



Islands Trust

# STAFF REPORT

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**Date:** August 27, 2013 File No: 6500-20  
Secondary Suites  
Implementation Program

**To:** Salt Spring Island Local Trust Committee

**For the meeting of:** September 6, 2013

**From:** Justine Starke, Island Planner, Local Planning Services

**Re:** **Secondary Suites: Implementation**

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## PURPOSE

The Secondary Suites Implementation Program is a Salt Spring Island Local Trust Committee top priority.

The purpose of this report is to present an update on the implementation program for secondary suites. Attached to this report is the project charter with revised status in the timeline. Please see Appendix 1.

This report includes draft guidelines for amending the Official Community Plan to allow a TUP to be used for a residential use. Please see Appendix 2 for suggested amendments to the *Salt Spring Island Official Community Plan Part G: Temporary Use Permits*. Appendix 4 includes a list of suggested referral agencies for this OCP amendment.

This report also includes materials that fulfill other aspects of the secondary suite implementation program. Please see Appendix 4 for the secondary suites registration systems that are being implemented in Salt Spring Islands Trust administrative and planning processes and Appendix 5 for an information brochure about zoning regulations for secondary suites.

## BACKGROUND

The Salt Spring Island Local Trust Committee last reviewed this work program project on June 20, 2013. The following resolutions were passed:

*It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee approve the Project Charter, as amended on June 20, 2013. CARRIED*

*It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee approve a budget allocation of \$4,500 from the Salt Spring Island Program Budget to meet the Secondary Suites implementation program as presented in the staff report dated June 5, 2013. CARRIED*

As per previous Salt Spring Island Local Trust Committee direction, the Secondary Suites Bylaw 461 has been implemented as follows:

- ✓ Coordinating Implementation with the Capital Regional District
  - ✓ Registration System Established
  - ✓ Communications Brochures created
  - ✓ Temporary Use Permit OCP amendment initiated
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### **Coordinating Implementation with the Capital Regional District:**

- Staff continue to liaise with CRD Building Inspection to coordinate on implementation processes.
- There has been one secondary suite approved for building permit that has gone through the process.

### **Registration System:**

- Islands Trust staff have developed a registration system for secondary suites. Please see Appendix 4.
- The secondary suites registry will include Islands Trust Salt Spring office contacting the applicant to seek interest in participating in a monitoring program.

### **Communications:**

- Staff have developed a main communications tools to assist residents in understanding the zoning to permit secondary suite. Please see Appendix 5.
- CRD Building Inspection has a handout that is being used to inform people of the building code/building bylaw requirements.
- Staff are coordinating with a graphic designer to develop a communications tool that will promote water conservation in planning for a secondary suite.

### **TEMPORARY USE PERMITS:**

- At the June 20, SSI LTC meeting, the LTC gave staff direction to develop an Official Community Plan amendment that would allow a TUP to be used to permit a secondary suite on properties not zoned to allow suites. This will enable people to become part of the pilot program on a case by case basis, and those with existing suites to pursue voluntary compliance in the case of a bylaw infraction notice.
- Recent changes to the Local Government Act (LGA) allow Temporary Use Permits (TUP) to be used to permit certain residential uses in zones which currently do not allow those uses. A TUP can be used to permit a secondary suite in a residential zone. The TUP can specify conditions under which the suite is allowed to be rented, and can regulate how the building is constructed. The guidelines for Temporary Use Permits in the Salt Spring Island OCP do not currently reflect residential uses allowed by the recent changes to the LGA.
- A TUP is the ideal tool to allow people to legalize their secondary suites until further phases of the pilot program are considered. It allows the LTC to “pilot” secondary suites on a case by case basis on properties that may be outside of the pilot area, but can accommodate a secondary suite without negatively impacting environmentally sensitive or vulnerable areas.
- Without changing the scope of the project, an additional provision is recommended at this time to implement a provision of the SSI OCP and enable “tiny houses” or accessory buildings to be used as temporary affordable care cottages for the disabled or those in need of family care.
- Each application for a Temporary Use Permit is subject to statutory requirements for notifying neighbours and requires approval by a resolution of the Local Trust Committee.
- Temporary Use Permits are valid for three years and eligible for one renewal. The application cost for a Temporary Use Permit is \$1100, with one renewal permitted, for a cost of \$165.

### **PLANNING CONTEXT:**

#### **LOCAL GOVERNMENT ACT**

Section 921 of Part 26 of the British Columbia Local Government Act (LGA) enables local governments to issue Temporary Use Permits to do one or more of the following:

- a) allow a use not permitted by a zoning bylaw;*

- b) *specify conditions under which the temporary use may be carried on;*
- c) *allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.*

The LGA also contains a number of other provisions which speak to notifying neighbours, requiring security, and removing a building or restoring the land once the permit has expired. Please see Section 921 of Part 26 of the Local Government Act for a complete set of Temporary Use Permit regulations.

[http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/96323\\_00](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96323_00)

#### OFFICIAL COMMUNITY PLAN

The Salt Spring Island Official Community Plan Bylaw 434 – Part G contains guidelines for Temporary Commercial and Industrial Use Permits.

The guidelines are outdated in that:

- They do not reflect the fact that the LGA no longer limits Temporary Use Permits to be used for commercial and industrial uses. Residential uses may now be permitted by a TUP.
- They do not reflect the fact that the LGA time limit for a TUP is now 3 years and not 2 years, with one renewal of up to 3 years.

The Salt Spring Island Official Community Plan Section B.2 contains “Residential Land Use Objectives and Policies:”

##### B.2.2.1.1 OBJECTIVES

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

The Salt Spring Island Official Community Plan Section B. 2.2.2.15 has policies for secondary suites and was the basis by which Bylaw 461 was adopted to permit secondary suites within certain areas of Salt Spring Island:

- a. A maximum of one suite is allowed per dwelling.
- b. The owner occupies either the principal dwelling or the suite.
- c. Suites should only be allowed in areas with an adequate supply of potable water.
- d. Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- e. New construction of dwellings with suites in areas containing sensitive ecosystems or areas that are hazardous for development should be managed by development permit.
- f. The use of suites will not be for short-term rental, in accordance with the Land Use Bylaw.
- g. Regulations should limit suites to 40% of the floor area of the principal dwelling and no more than 90 m<sup>2</sup> of floor area.
- h. Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- i. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that suites are affordable and to address occupancy.
- j. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.
- k. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.
- l. The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles.
- m. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of suites on the island.

- n. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied suites.

The provisions that resulted in the adopted Bylaw 461 are being proposed as basis for guidelines to permit a secondary suite using a Temporary Use Permit.

Care Facilities:

B.2.2.2.21 The Local Trust Committee should consider changing local zoning to allow small care cottages to be temporarily placed alongside single family dwellings to accommodate those who are disabled or require family care. Temporary suites could also be allowed to serve the same purpose. Should the Committee amend zoning in this way, it should first have a system in place that will ensure the suites or cottages will be used as intended. Care cottages should not be permitted on properties where seasonal cottages or flexible unit dwellings are permitted.

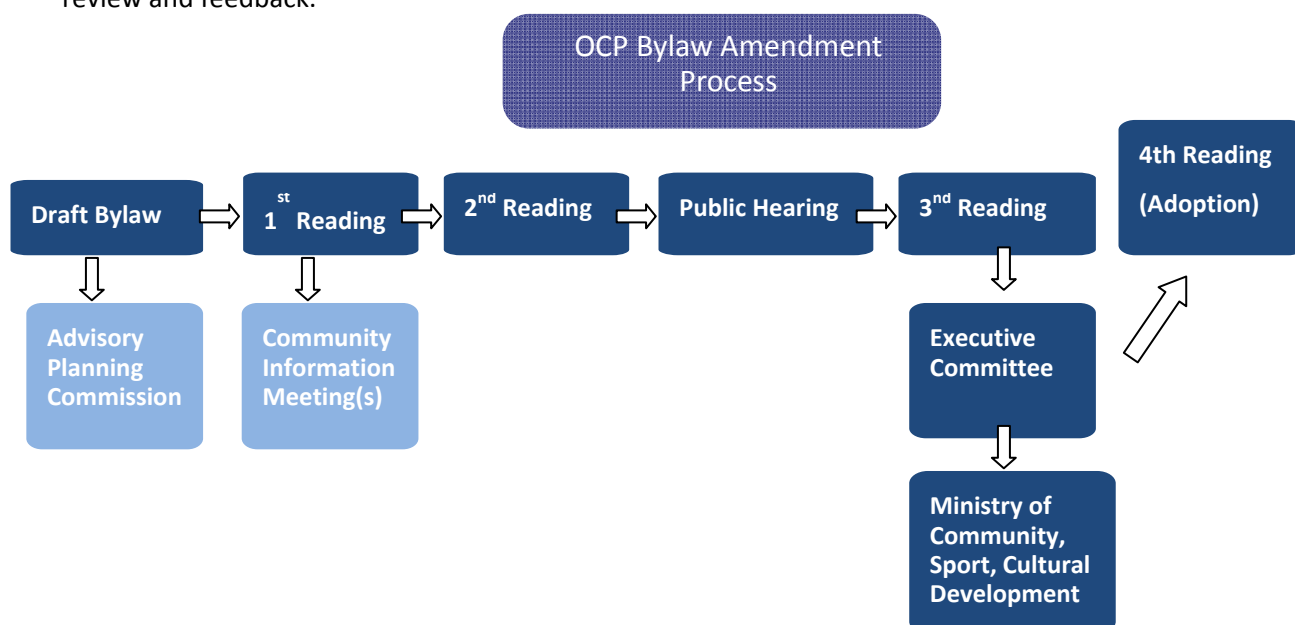
Please see Appendix 2 for the current TUP guidelines in the SSI OCP Bylaw 434. Track changes have been used to demonstrate how this section would be amended to include secondary suites as a use that can be permitted with a TUP.

AGENCY REFERRALS:

Consultation for OCP amendments should be early and on-going. Thus, staff are also seeking direction on agency referrals. Please see Appendix 3 for a proposed list of agencies to include in the agency referrals.

COMMUNITY CONSULTATION:

Amendments to the Official Community Plan require a public hearing and are often subject to additional community consultation processes. However, this proposed OCP amendment follows a long and participatory community process to consider how secondary suites should be allowed on Salt Spring Island, and benefits from the results of that process. It also implements other parts of the Official Community Plan which itself went through a thorough consultation process. Amendments are proposed as follow-up and offer an opportunity for the SSI LTC to make some housekeeping amendments that follow from Provincial changes to the Local Government Act’s regulations on Temporary Use Permits. In keeping with the budget assigned to this project, staff are recommending one Community Information Meeting be held to gather input once a bylaw amendment has been drafted and given First Reading. Staff are also recommending this staff report, which includes the proposed draft amendments to the OCP section on Temporary Use Permits, be forwarded to the Advisory Planning Commission for review and feedback.



## **STAFF COMMENTS:**

This report presents an update on the implementation program for secondary suites. The attached Project Charter has been amended to reflect the current timeline.

Staff are seeking direction to pursue suggested amendments to Part G of SSI OCP Bylaw 434 to allow a Temporary Use Permit for a residential use. This report includes draft guidelines for amending the Official Community Plan to allow a TUP to be used to permit a secondary suite or a care cottage.

Staff are recommending the additional care cottage provision at this time to enable tiny houses to be used as temporary affordable care cottages for the disabled or those in need of family care. The proposed guideline would meet an important community need and take advantage of an opportunity to implement a one-off provision of the SSI OCP. If the SSI LTC is in support of this staff suggestion, it is recommended the project charter be updated to reflect this.

Note that the suggested guidelines continue to define a secondary suite as being located within the principal dwelling unit. The LTC may want to consult with the community about the possibility of using a Temporary Use Permit to permit a secondary suite in an accessory building such as a garage or barn on a temporary basis, or as a way to test the waters for a future rezoning application.

The Advisory Planning Commission should be invited to give input at this stage in the process. A community information meeting should be held to gather input after first reading of a proposed. This report also invites SSI LTC input into which referral agencies and First Nations should be consulted.

This report also includes materials that fulfill other aspects of the secondary suite implementation program. Attached is an information brochure about zoning regulations for secondary suites and the secondary suites registration systems that is being implemented in Salt Spring Islands Trust administrative and planning processes.

## **RECOMMENDATIONS:**

1. THAT the Salt Spring Island Local Trust Committee direct staff prepare a draft bylaw to amend Part G of the "Salt Spring Island Official Community Plan Bylaw No. 434, 2008," in order to incorporate draft guidelines that would allow a Temporary Use Permit to be used for a residential use, as presented in the staff report dated August 27, 2013.
2. THAT the Salt Spring Island Local Trust Committee direct staff to bring for consideration an updated project charter that reflects the changes proposed in the staff report dated August 27, 2013.
3. THAT the Salt Spring Island Local Trust Committee direct staff to ensure early consultation is given to First Nations and the agencies as listed in Appendix 3.
4. THAT the Salt Spring Island Local Trust Committee direct staff to forward the staff report dated August 27, 2013 to the Advisory Planning Commission for input into the draft guidelines for residential temporary use permits.

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Respectfully submitted by:

Date:  
August 28, 2013

Justine Starke, Island Planner

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Concurred by:

Date:

Leah Hartley, Regional Planning Manager

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**Appendices:**

Appendix 1: Project Charter

Appendix 2: OCP Bylaw 434 – PART G – Temporary Use Permits

Appendix 3: Agency Referral List

Appendix 4: Registration System

Appendix 5: Brochure #1: A Guide to Secondary Suites (Zoning Regulations)



**PROJECT CHARTER:**

**Secondary Suites Implementation Program**

Creation Date: June 5, 2013

Last Updated: August 27, 2013

Version: 2.1

**Purpose**

*The purpose of this project is to present an implementation strategy that results from the introduction of legal secondary suites on Salt Spring Island.*

**Background**

*This project has been initiated by the adoption of Bylaw 461, a bylaw that amends Land Use Bylaw 355 to permit secondary suites in some areas of Salt Spring Island (Schedule 'I').*

**Project Objectives**

1. Develop one or two information brochures/handout (in consultation with CRD) for residents to understand Bylaw 461 and how to pursue legalizing a secondary suite with CRD Building Inspection. Include information about water conservation in information material.
2. By July 2013, develop a registration system to record building permit applications for secondary suites that have been referred by the CRD Building Inspection office.
3. Within the next year, amend the Salt Spring Island Official Community Plan to allow Temporary Use Permits to be used for residential uses.
4. (DONE) By July 2013, follow up on requests to North Salt Spring Waterworks District to help monitor impacts on the NSSWD water supply and residential consumption patterns that result from secondary suites.

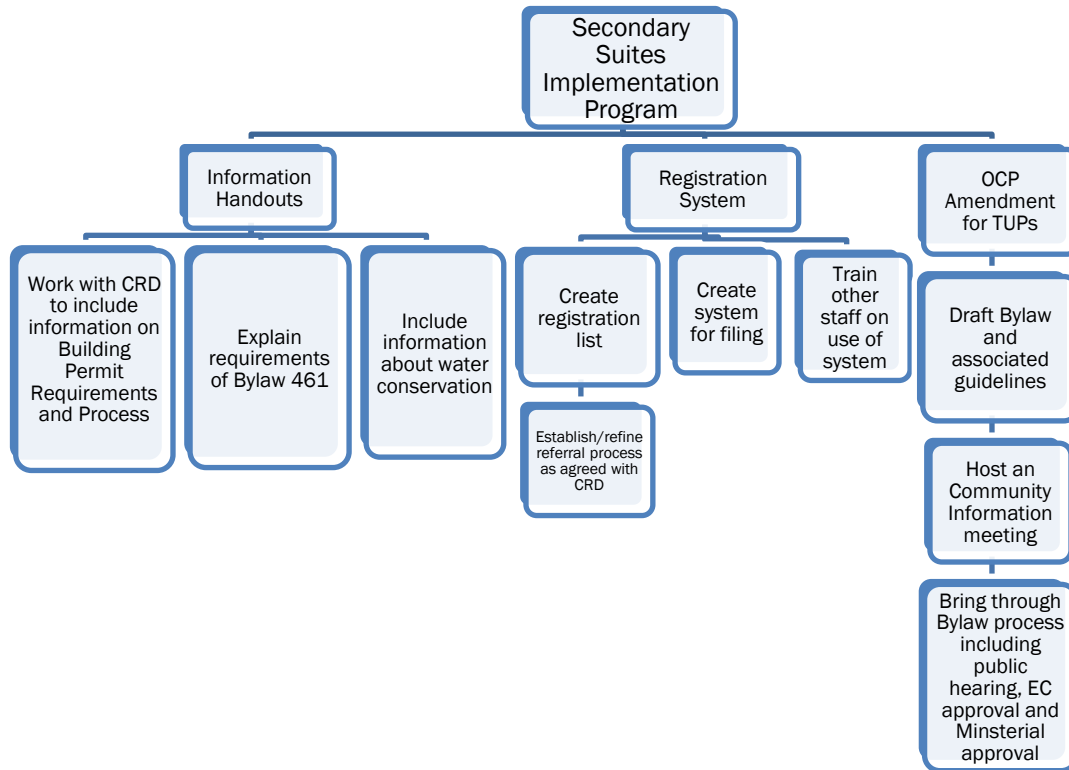
**Project Scope**

In Scope	Out of Scope
<ul style="list-style-type: none"> <li>▪ One or two information brochures/handouts that explain bylaw 461 and the process to legalize a suite with CRD Building Inspection.</li> <li>▪ Including information promoting water conservation in handouts</li> <li>▪ Registration system records secondary suites in the building permit system at CRD</li> <li>▪ Drafting an amending bylaw for the OCP and guidelines specific to using a temporary use permit for a secondary suite residential use.</li> <li>▪ One community information meeting, or workshop and a public hearing on changes to TUP policies.</li> <li>▪ Working with NSSWD to monitor changes in use/consumption/supply that result from secondary suites</li> </ul>	<ul style="list-style-type: none"> <li>▪ More than one or two information brochures/handouts</li> <li>▪ Other information in the brochures unrelated to bylaw 461 or the building bylaw requirements and process to get a building permit.</li> <li>▪ A registration system that records secondary suites that have not gone through the building permit process with CRD</li> <li>▪ Temporary Use Permit guidelines for residential uses other than secondary suites.</li> <li>▪ An in-depth consultation program on changes to TUP policies.</li> <li>▪ Monitoring changes in use/consumption/supply that are unrelated to secondary suites.</li> </ul>

**Project Deliverables:**

1. One or two information brochures/handouts
2. Registration system/coordination with CRD
3. Salt Spring Island Official Community Plan amendment to allow Temporary Use Permits to be used for residential uses.
4. Coordination with North Salt Spring Waterworks District to help monitor impacts on the NSSWD water supply that result from secondary suites. (DONE)

**Work Breakdown Structure: Secondary Suites Implementation**



**Stakeholders**

Stakeholder	Represented by	Interests, expectations, concerns
CRD	Staff and director	<ul style="list-style-type: none"> <li>• Defined referral process</li> <li>• Information made available for customers</li> <li>• Continued collaboration on issues of common interest</li> </ul>
NSSWD	Staff and board	<ul style="list-style-type: none"> <li>• Partnership doesn't create onerous workload</li> <li>• Customers have clear understanding of requirements</li> </ul>
Residents	Individuals	<ul style="list-style-type: none"> <li>• Information is available and accessible</li> <li>• Clear understanding of different roles between Islands Trust and CRD</li> </ul>



Stakeholder	Represented by	Interests, expectations, concerns
		<ul style="list-style-type: none"> <li>• Clear understanding of requirements to “legalize” suites</li> <li>• Information regarding the Rental Tenancy Act and the rights and responsibilities of landlords and tenants.</li> </ul>

\*Note: the following stakeholders represent those with direct interest in the implementation of Bylaw 461; there is a larger context of stakeholders with interests in the outcome of monitoring and evaluating secondary suites that is not addressed at this time.

**First Nations:** As with all LTC projects, First Nations with asserted aboriginal rights in the subject area will be contacted early to inform of any bylaw or Official Community Plan amendments, and asked to identify any aboriginal rights that may be impacted by the proposed change.

### Project Team Resources

Name	Role	Responsibility
<i>Leah Hartley</i>	<i>Project Champion</i>	<i>Ensures project aligns with strategic goals, provide adequate project resources</i>
<i>SSI LTC</i>	<i>Project Sponsor</i>	<i>Provides support through maintaining the project as a work program priority</i>
<i>Justine Starke</i>	<i>Project Manager</i>	<i>All project management of the project, lead/ direct all project work, lead OCP/TUP process, agency coordination (CRD, NSSWD)</i>
<i>Planner 1</i>	<i>Planning support</i>	<i>Assistance with creating content of Information Brochures</i>
<i>Claire Olivier</i>	<i>Admin support</i>	<i>Creation of registration system</i>

### Project Budget

Item	Details	2013-14 Fiscal Yr	2014-15 Fiscal Yr
Brochure/information materials: Optional contract for design services		\$1000 +/-	
Meetings or Workshops: For OCP amendment (TUP)	Includes minute taker, venue rental, advertising, legal review if needed.	\$2000	
Public Hearing: For OCP amendment (TUP)	Includes minute taker, venue rental, advertising	\$1500	
<b>Totals</b>		<b>4,500</b>	

### Project Timeline

For minor projects use this table, for major projects attach a more detailed table

Deliverable / Milestone	Target Completion Date	Status

<b>Deliverable / Milestone</b>	<b>Target Completion Date</b>	<b>Status</b>
1. One or two information brochures/handouts	July 31, 2013	August 27, 2013 Done
2. Registration system/coordination with CRD	June 30, 2013	August 27, 2013 Done
3. Salt Spring Island Official Community Plan amendment to allow Temporary Use Permits to be used for residential uses.	April 2014	In process
4. Coordination with North Salt Spring Waterworks District to help monitor impacts on the NSSWD water supply that result from secondary suites.	July 31, 2013	June 20, 2013 Done

### **Endorsements**

	<b>Name</b>	<b>Endorsement Date</b>
Project Champion	Leah Hartley	June 6, 2013
Project Manager	Justine Starke	June 5, 2013
Project Sponsor	Local Trust Committee	June 20 , 2013

## Appendix 2: OCP Bylaw 434 – PART G – Temporary Use Permits

### PART G

### TEMPORARY ~~COMMERCIAL AND INDUSTRIAL~~ USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION

#### G.1.1 Areas where Temporary ~~Commercial or Industrial~~ Use Permits can be issued

The following Designations are areas where the Local Trust Committee may issue ~~Temporary Commercial and Industrial~~ Use Permits.

Agriculture Designation  
Channel Ridge Village Designation  
Educational Designation  
Forestry Designation  
Fulford Harbour Village Designation  
Ganges Village Designation  
Health Services Designation  
Industrial and Commercial Services Designation  
Park and Recreation Designation  
Residential Neighbourhoods Designation  
Rural Neighbourhoods Designation  
Shoreline Development Designation  
Uplands Designation

#### G.1.2 Objectives for issuing ~~Temporary Commercial and Industrial~~ Use Permits

Permits for temporary ~~commercial and industrial~~ uses should only accommodate uses that are consistent with this Plan. Permits could be issued for uses such as:

- G.1.2.1 The temporary use of land for commercial community events such as festivals, fairs or markets on land where commercial use may not be appropriate permanently.
- G.1.2.2 The temporary use of land by local businesses to provide essential community services not provided by local government. Such uses may include waste disposal or transfer, communications or transportation.
- G.1.2.3 The temporary use of land for industrial or commercial uses that are compatible with land use designations, but are not specifically allowed by the local zoning bylaw. Such uses may be transitional or there may be uncertainty as to their appropriateness or viability. It may be premature or inappropriate to decide upon rezoning and long-term land use changes.
- G.1.2.4 Farm-oriented commercial uses consistent with agricultural which enhance the economic viability of an existing farm operation. Examples may include farm fairs, farm-oriented tourism or educational activities, and food service or market events serving local farm products. Such uses are subject to approval of the Agricultural Land Commission for property in the Agricultural Land Reserve.

G.1.2.5 The temporary use of a secondary suite for residential use within a principal dwelling unit. For certainty, a “secondary suite” means an accessory, self-contained dwelling unit, located within a building that otherwise contains a single-family dwelling, and having a lesser floor area than the principal dwelling unit.” This use may be transitional

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or there may be uncertainty as to its appropriateness outside of the area where secondary suites are permitted by zoning. It may be premature or inappropriate to decide upon rezoning and long-term land use changes, and the use may be considered as part of a pilot program to permit secondary suites.

G. 1.2.5 Temporary affordable housing units such as care cottages for those that are disabled or in demonstrated need of family care may be considered.

### G.1.3 Permit Guidelines

Conditions included in Temporary ~~Commercial and Industrial~~ Use Permits should follow the guidelines below to achieve the objectives of this Plan.

G.1.3.1 Permits can be issued for any period up to ~~two-three~~ years and could be considered for renewal once for any further period up to ~~two-three~~ years.

G.1.3.2 Permit conditions should be generally consistent with applicable Development Permit Area guidelines, while recognizing the temporary nature of structures and site development.

G.1.3.3 Permit conditions should ensure that temporary ~~commercial and industrial~~ uses are compatible with adjacent land uses. Noise, traffic, parking, general activity levels and any disturbance that may be apparent beyond the property's boundaries should be considered.

G.1.3.4 Applications for Temporary Use Permits should ensure that where a lot is supplied by groundwater that there is sufficient available groundwater for the temporary use, as required by the Capital Regional District building permit process.

G.1.3.5 Applications for Temporary Use Permits should ensure that where a lot is supplied by rainwater collection, the rainwater system is capable of supplying a sufficient quantity of potable water for the temporary use, as required by the Capital Regional District building permit process.

G.1.3.6 Applications for Temporary Use Permits should ensure that where a lot is supplied by a combination of sources, a written plan permit for the supply of water is attached to the permit that demonstrates an adequate supply of potable water for the temporary use, as required by the Capital Regional District building permit process.

G.1.3.7 Applications for Temporary Use Permits should ensure that where a lot is supplied by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity for the temporary use.

G.1.3.8 Applications for Temporary Use Permits should ensure that where a lot is supplied from a surface water body, a water license, issued or amended after November 30, 1994, must permit the withdrawal of the required amount of water for the temporary use.

G.1.3.9 Applications for Temporary Use Permits should ensure that where a lot is serviced by an on-site septic disposal system that it has sufficient capacity for the temporary use, as required by the Vancouver Island Health Authority; and where serviced by a community sewer system, the operator of the community sewer system must provide written confirmation that it has sufficient capacity to service the temporary use.

G.1.3.10 Permit conditions should ensure secondary suites are contained within the walls of the building that contains the principal dwelling unit.

**Comment [JS1]:** Consult with community on possibility of using a TUP to permit a suite above a garage or barn.

- G.1.3.11 Permit conditions should ensure that the entrance to the secondary suite from the exterior of the building is separate from the entrance to the principal dwelling unit.
- G.1.3.12 Permit conditions should ensure that the maximum floor area of a secondary suite is 90m<sup>2</sup> (968 ft<sup>2</sup>).
- G.1.3.13 Permit conditions should ensure that care cottages are limited in floor area, and subject to the Salt Spring Island Local Trust Committee agreeing on a mechanism to ensure the use of the unit is affordable for someone who is disabled or in need of family care.
- G.1.3.14 Permit conditions should ensure that that the owner or a person other than the owner with responsibility for managing the property, including dealing with complaints of neighbours, is resident on the property where a Temporary Use Permit is for a residential use.
- G.1.3.15 Permit conditions should ensure that a care cottage or a secondary suite is not used for short term commercial accommodation.
- G.1.3.16 Permit conditions should ensure that a care cottage or a secondary suite is not located in a sensitive ecosystem.
- G.1.3.17 Permit conditions should ensure that a care cottage or a secondary suite should not be allowed in areas that are community water system supply watersheds or in community well capture zones.
- G.1.3.18 Permit conditions should ensure that building safety issues are addressed through compliance with the B.C. Building Code and applicable health standards.
- G.1.3.19 Permit conditions should ensure that off-street parking is provided in a way that is consistent with local bylaws.
- G.1.3.20 Permits applications should include evidence that suitable alternate sites with appropriate zoning are not available.
- G.1.3.21 Permits should not be issued for uses in excess of 60 days unless it is a new venture that does not directly compete with an existing business in a legal zone and there is a demonstrated need or market for the proposed use. Consideration could also be given to the temporary relocation of an existing business in emergency or hardship situations.
- G.1.3.22 Permitted uses should be consistent with the objectives of this Plan.
- G.1.3.23 Permitted uses should not preclude or compromise future permitted uses on the land parcel affected.
- G.1.3.24. Uses should not be allowed if they conflict with any on-going or intended planning policies or programs.
- G.1.3.25 Where appropriate, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with neighbouring land uses.
- G.1.3.26 Permits can include, as a condition, the provision of an undertaking by the owner of the affected land to remove buildings or secondary suite and restore land to a condition specified in the permit by a date specified in the permit.
- G.1.3.27 Permits can include, as a condition, the provision of security to guarantee the performance of the terms of the permit.



Islands Trust

# BYLAW REFERRAL FORM

1-500 Lower Ganges Road  
Salt Spring Island, BC BC V8K 2N8  
Ph: (250) 537-9144  
Fax: (250) 537-9116  
ssiinfo@islandstrust.bc.ca  
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: XXX Date: \_\_\_\_\_

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

**APPLICANTS NAME / ADDRESS:**

**PURPOSE OF BYLAW:**

**GENERAL LOCATION:**

**LEGAL DESCRIPTION:**

**SIZE OF PROPERTY AFFECTED:**

**ALR STATUS:**

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

**OTHER 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.

\_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

This referral has been sent to the following agencies:

**Federal Agencies**

N/A

**Regional Agencies**

Capital Regional District  
CRD Building Inspection  
CRD Engineering Services  
Vancouver Island Health Authority

**Provincial Agencies**

Agricultural Land Commission  
BC Assessment Authority  
Ministry of Community, Sport & Cultural Development  
Ministry of Transportation & Infrastructure

**Adjacent Local Trust Committees and Municipalities**

Galiano Island Local Trust Committee  
Mayne Island Local Trust Committee  
North Pender Island Local Trust Committee  
South Pender Island Local Trust Committee  
Thetis Island Local Trust Committee  
Saturna Island Local Trust Committee  
Cowichan Valley Regional District

PLEASE TURN OVER →

**Non-Agency Referrals**

BC Ambulance Service  
Ganges Sewer Committee  
North Salt Spring Waterworks District  
RCMP  
School District 64  
SSI Chamber of Commerce  
SSI Fire-Rescue  
SSI Transportation Commission  
SSI Copper Kettle  
SSI Land Bank Society

**First Nations**

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

# 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)

\_\_\_\_\_  
XXX

(Bylaw Number)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Agency)





# FAQs

## *What does Islands Trust have to do with Secondary Suites?*

Islands Trust is the zoning authority - properties shown on the Islands Trust map as permitting a secondary suite can go directly to the Capital Regional District Building Inspection Office for a Building Permit.

## *Where do I go to get a permit for a secondary suite?*

If you are within the mapped area where the zoning permits secondary suites, you can go directly to the CRD Building Inspection Office on Salt Spring Island to apply for a building permit.

## *What if my property is outside of the mapped area?*

As of 2013, there are 1,598 properties that are eligible for secondary suites on the suites map (Schedule I), and approximately 482 more in the Agricultural zones. There may be an opportunity to permit other suites outside of the mapped area with a Temporary Use Permit, under certain conditions. If you are interested in this option, please discuss it with Islands Trust planning staff.

## *What if I already have a suite?*

Existing suites will need to be inspected and may need to be upgraded, in order to ensure that they comply with the BC Building Code requirements for secondary suites.

## *Can I have a suite above my garage or studio?*

Secondary suites are required to be located within the footprint of the principal dwelling unit. Suites above garages or other accessory buildings would be likely classified as a seasonal cottage under the zoning bylaw.

## *What is the Secondary Suites Monitoring Program?*

The secondary suites program is a pilot project. Please consider participating in the monitoring program to inform future consideration of secondary suites. The monitoring program is voluntary and is focused on issues such as water consumption, affordability, neighbourhood changes, and transportation choices.

## *When will monitoring take place?*

Monitoring is to occur in summer 2014 and then every two years or after 15 building permits have been issued. The pilot area is intended to be reviewed after five years.

## *How can I learn about conserving water in my secondary suite?*

Water use is an important factor in considering whether to have a secondary suite. Please contact the Islands Trust or the Capital Regional District to learn about water conservation options for your suite.

## *Where can I find information on my rights and responsibilities as a landlord or tenant?*

The Residential Tenancy Branch provides landlords and tenants with information and dispute resolution services. Their website is a great source of information to support the landlord/tenant relationship.

<http://www.rto.gov.bc.ca/>



Islands Trust

# A Guide to Secondary Suites on Salt Spring Island



## *Where Can I get more information?*

### **For Information on the BC Building Code, Permit requirements, and Inspections:**

SSI Building Inspection  
206-118 Fulford Ganges Road, SSI  
250-537-2711

### **For Information on Zoning:**

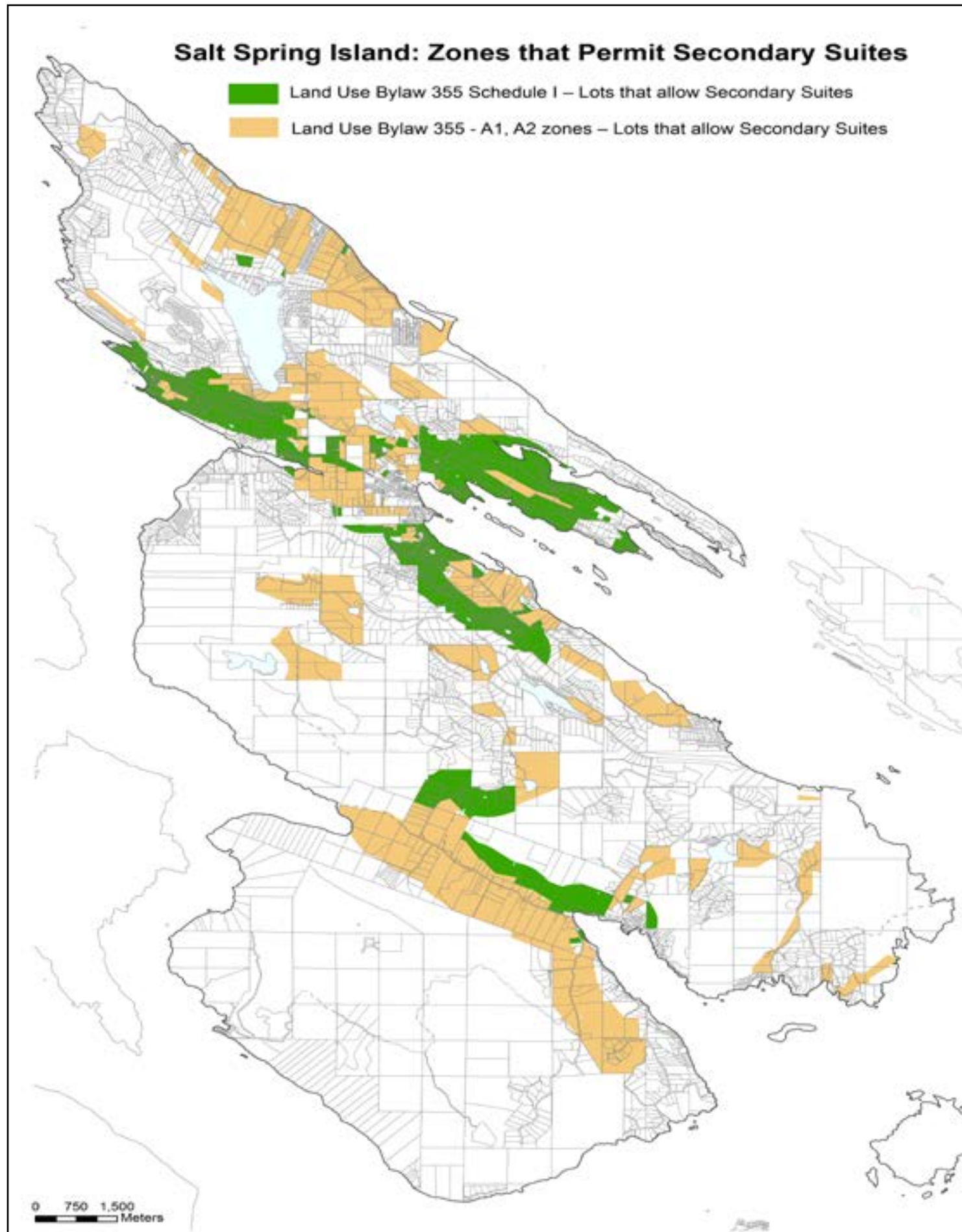
Salt Spring Office of Islands Trust:  
1-500 Lower Ganges Road, SSI  
1.250.537.9144  
[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

*Ask to speak with a planner.*



Islands Trust

Preserving Island communities, culture and environment



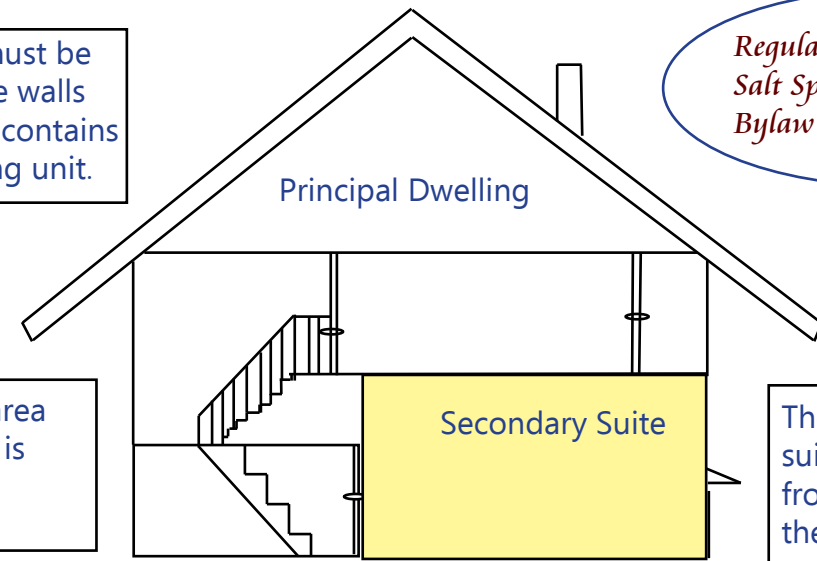
# Zoning Requirements

## Secondary Suite

means an accessory, self-contained dwelling unit, located within a building that otherwise contains a single-family dwelling, and having a lesser floor area than the principal dwelling unit.

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

The maximum floor area for a secondary suite is 90m<sup>2</sup> (968 ft<sup>2</sup>).



*Regulations are found in Salt Spring Island Land Use Bylaw 355 Section 3.15.*

The entrance to the suite must be separate from the entrance to the main dwelling.

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

- the dwelling unit or the secondary suite is occupied by the owner of the dwelling; or
- the dwelling unit or the secondary suite is occupied by a person other than the owner who manages the property, including dealing with any complaints of neighbours.

One on-site parking spot must be reserved for the tenant of a secondary suite.

Short term vacation rentals are not permitted in secondary suites, unless in a zone that otherwise allows commercial accommodation.

Bed and breakfast home based businesses are not permitted in secondary suites.

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

At time of Building Permit application, the Capital Regional District requires proof of water supply and septic capacity.

- Water can be supplied via ground water (well), surface water (water license), or a community water system (the North Salt Spring Waterworks District is the only water district where suites are currently allowed).
- Water for a secondary suite can also be supplied by a combination of sources, provided a written plan for the supply of water is submitted.
- Where water is supplied to a secondary suite by a community water system, the operator of the community water system must provide written confirmation that the system has capacity to supply the secondary suite.
- Where water is to be supplied from a surface water body, a water license must be provided.