



# STAFF REPORT

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January 6, 2011

**File No.:** SS 38 LUB Review

**To:** Salt Spring Island Local Trust Committee  
For January 14, 2011 LTC meeting

**From:** Susan Palmer  
Planner 2

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**Re:** LUB Update Progress Report – Agricultural and Industrial

## **PURPOSE:**

The purpose of this report is to update the Local Trust Committee (LTC) on progress made regarding LUB amendments to industrial land uses and home-based business regulations, and for farmworker housing, and other agricultural land uses. The report also makes recommendations for next steps in the Land Use Bylaw (LUB) amendment process.

## **STAFF COMMENTS:**

### **Industrial**

At the November 5, 2009 meeting, the LTC received a report prepared by the Industrial Task Force (ITF) which made a number of recommendations regarding industrial land uses, including agricultural industries, and home-based businesses. At its meeting of February 4, 2010, the LTC accepted a workplan which, among other items, identified the following matters for action during the LUB Update process:

- Simplify zoning classifications
- Home-based businesses - Increasing the building area and the number of non-resident employees allowed
- Including food processing in the definition of 'light industry'
- Proposed locations for additional industrial lands.

### **Industrial - Community Comment:**

The LUB Update process was launched in June 2010. A Technical Working Group (TWG) was established to help staff develop concepts, a webpage was launched, and a community open house was held November 30, 2010. The TWG assisted staff in fine-tuning proposals for home-based businesses and industrial land uses based in the ITF recommendations. Material presented at the open house outlining these proposals is attached in Appendix 1.

### **• Results of Feedback From November 30, 2010 Community Open House**

Comment Sheets (See Appendix 2)

Although only a small number of comment sheets were submitted (6) the following observations can be made:

- The majority of respondents indicated support for allowing home-based businesses to occupy more floor space and increase the number of non-resident employees.
- Views were divided regarding allowing food processing in light industrial zones.

In addition, one letter was submitted providing comment on the proposals presented at the open house (Appendix 3). General concerns were expressed regarding industrial development and potential increases to the area allowed for home-based business. Other input included one property owner who met with staff to express support for rezoning additional lands for industrial uses.

## **Summary – Industrial**

Taking all of this into account, the options that have merit for further discussion with the community at this time are:

- Amending regulations for home-based businesses
- Including food processing (low impact) as a light industrial use

## **Agricultural - Farmworker Housing**

At the April 8, 2010 meeting the LTC referred a staff memo regarding farmworker housing to the Agricultural Advisory Committee (AAC) for discussion and to work with the AAC to engage in wider community consultation on the issue of farmworker housing. A meeting was held on May 27, 2010 with members of the AAC, the Agricultural Alliance and the Farmers' Institute to discuss the memorandum and its recommendations. The intention at the time was for staff to prepare a draft survey and to reconvene. Due to limited staff resources, attention was shifted to discussing the issue of farmworker housing within the context of the Community Housing Task Force (CHTF).

A meeting was held November 24, 2010 between members of the CHTF, the Ministry of Agriculture, and members of the Agricultural Land Commission (ALC) in Nanaimo to discuss issues related to the provision of farmworker housing on Agricultural Land Reserve (ALR) lands within the Islands Trust Area (see Appendix 4). Members of the CHTF identified key issues affecting the viability of farms including:

- Need to house seasonal workers
- Supporting farm succession by creating housing for younger farmers
- High market value of land resulting in absentee owners or retired farmers
- Labour intensive nature of island farms.

Members of the ALC indicated that similar problems also exist elsewhere in the province and that it is difficult to create a province-wide policy to address the issues identified by the CHTF. Key challenges include the long-term nature of housing compared to changing operational needs for farm labour and the potential negative impacts on farm operations if rental income exceeds farm business income.

The meeting concluded with an agreement by the ALC Commissioners to work with local trust committees to deal with farm worker housing on ALR lands on a case-by-case basis and to meet with Islands Trust representatives on a regular (annual) basis in future to continue to discuss the implications of provincial regulations on the viability of farms within the Islands Trust Area.

The majority of ALR lands on Salt Spring Island are zoned A1 or A2 and these zones allow for construction of a secondary suite, mobile homes for family members, and a farmworkers' dwelling unit subject to approval from the ALC. Seasonal cottages are also permitted as an accessory use in these land use zones and are also subject to approval from the ALC as a non-farm use. Over the last seven years, six ALR applications for farmworkers' housing have been received, one of which was eventually withdrawn. The other five applications have been forwarded by the LTC to the ALC with recommendations for approval. To date, the ALC has approved three applications and decisions are pending on the other two.

Approximately 31% (2006) of farm operations are on lands outside the ALR and are located in rural and residential zones. As part of the LUB Update project, a pilot study is being proposed to allow for secondary suites and residential cottages on lands that meet certain locational criteria and for developments that will meet affordable housing criteria. If the LUB is amended for this purpose it would provide an option for farm operators on land within the pilot area to construct a second dwelling unit to house farmworkers.

## **Other Agricultural Land Use Issues**

Other issues have also been identified in the Official Community Plan, the Area Farm Plan and the Industrial Task Force regarding the regulation of agricultural land uses. These include:

- Accommodating the warehousing and production of farm products on farms, potentially including composting. This is primarily relevant for farm not within the ALR.
- Harmonizing environmental setbacks with federal and provincial regulations.
- Developing guidelines for agri-tourism for farms not located within the ALR.
- Housing for seasonal farmworkers on non-ALR lands.
- Adding retail sale of farm products as a use in the IN1(a) land use zone – this use is already permitted as an accessory use.

Staff resources have been prioritized on affordable housing and industrial LUB updates and therefore identification and assessment of potential options for agricultural matters is not well advanced. As well, opportunities for input and feedback have not yet been made available to

the broader community (e.g. community open house). Therefore, staff recommend that work in the coming months focus on the preparation of those LUB amendments that overlap with affordable housing, home-based businesses, and industrial land use issues.

It is noted that although advancing amendments with respect to farmworkers' dwelling for farms on non-ALR lands and other agricultural issues is not being recommended at this time, the recent meeting with the ALC represents a significant milestone. It is hoped that future meetings with the ALC will result in increased understanding of the issues island farms face and how local trust committees and the ALC can work together to foster and support agricultural activities and enhance food security on the islands. It is also noted that potential changes to the regulations regarding home-based businesses will benefit farm operations not located on ALR lands. Finally, the potential change the provisions for light industrial land uses to include low impact food processing will also benefit the agricultural community and contribute towards enhanced food security.

## Conclusions

The LTC considered a revised work program at a Special meeting held October 27, 2010. At that meeting, LTC noted that another community open house outlining specific provisions of the proposed regulations for secondary suites and residential cottages would be useful in February (2011) and that the recommendations of the Community Affordable Housing Strategy must be considered in drafting the bylaw.

At its December 2, 2010 meeting the LTC reviewed a report providing an update regarding secondary suites and residential cottages project. The LTC directed staff to report back by March 2011 on a number of matters including:

- options for ensuring affordability
- servicing capacity of the North Salt Spring Water District
- refinements to the potential pilot areas
- collation of data regarding the number of existing potential suites and cottages within the pilot areas.

LTC also directed staff to bring a proposed amendment to LUB 355 to the April 2011 meeting prior to sending the bylaw out for agency referrals.

There is a need for LTC to set project priorities because there are insufficient staff resources at fiscal year end to undertake the work as directed by LTC at the December 2010 meeting and to meet the full workplan schedule set out in the October 2010 meeting. Significant momentum has been achieved with respect to potential LUB amendments for affordable housing options (secondary suites and residential cottages), including work being carried out through Community Affordable Housing Strategy process. It is therefore recommended that the LTC direct staff to continue working with a strong focus in this area.



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Momentum has also been gained with respect to potential LUB amendments regarding home-based businesses and industrial land uses. It is recommended that a bylaw amendment focus on the following:

- home-based businesses – allow for modest increases in floor area and number of non-resident employees
- including low impact food processing as a light industrial land use.

## RECOMMENDATIONS:

It is recommended that the Salt Spring Island LTC:

1. Acknowledge the agreement between members of the Islands Trust Community Housing Task Force, Ministry of Agriculture and the Agricultural Land Commission to address farmworker housing on lands within the Agricultural Land Reserve on a case-by-case basis.
2. Receive the staff report and refer it to the Advisory Planning Commission for review and information.
3. Direct staff to prepare draft bylaws concerning industrial and home-based businesses for consideration of referral to agencies at its March 2011 meeting.

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Respectfully submitted by:

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Susan Palmer

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Date  
January 6, 2011

Concurred by

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Regional Planning Manager

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Date

- Appendix 1: November 30, 2010 Industrial Land Uses and Home-Based Businesses Community Open House Display Material
- Appendix 2: Summary of Industrial Land Uses and Home-Based Businesses Issues Feedback
- Appendix 3: Correspondence
- Appendix 4: November 24, 2010 Community Housing Task Force Meeting Minutes