



News Release

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SALT SPRING ISLAND LOCAL TRUST COMMITTEE AGREES TO ADJOURN CASE AGAINST METAL RECYCLER

VICTORIA — The Salt Spring Island Local Trust Committee agreed on May 5, 2011 to adjourn legal action against Salt Spring Island Metal Recycling, owned and operated by John Quesnel, pending the outcome of a rezoning application recently submitted by Mr. Quesnel.

Islands Trust lawyers have been instructed to agree to an adjournment of a court hearing originally scheduled for June 20, 2011. Adjournment will allow the Salt Spring Island Local Trust Committee time to consider Mr. Quesnel's application. The application seeks to amend the Salt Spring Island Land Use Bylaw by rezoning the property at 440 Rainbow Road to permit industrial and affordable housing uses. The property is currently zoned Rural and Agriculture 1, which does not permit industrial uses or the density of housing that Mr. Quesnel is seeking. As the proposed zoning changes are not consistent with the Salt Spring Island Official Community Plan, Mr. Quesnel has also applied to amend the Official Community Plan.

The *Local Government Act* stipulates that local governments must consider all rezoning applications. Further, the Courts have traditionally agreed to adjournments of bylaw enforcement hearings to allow rezoning applications to be processed.

"By agreeing to this adjournment the Salt Spring Island Local Trust Committee is respecting normal local government practice in British Columbia" said Miles Drew, Islands Trust Bylaw Enforcement Coordinator.

The Local Trust Committee initiated legal action against John Quesnel to stop the unlawful industrial uses of his property after bylaw enforcement staff had received numerous complaints and sought voluntary compliance with existing land use regulations. The Islands Trust's Salt Spring planning staff will take the rezoning application through the review process for development applications and submit a planning report to the Salt Spring Island Local Trust Committee. Once it has received the initial planning report, the Local Trust Committee will determine if the application should advance further through the rezoning process, which would include public consultation. If the application is ultimately successful, some or all of the existing uses could become lawful. If the application is unsuccessful, the legal action may be reinstated.

- 30 -

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