

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 530

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

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Local Trust Committee, Bylaw No. 355. Land Use Bylaw, 1999, Amendment No. 1, 2022”.

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 replacing the definition on “full-time rental cottage” with the following in Section 1.1 “Definitions:”

“Accessory Dwelling Unit” means a *dwelling unit accessory* to a *single-family dwelling unit* intended as an independent, separate unit, and subordinate to the *principal structure*, which contains sleeping, living, cooking and sanitary facilities, and its own independent entrance.

2.2 By deleting Schedule “I” Secondary Suites Map

2.3 By replacing Section 3.14 “Seasonal Cottages” and Section 3.15 “Full-Time Rentals Cottages” with the following:

3.14 ACCESSORY DWELLING UNITS

3.14.1 In zones where an *accessory dwelling unit* is permitted, the following regulations apply:

- (1) the *accessory dwelling unit* is not located within a portion of a *lot* that is identified as a Community Well Capture Zone on Map 22 of the Salt Spring Island Official Community Plan;
- (2) the *accessory dwelling unit* is not located within a *community water system*, except where written confirmation from the operator of the *community water system* is provided that the site has sufficient capacity to supply the *accessory dwelling unit*;
- (3) the *accessory dwelling unit* must not be operated as a *Bed and Breakfast home-based business*, nor rented on a *temporary* basis.

3.14.2 A building permit must be obtained for the *accessory dwelling unit* to satisfy all code requirements;

3.14.3 The maximum height of an *accessory dwelling unit* is 7 metres;

- 3.14.4 The maximum *floor area* of an *accessory dwelling unit* is 56 square metres on *lots* less than 1.2 hectares in area;
- 3.14.5 The maximum *floor area* of an *accessory dwelling unit* is 90 square metres on *lots* greater than 1.2 hectares;
- 3.14.6 Despite section 4.3, no *accessory dwelling unit* shall be constructed 4.5 metres from any interior side lot line;
- 3.14.7 The driveway access to the *accessory dwelling unit* must be shared with access to the principal residence, unless access to the *accessory dwelling unit* can be provided from a rear lane.
- 3.14.8 Only one *accessory dwelling unit* or one *secondary suite* shall be permitted per *lot*;
- 3.14.9 The *accessory dwelling unit* can be freestanding or combined with an *accessory building*;
- 3.14.10 The *accessory dwelling unit* must not have a *basement*;
- 3.14.11 The *accessory dwelling unit*, including any stairs, decks or porches or other *structures* that are attached to the unit, or that function as part of the unit, should not be located within 6 metres of any other *building* on a *lot*;
- 3.14.12 *Accessory dwelling units* do not include recreational vehicles, or *accessory dwelling units* on wheels;
- 3.14.13 An *accessory dwelling unit* must not be subdivided from the *principal dwelling unit* under the Land Title Act or the Strata Property Act.

2.4 By replacing Section 3.16 “Secondary Suites” with the following:

3.15 SECONDARY SUITES

- 3.15.1 *Secondary Suites* are permitted only within a permitted *principal single-family dwelling unit* provided that:
 - (1) the *secondary suite* is not located within a portion of a *lot* that is identified as a Community Well Capture Zone on Map 22 of the Salt Spring Island Official Community Plan;
 - (2) the *secondary suite* is not located within a *community water system*, except where written confirmation from the operator of the *community water system* is provided that the site has sufficient capacity to supply the *secondary suite*; and
 - (3) the *secondary suite* is not operated as a *Bed and Breakfast home-based business*, nor rented on a *temporary* basis.
- 3.15.2 Only one *secondary suite* or one *accessory dwelling unit* shall be permitted per *lot*;
- 3.15.3 The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling unit*.
- 3.15.4 A building permit must be obtained for the *secondary suite* to satisfy all code requirements;
- 3.15.5 The maximum *floor area* of a *secondary suite* is 90 square metres.
- 3.15.6 A *secondary suite* must not be subdivided from the *principal dwelling unit* under the

Land Title Act or the Strata Property Act.

2.5 By adding to the table under Subsection 9.9.1 “Permitted Uses of Land, Buildings, and Structures” with the following:

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	R11	R12
Accessory Uses												
<i>Accessory Dwelling Units</i> , subject to Section 3.14							◆	◆	◆			
<i>Secondary Suites</i> , subject to Section 3.15			◆		◆	◆	◆	◆	◆	◆		
<i>Home-based businesses</i> , subject to Section 3.13	◆	◆	◆	◆	◆	◆	◆	◆	◆			

2.6 By adding to the table under Subsection 9.10.1 “Permitted Uses of Land, Buildings and Structures” with the following:

	R	RU1	RU2	RU3	RW1	RW2	Ri
Accessory Uses							
<i>Accessory Dwelling Units</i> , subject to Section 3.14	◆	◆		◆			1
<i>Secondary Suites</i> , subject to Section 3.15	◆	◆	◆	◆	◆	◆	◆
<i>Home-based business use</i> , subject to Section 3.13	◆	◆	◆	◆	◆	◆	◆

¹ The minimum lot size for an *accessory dwelling unit* must be 1.2 ha.

2.7 By adding to the table under Subsection 9.5.1 “Permitted Uses of Land, Buildings and Structures” with the following:

	CD3
Accessory Uses	
<i>Accessory Dwelling Units</i> , subject to Section 3.14	◆
<i>Secondary Suites</i> , subject to Section 3.15	◆
<i>Home-based business use</i> , subject to Section 3.13	◆

2.8 By adding to the table under Subsection 9.6.1 “Permitted Uses of Land, Buildings and Structures” with the following:

	F1
Accessory Uses	
<i>Accessory Dwelling Units</i> , subject to Section 3.14	◆
<i>Secondary Suites</i> , subject to Section 3.15	◆
<i>Home-based business use</i> , subject to Section 3.13	◆

2.9 By adding a change to the table under Subsection 7.1.5 “Minimum Number of Parking Spaces for Automobiles, Disabled Parking and Bicycles” with the following:

TABLE 3 MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES			
LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
RESIDENTIAL			
<i>Single-family dwelling</i>	2 per unit	0	0
<i>Accessory Dwelling Unit or Secondary Suite</i>	1 per unit	0	0

- 2.10 By deleting Section 9.9.4 Exceptions in Particular Locations “Zone Variation R7(a)”
- 2.11 By deleting Section 9.10.4 Exceptions in Particular Locations “Zone Variation R(f)”
- 2.12 By deleting Section 9.10.4 Exceptions in Particular Locations “Zone Variation RU1(f)”
- 2.13 This bylaw should replace all mentions of *seasonal cottages* and *full-time rental cottages*, with *accessory dwelling units*.
- 2.14 This bylaw should be in harmony with Proposed Bylaw No. 526 which deletes any mention of *seasonal cottages* from the Agriculture zones.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS 19TH DAY OF APRIL, 2022

READ A SECOND TIME THIS 13TH DAY OF APRIL, 2023

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