

I have read Salt Spring Land Use Bylaw 355. I would like it to be recorded in the minutes that I disagree with the Trusts interpretation of this Bylaw as it applies to B&B accommodation in Seasonal Cottages, and I would like to address the following concerns:

1. The Bylaw as written does not support the Trusts position:
 - a. Bylaw section 3.11.3 and 3.12.4 SPECIFICALLY allow for a kitchen in a seasonal cottage.
 - b. Bylaw section 3.13 allows for the existence of a Home Based B&B business, and sections 3.13.1 and 3.13.8 (2) SPECIFICALLY allow for that business to be carried out in a Seasonal Cottage.
 - c. Section 3.14.6 also specifically allows for this use of a seasonal cottage.
 - d. There is no statement anywhere in the Bylaw that says anything to the contrary.
 - e. The Trust repeatedly draw our attention to 3.13.8(5) which states that “a B&B may only provide a meal of breakfast”. This statement means that a B&B can provide breakfast to their guests and not any other meal. Equating the existence of a kitchen with the provision of a meal does not make sense – either logically or based on reasonable interpretation.
 - f. So why have the Trust continually allowed incorrect and misleading statements to be made, as reported in the last 3 editions of the Driftwood.
2. The term “Short Term Vacation Rental” or “STVR” is not defined in the Bylaw and actually does not appear anywhere in the Bylaw. This term seems to be a convenience used by the Trust in situations where some kind of wrongdoing is implied. I request that the Trust uses only terms as defined by the Bylaw when referring to matters concerning the Bylaw to avoid misunderstandings and confusion. (i.e. issue with non-resident owners)
3. In the Driftwood (Wed Sept 22nd) the Bylaw enforcement officer states that “Bed and breakfasts are supposed to be a low impact use that don’t compete with resort owners and provide restaurants with opportunities.”
 - a. This is not supported by any statement in Bylaw 355, or in fact in the Official Community Plan. In fact OCP section B.3.1.1.2 states the objective - “To allow visitor accommodation to develop in a way that will best retain and distribute the resulting economic benefits and reduce any negative impacts; to avoid concentrating benefits and impacts in only a few locations”. This would seem to be in support of a distributed model of visitor accommodation such as B&Bs.
 - b. I would like to understand when it became the mandate of the trust to stifle or control competition between businesses on Salt Spring Island, and why it is considered acceptable to misuse the Land Use Bylaws to do so.