The long driveway accessing the upper lots is negotiable by car but needs work to bring it up to CRD standards. This is particularly so at the switchbacks which require wider turning radii for emergency vehicle access along with scaling and/or retention of cut slopes." The report also recommends that "subgrade preparation of the building sites and stabilization of the associated cut slopes be reviewed and approved by a geotechnical engineer."

The driveway was built in a mapped hazard area (unstable slopes and soil erosion). Hazards areas are regulated through Development Permit Area 6 to protect development from hazardous conditions. Generally such a driveway would not have been permitted at time of subdivision without either a Development Permit or an exemption letter provided by the applicant, signed and sealed by a

geotechnical engineer. The driveway was not in the subdivision plan (SS-SUB-2006.4) and there is no record of either a Development Permit being issued or issuance of an exemption letter.

The Salt Spring Island Local Trust Committee may consider completion of a driveway built to all applicable standards, including not obstructing the existing (Capital Regional District) statutory right of way, as a requirement for rezoning. The driveway would require geotechnical engineering approval pre and post-completion and may be subject to requiring a Development Permit for works necessary to "bring it up to standards."

The LTC may also consider a covenant be registered for the applicable lots which the report recommends subgrade preparation of the building sites and stabilization of the associated cut slopes be reviewed and approved by a geotechnical engineer. These considerations may be further elaborated after a bylaw referral process, based on comments of agencies.

Potable Water

Report by Lowen Hydrology Consulting Ltd., dated October 2007. Report updated September 4, 2013. The updated report states that the "existing wells have more than sufficient water supply capacity to support the proposed development amendment." The report assumes water demand for seasonal cottages as 680 L/d whereas the proposal is to use seasonal cottages as a residence and increase their size; therefore a more appropriate demand would be 1,600 L/d, the same as a dwelling unit. Regardless, the existing wells meet the resulting difference in demand.

The reports do not address impacts, if any, to Carley Springs which is expressed as a concern in various public correspondences attached to previous staff reports. Neighbouring properties using Carley Springs as a water source would be included in the public hearing notification and LTC could request earlier consultation.

Septic

Report by Davey Consulting and Agrology, dated October 27, 2020 (date error in report). Report updated September 25, 2013. The reports state that "the property has more than sufficient capacity to support the disposal of residential effluent..." for the development as proposed. Neither report specifies a proposed septic system or location for cottages or houses on the upper portion of the lots. The original report shows a community disposal system in the common property within the Agricultural Land Reserve (ALR). However, the communications to the ALC for subdivision approval neither considers the driveways across ALR land, nor the septic disposal on the ALR land.

The Agricultural Land Commission, the Ministry of Agriculture, Island Health, and the Capital Regional District should all be included in the referral process of the application.

Note that meeting OCP affordable housing policies B.2.2.2.3 (d) & B.2.2.2.18(c) for evidence of water efficient building design would reduce potential septic impacts. Securing energy and water efficient designs may be accomplished via covenant or a statutory building scheme.

Affordable Housing

Existing housing agreements on Salt Spring Island are either for lots owned and managed by a non-profit organization or managed by an approved agency. The applicant has submitted an Affordable Housing

Agreement which has yet to be analyzed in detail. Ultimately, the LTC must be confident that the housing agreement will achieve affordable housing objectives and be supported by an effective monitoring system to ensure continued affordability. At time of writing this report, neither the Islands Trust nor the agencies it may make agreements with, have the resources to manage private affordable housing agreements. Meetings with the CRD Housing Secretariat to discuss feasible options for managing private affordable housing agreements has been ongoing since 2009. It is premature to anticipate the timeframe for CRD to offer such a service.

If the application is to proceed despite the uncertainty of managing a housing agreement, staff will require direction to proceed with drafting a Housing Agreement bylaw and would recommend adoption of such a bylaw as a condition of approval for the proposed bylaw changes. A Housing Agreement bylaw is an administrative bylaw which may feasibly pass through LTC consideration together with the Land Use Bylaw. As noted in the general application, the seasonal cottages are proposed to be leased. OCP policy B.2.2.2.16 states "the LTC may consider amending the LUB to allow the use of seasonal cottages as full time affordable rental housing units in certain areas." The policy clearly recommends the cottages be for affordable rent, it does not address purchase or 99 year leases. This is further problematic as the applicant has recently confirmed selling some leases for the seasonal cottages. The same policy directs that the existing floor area limits on cottages for the subject property remain 56m².

COMMUNICATIONS

If LTC direct staff to progress with this application the draft bylaws would be referred to relevant agencies, advisory commissions, and neighbours.

The applicants communication dated January 30, 2014 advising Trustees that a lawyer could produce enforceable clauses for a covenant is included in Appendix 4.

STAFF COMMENTS:

The application could be brought into compliance with Islands Trust policy directives and Salt Spring Island OCP policies if there are no more than 5 affordable housing cottages. The applicant has agreed to refine the proposal by limiting the increased density of year-round affordable housing cottages to lots, 1, 2, 3, 4, and 6 only. This discussion is based on the assumption that cottages and secondary suites meet affordable housing objectives.

In conclusion, staff has drafted bylaw amendments to meet LTC direction and provided recommendations that may help the applicant to address the various issues. Below are options for LTC consideration whether to proceed with the application or not.

Option 1

The Salt Spring Island Local Trust Committee previously directed staff to draft bylaws to consider affordable housing for the subject properties. The attached draft bylaws follow this direction and have further been made in consideration of current and recent secondary suites policy work and further detailed policy and directive analysis. Many issues remain for the applicant to resolve but the LTC may

wish to proceed with feedback from referrals and further consideration by the applicant. Suggested wording for proceeding with the application may include the following:

1. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 476, cited as "Salt Spring Island Official Community Plan, 25008, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
2. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 477, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
3. That the Salt Spring Island Local Trust Committee direct staff to refer proposed Bylaw No. 476 and Bylaw No. 477 to public agencies and to the Advisory Planning Commission for review and comment.
4. That the Salt Spring Island Local Trust Committee direct staff to advise the applicant that conditions of approval of proposed Bylaws 476 and 477 may include, but not be limited to:
 - a) Adoption of a Housing Agreement Bylaw and the registration of a Housing Agreement on Strata Lots 1, 2, 3, 4, and 6, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - b) Registration of a covenant ensuring energy and water efficient design on Strata Lots 1 - 9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - c) Evidence of addressing variances with the Islands Trust Policy Statement as presented in the Staff Report dated February 18, 2014.
 - d) Approval of a Development Permit in Development Permit Area 6 for all works proposed.

Option 2

The Salt Spring Island Local Trust Committee may consider that conformity with Trust Policy directives is tenuous particularly in advance of having an identified agency to manage private land housing agreements. In this instance, LTC may resolve:

1. THAT the Salt Spring Island Local Trust Committee PROCEED NO FURTHER with application SS-RZ-2013.3 (Kelln, 119-150 Ashya Road).
2. THAT the Salt Spring Island Local Trust Committee DIRECT staff to partially refund the application fee for SS-RZ-2013.3 (Kelln, 119-150 Ashya Road) per Islands Trust Fees Bylaw No. 428.

RECOMMENDATIONS:

Staff recommends Option 1 as follows:

1. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 476, cited as "Salt Spring Island Official Community Plan, 25008, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
2. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 477, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
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 - a. Adoption of a Housing Agreement Bylaw and the registration of a Housing Agreement on Strata Lots 1, 2, 3, 4, and 6, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - b. Registration of a covenant ensuring energy and water efficient design on Strata Lots 1 - 9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - c. Evidence of addressing variances with the Islands Trust Policy Statement as presented in the Staff Report dated February 18, 2014.
 - d. Approval of a Development Permit in Development Permit Area 6 for all works proposed.

Prepared and Submitted by:

Stefan Cermak

Date

Concurred in by:

Leah Hartley

Date

APPENDICES

- Appendix 1: Draft Official Community Plan Amendment, Bylaw 476
- Appendix 2: Draft Land Use Amendment, Bylaw 477
- Appendix 3: Policy Statement Checklist
- Appendix 4: Communications

2011 - Interim Process

Special Group Trips and Special Transit Services

Background

The following processes relate to requests for additional service hours that are not included in the Annual Operating Agreement's (AOA) Schedule B. These processes do not apply to the provision of additional public transit service on existing routes and schedules, to meet overload ridership demands, where the revenue hours or extra hours are provided for in the AOA.

There are essentially two provisions in the Master Operating Agreement that relate to additional service, section 8.4(b) (Special Group Service) and section 4.1(b) (Special Transit Service).

Before operating vehicles outside of regular public transit service, BC Transit must ensure that the additional service:

1. is not contrary to applicable legislation (e.g. BC Transit Act, Public Transportation Act)
2. falls within BC Transit's fleet insurance provisions
3. does not take away business from local private operators that would provide the service
4. does not put substantial additional wear on vehicles that are publically funded for public transportation.
5. does not cause BC Transit to incur additional costs as a result of the additional service
6. is endorsed by the local government partner.
7. is charged the greater of actual usage or a 2 hour minimum charge (unless the collective agreement requires a longer call out time in which case that would be the minimum time charged).

Conditions for Use

Requests for additional service will fall into one of the following definitions and must meet the respective conditions outlined under each in order to be approved:

- "Special Group Trips" S.8.4(b)
 - only applies in the Custom HandyDart service
 - intended to provide additional flexibility for registered users where they could make use of vehicles when they were not otherwise being used where they paid full cost recovery. An example of this use is requesting vehicles after service hours for their transportation.
 - vehicles cannot leave the Transit Service Area nor can they travel beyond their ICBC insured range.

- service must be provided by the BC Transit operator using their regular drivers
 - the operator is able to provide the resources necessary to conduct the service without jeopardizing delivery of the regular service.
 - all normal operating procedures apply (e.g. load limits, standees, wheel chairs secured properly, no alcohol etc.).
 - no overtime can be charged by the operator unless the operator first notifies BC Transit of the requirement and the costs of such are factored within the charge out rate.
- “Special Transit Service” - Open to the Public S. 4.1(b)
 - relates to additional transit service that is not a Special Group Trip and is not otherwise provided for within schedule B revenue or extra hours.
 - where the additional service is “open to the public” it is considered to be public transit like although not operating at the regular scheduled times or routes. This type of service can be provide where:
 - the additional service provides a benefit for the local community as a whole versus a charter for a private group or person (i.e. weddings, private parties etc).
 - the local government partner must approve in writing which can be by email.
 - the trip conforms to all BC Transit normal operating procedures (e.g. load limits, standees, wheel chairs secured properly, no alcohol etc.)
 - the vehicles cannot leave the Transit Service Area nor can they travel beyond their ICBC insured range.
 - the service must be provided by the BC Transit operator using their regular drivers.
 - the operator is able to provide the resources necessary to conduct the service without jeopardizing delivery of the regular scheduled service.
 - no overtime can be charged by the operator unless the operator first notifies BC Transit of the requirement and the costs of such are factored within the charge out rate.
- “Special Transit Service” – Not Open to the Public S. 4.1(b)
 - relates to additional transit service that is not Special Group Trip or Special Transit Service - Open to the Public and is not otherwise provided for within schedule B revenue or extra hours.
 - where the additional service is “not open to the public” it is considered to be charter like. Under BC Transit’s current insurance program we are very limited in providing these trips and only in isolated circumstances ancillary to normal service. We interpret this to be no more than 6 trips annually and they must have some element of community benefit and not be purely for a private benefit (such as a wedding or birthday party for example) as these are publically funded vehicles. These trips should not take away business from local private operators that would provide the

service. Subject to the limitations discussed above, this type of service can be provide where:

- the additional service provides some level of civic emphasis versus a charter for a private group or person (i.e. weddings, private parties etc). Civic emphasis could include city conferences, holiday outings for seniors/disabled or other activities that have a positive civic emphasis.
- the local government partner must approve in writing which can be by email.
- the trip must conform to all BC Transit normal operating procedures (e.g. load limits, standees, wheel chairs secured properly, alcohol)
- the vehicles cannot leave the Transit Service Area nor can they travel beyond their ICBC insured range.
- the service must be provided by the BC Transit operator using their regular drivers.
- the operator is able to provide the resources necessary to conduct the service without jeopardizing delivery of the regular scheduled service.
- no overtime can be charged by the operator unless this is factored into the hourly rate.

Determining Rates

- *Hourly rate charged by operating company to BC Transit*

The hourly rate is determined by summing specific line items the system's AOA annual fixed costs, variable hourly and variable distance costs, and dividing by revenue hours.

After the Operator has performed the special group trip, they will invoice BC Transit at the agreed rate. A manual invoice is to be sent by the Operator to BC Transit independent to E-billing. BC Transit should not be billed for any additional operator, maintenance or fuel costs incurred by providing this type of service.

- *Hourly rate charged by BC Transit to the local government partner*

BC Transit will invoice the local government partner for the service, once the hours have been confirmed with operating company. BC Transit will charge the local government partner a rate equal to the total cost per service hour of the AOA. This is to recover the all other costs outside of those charged by the operating company, that relate to the cost of maintaining and running the fleet. Payments received will be applied as cost recovery to the AOA.

- *Hourly rate charged by local government partner to third party (if applicable)*

If the approved special group trip was for the benefit of a third party (non local government partner), the local government partner will invoice them once invoiced by BC Transit. The rate the local government partner will charge should be equal to the total cost per service hour of the AOA.

Approval Process & Roles

Below are the steps for processing a special group trip or special service that is not covered in the AOA operating hours.

1. Request for additional service received by BC Transit via the local government partner or operator.
2. Request for additional service is reviewed by BC Transit to ensure it meets acceptance requirements. If it meets requirements proceed to step 3, if it does not meet requirements, BC Transit will deny the request and notify the local government partner and operator.
3. BC Transit will communicate, with the local government partner, the details of service costs and confirm in writing the local government's approval for additional service. If an approval is received, proceed to step 4; if approval is not received, BC Transit will deny the request.
4. BC Transit pays the operating company for hours of service delivered, based on an hourly variable rate derived from the AOA.
5. BC Transit invoices the local government partner for the additional service delivered, based on total cost per hour charge. BC Transit will apply the funds received as a cost recovery against the AOA.
6. If a third party requested the service, the local government partner would invoice the third party based on the total cost per hour charge.

Note: Where special group trips or special service become more frequent and regular in nature for an individual system, BC Transit and the local government partner should consider including additional hours within the AOA. Examples of instances where this should be considered would be an annual community event where transit service is requested each year.

Salt Spring Island Community Transit
Monthly Revenue Report

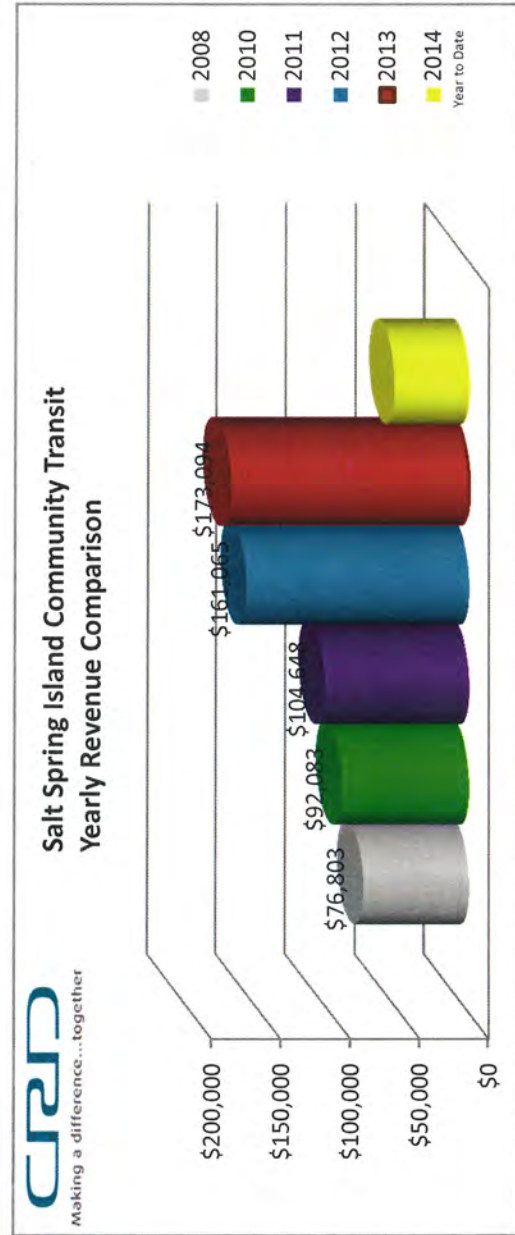
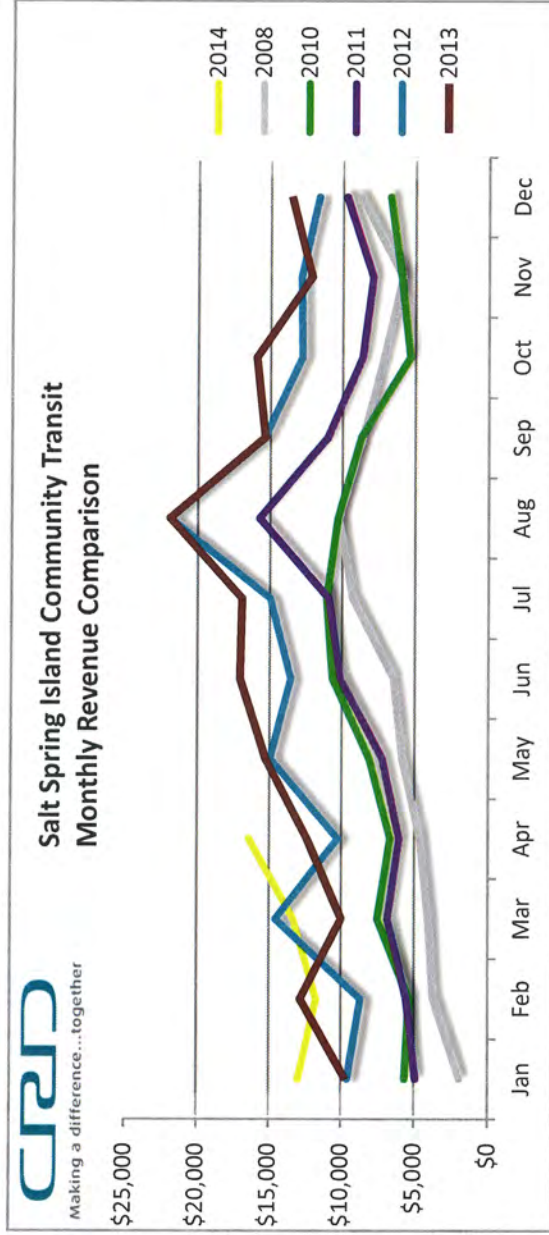


Making a difference...together

	Jan-2014	Feb-2014	Mar-2014	Apr-2014	May-2014	Jun-2014	Jul-2014	Aug-2014	Sep-2014	Oct-2014	Nov-2014	Dec-2014	Total YTD
Total Vendor Sales													
Monthly Passes - Adult	\$ 350	\$ 450	\$ 350	\$ 550	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,700
- Concession	400	320	360	360	-	-	-	-	-	-	-	-	1,440
Day Passes	20	30	35	5	-	-	-	-	-	-	-	-	90
Ticket Sheets *	2,167	1,681	3,382	2,450	-	-	-	-	-	-	-	-	9,680
Prepaid Fare Tickets													
Collected from fareboxes *	2,462	1,897	2,052	2,014	-	-	-	-	-	-	-	-	8,424
Farebox Cash Proceeds	8,033	7,530	8,531	11,798									35,892
BC Bus Pass Program Grant	1,731	1,507	2,013	1,708									6,959
Monthly Revenue	\$ 12,995	\$ 11,734	\$ 13,341	\$ 16,435	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 54,505
Cumulative Totals													
YTD Revenue	12,995	24,729	38,070	54,505	54,505	54,505	54,505	54,505	54,505	54,505	54,505	54,505	54,505
Unearned Revenue *	(295)	(511)	819	1,256	1,256	1,256	1,256	1,256	1,256	1,256	1,256	1,256	1,256
Less 2% Commission	(59)	(108)	(191)	(258)	(258)	(258)	(258)	(258)	(258)	(258)	(258)	(258)	(258)
Other Adjustments	-	20	-	-	-	-	-	-	-	-	-	-	-
Reconciliation to GL	12,642	24,130	38,698	55,502	55,502	55,502	55,502	55,502	55,502	55,502	55,502	55,502	55,502

* Unearned Revenue is the difference between Prepaid Fare Tickets sold and Prepaid Fare Tickets used by riders (collected from fareboxes).

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Revenue Comparisons													
2013 Monthly Revenue	9,687	12,821	10,005	12,384	15,284	17,046	16,926	21,918	15,366	15,962	12,136	13,560	173,094
2012 Monthly Revenue	9,578	8,662	14,540	10,240	14,945	21,766	7,030	21,926	15,374	12,785	12,868	11,650	161,365
2011 Monthly Revenue	4,899	5,540	6,822	6,043	7,221	10,116	10,954	15,731	11,024	8,650	7,912	9,737	104,648
2010 Monthly Revenue	5,640	5,344	7,523	6,646	8,103	10,651	11,070	10,318	8,719	5,387	5,957	6,724	92,083
2009 Monthly Revenue	6,424	5,993	7,480	6,829	7,678	8,246	11,571	10,284	7,781	7,812	5,131	6,939	92,169
2008 Monthly Revenue	1,942	3,734	4,074	4,635	5,871	6,493	9,318	10,228	8,612	7,192	5,895	8,810	76,803



BC TRANSIT CUSTOM / PARATRANSIT MONTHLY STATISTICAL SUMMARY

[illegible]

**SSI Transit
2015 - 2019 Operating Budget**

	2014		2015	2016	2017	2018	2019
	<u>Est</u>	<u>Budget</u>					
Gross Municipal Obligation	225,380	293,180	354,300	361,390	368,620	375,990	383,510
Allocations	21,170	21,170	21,360	21,680	22,020	22,360	22,710
Other Operating Expenses	8,140	7,760	7,800	7,940	8,080	8,230	8,380
TOTAL OPERATING COSTS	254,690	322,110	383,460	391,010	398,720	406,580	414,600
Transfer to Internal Reserve Fund (end 2013 \$171,610)	48,690	-	-	-	-	-	-
Transfer to Bus Shelter Reserve (end 2013 \$19,390)	7,000	7,000	7,000	7,000	7,000	7,000	7,000
TOTAL COSTS	310,380	329,110	390,460	398,010	405,720	413,580	421,600
<u>FUNDING SOURCES (REVENUE)</u>							
Transit Revenue	194,440	194,440	194,440	194,440	194,440	194,440	194,440
Recovery Cost	360	-	-	-	-	-	-
Interest Income	500	500	500	500	500	500	500
Grants in Lieu of Taxes	80	80	50	50	50	50	50
Transfer from Internal Reserve	-	19,090	10,830	18,380	22,400	26,490	30,670
Requisition	115,000	115,000	184,640	184,640	188,330	192,100	195,940
TOTAL REVENUE	310,380	329,110	390,460	398,010	405,720	413,580	421,600

Tracey Shaver

From: Craig Richenback
Sent: Tuesday, May 27, 2014 7:52 AM
To: saltspring
Subject: Northern Youth Abroad

To whom it may concern,

My name is Craig Richenback and I'm with an non-profit organization called Northern Youth Abroad. We provide a cross cultural experience for youth age 15-21 from the Northwest Territories and Nunavut. All of the participants this year are aboriginal.

The main portion of the program consists of a five week volunteer work placement in a community in Canada.

While they're in their host communities they stay with a host family, and we try to set them up with gym memberships and bus passes.

We have two participants this year doing their placements in Salt Spring Island, and I wanted to reach out to you to see if it would be possible for the Salt Spring Island Transit System to donate two bus passes for the five weeks they're there.

They arrive in Salt Spring Island on July 1st, and return to Ottawa on August 5th.

If you could help us out it would be much appreciated. And if you would like more information on Northern Youth Abroad I can provide that as well.

Best regards,

Craig Richenback

--

Craig Richenback
Program and Communications Assistant
Northern Youth Abroad

1-800-361-2222

1-800-361-2222

Fax:

Toll Free: 1-800-222-1111