SALT SPRING ISLAND TRANSPORTATION COMMISSION
Notice of Meeting on Monday, September 24, 2018 at 4:10 PM
SSI Public Library, 129 McPhillips Ave, Salt Spring Island, BC

Wayne McIntyre
Rhonan Heitzmann
Robin Williams
Dal Brickenden
Shellie Barrett

AGENDA

1. Approval of Agenda

2. Adoption of Minutes of June 25, 2018 2-5

3. Delegation/Presentation
   3.1 Krumbach Bus Shelters- Robin Williams

4. Director, Chair and Commissioner Reports

5. Outstanding Business
   5.1 Drake Road Priority Improvements and Emergency Access
   5.2 IWAV Croftonbrook Housing Project-Request for Route 1 Expansion
   5.3 Walkers Hook Route Ridership
   5.4 NGTP Status Update
   5.5 Booth Canal to Vesuvius Bay Road Pathway Status Update

6. New Business
   6.1 Islands Trust Referral-Bylaw 510 & 511 re: 155 Rainbow Road 6-68
   6.2 BC Transit Monthly Revenue Report 69
   6.3 Interpretive Signage – Island Pathways Project 70-71

7. Next Meeting: October 29, 2018 at 4:10 pm at the Library

8. Adjournment

To ensure quorum, advise Tracey Shaver 250 537 4448 if you cannot attend.
Minutes of the Regular Meeting of the Salt Spring Island Transportation Commission
Held June 25, 2018, SSI Public Library, 129 McPhillips Ave, Salt Spring Island, BC

Present: CRD Director: Wayne McIntyre
Commission Members: Robin Williams, Shellie Barrett, Dal Brickenden
Staff: Karla Campbell, Senior Manager, Salt Spring Electoral Area; Dan Ovington, Manager, Parks and Recreation; John Hicks, Senior Transportation Planner, Regional and Strategic Planning; Tracey Shaver, Recording Secretary.
Absent: Rhonan Heitzmann

Chair Williams called the meeting to order at 4:10 pm.

1. Approval of Agenda

MOVED by Director McIntyre, SECONDED by Commissioner Barrett,
That the Salt Spring Island Transportation Commission agenda of June 25, 2018 be amended and approved by adding Item 3.4 Delegation – Kisae Peterson - IWAV Croftonbrook Housing Project and Item 5.3 North Ganges Transportation Management Plan Update.

CARRIED

2. Adoption of Minutes of May 28, 2018

MOVED by Commissioner Brickenden, SECONDED by Director McIntyre,
That the Salt Spring Island Transportation Commission Minutes of May 28, 2018 be approved.

CARRIED

3. Delegation/Presentation

3.1 John Hicks, Senior Transportation Planner, Regional & Strategic Planning - re: Parking Study

Manager Hicks lead a discussion regarding the many pieces to consider in developing a request for a consultant to perform a parking study for Salt Spring Island.

- Urgency with high season coming; second round of monitoring in slower season for comparison
- Define geographic boundaries of the Ganges downtown core; consider Fulford, Vesuvius areas separately in a different study as they are complicated by ferry schedules.
- Inventory total available spaces; private vs public
- Intention of public road side parking; parallel or diagonal on specific streets, legal standards for rural roads
- Turnover of spaces; overnight parking, all day or for a few hours
- Commission looking for innovative solutions; analysis to include transit and ferry connections
• Include an inventory of disabled parking spaces to the scope; check with Islands Trust for land use requirements

Generally agreed that the boundaries for the downtown core are to be defined as an area including up to Drake Road, Atkins Road and along Lower Ganges Road.

3.2 Jane Hamilton - re: Disabled Parking

Ms. Hamilton presented a plea for additional disabled parking spaces and provided insight to issues affecting current spaces

• There are no spaces downtown designated to unload a wheelchair from a specialized vehicle.
• Large percentage of current population already with parking placards will increase as population ages and mobility issues arise
• Consider location of spaces, accessibility to venues, practicality of the locations (inclines, sandwich boards, enforcement)
• Mobility for disabled persons helps prevent isolation and additional health problems

3.3 Donald McLennan - re: Island Bus Shelters

Mr. McLennan presented an information update on behalf of Island Bus Shelters which is a group of volunteers following the structure of Island Pathways to provide creative bus shelter design for the Capital Regional District to consider.

• Three locations selected as priorities by the committee; Heritage Place to replace generic model, Central Intersection, Cusheon Lake Road.
• Website launched and a call for creative bus shelter designs publically announced with a submission deadline of Sept 1, 2018.
• Community jury to select and recommend design for the Transportation Commission and Capital Regional District to consider.
• This project is for design build and fee should be inclusive of: artistic fees, engineer certification, fabrication, site preparation, installation and applicable taxes.

Staff briefed the Transportation Commission on the following issues:

• Misrepresentation of partnership while inviting proponents to submit a design build proposal. The Transportation Commission does not have delegated procurement authority.
• CRD has a specific tendering process to follow which is open and transparent; several requirements must be met by contractor to be eligible for contract award. Tender documents should include structure size, setbacks, foundation, permits, etc for each location.
• CRD cannot restrict submissions for a made on Salt Spring variant.
• Each location will have specific Ministry of Transportation and Infrastructure permit requirements and BC Transit specifications to design and construct bus stop pull outs.
• Design build must be executable and fit into work plans for CRD Staff.
3.4 Kisae Peterson - IWAV Croftonbrook Housing Project

Ms. Peterson provided the Commission with an update on the project status and reaffirmed a previous request to expand Route 1 to include a bus stop at the end of Corbett Road.

- Anticipated need for mobility with tenancy targeted at seniors and those with moderate to low incomes
- Corbett Road is on a steep slope and expected to discourage target residents from accessing transit services.
- Closest bus stop location at the beginning of Crofton Road which is within the BC Transit guidelines bus stop distances (400m).
- Seeking a variance to the route schedule and expanded use of the road allowance to accommodate bus turnaround service.
- BC Transit has recorded the request for consideration in future route changes

Generally agreed to bring topic forward to next agenda in September for discussion

4. Director, Chair and Commissioner Reports

4.1 Director McIntyre briefly reported on:
- Recent meeting with CRD and BC Transit
  - Interest in BC Transit integrating system with water transportation for foot passengers between SGI, SSI and Sidney.
  - BC Transit seeking any conflicts with Ministry
  - Possible refreshment for feasibility study
- Continuing efforts for Rural status change at UBCM;
  - Islands Trust Council recently passed motion of support
  - CEDC working on resolution for UBCM agenda.
- Electoral Areas Services Committee passed motion for CRD Board to consider reviewing dock management for collaborative opportunities with the Southern Gulf Islands.
- Attended several meetings and functions; Watershed strategic planning, draft PARC strategic plan, Drake Road housing, Library Board, SSI Commons, Electric Vehicle event, Tour de lles and Partners Creating Pathways 30yr celebration.

4.2 Chair Williams briefly reported:
- New commission member- Rhonan Heitzmann
- Attended and enjoyed weekend festivities; Electric Vehicle Show, Tour de lles and Partners Creating Pathways

5. Outstanding Business

5.1 Drake Road Priority Improvements and Emergency Access

Discussion was brought forward from last meeting:

- Request made to petition for use of an OCP bypass road through Mouat Park.
- Several jurisdictions involved; PARC, Islands Trust, Emergency Services and MoTI
Generally agreed that Chair Williams would obtain more information from the developer and report back in September.

5.2 Hot Dog Stand on MoTI Land

Discussion was brought forward from last meeting:

- MoTI is aware of the possibility that a portion of this structure is on their right of way; no further action required

5.3 North Ganges Transportation Management Plan Update

Archaeological issues identified; Request for Proposal to perform archaeological studies is out, FLNRO permitting will take minimum of 3 months and include outreach to potential stakeholders (First Nations)

Planning to release tender for project this fall with construction in early 2019.

Harbour side path: not feasible to build bike/walking pathway due to the work on the upper side. Road alignment would have to be moved and would require rock removal in addition to redesigning current project, previously the Transportation Commission decided against.

Project delays are in part due to the longstanding issue with MoTI and drainage along Rainbow Road. As part of current project CRD offered to fix an existing blocked drain at the harbour. Archaeological issues were discovered during the process to repair the existing drain which was not part of the original plan.

Consideration given to attempt to expedite the First Nations consultation process in order to move project forward.

MOVED by Director McIntyre, SECONDED by Commissioner Brickenden,
That the Salt Spring Island Transportation Commission requests that the Ministry of Forests, Lands, Natural Resource Operations expedite the consultation process associated with the First Nations archaeological study due to the cooperative efforts made by the Capital Regional District to repair existing Ministry of Transportation drainage infrastructure.

CARRIED

6. New Business

6.1 Salt Spring Island Three Year Transit Expansion Initiative (2019-2022)

The three year expansion plan has significant cost implications and potential to raise requisition.

MOVED by Commissioner Brickenden, SECONDED by Director McIntyre,
That the Salt Spring Island Transportation Commission recommends the Capital Regional District support an expansion in year 2019 for additional earlier Saturday service and execute a Memorandum of Understanding to commit to the expansion and budget.

CARRIED
6.2 BC Transit Monthly Revenue Report
Detailed report to be brought forward at the September meeting showing a comparison of the 2017-2018 ridership and revenue.
Report received for information.

7. Next Meeting: September 24, 2018 at 4:10 pm at the Library

8. Adjournment

MOVED By Commissioner Williams, SECONDED by Commissioner Barrett,
That the meeting adjourn at 5:50 pm.
The Salt Spring Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area under the Islands Trust Act, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018".

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

2.1 By inserting in Subsection 9.2.4 – Exceptions in Particular Locations – the following new Commercial 2 Zone Variation (c) – C2(c) after Zone Variation C2(b):

"Zone Variation – C2(c)

(9) The following additional use is permitted:

(a) Dwelling units.

(10) Despite Subsection 9.2.2, the maximum combined lot coverage of all buildings and structures is 33 per cent.

(11) Despite Subsections 4.3.1(2) and 4.3.1(3), buildings may be located wholly, or in part, within the rear lot line and/or interior lot line setback, provided the floor area of each such building does not exceed 37.5 square metres.

And by making consequential numbering alterations to effect this change.

2.2 By changing the zoning classification of Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 and the zoning classification of that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan, from Residential 6 – (R6) to Commercial 2 Zone Variation (c) – C2(c), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” of Bylaw No. 355 as are required to effect this change.
READ A FIRST TIME THIS 16TH DAY OF AUGUST 2018
READ A SECOND TIME THIS _______ DAY OF _______ 20____
PUBLIC HEARING HELD THIS _______ DAY OF _______ 20____
READ A THIRD TIME THIS _______ DAY OF _______ 20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _______ DAY OF _______ 20____
ADOPTED THIS _______ DAY OF _______ 20____

Chair ___________________________ Secretary ___________________________
Plan No. 1

SUBJECT PROPERTY
From: RESIDENTIAL 6 (R6)
To: COMMERCIAL 2(c) (C2(c))
BYLAW
REFERRAL FORM

Islands Trust

Salt Spring Island Trust Area 510 and 511 August 29, 2018

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.

APPLICANTS NAME / ADDRESS:

PURPOSE OF BYLAW:
Bylaw 511 will rezone two adjacent Rainbow Road properties from Residential 6 (R6) to a Commercial 2 (C2) zone variant to allow a range of commercial and residential uses. Bylaw 510 amends the SSI Official Community Plan to change the Land Use Designation of one of the subject properties from Agriculture (A) to Ganges Village Core (GVC) and to add both subject properties to Development Permit Area 1 (DPA1) for the management of the form and character of village development.

GENERAL LOCATION:
165 Rainbow Road, Salt Spring Island, BC

LEGAL DESCRIPTION:
PID: 005-889-387
That Part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying Between Lots 6 and 7, Plan 5827, and to the North of a Straight Boundary Extending form the South East Corner of Lot 7 of Said Plan to the South West Corner of Lot 6 of Said Plan; and,

PID 005-893-194
Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827

SIZE OF PROPERTY AFFECTED: 0.04 ha and 0.08 ha

ALR STATUS: Adjacent to

OFFICIAL COMMUNITY PLAN DESIGNATION: Agriculture (A) and Ganges Village Core (GVC)

OTHER INFORMATION: Please call for further information.

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 Bylaw.

Name: Jason Youmans
Title: Island Planner

(Signature)

This referral has been sent to the following agencies:

**Federal Agencies**
None

**First Nations**
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelekut Tribe
Sitz’uminus First Nation
Malahat First Nation
Pauqachin First Nation
Tsartlip First Nation
Tsalawut First Nation
Tseycum First Nation
Semiahmoo First Nation
Tsawwassen First Nation
Hun’qum’num Treaty Group (for information only)
Te’Mexw Treaty Association (for information only)

**Regional Agencies**
CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Transportation Commission
CRD – Ganges Water & Sewer Commission

**Non-Agency Referrals**
North Salt Spring Waterworks District
School District No. 64
SSI Chamber of Commerce
SSI Fire-Rescue
Partners Creating Pathways
**Provincial Agencies**
BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural Development – Front Counter BC
Front Counter BC

**Adjacent Local Trust Committees and Municipalities**
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District
BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

__________________________________________
Salt Spring Island Trust Area
(Island)

510 and 511
(Bylaw Number)

__________________________________________
(Signature)

__________________________________________
(Title)

__________________________________________
(Date)

__________________________________________
(Agency)
PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 510

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 434, 2008

The Salt Spring Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area under the Islands Trust Act, enacts as follows:

1. Citation
This bylaw may be cited for all purposes as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018".

2. Salt Spring Island Local Trust Committee Bylaw No. 434, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008," is amended as shown on Schedules No. 1 and No. 2 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 16TH DAY OF AUGUST 2018
READ A SECOND TIME THIS _______ DAY OF ________ 20____
PUBLIC HEARING HELD THIS _______ DAY OF ________ 20____
READ A THIRD TIME THIS _______ DAY OF ________ 20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _______ DAY OF ________ 20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS _______ DAY OF ________ 20____
ADOPTED THIS _______ DAY OF ________ 20____

__________________________________________  _______________________________________
Chair                                            Secretary
PROPOSED
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 510

SCHEDULE NO. 1

1. Schedule “A”, Volume 2 is amended as follows:

1.1 Map 1 – Plan Area with Land and Shoreline Use Designation is amended by including that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan in the Ganges Village Core Land Use Designation as shown on Plan No. 1 of this bylaw.

PLAN NO. 1
2. Schedule “A”, Volume 2 is amended as follows:

1.2 Map 16 – Development [Permit] Area 1 – Island Villages is amended by including:

a) Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827, and

b) that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan

as shown on Plan No. 2 of this bylaw.

PLAN NO. 2
DATE OF MEETING: August 16, 2018
TO: Salt Spring Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Salt Spring Island Team
SUBJECT: Rezoning from Residential 6 (R6) to Commercial 2(c) - (C2(c))
Applicant: David Q. Brown and Esther Evanik
Location: 155 Rainbow Road

RECOMMENDATION

1. That Salt Spring Island Local Trust Committee Bylaw No. 510, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018” be read a first time.

2. That the Salt Spring Island Local Trust Committee amend Draft Bylaw No. 511, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018” be read a first time.

3. That Salt Spring Island Local Trust Committee Bylaw No. 510, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018” and Salt Spring Island Local Trust Committee Bylaw No. 511, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018” be referred to the agencies and First Nations shown in Appendix 3 of the August 16, 2018 staff report and to the Advisory Planning Commission and Agricultural Advisory Planning Commission for review and comment.

4. That the LTC direct staff to work with the applicant toward developing appropriate solutions to addressing issues related to parking and provision of a commercial loading space on the subject properties.

REPORT SUMMARY

This report provides information on an application to rezone two adjacent Rainbow Road properties from Residential 6 (R6) to a Commercial 2 (C2) variant. Generally, this report recommends that the LTC give first reading to both the draft Official Community Plan amendments and draft Land Use Bylaw amendments and that they be forwarded to agencies, First Nations and advisory commissions for review and comment.

The applicant wishes to amend both the Land Use Bylaw and Official Community Plan to enable ongoing commercial use of two adjacent properties collectively known as 155 Rainbow Road. Both properties are currently zoned only for residential use. In 2015 a Temporary Use Permit (SS-TUP-2015.3) was issued to enable the owners of the Dragonfly Art Store to run their art shop there, together with non-residential art studio space. The applicants would like to continue these uses and add a greater variety of commercial opportunities. They would also like to amend the setbacks on the site to make existing buildings lawful and allow further development in what would otherwise be setback areas.
BACKGROUND

The LTC previously considered this application at its May 10, 2018 meeting. At that time it passed the following resolutions:

**SS-2018-105**

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to draft amendments to the Salt Spring Island Official Community Plan that will:

a) Replace the “Agricultural” land use designation with the “Ganges Village Core” designation for that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan; and

b) Include that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan in Development Permit Area 1.

**SS-2018-106**

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to draft a Commercial 2 zone variant that limits lot coverage to 33 percent, authorizes dwelling units as a permitted use, and makes lawful existing siting non-conformities on:

a) Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827; and

b) that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan.

Initially, the applicant approached the LTC with an application to rezone the property to a Commercial 1 zone variant. However, following discussions with staff, the applicant now seems amenable to a Commercial 2 zone variant that would have the primary effect of limiting lot coverage on the property to 33 percent. This limitation is consistent with the current built form on the property, and also consistent with the outcome of a similar rezoning application at adjacent 151 Rainbow Road in 2012. An OCP amendment is required because one of the subject properties is located within the “Agriculture” OCP Land use Designation, which would preclude it being rezoned from residential to commercial uses. Additionally, commercial zoned property in the Ganges Village Core should be included in Development Permit Area 1 for maintenance of form and character.

See staff report of May 10, 2018 for further site context and images of the subject properties. See Appendix 4 of the May 10, 2018 staff report for survey site plan of the subject properties, noting that this older survey plan does not reflect more recent development on site that has brought the main building closer to the interior side lot line.
ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff will undertake a full assessment of the proposed uses relative to the Islands Trust Policy Statement at the time of second reading of the proposed bylaw amendments. Cursory review of the policy statement directives only checklist does not suggest any obvious conflicts, except for the question of whether the North Salt Spring Water District is able to provide an adequate supply of potable water per the requirements of policy directive 4.4.2 which states:

“Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.”

Official Community Plan:

OCP Land Use Designations

See staff report of May 10, 2018 for full discussion of proposal to amend the Land Use Designation of one of the subject properties from “Agriculture” to “Ganges Village Core.”

OCP Commercial Policies

See Appendix 3 of staff report of May 10, 2018 for complete OCP policy review as it pertains to this application.

Development Permit Areas

Draft Bylaw 510 proposes including both subject lots in Development Permit Area 1 for the maintenance of form and character in the Island’s Villages.
**Land Use Bylaw:**

The tables below show the permitted range of uses under the properties' present Residential 6 (R6) zoning and the uses that would become permitted should the properties be rezoned to a Commercial 2 zone variant.

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<thead>
<tr>
<th>Principal Uses, Buildings and Structures</th>
<th>R1</th>
<th>R2</th>
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<td>Single-family dwellings</td>
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<td>Elementary schools, pre-schools and child day care centres</td>
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<td>Churches</td>
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<td>Agriculture, excluding intensive agriculture</td>
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<td>Public service uses</td>
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<td>Seniors’ supportive housing complexes</td>
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**Accessory Uses**

| Home-based businesses, subject to Section 3.13 |    |    |    |    |    |    |
| Seasonal cottages subject to Section 3.14     |    |    |    |    |    |    |

**Issues and Opportunities**

See staff report of [May 10, 2018](#) for detailed discussion of issues and opportunities associated with this application.

**Proposed Bylaw 511**

The draft Bylaw 511 presented here as Appendix 2 reflects staff’s recommendation that the subject properties receive the same C2(b) zoning as adjacent 151 Rainbow Road to ensure a consistent form of development along this section of Rainbow Road and minimize the creation of new zone variants, consistent with OCP policy B.5.1.2.2 which states, “Commercial zoning should be simplified with fewer zones and a broader range of uses permitted in each.” See Appendix 4 for Commercial 2(b) zone text currently in the Salt Spring Land Use Bylaw.

Draft Bylaw 511 does not make lawful the current encroachment of the enclosed patio of the main building on Lot 7 into the interior side lot line. Staff review determined that there was no elegant way to draft Bylaw 511 to make this lawful without inviting a form of development on both properties that staff have heretofore
recommended avoiding, such as reducing the permitted interior side lot line setbacks to 1 metre or less. Thus, if Bylaw 511 is advanced, any further encroachments into the side lot line setback will require application for a development variance permit.

See “Alternatives” section below for discussion of applicant’s desire to site an additional building within the rear lot line setback of one of the properties and to make lawful the already existing building on the other.

**Applicant request to forego commercial loading space**

Currently, the subject property does not have a dedicated commercial loading zone as is required by the Land Use Bylaw. The Land Use Bylaw states,

7.6.2 - Off-street loading spaces are to be a minimum of 9 m in length and 3 m in width and have a vertical clearance of 4 m.

7.6.3 - Off-street loading spaces are to be clearly marked with the words “LOADING SPACE ONLY” on the pavement and facing wall.

The applicant has requested that they not be required to provide a loading space.

Practically, operation of an art store and artist studios at the subject property likely does not necessitate development of a dedicated loading space. The owner states that deliveries are only received once every three weeks and that the parking lot can accommodate all delivery trucks on site. However, rezoning the subject property to a Commercial 2 variant would permit a number of potentially high-delivery volume uses, such as restaurants or a small grocery store in which case a dedicated loading space would be warranted. Therefore, staff do not recommend that the subject properties be rezoned to exempt them from the requirement to provide a commercial loading space in perpetuity. Rather, for the time being, staff recommend the LTC direct staff to work with the applicant to develop possible solutions to this issue. Possibilities include a restrictive covenant that would exempt the property from the loading space requirement so long as the only commercial operations on site are an art store, gallery and studios, or there may be creative site designs that could accommodate a dedicated loading space.

**Parking**

The proposed rezoning applies to two adjacent lots. One of those lots serves primarily as a parking lot for the adjacent art store. Land Use Bylaw Section 7.3.1 permits parking on a property adjacent to a primary use. It is worth noting that should the proposed rezoning be successful, there is nothing to prevent the owners from selling the parking lot property as a separate lot. In doing so, however, they would no longer have the requisite parking spaces to operate their current business on the developed portion. Staff recommend the LTC direct staff to work with the applicant to develop possible solutions to this issue. Possibilities include:

- an application to merge the two lots
- a restrictive covenant requiring that the two properties be sold together in perpetuity
- Zoning the one property to allow only vehicle parking
- a restrictive covenant prohibiting development on the parking lot property if it would compromise required parking for a use in operation on the adjacent lot
Water and Sewer Servicing

The North Salt Spring Waterworks District (NSSWD) maintains a moratorium on new or expanded connections within its boundaries. The applicants have provided a letter of support from the NSSWD previously obtained when they were considering opening a small café within the building. See staff report of May 10, 2018. Staff recommend that Bylaw 511 be referred to the NSSWD for review and comment as NSSWD’s response may influence the range of uses that can be permitted by zoning.

Staff also recommend that Bylaw 511 be referred to the Ganges Harbour Sewer Commission for its review and comment on whether it can accommodate the additional uses that would be possible on the subject property under a C2 zone variant.

Amenity Zoning

Rezoning the subject properties for commercial uses while simultaneously permitting residential uses will significantly increase the value of these properties. Following agency review and response – which may necessitate further amendment of the proposed bylaws – staff recommend that the LTC direct the applicant to obtain an appraisal of the projected increase in value to the properties if they are rezoned in order to determine the value of an amenity for the community that should be considered. OCP policy B.5.2.2.5 provides guidance in this regard: “The Local Trust Committee could consider rezoning applications to allow a higher percentage of commercial site coverage or higher floor space ratios as part of a proposal to provide an eligible community.” A list of eligible community amenities is considered in Schedule H.3 of the OCP. See Appendix 8 of staff report of May 10, 2018.

First Nations/Archaeological Considerations

This application involves an Official Community Plan amendment, which in turn requires the approval of the Minister of Municipal Affairs and Housing. Provincial approval of local bylaws requires demonstration that, among others, First Nations have been adequately consulted. As such, any bylaw amendments derived from this application will be referred to the First Nations listed in Appendix 3 for review and comment. Their referral responses may make information requests of the applicant or LTC and both parties should be aware of this possibility.

Sidewalks/Ganges Public Pathway System

Several commercial rezonings in recent years have been made conditional upon applicants providing a sum of money to the CRD equivalent to the cost of sidewalk construction in front of their properties, to be held in reserve until such time as the CRD can undertake sidewalk construction in the area. This was the case for rezonings at 167 Rainbow Road, 127 Rainbow Road and 125 Rainbow Road. This policy is consistent with OCP Policy B.5.1.2.5 (g) and the North Ganges Transportation Plan. Bylaw referral to the CRD Transportation Commission will determine interest in exercising this opportunity.

OCP Map 17 shows a portion of the Ganges Public Pathway System leading through what appears to be the subject lots (see Appendix 7 of staff report of May 10, 2018 – red outline reflects subject area). Pending bylaw referral to CRD PARC and Partners Creating Pathways, there may be community interest in leveraging this rezoning application to secure this segment of the pathway system. The LTC and applicant should be aware of this possibility.
Other

Other issues may be identified for further discussion following bylaw development and community consultation.

Consultation

Statutory Requirements

Statutory notification of the proposed rezoning will be made in accordance with Section 466 of the Local Government Act and Salt Spring Island Development Procedures Bylaw No. 304. This will involve newspaper advertising and neighbourhood notification and will be undertaken once the LTC directs staff to schedule a public hearing. Correspondence related to this application may be sent to ssiinfo@islandstrust.bc.ca.

As this application involves an OCP amendment, the LTC is required by the Local Government Act to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly.

Community Information Meeting (CIM)

Following agency, First Nations, and Advisory Planning Commission referral, staff will likely recommend that the LTC require the applicant to host a community information event to inform surrounding neighbours of their intentions for the property.

Staff will also likely recommend a brief LTC-sponsored CIM in advance of public hearing.

Protocols

None that appear immediately relevant to this application.

Agencies

See recommended referral agency list in Appendix 3.

First Nations

As the proposed rezoning necessitates an OCP amendment, proposed bylaw amendments must be referred to First Nations for consideration. See Appendix 3 for recommended First Nations referral recipients.

Rationale for Recommendation

1. That Salt Spring Island Local Trust Committee Bylaw No. 510, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018” be read a first time.

   Staff support the applicants’ request to amend the Land Use Designation on the property that currently falls within “Agriculture” Land Use Designation as it is not located in the Agricultural Land Reserve (ALR) and bears no legal relationship with the agricultural property to the rear of the subject lots. Furthermore, the property’s current R6 zoning does not permit agriculture.

   If the subject properties are both rezoned to a Commercial zone variant, then they should be included in Development Permit Area 1 for the maintenance of form and character in the Island’s villages.

2. That the Salt Spring Island Local Trust Committee amend Draft Bylaw No. 511, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018” be read a first time.
Staff recommend that if the LTC is going to consider Commercial zoning for the subject properties, that they be accorded the Commercial 2(b) zoning designation which is already in place on adjacent 151 Rainbow Road.

3. That Salt Spring Island Local Trust Committee Bylaw No. 510, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018” and Salt Spring Island Local Trust Committee Bylaw No. 511, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018” be referred to the agencies and First Nations shown in Appendix 3 of the August 16, 2018 staff report and to the Advisory Planning Commission and Agricultural Advisory Planning Commission for review and comment.

See discussion in “Issues and Opportunities” and “Consultation” above.

As the subject property involves the potential creation of new commercial land at the edge of the Ganges Village Core, staff recommend that the file be referred to the Advisory Planning Commission. As the property backs on to land that is in the Agricultural Land Reserve, staff recommend that the file be referred to the Agricultural Advisory Planning Commission in accordance with OCP policy B.6.2.2.18 which states:

“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.”

4. That the LTC direct staff to work with the applicant toward developing appropriate solutions to addressing issues related to parking and provision of a commercial loading space on the subject properties.

See discussion of parking concerns and loading zone requirements in “Issue and Opportunities” section above.

ALTERNATIVES

1. Amend Bylaw 511 to reflect applicant’s objectives

Rather than advancing Bylaw 511 as it appears in Appendix 2 of this staff report, the LTC may wish to advance the bylaw with amendments requested by the applicant. Specifically, the applicant would like the ability to construct an additional approximately 300 ft² artist’s studio within the rear/side lot line setbacks of one of the subject properties. If the LTC wishes to entertain this request, it could make the following resolutions to amend Draft Bylaw 511:

1) That Salt Spring Island Local Trust Committee Bylaw No. 511, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018” be amended as follows:

A) By deleting Section 2.1 in its entirety and replacing it with the following Section 2.1:
2.1 By inserting in Subsection 9.2.4 – Exceptions in Particular Locations – the following new Commercial 2 Zone Variation (c) – C2(c) after Zone Variation C2(b):

"Zone Variation – C2(c)

(11) The following additional use is permitted:

(a) Dwelling units.

(12) Despite Subsection 9.2.2, the maximum combined lot coverage of all buildings and structures is 33 per cent.

(13) Despite Subsections 4.3.1(2) and 4.3.1(3), one building with a total floor area of not more than 37.5 square metres may be located wholly, or in part, within the rear lot line and/or interior lot line setback.

And by making consequential numbering alterations to effect this change."

B) By adding a new Section 2.2 as follows:

"2.2 By changing the zoning classification of Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 and the zoning classification of that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan, from Residential 6 – (R6) to Commercial 2 Zone Variation (c) – C2(c), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” of Bylaw No. 355 as are required to effect this change.

C) By amending Plan No.1 to show the zoning classification of Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 and the zoning classification of that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan to change from Residential 6 (R6) to Commercial 2(c) (C2(c)).

2) That the Salt Spring Island Local Trust Committee amend Draft Bylaw No. 511, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018” be read a first time as amended.

Staff do not recommend pursuing the applicant’s requested amendments for two reasons. First, as noted above, doing so would be contrary to OCP policy B.5.1.2.2 which guides the LTC toward simplifying Commercial zoning on the Island. Second allowing additional structures within the rear lot line setback is contrary to the Ministry of Agriculture’s recommended best practices for edge planning adjacent to agricultural land. Following review of this application by the Agricultural Advisory Planning Commission, staff may recommend to the LTC that the applicants be required to install a vegetative buffer within the rear lot line setback per the Ministry’s edge planning recommendations as a condition of bylaw adoption.
2. Deny the application

The LTC may determine that because of there is no evidence of a shortage of commercial zoned land in Ganges (as required under OCP Policy B.5.1.2.5), or for other reasons, the application may be rejected. The implications of this alternative are that the file will be closed and a partial refund will be returned to the applicant. Additionally, continued operation of the art store at its current location would require a renewal of its Temporary Use Permit for an additional three years. If the LTC is going to reject the application, it may wish to provide reasons for its decision. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-RZ-2018.1 for the follows reasons [.

3. Request further information

The LTC may determine that it requires additional information from the applicant or staff to make an informed decision about whether to proceed by bylaw drafting. Recommended wording for such a resolution is as follows:

That the Salt Spring Island Local Trust Committee request the applicant/staff to provide the following information [a commercial land needs assessment . . . a parking and transportation demand study by a certified engineer with expertise in this specific field . . .]

NEXT STEPS

If the LTC takes staff’s recommendations regarding referral of Bylaws 510 and 511 to agencies, First Nations and advisory commissions, staff will do so and return the LTC with the file for further consideration when responses have been received.

<table>
<thead>
<tr>
<th>Submitted By:</th>
<th>Jason Youmans, Island Planner</th>
<th>August 8, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concurrence:</td>
<td>Stefan Cermak, Regional Planning Manager</td>
<td>August 9, 2018</td>
</tr>
</tbody>
</table>

ATTACHMENTS

1. Draft Bylaw 510 – OCP Amendments
2. Draft Bylaw 511 – LUB Amendments
3. Recommended Bylaw Referral Recipients
4. Commercial 2(b) zone
PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 510

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 434, 2008

The Salt Spring Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area under the Islands Trust Act, enacts as follows:

1. Citation

   This bylaw may be cited for all purposes as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2018”.

2. Salt Spring Island Local Trust Committee Bylaw No. 434, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008,” is amended as shown on Schedules No. 1 and No. 2 attached to and forming part of this bylaw.

READ A FIRST TIME THIS
READ A SECOND TIME THIS
PUBLIC HEARING HELD THIS
READ A THIRD TIME THIS
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS
ADOPTED THIS

Chair

Secretary
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 510

SCHEDULE NO. 1

1. Schedule “A”, Volume 2 is amended as follows:

1.1 Map 1 – Plan Area with Land and Shoreline Use Designation is amended by including that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan in the Ganges Village Core Land Use Designation as shown on Plan No. 1 of this bylaw.

PLAN NO. 1
2. Schedule “A”, Volume 2 is amended as follows:

1.2 Map 16 – Development Permit Area 1 – Island Villages is amended by including:

a) Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827, and

b) that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan

as shown on Plan No. 2 of this bylaw.

PLAN NO. 2
PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 511

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

The Salt Spring Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area under the Islands Trust Act, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2018”.

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

2.1 By changing the zoning classification of Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827 and the zoning classification of that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan, from Residential 6 — (R6) to Commercial 2 Zone Variation (b) — C2(b), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” of Bylaw No. 355 as are required to effect this change.

READ A FIRST TIME THIS _______ DAY OF _________ 20____
READ A SECOND TIME THIS _______ DAY OF _______ 20___
PUBLIC HEARING HELD THIS _______ DAY OF _________ 20____
READ A THIRD TIME THIS _______ DAY OF _________ 20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _______ DAY OF _________ 20____
ADOPTED THIS _______ DAY OF _________ 20____

________________________________________  ______________________________________
Chair                                           Secretary
### SS-RZ-2018.1 - Recommended Referral Recipients

<table>
<thead>
<tr>
<th>Public Agencies</th>
<th>Community Agencies/Groups</th>
<th>Local Trust Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Ministry of Transportation</td>
<td>• North Salt Spring Waterworks District</td>
<td>• North Pender Island Local Trust Committee</td>
</tr>
<tr>
<td>• Salt Spring Island Fire Protection District</td>
<td>• Ganges Harbour Sewer Commission</td>
<td>• Galiano Island Local Trust Committee</td>
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<tr>
<td></td>
<td>• CRD Transportation Commission</td>
<td>• Thetis Island Local Trust Committee</td>
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<tr>
<td></td>
<td>• CRD Parks and Recreation Commission</td>
<td>• Mayne Island Local Trust Committee</td>
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<tr>
<td></td>
<td>• School District 64</td>
<td>• Cowichan Valley Regional District</td>
</tr>
<tr>
<td></td>
<td>• CRD Economic Development Commission</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Chamber of Commerce</td>
<td></td>
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<td></td>
<td>• Partners Creating Pathways</td>
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</table>

### SS-RZ-2018.1 - Recommended Advisory Commission Referral Recipients

- Advisory Planning Commission
- Agricultural Advisory Planning Commission

### SS-RZ-2018.1 - Recommended First Nations Referral Recipients

<table>
<thead>
<tr>
<th>First Nations Referral Recipients</th>
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<tbody>
<tr>
<td>• Te’Mexw Treaty Association</td>
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<tr>
<td>• Hul’qumi’num Treaty Group (for information only)</td>
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<tr>
<td>• Pauquachin First Nation</td>
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<tr>
<td>• Malahat First Nation</td>
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<td>• Tsartlip First Nation</td>
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<td>• Tsawout First Nation</td>
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<td>• Tseycum First Nation</td>
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<td>• Chemainus First Nation</td>
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<td>• Cowichan Tribes</td>
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<td>• Halalt First Nation</td>
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<tr>
<td>• Lake Cowichan First Nation</td>
</tr>
<tr>
<td>• Lyackson First Nation</td>
</tr>
<tr>
<td>• Penelakut First Nation</td>
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<tr>
<td>• Semiahmoo First Nation</td>
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</tbody>
</table>
Zone Variation – C1(f)

(6) Notwithstanding the permitted uses of land, buildings and structures set out in Subsection 9.2.1, the following use only is permitted:
   (a) a parking lot.

Zone Variation – C1(g)

(7) The following additional use is permitted:
   (a) A liquor store.

Zone Variation – C2(a)

(8) The following additional use is permitted:
   (a) A parking lot.

Zone Variation – C2(b)

(9) The following additional use is permitted:
   (a) Dwelling units.

(10) Despite Subsection 9.2.2, the maximum combined lot coverage of all buildings and structures is 33 per cent.

Zone Variation – C4(a)

(11) The following additional principal uses are permitted:
   (a) Indoor retail sales.
   (b) Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items for retail or wholesale sales, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day.

(12) The following additional accessory use is permitted:
   (a) Dwelling units.

(13) Despite Section 4.3, no building or structure except a fence, pumphouse, public utility structure or underground utility may be constructed within the following setbacks from lot lines or road access easements:
   (a) Setback from front lot line: 4.5 m.
   (b) Setback from interior side lot line abutting a commercial or industrial zone: 1.0 m.
   (c) Setback from interior side lot line abutting non-commercial or non-industrial zone: 3.0 m.

(14) Despite Section 4.3, a rain collection structure may be constructed within the setbacks from a rear lot line and an interior side lot line.
DATE OF MEETING: May 10, 2018  
TO: Salt Spring Island Local Trust Committee  
FROM: Jason Youmans, Island Planner  
       Salt Spring Island Team  
SUBJECT: Rezoning from Residential 6 (R6) to Commercial 1 (C1)  
         Applicant: David Q. Brown and Esther Evanik  
         Location: 155 Rainbow Road  

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee direct staff to draft amendments to the Salt Spring Island Official Community Plan that will:

   a) Replace the “Agricultural” land use designation with the “Ganges Village Core” designation for that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan; and

   b) Include that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, Lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan in Development Permit Area 1.

2. That the Salt Spring Island Local Trust Committee direct staff to draft a Commercial 2 zone variant that limits lot coverage to 33 percent, authorizes dwelling units as a permitted use, and makes lawful existing siting non-conformities on:

   a) Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827; and

   b) that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan.

REPORT SUMMARY

This report provides information on an application to rezone two adjacent Rainbow Road properties from Residential 6 (R6) to a Commercial 1 (C1) variant.

Staff do not recommend zoning the subject properties to grant them all the permissions of the Commercial 1 (C1) zone. Rather, staff recommend that any new commercial zoning should be consistent with the 2013 rezoning of the lot immediately to the east of the subject properties, which resulted in a variation of the Commercial 2 (C2 zone), with the primary effect of limiting lot coverage to 33 percent, rather than the 75
percent permitted under C1 zoning, thus encouraging maintenance of the current scale and intensity of development on the lots, while retaining the ability to function as dwelling units.

BACKGROUND

The applicant wishes to amend both the Land Use Bylaw and Official Community Plan to enable ongoing commercial use of two adjacent properties collectively known as 155 Rainbow Road. Both properties are currently zoned only for residential use. In 2015 a Temporary Use Permit (SS-TUP-2015.3) was issued to enable the owners of the Dragonfly Art Store to run their shop there, together with non-residential art studio space. The applicants would like to continue these uses and add a greater variety of commercial opportunities. They would also like to amend the setbacks on the site to make existing buildings lawful and allow further development in what would otherwise be setback areas.

This application involves a request for the following bylaw amendments:

Official Community Plan

- Re-designate the lot that currently serves as the art store parking lot from “Agriculture” to “Ganges Village Core.”
- Include both subject lots in Development Permit Area 1 (DPA1) for the maintenance of form and character in Island Villages

Land Use Bylaw

- Rezone both subject lots from Residential 6 (R6) to Commercial 1 (C1)
- Reduce the rear lot line setback on both lots to 1 metre
- Reduce the interior side lot line abutting commercial zones to 0 metres
- Remove requirement to provide a commercial loading zone

See Appendices 1 and 2 for site context and images of the subject properties. See Appendix 4 for survey site plan of the subject properties, noting that the survey plan does not reflect more recent development that have brought the main building closer to the interior side lot line.
ANALYSIS

Policy/Regulatory

*Islands Trust Policy Statement:*

Staff will undertake a thorough assessment of the proposed uses relative to the Islands Trust Policy Statement following first reading of any bylaw amendments. Cursory review of the policy statement directives only checklist does not suggest any obvious conflicts.

*Official Community Plan:*

**OCP Land Use Designations**

The Salt Spring Island Official Community Plan (OCP) Bylaw No. 434 identifies the property where the art store currently sits to be within the Ganges Village Core (GVC) designation and the adjacent subject property, currently serving as the art store parking lot, within the Agriculture (A) designation. Rezoning the “Agriculture” designated property will require removing the “Agriculture” designation and replacing it with one more appropriate for the requested uses, such as “Ganges Village Core.”

The primary objectives of the “Ganges Village Core” designation are to accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island and to encourage some additional residential use of Ganges Village in a way that adds vitality to the village.

The “Agriculture” designation is intended to maintain and protect the long term potential for farming and agro-forestry on Salt Spring Island and to preserve agricultural land and necessary water supplies, but in this case the land is not included in the ALR.

**OCP Commercial Policies**

See Appendix 3 for a complete OCP policy review relative to the subject application and “Issues and Opportunities” section below for discussion of relevant policies in the context of specific issues.
**Development Permit Areas**

The property where the art store building sits is located within Development Permit Area 1 (DPA1). If the adjacent lot that serves as parking for the art store is to be included in a commercial zone, it should also be included in DPA 1. This application proposes such a change.

**Land Use Bylaw:**

The table below shows applicable land use regulations under current Residential 6 zoning, under Commercial 1 zoning, under the applicant's objectives and under staff's recommendations. See issues and opportunities for further discussion.

<table>
<thead>
<tr>
<th></th>
<th>Residential 6 (R6)</th>
<th>Commercial 1 (C1)</th>
<th>Applicant Request (C1 Variant)</th>
<th>Staff Recommendation (C2 Variant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Coverage</td>
<td>33%</td>
<td>75%</td>
<td>75%</td>
<td>33%</td>
</tr>
<tr>
<td>Front lot line setback</td>
<td>7.5 metres</td>
<td>0 metres</td>
<td>0 metres</td>
<td>4.5 metres</td>
</tr>
<tr>
<td>Interior side lot line setback</td>
<td>3 metres</td>
<td>0 metres - when abutting a commercial or industrial zone</td>
<td>0 metres - when abutting a commercial or industrial zone</td>
<td>3 metres – with allowance made for existing non-conforming accessory building and main building relative to lot line shared with parking lot property</td>
</tr>
<tr>
<td>Rear lot line setback</td>
<td>7.5 metres</td>
<td>0 metres - when abutting a commercial or industrial zone</td>
<td>1 metre when abutting a non-commercial or non-industrial zone</td>
<td>7.5 metres – with allowance made for existing no-conforming accessory building</td>
</tr>
</tbody>
</table>

See Appendix 9 for current commercial zones on Salt Spring Island.

**Issues and Opportunities**

Staff will address each of the applicant's requested bylaw amendments in turn before identifying other issues and opportunities associated with the application.

*Applicant request for land use designation change from "Agriculture" to "Ganges Village Core"*

Staff support the proposed request. While staff do not have a clear paper trail, it is assumed that the lot currently serving as the art store parking lot once served as a driveway access to the agriculturally-zoned property to the rear of the subject properties. Over the years, it was subdivided from that agricultural property to become an independent lot, but has maintained its "Agriculture" designation within the OCP. Give that it has
no legal association with the agricultural zoned lot to the rear of the subject properties, and given that the subject property is already zoned for residential development (and farming is specifically prohibited under that residential zoning), staff see the merit in amending its land use designation, which would enable rezoning for additional non-farm uses.

If the LTC wishes the property to retain its Agriculture designation it does not need to entertain the proposed OCP amendment. However, this would also preclude consideration of any land use bylaw amendments for the parking lot property as they would be inconsistent with the “Agriculture” land use designation.

**Applicant request for inclusion of parking lot property in Development Permit Area 1 (DPA1)**

Staff support the proposed request to include the property that currently serves as the art store parking lot in DPA1. All properties with commercial zoning within the village areas should be included in DPA1 to ensure that development is consistent with the form and character envisioned by the community and as reflected in the DPA guidelines.

This lot could be sold in the future or developed by the current owners for commercial purposes, and as such should be within DPA1.

**Applicant request to rezone subject properties to Commercial 1 (C1)**

Staff support aspects of the request, but with minor amendments. See below for comment on specific zoning categories.

**Uses**

The range of uses permitted under C1 zoning are largely the same as those permitted under C2 zoning, with the addition of commercial accommodation and multi-family dwelling units. Given that C2 uses were deemed appropriate on the lot adjacent to the subject properties through a 2013 rezoning, staff support permitting these uses on the subject properties, pending referral responses from agencies and neighbours relating to traffic and other considerations.

The LTC will note that staff’s policy review in Appendix 3 highlights the fact that the subject properties are located across the street from the Island’s educational precinct. Some of the uses permitted under both Commercial 1 and Commercial 2 can be high traffic and may not be compatible with the pattern of pedestrian use in the neighbourhood by school age children and teenagers. Bylaw referral to School District 64 may yield information for the LTC’s consideration on this subject.

**Lot Coverage**

The C1 zone permits 75 percent lot coverage. Staff do not support 75 percent lot coverage on the subject properties. The subject properties lie at the gateway into the Ganges core from Rainbow Road, but are not directly in what most residents would consider the retail core of the village. The modest form of residential-style building currently on the property should be maintained to the extent possible, to signal a gradual transition into the downtown area, rather than an abrupt arrival. This planning logic was applied to the property immediately to the east of the subject properties in a 2013 rezoning application which resulted in the retention of the 33 percent lot coverage limit, rather than permitting 75 percent lot coverage as is otherwise allowed under the primary Commercial 1 and Commercial 2 zones. Staff recommend that a similar lens be applied to this application.
Setbacks

Staff support site-specific setback amendments for the subject property to allow for existing siting non-conformities. However, staff do not support the extent of relaxation being proposed by the applicant – which would be 0 metres from the front lot line, 0 metres at the side lot lines from commercially zoned properties, and 1 metre from the rear lot line. As noted above, the LTC should seek to retain the modest scale of development currently on the property. When the adjacent lot to the subject properties was zoned Commercial 2(b) in 2013, setbacks were imposed to maintain the current scale of development – 4.5 metres from the front lot line, 7.5 metres from the rear lot line, and 3 metres from side yard lot lines. Staff recommend that a similar lens be applied to this application.

Further to this, as the property abuts agricultural land at the rear property line, there is an even greater imperative to retain setbacks at that property line. Current best practices from the Ministry of Agriculture suggest a buffer of 15 metres for commercial uses from Agriculture Land Reserve land, 8 metres of which should be vegetated per Ministry planting guidelines. Staff recognize that imposition of a 15 metres setback is unlikely. However, staff do not recommend that the LTC wilfully reduce the rear lot line setback beyond its current value, which is 7.5 metres, except as is necessary to accommodate the studio/accessory building that is already within the setback. OCP Policy B.6.2.2.18 states, “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 question of agricultural buffering can be considered in more detail upon referral to the Agricultural Advisory Planning Commission.

Applicant request to forego commercial loading space

The land use bylaw states provides the following regulations for off-street loading spaces:

7.6.2 Off-street loading spaces are to be a minimum of 9 m in length and 3 m in width and have a vertical clearance of 4 m.

7.6.3 Off-street loading spaces are to be clearly marked with the words “LOADING SPACE ONLY” on the pavement and facing wall.

The applicant has requested that they not be required to provide a loading space.

Staff visit to the property suggests that because of the small size of the lots it would be difficult to install a loading zone that meets the land use bylaw requirements that does not impede existing parking spaces or maneuvering aisles. However, according to the applicant, the existing parking lot does accommodate all delivery trucks, and no on-street delivery truck parking is taking place. Discussion over the need or lack thereof for a bylaw compliant loading space can be further explored if/as the file advances.

OCP policies on the creation of new commercially zoned land

OCP policies related to the creation of new commercial property on the Island do not support the proposal (see policy B.5.1.2.5 in Appendix 3. Staff are unaware of evidence that there is community need for additional commercial land. While current commercial zones are for the most part developed to their practical potential, there are a number of storefront vacancies in Ganges which suggest that demand for commercial space may not be high. Additionally, the LTC has not undertaken any projections on future commercial demand as required by the policy.
Nonetheless, the rezoning that created the Murakami Gardens multifamily housing development adjacent the subject properties to the west, and the 2013 rezoning to authorize commercial uses (currently Al’s Falafel) on the former residentially zoned property immediately to the east, have demonstrated that there is a community willingness to accept an increased intensity of land use along this stretch of Rainbow Road. Furthermore, the subject properties are within the boundaries of the Ganges Village Core.

The LTC may wish to consider requesting the applicant to undertake a commercial land needs assessment in support of his application. See alternative recommendations.

*Expectations created by Temporary Use Permit*

Current uses on the property were authorized under Temporary Use Permit SS-TUP-2015.3, granted by the LTC in 2015. To date, staff are unaware of any complaints received related to operation of the art store and studios on the site. While a temporary use permit does not oblige the LTC to make an authorized use permanent, it may, should the venture prove compatible with the neighbourhood in which it operates, create an expectation of permanence.

*Parking*

The proposed rezoning applies to two adjacent lots. One of those lots serves primarily as a parking lot for the adjacent art store. Land Use Bylaw Section 7.3.1 permits parking on a property adjacent to a primary use. It is worth noting that should the proposed rezoning be successful, there is nothing to prevent the owners from selling the parking lot property as a separate lot. In doing so, however, they would no longer have the requisite parking to operate a business on the developed portion. The LTC may wish to consider a restrictive covenant that limits uses on the parking lot property to parking in order to decrease the likelihood that the lot is disposed of separately.

Staff have not undertaken a thorough review of parking capacity on site relative to all uses that may be permitted through the subject rezoning. Staff will continue to engage with the applicant on this topic if/as the file advances.

*Water and Sewer Servicing*

The North Salt Spring Waterworks District (NSSWD) maintains a moratorium on new connections. The applicants have provided a letter of support from the NSSWD previously obtained when they were considering opening a small café within the building. This letter is available in Appendix 6. Should the subject application proceed to bylaw drafting and consideration, staff will recommend referral to the NSSWD for its formal consideration, particularly as the new commercial zoning would apply not only to the lot where the art store building sits, but to the adjacent property that currently serves as the art store parking lot. Furthermore, there is a far greater range of uses permitted under C1 zoning than a café and art store, so the NSSWD may revise its previous comment.

The Ganges Harbour Sewer Commission is in the midst of a capacity review. They have indicated to planning staff that they will not be providing comment on rezoning applications until such time as that review is complete. Staff do not recommend that bylaw amendments that increase the potential for increased sewer flows be approved until the sewer commission’s review is complete. Should the subject application proceed to bylaw drafting and consideration, staff will recommend referral to the Ganges Harbour Sewer Commission for its formal consideration. In the meantime, the applicant may wish to approach CRD sewer staff directly for a discussion on whether the proposed rezoning is likely to trigger their interests.
Amenity Zoning

Rezoning the subject properties for commercial uses while simultaneously permitting existing residential uses has the potential to significantly increase the value of these properties. The LTC may wish to consider whether it wishes to capture some of that increased value in the form of an amenity for the community. OCP policy B.5.2.2.5 appears to provide the LTC with guidance in this regard: “The Local Trust Committee could consider rezoning applications to allow a higher percentage of commercial site coverage or higher floor space ratios as part of a proposal to provide an eligible community.” A list of eligible community amenities is considered in Schedule H.3 of the OCP. See Appendix 8 of this staff report.

First Nations/Archaeological Considerations

This application involves an Official Community Plan amendment, which in turn requires the approval of the Minister of Municipal Affairs and Housing. Provincial approval of local bylaws requires demonstration that First Nations have been adequately consulted. As such, any bylaw amendments derived from this application will be referred to the First Nations listed in Appendix 5 for review and comment. Their referral responses may make information requests of the applicant or LTC and both parties should be aware of this possibility.

Sidewalks/Ganges Public Pathway System

Several commercial rezonings in recent years have been made conditional upon applicants providing a sum of money equivalent to the cost of sidewalk construction in front of their properties to the CRD, to be held in reserve until such time as the CRD can undertake sidewalk construction in the area. This was the case for rezonings at 167 Rainbow Road, 127 Rainbow Road and 125 Rainbow Road. This policy is consistent with OCP Policy B.5.1.2.5 (g) and the North Ganges Transportation Plan. Bylaw referral to the CRD Transportation Commission will determine interest in exercising this opportunity.

OCP Map 17 shows a portion of the Ganges Public Pathway System leading through what appears to be the subject lots (see Appendix 7 – red outline reflects subject area). Pending bylaw referral to CRD PARC and Partners Creating Pathways, there may be community interest in leveraging this rezoning application to secure this segment of the pathway system. The LTC and applicant should be aware of this possibility.

Other

Other issues may be identified for further discussion following bylaw development and community consultation.

Consultation

Statutory Requirements

Statutory notification of the proposed rezoning will be made in accordance with Section 466 of the Local Government Act and Salt Spring Island Development Procedures Bylaw No. 304. This will involve newspaper advertising and neighbourhood notification and will be undertaken once the LTC directs staff to schedule a public hearing. Correspondence related to this application may be sent to ssiinfo@islandstrust.bc.ca.

As this application involves an OCP amendment, the LTC is required by the Local Government Act to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly.
Community Information Meeting (CIM)

If the proposal proceeds to bylaw consideration, staff will likely recommend that the applicant host a community information event to inform surrounding neighbours of their intentions for the property.

Staff will also likely recommend a brief LTC-sponsored CIM in advance on public hearing.

Protocols

None that appear immediately relevant to this application.

Agencies

See recommended referral agency list in Appendix 5.

First Nations

As the proposed rezoning necessitates an OCP amendment, proposed bylaw amendments must be referred to First Nations for consideration. See Appendix 5 for recommended First Nations referral recipients.

Rationale for Recommendation

The subject properties lie at a gateway into the Ganges core. Land use changes in the immediate vicinity over the preceding years suggest that permitting commercial uses on the property is not without merit. However, the modest form of residential-style building currently on the property should be maintained to the extent possible, to signal a transition into the downtown area, rather than an abrupt arrival. This planning logic was applied to the property immediately to the east of the subject properties in a 2013 rezoning application which resulted in a retention of the 33 percent lot coverage limit, rather than permitting 75 percent lot coverage as is otherwise allowed under the primary Commercial 1 and Commercial 2 zones. Staff recommend that a similar lens be applied to this application.

Following a meeting with the applicant, it seems there is a twofold divergence between staff and the applicant on the most appropriate commercial zoning for the property:

1) Lot coverage: As noted throughout this staff report, staff recommend that lot coverage be limited to 33 percent. The applicant has applied for Commercial 1 zoning, which would permit lot coverage up to 75 percent. The LTC should turn its attention to which of these alternatives is the more appropriate.

2) Setbacks: Staff recommend that a larger rear lot line setback be retained in accordance with recommended best practices for agricultural buffering from the Ministry of Agriculture. The applicant would like to place additional structures (art studios) within this setback area. This question may be better answered following bylaw referral to the Agricultural Advisory Planning Commission which can offer comment on the necessity, or lack thereof, for a setback from the adjacent ALR land. Additionally, the LTC will have to consider what side lot line setbacks are most appropriate given that C1 zoning would allow 0 metre setbacks adjacent commercial zoned properties, whereas staff recommend that 3 metre setbacks be retained in an effort to preserve the modest residential character of the properties.

ALTERNATIVES

1. Draft bylaw of the applicant’s request

Rather than considering drafting the bylaw recommended by staff, the LTC may wish to direct staff to draft the bylaw specifically requested by the applicant in their rezoning application. This would enable the LTC to consider the implications of the applicant’s specific ask. In addition to Recommendation 1 on page 1, recommended wording for this land use bylaw amendment would be as follows:
That the Salt Spring Island Local Trust Committee direct staff to draft a Commercial 1 zone variant that authorizes dwelling units as a permitted use and satisfies the applicants additional objectives on:

a) Lot 7, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 5827; and

b) that part of Block D, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371, lying between Lots 6 and 7, Plan 5827, and to the north of a straight boundary extending from the south east corner of Lot 7 of said plan to the south west corner of Lot 6 of said plan.

2. Deny the application

The LTC may determine that because of there is no evidence of a shortage of commercial zoned land in Ganges (as required under OCP Policy B.5.1.2.5), or for other reasons, the application may be rejected. The implications of this alternative are that the file will be closed and a partial refund will be returned to the applicant. Additionally, continued operation of the art store at its current location would require a renewal of its Temporary Use Permit for an additional three years. If the LTC is going to reject the application, it may wish to provide reasons for its decision. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee deny application SS-RZ-2018.1 for the follows reasons [. . .]

3. Request further information

The LTC may determine that it requires additional information from the applicant or staff to make an informed decision about whether to proceed to bylaw drafting. Recommended wording for such a resolution is as follows:

That the Salt Spring Island Local Trust Committee request the applicant/staff to provide the following information [. . . a commercial land needs assessment . . . a parking and transportation demand study by a certified engineer with expertise in this specific field . . .]

NEXT STEPS

If the LTC directs staff to draft a bylaw, staff will do so and provide it to the LTC for consideration at a future meeting. If an alternative course of action is chosen, staff will implement the LTC’s direction accordingly.

<table>
<thead>
<tr>
<th>Submitted By:</th>
<th>Jason Youmans, Island Planner</th>
<th>May 2, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concurrence:</td>
<td>Stefan Cermak, Regional Planning Manager</td>
<td>May 3, 2018</td>
</tr>
</tbody>
</table>

ATTACHMENTS

1. Site context
2. Maps, plans, photographs
3. ITPS/OCP Policies
4. Survey site plan
5. Recommended referral recipients
6. NSSWD letter
7. OCP Map 17
8. Amenity zoning policies
9. Current SSI commercial zones
APPENDIX 1 – SITE CONTEXT

LOCATION

<table>
<thead>
<tr>
<th>Legal Description</th>
<th>THAT PART OF BLOCK D, SECTION 1, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 1371, LYING BETWEEN LOTS 6 AND 7, PLAN 5827, AND TO THE NORTH OF A STRAIGHT BOUNDARY EXTENDING FROM THE SOUTH EAST CORNER OF LOT 7 OF SAID PLAN TO THE SOUTH WEST CORNER OF LOT 6 OF SAID PLAN.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOT 7, SECTION 1, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 5827.</td>
</tr>
<tr>
<td>PID</td>
<td>005-888-387 and 005-893-194</td>
</tr>
<tr>
<td>Civic Address</td>
<td>155 Rainbow Road</td>
</tr>
</tbody>
</table>

LAND USE

<table>
<thead>
<tr>
<th>Current Land Use</th>
<th>Art supply store, non-residential art studio rentals, parking (see SS-TUP-2015.3)</th>
</tr>
</thead>
</table>
| Surrounding Land Use | East: Residential + Commercial (food cart)  
West: Multi-family dwelling unit (Murikami Gardens)  
South: Vacant, ALR land  
North: School District 64 maintenance facility |

HISTORICAL ACTIVITY

<table>
<thead>
<tr>
<th>File No.</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS-TUP-2015.3</td>
<td>Temporary Use Permit for art supply store, non-residential art studio. This permit expires in February 2019.</td>
</tr>
</tbody>
</table>

POLICY/REGULATORY

| Official Community Plan Designations | Ganges Village Core (GVC) / Agriculture (A)  
Development Permit Area 1 (DPA1) – Island Villages |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Bylaw</td>
<td>Residential 6 (R6)</td>
</tr>
</tbody>
</table>
| Other Regulations                    | The subject property is adjacent to the Agricultural Land Reserve (ALR). This is addressed within the staff report.  
Staff are unaware at this time of any additional regulatory concerns that are not identified in the staff report at this time. |
| Covenants                            | No covenants registered on title for either property                                           |
| Bylaw Enforcement                    | No bylaw enforcement history                                                                  |
### Site Influences

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Islands Trust Fund</td>
<td>Islands Trust Fund has no interest in the subject properties or properties in the immediate vicinity.</td>
</tr>
<tr>
<td>Regional Conservation Strategy</td>
<td>The Islands Trust Regional Conservation Strategy identifies the subject properties as being of low relative habitat composition value.</td>
</tr>
<tr>
<td>Species at Risk</td>
<td>The subject property does not contain any recorded at-risk species or at-risk habitat or ecosystems.</td>
</tr>
<tr>
<td>Sensitive Ecosystems</td>
<td>The subject property is considered “Developed” under Islands Trust Ecosystem Mapping.</td>
</tr>
<tr>
<td>Hazard Areas</td>
<td>The subject property is not within any known hazard area.</td>
</tr>
<tr>
<td>Archaeological Sites</td>
<td>The subject property is not located within 50 metres of a recorded archaeological site. The subject property is not an area of archaeological potential.</td>
</tr>
<tr>
<td>Climate Change Adaptation and Mitigation</td>
<td>The subject property does not appear to be at risk of climate related impacts. More assessment to come.</td>
</tr>
<tr>
<td>Shoreline Classification</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Shoreline Data in TAPIS</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
APPENDIX 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

Image 3: OCP Land Use Designations of subject lots

Image 4: Zoning designation of subject lots

Image 5: View of subject properties from front property line

Image 6: View of subject properties from across Rainbow Road.
Image 7: View of art store building from parking lot.

Image 8: Rear yard of art store building

Image 9: View of existing studio building within rear lot line setback

Image 10: View of existing studio building within rear lot line setback
APPENDIX 3 – POLICIES

ISLANDS TRUST POLICY STATEMENT

To be reviewed following First Reading

<NAME OF OFFICIAL COMMUNITY PLAN>

<table>
<thead>
<tr>
<th>OCP Objective/Policy</th>
<th>Complies</th>
<th>Planner Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective A.4.6.1 - To recognize the important role that varied livelihoods and a vibrant economy play in our community's unique character.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Objective A.4.6.2 - To maintain and encourage a diverse and creative community by providing a wide range of opportunities and locations for earning a living that are compatible with and can take advantage of the protection and preservation of the island's beauty and character. In particular, to encourage small, locally owned businesses whose revenues remain on the island, especially those which expand local production and consumption to meet the needs of islanders.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Objective A.4.6.3 - To encourage living-wage, meaningful, year-round employment and income-generating opportunities that especially enable young people and families to remain on the island.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Objective A.6.1.1 - To consider the impacts of climate change as a central factor in land use decision-making</td>
<td>TBD</td>
<td>The subject application does not include climate change considerations. However, it also would not appear to significantly contribute to climate change, and is walkable from the core retail area.</td>
</tr>
<tr>
<td>Policy A.6.2.1 - The Local Trust Committee will consider the energy efficiency attributes and climate change adaptation and mitigation impacts in all rezoning applications that propose an increase in density or significant change of use.</td>
<td>TBD</td>
<td>The subject rezoning application constitutes a significant change in use. The applicant has not provided information regarding climate change adaptation and mitigation. Preliminary review suggests that the subject property is not at particular risk of climate-caused impacts.</td>
</tr>
<tr>
<td>Policy A.6.2.2 - Rezoning applications proposing a significant increase in density or significant change of use may be requested to include a calculation of the projected carbon budget, or demonstrate conformity with LEED Neighbourhood</td>
<td>TBD</td>
<td>The subject rezoning application constitutes a significant change in use. However, staff do not suggest that the applicant provide a project carbon budget as no new development is proposed at the present time.</td>
</tr>
<tr>
<td>Design criteria, or the equivalent.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>Policy A.6.2.4</strong> - The Local Trust Committee shall consider giving priority to rezoning and other applications that meet energy efficiency criteria adopted by the Local Trust Committee.</td>
<td>TBD</td>
<td>The LTC has not established an energy efficiency criteria. Nor as the applicant provided any particular plans for incorporating energy efficient design. This application is not being given priority.</td>
</tr>
<tr>
<td><strong>Policy A.6.2.10</strong> - The Local Trust Committee will consider energy efficient building design features exceeding the BC Building Code as a community amenity.</td>
<td>TBD</td>
<td>No changes to the existing building are proposed at the current time.</td>
</tr>
<tr>
<td><strong>Policy B.4.2.2.5</strong> - The Local Trust Committee should give special attention to land within and surrounding the Educational Designation as follows:</td>
<td>TBD</td>
<td>The automobile traffic generated by the density and range of permitted uses in the C1 zone, such as a bank or library, may be considered incompatible with the safety of school children. Because the subject property is across Rainbow Road from lands with the Educational Designation, staff recommend highlighting this issue for discussion should the LTC refer this application to the Advisory Planning Commission for comment. Feedback from the School District would also be sought through the bylaw referral process. The rezoning application did not accompany any specific design proposals for pedestrian or bicycle routes. Input from public agencies regarding pedestrian and cycle paths will be sought through the bylaw referral process.</td>
</tr>
<tr>
<td>a. Land next to the Educational Designation should not be rezoned for uses that would be incompatible with the safety of school children.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Rezoning applications for land next to the Educational Designation should show how pedestrian and bicyclist routes to schools will be maintained.</td>
<td></td>
<td></td>
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<tr>
<td>c. Rezoning applications for higher density housing within about 0.8 km of the Educational Designation should be designed for families.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Objective B.5.1.1.1</strong> - To continue to provide an adequate supply of appropriately zoned land in compact pedestrian oriented villages to support the community's larger commercial, institutional and cultural activities in combination with high and medium density residential use.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td><strong>Objective B.5.1.1.2</strong> - To encourage a modest scale of village development compatible with the rural character of Salt Spring Island and with the protection of the community's natural and heritage resources.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td><strong>Objective B.5.1.1.3</strong> - To encourage the commercial viability of island villages and to retain traditional village functions.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td><strong>Objective B.5.1.1.4</strong> - To promote mixed uses of village land.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td><strong>Objective B.5.1.1.5</strong> - To avoid the development of commercial strips along roads leading into island villages.</td>
<td>TBD</td>
<td>What constitutes a commercial strip is a matter of debate. One could suggest that by endorsing this rezoning application the LTC is contributing to the creation of a commercial strip on Rainbow Road. On the flipside, the lots in question remain small, which is a traditional village form,</td>
</tr>
<tr>
<td>Objective B.5.1.1.6 - To ensure that village land uses continue to focus on the requirements and convenience of residents and that traditional village functions are not displaced.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Policy 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. Commercial zoning should be simplified with fewer zones and a broader range of uses allowed in each.</td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Proposal is consistent with this policy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy B.5.1.2.5 - To retain the compact and pedestrian oriented nature and economic viability of island villages, the Local Trust Committee should only consider rezoning applications that would create more commercially-zoned land in Village Designations if the following guidelines are met: a. the proposed use is compact and not land intensive. b. existing commercial zones are largely developed to their practical development potential and there is evidence of a community need for additional commercial land. c. the proposed rezoning would tend to concentrate development near existing commercial, industrial, institutional or multi-family land uses. d. designs and site plans are consistent with the guidelines in Development Permit Area 1. e. the Local Trust Committee has undertaken a review and inventory of existing commercially zoned land and development, assessed existing and future projected demand, and on the basis of this assessment, may consider re-designating and rezoning land for additional commercial uses. f. the proposed development would be barrier free. g. sidewalks would be provided with any new commercial or industrial development.</td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>a. The proposed zoning is consistent with this policy. The subject lot is small. b. The proposed zoning is not consistent with this policy. There are numerous vacant storefronts downtown. c. The proposed rezoning is consistent with this policy. d. Current development on the subject properties is generally consistent with DPA1 guidelines. e. The proposed zoning is not consistent with this policy. The LTC has not undertaken a commercial land needs assessment. f. It is yet to be determined whether the proposed zoning is consistent with this policy. Staff will undertake a more careful examination. g. The proposed rezoning is, to date, not consistent with this policy. However, the CRD supports the LTC leveraging rezoning applications for contributions to its sidewalk reserve fund.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy B.5.1.2.7 - The Local Trust Committee should consider amending local zoning within Village Designations to be more in keeping with traditional village</td>
<td></td>
<td></td>
</tr>
<tr>
<td>yes</td>
<td></td>
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</tr>
</tbody>
</table>
forms and more appropriate to the small, pedestrian nature of villages.

Policy B.5.1.2.8 - The Local Trust Committee may consider making changes to zoning to allow the creation of live-work spaces.

Policy B.5.1.2.10 - When considering rezoning applications, the Local Trust Committee should ensure that zoning boundaries between residential and non-residential uses are primarily created along rear parcel lines, as opposed to public roads. Non-residential uses should be well screened from residential uses.

Objective B.5.2.1.1 - To accommodate those land uses that allow Ganges to remain the commercial, social, cultural, and institutional centre for residents of Salt Spring Island.

Objective B.5.2.1.3 - To encourage pedestrian and bicycle trail connections and amenities throughout Ganges.

Objective B.5.2.1.5 - To align development potential within Ganges with the available water supply and sewage treatment capacity.

Objective B.5.2.1.6 - To maintain the economic viability of Ganges Village by guiding development into a compact, pedestrian-friendly form within a defined containment boundary with a broad variety of complementary uses.

Objective B.5.2.1.7 - To ensure that development respects the small-town feel and heritage aspects that make the village attractive to visitors and residents alike.

Policy B.5.2.2.2 - Zones within the Ganges Village Designation will continue to allow the wide range of commercial, industrial, institutional land uses and the various densities of residential development allowed by existing zoning.

Policy B.5.2.2.5 - The Local Trust Committee could consider rezoning applications to allow a higher percentage of commercial site coverage or higher floor space ratios as part of a proposal to provide an eligible community amenity (see Appendix 3)

Policy TBD - The LTC may wish to consider whether a vegetative buffer be required adjacent to the Murakami Gardens housing development.

Objective TBD - Bylaw referral to agencies and local active transportation groups to determine whether this rezoning affords any opportunities to advance bicycle and trail infrastructure.

Objective TBD - To be determined by referral to service providers.

Objective TBD - The Murakami auto garage is the western boundary of the Ganges Village Core land use designation. This application is within the GVC boundary.

Objective TBD - The small size of the subject properties helps maintain the village feel.

Policy TBD - The proposed rezoning will likely increase the value of the subject properties by increasing the range of permitted uses. The LTC may wish to determine whether to recapture a portion of that increased value through a voluntary amenity contribution from the applicant.
| **Policy** 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. | TBD | To be determined by bylaw referral to Ganges Harbour Sewer Commission.

Staff do not recommend consideration of bylaw amendments until clear information regarding system capacity is available. |
| --- | --- |
| **Policy** B.5.2.2.10 - The Local Trust Committee will support continued development of the Ganges Public Pathway System as shown on Map 17 and proposed pathways and trails in the Urban Trails Task Force Report for Ganges Village. | TBD | OCP Map 17 shows a proposed pathway that may cut through the subject properties.

Bylaw referral to interested agencies will determine whether securing this path is a community priority. |
| **Policy** B.6.2.2.4 - Zoning within the Agriculture and Watershed-Agriculture Designations will continue to allow the land uses, structures and densities allowed by existing zoning and subdivision bylaws. Where existing zoning allows industrial and commercial uses, these will remain as permitted uses unless the property owner applies for a zoning change. | no | The proposed application involves removing the “Agriculture” designation from the property that serves as the art store parking lot. Staff consider that this designation may be a legacy from when the property served as a driveway access to the ALR property immediately behind. Staff support replacing the “Agriculture” designation with “Ganges Village Core.” |
| **Policy** 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. | TBD | Staff are suggesting that rather than authorize the 1 metre lot line setback being requested by the applicant, that the LTC maintain the current 7.5 metre setback. Additionally, staff may later recommend the planting and maintenance of a 3 metre wide vegetative buffer. This is far less than the 15 setbacks and 8 metre vegetative buffer recommended by the Ministry of Agriculture.

Staff recommend seeking advice on this matter from the Agricultural Advisory Planning Commission (AAPC). |
<p>| <strong>Policy</strong> B.6.2.2.19 - Zoning changes should not be made to allow large new multi-family, industrial, institutional or commercial developments in the Agriculture or Watershed-Agriculture Designation. An exception could be | yes | As noted above, staff consider the “Agriculture” designation of the property that serves as the art store parking lot to be an outlier. It’s current Residential 6 zoning does not permit farming, it is too small for a viable farm, and it has no legal relationship to the ALR zoned land behind it. The LTC should consider removing the “Agriculture” land use designation. |</p>
<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.7.2.2.11 - The Local Trust Committee will continue to cooperate and consult with the Salt Spring Island Parks and Recreation Commission about park land acquisition, pathways and trails as outlined in its agreements with the Commission.</td>
<td>TBD</td>
<td>To be determined by bylaw referral</td>
<td></td>
</tr>
<tr>
<td>C.2.2.9 - The Local Trust Committee should consider the North Ganges Transportation Management Plan and other transportation plans developed by the Salt Spring Island Transportation Commission as guiding documents for land use and transportation planning and implementation.</td>
<td>TBD</td>
<td>The 'North Ganges Village Transportation Management Plan' identified options for the construction of cyclist and pedestrian facilities west of 'downtown' Ganges. The report prioritized the construction of bike lanes along Rainbow Road and construction of a sidewalk on the south side of Rainbow Road when adjacent properties are rezoned for commercial uses (CRD, 2007, 2). Currently there are no bike lanes or formal pathways along the subject property's frontage. Any proposal to conduct works within the 4.5m right of way (RoW) along highways (any roadway on Salt Spring) may only be permitted by way of a &quot;Provincial Highway Permit&quot; from the Ministry of Transportation and Infrastructure. Further comments will be sought from the CRD Transportation Commission through the bylaw referral process.</td>
<td></td>
</tr>
<tr>
<td>C.2.2.13 - The Local Trust Committee will support the continued development of inter-connected pedestrian pathways and trail networks.</td>
<td>TBD</td>
<td>As above, advice from the Transportation Commission, the Salt Spring Parks and Recreation Commission (PARC), and local pathway groups will be sought through the bylaw referral process.</td>
<td></td>
</tr>
<tr>
<td>C.2.2.15 - When considering rezoning applications, the Local Trust Committee should ensure that the proposed zoning change supports the development of non-automotive transportation and public transit service.</td>
<td>TBD</td>
<td>The proposed rezoning is located within the Village Containment boundary. The settlement pattern policies in the Official Community Plan encourage infill in the villages in order to create patterns that reduce dependency on private automobiles and encourage other forms of transportation such as walking, cycling and public transit. The subject property is located approximately 500 metres from the nearest transit stop (best practices in transit</td>
<td></td>
</tr>
</tbody>
</table>

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1 In 2007, the Capital Regional District Regional Planning office initiated a project to identify options and costs for the construction of cyclist and pedestrian facilities on Lower Ganges Road and Rainbow Road north and west of "downtown" Ganges on Salt Spring Island. Available at [www.crd.bc.ca/saltspring/transportation/ganges_plan.htm](http://www.crd.bc.ca/saltspring/transportation/ganges_plan.htm).
<table>
<thead>
<tr>
<th>Policy C.2.3.2.2 - When considering rezoning applications in village areas, the Local Trust Committee will consider the impact of the proposed change on parking demand and congestion.</th>
<th>TBD</th>
<th>Parking on site appears sufficient to support proposed uses. However, this will be assessed in more detail as the file advances.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 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 ... 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.</td>
<td>TBD</td>
<td>The interests of the North Salt Spring Waterworks District will be determined through the bylaw referral process.</td>
</tr>
<tr>
<td>Policy 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.</td>
<td>yes</td>
<td>The proposed zoning change did not include a detailed development proposal, or landscaping features. Current landscaping on site does not appear water intensive.</td>
</tr>
<tr>
<td>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.</td>
<td>TBD</td>
<td>The interests of the Ganges Sewer Committee of the Capital Regional District will be determined through the bylaw referral process.</td>
</tr>
<tr>
<td>Policy C.4.2.2.8 - The Local Trust Committee should not make zoning changes that would result in a type of waste entering either an on-site disposal system or a community sewer system that</td>
<td>yes</td>
<td>The proposed uses do not include any of those listed in Section 4.5.3 of the Land Use Bylaw, which require additional setbacks from water courses for protection of water quality. The interests of the Ganges Sewer Committee of the Capital Regional District will be</td>
</tr>
</tbody>
</table>

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could degrade downstream treatment processes... Rezoning applications for non-residential uses should be referred to the Capital Regional District for advice on this topic.

determined through the bylaw referral process.

| Policy A.6.2.2 - The Local Trust Committee will consider the energy efficiency attributes and climate change adaptation and mitigation impacts in all rezoning applications that propose an increase in density or significant change of use. | TBD | Intensification of use in the village core is considered a best practice for energy and resource efficiency. The energy efficiency and climate change adaptation and mitigation impacts may not be analysed in absence of a specific proposal. |
Part of Block D, Plan 1371
See Title J40213
SS-RZ-2018.1 - Recommended Referral Recipients

<table>
<thead>
<tr>
<th>Public Agencies</th>
<th>Community Agencies/Groups</th>
<th>Local Trust Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Ministry of Transportation</td>
<td>- North Salt Spring Waterworks District</td>
<td>- North Pender Island Local Trust Committee</td>
</tr>
<tr>
<td>- Salt Spring Island Fire Protection District</td>
<td>- Ganges Harbour Sewer Commission</td>
<td>- Galiano Island Local Trust Committee</td>
</tr>
<tr>
<td></td>
<td>- CRD Transportation Commission</td>
<td>- Thetis Island Local Trust Committee</td>
</tr>
<tr>
<td></td>
<td>- CRD Parks and Recreation Commission</td>
<td>- Mayne Island Local Trust Committee</td>
</tr>
<tr>
<td></td>
<td>- School District 64</td>
<td>- Cowichan Valley Regional District</td>
</tr>
<tr>
<td></td>
<td>- CRD Economic Development Commission</td>
<td></td>
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<tr>
<td></td>
<td>- Chamber of Commerce</td>
<td></td>
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<td></td>
<td>- Partners Creating Pathways</td>
<td></td>
</tr>
</tbody>
</table>

SS-RZ-2018.1 - Recommended Advisory Commission Referral Recipients

- Advisory Planning Commission
- Agricultural Advisory Planning Commission

SS-RZ-2018.1 - Recommended First Nations Referral Recipients

<table>
<thead>
<tr>
<th>First Nations Associations</th>
<th>First Nations Associations</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Te’Mexcw Treaty Association</td>
<td>- Tseycum First Nation</td>
</tr>
<tr>
<td>- Hul’qu’umi’num Treaty Group (for information only)</td>
<td>- Chemainus First Nation</td>
</tr>
<tr>
<td>- Pauquachin First Nation</td>
<td>- Cowichan Tribes</td>
</tr>
<tr>
<td>- Malahat First Nation</td>
<td>- Halalt First Nation</td>
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<tr>
<td>- Tsartlip First Nation</td>
<td>- Lake Cowichan First Nation</td>
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<tr>
<td>- Tsawout First Nation</td>
<td>- Lyackson First Nation</td>
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<td></td>
<td>- Penelakut First Nation</td>
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<tr>
<td></td>
<td>- Semiahmoo First Nation</td>
</tr>
</tbody>
</table>
May 11, 2017

Esther Evanik & David Q. Brown
c/c Dragonfly Fine Arts and Craft Supplies
155 Rainbow Rd.
Salt Spring Island, BC V8K 2M3

Re: Account 8028-001, 155 Rainbow Road, Salt Spring Island

Dear Esther & David:

Regarding your request to add a small café to your business at 155 Rainbow Road; we have reviewed your request in-house and concur, based on a comparison to two other area cafés, your consumption is highly unlikely to increase beyond what was used when the property was residential. Your current consumption is well below the 550 gallons per day we are required to provide. It was in fact 590 gallons for all of January-February, so there should be no problem as far as the District is concerned with your plans. Therefore, we won’t need to run your request by the Board. We will review your plan again when we receive the referral from the Building Inspector and, unless there is a significant change, will approve them.

If you have any questions please contact me at the address below.

Sincerely,

Anne Williams
Office Manager/Financial Officer
MAP 17 - Ganges Public Pathway System

And Recommended Walkways Leading from the Ganges Village Core
H.3  APPENDIX 3 - AMENITY ZONING

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

H.3.1  Guidelines for Amenity Zoning Applications

H.3.1.1 Where appropriate, applications for amenity zoning should propose a density level that does not exceed the target density levels outlined in this Plan for the applicable Land Use Designation. For example, an application in the Rural Neighbourhoods Designation should propose a density level no greater than 1 lot per 1.2 ha, as outlined in the policies for that Designation (See Policy B.2.5.2.3).

H.3.1.2 Applications for amenity zoning should propose that one of the eligible community amenities listed in Section H.3.2 will be provided in exchange for the higher density level being requested.

H.3.1.3 Increased density may take the form of additional lots or additional dwelling units. The Local Trust Committee should ensure the total number of additional dwelling units allowed in exchange for community amenities on Salt Spring Island does not exceed 40. This maximum number of total additional dwelling units should be reviewed each time that the OCP is reviewed.

H.3.1.4 It is intended that applications should be for relatively modest increases in density, consequently the Local Trust Committee should not consider applications in which more than 10 additional dwelling units are proposed in exchange for any one community amenity.

H.3.1.5 Amenity Zoning Applications should be consistent with other policies of this Plan.

H.3.1.6 Prior to approving any amenity zoning application, the Local Trust Committee should give consideration to the appropriateness of the land for the increased density. The following factors should be considered where relevant:

a. environmental values are identified prior to site clearing and design.

b. development is located away from areas with high environmental values, and natural buffers are placed between the development site and sensitive features.

c. development is concentrated in areas with lower environmental values.

d. site plans protect biodiversity, clean air, and clean water.

e. development is located away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.

f. the impacts of roads are minimized and development is located in proximity to and accessible to existing services, constructed roads, and transit, and the development should have the potential to contribute to reducing community dependence of travel by automobile.

g. the fragmentation of habitat is minimized.
h. potable water quality is maintained and an adequate supply is available to support the permitted level of development.

i. air quality is maintained and energy efficient design, greenhouse gas emissions and climate change adaption are considered.

j. energy- and water-efficient development is designed to conserve natural resources.

k. development minimizes waste, and manages waste in an environmentally sound manner.

l. that the development would not compromise archaeological, First Nations cultural, historical, heritage sites or significant or outstanding landscape features.

m. that the development would be located away from community water system supply watersheds and community well capture zones.

The Local Trust Committee should request that the applicant provide reports and other information satisfying concerns that the Local Trust Committee considers relevant, including provision of a site plan that shows how additional lots, building sites and accesses will be designed to minimize negative impacts. The Local Trust Committee may consider the use of site-specific zoning, covenants, designation of development permit areas, or a combination of tools to implement these criteria.

H.3.2 Eligible Community Amenities

H.3.2.1 The Local Trust Committee could consider Amenity Zoning applications that would provide the following eligible community amenities:

(Note: the amenities within this list are not in order of priority)

a. the dedication of intact Environmentally Sensitive Areas to a public or private conservation body, or protection through conservation covenant.

b. land for, or construction of, affordable or special needs housing.

c. the dedication of public park and recreation lands, or of funds to be held in trust for their purchase, to the Capital Regional District.

d. land that is acceptable to the Salt Spring Fire District for the location of a fire station, if provided to the District at no charge and it results in public ownership of the Ganges Firehall site.

e. land for community-owned farmland or land for community agricultural processing or storage facilities provided to the Salt Spring Farmers' Institute or a community farmland trust organization.

f. the provision and construction of bicycle lanes, pedestrian and bicycle pathways or trails that add to or support links in the island trail network.

g. the dedication of alignment and construction of a Ganges Alternate Route.

h. protection, restoration and designation of heritage property.

i. suitable, productive forest land donated to a community organization for the operation of a community owned and managed woodlot.

j. implementation of energy efficient building design criteria that exceeds what is required by the B.C. Building Code or other regulations.

k. land or facilities for community cultural or recreational purposes.

l. the permanent formal protection of an archaeological site or other site of significance to First Nations peoples.

H.3.2.2 The Local Trust Committee could consider applications that would provide either a maintenance annuity or funds in trust for the purchase or development of all or part of an eligible community amenity.
H.3.3 Guidelines for Amenity and Density Valuation

H.3.3.1 The appraised dollar value of the community amenity provided should not be less than 75% of the increase in the value of the land attributable to the rezoning. The increase in the land value should be calculated as the gross difference between the appraised value of the land before and after the rezoning. Costs associated with the rezoning application, site preparation costs, and profit should not be deducted from the calculation of the increase in the value of the land.

H.3.3.2 The appraised value of both the proposed community amenity and of the increased density should be determined by means of a report provided by an independent professional appraiser, or other independent qualified professional, selected by and reporting to the Local Trust Committee. The cost of the valuation analysis should be borne by the applicant through the mechanism of a cost recovery agreement. Where valuation of the proposed amenity or of the proposed increase in land value are complex or there may be extraordinary costs, the Local Trust Committee may request that the applicant disclose financial information related to the proposal to the appraiser or to Island Trust staff and the appraiser or Islands Trust staff may enter into an agreement not to disclose confidential information.

H.3.3.3 Where the proposed community amenity includes areas of land and valuation of the amenity is difficult or impractical, the Local Trust Committee may consider an alternative to undertaking financial appraisal of the value of the amenity. In such instances, the Local Trust Committee may consider permitting a maximum of one additional parcel or one additional dwelling unit for each parcel of dedicated land that is equal to the base minimum average parcel size for the Land Use Designation where it is located. For example, if land in the Uplands Designation is dedicated, a maximum of one density could be exchanged for each 8 ha dedicated or protected.

H.3.4 Application Procedures

H.3.4.1 Applications to exchange higher density levels for community amenities should be considered by the Local Trust Committee on a case-by-case basis upon application for rezoning by the landowner.

H.3.4.2 Detailed specifications of the community amenity to be provided are to be included in the rezoning application.

H.3.4.3 Where a community amenity is to be provided to a third party for operation and maintenance, the application should be accompanied by a written agreement from that party to accept and maintain the amenity for the intended use. Covenants, housing agreements, or other tools should be used to ensure the amenity is used as intended. Parties chosen to hold an amenity should be public bodies or well-established non-profit groups with a mandate consistent with the amenity provided.

H.3.4.4 When a community amenity is provided in exchange for extra density, the amenity must be provided or legally guaranteed at the time of adoption of the rezoning.

H.3.4.5 Community amenities provided in exchange for a higher level of density should be identified with a plaque that outlines the nature of the amenity/density exchange. If the amenity is intended for public use, then the hours of operation and the body responsible for operation and maintenance should also be identified.

H.3.4.6 The Local Trust Committee shall request that the applicant provide reports prepared by a qualified licensed or registered professional satisfying any of the above concerns that the Local Trust Committee considers relevant. The Local Trust Committee may consider requiring development information through adoption of a development approval bylaw.
9.2 COMMERCIAL ZONES

The regulations in this Section apply to land in the Commercial 1 (C1), Commercial 2 (C2), Commercial 3 (C3), Commercial 4 (C4), Commercial 5 (C5), and Commercial 6 (C6) Zones as indicated by the column headings.

9.2.1 Permitted Uses of Land, Buildings and Structures

("Information note" deleted)

(1) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following principal and accessory uses, buildings and structures and no others are permitted in the Commercial 1, Commercial 2, Commercial 3, Commercial 4, Commercial 5 and Commercial 6 zones:

<table>
<thead>
<tr>
<th>Principal Uses, Buildings and Structures</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor retail sales and rentals</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
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<tr>
<td>Indoor retail services, excluding Laundromats</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
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<tr>
<td>Laundromats</td>
<td>♦</td>
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<tr>
<td>Outdoor retail sales of nursery plants and home gardening supplies</td>
<td>♦</td>
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<tr>
<td>Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items for retail or wholesale sales, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day</td>
<td>♦</td>
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<tr>
<td>Offices</td>
<td>♦</td>
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<tr>
<td>Banks and credit unions</td>
<td>♦</td>
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<tr>
<td>Indoor commercial recreation and amusement facilities</td>
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<tr>
<td>Restaurants</td>
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<tr>
<td>Churches</td>
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<tr>
<td>Libraries</td>
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<tr>
<td>Offices for use by building construction professionals and trades</td>
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<td>♦</td>
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</tr>
<tr>
<td>Automobile service stations</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
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<tr>
<td>Automobile rentals with a maximum of five vehicles stored on-site</td>
<td>♦</td>
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</tr>
<tr>
<td>Veterinarian clinics and animal hospitals</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
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<td>♦</td>
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<tr>
<td>Indoor commercial and vocational schools</td>
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<td>♦</td>
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<tr>
<td>Daycare centres for children, seniors, or people with special needs</td>
<td>♦</td>
<td>♦</td>
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<td>♦</td>
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<tr>
<td>Funeral homes</td>
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<tr>
<td>Multifamily dwelling units</td>
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<td>♦</td>
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<td>♦</td>
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<td>♦</td>
</tr>
<tr>
<td>Commercial guest accommodation in hotels or guest houses.</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
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<td>♦</td>
</tr>
<tr>
<td>Retail sales of building supplies, appliances and furniture</td>
<td>♦</td>
<td>♦</td>
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<td>♦</td>
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<tr>
<td>Light industry, excluding uses that consume or use more than 1600 litres/day of water</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
</tr>
<tr>
<td>Wholesale sales</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
<td>♦</td>
</tr>
</tbody>
</table>
9.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

(1) Subject to Part 4, uses, buildings and structures in Commercial Zones must comply with the following regulations regarding size, siting and density:

<table>
<thead>
<tr>
<th>Lot Coverage and Floor Area</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum combined lot coverage of all buildings and structures (per cent)</td>
<td>75</td>
<td>75</td>
<td>33</td>
<td>33</td>
<td>33</td>
<td>75</td>
</tr>
<tr>
<td>Minimum size of a dwelling unit (square metres)</td>
<td>N/A</td>
<td>30</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Units</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum number of multi-family dwelling units per ha</td>
<td>N/A</td>
</tr>
<tr>
<td>Maximum number of commercial guest accommodation units per lot, operation or site</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Setbacks and Siting</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Despite Subsection 4.3.1, the following lot line setbacks apply in the specific zone indicated:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front lot line setback (metres)</td>
<td>0.0</td>
<td>4.5</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td>Minimum Rear lot line setback abutting non-commercial or non-industrial zone (metres)</td>
<td>6.1</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>6.1</td>
</tr>
<tr>
<td>Minimum Rear lot line setback abutting a commercial or industrial zone (metres)</td>
<td>0.0</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>6.1</td>
</tr>
<tr>
<td>Minimum Interior side lot line setback abutting non-commercial or non-industrial zone (metres)</td>
<td>6.1</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>6.1</td>
</tr>
<tr>
<td>Minimum Interior side lot line setback abutting commercial or industrial zone (metres)</td>
<td>0.0</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>6.1</td>
</tr>
<tr>
<td>Minimum Exterior side lot line setback (metres)</td>
<td>0.0</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>6.1</td>
</tr>
<tr>
<td>Dwelling units are not permitted in a basement or below any commercial use</td>
<td>N/A</td>
<td>*</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

* Indicates provisions in Section 4.3 apply.

Information Note: In addition to setbacks contained in this bylaw, the Ministry of Transportation and Infrastructure requires that any building, retaining wall or other structure be a minimum of 4.5 metres from the public road right-of-way unless approval of a Ministry setback permit is granted.

Information Note: Required setbacks from water bodies are outlined in Sections 4.4 and 4.5.

Information Note: Vegetation screens are required where commercial or industrial uses take place outside of a building adjacent to non-commercial or non-industrial uses. See Subsection 3.4.2.

9.2.3 Subdivision and Servicing Requirements
The regulations in this Subsection apply to the subdivision of land under the Land Title Act and the Strata Property Act for the Commercial 1, Commercial 2, Commercial 3, Commercial 4, Commercial 5 and Commercial 6 Zones.

Information Note: For land in the Agricultural Land Reserve, see Subsection 5.1.2.

<table>
<thead>
<tr>
<th>Minimum Lot Areas, Water Supply, and Sewage Treatment Servicing Requirements</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum area of an individual lot that may be created through subdivision, provided each lot has an individual onsite sewage treatment system and an adequate supply of potable water (ha)</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>.6</td>
<td></td>
</tr>
<tr>
<td>Minimum area of an individual lot that may be created through subdivision provided each lot has an individual onsite sewage treatment system and connection to a community water system (ha)</td>
<td>1</td>
<td>.4</td>
<td>1</td>
<td>1</td>
<td>.2</td>
<td>.15</td>
</tr>
<tr>
<td>Minimum area of an individual lot that may be created through subdivision provided each lot has connection to a community sewage collection system and a community water system (ha)</td>
<td>.046</td>
<td>.046</td>
<td>.046</td>
<td>.046</td>
<td>.2</td>
<td>.15</td>
</tr>
</tbody>
</table>

9.2.4 Exceptions in Particular Locations

(1) On those lands in Commercial zones that are identified on Schedule “A” by a letter in brackets, the following additional regulations apply:

Zone Variation -- C1(a)

(2) The following additional use is permitted:
   (a) Retail gasoline sales occupying a maximum area of 160 square metres.
   (b) A liquor store.

Zone Variation -- C1(b)

(3) The following additional use is permitted:
   (a) Liquor-primary.

Zone Variation -- C1(c)

(4) The following uses only are permitted:
   (a) Marina and marina services.
   (b) Marine fuelling stations.
   (c) Marine related retail stores and offices.
   (d) Boat rentals.
   (e) Marine equipment rentals, excluding personal watercraft.

Zone Variation -- C1(d)

(5) The following additional uses are permitted:
   (a) Public schools.
Zone Variation – C1(f)

(6) Notwithstanding the permitted uses of land, buildings and structures set out in Subsection 9.2.1, the following use only is permitted:
   (a) a parking lot.

Zone Variation – C1(g)

(7) The following additional use is permitted:
   (a) A liquor store.

Zone Variation – C2(a)

(8) The following additional use is permitted:
   (a) A parking lot.

Zone Variation – C2(b)

(9) The following additional use is permitted:
   (a) Dwelling units.

(10) Despite Subsection 9.2.2, the maximum combined lot coverage of all buildings and structures is 33 per cent

Zone Variation – C4(a)

(11) The following additional principal uses are permitted:
   (a) Indoor retail sales.
   (b) Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items for retail or wholesale sales, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day.

(12) The following additional accessory use is permitted:
   (a) Dwelling units.

(13) Despite Section 4.3, no building or structure except a fence, pumphouse, public utility structure or underground utility may be constructed within the following setbacks from lot lines or road access easements:
   (a) Setback from front lot line: 4.5 m.
   (b) Setback from interior side lot line abutting a commercial or industrial zone: 1.0 m.
   (c) Setback from interior side lot line abutting non-commercial or non-industrial zone: 3.0m.

(14) Despite Section 4.3, a rain collection structure may be constructed within the setbacks from a rear lot line and an interior side lot line.
(15) Despite all other regulations of this bylaw, the number of dwelling units per hectare is 37.

(16) Despite Part 7, one off-street loading space is not required.

(17) Despite Part 7, one off-street parking space is required per dwelling unit not exceeding 70 square meters in floor area.

**Zone Variation – C6(a)**

(18) In addition to the uses permitted in Subsection 3.1.1 of this Bylaw, the following principal uses, buildings and structures and no others are permitted:

(a) Light industry.
(b) Funeral homes.
(c) Retail sales of building supplies, appliances and furniture.
(d) Wholesale sales.
(e) Storage of goods and vehicles, with the exception of outdoor storage of derelict vehicles or equipment, or waste materials.
(f) Public service uses.
(g) Farm-related light industry.
(h) Offices.
(i) Personal services.
(j) Dwelling unit in Strata Lot 4 Plan VIS4561.

provided that water consumption for any individual use does not exceed 1000 litres per day.

(19) The following accessory use is permitted:

(a) Indoor retail sales accessory to another permitted use.
## Salt Spring Island Community Transit
### Monthly Revenue Report

#### Total Vendor Sales

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly Passes - Adult</td>
<td>$660</td>
<td>$850</td>
<td>$600</td>
<td>$500</td>
<td>$700</td>
<td>$650</td>
<td>$650</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$5,100</td>
</tr>
<tr>
<td>- Concession</td>
<td>200</td>
<td>240</td>
<td>280</td>
<td>320</td>
<td>400</td>
<td>440</td>
<td>520</td>
<td>560</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2,960</td>
</tr>
<tr>
<td>Day Passes</td>
<td>5</td>
<td>36</td>
<td>162</td>
<td>212</td>
<td>95</td>
<td>581</td>
<td>797</td>
<td>644</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2,529</td>
</tr>
<tr>
<td>Ticket Sheets</td>
<td>1,660</td>
<td>2,620</td>
<td>3,500</td>
<td>3,560</td>
<td>1,320</td>
<td>3,420</td>
<td>3,200</td>
<td>2,920</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>22,200</td>
</tr>
</tbody>
</table>

#### Prepaid Fare Tickets

- Collected from fareboxes: $2,333, $2,428, $3,355, $2,761, $3,271, $3,883, $2,875, $3,168
- **Cumulative Totals**

#### Farebox Cash Proceeds

- $8,150, $8,697, $12,722, $9,256, $11,515, $15,801, $14,165, $19,524
- **Cumulative Totals**

#### BC Bus Pass Program Grant

- $1,386, $1,398, $1,474, $1,489, $1,516, $1,514.94, $1,568.06
- **Cumulative Totals**

#### Monthly Revenue

- **Cumulative Totals**

#### Reconciliation to GL

- **ZVEN** 140,936.73
- SSI Chamber of Commerce August: $1,370.53
- Country Grocery May Overstated: $(0.20)
- SSI Parks & Rec May Understated: $0.93

#### Revenue Comparisons

<table>
<thead>
<tr>
<th>Year</th>
<th>Monthly Revenue</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td></td>
<td>205,318</td>
</tr>
<tr>
<td>2016</td>
<td>12,359</td>
<td>13,571</td>
</tr>
<tr>
<td>2015</td>
<td>11,658</td>
<td>14,067</td>
</tr>
<tr>
<td>2014</td>
<td>12,995</td>
<td>11,734</td>
</tr>
<tr>
<td>2013</td>
<td>9,687</td>
<td>12,821</td>
</tr>
<tr>
<td>2012</td>
<td>9,578</td>
<td>8,662</td>
</tr>
<tr>
<td>2011</td>
<td>4,899</td>
<td>5,540</td>
</tr>
<tr>
<td>2010</td>
<td>5,640</td>
<td>3,434</td>
</tr>
<tr>
<td>2009</td>
<td>6,424</td>
<td>5,993</td>
</tr>
<tr>
<td>2008</td>
<td>1,942</td>
<td>3,734</td>
</tr>
</tbody>
</table>

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