

AGENDA

SALT SPRING ISLAND AGRICULTURAL ADVISORY PLANNING COMMISSION

Date: Thursday, May 13, 2021
Time: 3:00 PM
Location: Electronic Online

1. AGENDA

1.1 Approval of Agenda **Page 1**

2. MINUTES OF PREVIOUS MEETINGS

Please propose amendments to the draft minutes as worded resolutions in writing to be presented at the meeting.

2.1 Draft Minutes of the March 05, 2020 AAPC Meeting – For Adoption **Page 3**

3. BUSINESS ITEMS

3.1 Election of Chair

3.2 SS-ALR-2020.4 - 2101 Fulford-Ganges Road (D. Miller) **Page 6**
For Discussion

Salt Spring Island Local Trust Committee Resolution from the April 27, 2021 Regular Meeting

SS-2021-75

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee refer application SS-ALR-2020.4 to the Agricultural Advisory Planning Commission for comment on whether or not the proposed subdivision and non-farm use is consistent with Salt Spring Island Official Community Plan No. 434 policies B.4.4.2.4, B.6.2.2.14, B.6.2.2.15 and B.6.2.2.16; and objectives B.6.2.1.2 and B.6.2.1.4 (2101 Fulford-Ganges Road).

4. OTHER BUSINESS

4.1 Advisory Planning Commission Bylaw No. 467 **Page 23**
For Information

**4.2 Advisory Planning Commission Terms of Reference
For Information**

5. ADJOURNMENT



Salt Spring Island Agricultural Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting: Thursday, March 5, 2020

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Ken Byron, Alternate Chair
Conrad Pilon, Commissioner
Jan Steinman, Commissioner
Ruth Waldick, Commissioner

Regrets: Bree Eagle, Chair
Zack Hemstreet, Commissioner
George Laundry, Commissioner

Staff Present: Kristine Mayes, Planner 1
Sarah Shugar, Recorder

Media and Others Present: Peter Grove, Trustee
Laura Patrick, Trustee
One member of the Public

These minutes follow the order of the agenda although the sequence may have varied.

Alternate Chair Byron called the meeting to order at 3:04 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Draft Minutes of the December 12, 2019 AAPC Meeting

It was **MOVED** and **SECONDED**,
that the minutes of the December 12, 2019 Salt Spring Island Agricultural Advisory Planning
Commission meeting be adopted.

CARRIED

3. BUSINESS ITEMS

3.1 Review of Advisory Commission Terms of Reference in consideration of the updated Area Farm Plan

Alternate Chair Byron introduced the item. Commissioner Pilon spoke to the Salt Spring Island Area Farm Plan update and advised the following three goals have been identified in the process:

- Ensure the long-term viability of farming and food production on Salt Spring Island.
- Implement strategies to address the climate emergency.
- Engage the public and all levels of government to increase food production and protection of farmland for farming on Salt Spring Island.

In discussion the following comments were noted:

- The majority of applications referred to the Agricultural Advisory Planning Commission (AAPC) are regarding properties within the Agricultural Land Reserve (ALR) and support was expressed for the AAPC to be proactive regarding agricultural matters such as cannabis production and industrial composting.
- Concern was expressed that there is often a disconnect between the Salt Spring Island Official Community Plan No. 434 (OCP) and the Salt Spring Island Land Use Bylaw No. 355 (LUB) and that it is important to consider how the documents can be coordinated regarding agricultural matters.
- Support was expressed for the AAPC to have representation from the agricultural groups on Salt Spring Island such as the Salt Spring Island Agricultural Alliance, Island Natural Growers, and the Salt Spring Island Farmer's Institute. It was noted that the Farmer's Institute has representatives of each of the agricultural groups and that there have been issues concerning conflict of interest when members of the Salt Spring Island Farmer's Institute were appointed to the AAPC in the past. There was a suggestion to invite the Salt Spring Island Agricultural Alliance to meet with the AAPC on a regular basis regarding agricultural matters.
- It was noted the Ministry of Agriculture appointed a liaison to the AAPC in the past and there was great value in the technical advice/expertise provided to the AAPC.
- Support was expressed to invite experts to provide technical advice to the AAPC on agricultural matters.
- Support was expressed for the agenda to be available two weeks in advance of a meeting to provide sufficient time to invite an expert to present to the AAPC.
- Support was expressed for the timing of the Advisory Planning Commission Terms of Reference review in relation to the Climate Action Plan and the Area Farm Plan updates.
- It was noted the Climate Action Plan recommendations support a more coordinated approach to land use discussions and agriculture is recognized as a big piece of the Climate Action Plan.

It was MOVED and SECONDED,

that the Salt Spring Island Agricultural Advisory Planning Commission recommend the Salt Spring Island Local Trust Committee consider amending the Advisory Planning Commission Terms of Reference as follows:

- Expand the role of the Agricultural Advisory Planning Commission to be a venue to receive and discuss public input on urgent and proactive matters related to agriculture.
- Request staff to consider how the Salt Spring Island Official Community Plan and the Salt Spring Island Land Use Bylaw can be meshed on agricultural matters.
- Include a formalized relationship to invite the Salt Spring Island Agricultural Alliance to meet with the Agricultural Advisory Planning Commission on an annual or as required basis to discuss agricultural priorities on Salt Spring Island.
- Consider adding an option to have an expert speak to the Agricultural Advisory Planning Commission on certain issues to assist the Agricultural Advisory Planning Commission to have informed discussions.
- Invite the Ministry of Agriculture to appoint a representative to the Agricultural Advisory Planning Commission.

CARRIED

5. ADJOURNMENT

By general consent the meeting adjourned at 4:12 p.m.

Ken Byron, Alternate Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



DATE OF MEETING: May 13, 2021
 TO: Salt Spring Island Advisory Planning Commission
 FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
 SUBJECT: Application for Non-Farm Use and Subdivision in the Agricultural Land Reserve

PURPOSE

The Salt Spring Island Local Trust Committee (LTC) is requesting the Agricultural Advisory Planning Commission to provide comment on specific [Salt Spring Island Official Community Plan No. 434](#) (OCP) policies and objectives and in consideration of the [Salt Spring Island Area Farm Plan](#) for a Non-Farm Use and Subdivision application in the Agricultural Land Reserve.

BACKGROUND

At the LTC meeting of April 27, 2021, the LTC passed the following resolution:

SS-2020-132

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee refer application SS-ALR-2020.4 to the Agricultural Advisory Planning Commission for comment on whether or not the proposed subdivision and non-farm use is consistent with Salt Spring Island Official Community Plan No. 434 policies B.4.4.2.4, B.6.2.2.14, B.6.2.2.15 and B.6.2.2.16; and objectives B.6.2.1.2 and B.6.2.1.4 in consideration of the Salt Spring Island Area Farm Plan (2101 Fulford-Ganges Road).

CARRIED

The LTC has requested the AAPC provide advice on the following six OCP policies and objectives which the proposed development may be at variance with:

Table 1: OCP Policies/Guidelines the Application May Be At Variance With

Policy B.4.4.2.4	The Local Trust Committee will continue to ask emergency response organizations to comment on emergency access and safety issues when the Committee is considering rezoning applications and applications for development permits or subdivision.	Staff Comments: The LTC could consider referring this application to emergency response organizations. Staff note the approving officer may consider the sufficiency of access routes per Section 6 of the <i>Strata Property Act</i>
Policy B.6.2.2.14	The Local Trust Committee could support applications to the Agricultural Land Commission to subdivide land within the Agricultural Land Reserve if: a. the subdivision results in improved farming capability or production on all proposed lots in a way that would be impossible without subdivision. b. the subdivision is to provide a house site up to 0.6 ha in size for an adult relative of the property owner, as defined by Section 946 of the <i>Local Government Act</i> and the parcel was held by that owner (or a blood relation) before the adoption of the <i>Agricultural Land Commission Act</i> on December 21, 1972. the subdivision is clearly in the public interest consistent with other objectives of this Plan.	Staff Comments: (a) The application seeks to unlock the subdivision potential on the subject property and does not propose to improve farming capability or production. (b) The proposed subdivision is not for a family member. (c) The application seeks to unlock the subdivision potential on the subject property and is somewhat consistent with other objectives of the OCP.
Policy B.6.2.2.15	The Local Trust Committee should only support the use of lands in the Agriculture or Watershed-Agriculture Designations for road access to other lands if the proposed road does not interfere with farming capability.	Staff Comments: This application is for non-farm use (common property access). However, staff note it is pre-existing and utilized as a driveway for the dwelling on the subject property.

Policy B.6.2.2.16 The Local Trust Committee could support applications to the Agricultural Land Commission for non-farm use or exclusion of land within the Agricultural Land Reserve in some situations where local farming or the greater community would benefit. Support for such applications should only be considered if the application has been referred to the Agricultural Advisory Committee and falls into one of the following categories:

- the proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property.
- the proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7.
- in the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of existing non-ALR farmland into the ALR.

the non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property.

Staff Comments:

- The application seeks to unlock the subdivision potential on the subject property and it is unlikely it will decrease the farming capability of the property.
- N/A
- N/A
- N/A
- N/A

Objective B.6.2.1.2 To maintain and protect the long term potential for farming and agro-forestry on Salt Spring Island; to preserve *agricultural land* and necessary water supplies.

Staff Comments: Not enough information is available whether the proposal may affect the long term potential of farming or preserve agricultural land/water supplies.

Objective B.6.2.1.4 To limit the non-farm use of *agricultural land*.

Staff Comments: This application is for non-farm use (common property access). However, staff note it is pre-existing and utilized as a driveway for the dwelling on the subject property.

NEXT STEPS

Once the APC has deliberated on the above guidelines, the following draft resolutions have been provided for consideration:

1. If the APC wishes to recommend approval of the application:

That the Salt Spring Island Agricultural Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that application SS-ALR-2020.4 (2101 Fulford-Ganges Road) be approved.

2. If the APC wishes to recommend approval of the application with conditions:

That the Salt Spring Island Agricultural Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that application SS-ALR-2020.4 (2101 Fulford-Ganges Road) be approved with the following recommendations:

- *In respect to policy B.4.4.2.4 ...*
- *In respect to policy B.6.2.2.14...*
- *In respect to policy/guideline... [see Table 1 for complete list of policies/guidelines]*
- *In respect to the Salt Spring Island Area Farm Plan...*

3. If the APC wishes to recommend the application be denied:

That the Salt Spring Island Agricultural Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that application SS-ALR-2020.4 (2101 Fulford-Ganges Road) be denied for the following reasons:

- *[list reasons]...*

Submitted By:	Kristine Mayes, Planner 1	May 3, 2021
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ATTACHMENTS

- Staff Report & Appendices from April 27, 2021 Meeting Agenda Package



File No.: SS-ALR-2020.4

DATE OF MEETING: April 27, 2021
 TO: Salt Spring Island Local Trust Committee
 FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
 COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
 SUBJECT: Application for Non-Farm Use and Subdivision in the Agricultural Land Reserve
 Applicant: D. Miller
 Location: 2101 Fulford-Ganges Road, Salt Spring Island, BC (PID: 026-693-526)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee refer application SS-ALR-2020.4 to the Agricultural Advisory Planning Commission for comment on whether or not the proposed subdivision and non-farm use is consistent with Salt Spring Island Official Community Plan No. 434 policies B.4.4.2.4, B.6.2.2.14, B.6.2.2.15 and B.6.2.2.16; and objectives B.6.2.1.2 and B.6.2.1.4 (2101 Fulford-Ganges Road).

REPORT SUMMARY

This Agricultural Land Reserve (ALR) non-farm use and subdivision application addresses the proposed creation of three lots (one of which is proposed to be in the ALR) and a common property access across the ALR thus requiring a subdivision application and non-farm use application for the proposed common property access route and placement of fill. Staff recommend referral of the application to the Agricultural Advisory Planning Commission (AAPC) for review and comment in respect to [Salt Spring Island Official Community Plan No. 434](#) (OCP) policies and objectives (Appendix No. 1) which the application may be at variance with.

BACKGROUND

The subject property (Figure No. 1 & 2) is located in south Salt Spring Island in the Fulford Valley. The 28.2-hectare (69.68-acre) lot is zoned Agriculture 1 (A1) and Rural (R). The proposed subdivision would create proposed Strata Lot 1, a 2.41-hectare lot and proposed Strata Lot 2 a 1.65-hectare lot in the R zoned portion of the subject property, as well as proposed unmeasured Remainder Lot B (hooked lot) split by a proposed common property access (1.5-hectares) in the A1 zoned portion of the subject property the Agricultural Land Reserve (ALR). A comprehensive analysis of the subject property and surrounding area can be found in Appendix No. 2.

This non-farm use application precedes a subdivision application as the proposed common property access route through the ALR requires approval from the Agricultural Land Commission (ALC). The subject property is a mix of flat and gently sloped hay fields, sloped and rocky pasture, holly orchard, heritage fruit orchard, fenced garden, forest, and riparian areas. Fulford Creek (protected by a covenant) runs through the south-west section of the lot, up the western neighbouring property and connects to a dam constructed in the 1930s by a previous farmer (with an adjacent spillway constructed when the surrounding area was logged in the 1990s). There is a single-family dwelling in the R zoned portion of the lot situated in the north-east corner of the subject property on an upland bench as well as several farm buildings in the level area close to Fulford-Ganges Road. BC Assessment indicates the subject property is classified as a farm under the *Assessment Act*. In 2004 the subject property and neighbouring property (Lot A) underwent a boundary adjustment which moved the lot boundaries for Lot A from the north-west corner of the property to the south-west corner of the property adjacent to Fulford-Ganges Road.

Official Community Plan:

The subject property is designated Agriculture (A) and Rural Neighbourhoods (RL) in the OCP. The objectives for these designation is to maintain and protect the long term potential for farming and agro-forestry on Salt Spring Island; to limit the non-farm use of agricultural land; and to reduce the potential for conflicts between agricultural areas and those areas that have been identified for higher density settlement (A) – as well, to continue to provide adequate land zoned for medium density residential use and other traditional and compatible rural land uses (RL). See Appendix No. 1 for a full review of relevant OCP policies.

The subject property is situated within Development Permit Area (DPA) 4 - Lakes, Streams & Wetlands and DPA7 – Riparian Areas.

Land Use Bylaw:

The subject property is designated Agriculture 1 (A1) and Rural (R) in the LUB.

Issues and Opportunities

Subdivision Regulations

This application asks the LTC to consider the subdivision of the lands in advance of submission of a subdivision application. Subdivisions are generally applied for through the Ministry of Transportation and Infrastructure (MoTI) and are referred to the Island Trust for review against relevant LUB regulations and polices and objectives in the OCP. As presented, the application may still be modified to address the subdivision layout (the site plan indicates both freehold and strata lots which may require two separate subdivision applications) as well as missing information required to complete a referral review. Subdivisions are generally an administrative process with the LTC considering specific conditions such frontage exemptions, Development Permits, covenants and variances (if required). [Part 2](#) of the *Agricultural Land Commission Act* (Agricultural Land Reserve General Regulation) permits subdivisions in the ALR without an application to the ALC which (1) consolidates 2 or more parcels into a single parcel; (2) establishes a legal boundary along the boundary of the ALR; and (3) resolves a building encroachment on a property line (if no additional parcels are created). The proposal does not meet any of the aforementioned as the R zoned lots are proposed to be serviced by a common property access route. The LTC should consider the impact of the proposed subdivision in accordance with OCP policy B.6.2.2.14.

Non-Farm Use - Fill

The ALC has asked the LTC to consider the impact of placement of fill for the proposed access route. Presently, the driveway proposed to become the common property access route partly encompasses an access easement, which is 6-metres wide – the proposal is for a 20-metre wide common property access route. The applicant was asked to clarify whether any fill would be required for their proposal, and if so, how much. Staff attended a site visit on March 3, 2021 – it was noted the driveway, which consisted of loose gravel, was primarily single track with some steeper sections servicing the transition between the lower agricultural field and upper bench where the strata lot section of the subdivision is proposed. The driveway did not encompass marked passing places, however the applicant noted the presence of seldom used and overgrown passing places at approximately 170 metres, 385 metres, and 525 metres from Fulford-Ganges Road. The applicant noted there was no plans to widen or add fill to the road, stating the proposed 20-metres would encompass the road, drainage ditches, culverts and services (power and telecommunications) to the lots from Fulford-Ganges Road. [Section 6](#) of the *Strata Property Act* allows an approving officer to decline approval of a bare land strata plan if the width of the access route is not sufficient for emergency services; practical or reasonable access; or if they are not designed or capable of being constructed in accordance with good engineering practices. Emergency access for subdivisions may also a consideration of the LTC in accordance with OCP policy B.4.4.2.4. Although presently the applicant does not intend to undertake works on the road, it is possible the MoTI approving officer may require works as condition of the subdivision which may require reconsideration at a future time. Staff have advised the applicant that future development of the access route may require a soil removal/deposit registration or permit depending on the volume of material.

Access Routes through the Agricultural Land Reserve to Land Locked Density Over Lands

This application is the second of its kind in the Fulford Valley (in addition to 2163 Fulford-Ganges Road, which shares a portion of the south-eastern lot line with the subject property). Access routes over ALR lands to non-ALR lands beyond require an application to the ALC in respect to subdivision and fill for unbuilt roads. Staff note the presence of several split zoned lots along Fulford-Ganges Road (and on the island as a whole), which may employ this technique of creating additional common property access roads to unlock subdivision potential. Access routes are not considered highways, thus would not be subject to Section 5.15 of the LUB, which regulates highway standards in relation to the natural environment. This is especially relevant for properties along this stretch of Fulford Valley as access to land locked density on the eastern side of Fulford-Ganges Road is accessible only across Fulford Creek. The LTC should consider the impact of granting of applications for access routes through ALR lands to land locked densities on a broader island-wide scale in accordance with OCP objective B.6.2.1.4 and policies B.6.2.2.15 & B.6.2.2.16. Staff note approval of this application may create an expectation in the community with regard to future applications.

Agricultural Activities on the Subject Property

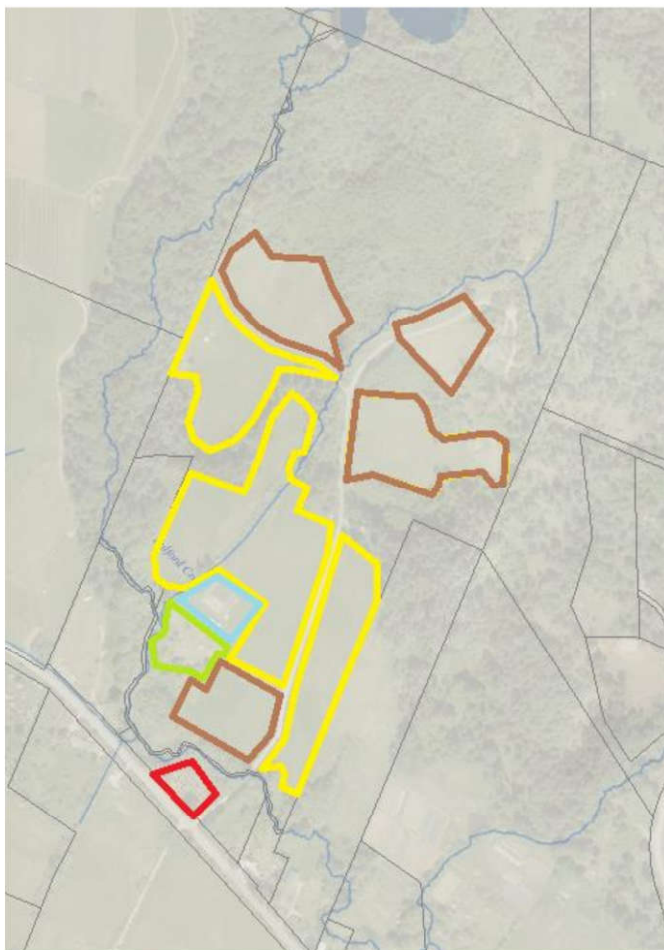


Figure 4: Approximate Farm Use on Subject Property
Yellow: Hay Fields (6.1-ha) | Brown: Sheep Grazing (2.2-ha) | Blue: Fenced Garden |
Green: Old Orchard/Farm Buildings | Red: Holly Orchard

The subdivision and non-farm use ALR application does not indicate how the application supports agriculture in the short or long term but noted the current agricultural activity on the property includes 6.1-hectares for hay production (one cut per year) and 2.2-hectares of cleared step slope fields (grazing pasture). During the site visit the applicant provided further clarification on the agricultural activities on the subject property. Staff have provided an approximate location of the agricultural activities on the subject property (Figure No. 4).

Additional agricultural activities occurring on the property was the husbandry of 12 Icelandic sheep and chickens (seasonal), a small garden and heritage orchard as well as a holly orchard adjacent to Fulford-Ganges Road.

The proposed subdivision would, if completed, create 3 lots – the two R zoned strata lots at 2.41-hectares and 1.65-hectares respectively – would each be able to contain a single-family dwelling, seasonal cottage and associated accessory buildings. The remainder agricultural lot would be able to contain a single-family dwelling, second residence, accessory buildings and farm buildings. It is unknown whether the increased density would translate to increased agricultural use of the lot, which is a consideration of the LTC in accordance with OCP objective B.6.2.1.2 and policy B.6.2.2.14.

Consultation

There is no statutory requirement for consultation for a subdivision or fill application; subdivision in the ALR is no exception and therefore no consultation is required to be undertaken.

Agencies

This application is a referral from the ALC. Islands Trust staff have been in communication with ALC staff, primarily for clarification of relevant ALC policies that may apply to this application.

First Nations

This proposal does not require First Nations referral.

Rationale for Recommendation

The AAPC comprises of a panel of experts in the field of agriculture. Referring the application to the AAPC for their comment on the six OCP policies and objectives which the application may be at variance with as they relate to the subdivision and non-farm use of ALR land would provide the LTC and staff with their invaluable insights into the nuances of the application prior to formulating a response to the ALC.

ALTERNATIVES

The Local Trust Committee may consider the following alternatives to the staff recommendation:

1. Not forward the application

The LTC may consider the application at conflict with OCP policies to limit non-farm use on agricultural lands and as such, the LTC may choose to decline to forward the application to the ALC. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee decline to forward application SS-ALR-2020.4 to the Agricultural Land Commission for the following reasons: [list reasons, i.e.: the proposed subdivision in the Agricultural Land Reserve is not consistent with Official Community Plan agricultural policies...] (2101 Fulford-Ganges Road).

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased costs to the applicant. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-ALR-2020.4, 2101 Fulford-Ganges Road).

NEXT STEPS

If the recommended resolution is adopted, the application will be forwarded the AAPC for their review and comment and will return to the LTC for reconsideration at a future time.

Submitted By:	Kristine Mayes, Planner 1	April 15, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	April 15, 2021

APPENDICES

1. OCP Policies
2. Site Context & Photographs

ATTACHMENT 1 – POLICIES

OFFICIAL COMMUNITY PLAN NO. 434

OCP Objective/Policy	Complies	Planner Comments
Policy B.2.3.2.4 Subdivision applicants will be encouraged to cluster new lots onto that part of their land that has the best capacity for residential development, and the least value for agriculture, forestry or environmental protection, or protection of archaeological sites or other First Nations cultural sites. The Local Trust Committee will develop informational materials for subdivision applicants that illustrate how they could maintain their development potential while preserving open space.	yes	The proposed subdivision will be along the ALR boundary and split the R zoned portion into 2 lots with a common property access across the ALR portion of the lot (over a pre-existing driveway) to reach the R zoned section of the subject property.
Objective B.2.5.1.1 To continue to provide adequate land zoned for <i>medium density residential use</i> and other traditional and compatible rural land uses.	yes	The proposed lots should meet the minimum average area of lots and minimum area of an individual lot in both the A1 & R zone.
Objective B.2.5.2.2 Zones within the Rural Neighbourhoods Designation will continue to allow medium density residential development and the other rural uses allowed by existing zoning. Existing commercial and <i>general employment</i> zones will remain, but exceptionally large new commercial or <i>general employment</i> developments should not be allowed in this Designation. Existing zones that allow higher densities, smaller lots and <i>multifamily use</i> will also remain.	yes	(Residential) dwellings are a permitted use in the A1 & R zones.
Policy B.4.4.2.4 The Local Trust Committee will continue to ask emergency response organizations to comment on emergency access and safety issues when the Committee is considering rezoning applications and applications for development permits or subdivision.	maybe	The LTC could consider referring this application to emergency response organizations. Staff note the approving officer may consider the sufficiency of access routes per Section 6 of the <i>Strata Property Act</i>
Objective B.6.2.1.2 To maintain and protect the long term potential for farming and agro-forestry on Salt Spring Island; to preserve <i>agricultural land</i> and necessary water supplies.	maybe	Not enough information is available whether the proposal may affect the long term potential of farming or preserve agricultural land/water supplies.
Objective B.6.2.1.4 To limit the non-farm use of <i>agricultural land</i> .	maybe	This application is for non-farm use (common property access). However, staff note it is pre-existing and utilized as a driveway for the dwelling on the subject property.
Objective B.6.2.1.5 To accommodate a level and type of residential use on <i>agricultural land</i> that reflects the business needs of farm operations and is consistent with objectives for island population.	N/A	The application seeks to unlock the subdivision potential on the subject property and does not propose to improve farming capability or production.
Objective B.6.2.1.6 To reduce the potential for conflicts between agricultural areas and those areas that have been identified for higher density settlement.	yes	The proposed lots should meet the minimum average area of lots and minimum area of an individual lot in both the A1 & R zone.
Policy B.6.2.2.1 The Local Trust Committee should maintain an Agricultural Advisory Committee to: a. provide community advice about bylaw changes, applications for rezoning or subdivision, and applications to the Agricultural Land Commission. b. help in developing and interpreting local policies about farming. c. identify other ways that the Local Trust Committee can encourage and support farming in the community.	yes	Staff recommend referral of this application to the AAPC.
Policy B.6.2.2.14 The Local Trust Committee could support applications to the Agricultural Land Commission to subdivide land within the Agricultural Land Reserve if: a. the subdivision results in improved farming capability or production on all proposed lots in a way that would be impossible without subdivision. b. the subdivision is to provide a house site up to 0.6 ha in size for an adult relative of the property owner, as defined by Section 946 of the <i>Local Government Act</i> and the parcel was held by that owner (or a blood relation) before the adoption of the <i>Agricultural Land Commission Act</i> on December 21, 1972. c. the subdivision is clearly in the public interest consistent with other objectives of this Plan.	maybe	(a) The application seeks to unlock the subdivision potential on the subject property and does not propose to improve farming capability or production. (b) The proposed subdivision is not for a family member. (c) The application seeks to unlock the subdivision potential on the subject property and is somewhat consistent with other objectives of the OCP.

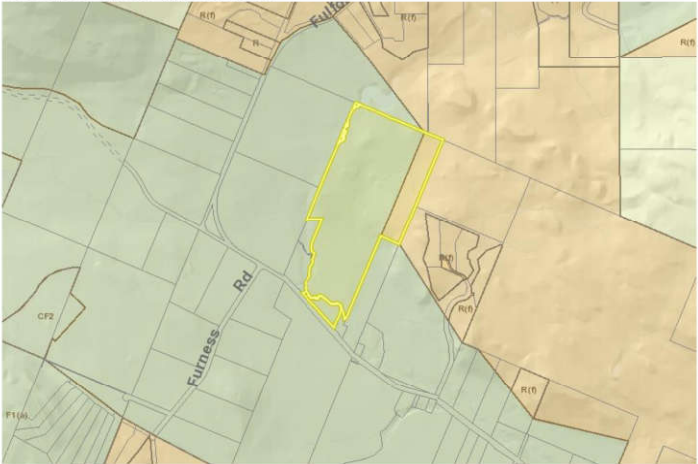
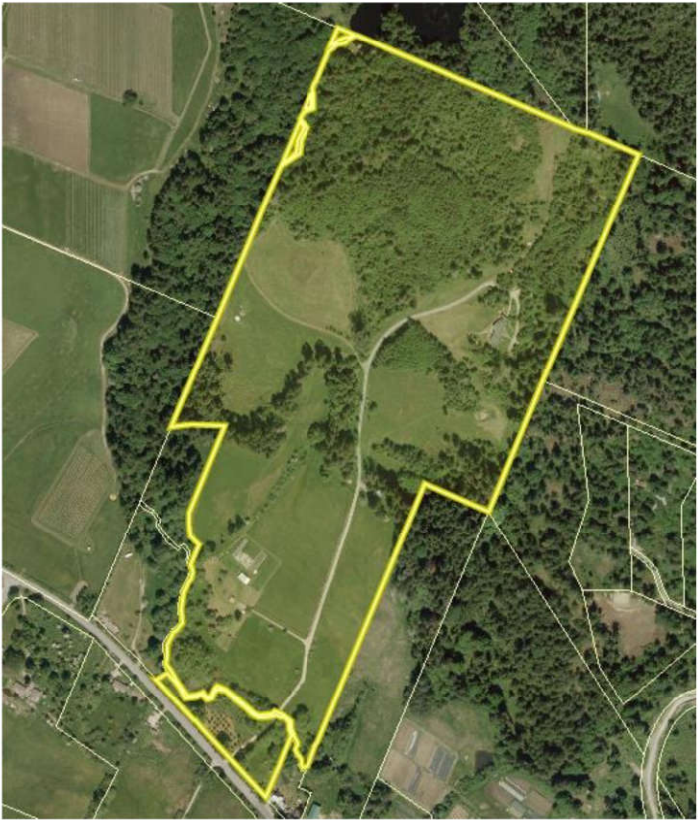
<p>Policy B.6.2.2.15 The Local Trust Committee should only support the use of lands in the Agriculture or Watershed-Agriculture Designations for road access to other lands if the proposed road does not interfere with farming capability.</p>	<p>maybe</p>	<p>This application is for non-farm use (common property access). However, staff note it is pre-existing and utilized as a driveway for the dwelling on the subject property.</p>
<p>Policy B.6.2.2.16 The Local Trust Committee could support applications to the Agricultural Land Commission for non-farm use or exclusion of land within the Agricultural Land Reserve in some situations where local farming or the greater community would benefit. Support for such applications should only be considered if the application has been referred to the Agricultural Advisory Committee and falls into one of the following categories:</p> <ol style="list-style-type: none"> the proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property. the proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7. in the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of existing non-ALR farmland into the ALR. the non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property. 	<p>maybe</p>	<ol style="list-style-type: none"> The application seeks to unlock the subdivision potential on the subject property and it is unlikely it will decrease the farming capability of the property. N/A N/A N/A N/A
<p>Policy B.6.2.2.18 The Local Trust Committee encourages subdivision layouts that reduce the potential for conflict with farming. When subdivisions are proposed for land that drains towards agricultural lands, the staff shall request that the Subdivision Approving Officer consider how changes to natural drainage patterns could affect agricultural activities. Such applications may be referred to the Agricultural Advisory Committee for advice and the Advisory Committee's suggestions for the protection of farming operations will be forwarded to the Subdivision Approving Officer for consideration.</p>	<p>N/A</p>	<p>The proposed R zoned lots will drain toward the agricultural zoned lands. Staff recommend referral of this application to the AAPC for consideration and once the subdivision referral has been received, the approving officer will be asked to consider this policy.</p>
<p>Policy B.6.2.2.22 The Local Trust Committee will consider impacts on local food security when making land use decisions.</p>	<p>N/A</p>	<p>The current agricultural activity on the subject property is small in scale (hay, holly orchard, 12 Icelandic sheep and personal garden). However, it is possible the property may in the future have increased agricultural activity.</p>
<p>B.6.2.2.29 The Local Trust Committee will encourage and support efforts by others to promote and sustain local food security.</p>	<p>N/A</p>	<p>The current agricultural activity on the subject property is small in scale. However, it is possible the property may in the future have increased agricultural activity.</p>
<p>B.6.2.2.32 The Local Trust Committee will support the implementation of the Area Farm Plan by the Salt Spring Island Agricultural Alliance.</p>	<p>N/A</p>	<p>Not enough information is available as to whether the proposed subdivision aligns with the Area Farm Plan.</p>
<p>Objective C.2.1.1.1 To plan land use in a way that encourages those forms of transportation that consume the fewest resources and least land; to encourage settlement patterns that make walking, bicycling and public transit become viable, convenient and natural alternatives to automotive transportation.</p>	<p>N/A</p>	<p>Although relevant to roads (and not access routes), the proposed lots will be sited at the back of the subject property which would increase dependence on automotive transportation (although Fulford-Ganges Road which fronts the subject property has a retulay bus route)</p>
<p>Objective C.2.1.1.4 To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.</p>	<p>N/A</p>	<p>Although relevant to roads (and not access routes), the access road is proposed to service three proposed lots (instead of the current one lot).</p>
<p>Objective C.2.2.1.3 To support efforts to reduce the impacts of new and upgraded roads on the natural environment, resource lands and on the island's character.</p>	<p>N/A</p>	<p>Although relevant to roads (and not access routes), the access route is pre-existing and utilized as a driveway for the dwelling on the subject property. The applicant notes no works are proposed in respect to widening or adding fill.</p>
<p>Policy C.2.2.2.14 The Local Trust Committee should retain subdivision regulations that reduce impacts of new road development on the natural environment and resource lands and maintain the character of residential areas.</p>	<p>N/A</p>	<p>Although relevant to roads (and not access routes), the access route is pre-existing and utilized as a driveway for the dwelling on the subject property. The applicant notes no works are proposed in respect to widening or adding fill.</p>

ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	Lot B Section 6 Range 2 South Salt Spring Island Cowichan District Plan VIP81107
PID	026-693-526
Civic Address	2101 Fulford-Ganges Road, Salt Spring Island

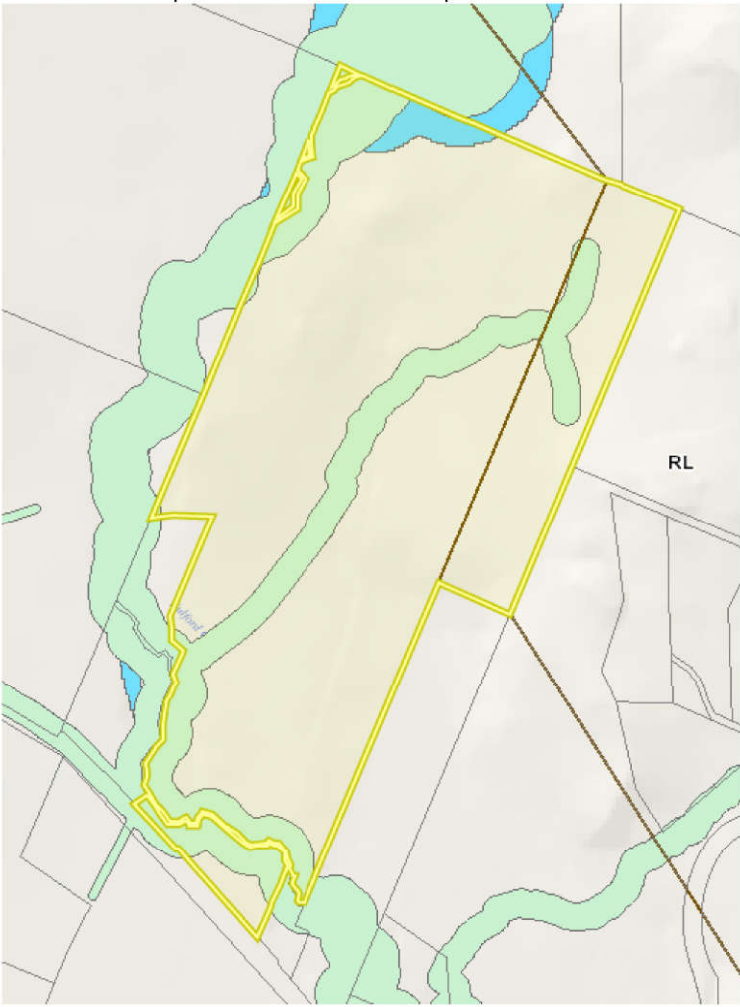
LAND USE

Current Land Use	Residential & Agriculture – Dwelling Unit and Farm Buildings
Surrounding Land Use	Residential & Agricultural  <i>Islands Trust Zoning Map (subject property indicated in yellow)</i>  <i>Islands Trust Orthophoto (subject property indicated in yellow)</i>

HISTORICAL ACTIVITY

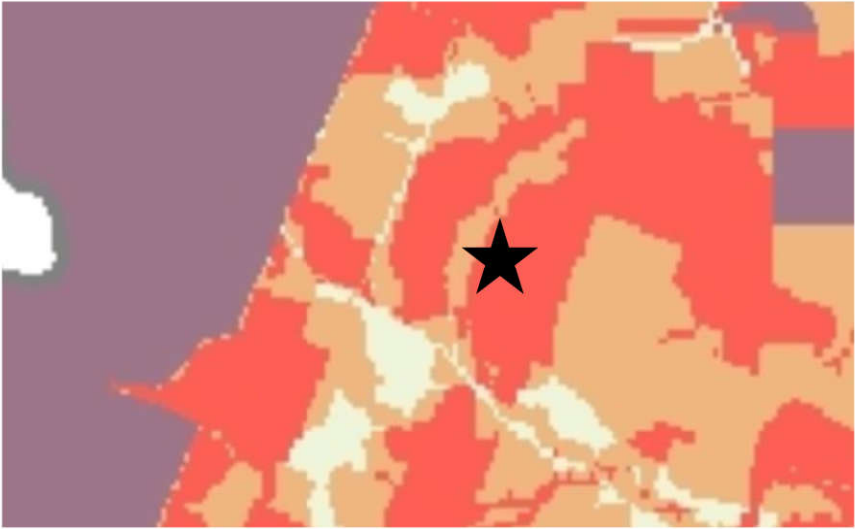
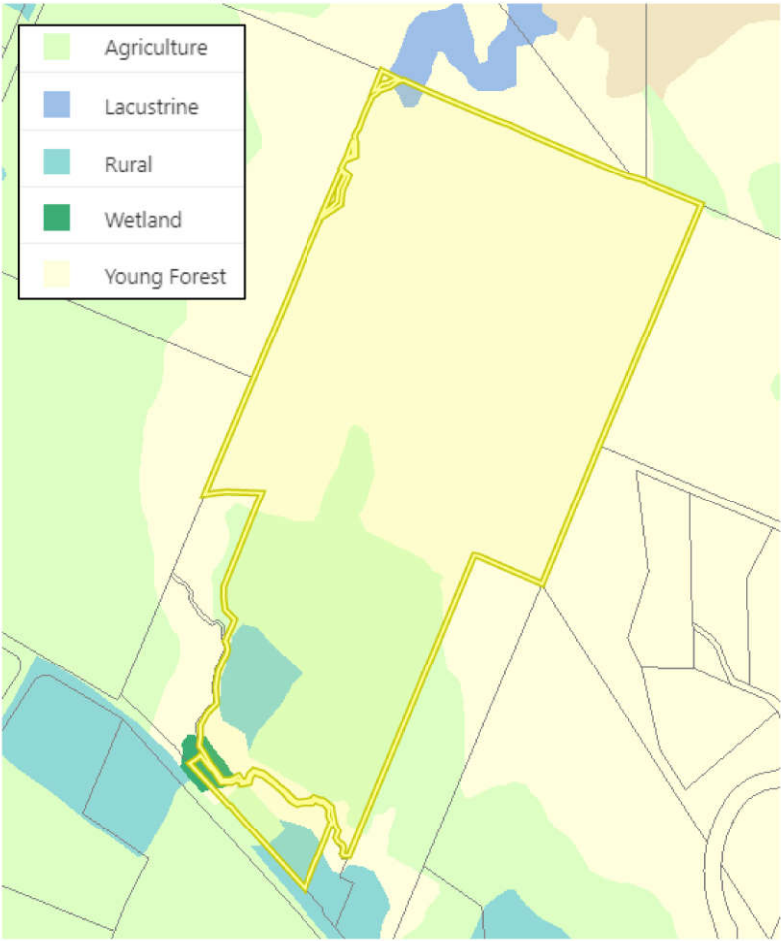
File No.	Purpose
SS-SUB-2004.7	Boundary Adjustment Between Subject Property and 2073 Fulford-Ganges Road


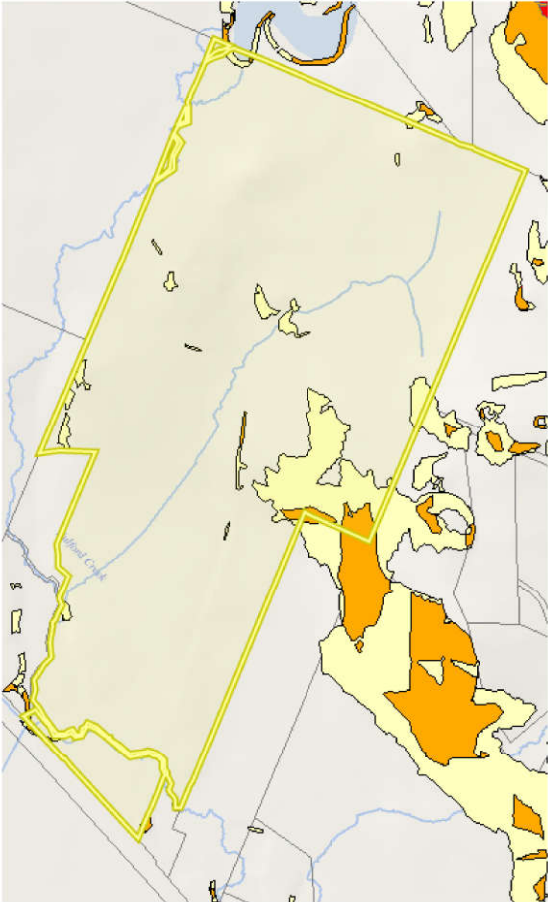
POLICY/REGULATORY

Official Community Plan Designations	<p>Agriculture (A) & Rural Neighbourhoods (RL)</p> <ul style="list-style-type: none"> • Development Permit Area 4 – Lakes, Streams & Wetlands • Development Permit Area 7 – Riparian Areas 
Land Use Bylaw	Agriculture 1 (A1) & Rural (R)
Other Regulations	Agricultural Land Reserve (ALR)
Water Service Area	None
Title Charges	<p>152074G: Annexed Easement ET69492: Easement (to Lot 1) ET69493: Easement (to Lot 1) ET69496: Covenant ET69497: Statutory Right of Way</p>
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
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<p>Regional Conservation Strategy</p>	<p>The subject property is primarily within the MEDIUM to HIGH relative value area for important natural areas in the Salt Spring Island Local Trust Area.</p> 
<p>Species at Risk</p>	<p>SAR (Public) Species: None Currently Mapped SAR (Public) Ecological Community: None Currently Mapped</p>
<p>Sensitive Ecosystems</p>	<p>SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped RAR Watercourse: Yes ITEM: Rural & Young Forest</p>  <p><i>Islands Trust Ecosystem Mapping (ITEM)</i></p>

	<p>Islands Trust Protected Areas mapping indicates the following mapped categories surrounding or in close proximity to subject property: Conservancy Covenant, Public Conservancy Land, Community & Provincial Parks, Coastal Douglas Fir Management Area</p> 
<p>Hazard Areas</p>	<p>Moderate to Low Risk Steep Slopes are mapped throughout the property. Yellow = Low Risk Orange = Moderate Red = High</p> 
<p>Archaeological Sites/Potential</p>	<p>Archeological Potential on subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.</p>
<p>Climate Change Adaptation and Mitigation</p>	<p>The subject property ranges in elevation from approximately 22 metres to 96 metres above sea level and is located along a bus route.</p>
<p>Shoreline Classification</p>	<p><i>Not Applicable</i></p>
<p>Shoreline Data in TAPIS</p>	<p><i>Not Applicable</i></p>

PHOTOS



Access Driveway to Subject Property



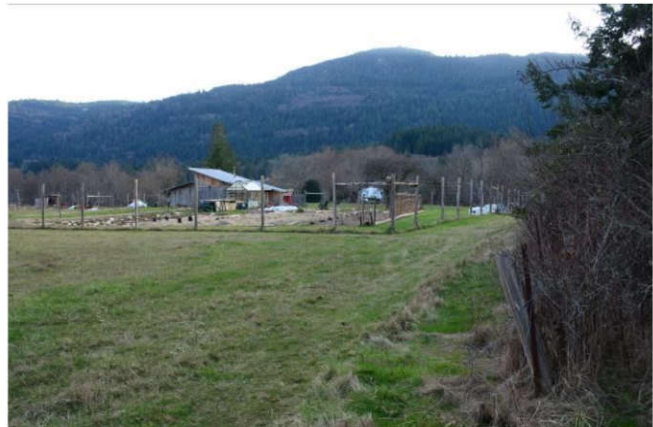
Holly Orchard on Subject Property



Driveway through Subject Property crossing Fulford Creek



Fulford Creek Bisecting Lower Area of Subject Property



Sheep Pasture on Subject Property



Driveway Through Subject Property and to Farm Buildings



Farm Building



Heritage Orchard



Fenced Garden and Farm Buildings



Lower Hay Field





Driveway Through Subject Property



Driveway Through Subject Property



Driveway and Single-Family Dwelling on Subject Property



Single-Family Dwelling on Subject Property



Icelandic Sheep on Subject Property



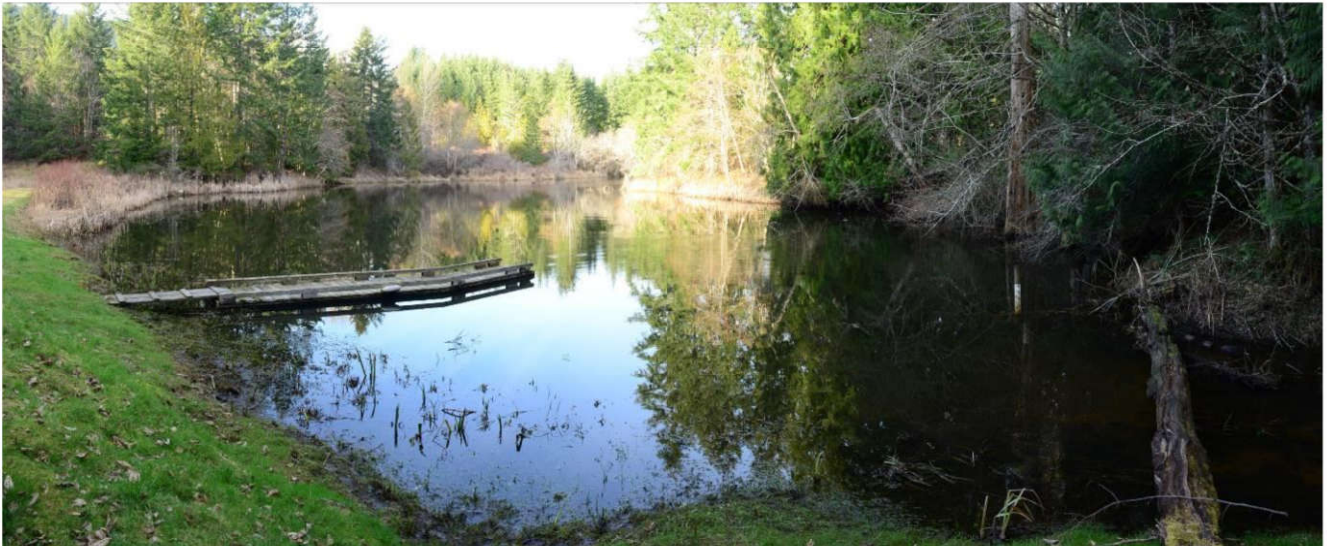
Upper Hay Field (Right of Trail) and Future Pasture (Left of Trail)



Fulford Creek on Neighbouring Property (in Close Proximity to Western Property Line)



Dam Spillway on Subject Property



1930s Dam on North-West Corner of Subject Property



Access to Proposed Strata Lot 2



Proposed Strata Lot 2 (Boundary)

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 522**

**A BYLAW TO AMEND SALT SPRING ISLAND LOCAL TRUST COMMITTEE
ADVISORY PLANNING COMMISSION BYLAW NO. 467, 2013**

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 Advisory Planning Commission Bylaw, 2013, Amendment No. 1, 2021.”

2. Salt Spring Island Local Trust Committee Bylaw No. 467, cited as “Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013,” is amended as follows:

- 2.1 Section 1.1 is amended by deleting the acronym “(APC)” after “Commission”.
- 2.2 Section 1.2 is amended by deleting the acronym “(AAPC)” after “Commission”.
- 2.3 Section 1.4 is amended by replacing “Sections” with “Parts” and replacing “of the Advisory Planning Commissions” with “APC”.
- 2.4 Section 2.1 is amended by replacing “Section 5” with “Section 461”.
- 2.5 Section 2.3 is amended by replacing “Section 5” with “Section 461”.
- 2.6 Section 2.6 is amended by adding “regional district director” after “Local Trustee.”
- 2.7 Subsection 3.1.1 is amended by replacing “Advisory Planning Commission(s)” with “APC”.
- 2.8 Subsection 3.1.3 is amended by replacing “Section” with “Article”.
- 2.9 Section 4.1 is amended by replacing “Divisions 2, 7, 9 and 11” with “4 to 14” and replacing “Part 26” with “Part 14 and Section 546”.
- 2.10 Section 6.6 is amended by adding “regional district director” after “Local Trustee”, adding “or approving officer” after “Islands Trust”, and deleting the word “at” after “attend”.
- 2.11 Section 6.8 is deleted in its entirety.
- 2.12 This bylaw is further amended by making such consequential numbering alterations to effect all changes.

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 467

A BYLAW TO ESTABLISH ADVISORY PLANNING COMMISSIONS FOR THE SALT SPRING ISLAND LOCAL TRUST AREA PURSUANT TO THE *LOCAL GOVERNMENT ACT* AND THE *ISLANDS TRUST ACT*

The Salt Spring Island Local Trust Committee being the Local Trust Committee having jurisdiction on and in respect of the Salt Spring Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, R.S.B.C., 1989, enacts as follows:

1. Establishment

The Salt Spring Island Local Trust Committee hereby establishes one or more Advisory Planning Commissions (APC) for the Salt Spring Island Local Trust Area to advise as follows:

- BL522 (04/21) 1.1 An Advisory Planning Commission to advise the Local Trust Committee on matters respecting land use, community planning, or proposed bylaws and permits, pursuant to the *Local Government Act* that are referred to it by the Local Trust Committee.
- BL522 (04/21) 1.2 An Agricultural Advisory Planning Commission to advise the Local Trust Committee on all matters respecting agriculture referred to it by the Local Trust Committee.
- 1.3 Any Special Projects Advisory Planning Commission(s) to advise the Local Trust Committee on one or more special projects that are matters respecting land use, community planning, or proposed bylaws and permits, pursuant to the *Local Government Act* that are referred to it by the Local Trust Committee.
- BL522 (04/21) 1.4 The provisions of Parts 2 through 9 of this Bylaw apply to each APC continued and established by this Bylaw, unless otherwise specified.

2. Appointment of Members

- BL522 (04/21) 2.1 The Advisory Planning Commission shall consist of not more than eleven members. Every member must be an elector of the Local Trust Area, as defined in Section 461 of the *Local Government Act*, and at least 2/3 of the members must be residents of the Local Trust Area.
- 2.2 Membership of the Advisory Planning Commission shall seek to achieve representation from the following areas of specialization:
- 2.2.1 Approximately three members with expertise or a background in planning, development, engineering, community engagement, policy development, public administration, or a related field.
- 2.2.2 Approximately three members with expertise or a background in environmental policy, or with specific expertise in geology, soil science, hydrology, climatology, biology, zoology, ecology and forestry, or a related field.

2.2.3 Approximately three members with expertise or a background in the principles of urban design, or with specific expertise in architecture, landscape architecture, and building contracting.

2.2.4 Approximately two members from the community-at-large.

BL522 (04/21) 2.3 The Agricultural Advisory Planning Commission shall consist of not more than seven members. Every member must be an elector of the Local Trust Area, as defined in Section 461 of the *Local Government Act*, and at least 2/3 of the members must be residents of the Local Trust Area.

2.4 Membership of the Agricultural Advisory Planning Commission is to be comprised of those with expertise in agricultural policy, or with specific experience in agriculture, animal husbandry, drainage engineering, horticulture, soil engineering and forestry, or a related field.

2.5 Special Projects Advisory Planning Commission(s) will be appointed based on a Terms of Reference endorsed by the Local Trust Committee which will outline the number of members, the terms of the appointment and the scope and role of that Special Projects Advisory Planning Commission.

BL522 (04/21) 2.6 A Local Trustee, regional district director, officer or employee of the Islands Trust, or an approving officer is not eligible to be a member of any APC.

2.7 The Local Trust Committee shall, by resolution, appoint members to serve up to a two-year term commencing from the date of appointment.

Information Note: Appointment terms may vary to allow for alteration in 50% of membership on an annual basis.

2.8 Notwithstanding anything elsewhere contained within this bylaw, the Local Trust Committee may at any time or from time to time, terminate the appointment of any member of any Commission appointed pursuant to this bylaw. This will include any Commission member who fails to attend three (3) consecutive meetings of the Commission without leave of the Commission, a Commission member who moves out of the Salt Spring Island Local Trust Area during their term of appointment, or any Commission member who fails to declare a conflict of interest prior to a question being called during a Commission meeting or special meeting.

2.9 Where a vacancy occurs, the Local Trust Committee may appoint a person to fill the vacancy.

2.10 A Commission must, from amongst its members, elect a Chairperson on an annual basis.

2.11 In the absence of the Chairperson, the Commission shall appoint a Deputy Chairperson who shall serve as described in Section 3.2.

2.12 In the event that the Chairperson resigns, or the Chairperson position is otherwise terminated, the Secretary shall write to the Salt Spring Island Local Trust Committee to advise them, and the Deputy Chairperson shall serve until a Chairperson is elected in accordance with Section 2.10.

3. Roles

3.1 Secretary

BL522 (04/21)

3.1.1 The Local Trust Committee shall appoint one or more Secretaries to the APC. For certainty, a Secretary appointed by the Local Trust Committee is not a member of the APC. The role of the Secretary can also be performed by an employee or a contractor of the Islands Trust.

3.1.2 The Secretary shall:

- (a) assist the Chairperson, as required, in arranging meetings of the APC;
- (b) ensure that proper notification of meetings is given in compliance with this Bylaw;
- (c) keep legible minutes of all meetings; and
- (d) provide copies of all minutes and recommendations of the APC to the Local Trust Committee and the Secretary of the Islands Trust.

BL522 (04/21)

3.1.3 If a Secretary has not been appointed under Subsection 3.1.1, the APC may continue to meet provided the Chairperson appoints a Secretary pursuant to Article 3.2.1(d). For certainty, a Secretary who is a member of the APC will serve without remuneration.

3.2 Chairperson

3.2.1 The Chairperson shall:

- (a) receive referrals from the Local Trust Committee;
- (b) ensure proper conduct of all meetings in accordance with the requirements of this Bylaw, the principles of procedural fairness, and in accordance with the requirements of the *Islands Trust Act*, the *Local Government Act*, the *Community Charter* or regulations under those Statutes;
- (c) sign the minutes certifying that they are true and correct after they have been approved by the APC;
- (d) in the absence of a Secretary, appoint a member of the APC to record the minutes of the meeting;
- (e) record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it; and
- (f) liaise with the Secretary to seek to achieve a meeting quorum that includes at least one member present at the meeting with the relevant expertise to address a specific matter of consideration in the referral(s), including planning, environmental or form and character considerations.

4. Referrals to the Commission

BL522 (04/21)

4.1 The Local Trust Committee may by resolution, refer any matter respecting land use, community planning or proposed bylaws and permits under Divisions 4 to 14 of Part 14 and Section 546 of the *Local Government Act*.

4.2 The Local Trust Committee may, by resolution, refer a plan, or bylaw amendment, or permit that has been partially processed, and seen at the application stage by the APC, for additional recommendations if it feels changes to the application warrant the review. In these cases the APC may be asked to respond in a briefer than normal time period.

- 4.3 The Local Trust Committee may, by resolution, refer a project in support of the Local Trust Committee's work program or other item of Local Trust Committee business to the APC with a request for a recommendation.
- 4.4 The APC must meet when there is a need to consider a referral, at a duly constituted meeting as defined under this Bylaw and as called by the Chairperson.
- 4.5 A regular scheduled meeting day will be established.
- 4.6 In the event that no referral is received by the Secretary at least 7 calendar days prior to the date of the next regular meeting, then no meeting will be held.
- 4.7 A meeting of the APC on any particular referral must be held not more than 30 days after the date of receipt of that referral, and sooner if the Local Trust Committee requests a response by an earlier specified date.
- 4.8 The Chairperson may call a special meeting, after consultation with the Secretary and all other members of the APC, to deal with any matter for which a quick response is requested.
- 4.9 Although the recommendations of the APC must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

5. Notice of Meeting

- 5.1 An employee of the Islands Trust shall mail, or otherwise deliver, documentation associated with any referral from the Local Trust Committee to all members and the Secretary of the APC.
- 5.2 The Secretary must give a notice of meeting, upon receipt of a referral to be discussed, to each APC member at least 5 calendar days prior to the regularly scheduled meeting.
- 5.3 The Secretary must confirm the date and time of any special meetings with each member of the APC.
- 5.4 The Secretary must ensure an applicant is notified of the date, time and place of an APC meeting at which his or her application or proposal will be discussed, at least five calendar days prior to the meeting.
- 5.5 The Secretary shall post a schedule of the date, time, and place of any regular APC meeting at least five calendar days prior to the meeting on a bulletin board on Salt Spring Island that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.
- 5.6 The Secretary must ensure the Local Trustees, and the employee referred to in Section 5.1, are notified of each APC meeting at least five calendar days prior to the day of the meeting.
- 5.7 Where a matter upon which a recommendation has been made is referred back to the APC for further comment within a limited time period, the Secretary must notify the Local Trust Committee of a special meeting. The Secretary may invite the applicant if further information is required at least two days prior to the meeting, unless the applicant agrees to a lesser notice.

6. Conduct of Meeting

- 6.1 All deliberations of the APC must take place in a meeting. All meetings and special meetings of the APC must be held in a public facility and must be open to the public.
- 6.2 A quorum of the APC is 50% of those appointed.
- 6.3 The Chairperson is to convene the meeting and may adjourn it from time to time.
- 6.4 An applicant must be afforded the first opportunity to present his or her proposal and to answer any questions asked by APC members.
- 6.5 If the applicant or his or her agent fails to appear and was duly notified as required by this Bylaw, the APC may proceed to reach its recommendation in his or her absence.

BL522 (04/21)

- 6.6 At the request of any member of the APC, the Chairperson must invite any elected official, staff resource person, or member of the public present at the meeting, to comment on the matters before the APC. Any Local Trustee, regional district director, officer or employee of the Islands Trust, or approving officer may attend a meeting of the APC in a resource capacity.

- 6.7 The APC must not receive development proposals and other applications directly from applicants.

BL522 (04/21)

- 6.8 *Deleted*

- 6.9 If the Chairperson considers that another person at the meeting is acting improperly, the Chairperson may order that person expelled from the meeting.

7. Notice of Recommendation

- 7.1 If a Local Trustee did not attend an APC meeting, the Local Trustee may require a verbal report from the Chairperson.
- 7.2 The Secretary must ensure minutes of each meeting of the APC are recorded and approved by the APC at a subsequent meeting. Adopted APC minutes must be made available to the public upon request.
- 7.3 The Secretary must ensure that a copy of the draft minutes is submitted to the Local Trust Committee and Islands Trust office within seven calendar days of the meeting.
- 7.4 A recommendation of the APC shall be in the form of resolutions, and recorded by the minutes, provided that where requested by any member all dissenting opinions are also recorded.

8. Transition

Salt Spring Island Local Trust Committee Bylaw No. 427, cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2007", is repealed.

9. Citation

This Bylaw may be cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013".

READ A FIRST TIME THIS	21ST DAY OF MARCH,	2013
READ A SECOND TIME THIS	21ST DAY OF MARCH,	2013
READ A THIRD TIME THIS	21ST DAY OF MARCH,	2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	23RD DAY OF APRIL,	2013
ADOPTED THIS	2ND DAY OF MAY,	2013

SECRETARY

CHAIRPERSON



SALT SPRING ISLAND ADVISORY PLANNING COMMISSION(S)
APPROVED TERMS OF REFERENCE
May 2, 2013 (amended March 23, 2021)

The Salt Spring Island Local Trust Committee Bylaw No. 467 permits the appointment of an Advisory Planning Commission and an Agricultural Advisory Planning Commission, as well as one or more special project Advisory Planning Commissions, to advise on matters of land use, community planning, or proposed bylaws and permits, pursuant to the *Local Government Act* that are referred to it by the Local Trust Committee (LTC).

This Terms of Reference guides the conduct, role and mandate of the Advisory Planning Commission and the Agricultural Advisory Planning Commission, and its Commissioners. The operations of the Advisory Planning Commissions (APCs) are guided the by Salt Spring Island Local Trust Committee Bylaw No. 467. Both documents should be referred to for guidance.

1. The APC shall provide recommendations to the LTC on matters referred to it concerning land use, community planning, or proposed bylaws and permits.
2. All APC resolutions are by way of a recommendation to the LTC. The chairperson shall refrain from “moving” a resolution of the APC.

EXAMPLE RESOLUTION:

“THAT the [Agricultural] Advisory Planning Commission recommends that the Salt Spring Island Local Trust Committee approve application SS-X-20XX.X (Address).”

3. APC meetings are to follow the *Community Charter’s* requirements for open meetings, public access to records, and the posting of notices for public meeting. In addition to Salt Spring Island Local Trust Committee Bylaw No. 467, meeting procedures and the conduct of meetings should also be guided by the adopted policies of Islands Trust Council and the LTC.
4. Commissioners are to receive a reference manual upon appointment to the APC.
5. Commissioners are to exercise their judgement based on personal expertise, experience and knowledge of the subject matter as objectively applied to a specific application or issue. On the other hand, the gauging of community opinion is more appropriately considered one of the roles of the LTC.
6. Commissioners shall come to meetings prepared, having read all supporting staff reports and background materials, and with proposed resolutions prepared for the consideration of other Commissioners at the meeting.
7. The APC shall be guided by the general policy intent as set out in the Official Community Plan and Land Use Bylaw.
8. Commissioners shall attend training sessions, offered by the Islands Trust, on meeting procedures and other matters that will be of benefit to the APC process.

9. Commissioners shall listen to and acknowledge the views of other Commissioners and promote a meeting environment where all opinions are respected and all Commissioners are comfortable expressing their views.
10. If a Commissioner believes they may have a direct or indirect conflict of interest, the Commissioner must declare this, state in general terms why this is believed to be the case, and remove themselves from the meeting. Commissioners are encouraged to discuss and receive advice from Islands Trust staff if they believe they may have a potential conflict of interest.
11. All deliberations of the APC must take place at a meeting of the APC and such meetings must be open to the public with appropriate notice of meeting time and location.
12. The APC shall set a schedule of regular meetings on an annual basis.
13. Commissioners who are absent from three or more consecutive regular meetings may be requested by the LTC to resign membership.
14. Should a site visit be warranted, it must be arranged by Islands Trust staff, with the owner's consent one week prior, and the planner should attend. A minute taker is not required, but deliberations cannot take place outside the scheduled, public meeting. Preferably, site visits should take place in the morning of the day that a committee is meeting.
15. The Agricultural Advisory Planning Commission is to designate one Commissioner to sit as an ex-officio Commissioner on the Advisory Planning Commission.
16. Elections of the APC Chairperson are to be done by secret ballot.
17. At the end of a two year term, Commissioners can apply to be reappointed by the LTC to the APC.