



Islands Trust

A NOTICE OF A REGULAR BUSINESS MEETING OF THE **SALT SPRING ISLAND LOCAL TRUST COMMITTEE** to be held at 9:30 AM on January 5th, 2012 at Hart Bradley Hall - Lions Club, 103 Bonnet Avenue, Salt Spring Island, BC

AGENDA

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RECESS until 12:00

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	<i>Reminder from the Chair that no further correspondence or input can be received by the Local Trust Committee after the close of the public hearings (that were scheduled on November 2, 2011) for Proposed Bylaw No. 452 (application SS-RZ-2011.1 - 125 Rainbow Road).</i>		
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14.1	Next regular business meeting of the Local Trust Committee		
15.	ADJOURNMENT		

*Approximate duration is provided for the convenience of the public only and is subject to change without notice.

DRAFT
MINUTES of the SALT SPRING ISLAND
LOCAL TRUST COMMITTEE REGULAR BUSINESS MEETING
Thursday, November 3, 2011 - 10:30 AM
Lions Club, Hart Bradley Hall - 103 Bonnet Avenue

PRESENT

Sheila Malcolmson, Chair
George Ehring, Local Trustee
Christine Torgimson, Local Trustee
Leah Hartley, Regional Planning Manager
Justine Starke, Island Planner
Stefan Cermak, Planner Two
Kristin Aasen, Planner One
Miles Drew, Bylaw Enforcement Officer
Kate Merry, Recorder

1. CALL TO ORDER

The Chair called the meeting to order at 10:30 AM. There were 2 members of the public present.

2. APPROVAL OF AGENDA

The agenda was adopted by general consent with the following changes and additions:

- 14.5 - SS-ALR-2011.3 – 135 Brinkworthy - correct name of applicant on the agenda to read the Salt Spring Island Fire Protection District, Board of Trustees;
- 14.3 - SS-RZ-2011.3 - 440 Rainbow Road – Correspondence dated Oct 28 and Oct 31, 2011 added;
- 15.1 - Official Community Plan Update – Staff report added;
- 15.4 - Land Use Bylaw Progress Report – secondary suites map added;
- 15.8 - Communications Pilot – Staff report added;
- 17.2 - North Pender Local Trust Area Bylaw – Referral added.

Items 3, 4 and 5 were dealt with later in the agenda.

6. MINUTES AND RESOLUTIONS WITHOUT MEETING

6.1 Draft Minutes of the Salt Spring Island Local Trust Committee Business Meeting of October 6, 2011

The following corrections were made to the draft minutes: Item 12.3, 3rd paragraph, delete the words "design"; Item 13.2, second paragraph, change "suites would be allowed" to "suites might be allowed"; Item 16.2, resolution SSI-202-11 add "Council" after "Climate Action".

The minutes were adopted as amended by general consent.

7. **CORRESPONDENCE - None**

8. **APPLICATION REPORTS**

8.1 **Application Summary Report – Received**

8.2 **Current Applications Report - Received**

RPM Hartley provided an update on the October 27, 2011 report.

9. **BUSINESS ARISING FROM MINUTES**

9.1 **Follow-Up Action List**

The Trustees were advised that the Home Based Business brochure and covering letter are near completion.

Items 15.5 Islands Trust Council Strategic Planning; 15.7 Goldstream River Oil Spill; Item 16 Local Expenses and Budgets were dealt with at this point in the agenda.

15.5 **Islands Trust Council Strategic Plan – Received**

15.7 **Goldstream River Oil Spill Update**

Trustees acknowledged the Trust Area Services staff support and recommended continued Local Trust Committee involvement.

16. **LOCAL EXPENSES AND BUDGETS**

16.1 **Expense Reports**

The expense report posted to October 26, 2011 was received for information. The Trustees commented that the Local Trust Committee, in the next term of office may move monies within the LTC expense budget.

16.2 **Local Expense Budget Allocations - None**

3. **CLOSED MEETING RESOLUTION**

SSI-204-11

At 10:45 AM, it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee close this meeting to the public subject to section 90(1)(g) of the Community Charter regarding litigation or potential litigation and that staff be invited to remain. **CARRIED**

4. **OPEN MEETING RESOLUTION**

SSI-205-11

At 11:06 AM, it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee re-open this meeting to the public subject to section 89 of the Community Charter. **CARRIED**

5. RISE AND REPORT – No Report

The meeting recessed at 11:06 AM and reconvened at 12:00 Noon.

10. TRUSTEES' REPORTS

Trustee Ehring noted that after serving 2 terms as Trustee that this meeting would be his last. He stated that it has been a privilege to serve Salt Spring and expressed his appreciation for the advice, comments and opinions that he has received from the community over the past 6 years. He acknowledged Staff contributions, their community service as well as project and application work. He also thanked his fellow Trustees.

Trustee Torgrimson thanked Trustee Ehring and also thanked the public for their participation and attendance at these meetings. She expressed appreciation for the level of advice and community engagement she has received and been a part of. She thanked the Staff for their service. She was appreciative of the opportunity to serve in such a rewarding and challenging position. She has taken pride in the Trustees' accomplishments. She spoke of projects such as the affordable housing work and reinforced the concern that the Trustees have for the community. She expressed her belief that there is a need for compassion when considering complex issues and that all resulting consequences affecting the community's well-being must be considered.

11. CHAIR'S REPORT

The Chair thanked the community for their high level of volunteerism, and made special mention of those that have served on Advisory Committees. She mentioned that many ideas initiated on Salt Spring are used by other islands. She thanked Trustees Torgrimson and Ehring for their leadership and considerable contribution to Trust Council. She reinforced that the Trustees have always acted as strong advocates for Salt Spring and for the Islands Trust mandate. She will miss working with the Trustees but hopes that there may be an opportunity to work together again at some time in the future. She also expressed her appreciation in knowing that all local staff reside on Salt Spring and she thanked them for their work and community engagement.

RPM Hartley spoke on behalf of Staff and acknowledged the Local Trust Committee's contributions to Salt Spring. She stated that the Trustees have provided leadership and have the Staff's respect. She noted their hard work, many hours of service, thoughtful deliberations and their openness and willingness to consider every aspect of a situation. She further stated that the Committee has demonstrated courage in dealing with many challenges. She thanked the Trustees and wished them well.

12. DELEGATIONS

12.1 Dr. A.N.T. Varzeliotis - Riparian Areas Regulation

Dr. Varzeliotis advised that he would not speak to the Riparian Areas Regulation but wished the best to the departing Trustees. The Chair thanked Dr. Varzeliotis for his comments and noted that some of his ideas for community engagement on RAR and the website are being considered.

Before opening the Town Hall, the Chair reviewed public participation guidelines.

13. TOWN HALL

The Chair opened the Town Hall at 12:16 PM and explained the guidelines. She also noted that Proposed Bylaws 452, 454 and 455 had already gone to Public Hearing and that no further information could be received by the Trustees at this time. Anyone wishing to provide new information on these bylaws would need to speak to Islands Trust Staff.

A member of the public spoke in opposition to the tax funding of the Fire Hall. Several spoke in opposition to application SS-RZ-2011.3 concerning 440 Rainbow Road, citing concerns about pollution, the applicant's record of non-compliance and their thoughts on inappropriate industrial use of land near small homes and farms. Members of the public expressed concerns about; the funding of the Water Council Society and the Climate Action Council Society; and the Trustees' role within these Societies. Two members of the public spoke in support of the work of these societies. One person spoke in support of farming in the Fulford Valley.

The Chair closed the Town Hall at 1:03 PM and the meeting recessed at that time. The meeting reconvened at 1:17 PM.

14. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

14.1 SS-RZ-2011.1 - Proposed Bylaw No. 452 - 125 Rainbow Road - M.Ogilvie

Planner Aasen spoke to the Staff Report dated October 27, 2011. The applicant was present. The Chair reiterated that no further submissions could be received by the Local Trust Committee after the Public Hearing held on November 2, 2011. The Planner noted that there were no new submissions to Proposed Bylaw No. 452 at the Public Hearing.

SSI-206-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct Staff to work with the applicant on a letter of undertaking to implement the Capital Regional District Transportation Commission recommendations relating to Proposed Bylaw No. 452 (SS-RZ-2011.1 concerning Lot 10, Block B Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 1371 – 125 Rainbow Rd) to be received by the Salt Spring Island Local Trust Committee prior to consideration of bylaw adoption.

CARRIED

SSI-207-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Second Reading to Proposed Bylaw No. 452, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2011" (SS-RZ-2011.1 - Ogilvie - 125 Rainbow Road). **CARRIED**

SSI-208-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Third Reading to Proposed Bylaw No. 452, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2011" and forward the Bylaw to Executive Committee for approval (SS-RZ-2011.1 - Ogilvie - 125 Rainbow Road). **CARRIED**

14.2 SS-RZ-2011.2 - Proposed Bylaws No. 454 and No. 455 - 232 Rainbow Road – Board of Education of School District No. 64

Planner Aasen spoke to the Staff Report dated October 27, 2011 and noted that since the Proposed Bylaw had been to Public Hearing on November 2, 2011, no further submissions could be made to the Local Trust Committee. The Planner noted that there were no new submissions to Proposed Bylaw No. 454 and Proposed Bylaw No. 455 at the Public Hearing.

SSI-209-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Third Reading to Proposed Bylaw No. 455, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 3, 2011" and forward it to the Executive Committee for approval (SS-RZ-2011.2 - Henshall, 232 Rainbow Road). **CARRIED**

SSI-210-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Third Reading to Proposed Bylaw No. 454, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 5, 2011" and forward it to the Executive Committee for approval (SS-RZ-2011.2 - Henshall, 232 Rainbow Road). **CARRIED**

SSI-211-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct Staff that the final adoption of Proposed Bylaw No. 455 and Proposed Bylaw No. 454 will be scheduled subject to the approval and registration of a covenant requiring agricultural education or agricultural activities on the property. **CARRIED**

14.3 SS-RZ-2011.3 - 440 Rainbow Road - J. Quesnel

Planner Cermak spoke to the Staff Report dated October 25, 2011. The applicant was present. Ralph Bischoff, author of a report commissioned by the applicant, spoke to the consultant report dated October 18, 2011.

SSI-212-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee reject Application SS-RZ-2011.3 (Quesnel - 440 Rainbow Road). **DEFEATED**

Trustees discussed the difficulties with this application; that much time had elapsed since the start of the process; that there had been considerable and continuing opposition from the neighbours and that industrial use may not be appropriate to the site. There was concern that a decision might be premature at this point. Staff noted that a clear "use" definition is needed.

SSI-213-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-RZ-2011.3 (Quesnel - 440 Rainbow Road) to the Advisory Planning Commission, the Agriculture Advisory Committee, the Advisory Environment Committee and, through the Capital Regional District, the Salt Spring Island Solid Waste Advisory Committee. **CARRIED**

Trustee Ehring opposed

SSI-214-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct Staff to work with the applicant of Application SS-RZ-2011.3 (Quesnel - 440 Rainbow Road) on implementing sound mitigating measures and other application requirements of Planner Cermak's letter of July 18th 2011 and to report progress back to the Salt Spring Island Local Trust Committee at the first meeting of 2012. **CARRIED**

The meeting recessed at 3:15 PM and reconvened at 3:30 PM.

14.4 SS-DP-2011.6 Swanson's Pond, Park Drive – Salt Spring Ventures Inc.

Regional Planning Manager (RPM) Hartley left the meeting at 3:30PM.

Planner Cermak spoke to the Staff Report of October 24, 2011. The applicant was present. He advised that outstanding conditions will be met at the time of the Building Permit Application.

SSI-215-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-DP-2011.6 (Salt Spring Ventures Inc. - Park Drive) to the Advisory Design Panel for comment. **CARRIED**

RPM Hartley returned to the meeting at 3:45PM.

14.5 SS-ALR-2011.3 - 135 Brinkworthy - Salt Spring Island Fire Protection District Board of Trustees

Planner Starke spoke to the Staff Report dated October 25, 2011. The applicant was present. She advised that it is anticipated that the land at 135 Brinkworthy will be donated to the SSI Fire Protection District for the new fire hall. The Trustees emphasized that community use should be a priority when considering the change in use of the current fire hall. It was also noted that the Fire District must abide by certain rules when considering the disposition of surplus community land.

SSI-216-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Application SS-ALR-2011.3 for Parcel A of Lot 1, Sections 4 and 5, Range 2 east, North Salt Spring Island, Cowichan District, Plan 2296 to the Agriculture Advisory Committee and the Advisory Planning Committee for review and comment (SSI Fire Protection District - 135 Brinkworthy Road).

CARRIED

SSI-217-11

It was **MOVED** and **SECONDED** that prior to final consideration of response to the Agricultural Land Commission, the Salt Spring Island Local Trust Committee request the applicant of SS-ALR-2011.3 for Parcel A of Lot 1, Sections 4 and 5, Range 2 east, North Salt Spring Island Cowichan District, Plan 2296 (SSI Fire Protection District, 135 Brinkworthy Road) to submit a drainage report by a Professional Engineer with expertise in storm drainage which outlines a plan for reducing the storm water draining off of the site and that this plan be implemented by way of a covenant or other legal agreement.

CARRIED

SSI-218-11

It was **MOVED** and **SECONDED** that prior to final consideration of response to the Agricultural Land Commission, the Salt Spring Island Local Trust Committee encourage the applicants to hold a Community Information Meeting to discuss ways to mitigate noise and other impacts in the site plan and facility design prior to consideration of the application by the Salt Spring Island Local Trust Committee for forwarding to the Agricultural Land Commission (ALC).

CARRIED

14.6 SS-RZ-2009.2 and Proposed Bylaw No. 450 - 135 Brinkworthy - Jorden Cook Associates

RPM Hartley spoke to the Staff Report dated October 24, 2011. The applicant was present.

SSI-219-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve and execute the restrictive covenant "Attachment A" of Application SS-RZ-2009.2(Jorden Cook Associates - 135 Brinkworthy) to protect the Brinkworthy Mobile Home Park residents from the provisions of Section 42 of the Manufactured Home Park Tenancy Act.

CARRIED

SSI-220-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve and execute the restrictive covenant "Attachment B" of SS-RZ-2009.2 (Jorden Cook Associates - 135 Brinkworthy) to protect the vegetative buffering around Brinkworthy Mobile Home Park, and alert future buyers to the potential for active farming on the adjacent Agricultural Land Reserve lands.

CARRIED

SSI-221-11

It was **MOVED** and **SECONDED** that, as part of the execution process, the Salt Spring Island Local Trust Committee authorize any member of the Local Trust Committee to sign the two above listed covenants of SS-RZ-2009.2 (Jorden Cook Associates - 135 Brinkworthy). **CARRIED**

SSI-222-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct Staff to obtain from the property owner a legal undertaking for SS-RZ 2009.2 (Jorden Cook Associates - 135 Brinkworthy) to ensure registration of these two covenants prior to final adoption of Proposed Bylaw No. 450. **CARRIED**

SSI-223-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee consider adoption of Proposed Bylaw No. 450 by Resolution-Without-Meeting pending receipt of the Letter of Undertaking for SS-RZ 2009.2 (Jorden Cook Associates - 135 Brinkworthy). **CARRIED**

Trustee Torgrimson thanked the applicant, the Brinkworthy residents and the neighbourhood for an extensive and valuable process.

14.7 SS-ALR-2011.2 - 2163 Fulford-Ganges Road - JG Consulting Service Ltd.

Planner Aasen spoke to the Staff Report dated October 27, 2011. The applicant was present.

SSI-224-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Application SS-ALR-2011.2 - South 70 acres of Section 7, Range 2, South Salt Spring Island, Cowichan District, Except the Southerly 262 Feet of the Westerly 104 Feet and Except Part in Plan VIP577191 to the Agriculture Advisory Committee for review and comment (JG Consulting Services Ltd., 2163 Fulford-Ganges Road). **CARRIED**

15. REPORTS

15.1 Riparian Areas Regulation Mapping

Planner Cermak spoke to the Staff Report dated November 3, 2011 and reported on recent consultation work.

SSI-225-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee dedicate and release up to \$2,000 of the 2011/12 Local Expense Budget to support stream mapping on Salt Spring Island and request that the Islands Trust Technical Services funds be released to support mapping which begins with St Mary Lake and Cusheon Lake Watersheds, utilizing an integrated community mapping approach, applying modified SHIM and LiDar. **CARRIED**

15.2 Work Program - Riparian Areas Regulation

Planner Cermak spoke to the Staff Report dated October 26, 2011.

Trustees noted the importance of community consultation and that public view cannot be characterized in any single way. Items were revised on the Work Program and Project Schedule and the budget was revised to reflect previous resolution SSI-223-11.

SSI-226-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee receive the Riparian Areas Regulation Work Program as amended on October 26, 2011 and endorse it in general terms. **CARRIED**

15.3 Work Program Update - Land Use Bylaw Review - Secondary Suites

Planner Starke spoke to the Staff Memorandum dated October 26, 2011. A background report will be prepared for the new Local Trust Committee for their January 2012 meeting. Planner Starke noted that the “watershed” definition should be refined since it is proposed that no suites be allowed in watersheds.

SSI-227-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve the Staff Report of October 26, 2011 as an update to the work program on secondary suites and the Land Use Bylaw 355 update. **CARRIED**

15.4 Land Use Bylaw Progress Report - Secondary Suites

Planner Starke spoke to the Staff Report dated October 26, 2011. Important issues include the question of “grandfathering” and registration of existing suites to determine how many suites exist. It was noted that an amendment to the Official Community Plan may also be required.

Trustee Torgrimson congratulated Island Planner Starke on her community work as well as her concise and thoughtful presentation and report.

15.5 Islands Trust Council Strategic Plan 2008-2011 – Received following Item 9

15.6 Work Program Quarterly Update

RPM Hartley spoke to the staff report dated October 24, 2011.

SSI-228-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee indicate to the Financial Planning Committee its support for continuing a part-time communications/community engagement consultant in the 2012 fiscal budget. **CARRIED**

15.7 Goldstream River Oil Spill Update - Reviewed following Item 9

15.8 Communications Pilot

RPM Hartley spoke to the Staff Report dated November 1, 2011.

SSI-229-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a community engagement proposal following dialogue with newly elected Trustees and to bring forward the proposal for the first meeting of the new Local Trust Committee, through Resolution without Meeting if needed. **CARRIED**

16. LOCAL EXPENSES AND BUDGETS - Reviewed following Item 9

17. NEW AND UPCOMING BUSINESS

17.1 Next Regular Business Meeting of the Local Trust Committee - To be scheduled

17.2 North Pender Island Local Trust Area - Referral

SSI-230-11

Planner Starke spoke to her report dated November 1, 2011.

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to respond to the North Pender Island Local Trust Area Bylaw Referral Form for Bylaws 187 and 189 indicating that "interests are unaffected by the bylaw". **CARRIED**

18. ADJOURNMENT

There being no further business, the meeting adjourned at 6:20 PM.

Sheila Malcolmson - Chair

Kate Merry - Recorder

**ADOPTED
MINUTES OF THE SALT SPRING ISLAND
ADVISORY PLANNING COMMISSION MEETING
Thursday, October 20, 2011
BAPTIST CHURCH - LOWER LEVEL - 520 LOWER GANGES ROAD**

PRESENT:

Andrew Haigh, Chair
Gord Ellis, APC Member
Jon Healey, APC Member
Rick Gilleland, APC Member
John Newton, APC Member

Leah Hartley, Regional Planning Manager
Beverley Suderman, Consulting Planner
Chris Hall, Consulting Planner
Stefan Cermak, Planner Two
George Ehring, Local Trustee
Kate Merry, Recorder

Kelly Gesner, Planning Consultant, Landworks Consultants
Mark Rithaler, Applicant for Slegg Lumber
Myles Wilson, Applicant for King's Lane

REGRETS

Rosey Brenan, APC Member
Derek Barrio, APC Member
Richard Kerr, APC Member

Trustee Ehring noted that Trustee Torgrimson was unable to attend the meeting due to illness, and sent her regrets.

1. PRESENTATION

1.1 SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants

The information session started at 3:05 PM. Planning Consultant Beverley Suderman presented information on application SS-RZ-2008.3. The applicant was present.

Ms. Suderman provided a summary of the project and the process. She explained the recommendations of the Agricultural Land Commission. She reviewed traffic concerns including the intersection of Beddis and Fulford-Ganges Road and the additional traffic on Beddis Road. She reviewed the building size and presented an architect's concept of the building. She reviewed environmental and social issues and explained how they are being addressed.

Commission members noted that traffic issues are a serious concern and may not be under the purview of the applicant. A suggestion included the removal of the hydro pole at the Beddis and Fulford-Ganges Road intersection. The Commission noted the potential drainage problems on the site and queried the capacity of the road to handle

increased water flow. It was noted that the site will have a minimum amount of impervious surfaces. There is still a concern about silting into the creek near the Marina.

The Slegg Lumber applicant was asked if the site on Fulford-Ganges Road would be sold. The applicant advised that this was planned and it was noted that this could become available industrial land on Salt Spring.

1.2 SS-RZ-2011.4 – 154 Kings Lane – 6512626 BC Ltd.

Planner Stefan Cermak presented a staff report on application SS-RZ-2011.4 and reviewed the plans. Mr. Wilson noted that he had met with the neighbouring landowners and reported that most had no difficulties with the proposal. He also presented an updated plan showing the required parking spots. The property's storm drainage was questioned and it was noted that the sandy soil is suited for this purpose. Questions included whether the proposal would include accommodation for medical personnel. The applicant was encouraged to look at adding rental dwelling units.

Discussion ensued concerning the number of parking spots required for commercial use and whether a medical use would be different. It was noted that parking requirements could change if the use was changed to add dwelling units.

The Chair called the meeting to order at 4:18 PM.

2. MEMBER WELCOME/RESIGNATION

2.1 Ranji Bhimji

The Commission received Ranji Bhimji's resignation due to previous commitments.

3. APPROVAL OF AGENDA

3.1 Approval of agenda

It was **MOVED** and **SECONDED** that the agenda be adopted as circulated.

CARRIED

4. BUSINESS ITEMS

4.1 SS-R-2008.3 - 201 Beddis Road - Landworks Consultants

The Commission recommended that the Salt Spring Island Local Trust Committee pursue further discussion with the Ministry of Transportation and Infrastructure to identify ways to solve traffic issues.

It was **MOVED** and **SECONDED** that the Advisory Planning Commission report to the Salt Spring Island Local Trust Committee that the Commission support application SS-RZ-2008.3 subject to satisfactory resolution of traffic issues at the intersection and traffic on Beddis Road and subject to ensuring appropriate contribution to the improvements.

CARRIED

The Commission's interest in ensuring proper drainage was noted.

4.2 SS-RZ-2011.4 - 154 King's Lane - 6512626 BC Ltd.

It was **MOVED** and **SECONDED** that the Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee continue with the bylaw and further recommend that consideration be given to setting parking standards to medical uses and allowing additional residences associated with medical use on site.

CARRIED

5. OLD BUSINESS

5.1 Channel Ridge update

RPM Hartley applauded the Advisory Planning Commission efforts in noting environmental considerations and requested that the Advisory Environment Committee be approached. She noted that this has resulted in 6.9 hectares being protected from further development.

6. MINUTES OF PREVIOUS MEETING

6.1 Draft Minutes of the August 18, 2011 Advisory Planning Commission meeting

It was **MOVED** and **SECONDED** that the draft minutes of the Advisory Planning Commission of August 18, 2011 be adopted as circulated.

CARRIED

7. NEW BUSINESS

7.1 Committee Chair Selection Process - January 2012

RPM Hartley noted that a Chair for each advisory committee should be appointed in January and that an agenda item will be included to accept nominations and to complete the election. She also advised that a current Chair can be re-elected.

Trustee Ehring advised that this would be his last meeting. He thanked the Committee for its valuable advice over his 6 years as Trustee. He reinforced his belief that it is important for Trustees to hear advisory committee discussions and hoped that his successors will continue to attend the meetings.

The Advisory Planning Commission thanked the Trustees for their support and noted that Trustee attendance was an indication of support for the Commission's work.

8. ADJOURNMENT

By general consent, the meeting adjourned at 4:40 PM.

Andrew Haigh - Chair

Kate Merry - Recorder

DRAFT
MINUTES OF THE SALT SPRING ISLAND
ADVISORY PLANNING COMMISSION MEETING
Thursday, November 17, 2011 at 1:00 PM
BAPTIST CHURCH - LOWER LEVEL - 520 LOWER GANGES ROAD

PRESENT

Andrew Haigh, Chair
Richard Kerr, Commissioner
Rosey Brennan, Commissioner
Gord Ellis, Commissioner
Jon Healey, Commissioner
Derek Barrio, Commissioner
Rick Gilleland, Commissioner

REGRETS

John Newton, Commissioner

ALSO PRESENT

Justine Starke, Island Planner
Kate Merry, Recorder

CALL TO ORDER

The Chair called the meeting to order at 1:00 PM.

1. ADOPTION OF THE AGENDA

Item 2.1 – SS-RZ-2011.3 – 440 Rainbow Rd. – J. Quesnel, was removed from the agenda at the applicant's request. The agenda was adopted as amended by general consent.

2. APPLICATIONS

2.1 SS-ALR-2011.3 - 135 Brinkworthy - SSI Fire Protection District Board of Trustees

Planner Starke spoke to the Staff Report dated October 25, 2011. The applicants were not present. She noted that this Agriculture Land Reserve application was referred to the committee for information. A question arose about required parking spaces and it was noted that a parking plan has not been formulated yet. Sound buffering and drainage issue concerns were raised.

It was **MOVED** and **SECONDED** that the Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that they forward application SS-ALR-2011.3 to the Agricultural Land Reserve with support and with the Staff Report recommendations particularly regarding issues of noise and drainage.

CARRIED

Commissioner Healy abstained

It was **MOVED** and **SECONDED** that the Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that they not impose additional parking requirements beyond what the applicant considers necessary and that the applicant be requested to keep impermeable surfaces to a minimum.

CARRIED

3. **OLD BUSINESS** - none

4. **MINUTES OF PREVIOUS MEETING**

4.1 **Draft Minutes of the October 20, 2011 Advisory Planning Commission**

Commissioner Kerr noted that he had sent regrets and was not simply absent.

It was **MOVED** and **SECONDED** that the draft minutes of the Advisory Planning Commission meeting of October 20, 2011 be adopted as amended.

CARRIED

5. **NEW BUSINESS** - none

6. **ADJOURNMENT**

By general consent, the meeting adjourned at 1:50 PM.

Andrew Haigh - Chair

Kate Merry - Recorder

DRAFT
MINUTES OF THE SALT SPRING ISLAND
ADVISORY PLANNING COMMISSION MEETING
Thursday, November 24, 2011 at 1:00 PM
BAPTIST CHURCH - LOWER LEVEL - 520 LOWER GANGES ROAD

PRESENT

Andrew Haigh, Chair
Richard Kerr, Commissioner
Rosey Brennan, Commissioner
Jon Healey, Commissioner
Derek Barrio, Commissioner

REGRETS

John Newton, Commissioner
Rick Gilleland, Commissioner
Gord Ellis, Commissioner

ALSO PRESENT

Peter Grove, Local Trustee-Elect
Stefan Cermak, Planner Two
Kate Merry, Recorder

CALL TO ORDER

The Chair called the meeting to order at 1:00 PM. One member of the public was present.

1. ADOPTION OF THE AGENDA

The agenda was adopted by general consent.

2. APPLICATIONS

2.1 SS-RZ-2011.3 - 440 Rainbow Road – J. Quesnel

Planner Cermak spoke to the Staff Report dated October 25, 2011. The applicant and his representative were present as was one member of the public.

The rezoning use was discussed. Committee members suggested that “vehicle crushing” be added as a use as this is what occurs on the property. The Planner noted that this application will require both Official Community Plan and a Land Use Bylaw amendments. He also noted that the Capital Regional District will not issue a waste transfer station permit if the Salt Spring Island Local Trust Committee does not approve the rezoning application.

Committee members expressed concern over noise, water runoff (from both storms and commercial activity), soil contamination and the suitability of industrial zoning in a rural residential area. They noted that the noise level has interfered with the neighbours' ability to enjoy their property.

The applicant's consultant confirmed their understanding that there is a noise limit for home based businesses of 40 decibels at the property line and he felt that this was not adequate for light industrial uses. He also advised that soil tests will be required by any lending institution. The applicant stated that he would undertake whatever he could to ensure the success of his application. He also advised that he was commissioning reports from a soil engineer and from an acoustical engineer. Members of the commission noted that the Industrial Task Force report is a first step in addressing industrial land issues but further planning must continue. The applicant agreed to provide a letter of undertaking stipulating that the crusher would only be used on Wednesdays and Thursdays from 1:00 to 4:00 PM.

3. **OLD BUSINESS** - None

4. **NEW BUSINESS** - None

5. **ADJOURNMENT**

The committee postponed providing their recommendations to the Local Trust Committee till they have reviewed the letter of undertaking from the applicant as well as the acoustic engineer's report on the use of the crusher. The meeting will be rescheduled at the call of the Chair.

By general consent the meeting adjourned at 2:40PM.

Andrew Haigh - Chair

Kate Merry - Recorder

ADOPTED
MINUTES OF THE SALT SPRING ISLAND
AGRICULTURE ADVISORY COMMITTEE MEETING
Thursday, October 20, 2011
BAPTIST CHURCH - LOWER LEVEL- 520 LOWER GANGES ROAD

PRESENT:

Conrad Pilon, Committee Member
George Laundry, Committee Member
Bree Eagle, Committee Member
Jane Squier, Committee Member
Leah Hartley, Regional Planning Manager
Beverley Suderman, Consulting Planner
Chris Hall, Consulting Planner
George Ehrling, Local Trustee
Kate Merry, Recorder

Kelly Gesner, Planning Consultant, Landworks Consultants
Mark Rithaler, Applicant for Slegg Lumber
Myles Wilson, Applicant for King's Lane

REGRETS

Ken Byron, Chair
Tony Threlfall, Committee Member

ABSENT

Ian Kyle, Committee Member

In the absence of Chair Ken Byron, Conrad Pilon agreed to act as Chair.

1. PRESENTATION - SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants

Ms. Gesner made a joint presentation to the Advisory Environment Committee and the Agriculture Advisory Committee. She covered the history of the application, the present situation and some of the future plans. A few general questions about setbacks and lot coverage were raised and answered and then the two Committees separated to discuss the application.

2. CALL TO ORDER

The Agriculture Advisory Committee meeting was called to order by Acting Chair Pilon at 1:30 PM.

3. APPROVAL OF AGENDA

By general consent, the agenda was adopted as circulated.

4. BUSINESS ITEMS

4.1 SS-RZ-2008.3 - 201 Beddis Road - Landworks Consultants

There was no discussion arising from the earlier presentation.

It was **MOVED** and **SECONDED** that the Salt Spring Island Agriculture Advisory Committee endorses the following Salt Spring Island Local Trust Committee September 1, 2011 resolutions:

SSI-175-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend the Salt Spring Island Official Community Plan by designating all of 201-225 Beddis Road (Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289 Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD253481I) and Except that Part in Plan VIP60214) as Industrial on Map 1 of Official Community Plan Bylaw No. 434. **CARRIED**

SSI-176-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend the Salt Spring Island Land Use Bylaw No. 355 by designating:

a) that portion of 201-225 Beddis Road (Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289 Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD253481I) and Except that Part in Plan VIP60214) that will be owned by a recognized body representing agricultural interests on Salt Spring Island, as a variant (to be developed similar to IN1a of Industrial Zone 1 on Map 2 of Land Use Bylaw No. 355.

b) that portion of 201-225 Beddis Road (Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289 Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD253481I) and Except that Part in Plan VIP60214) that will be owned by Slegg Lumber, as a variant (to be developed) on Industrial Zone 1 with lot coverage limited to 20%. **CARRIED**

SSI-178-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to refer application SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants to agencies and First Nations as per standard practice, specifically including the Capital Regional District's Transportation Commission. **CARRIED**

SSI-179-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to work with the applicant for SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants to develop measures to protect the riparian areas and ravine on the site and to ensure vegetative buffering is planted between the site, neighboring properties and Beddis Road. **CARRIED**

4.2 SS-RZ-2011.4 - 1154 King's Lane - 6512626 BC Ltd.

Planner Cermak spoke to his report. The applicant, Myles Wilson, was present. Planner Cermak explained the long and short-term plans for the property. It was noted that most of the surface water run off moves in the opposite direction from the agricultural land and that the sandy soil provides excellent drainage. A buffer is needed from the agricultural land. While there are large trees, an arborist has noted some might be dangerous. Edge planning techniques as suggested by the Ministry of Agriculture are being explored. The existence of a covenant on the neighbouring property will be clarified by the applicant. The applicant presented a revised drawing of the plans that included the required parking spaces. Suggestions were made to reduce parking possibly by exploring how other communities have dedicated parking for medical facilities as opposed to dedicating parking for commercial facilities.

It was **MOVED** and **SECONDED** that the Salt Spring Island Agriculture Advisory Committee recommend to the Salt Spring Island Trust Committee that the current buffer zone of 7.5 meters be maintained to ensure a buffer remains in place.

CARRIED

5. MINUTES OF PREVIOUS MEETING

5.1 Draft Minutes of the August 18, 2001 AAC meeting.

It was **MOVED** and **SECONDED** that the minutes of the Agriculture Advisory Committee meeting of August 18, 2011 be adopted as circulated.

CARRIED

6. OLD BUSINESS

6.1 Report on Bylaw 448 (Industrial and Home Based Business)

RPM Hartley thanked the Agriculture Advisory Committee for their input and noted that their advice has been incorporated in the bylaw. She advised that Staff is preparing a home based business brochure for the public.

6.2 Upcoming Public Hearing - November 2, 2011

RPM Hartley advised the Committee on upcoming public hearing items that incorporate AAC advice.

The Committee thanked the Regional Planning Manager for the updates.

7. NEW BUSINESS

7.1 Committee Chair Selection Process - January 2012

RPM Hartley noted that a Chair for each advisory committee should be appointed in January and that an agenda item will be included to accept nominations and to complete the election. She also advised that a current Chair can be re-elected.

7.2 Acknowledgment

Trustee Ehring noted that this will be the last time he will attend an Agriculture Advisory Committee meeting as Trustee. He thanked the Committee for its valuable advice over his 6 years as Trustee and noted his and Trustee Torgrimson's appreciation for the hard work, effort and advice. The Committee has dealt with issues of real importance to the future of Salt Spring and the Trustees recognize the time that the Committee members have sacrificed to attend meetings and make recommendations.

The Committee thanked the Trustees for their attendance at Committee meetings and for their hard work.

8. ADJOURNMENT

The meeting adjourned at 2:20 PM by general consent.

Conrad Pilon – Acting Chair

Kate Merry - Recorder

ADOPTED
MINUTES OF THE SALT SPRING ISLAND
AGRICULTURE ADVISORY COMMITTEE MEETING
Thursday, November 17, 2011
BAPTIST CHURCH - LOWER LEVEL- 520 LOWER GANGES ROAD

PRESENT

Ken Byron, Chair
Conrad Pilon, Committee Member
George Laundry, Committee Member
Bree Eagle, Committee Member
Jane Squier, Committee Member
Tony Threlfall, Committee Member
Ian Kyle Committee Member

ALSO PRESENT

Rob Kline, Ministry of Agriculture
Justine Starke, Island Planner
Kate Merry, Recorder
Michael Schubart, Applicant
Richard Hannah, Applicant
Janis Gauthier, Applicant

CALL TO ORDER

The Chair called the meeting to order at 3:00 PM.

1. AGENDA

Item 2.3 (SS-RZ-2011.3 – 440 Rainbow Road – J. Quesnel Applicant) was removed from the agenda at the request of the applicant.

By general consent, the agenda was adopted as amended.

2. BUSINESS ITEMS

2.1 SS-ALR-2011.3 - 135 Brinkworthy - SSI Fire Protection District Board of Trustees

Planner Starke spoke to the Staff Report dated October 25, 2011. The applicants were present. The applicants advised that a drainage report is not available at this time; however, they will submit a letter of undertaking to ensure that this will be provided. To date, one concern has been raised about noise levels. The applicants noted that there have been no noise complaints from neighbours about the current Fire Hall and its location is closer to a residential area than the proposed site. Concern was expressed that disturbed soil should remain on the site or be used for agricultural purposes. It was noted that the building will meet the 25-foot height limitation but that a tower will require a variance. The applicants also advised that basic training will take place at the site but live fire training will not occur there.

The applicants advised that they are willing to consider an ALR density transfer if they can find a suitable property. They welcomed suggestions.

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommend the Salt Spring island Local Trust Committee forward application SS-ALR-2011.3 to the Agricultural Land Commission with support and request the applicant confirm in writing that they will provide a site plan, an engineering drainage report, community consultation, and that disturbed soil remain on site or be transferred to another agricultural site. **CARRIED**

2.2 SS-ALR-2011.2 - 2163 Fulford-Ganges Road – JG Consulting Services Ltd.

Planner Starke spoke to the Staff Report dated October 27, 2011. The applicant was present. It was noted that the property recently received farm status. It was also noted that the proposal for a bare land strata versus a fee simple subdivision was pursued because a fee simple subdivision would require road dedication for access; public road standards require more land alteration. There was discussion about the strata proposal being central to improving agricultural production on the lot because of the infrastructure development (pond, irrigation, fencing, etc.) that is being offered as a condition of development. It was noted that domestic water would be provided by a well on each property.

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee table a decision pending a site visit. **CARRIED**

Committee members requested that a site visit to 440 Rainbow Road (concerning application SS-RZ-2011.3) be organized in conjunction with the site visit for 2163 Fulford-Ganges Rd. (SS-ALR-2011.2).

3. MINUTES OF PREVIOUS MEETING

3.1 Draft Minutes of the October 20, 2011 Agriculture Advisory Committee Meeting

It was **MOVED** and **SECONDED** that the minutes of the October 20, 2011 Agriculture Advisory Committee meeting be adopted as circulated. **CARRIED**

4. OLD BUSINESS - None

5. NEW BUSINESS - None

6. ADJOURNMENT

By general consent, the meeting adjourned at 4:25 PM.

Ken Byron - Chair

Kate Merry - Recorder

DRAFT
MINUTES OF THE SALT SPRING ISLAND
AGRICULTURE ADVISORY COMMITTEE
Thursday, December 1, 2011 – 1:00 PM
BAPTIST CHURCH – LOWER LEVEL – 520 LOWER GANGES ROAD

PRESENT

Ken Byron, Chair
Conrad Pilon, Committee Member
Ian Kyle, Committee Member
Tony Threlfall, Committee Member
Jane Squier, Committee Member

ALSO PRESENT

Stefan Cermak, Planner II
Kristen Aasen, Planner I
Mary Hughes, Recorder
Janis Gauthier, Applicant
Sofya Raginsky, Applicant

REGRETS

George Laundry, Committee Member
Bree Eagle, Committee Member

Chair Byron called the meeting to order at 1:05 PM.

1. AGENDA

1.1 Approval of agenda

It was **MOVED** and **SECONDED** that agenda be accepted as presented.

CARRIED

2. BUSINESS ITEM

2.1 SS-ALR-2011.2 – 2163 Fulford-Ganges Rd. - JG Consulting Services Ltd.

Four members of the Committee informally visited the site and made the following observations;

- that there is a very steep incline up to the proposed building sites and a new road will require a great deal of construction;
- considerable capital will be needed to develop the infrastructure for the farm, i.e drainage, fencing and a pond;
- the proposed building sites do not impede farming;
- the addition of Strata Lot # 2 to the Agricultural Land Reserve more than makes up for the land needed for road construction.

Committee members commented that the applicant's submission was well prepared.

It was **MOVED** and **SECONDED** that the Agricultural Advisory Committee recommends to the SSI Local Trust Committee that application SS-ALR-2011.2 – 2163 Fulford Ganges Road, JG Consulting Services Ltd., is forwarded to the Agricultural Land Commission with the following comments: that suitable agricultural land be included in the Agricultural Land Reserve; that a covenant require some or all of the agricultural commitments including an irrigation pond, field drainage, fencing, a tractor shed and wash station; that a covenant restrict removal of the vegetation along the ALR boundary to buffer future residential uses from agricultural activities; that a vegetated buffer be maintained along the portion of the strata road adjacent to the neighbouring property to the south east, and that the Agriculture Advisory Committee consider the development of the six strata lots not to be a detriment to agriculture but will enhance the agricultural potential of the ALR farm as well as agriculture in the rural zone.

CARRIED

2.2 SS-RZ-2011.3 - 440 Rainbow Road – J. Quesnel

The applicant was not present.

Committee members requested that an informal site visit be organized as soon as possible. It was suggested that Chair Byron make the arrangement with the applicant.

Committee members discussed their concerns about drainage from the site on to adjacent agricultural lands, about the presence of contaminants in the soil at the edge of the property and about potential leakage from vehicles stored on the site prior to crushing;

Planner Cermak referenced the Vehicle Dismantling and Recycling Industry Environmental Planning Regulation and referenced CRD Bylaw No. 2810. He reported that the applicant plans to hire acoustic and soil engineers and is aware that a drainage plan will be needed.

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommends to the Local Trust Committee the following, noting that they make these recommendations based on their mandate to protect the agricultural land downstream of and adjacent to the site:

- that in order to establish a baseline, that soil and water samples be taken at the property line as soon as possible;
- a leachate management plan be established which would include the establishment of test wells at the property boundary for regular monitoring;
- that a security bond be in place;
- that all loading/unloading activity, storage and dismantling take place on an impermeable surface designed to collect all leachates and run-off;
- that no burning of any kind be permitted on the site;
- that the applicant be required to adhere to the requirements of CRD Bylaw No. 2810, a bylaw to regulate the operation of transfer stations on Salt Spring Island.

CARRIED

3. **MINUTES OF PREVIOUS MEETING**

3.1 **Minutes of the meeting held November 17, 2011**

The draft minutes of November 17, 2011 meeting were corrected to show that the application number for 2163 Fulford-Ganges Road should read SS-ALR-2011.2.

It was **MOVED** and **SECONDED** that the minutes of the meeting held, November 17, 2011 be adopted as amended. **CARRIED**

4. **OTHER BUSINESS** - None to be considered

5. **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:00 PM.

CHAIR - Ken Byron

RECORDER – Mary Hughes

DRAFT
SALT SPRING ISLAND
ADVISORY DESIGN PANEL MINUTES
Thursday, November 17, 2011 – 10:00 AM
BAPTIST CHURCH LOWER HALL, 520 LOWER GANGES ROAD

PRESENT

Neil Morie, Chair
Judy Norget, Panel Member
Sebastian Moffat, Panel Member
Patti Grey, Panel Member
Janet Stetham, Panel Member

REGRETS

Ron Aird, Panel Member

ABSENT:

Craig Seedhouse, Panel Member
Nick Hodson, Panel Member

ALSO PRESENT

Stefan Cermak, Planner II
Eric Booth, Applicant
Derek Crawford, Applicant

One member of the public was present.

CALL TO ORDER

The Chair called the meeting to order at 10:00 AM

1. ADOPTION OF THE AGENDA

1.1 Approval of agenda

The agenda was approved as circulated.

2. APPLICATIONS

2.1 SS-DP-2011.6 - Swanson's Pond, Park Drive – E. Booth

Planner Cermak spoke to the Staff Report dated October 24, 2011. The Panel reviewed the design changes and noted that the revised plans show basements that could be converted into dwelling units. Staff noted that the drainage report will be updated. Building grade changes were also noted. The Panel would have liked to review a scale model if one had been available.

It was **MOVED** and **SECONDED** that the Advisory Design Panel recommend that the second units on the northwest side at the pinch point of that location on the plans not have basements but consider raising the parking grade and be main floor walk out units only. **CARRIED**

It was **MOVED** and **SECONDED** that the Advisory Design Panel recommend that the Salt Spring Island Local Trust Committee request that the applicant post a sign including graphics of the proposed development site plan at the entrance to the property on Park Drive. **CARRIED**

3. **OLD BUSINESS** - none

4. **MINUTES**

4.1 **Minutes of the meeting of July 21, 2011 meeting**

It was **MOVED** and **SECONDED** that the draft minutes of the Advisory Design Panel meeting of July 21, 2011 be adopted as presented. **CARRIED**

A question arose from the minutes concerning application SS-RZ-2011.1 – 125 Rainbow Road and pathways. Staff noted that while it is desirable to incorporate pathways into the public pathway system, liability and private property issues could prove to be challenging.

It was **MOVED** and **SECONDED** that the Advisory Design Panel recommend that the Salt Spring Island Local Trust Committee request that Planning Staff find ways to implement the pathway network. **CARRIED**

5. **NEW BUSINESS** - None

6. **ADJOURNMENT**

By general consent the meeting adjourned at 12:00 Noon.

Neil Morie - Chair

Kate Merry - Recorder

**ADOPTED
SALT SPRING ISLAND
ADVISORY ENVIRONMENT COMMITTEE MEETING MINUTES
Thursday, October 20, 2011 - 1:00 PM
BAPTIST CHURCH – LOWER HALL, 520 LOWER GANGES ROAD**

PRESENT

Sally John, Chair
Dave Gooding, Committee Member
Jeff Thompson, Committee Member
Leah Hartley, Regional Planning Manager
Beverly Suderman, Consultant Planner
Chris Hall, Consultant Planner
Lisa Floritto, Recorder

REGRETS

Dave Denning, Committee Member
Susan Hannon, Committee Member

The applicant, Kelly Gesner, Landworks Consultants, and her client, Mark Rithaler were present.

1. PRESENTATION – SS-RZ-2008.3 – 201 Beddis Road - Landworks Consultants

Ms. Gesner made a joint presentation to the Advisory Environment Committee and the Agriculture Advisory Committee. She covered the history of the application, the present situation and some of the future plans. A few general questions about setbacks and lot coverage were raised and answered and then the two Committees separated to discuss the application.

CALL TO ORDER

Chair John called the meeting to order at 1:35 PM.

2. APPROVAL OF AGENDA

2.1 Approval of Agenda

The agenda was adopted by general consent.

3. **BUSINESS ITEMS**

3.1 **SS-RZ-2008.3 - 201 Beddis Road - Landworks Consultants**

Discussion ensued about storm water, pervious surfaces and wheelchair access. Also discussed was the size of the building to be provided to the agriculture group, the disposal of the current Slegg site and traffic statistics.

At approximately 1:45 PM, Consultant Planner Chris Hall and Mark Rithaler joined the meeting during the discussion.

It was **MOVED** and **SECONDED** that the Advisory Environment Committee recommends to the Salt Spring Island Local Trust Committee that application SS-RZ-2008.3 (201 Beddis Road, Landworks Consultants) go forward. **CARRIED**

4. **MINUTES OF PREVIOUS MEETING**

4.1 **Draft Minutes of the September 22, 2011 Advisory Environment Committee Meeting**

It was **MOVED** and **SECONDED** that the minutes of the September 22, 2011 meeting of the Advisory Environment Committee be corrected to remove Kim Kornbacher's name as Committee Member and then be adopted as corrected. **CARRIED**

5. **NEW BUSINESS**

RPM Hartley reminded the committee of the Chair Selection Process that should be followed at the start of each year.

6. **ADJOURNMENT**

There being no further business, the meeting adjourned at 2:00 PM.

Chair – Sally John

Recorder – Lisa Floritto

DRAFT
SALT SPRING ISLAND
ADVISORY ENVIRONMENT COMMITTEE MEETING MINUTES
Thursday, November 24, 2011 – 11:00 AM
BAPTIST CHURCH – LOWER HALL, 520 LOWER GANGES ROAD

PRESENT

Sally John, Chair
Jeff Thompson, Committee Member
Susan Hannon, Committee Member
David Denning, Committee Member

ABSENT

David Gooding, Committee Member

ALSO PRESENT

Peter Grove, Local Trustee-Elect
Stefan Cermak, Planner II
Kate Merry, Recorder

CALL TO ORDER

The Chair called the meeting to order at 11:00 AM. One member of the public was present.

1. ADOPTION OF THE AGENDA

The agenda was adopted by general consent.

2. APPLICATIONS

2.1 SS-RZ-2011.3 - 440 Rainbow Road – J. Quesnel

Planner Cermak spoke to the Staff Report dated October 25, 2011. The applicant and his consultant were present. He noted that an amendment to the Official Community Plan will be required as well as the Land Use Bylaw and that a clear definition of use will be necessary. Environmental issues include: the effect on neighbouring properties, ground water runoff, and soil contamination. He advised that the consultant's report does not respond to all of the issues that were raised. The consultant noted that the Capital Regional District will require an Environmental Management Plan before a Waste Transfer Station permit is issued. The consultant noted that engineering reports on soil and acoustics will be submitted and that no report has been initiated for a water run-off. Committee members suggested remedial noise measures and concerns were expressed

about the effect of industrial use in the watershed. The Committee noted that more data about industrial uses impacting soil, water and air will be required.

The owner of a neighbouring farm asked to address the committee and, stressed the neighbours' opposition to the application citing concerns to air, noise, ground vibration and water quality. The Committee acknowledged that the area is not low density. A suggestion to operate an indoor recycling facility was introduced; however, the applicant advised that the height of the recycling equipment would make this problematic.

It was **MOVED** and **SECONDED** that the Advisory Environment Committee request that Staff arrange a site visit to 440 Rainbow Road and also to the neighbouring properties, noting that time is of the essence. **CARRIED**

3. MINUTES OF PREVIOUS MEETING

3.1 Draft Minutes of the October 20, 2011 meeting of the Advisory Environment Committee

It was **MOVED** and **SECONDED** that the minutes of the Advisory Environment Committee meeting of October 20, 2011 be adopted as circulated.

CARRIED

4. OLD BUSINESS - none

5. NEW BUSINESS - none

6. ADJOURNMENT

By general consent, the meeting adjourned at 12:05 PM.

Sally John - Chair

Kate Merry - Recorder



RWM From: January 03, 2011 To: December 15, 2011

Salt Spring Island

Resolution #	Action	Resolution Description	Resolution Date
2011-10	In Favour	In summary, this DP authorizes the following: •eliminates a window next to the stairway entry •the exchange of a doorway for a window and 2 windows for 2 doorways in the recess along the frontage of Fulford-Ganges Road •changes to the roofline •changes to the shed roof (canopy) above the rear doors •relocates the bench •eliminates the requirement for the paver pathway to connect the sidewalk through the parking lot to the Ganges Public Pathway System	Oct 31, 2011
2011-09	In Favour	The Salt Spring Island Local Trust Committee dedicate \$520.00 from the Salt Spring Island Local Expense Account (65230) to the Gulf Island Secondary School for a Youth Parliament Planning Presentation.	Oct 20, 2011
2011-08	In Favour	Release of the SSILTC In-Camera Meeting Minutes of June 2, 2011 to the Chief Administrative Officer.	Sep 12, 2011
2011-07	In Favour	THAT the Salt Spring Island Local Trust Committee Adopt Proposed Bylaw No. 433, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1. 2008".	Aug 19, 2011
2011-06	In Favour	THAT the Salt Spring Island Local Trust Committee will hold a Community Information Meeting for Proposed Bylaw No. 448 prior to the scheduled Public Hearing.	Jul 20, 2011

2011-05	In Favour	THAT the Salt Spring Island Local Trust Committee cancels the Public Hearing for Proposed Bylaw No. 449, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment Bylaw No. 1, 2011" that was opened and recessed on June 21, 2011; and that was reconvened and recessed on June 22, 2011; and that was scheduled to reconvene on June 25, 2011.	Jun 23, 2011
2011-04	In Favour	THAT the Salt Spring Island Local Trust Committee instructs staff to move the location of the July 7, 2011 Local Trust Committee from ArtSpring Theatre to the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Ganges.	Jun 17, 2011
2011-03	In Favour RWM to request review of complaint by Executive Committee	THAT the Salt Spring Island Local Trust Committee requests the Islands Trust Executive Committee to conduct a review of the complaint received from Susan Cunningham et al dated May 25, 2011.	May 31, 2011
2011-02	In Favour	THAT the Salt Spring Island Local Trust Committee accepts the attached water treatment covenant associated with the subdivision application SS-SUB-2008.6 (Polaris Land Surveying/827 Rainbow Road) and designates any member of the Local Trust Committee to sign the covenant; and THAT the Salt Spring Island Local Trust Committee accepts the attached common property covenant associated with the subdivision application SS-SUB-2008.6 (Polaris Land Surveying/827 Rainbow Road) and designates any member of the Local Trust Committee to sign the covenant.	Apr 20, 2011
2011-01	In Favour	THAT a Special Meeting of the Local Trust Committee be held on Monday, January 31, 2011 from 10:00 AM to 2:00 PM to discuss Affordable Housing matters with Consultant, Tim Wake.	Jan 27, 2011

Hi Lia!

My name is Sam Rowlandson-O'Hara and I am with the GISS student government. I have a couple of questions about the upcoming Islands Trust meeting since I am quite new at this. We went over a base structure of what we should bring to the floor or what will go on at this meeting, but I'm just wondering if there are any things that have changed since last year that we should know about? Also I have heard from our Chair that there is usually only one constant student who attends these meetings. Myself and another grade 12 student are wondering if we could both attend the first meeting since our plan would be to alternate between meetings. If you know, what are the subjects that are going to be discussed at this upcoming meeting?

Thank you for your time, I look forward to hearing from you.

Sam R-O



200 - 1627 Fort Street, Victoria, BC V8R 1H8
Telephone (250) 405-5186 Fax (250) 405-5155
Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC
1.800.663.7867
Email itfmail@islandstrust.bc.ca
Web www.islandstrustfund.bc.ca

Item 4.2

October 27, 2011

Dear Salt Spring Local Trust Committee:

**Re: Islands Trust Fund Annual Monitoring Visit
Shacum Covenant, Salt Spring Island**

The Islands Trust Fund is pleased to inform you that we have completed our annual monitoring visit of the Shacum Covenant for which your organization is the Co-Covenant Holder.

The Shacum Covenant was found to be in good standing. For your records, enclosed is the site report prepared by our Property Monitor, Chris Ferris.

Thank you for your assistance and continued good stewardship of this property.

The Islands Trust Fund now annually monitors 82 properties (total hectares: 1077) in which it holds an interest either in the form of a conservation covenant or fee simple ownership. The Island Trust Fund very much appreciates your contribution to this growing legacy that preserves and sustains the unique environment and character of the Islands Trust Area.

We look forward to seeing you next year during our next monitoring visit.

Once again, thank you for permanently protecting your property.

Yours truly,

Jeff Ralph
A/Property Management Specialist
Islands Trust Fund

Enclosure(s): Site Inspection Form

"CREATING A LEGACY OF SPECIAL PLACES"

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis



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1.800.663.7867
Email itfmail@islandstrust.bc.ca
Web www.islandstrustfund.bc.ca

October 27, 2011

Dear Salt Spring Local Trust Committee:

**Re: Islands Trust Fund Annual Monitoring Visit
Manzanita Ridge Nature Reserve Covenant, Salt Spring Island**

The Islands Trust Fund is pleased to inform you that we have completed our annual monitoring visit of the Manzanita Ridge Nature Reserve Covenant for which your organization is the Co-Covenant Holder.

The Manzanita Ridge Nature Reserve Covenant was found to be in good standing. For your records, enclosed is the site report prepared by our Property Monitor, Chris Ferris.

Thank you for your assistance and continued good stewardship of this property.

The Islands Trust Fund now annually monitors 82 properties (total hectares: 1077) in which it holds an interest either in the form of a conservation covenant or fee simple ownership. The Island Trust Fund very much appreciates your contribution to this growing legacy that preserves and sustains the unique environment and character of the Islands Trust Area.

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Once again, thank you for permanently protecting your property.

Yours truly,

Jeff Ralph
A/Property Management Specialist
Islands Trust Fund

Enclosure(s): Site Inspection Form

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1.800.863.7867
Email itfmail@islandstrust.bc.ca
Web www.islandstrustfund.bc.ca

October 27, 2011

Dear Salt Spring Local Trust Committee:

**Re: Islands Trust Fund Annual Monitoring Visit
Lot 31 Covenant, Salt Spring Island**

The Islands Trust Fund is pleased to inform you that we have completed our annual monitoring visit of the Lot 31 Covenant for which your organization is the Co-Covenant Holder.

The Lot 31 Covenant was found to be in good standing. For your records, enclosed is the site report prepared by our Property Monitor, Chris Ferris.

Thank you for your assistance and continued good stewardship of this property.

The Islands Trust Fund now annually monitors 82 properties (total hectares: 1077) in which it holds an interest either in the form of a conservation covenant or fee simple ownership. The Island Trust Fund very much appreciates your contribution to this growing legacy that preserves and sustains the unique environment and character of the Islands Trust Area.

We look forward to seeing you next year during our next monitoring visit.

Once again, thank you for permanently protecting your property.

Yours truly,

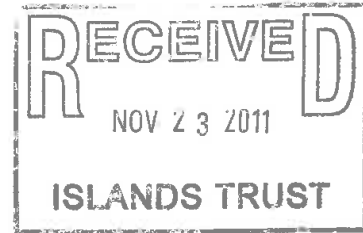
Jeff Ralph
A/Property Management Specialist
Islands Trust Fund

Enclosure(s): Site Inspection Form

"CREATING A LEGACY OF SPECIAL PLACES"

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

1 – 107 Atkins Road,
Salt Spring Island BC.
V8K 2X6



Dear Messrs. Peter Grove and George Grams,

Re: Road to Maxwell Mountain Lookout

Congratulations on your successful bid to head up the Islands Trust. With your backgrounds and experience I feel we have a good chance of seeing things run smoothly.

I'm hoping you might have some ideas for me. My concern stems from my tour company, "See Around Salt Spring", that I have been developing for just over two years. I am pretty confident that next year will see it take off.

As noted on my rack card, I want to take people to the Maxwell Mountain lookout. Because of the "no-man's land", a stretch of road that is apparently no one's responsibility, I'm afraid to drive up to the top.

I have a Subaru Impreza that works well for small private groups of tourists, but isn't the kind of vehicle needed in the most difficult section of the road. Not all our visitors, or residents for that matter, can hike or bike so Maxwell Mountain has become effectively unavailable to many.

I think you will agree that the lookout is one of our most beautiful tourist attractions. If you can help me see a direction to take in order to get action from someone I'm very willing to put in an effort, rather than leaving the problem with you. In the past the Highways office has given my some insights, but so far requests for assistance have gone nowhere.

Thank you for giving your attention to my small yet important problem, not just for me but for our overall island tourism. My best wishes to you both as you begin your terms as directors.

Sincerely,


Ruth Volquardsen

See Around Salt Spring
250-537-5188



Artists' Galleries

Visit galleries & studios with a range of world-class art and craft, including painting, sculptures, glassworks, wood craft, jewellery, ceramics, photography, dolls, textiles, and weaving.



Bed & Breakfasts

Check out your pick of B&Bs for future stays. Find the ones with wheelchair access, or those that welcome groups, children, and/or pets.



Foodies' Delight

Plan a tour around cheese shops, bakeries, apple orchards, market gardens, farmstands, and/or vineyards.



Beaches for All Tastes

Picnic at one beach and swim at another where the sun warms the sand and the sand warms the sea. Spend time beachcombing and discovering fantastic rock formations.



Maxwell Mountain

See the world at your feet. Fill your lungs with mountain air. Be there for the ultimate sunrise or sunset.



Historic Ruckle Park

Come on a gentle hike where marine creatures follow along, seabirds hug the shore, and eagles swoop to fish. Picnic as you take in passing boats. Set up your easel for 'plein air' sketching.



Tsawout First Nations Park

Tread lightly in this private area and stop by the site of an ancient village. Watch kayakers glide past. Discover sea life in tidal pools.



Salt Spring Churches

Hear stories from the creators of stained glass windows and carvings in historic churches. Discover the stone Catholic Church, centre of Hawaiian life over 100 years ago. Walk in historic cemeteries.



Rare Opportunities

Access private studios, gardens, or outdoor locations not normally open to the public. For artists, gardeners, hobbyists, and collectors expressing specific interests.

Driving Tour Prices

\$45 for 3 hours, per person
\$75 for full day, per person
RAIN OR SHINE

Walking Tour Prices

Ganges \$15 per person
Fulford or Vesuvius \$10
1 hour RAIN OR SHINE

Contact RUTH VOLQUARSEN, your guide
250-537-5188 info@seearoundsaltspring.ca
www.seearoundsaltspring.ca

See Around Salt Spring

... summer every day

Historic Village Walking Tours

JUNE THROUGH SEPTEMBER

also available through winter months upon request

GANGES

Wednesdays 2pm at Raconteur Bench by Post Office

FULFORD *

by the Post Office
2pm on the first & third
Thursday of each month

VESUVIUS *

by the store
2pm on the second & fourth
Thursday of each month

* Village Parking very limited: Best policy – take the bus from Ganges. Avoid parking cars at Vesuvius store. Please do not block driveways or park on Vesuvius Bay Road. Respect signs. Fulford parking even more limited. Excellent eateries in both villages.

Tours are about an hour RAIN OR SHINE
Ganges: \$15 per person Vesuvius or Fulford \$10
Cash only please.

Stories · History · Insights

Private Driving Tours

Experience the well known sites and many hidden gems Salt Spring has to offer. Let my explorations and meanderings guide you.

You set your priorities: art, nature, roadside stands or anything you like, and I'll set the path for a great custom tour experience.

My car: 1-4 passengers
Larger groups: your vehicle or rental
My inside track!
Discover Salt Spring like an islander.

Get Married

Or reaffirm your vows!

I will help you find the best person to officiate at your service in the perfect location.

From: Guenette, Darin [mailto:Darin.Guenette@bcferries.com]
Sent: November-24-11 1:19 PM
To: Leah Hartley
Cc: Lisa Gordon
Subject: Ferry Advisory Committees and Islands Trust

Good day Leah,

I am responsible for coordinating the establishment and maintenance of Ferry Advisory Committees; BC Ferries' prime public consultation tool. For more info on FACs: <http://www.bcferries.com/about/publicconsultation2/FAC/index.html>

As these committees work within a three-year term, with the next one beginning January 1, 2012, I am currently working on establishing membership for all committees. One of the principal goals is to encourage the broadest representation of stakeholders within each community. Often, members represent groups such as First Nations, seniors, emergency services, business, tourism, ratepayers associations and local governments. Of course, the committees have individually evolved to best serve the interests of each unique area. Some groups are simply comprised of various individual volunteers who may have an interest/connection to a stakeholder segment, while others are actually appointed by these organizations.

As such, we want to take the opportunity at this point to reach out to your committee and request if you are satisfied with continuing the process that has seen:

- one member appointed to represent the Salt Spring Island local Trust Committee

If this makes sense, I would ask you to submit your appointment for the next committee term to me by December 15, 2011 (or as soon as possible thereafter). If you would like to discuss altering the process, I am open to hearing ideas...as the goal of the committee is to provide the best two-way communication process regarding ferry service and the communities served by BC Ferries. It must work for you and those communities.

As well, I have been told that there is interest from all local committees in providing assistance to BC Ferries in helping confirm that final member selections actually represent the stakeholder group that they claim to represent. That is, once BC Ferries has made the final decision on FAC membership, you may be able to confirm that they have made true statements of association. That may or may not lead us to consider a change to the committee. If this service is something you would like to provide, please let me know.

For any/all other questions/suggestions on this process, please contact me at your convenience.

Regards,

Darin Guenette
Manager, Public Affairs
BC Ferry Services Inc.
Suite 500-1321 Blanshard Street
Victoria, BC V8W 0B7
Tel: 1-877 978-2385 (toll free) or 250-978-2385
Fax: 250-978-1119
www.bcferries.com

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This message, including any attachments, is confidential and may contain information that is privileged or exempt from disclosure. It is intended only for the person to whom it is addressed unless expressly authorized otherwise by the sender. If you are not an authorized recipient, please notify the sender immediately and permanently destroy all copies of this message and any attachments.

Gulf Islands National Park Reserve Management Plan Newsletter #3



PARKS CANADA

November 2011

Parks Canada is using a multi-phase planning process to develop the first management plan for the park. This newsletter provides a short introduction and highlights “What We Heard” in Phase 1 consultations.

Where We're At

The following outlines the various consultation phases, anticipated timelines, and their focus.

Phase 1 (COMPLETED) The focus was on gathering ideas and suggestions to update the park vision, update the overall management principles, and establish 15-year objectives for strategic areas of focus.

Phase 2 (Spring 2012) The focus will be on setting realistic 5-year targets and priority actions and setting policy direction relating to administration and operations and partnering and public engagement.

Phase 3 (Fall-Winter 2012/13) The focus will be largely on park zoning and monitoring.

Phase 4 (Summer-Fall 2013) this phase will consist of a public review and comment period—allowing people to consider the draft Management Plan as a whole document.

Thereafter, the Management Plan will be finalized.

The Phase 1 Process

In order to provide information to and gather ideas from the public, including Coast Salish First Nations, 5 open houses, 2 information booths, 11 meetings and/or presentations, and 2 workshops were held and information was sent to 270 people on the management planning email list. Lots of ideas were received.

The Park Vision

A vision for Gulf Islands National Park Reserve was developed and approved through the Interim Management Guidelines process (2006). It is now time to review and update the vision.

The vision serves as a reference for all decision-making. It should paint a picture of what the desired state is for the park in 15 year's time. It should help people understand what is significant about the park, its special character and how we will be working together to achieve our goals for this special place.

Generally, people were asked what they value about the park and what they'd like the park to be like in 15-20 years. Example visions, from other national parks, were provided to prompt ideas and to gauge preferences.

Inside this issue:

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WHAT WE HEARD ABOUT MANAGEMENT PRINCIPLES	2
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WHAT WE HEARD ABOUT OBJECTIVES	5



Gulf Islands National Park Reserve

What We Heard About the Vision

Some of the common themes and ideas/words expressed include:

- **Protection of the natural environment and improvement to the ecological integrity** (keep it natural, awe-inspiring, endangered ecosystems, beauty, undisturbed, land/sea connection, maintain diversity)
- **Opportunities to enjoy nature in ways that respect sensitive nature of environment** (connecting with nature, trails, kayaking, birding, watching wildlife, camping, access to the waterfront, easier access/parking)
- **Presentation of culture/history** (First Nations' long connections to the area, more respect for the First Nations, rich multi-cultural heritage, today's island culture, specific places were noted such as Roesland and Georgina Point)
- **More interpretive information, provided in varied and interesting ways** (more interpretive programs, information and opportunities relating to First Nations, interpretive signs, brochures and guides, leadership in education).
- **First Nations related** (continued use of traditional resources—hunting, fishing, harvesting, medicines, protection of ancestral sites in the park and greater involvement in management for mutual benefit)
- **Continued liaison and integration with communities** (continued integration of local community and park needs, locals are benefiting from park, continue local island liaison committees)
- **Continued land acquisition and connection with a broader marine conservation area.**



Sidney Spit
Parks Canada/Christian J. Stewart

What We Heard About Management Principles

Management principles are sometimes referred to as values or “touchstones” that guide management and are used as filters for decision-making.

The Interim Management Guidelines included nine management principles. Through the consultation process, an updated set of six principles were proposed. People were asked: if they were the park superintendent, what overall values or principles would they set to guide decision-making and operations. They were also asked if they agreed with the updated principles.

Generally, people agreed with the current and updated principles. Specific suggestions for management principles were combined into the following themes. Information in brackets highlights the types of comments made in these categories:

Gulf Islands National Park Reserve

What We Heard About Management Principles

- **Protection/Level of Service** (as first priority, need to balance nature preservation and human use, desire to keep it as natural as possible, enhance visitor use yet protect natural values, slow, careful development of limited opportunities for people to see that natural world here, allow users to access the park in an environmentally positive way)
- **Communication/Collaboration** (consultation with communities, communication is critical, input by stakeholders, public participation, engage neighbours and educate them about stewardship, Parks Canada should consult face to face with First Nations Chiefs and Councils, recognize and use traditional knowledge, explain to people what you heard from them)
- **Integrity** (transparency, timely delivery of projects, good communications, to preserve and protect this fragile region)
- **Other** (maintain your excellent staff, read Dr. Suess's "The Lorax", acquisition of pertinent lands available now and never again).

Given the comments received a set of 12 management principles will be included in the draft management plan for consideration. They are:

1. Decisions are consistent with the national park mandate (resource conservation, enjoyment and education) and the vision for GINPR.
2. Recognizing the sensitivity of the ecosystems in the Strait of Georgia Lowlands Natural Region, Parks Canada strives to improve ecosystem integrity and limit negative impacts.



Princess Margaret Trail, Portland Island
Parks Canada/Christian J. Stewart

3. Visitor opportunities and facilities are peak- season focused, moderately rustic, and generally "green" in nature. Connecting with nature in quiet, peaceful ways is the primary focus. Connecting with cultural heritage is a second focus and will be undertaken in targeted locations, through targeted actions.
4. Major park projects include a public/ visitor awareness/education component.
5. Parks Canada provides specific mechanisms and opportunities for Coast Salish First Nations to collaborate in the planning and management of the park reserve and to incorporate Traditional Ecological Knowledge, First Nations interests, and input.

Gulf Islands National Park Reserve

What We Heard About Management Principles

6. The Park Advisory Board (PAB) is consulted for advice on strategic matters relating to the planning and operation of the park reserve.
7. In order to ensure transparency, Parks Canada makes efforts to build and maintain positive relationships with stakeholders and the public and provides regular updates on park operations and the on-going implementation of the Management Plan.
8. If significant changes to management or park services are proposed, public consultation is undertaken and interests and input are considered before decisions are made.
9. Parks Canada provides opportunities for the public to be engaged in planning processes and key projects and if significant changes to management or park services are proposed, public consultation is undertaken and interests and input are considered before decisions are made.
10. Park administration, operations and programs demonstrate leadership and sustainability, including use of “green” practices where feasible.
11. Collaborative arrangements are used to advance mutual goals.
12. Parks Canada uses science, research, traditional and expert knowledge to support evidence-based and social-based decision-making.



Winter Cove, Saturna Island
Parks Canada/Christian J. Stewart

What We Heard About Priorities

In Phase 1, a list of approximately 30 identified management needs and opportunities was provided for comment. Given that it may be difficult to address all 30, people were asked to identify which they considered as the 2-3 most important ones to start with in each category.

The following summarizes the major themes that we heard.

Under Ecological Integrity,

- Removal of exotic/invasive species
- Restoring ecosystems
- Stewardship and working together
- Marine Planning & Management
- Monitoring

Gulf Islands National Park Reserve

What We Heard About Priorities

Under Cultural Heritage Management,

- Working with First Nations to protect First Nations cultural sites
- Protecting Newcomer heritage
- Culture-related education
- Cultural Resource Management Strategy

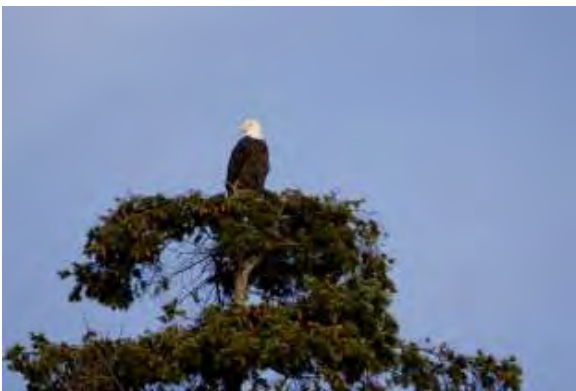
Under Visitor Experience,

- Interpretation/Visitor Centre
- Trails
- Camping
- Gateways
- Locations for special events/large events
- Expanded/New opportunities
- Level of Service/Affordability

Under Working Together,

- Collaborating with First Nations
- Volunteers
- Stakeholder/Public engagement
- Outreach education

These provided a starting point for considering draft 15-year objectives.



Bald eagle
Parks Canada/Christian J. Stewart

What We Heard About 15-Year Objectives

Objectives are meant to set the main 'aims' or 'intent' that Parks Canada should work toward over the 15 year timeframe. Further, they should be broad enough that management needs and public desires can naturally flow from them.

Identifying strategic objectives that will endure for 15 years is a challenging task. While some people provided specific recommendations for 15-year objectives, others suggested specific desired outcomes.

Examples of suggestions received include:

Restoring Ecological Integrity

- Introduce programming that proactively enhances the abundance of native fauna.
- Use science and monitoring to identify areas for targeted management actions and to assess effectiveness of those actions.
- Ecological restoration demonstration sites are established and used as a key tool for education and visitor experience.

Managing Cultural Heritage

- Complete a Cultural Resource Management Strategy to ensure protection of key sites and structures.
- A sustainable program exists for cultural resource management and related interpretive opportunities.
- Continue to have partnering arrangements for cultural heritage rehabilitation.

Gulf Islands National Park Reserve

What We Heard About 15-Year Objectives

Enhancing Visitor Experience

- Explore and implement opportunities that address the needs and desires of changing demographic user groups to enhance visitor experiences.
- Work with schools to engage children and increase appreciation of nature/parks.
- Culture-related tourism is provided by Coast Salish First Nations in partnership with Parks Canada.

Working Together

- Continue to facilitate communications between First Nations, local and provincial governments, local stakeholders, and park users.
- Parks Canada and Coast Salish First Nations are working together like family—we support each other and respect each other.
- GINPR is a Centre for Excellence for protected area research by universities, local communities, and others and collaboration creates greater success.
- A long-term volunteer program is in place and helping build support for the park.

Other

- Complete the land acquisition program with existing, committed funding.
- Continue to engage interest-based groups in the delivery of complementary services or management of facilities through volunteer or partnering agreements.
- Park users understand the impacts of their use

The Planning Team is reviewing the many comments received to see if underlying themes can be established. Broad objectives will be drafted over the next month or two. In some cases comments received may be used in developing 5-year targets and/or actions in the next phase of the planning process.

Next Steps

After the Planning Team has had more time to work on a draft vision and 15-year objectives, another newsletter will be developed to highlight where we're heading. Expect newsletter #4 in early 2012.

Phase 2 will begin in 2012...check the park website regularly for new information (use the "Management Planning" feature button on the home page).



View from Pender Island
Parks Canada/Christian J. Stewart

Date December 19, 2011

File Number SS 6990-01

To Salt Spring Island Local Trust Committee
For Meeting of January 5, 2012

From Leah Hartley
Regional Planning Manager
Salt Spring Team

Re Application Summary Report

Applications Summary:

Application or referral category (Current active applications in brackets)	January 1/10 – December 31.10		January 1/11 – Dec 16, 2011	
	Applications Received in 2010	Applications Closed in 2010	Applications Received	Applications Closed
ALR (3)	2	4	3	2
BOV (0)	0			
DP (4)	10	6	9	12
DVP (2)	7	6	6	6
HAP (0)	0		1	1
RZ (11)	3	3	5	8
SC (0)	0	1		
SUB (19)	5	12	9	14
TUP (2)	2	2	2	2
SDR (3)	5	3	1	0
TOTAL 44	35	37	36	45
Others:				
BP Referrals	47	48	37	33
ILMB Referrals	2	2	3	3

lh

Acronyms:

ALR Agricultural Land Reserve
BOV Board of Variance
DP Development Permit
DVP Development Variance Permit

HAP Heritage Alteration Permit
RZ Rezoning
SC Strata Conversion
SUB Subdivision
TUP Temporary Use Permit

SDR Soil Deposit and Removal
BP Building Permit
ILMB Integrated Land Management Branch
(Crown Land Referrals)



Islands Trust

*Preserving **Island** communities, culture and environment*

Annual Application Summary – Salt Spring Island Local Trust Area

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Rezoning	1	9	5	3	2	10	5	5	2	3	5
Temporary Use Permits	2	1	2	1	2	4	2	1	2	3	2
Development Permit	11	7	16	8	10	7	2	6	2	10	9
Development Variance Permits	11	14	18	22	12	15	14	12	8	7	6
Board of Variance	0	0	0	0	0	1	0	0	0	0	0
Subdivisions	7	9	19	19	30	20	12	14	7	5	9
Agricultural Land Reserve	4	1	1	5	8	9	4	3	4	2	3
Crown Land Referrals	10	6	5	6	15	17		10	13	5	3
Building Permit Referrals						57	74	84	47	47	37
Soil Deposit or Removal (permits and registrations)									3	9	5

K:\Applications\Application Summaries\Annual Application Summary SSI 2001-2011.doc



Applications w/ Status - Salt Spring Planning Team

Status: Open

Salt Spring Island

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2011.1	Landworks Consultants Inc. Planner: Kristin Aasen	Apr-20-2011	To exclude property from the ALR for development of a business park for light industrial and commercial uses (240 Atkins).

Planning Status

Status Date: Dec-22-2011

Staff report to LTC

Status Date: May-17-2011

Application to planner

Status Date: Apr-20-2011

Application received

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2011.2	J.G. Consulting Services Ltd. Planner: Kristin Aasen	May-06-2011	Split zoned A1/ Rural - bare land strata subdivision and non-farm use application in ALR (2163 Fulford-Ganges Rd).

Planning Status

Status Date: Dec-01-2011

AAC meeting and resolution for LTC to support application

Status Date: Nov-03-2011

LTC resolution to refer application to AAC for comment

Status Date: Oct-27-2011

Staff report to LTC

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2011.3	Salt Spring Island fire Protection District, Board of Trustees Planner: Justine Starke	Aug-24-2011	Non-farm use - to construct an emergency services centre - 135 Brinkworthy

Planning Status

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2008.4	ATKINS COMMON DEVELOPMENTS LTD. Planner: Stefan Cermak	Jun-13-2008	Atkins Common DP amendment

Planning Status

Status Date: Jun-24-2009

Working with Curtis Miles on landscaping requirements

Status Date: Apr-17-2009

Wrote letter to strata corporation requesting direction on stated options for proceeding with application. Waiting to receive written direction from strata corporation

Status Date: Apr-15-2009

Met with Strata Representatives

File Number	Applicant Name	Date Received	Purpose
SS-DP-2011.2	Christopher Fawcett Planner: Caitlin Brownrigg	Feb-24-2011	165 Head Street: DPA6, permit required although work already begun, follow up to bylaw infraction

Planning Status

Status Date: Nov-08-2011

file transferred to Planner Brownrigg

File Number	Applicant Name	Date Received	Purpose
SS-DP-2011.6	Salt Spring Ventures Inc. Planner: Stefan Cermak	Apr-29-2011	DP amendment to SS-DP-2005.7 to add a basement level to 3 of the existing buildings (Park Drive)

Planning Status

Status Date: May-24-2011

Staff assigned with direction provided from Southern Region

File Number	Applicant Name	Date Received	Purpose
SS-DP-2011.9	Royal Vancouver Yacht Club Planner: Kristin Aasen	Sep-28-2011	Development permit for DPA 2, 3 and 5. Construction of 8 cottages at 241 & 315 Scott Point Road.

Planning Status

Status Date: Oct-26-2011

File to planner

Status Date: Sep-30-2011

Application received

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2011.5	Jordon Cook and Associates Planner: Leah Hartley	Sep-26-2011	Setback variances - 135 Brinkworthy

Planning Status

Status Date: Oct-25-2011

Contract services proposal rec'd

Status Date: Sep-01-2011

Cost Recovery Agreement supported by LTC

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2011.6	Richard Iredale Planner: Caitlin Brownrigg	Oct-26-2011	Addition of a roof bridging accessory building and cottage

Planning Status

Status Date: Dec-05-2011

Reviewing application

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2003.5	O Connor Project Planning	Nov-13-2003	To rezone a property on Norton Road for an affordable housing project.

Planner: Justine Starke

Planning Status

Status Date: May-11-2009

HA still under negotiations; applicant contacted to discuss next steps.

Status Date: Oct-30-2008

HA on hold pending outcome of CRD/IT operating agreement

Status Date: Oct-02-2008

Update on Housing Agreement presented to LTC

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2006.6	Salt Spring Ventures Inc.	Apr-21-2006	Proposed rezone from A1 & R6 to C2a to accomodate mixed institutional/commercial/residential/agricultural uses at 114 Jackson.
Planner:			

Planning Status

Status Date: Mar-02-2009

Applicant requests keeping file open until further discussion with owners.

Status Date: Sep-04-2008

Applicant requests keeping file open until the fall of 2008

Status Date: Aug-30-2006

LTC tabled until after OCP review: resolution SS-180-06

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2006.7	Salt Spring Land Bank Society Inc.	May-04-2006	To add 3 self-contained affordable housing basement suites to an existing building at 129 Dean Rd.
Planner: Justine Starke			

Planning Status

Status Date: Dec-13-2007

LTC granted an unspecified extension to pay the application fee

Status Date: Dec-03-2007

applicant requested an extension

Status Date: Nov-27-2007

letter to applicant informing file will be closed in 30 days (Dec 7)

File Number	Applicant Name	Date Received	Purpose
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SS-RZ-2008.3

LANDWORKS
CONSULTANTS
INC

May-22-2008

x-ref ALR 2005.4 - Beddis Development. Rezone to permit building supply centre, lumber yard, and agricultural distribution centre (Beddis Road)

Planner: Leah Hartley

Planning Status

Status Date: Dec-01-2011

Negotiations applicant with referral agencies

Status Date: Nov-08-2011

Received for CRD Transportation Commission

Status Date: Oct-20-2011

Received at APC, EAC, AAC

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2009.1	SALT SPRING ISLAND LAND BACK SOCIETY	Jul-14-2009	To rezone land for multiple residential affordable housing units. 384 Fulford-Ganges Road
Planner: Justine Starke			

Planning Status

Status Date: Dec-04-2009

Proposal not complete. Initial review awaiting submission of proof of septic capacity of the site.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2009.2	JORDEN COOK ASSOCIATES	Aug-04-2009	Text Amendment - Brinkworthy Rezoning - to convert to bareland strata
Planner: Leah Hartley			

Planning Status

Status Date: Nov-03-2011

Covenants approved, Executive Committee approval in hand. Applicant will bring forward for adoption pending registration of covenants on title and approval of variance permit DVP 2011.5

Status Date: Sep-01-2011

2nd and 3rd Rdg approved

Status Date: Aug-31-2011

Public Hearing

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2011.1	Martin Ogilvie	Feb-07-2011	Rezone a residential parcel to commercial in order to permit small businesses (125 Rainbow Road).

Planner: Kristin Aasen

Planning Status

Status Date: Nov-22-2011

EC approval

Status Date: Nov-03-2011

2nd and 3rd reading

Status Date: Nov-02-2011

Public Hearing

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2011.2	Board of Education of School District No. 64	Feb-24-2011	Rezoning to permit an educational use (School District #64 - 232 Rainbow Rd)
Planner: Kristin Aasen			

Planning Status

Status Date: Nov-03-2011

3rd reading to OCP/ LUB amendments

Status Date: Nov-02-2011

Public Hearing

Status Date: Oct-06-2011

2nd reading to OCP and LUB amendments

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2011.3	John Quesnel	Mar-31-2011	Rezoning Rural/Upland/Watershed Property to Industrial and Agricultural portion to Residential. (440 Rainbow Road)
Planner: Stefan Cermak			

Planning Status

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2011.4	651626 B.C. LTD	Apr-11-2011	Rezoning C5 & R6 zoned property to allow medical clinic with accompanying retail sales, recreation facility and retain legal rental duplex. (154 Kings Lane)
Planner: Stefan Cermak			

Planning Status

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2011.5	Gerald and Karen Tottman Planner: Kristin Aasen	Aug-23-2011	Rezoning to commercial use - Stitches Fibre Art Supplies - 127 Rainbow Road.

Planning Status

Soil Deposit and Removal

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2010.3	Channel Ridge Properties Planner: Stefan Cermak	Aug-16-2010	Channel Ridge Village: Three soil deposit applications. 1) Exemption request for Broadwell Road; 2) and 3) both deal with Spinnaker Court and Topsails Court, different parts are in different legal lots.

Planning Status

Status Date: Nov-22-2010

On hold pending financial security

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2010.5	Channel Ridge Properties Planner:	Aug-25-2010	Channel Ridge Village Soil Deposit

Planning Status

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2011.1	Kinetic Construction Ltd. Planner: Stefan Cermak	Jan-12-2011	

Planning Status

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2002.7	Wolfe Milner Land Surveying Inc. Planner:	Dec-17-2002	25 lot subdivision, Juniper Place

Planning Status

Status Date: Jun-08-2011

PLA extension letter approved

Status Date: May-16-2008

PLA extension letter rec'd and approved.

Status Date: Mar-06-2006

Staff Comments to MOT

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2004.17	689017 BC Ltd Planner: Stefan Cermak	Dec-13-2004	Lee Anne Road: Proposed 8 lot total subdivision

Planning Status

Status Date: Jul-27-2010

Requires post construction follow up

Status Date: Jul-22-2008

PLA Extension Approval Letter Sent to MOT

Status Date: May-20-2008

PLA Extension Request Received

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2005.29	Norisa Holdings Ltd. & Parks, O'Connor & Parks Investments Ltd Planner: Stefan Cermak	Feb-13-2006	Cudmore Road, 6 Bareland Strata

Planning Status

Status Date: May-31-2011

Extension to PLA

Status Date: Jul-27-2010

Extension to PLA

Status Date: Nov-25-2009

Extension to PLA

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2006.12	Polaris Land Surveying Inc.	Sep-27-2006	19 lot strata subdivision (Musgrave Road)

Planner: Caitlin Brownrigg

Planning Status

Status Date: Jul-15-2009

application to ILMB for road dedication has stalled sub application.

Status Date: May-08-2008

Referral form sent to MOT

Status Date: Mar-12-2008

Revised plans received from MOT

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2006.14	Channel Ridge Properties Ltd Planner: Stefan Cermak	Nov-16-2006	Channel Ridge Village; Proposed 18 Lot subdivision

Planning Status

Status Date: Apr-14-2011

PLA extension granted

Status Date: Sep-02-2010

PLA extension granted until June 2, 2011

Status Date: Aug-05-2010

PLA extension requested

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2006.15	Sparks Street Enterprises Planner: Justine Starke	Nov-16-2006	3 lot subdivision in Fulford

Planning Status

Status Date: Oct-22-2010

PLA extension

Status Date: Feb-24-2010

Applicant needing to provide letter from CRD stating potential of connection to water district.

Status Date: Jul-25-2007

PLA issued 07/07/19; Waiting for conditions to be met

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2007.4	Ian Clement		Two lot subdivision on Southey Point.

Planner: Stefan Cermak

Planning Status

Status Date: Jan-20-2009

Sent Final Letter of Approval to MoT

Status Date: Oct-14-2008

Waiting for PLA conditions to be met

Status Date: Nov-08-2007

PLA Received.

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2007.8	Wolfe-Milner Land Surveying Inc. Planner: Stefan Cermak	May-08-2007	One lot subdivision. (144 Andrew Place)

Planning Status

Status Date: Jul-27-2010

Requires status update

Status Date: Oct-14-2008

Waiting for PLA conditions to be met

Status Date: Oct-19-2007

PLA Received

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2008.1	Richard Wey Planner: Justine Starke	Dec-20-2007	Boundary Adjustment for Jang Property (126 Hereford).

Planning Status

Status Date: Jan-04-2010

Application needs proof of water, staff investigating whether servicing req'd for this boundary adjustment.

Status Date: Oct-02-2008

DVP issued for non-conforming building on Lot A and for the lot size being smaller than usually permitted for Boundary Adjustment (x-ref SS-DVP-2008 -Jang)

Status Date: Aug-08-2008

New referral form sent to MoT; A Rezoning is not needed, but DVPs are needed. DVP is in process.

File Number	Applicant Name	Date Received	Purpose
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SS-SUB-2008.12 Wolfe-Milner Land Sep-19-2008 Two parcel subdivision
Surveying Inc.
Planner: Stefan Cermak

Planning Status

Status Date: Jan-11-2011

Ganges Alternate Route will not go through property

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2009.5	R.S. Aust	May-29-2009	3 Lot Subdivision, Stewart Road
Planner: Stefan Cermak			

Planning Status

Status Date: Jul-27-2010

Reviewing Covenant Restrictions and History

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2009.6	Tamar Griggs	Jun-10-2009	Boundary Adjustment at Bold Bluff
Planner: Stefan Cermak			

Planning Status

Status Date: Jun-09-2011

1 year PLA extension

Status Date: Jul-15-2010

PLA Issued July 15, 2010

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.10	Polaris Land Surveying Inc.	Dec-07-2011	3 lot subdivision - 367A Robinson Road
Planner:			

Planning Status

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.3	Channel Ridge Properties Ltd.	May-13-2011	Channel Ridge 3 parcel subdivision
Planner: Stefan Cermak			

Planning Status

Status Date: Sep-01-2011

Status Date: Sep-01-2011

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.5	Shepherd Holdings Ltd. Planner: Stefan Cermak	Jul-18-2011	6 lot subdivision - split zoned rural and agricultural land - 820 Mount Maxwell Road

Planning Status

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.6	Polaris Land Surveying Inc. Planner: Kristin Aasen	Aug-29-2011	Boundary Adjustment - 301 Epron Rd.

Planning Status

Status Date: Dec-22-2011

Staff report to LTC for frontage waiver

Status Date: Dec-05-2011

Comments to MOTI

Status Date: Aug-17-2011

File to planner

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.7	Carrie Burns Planner: Kristin Aasen	Sep-02-2011	Boundary Adjustment - 641 Annas Dr.

Planning Status

Status Date: Dec-15-2011

Staff report to LTC for minimum frontage waiver

Status Date: Nov-21-2011

Comments to MOTI

Status Date: Sep-07-2011

File to planner

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.8	Polaris Land Surveying	Sep-07-2011	2 parcel subdivision - 195 Belvedere - SSI Conservancy initiative

Planner: Caitlin Brownrigg

Planning Status

Status Date: Nov-14-2011

Applicant drafting covenant

Status Date: Oct-13-2011

Staff comments to MoT

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.9	Jorden Cook and Associates Planner: Leah Hartley	Sep-26-2011	137 strata parcel subdivision - 135 Brinkworthy

Planning Status

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2009.2	Myles Wilson on behalf of 651626 BC LTD Planner: Caitlin Brownrigg	Oct-19-2009	Temporary Use Permit - Renewal To allow a principal use of medical office services for more than two medical practitioners and not exceeding five medical practitioners all situated within the existing building.

Planning Status

Status Date: Dec-02-2011

Permit Renewal Application Received, Receipt no. 1987 - \$165.00

Status Date: Dec-02-2011

Planner reviewing file

Status Date: Mar-11-2010

Permit issued with 2-year term

File Number	Applicant Name	Date Received	Purpose
SS-TUP-2011.2	Roger and Barbara Aust Planner: Justine Starke	Sep-15-2011	Retail Sales - 1429 Fulford-Ganges Road

Planning Status

Sent: December-21-11 2:12 PM

Subject: Salt Spring Island Expense Report - December/11

		Budget	Spent	Balance
Invoices posted to DECEMBER 21, 2011				
655 Salt Spring	65000 Trustee Expense	3,700.00	813.95	2,886.05
655 Salt Spring	65200 LTC Meetings	7,500.00	4,125.50	3,374.50
	65210 APC Meetings	1,500.00	1,285.44	214.56
	65220 Communications	5,000.00	800.80	4,199.20
	65230 Special Projects	16,000.00	1,020.00	14,980.00
	65240 Miscellaneous	1,500.00		1,500.00
	TOTAL LTC Local Expense	31,500.00	7,231.74	24,268.26
655 Salt Spring	72300 to 72351 OCP/LUB Expense	40,000.00	33,403.49	6,596.51

Nancy Roggers
Finance Officer



LTC Work Program

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Item 6.1

Main Menu

Salt Spring Island

Select Island:

Salt Spring Island

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Add Record Quick Report							
Priority	Level	Description	Activity	Date Rec'd	Target Date	Responsibility	Edit
1	High	Land Use Bylaw - Secondary Suites		Nov-05-2009		Justine Starke	Edit
Priority	Level	Description	Activity	Date Rec'd	Target Date	Responsibility	Edit
2	High	OCP Review - DP Area 4 / RAR		Nov-05-2009		Stefan Cermak	Edit
Priority	Level	Description	Activity	Date Rec'd	Target Date	Responsibility	Edit
4	High	Ganges Harbour Management Plan	Explore funding options	Nov-05-2009		Stefan Cermak	Edit



Islands Trust

Item 6.2

Print Date: Dec-21-2011

Follow Up Action Report w/o Target Date

Salt Spring Island Feb-04-2010

No.	Activity	Responsibility	Status
6	Affordable Housing January/February 2011: Assorted Updates and Public Meetings of work underway August 2010: Update received at LTC. Note timing of CRD/ Trust Council discussions required prior to completion of LUB February 2010: It was Moved and Seconded that the SSILTC uses the Housing Needs Assessment by JG Consulting to pursue creation of a Community Affordable Housing Strategy.... Directs staff to investigate and report back by April 1 regarding opportunities with Capital Regional District housing entities to manage housing agreements or support the creation and ongoing operations of a local entity to manage housing agreements... Sept 22 2010: request MoU signed prior to end of year 2010. That the SSILTC directs staff to make recommendations for amendments to Land Use Bylaw No. 355 that will enable the creation of affordable housing on Salt Spring Island.	Leah Hartley Justine Starke	On Going

Aug-05-2010

No.	Activity	Responsibility	Status
1	Land Use Bylaw Local Trust Committee directs staff to investigate lot configuration challenges proposed by SS-SUB-2008.6 (2320 North End Road) in consideration of possible amendments to the Land Use Bylaw.	Stefan Cermak	On Going

Sep-02-2010

No.	Activity	Responsibility	Status
1	Soil Removal Bylaw - Admin improvements following first year and incorporate Min Com Services and Min Mines suggestions. As time permits.	Miles Drew Leah Hartley	On Going

Page 1 of 7

- 3 Vancouver Island Health Authority Updated BC Sewage Regulations.

On Going

Staff directed to review the current setbacks in the Land Use Bylaw in light of the new sewerage system regulation amendments.

Nov-04-2010

No.	Activity	Responsibility	Status
1	Bed and Breakfast Review: LTC endorses the Action Plan as follows: 1. Islands Trust will create an information bulletin as soon as possible detailing what is permitted in the current land use bylaw. 2. The Salt Spring Island Accommodations Group and the Chamber of Commerce will develop a training program for new and current accommodations. It will be based on a course offered in previous years. 3. All parties will work to clarify the next steps for those who received enforcement letters and who are now fully compliant. 4. Islands Trust staff will investigate how definitions can be clarified in the Land Use Bylaws review process.	Miles Drew Leah Hartley Justine Starke	On Going
1	Follow Up Action List (LUB priority): LTC requested that staff report back to the LTC at their next Work Program meeting regarding options beyond suites and cottages for analysis and consideration of LUB provisions related to affordable housing.	Justine Starke	On Going

Mar-03-2011

No.	Activity	Responsibility	Status
1	Local Trust Committee directs staff to present an update on Development Permit Area 6 including steep slopes; directs staff to present, at the April 7, 2011 LTC meeting, a Draft Bylaw to amend the Development Permit Area 6 regulations and to include updated mapping of moderate and high hazard steep slopes; and directs staff to hold a public forum by early April regarding development permit measures to protect drinking watersheds.		On Going

May-05-2011

No.	Activity	Responsibility	Status
1	LUB - suites: LTC directs staff to investigate potential water conservation measures to address water supply challenges and concerns related to the further legalization of suites – via LUB provisions, inter-agency agreements and/or other appropriate mechanisms – and report back to the LTC no later than the July 2011 LTC meeting ; refers the secondary suites' staff reports dated March 31, 2011 and April 27, 2011 and background materials to the Advisory Planning Commission and the Environment Advisory Committee for review and comment; (Done May 19 2011) directs staff to continue consultations with the CRD Engineering Services and Building	Justine Starke	On Going

Page 2 of 7

Inspection Departments to develop a potential multi-year implementation and monitoring strategy for secondary suites ;

directs staff to present, no later than at the July 2011 LTC meeting, a thorough summary report of key information gathered to date regarding further legalization of suites along with recommended choices for action, to enable an informed LTC discussion of options and to provide staff with direction for bylaw drafting.

Jun-02-2011

No.	Activity	Responsibility	Status
1	DP Area 4 Implementation Measures: LTC directs staff to prepare the following standing resolutions to bring forward for LTC consideration at the time of final adoption of Proposed Bylaw 449: a. A standing resolution that despite OCP Bylaw 434 Policy D.5.3(a), the SSI LTC will not generally refer Development Permit 4 applications to its Advisory Committees where a report from a Qualified Environmental Professional has been provided with recommendations for how development is to proceed; b. A standing resolution that the LTC may consider Development Permit Area 4 applications by resolution without meeting where a Qualified Environmental Professional report is provided; c. A standing resolution that the LTC gives priority consideration to applications for Development Permits in DPA4. LTC directs staff to bring forward to the July 7, 2011 Local Trust Committee meeting a draft bylaw to amend Salt Spring Island Fees Bylaw 428 to reduce fees for Development Permit Area 4 applications where Qualified Environmental Reports are required. (Done) LTC directs staff to initiate a letter of agreement or more informal process with the Capital Regional District Building Inspection on Salt Spring Island with regards to the shared process for implementing Proposed Bylaw 449 upon adoption. LTC directs staff to set aside a portion of the OCP budget and requests Islands Trust technical funding for improved, incremental mapping in the RAR designated watersheds. LTC requests the Islands Trust Executive Committee review the letter of agreement with the Ministry of Transportation and Infrastructure (MoTI) and consider re-negotiating a revised agreement between MoTI and Islands Trust to ensure the intent of the Riparian Areas Regulation is addressed by MoTI in works undertaken throughout the Islands Trust area. LTC endorses the implementation measures for Proposed Bylaw 449 described in the Staff Report of May 31, 2011. LTC requests Trust Council to fund further stream mapping on Salt Spring Island for 2012/2013.	Stefan Cermak Justine Starke	On Going

Jul-07-2011

No.	Activity	Responsibility	Status
1	SSILTC direct staff to work with various community organizations (e.g. water council, Chamber of Commerce, realtors, stewardship groups, agricultural alliance, etc.) and the advisory committees to discuss and receive input on the implementation of RAR through a DPA bylaw.		On Going
1	SSILTC direct staff to include in the Climate Change Mitigation section of the Work Plan future work in integration of OCP, Climate Change and Energy Efficiency Measures into the LUB.	Leah Hartley Justine Starke	Done

Sep-01-2011

No.	Activity	Responsibility	Status
1	2011 / 2012 Budget Island Local Trust Committee dedicate \$4,000 from its Local Expense Account (65230) to the Salt Spring Island Water Council for work related to groundwater resources, upon receipt of the following deliverables, on or before March 15, 2012: · planning, organizing and holding a workshop; · providing a final report summarizing presented information, break-out discussion and recommended actions.	Leah Hartley	On Going
1	SS-RZ-2008.3 - Beddis Road - Landworks Consultants Update December 2011: All below is underway via Islands Planning Services and Landworks Consulting. 1. The Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend the Salt Spring Island Official Community Plan by designating all of 201-225 Beddis Road (Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289 Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD253481I) and Except that Part in Plan VIP60214) as Industrial on Map 1 of Official Community Plan Bylaw No. 434. 2. The Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend the Salt Spring Island Land Use Bylaw No. 355 by designating: a) that portion of 201-225 Beddis Road (Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289 Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD253481I) and Except that Part in Plan VIP60214) that will be owned by a recognized body representing agricultural interests on Salt Spring Island, as a variant (to be developed similar to IN1a of Industrial Zone 1 on Map 2 of Land Use Bylaw No. 355. b) that portion of 201-225 Beddis Road (Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289 Except Parts in Plans 3960, 6134, 47303 and Except Part in Parcel A (DD253481I) and Except that Part in Plan VIP60214) that will be owned by Slegg Lumber, as a variant (to be developed) on Industrial Zone 1 with lot coverage limited to 20%. 3. The Salt Spring Island Local Trust Committee direct staff to refer application	Pauline Brazier Leah Hartley	On Going

SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants, to the Advisory Environment Committee, the Agriculture Advisory Committee and the Advisory Planning Commission for their review and comment prior to developing the bylaws.

4. The Salt Spring Island Local Trust Committee direct staff to refer application SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants to agencies and First Nations as per standard practice, specifically including the Capital Regional District's Transportation Commission.

5. the Salt Spring Island Local Trust Committee direct staff to work with the applicant for SS-RZ-2008.3 – 201 Beddis Road – Landworks Consultants to develop measures to protect the riparian areas and ravine on the site and to ensure vegetative buffering is planted between the site, neighboring properties and Beddis Road.

6. Through discussion of the application, Trustees requested that future reports reference relevant recommendations of the Industrial Task Force, address the size of individual buildings so that the maximum site coverage not be in one building, and consider a pedestrian route north along Beddis Road to Fulford-Ganges Road.

1	Riparian Areas Regulation	Stefan Cermak	Done
Planner Cermak presented a staff report and explained that the communications plan will evolve from ongoing consultation with community groups and others. Investigation of mapping costs and its organization in other jurisdictions is proving to be more difficult than anticipated. The Trustees also asked for input on other communities' communication strategies.			

Oct-06-2011

No.	Activity	Responsibility	Status
1	Local Expense Budget Allocations	Leah Hartley Nancy Rogers	On Going
SSI-201-11			
The LTC dedicate \$4,000 from the Local Trust Committee Local Expense Account (65230) to the Salt Spring Island Housing Council Society to support capacity-building workshops and/or training opportunities for local affordable housing advocates with a progress report delivered on or before March 15, 2012.			
SSI-202-11			
The LTC dedicate \$4,000 from the Local Trust Committee Local Expense Account (65230) to the Salt Spring Island Climate Council Society, to deliver, on or before March 15, 2012, a progress report on local Green House Gas reduction activities related to the Salt Spring Island Climate Action Plan.			

Nov-03-2011

No.	Activity	Responsibility	Status
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1	SS-RZ- 2011.1 - Prop Bylaw 452 -125 Rainbow Rd Letter of undertaking to implement CRD Transportation Commission recommendations relating to Proposed Bylaw No. 452 - to be received by the SSI Local Trust Committee prior to consideration of bylaw adoption.	Kristin Aasen Pauline Brazier	On Going
1	SS-RZ-2011.1 - Proposed Bylaw No. 452 - 125 Rainbow Rd SSI LTC gave Second and Third Reading on Nov 3 11 -Update bylaw and send to Executive Committee for approval.	Pauline Brazier	Done
1	SS-RZ-2011.2 - Proposed Bylaw No. 454 & 455 - 232 Rainbow Rd (School District) SSI LTC gave 3rd reading on Nov 3, 11 - update bylaw and send to Executive Committee for Approval	Kristin Aasen Pauline Brazier	On Going
1	SS-RZ-2011.2 - Proposed Bylaw No. 454 & 455 -232 Rainbow Rd (School District) Final adoption of Proposed Bylaw No. 454 & 455 - to be scheduled (SSI LTC meeting) subject to approval of registration of a covenant reg agri education and activities on the property	Kristin Aasen Pauline Brazier	On Going
1	SS-RZ-2011.3 - 440 Rainbow Rd SSI LTC refer application to APC, AAC and AEC and through CRD the SSI Solid Waste Advisory Committee.	Stefan Cermak	Done
1	SS-RZ-2011.3 - 440 Rainbow Rd Work with applicant on sound mitigating measures and other req. per Planner Cermak's Jul 18 11 letter and report back to the SSI LTC at the first meeting in 2012.	Stefan Cermak	On Going
1	SS-DP-2011.6 - Swanson's Pond, Park Drive refer to ADP for comment	Stefan Cermak	Done
1	SS-ALR-2011.3 - 135 Brinkworthy - Refer application to AAC and APC - and prior to response to the ALC, requirement for a drainage rep. by a prof. eng. with a plan to be implemented by covenant or other legal agreement. - and prior to response to the ALC, encourage applicants to hold comm. info meeting to discuss impact mitigation.	Pauline Brazier Justine Starke	Done
1	SS-RZ-2009.2 - Proposed Bylaw No. 450 - 135 Brinkworthy SSI LTC approves restrictive covenants, Attachments A and B and authorizes any SSI LTC member to sign	Pauline Brazier	Done
1	SS-RZ-2009.2 - Proposed Bylaw No. 450- 135 Brinkworthy Staff obtain legal undertaking to ensure registration of 2 covenants prior to final adoption. DONE SSI LTC will consider final adoption via RWM. Update: Applicant scheduling adoption concurrent with variance permit.	Pauline Brazier	Done
1	SS-ALR-2011.2 - 2163 Fulford-Ganges Rd refer to AAC for comment.	Kristin Aasen	Done

1 **Resolution SSI-225-11**

That the Salt Spring Island Local Trust Committee dedicate and release up to \$2,000 of the 2011/12 Local Expense Budget to support stream mapping on Salt Spring Island and request that the Islands Trust Technical Services funds be released to support mapping which begins with St Mary Lake and Cusheon Lake Watersheds, utilizing an integrated community mapping approach, applying modified SHIM and LiDar.

Stefan Cermak
Nancy Roggers

On Going

1	LUB - Secondary Suites - Background report to be prepared for the SSI LTC for Jan 2012.	Justine Starke	Done
1	Communications Pilot - staff to prepare a community engagement proposal for the SSI LTC Jan 12 meeting or through RWM.	Leah Hartley	Done
1	North Pender Referral for Bylaw No. 187 & 189 - interests unaffected response required.	Justine Starke	On Going
1	Indicate to FPC the LTC support for continuing community engagement (2012 fiscal budget)	Craig Elder Leah Hartley	On Going

Date: Dec 19, 2011

File No.: SSI 6500

To: Salt Spring Island Local Trust Committee for meeting of Jan 5, 2012

From: Leah Hartley, Regional Planning Manager

Re: Salt Spring Community Engagement Pilot – Video Recording

BACKGROUND:

In its budget allocations for 2011, Trust Council supported a community engagement pilot program on Salt Spring Island. The budget for this pilot is \$15,000. The proposal originated from several perspectives, including interest in enhanced communication resources situated in the Salt Spring region, and in improving methods of community engagement around LTC business and policy deliberations.

A staff report outlining community engagement strategies was received by Salt Spring Island Local Trust Committee meeting of November 3, 2011 and forms a general overview of directions that the LTC may wish to consider over time. Copy of the staff report is attached.

Trust Council's Strategic Plan includes Objective 3.3 "*To cultivate community engagement and participation in land use planning*". It supports continued efforts in the current fiscal year to consider new tools and strategies. There is a general notion that when new techniques are successful on Salt Spring Island, they provide a good template for other Local Trust Areas.

At its meeting of November 3, 2011, the Salt Spring Island Local Trust Committee (LTC) directed that staff prepare a community engagement proposal following dialogue with newly elected trustees. Initial discussions with Salt Spring trustees indicate potential interest in piloting a videorecord and webhosting service that allows community members to watch the LTC business meetings from remote locations.

CONSIDERATIONS:

Upon receipt of a community – generated proposal in 2010, the Trust Area Services division compiled a briefing note concerning video recording services (as attached).

Staff puts forward proposal that two Service Contracts could be prepared to support video recording of the Local Trust Committee meetings on a pilot basis. The first contract would be for recording services and formatting for posting to the web. The contract terms would provide for recording and display of February and March LTC meetings, with a possible extension through to May 2012 subject to Trust Council approval of a budget carryover from one fiscal year to another. Scope of the work would be similar to that outlined in 2010, with revisions to reflect the new Islands Trust website.

The second contract would provide for a public engagement consultant to assess and report to LTC on outcomes of the pilot program. The pilot would be evaluated on several criteria including the number and duration of visits to the recording, the reported levels of satisfaction, and the

scope of work needed to extend the service to cover all Trust Council and Local Trust Committee meetings.

Both contracts would be awarded according to Purchasing Procedure 6.5.ii, involving either an Invitation to Quote or a Request for Proposal.

RECOMMENDATIONS:

That the Salt Spring Island Local Trust Committee direct staff to contract a videographer to record two LTC meetings and provide for web display on a pilot basis.

That the Salt Spring Island Local Trust Committee direct staff to contract a public engagement specialist to design an evaluation method and to report results of the video recording pilot to LTC.

Respectfully Submitted

Leah Hartley
Regional Planning Manager

Attachments: Briefing Note, June 28, 2010
Staff report on Community Engagement Pilot, November 1, 2011

ISLANDS TRUST BRIEFING NOTE

DATE: June 28, 2010

TOPIC: VIDEO TAPING LOCAL TRUST COMMITTEE MEETINGS

DIRECTED TO: Salt Spring Island Local Trust Committee

CONFIDENTIAL No

DESCRIPTION OF ISSUE:

At its June 3, 2010 meeting the Salt Spring Local Trust Committee resolved that "the Salt Spring Local Trust Committee directs staff to investigate options and costs for the Local Trust Committee to videotape its meeting and provide viewing access on the Local Trust Website."

BACKGROUND:

Research regarding other local governments has been limited due to time constraints. However, following is a sampling of the status of video taping meetings for posting on web sites.

Pitt Meadows

Video courtesy of Shaw Cable

Two cameras used

Access requires Silverlight (Microsoft) download to play (free download)

Focuses on Mayor's Chair but also pans audience, councillors, speakers and presenters

Agenda appears below video (requires special software and preparation)

Power Point Presentations appear as part of video

Offers live streaming video as well as archival meeting videos

Length of meeting June 15, 2010 (posted June 21): One hours, 59 minutes

Excellent quality

Fast download

North Vancouver

Video courtesy of Shaw Cable

Four cameras used

Access requires Real Player SP software (free download)

Focuses on Mayor's Chair but also pans audience, councillors when speaking and speakers/presenters

Offers live streaming video as well as archival meeting videos

Videos are posted on web site by 10:00 a.m. the following day

Offers subscription for council meeting videos

Offers video clips and reports that correspond to a particular video item

Length of meeting June 14, 2010 (posted June 21): Two hours, 35 minutes

Average Length of meeting is three hours with 34 meetings per year

Poor quality (grainy, sound a bit garbled)

Slow to play

No analysis on the number of hits the meeting videos get or constituent feedback

No information on size of files for meeting video tapes. However, storage is becoming an issue (tapes go back to 2003).

Victoria

The City of Victoria does not record its council meetings although one of Council's priorities for its current term is providing webcasting of its Council meetings. At one point in the relatively recent past, meetings were cablecast but the cable company providing that service withdrew due to the time commitment. Since that time, no recording has been done by the city.

Other municipalities

The City of Kelowna posts audio only with a photo of the empty council chambers. The City of Nanaimo video tapes council meetings but archival meetings were not accessible. The Town of Duncan also video tapes council meetings courtesy of Shaw cable. No additional information was received from these municipalities in time to include in this briefing note.

Video Taping on Salt Spring Island

Artspring does not have a camera but does have microphones that can be split and recorded separately. Shaw cable does not have any resources on Salt Spring Island to broadcast LTC meetings as community programming.

Cost Estimate to contract video taping

One company on Salt Spring Island was contacted for a 'ball park' estimate. Video and audio recording with one camera, post production and online link from the Islands Trust web site available within seven to ten days after each meeting, based on seven hour meetings, with 10 – 15 meetings annually is estimated at:

\$680.00 per meeting X 10/15 = \$6800 - \$10,200 annually

This is not a quote. An annual contract for this amount would require a Request for Proposals and there is no guarantee that this company would be the successful bidder. Note other local governments that video tape their meetings use two to four cameras so if this would be a requirement the cost would be higher.

If the Local Planning Committee decides to proceed with video taping meetings, this could set a precedent for constituents to request video taping on other islands and/or of Trust Council quarterly meetings and should, therefore, be considered by the Trust Council Executive Committee as part of its responsibility for communications and the related budget requests.

ATTACHMENT(S): Yes – Diagram of camera set up

AVAILABLE OPTIONS:

1. Dedicate the necessary funding from the Salt Spring Island Local Trust Committee budget to contract video taping, with posts to the Islands Trust web site and subscription options, for a period of time as a pilot case. At the end of the pilot, review the costs versus benefits of continuing (number of hits, number of subscribers, any comments received from constituents). Allow others to video tape as requested, provided the camera focuses only on the local trust committee and speakers at the microphone who do not object to being video taped and provided video taping is unobtrusive.
2. Do not video tape meetings for posting on the Islands Trust web site but allow anyone to video tape meetings, provided the camera focuses only on the local trust committee and speakers at the microphone who do not object to being video taped, and provided video taping is unobtrusive.

FOLLOW-UP:

As per direction from the Salt Spring Island Local Trust Committee.

PREPARED BY: Laura Stringer

SUBMITTED BY: Leah Hartley

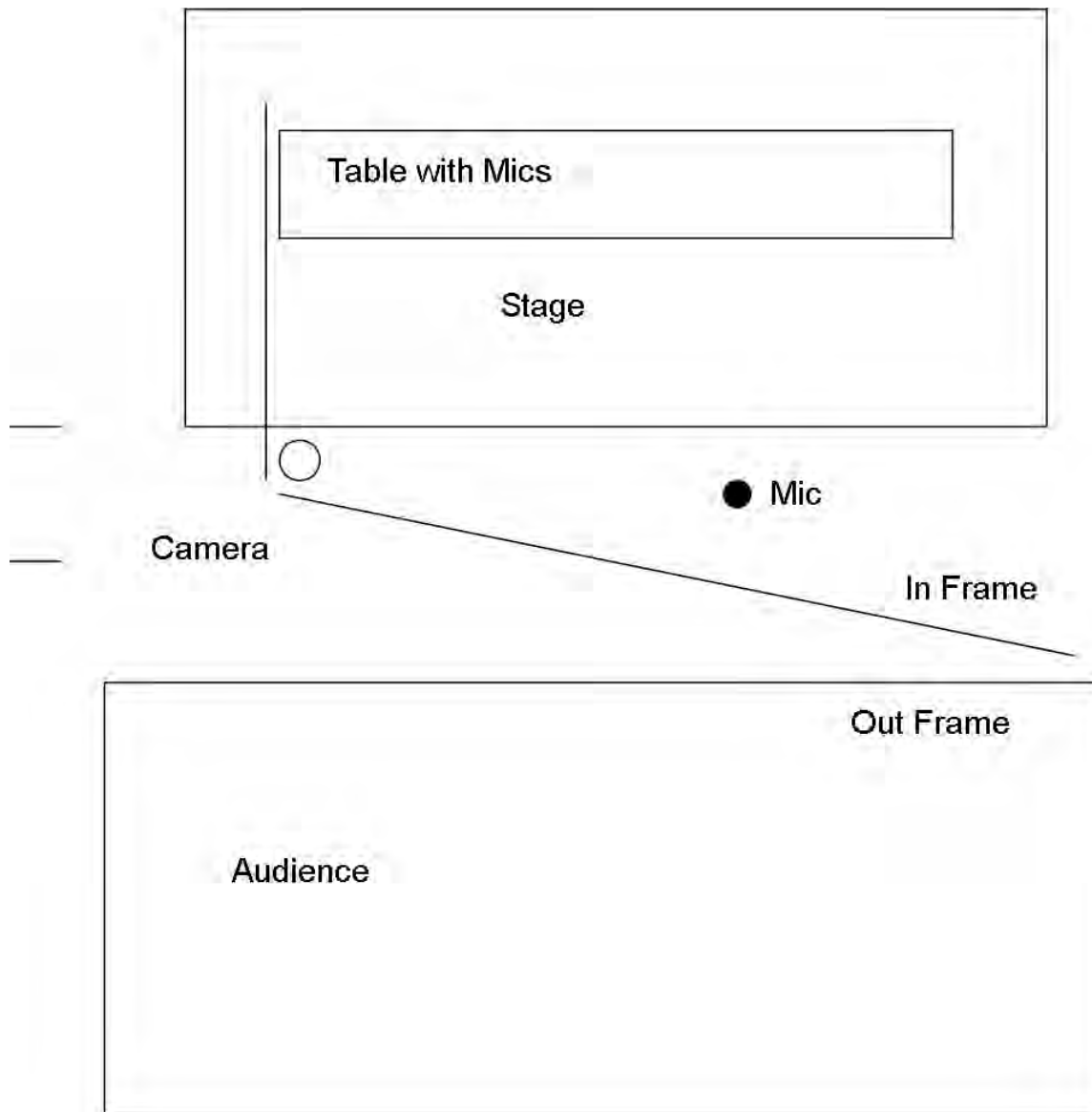
REVIEWED BY: Lisa Dunn (June 24, 2010)
(TAS Director)

REVIEWED BY EXECUTIVE COMMITTEE:

--

OTHER REVIEW:

Linda Adams, CAO



Date: November 1, 2011

File No.: SSI 6500

To: Salt Spring Island Local Trust Committee for meeting of Nov 3, 2011

From: Leah Hartley, Regional Planning Manager

**Re: Salt Spring Community Engagement Pilot -
Salt Spring Island LTC Work Program**

BACKGROUND:

In its budget allocations for 2011, Trust Council supported a community engagement pilot program on Salt Spring Island. The budget for this pilot is \$15,000. The proposal originated from several perspectives, including interest in enhanced communication resources situated in the Salt Spring region, and in improving methods of community engagement around LTC business and policy deliberations.

In summer of 2011, the Salt Spring Island Local Trust Committee amended its work program in part to provide for improved engagement and communications on two current initiatives, these being Secondary Suites and Riparian Area Regulations (refer to separate reports for update on communications and consultation programs). At same time, in August 2011, Executive Committee released a set of Guidelines for Local Trust Committee Communication Strategies. And the Local Planning Services staff development day in September 2011 also provided focus on emerging communication tools and strategies.

Trust Council's Strategic Plan includes Objective 3.3 "*To cultivate community engagement and participation in land use planning*". It supports continued efforts in the current fiscal year to consider new tools and strategies. There is a general notion that when new techniques are successful on Salt Spring Island, they provide a good template for other Local Trust Areas.

CONSIDERATIONS:

To be successful, a community engagement program must have clear objectives. It ideally draws upon existing resources, focuses on matters that are within mandate of the sponsoring organization, and offers meaningful opportunity for citizens to both learn about and to influence decisions.

In their current term of office, the local trustees have identified many gaps in standard community engagement strategies, including and not confined to:

- confusion about the workings of Islands Trust, about the roles of staff, trustees and citizens, and about the authority of a Local Trust Committee
- shortage of dedicated resources in handling a large volume of email correspondence, participating in a large array of community and regional initiatives, or responding to rapidly circulated misinformation
- overlapping priorities for communication staff assigned to Trust Council
- limited experience with new and emerging social media techniques.

In order to overcome these deficiencies, the LTC may favour an approach that engages citizens on a broad range of topics before attempting to focus on key issues or to set priorities for a new term of office. If considered as a pilot program, there are many opportunities to approach Salt Spring community engagement in an innovative manner, testing new techniques and evaluating outcomes before changing existing procedures.

Alternatively, being that Salt Spring will have two new local trustees, it may be that the LTC will want to receive advice from a professional experienced in various engagement strategies before launching a pilot program.

Staff are recommending that the newly elected trustees be invited to provide input on this matter before decisions are made concerning a pilot community engagement program. Traditionally, the first meeting of a new Local Trust Committee is scheduled in January of the new year, providing limited time to complete a community engagement pilot before fiscal year end. Program funds are not automatically transferred at end of March from one year end to another. Thus it may be that the new LTC will want to provide direction to an engagement program through a Resolution without Meeting.

RECOMMENDATIONS:

That the Salt Spring Island Local Trust Committee direct staff to prepare a community engagement proposal following dialogue with newly elected trustees and to bring forward the proposal in December, through Resolution without Meeting if needed.

Respectfully Submitted

Leah Hartley
Regional Planning Manager
November 2,

Date December 21st, 2011 **File Number:** SSI LTC General

To Salt Spring Island Local Trust Committee
For the January 5th, 2012 Regular Business Meeting

From Claire Olivier
Planning Secretary

Re 2012 Salt Spring Island Local Trust Committee Meeting Schedule

THE PROPOSAL:

The Salt Spring Island Local Trust Committee is required to follow Procedural Bylaw No. 391 concerning the requirement to establish a Local Trust Committee meeting schedule. Bylaw No. 391 reads:

“At the first regular meeting, and at the last regular meeting of each of the subsequent two years, or by Resolution Without Meeting, the Local Trust committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two, and the schedule shall be posted on a bulletin board located at the Salt Spring Island Office of the Islands Trust.”

This memorandum proposes a Local Trust Committee meeting schedule for the remaining 2012 calendar year.

SCHEDULE:

The Salt Spring Island Local Trust Committee has routinely scheduled its meetings on the first Thursday of each month. A 2012 schedule based on this format would be as follows:

	Date	Time	Location	Possible Conflict
Thursday	February 2 nd	9:30 AM	Artspring Theatre	
Thursday	March 1 st	9:30 AM	Lion's Hart Bradley	
Thursday	April 5 th	9:30 AM	To be determined	
Thursday	May 3 rd	9:30 AM	To be determined	
Thursday	June 7 th	9:30 AM	To be determined	
Thursday	July 5 th	9:30 AM	To be determined	
Thursday	August 2 nd	9:30 AM	To be determined	
Thursday	September 6 th	9:30 AM	To be determined	Coincides with Gabriola LTC meeting – alternate date could be Thursday, Sept 13th
Thursday	October 4 th	9:30 AM	To be determined	Coincides with Gabriola LTC meeting – alternate date could be Thursday, Oct 11th
Thursday	November 1 st	9:30 AM	To be determined	Coincides with Gabriola LTC meeting – alternate date could be Thursday, Nov 8th
Thursday	December 6th	9:30 AM	To be determined	Coincides with Trust Council (Dec 4,5,6) – alternate date could be Thursday, Dec 13th

MEETING LOCATIONS (present availability – subject to change):

Staff has listed below availability for the most frequently used venues for the Local Trust Committee's consideration.

Hart Bradley Hall, Lion's Club (seats approx. 80) – is available on the first Thursday of the month, day and evenings*

Fulford Hall – main hall (seats 300) – is available on the first Thursday of the month, mornings and afternoons to 6:00 PM* - sound equipment required.

Fulford Seniors Centre (seats approx. 40) – is available on the first Tuesday of every month (not available on Wednesdays or Thursdays)*

Harbour House – large meeting room (seats approx. 160) – is available on the first Thursday of the month all day.

Artspring – the theatre (seats approx. 240) - is available for Feb, July, Sept, Oct & Nov. **The multi-purpose rooms (seats approx. 190)** - are available for Jan, Feb, Nov and Dec. No spaces are available in Mar, Apr, May & June.

*Chair set up and dismantling time will be Islands Trust responsibility.

Should the Local Trust Committee wish to change their venue periodically, it is recommended that this be done on a quarterly or by-yearly basis to mitigate any confusion with location changes.

RECOMMENDATION:

THAT the Salt Spring Island Local Trust Committee schedule its regular meetings for the first Thursday of each month from February to August 2012 and on the second Thursday from September to December 2012.

Attachment 1 – Bylaw No. 391 – Procedures for Meetings of the Local Trust Committee

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

Item 7.2
Attachment 1

BYLAW NO. 391

A Bylaw to establish Procedures for Meetings of the Local Trust Committee

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

SHORT TITLE

1. This bylaw may be cited as "Salt Spring Island Local Trust Committee Meeting Procedures Bylaw No. 391, 2004".

MEETINGS AND NOTICE OF MEETINGS

2. The first regular meeting of the Local Trust Committee shall be held on a date to be determined by the Chair of the Local Trust Committee following a general local election.
3. At the first regular meeting, and at the last regular meeting of each of the subsequent two years, or by Resolution Without Meeting, the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two, and the schedule shall be posted on a bulletin board located at the Salt Spring Island Office of the Islands Trust.
4. Public notice of the availability of the regular meeting schedule at the place specified in Section 3 shall be given at least once a year by publication in a newspaper circulating in the local trust area.
5. Each local trustee shall provide to the Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee's mailing address or given to the trustee in person.
6. Any two members of the Local Trust Committee may call a special meeting by giving notice of the day, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered to the trustee at least 48 hours before the time of the meeting, and by posting the notice at the place specified in Section 3, except that notice to Local Trust Committee members may be waived by unanimous vote.
7. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson's representations, if any, regarding the calling of the meeting.
8. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.
9. A quorum of the Local Trust Committee is two members.
10. In the event that the Chairperson is not present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson.

MINUTES

11. The Director of Local Planning Services, or his or her designate, shall legibly record the minutes of the meetings of the Local Trust Committee, and shall record any Resolutions Without Meeting. After the minutes of a meeting have been adopted, the Director or his or her designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.
12. The minutes shall record every resolution of the Committee including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.

MEETING PROCEDURE, RESOLUTIONS AND BYLAWS

13. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under any of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.
14. Resolutions shall be in writing, may be moved by any member of the Local Trust Committee, and need only be seconded if requested by the Chair.
15. Bylaws shall be in writing, may be read by title only, provided that each member of the Local Trust Committee is in possession of a complete copy of the proposed bylaw at the meeting, and may be adopted on a motion to that effect at a regular or special meeting. Bylaws may be read a first time, and may be adopted, by Resolution Without Meeting.
16. The Chairperson of the Local Trust Committee, or other trustee who presided at the meeting at which it was adopted, and the Secretary of the Islands Trust shall sign every bylaw adopted by the Local Trust Committee, and the Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

EXECUTION OF DOCUMENTS

17. Any member of the Local Trust Committee may execute any document on behalf of the Local Trust Committee once the Committee has authorized the execution of the document.
18. "Salt Spring Island Local Trust Committee Meeting Procedures Bylaw No. 351, 1997" is repealed.

READ A FIRST TIME THIS	25 TH	DAY OF	FEBRUARY	, 2004.
READ A SECOND TIME THIS	25 TH	DAY OF	FEBRUARY	, 2004.
READ A THIRD TIME THIS	25 TH	DAY OF	FEBRUARY	, 2004.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	23 RD	DAY OF	MARCH	, 2004
ADOPTED THIS	31 ST	DAY OF	MARCH	, 2004.

CHAIRPERSON

SECRETARY

Date: December 21, 2011
File No. Galiano Island
Proposed Bylaws
233 and 234
To: Salt Spring Island Local Trust Committee
From: Justine Starke, Island Planner, Local Planning Services
Re: Galiano Island Proposed Bylaws 233 and 234

PURPOSE

Proposed Bylaw 233 is a mapping amendment to re-designate a portion of the subject property from Rural Residential (RR) to Community Housing (CH) in the Galiano Official Community Plan.

Proposed Bylaw 234 would permit the creation of a new zone for affordable housing (Community Housing 1-CH1 zone) in the Galiano Island Land Use Bylaw by rezoning the Rural Residential (RR) portion of a split-zoned lot to CH1.

STAFF COMMENTS

Staff have reviewed the proposed bylaw amendments and consider the interests of the Salt Spring Island Local Trust Committee to be unaffected by the proposal. Staff Reports giving details of the proposed bylaws are available on request.

RECOMMENDATION

That the Salt Spring Island Local Trust Committee direct staff to respond to the Galiano Island Local Trust Area Bylaw Referral Form for Proposed Bylaw 233 and Proposed Bylaw 234 indicating that "interests are unaffected by bylaw."

Respectfully submitted,

Justine Starke
Island Planner, Salt Spring Island
Islands Trust

Attachment: Bylaw Referral



Islands Trust

BYLAW REFERRAL FORM

200-16
Victoria
Ph: (250) 405-5151
Fax: (250) 405-5155
www.islandstrust.bc.ca

Item 7.3
Attachment

Island: Galiano Island Trust Area Bylaw No.: 233 Date: December 20, 2011

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 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 at a date yet to be determined.

APPLICANTS NAME / ADDRESS:

Galiano Land and Community Housing Trust, #6-33 Manzanita Road, Galiano Island BC, V0N 1P0

PURPOSE OF BYLAW:

Proposed bylaw No. 233 is a mapping amendment to re-designate a portion of the subject property from Rural Residential (RR) to Community Housing (CH) in the Galiano Island Official Community Plan.

GENERAL LOCATION:

409 Porlier Pass Road, Galiano Island BC

LEGAL DESCRIPTION:

Lot 1, District Lot 3, Cowichan District, Galiano Island, Plan 29196

SIZE OF PROPERTY AFFECTED:

Total property size is 4.04 hectares. The subject area is approximately 1 hectare.

ALR STATUS:

Majority (3 hectares) of property in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Residential (RR) and Agricultural (AG)

OTHER INFORMATION:

Applicants have applied for an ALR exclusion

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.

Kaitlin Kazmierowski
(Signature)

Name: Kaitlin Kazmierowski
Title: Island Planner
Phone: 250-405-5194
Email: kkazmierowski@islandstrust.bc.ca

This referral has been sent to the following agencies:

Federal Agencies

Provincial Agencies

Ministry of Community, Sport and Cultural Development
Ministry of Transportation and Infrastructure
Agricultural Land Commission

Non-Agency Referrals

Galiano Advisory Planning Commission

Regional Agencies

Vancouver Island Health Authority
Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee

First Nations

Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation

PLEASE TURN OVER →

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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

Galiano Island Local Trust Area
(Island)

233
(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

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Islands Trust

BYLAW REFERRAL FORM

200-1627 Fort Street
Victoria BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
www.islandstrust.bc.ca

Island: Galiano Island Trust Area Bylaw No.: 234 Date: December 20, 2011

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 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.

APPLICANTS NAME / ADDRESS:

Galiano Land and Community Housing Trust, #6-33 Manzanita Road, Galiano Island BC, V0N 1P0

PURPOSE OF BYLAW:

Proposed bylaw 234 would permit the creation of a new zone for affordable housing (Community Housing 1- CH1 zone) in the Galiano Island Land Use Bylaw by rezoning the Rural Residential (RR) portion of a split-zoned lot to CH1.

GENERAL LOCATION:

409 Porlier Pass Road, Galiano Island BC

LEGAL DESCRIPTION:

Lot 1, District Lot 3, Cowichan District, Galiano Island, Plan 29196

SIZE OF PROPERTY AFFECTED:

Total property size is 4.04 hectares. The subject area is approximately 1 hectare.

ALR STATUS:

Majority (3 hectares) of property in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Residential (RR) and AG (ALR)

OTHER INFORMATION:

Applicants have applied for an ALR exclusion

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: Kaitlin Kazmierowski
Title: Island Planner
Phone: 250-405-5194
Email: kkmierowski@islandstrust.bc.ca

This referral has been sent to the following agencies:

Federal Agencies

Provincial Agencies

Ministry of Community, Sport and Cultural Development
Ministry of Transportation and Infrastructure
Agricultural Land Commission

Non-Agency Referrals

Galiano Advisory Planning Commission

Regional Agencies

Vancouver Island Health Authority
Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
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Chemainus First Nation
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Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsaywout First Nation
Tsaywassen First Nation

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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

Galiano Island Local Trust Area
(Island)

234
(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

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**A BYLAW TO AMEND THE GALIANO ISLAND
OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995**

WHEREAS the Galiano Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Galiano Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

AND WHEREAS the Galiano Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011."

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 12th day of December , 2011.

PUBLIC HEARING HELD this day of , 20.

READ A SECOND TIME 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.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 20.

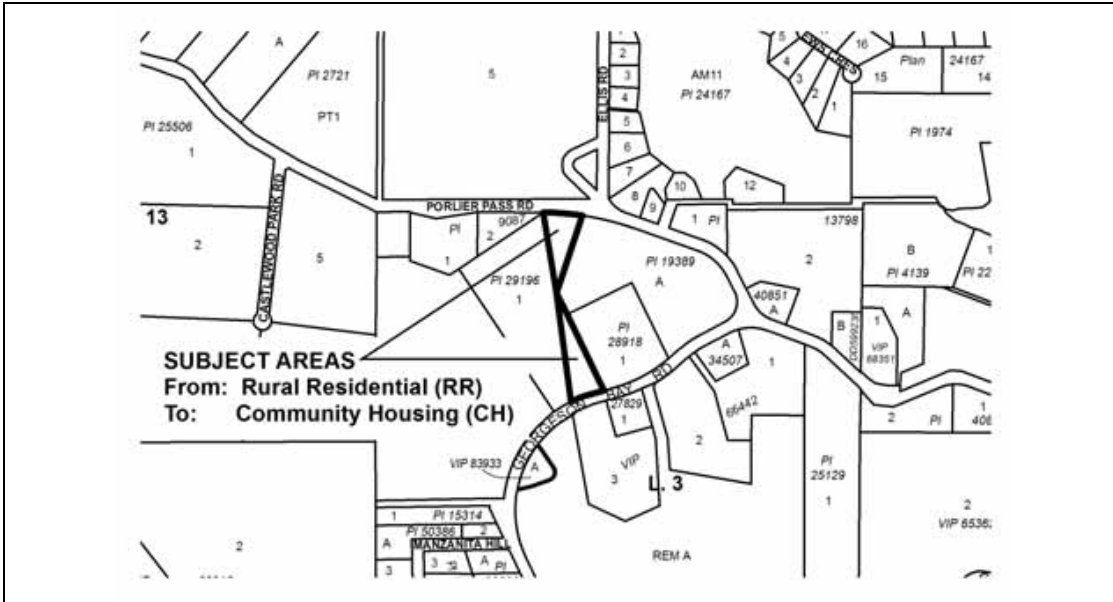
ADOPTED this day of , 20.

DEPUTY SECRETARY

CHAIR

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 233
SCHEDULE 1**

1. Schedule B (Land Use Designations) is amended for a portion of the lands legally described Lot 1, District Lot 3, Galiano Island, Cowichan District, Plan VIP29196 as depicted on the map below.



A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

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

1. Bylaw No. 127, cited as "Galiano Island Land Use Bylaw No. 127, 1999" is amended as follows:
 - a) By amending section 2.17 by adding the words "This setback does not apply to buildings and structures in the Community Housing 1 zone" immediately following the words "of the Agricultural (AG) zone."
 - b) By adding "Community Housing 1 (CH1)" in Section 4.1 after "Health and Wellness (HW)".
 - c) By adding the following after Section 8.5:

"8.6 Community Housing 1 – CH1

Permitted Uses

8.6.1 In the Community Housing 1 zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

8.6.1.1 Dwellings for the provision of affordable housing.

8.6.1.2 Home occupations

Permitted Density

8.6.2 The density of development must not exceed 15 dwellings per hectare.

8.6.3 Maximum floor area of a residence must not exceed 93 square metres.

Permitted Height

8.6.4 No building or structure for a use permitted by this section may exceed 9 metres in height.

Minimum Setbacks

8.6.5 Buildings and structures must be sited at least 7.5 metres from all lot lines.

Minimum Lot Size

8.6.6 No lot having an area less than 10 hectares may be created by subdivision.

- d) Section 13.22 is amended by adding the words "or in an area zoned Community Housing 1" immediately following the words "on Schedule C".

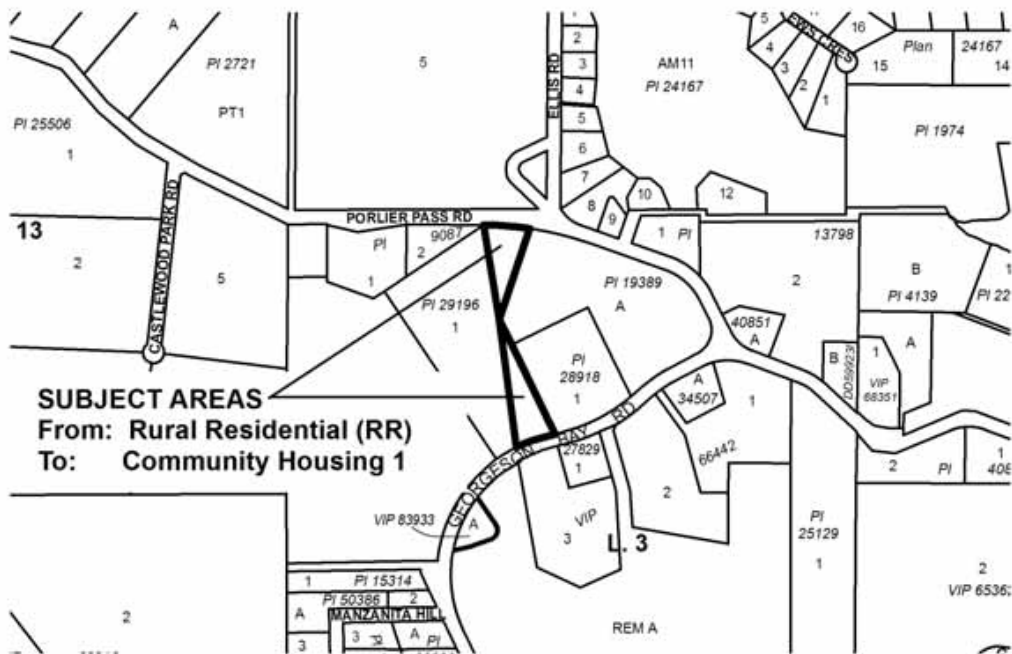
e) Map Schedule "B", is amended as follows:

- (i) By changing the zoning of a portion of the lands legally described as Lot 1, District Lot 3, Plan 29196, Galiano Island, Cowichan District from the Rural Residential - (RR) zone to the Community Housing 1 (CH1) zone as shown on Plan No. 1 which is attached to and forms part of this bylaw.
- (ii) By adding Community Housing 1 (CH1) to the map legend.

B. This bylaw may be cited for all purposes as the "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011".

READ A FIRST TIME THIS	12th	DAY OF	December	2011
PUBLIC HEARING HELD THIS		DAY OF		20
READ A SECOND TIME 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
DEPUTY SECRETARY		CHAIRPERSON		

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 234
PLAN NO. 1**



SALT SPRING ISLAND LOCAL TRUST COMMITTEE

A WRITTEN DELEGATION

For presentation at the January 5, 2012 meeting

By A. N. T. Varzeliotis

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Myth for Map

A year ago, another LTC, flanked by a RARologist consultant, came on stage to PRomote their vile version of the RAR. 173 days later, on July 7, 2011, after being pounded by waves of irate islanders, the LTC let adrift the consultant and hurriedly declared a unilateral lull in the RAR War. To that end they made "Five Big Resolutions", in effect abandoning their summer offensive and leaving that RAR for you, the oncoming LTC, to dump.

In the "Big Five" Resolutions and other communications the SSI LTC make repeated references to "additional mapping", to "existing mapping", to "subsequent mapping", to "already mapped areas" and otherwise insinuate to RAR mapping having already been done and, therefore, to existence of RARmap(s).

People tend to take such "incidental" pronouncements as factual and the human faith in fellow humans is exploited by clever mind manipulators to mislead the people. The I.Trust did just that for a whole year and they almost got away with it. But they overdid it, thereby raising suspicions and inviting inquiry. As it turned out their assertion would not withstand scrutiny -- indeed, it did not take much to reveal that the Trust was engaging in deliberate misinformation to the public.

It is faintly conceivable that this chicanery was an inadvertent event and we should give them the benefit of the doubt by assuming they were sinister so as to spare them the embarrassment of the alternative.

Their intense chanting of the “existing” RARmap mantra manifest a churlish attempt to usher in surreptitiously to the RAR some perennially fishless “watercourses” and to avoid doing the essential mapping for the RAR – they almost succeeded.

The truth is that no survey has ever been done by the Trust in SSI for the purpose of the RAR. But the lack of surveys did not prevent the Trust from getting its map. The Trust professes to having a RARmap, two maps really, “MAP 21” and “MAP 12”, the latter being overlain on the former, or visa versa.

In the Trust grand tradition of secrecy, both these maps are undated. They are also not signed by the map-maker, nor identify who compiled them. Neither of the two shows any “revisions” made, or have any of the normal attributes of project-specific maps and much less a map intended to form part of a law.

The “title block”, if one is to call it such, of MAP 12 reads:

“Potential and Existing Freshwater Fish Habitat Source: Reimer. 1995.

Legend : ----- Potential And Existing Fish Habitat”

MAP 12 is made part of MAP 21 except for the modifiers **“Potential”** and **“Existing”** to **“Fish Habitat”** which went AWOL in that clever Map transplant. The “title block”, of MAP 12 reads simply:

“Note: Fish habitat identified from Reimer (1996)”

(In both instances emphasis added)

No ifs ands or buts, anymore, all the “Potential” and “Existing” Fish Habitat” of MAP 12 is made into “Fish habitat” in MAP 21! The fish no longer “Exists”, but the “Fish Habitat” does. In the “protect and preserve” business, “fish habitat” is a market much larger than that of plain “fish”. Hence “Potential” and “Existing” were laundered out of MAP 21.

The Trust would have, *while nobody was looking* embedded into the RAR SSI creeks which never have had and would never have fish, and those whose water is committed, or overcommitted, to domestic and other uses by humans and which creeks are often drunk dry in the summer. In other words, the I.Trust sought to sneak RAR coverage to where it should not be, and to do it by stealth. They may have also

fantasized that they would avoid questions about the equally un-mapped dryditches they wanted to sneak into RAR.

Another most significant aspect of the Map sham is the reference to (Ms. Kathy) “Reimer”, a local Biologist, well known and highly respected on the Island. But the reference to her on these maps is rather devious, given that her work they refer to was done well before the RAR issue arose, and the insinuation is presented bare of justification.

With the April 7 Five Big Resolutions the LTC instructs staff to “educate” us, the people, on the RAR, but the Trust staff have resolutely ignored the resolutions. After six months without any “education”, one feels a thirst for knowledge. Questions are constructive to enlightenment and since we were urged by the Trust to ask questions, I tried. On October 20, 2011, after two previous unsuccessful attempts, I discussed the matter with Planner Mr. Stefan Cermak who is in charge of the RAR file. I did come out of it enlightened, but not as expected. Regrettably he was rather unfamiliar with RAR MAPs 12 & 21. For example he would not say whether the “Legend” meant that someone has actually sighted fish on the felt-pen marked creeks, or whether it meant that the creeks had the potential to sustain fish, but only if retrofitted with fish ladders and have water diverted (trucked in?) And released for the fish to swim in.

Cermak could not tell whether MAP #21 is *carved in RAR stone*, or if it is pending approval. He expressed surprise when I questioned whether it is, or would be, open for citizens to challenge inclusion in the RAR of any reach of the felt-pen marked “streams”. After all, citizens should not have parts of their properties (substantially) expropriated through RAR because someone pronounced “Dry-creek A” having the “potential” of becoming a fish-creek.

Cermak was unaware of what terms of reference Reimer was working with when she produced whatever material the Trust insinuate to have somehow based their Maps on. Surely she was not surveying for the RAR because the Fish Protection Act which gave birth to RAR was not enacted 15 years ago when she recorded what the Trust refers to.

That is what the Trust tried to make the people believe is a RAR Map. A map, of obfuscated legend and unknown authorship. On this map they want to base legislation

rendering countless Islanders' homes and other property "non-conforming" and "expropriating" much of the use of peoples land, professing to protecting fictitious fish.

That these MAPs were *plumbed* was not an oversight, it is a crime. It is a deliberate attempt to deceive the society, It is an anathema to the dictum of democracy that governments keep the society charged with information to a level adequate for citizens to functions as a free society, as a self governed society. It is subverting democracy. What was not anticipated was that the attempt at deception would go astray resulting in a parting of the curtain of secrecy that gave us a RARe glimpse into the I.Trust culture.

The Trust tried to usher in surreptitiously a WordenHorse bellyload of RAR, like Ulysses drove that WoodenHorse bellyload of disaster into Troy. Let's say Ulysses was clever and original and that he did not ever profess to *protect and preserve* Troy!

In my usual reconciliatory manner, I am not asking for *heads to roll*, if at all avoidable. All I am asking for is an honest start on the RAR, a Zero Base, a start from Square One, from the Beginning, if you will.

Tom Varzeliotis, Forever RARely Correct.

1.2

**Delegation to Trust Council
Regarding Public Participation in Major LTC Decisions
Maxine Leichter - December 7, 2011**

I am Maxine Leichter from Salt Spring Island (SSI). This information is based on my experience over the past 8 and a half years on SSI, serving on the board of the SSI Conservancy, the board of the SSI Water Preservation Society, the Executive of the SSI Cusheon Lake Stewardship Committee, the Gulf Islands Alliance and helping several neighbourhood groups involved in decisions before the Local Trust Committee.

First, I want to welcome new members to the Trust Council. I thought this first meeting would be a good time to ask you to reassess how the public participates in major policy decisions made by Local Trust Committees.

First some definitions: There are three types of public involvement: **Public information** is a passive, one-way flow of information from government to the public. **Public consultation** is usually a one-way flow of information, from the public to the government agency through methods such as public hearings. **Public participation or public engagement** allows for interaction both among the public and between the public and government where communication goes both ways.¹ Public participation involves informed dialogue, discussion and deliberation of alternatives.

Much public involvement conducted by the Islands Trust consists of the first two with very little actual public participation. This is contributing to some people feeling disenfranchised, is exacerbating conflicts on our island and reducing confidence in the Trust itself which in turn is strengthening the movement on SSI towards becoming a municipality.

Please understand I am not criticizing our past SSI trustees who did a heroic job the last three years. What I am criticizing is the process. I am here today to ask you to reassess how the Trust includes the public in local decisions important enough to require a public hearing. We need a new approach that incorporates best practices for true public participation. At the end of this document are listed sources for more information on that subject.

Sometimes it is best to describe a problem with an example. I will tell you a story and point out what public involvement strategies were used along the way. This example shows how a lack of true public participation contributed to a year's work on implementing the Provincial Riparian Area Regulations on SSI concluding with no bylaw being passed. Of course, mistakes are easier to see in retrospect. But acknowledgement of those mistakes can provide illumination leading to productive change.

In 2005, the Province of BC passed the Riparian Area Regulations (RAR) which required that all local governments in southern BC pass a local bylaw to implement these provincial regulations for the purpose of protecting fish habitat in lakes and streams.

At that time, because Salt Spring's drinking water lakes were (and still are) experiencing blooms of toxin producing cyanobacteria, a situation so serious that people who live around

¹ Watling, Judy, "Public Participation in Canada" presented at the 2007 CIDA Governance Workshop on Public Participation in China and Canada, September 10, 2007.

the affected lakes cannot drink their water sometimes for months. In response a committee of scientists, residents and government officials began by studying the problem on Cusheon Lake and then later St. Mary Lake. They came up with management plans for the watersheds of both lakes based on scientific research. Both plans recommended, among many other items, that if Salt Spring Island were to implement RAR appropriately it would help reduce blooms on this lake. For that reason, starting in 2006, the lake stewardship groups asked the SSI Local Trust Committee to implement RAR. We were told that Trust was working on a model bylaw to implement RAR.

Here is where public participation should have begun. It could have been foreseen that this regulation would be controversial because regulation is not popular with some groups and Salt Spring Island has so many streams that the regulation would impact many island residents. But at this early stage, the public did not have an opportunity even to provide input to the Trust or to discuss how RAR would be implemented on SSI. This is in opposition to an important guideline for effective public participation and public consultation which is that it be conducted early in the process before critical decisions are made.

The SSI lake stewardship groups continued to ask for implementation of RAR. At some point, we were told that Trust was making maps and RAR would be implemented when the maps were ready. We assumed that the maps would be of streams, since that is what the bylaw was supposed to protect. In March of 2009, we were told that the maps would be of watersheds not streams. This very important decision, to map watersheds instead of streams, was made with a total lack of public consultation or participation by the public on SSI as to what was a practical way to approach RAR there.

In the summer of 2010 the maps were ready and members of existing SSI Local Trust Committee advisory bodies and representatives of island stewardship and environmental organizations (including myself) were asked to participate in a RAR Working Committee. The RAR Working Committee meetings were not advertised to the public and lacked representatives from several other stakeholder groups. We were told that this was an advisory group to staff and therefore staff decided who was included. This committee could have been a vehicle for meaningful public participation and discussion of alternatives by persons with various perspectives.

The RAR Working Committee as a whole was concerned about the lack of participation by other stakeholders. They made a strong recommendation that, before a bylaw was drafted, a public meeting be held where the Trustees would receive input from invited experts and anyone in the community who wished to make a presentation and, that after each presentation, the trustees or staff be able to ask questions and engage in a back-and-forth discussion with the presenters. It was suggested that adequate time be allocated for this, perhaps an entire day. This would inform the public as well as the trustees as to the critical issues of concern. Note that this request was for a meeting where two way communication and problem solving could take place, an element essential to public participation. It is my understanding that the SSI Trustees also unsuccessfully requested a more extensive public engagement process. The meeting recommended by the Working Committee did not take place.

The Working Committee did make a number of important recommendations regarding the draft RAR bylaw that was to follow. However, various other views were not represented and

other interested community members missed hearing the extensive and valuable background information that was provided to the Working Committee by community members, provincial and Trust staff. This may have contributed to misunderstandings about the bylaw that arose later.

The RAR Working Committee meetings **were** followed by a series of Trust sponsored public meetings where maps and information about RAR were presented. Written submissions from the public were accepted. Questions were asked although not always answered to the satisfaction of community members. These meetings could best be described as public consultation rather than public participation.

The bylaw was redrafted several times based on comments received. That was good. But all through this process, communication was almost entirely one-way. There was no dialogue, no problem solving, or discussion of alternative approaches to this bylaw by a broad group of stakeholders, that is, no public participation.

Finally last spring, the first official hearing on a RAR bylaw was held but then cancelled because more people turned out than could be accommodated in the room. A second public hearing in a larger venue was started but also aborted because even more people came and they could not all hear the proceedings. No further public hearing was held partly because, at that point, there was so much hostility to the proposed bylaw that some people felt unsafe speaking in favor of the bylaw or even attending. Some felt that there was also much misunderstanding about the content and effect of the proposed bylaw. The result was that no bylaw was passed.

It is my opinion, on looking back over what transpired, this outcome was primarily the result of the lack of adequate public participation that included the following elements:

- Two way communication, discussion, and problem solving with the public early enough to influence decisions critical to the policy being considered. For example, in this case, the public was not consulted on the major decision to map watersheds instead of streams.
- Representation by a full range of community interest groups and individuals. In this case, critical stakeholders were not included in the Working Committee and no further meetings were held that included dialogue.
- Providing the public with reasons for the proposed policy, legal constraints, and scientific or policy background such as how the issue was addressed in other communities. In this case, the RAR Working Committee was provided with this information. For the same effort, it could have been provided to many more community members if they had been invited.
- Providing the public with a full set of legal alternatives. Although the Fish Protection Act gives local governments flexibility in how RAR is implemented,² the public was not given options for mapping, bylaw language, and physical areas to be covered.

² Environmental Law Clinic, University of Victoria, "Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure", November 7, 2007, page 118.

Some may say that public discourse on SSI has been poisoned by lawsuits, that certain individuals want to make the Trust look bad to promote SSI becoming a municipality, and that people were angry because they were given exaggerated and incorrect information about the bylaw. But this is not a reason for failing to carry out effective and adequate public participation. Failure to do so only increases hostility and misunderstandings.

It may be said that it is too expensive to do real public participation. I do not believe this is the case. As I described, the RAR Working Committee suggested a format for a participatory public meeting that could have been held instead of the consultation meetings that were held. Furthermore it is certainly less expensive to do it right the first time than to do it twice.

A process to implement RAR on SSI will likely start fresh this term. This time, we have an opportunity to do it right. To do this, I am requesting several actions from this body, not just for Salt Spring's RAR but for other major initiatives:

First, that Trust Council direct staff to work with members of the public to create a new model for public engagement that includes best practices for public participation as outlined in the reports from OECD and Health Canada listed at the end of this document. You may need to identify this as a priority in the staff work plan for this Trust Council term.

Second, our previous SSI Local Trust Committee asked for a funding commitment in the 2012-13 budget to support communication and community engagement for implementation of RAR on Salt Spring. This was not included in the draft budget before you at this meeting. I urge you to re-instate it but be clear the funds are for "public participation", rather than for other processes that use only one-way communication.

I am bringing this suggestion here because to the extent that staff determines what type of public involvement takes place, your direction to them is critical. Additionally, a new model for public participation in the Trust islands will not only benefit Salt Spring Island. It will benefit all the islands.

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OECD Public Management Policy Brief

Engaging Citizens in Policy-making: Information, Consultation and Public Participation

Reaping the benefits ...

Strengthening relations with citizens is a sound investment in better policy-making and a core element of good governance. It allows government to tap new sources of policy-relevant ideas, information and resources when making decisions. Equally important, it contributes to building public trust in government, raising the quality of democracy and strengthening civic capacity. Such efforts help strengthen representative democracy, in which parliaments play a central role.

...by taking concrete steps...

In strengthening their relations with citizens, governments must ensure that:

- information is complete, objective, reliable, relevant, easy to find and to understand;
- consultation has clear goals and rules defining the limits of the exercise and government's obligation to account for its use of citizens' input;
- participation provides sufficient time and flexibility to allow for the emergence of new ideas and proposals by citizens, as well as mechanisms for their integration into government policy-making processes.

...to build commitment and capacity

Governments must invest adequate time, resources and commitment in building robust legal, policy and institutional frameworks, developing appropriate tools and evaluating their own performance in engaging citizens in policy-making. Poorly designed and inadequate measures for information, consultation and active participation in policy-making can undermine government-citizen relations. Governments may seek to inform, consult and engage citizens in order to enhance the quality, credibility and legitimacy of their policy decisions...only to produce the opposite effect if citizens discover that their efforts to stay informed, provide feedback and actively participate are ignored, have no impact at all on the decisions reached or remain unaccounted for.

This Policy Brief describes a range of concrete measures and suggests ten guiding principles for strengthening government relations with citizens and civil society.

PUMA Policy Brief No. 10

July 2001

Why strengthen government-citizen relations?

OECD countries are strengthening their relations with citizens, in order to:

- Improve the quality of policy, by allowing governments to tap wider sources of information, perspectives, and potential solutions in order to meet the challenges of policy-making under conditions of increasing complexity, policy interdependence and time pressures.
- Meet the challenges of the emerging information society, to prepare for greater and faster interactions with citizens and ensure better knowledge management.
- Integrate public input into the policy-making process, in order to respond to citizens' expectations that their voices be heard, and their views be considered, in decision-making by government.
- Respond to calls for greater government transparency and accountability, as public and media scrutiny of government actions increases, standards in public life are codified and raised.
- Strengthen public trust in government and reverse the steady erosion of voter turn-out in elections, falling membership in political parties and surveys showing declining confidence in key public institutions.

Defining government-citizen relations in policy-making

Government-citizen relations cover a broad spectrum of interactions at each stage of the policy-making cycle: from policy design, through implementation to evaluation. In reviewing this complex relationship, the OECD survey used the following working definitions:

- **Information: a one-way relation** in which government produces and delivers information for use by citizens. It covers both 'passive' access to information upon demand by citizens and 'active' measures by government to disseminate information to citizens.

Government → Citizens

- **Consultation: a two-way relation** in which citizens provide feedback to government. It is based on the prior definition by government of the issue on which citizens' views are being sought and requires the provision of information.

Government ↔ Citizens

- **Active participation: a relation based on partnership** with government, in which citizens actively engage in the policy-making process. It acknowledges a role for citizens in proposing policy options and shaping the policy dialogue -- although the responsibility for the final decision or policy formulation rests with government.

Government ↔ Citizens

Main trends

Policy-making in all OECD countries rests on the foundation of representative democracy. Within this framework, many OECD countries have long-standing traditions of extensive citizen involvement. All are looking for new, and complementary, ways to include citizens in policy-making. Trends show that:

- **Information** for citizens is now **an objective shared by all OECD countries**. The scope, quantity and quality of government information provided to the public has increased greatly over the past decade.
- **Consultation** and opportunities for citizens to provide feedback on policy proposals is also on the rise, but at a slower rate. **Large differences remain between OECD countries**.
- **Active participation** and efforts to engage citizens in policy-making on a partnership basis are rare, undertaken on a **pilot basis only and confined to a very few OECD countries**.

Building legal, policy and institutional frameworks

Information is a basic precondition

Access to information requires sound legislation, clear institutional mechanisms for its application and independent oversight institutions and judiciary for enforcement. Finally, it requires citizens' to know and understand their rights -- and to be willing and able to act upon them.

- **Laws:** the trend in adopting access to information laws has clearly gathered pace in recent years. In 1980 only 20% of OECD countries had legislation on access to information (also known as freedom of information, or FOI, laws). In 1990, this figure had risen to just over 40%, and by the end of 2000 it had reached 80%. In several OECD countries, access is the rule and secrecy is the exception. All provide access to documents held by public authorities and appeal mechanisms in cases of refusal.
- **Policies:** basic legal rights are given substance through government commitment to provide objective and reliable information. Policies on both 'passive' (e.g. response times or charging) and 'active' access to information (e.g. government communications policy) are needed.
- **Institutions:** Access to information laws generally apply to all administrative units. Implementation may be co-ordinated (e.g. by central government) and subject to external oversight (e.g. by the Ombudsman).

All OECD countries must reconcile the citizen's right to know with the individual's right to privacy and the need to preserve confidentiality where disclosure of information would be against the public interest. Balancing rights of access, protection of privacy and limits to official secrecy is a significant challenge -- especially given the rapid evolution of information and communication technologies (ICTs).

Consultation is central to policy-making

Consultation has only recently been recognised as an essential element of public policy-making in the majority of OECD countries -- legal, policy and institutional frameworks are still under development.

- **Laws:** Legislation on public consultation may be broad (e.g. establishing petition rights or consultative referenda) or restricted in scope (e.g. requiring consultation with trade unions, professional associations or indigenous peoples during policy-making).
- **Policies:** Some OECD countries rely on rules (e.g. cabinet orders, guidelines, standards) and informal practice when conducting public consultation. Several require public consultation on new regulations (e.g. under regulatory impact assessment procedures), in line with the 1995 OECD Council Recommendation on Improving the Quality of Government Regulation.
- **Institutions:** Several OECD countries have long-standing institutional arrangements for consultation (e.g. tripartite forums of government, business and labour). Many have established permanent or *ad hoc* advisory bodies and commissions that include civil society organisations (CSOs).

Active participation is a new frontier

Active participation recognises the capacity of citizens to discuss and generate policy options independently. It requires governments to share in agenda-setting and to ensure that policy proposals generated jointly will be taken into account in reaching a final decision. Only a few OECD countries have begun to explore such approaches and experience to date is limited.

- **Laws:** Citizens in some OECD countries have the right to propose new legislation or policy (e.g. under laws on popular legislative initiative or on citizen-initiated referenda). These usually require the prior collection of signatures from a proportion of eligible voters within a specific timeframe.
- **Policies:** A few OECD countries have policies to support new, flexible approaches to ensuring a greater degree of active participation by citizens in policy-making (e.g. joint working groups).
- **Institutions:** There is no single institutional interface. The few examples that exist to date are drawn from different levels of government and policy sectors. Central policy units may play a role in collecting good practices, raising awareness, and developing guidelines.

Matching tools to objectives

The first step in the design of successful information, consultation and active participation in policy-making is to clearly **define the objective** of the exercise - on the basis of which the **target group** (e.g. all citizens, rural communities, youth) may be identified and an appropriate tool chosen.

- **No single tool or approach** will be suitable for every country or situation. Often a **mix of tools** will be required, and these may need to be adapted to local traditions and practices. The choice of tools will also depend upon the resources (e.g. financial and human), time and skills available.
- **Information:** Even 'passive' access to information requires tools to enable citizens to find what they are looking for (e.g. catalogues and indexes). When governments engage in the 'active' provision of information, they may use a range of different products (e.g. annual reports, brochures, leaflets) and delivery mechanisms, which may be either direct (e.g. information centres, toll-free phone numbers) or indirect (e.g. media coverage, advertising, civil society organisations as intermediaries).
- **Consultation:** Governments use different tools to seek feedback on policy issues (e.g. opinion polls and surveys) or on draft policies and laws (e.g. comment and notice periods) from a broad range of citizens. They may also use tools for consultation that provide greater levels of interaction (e.g. public hearings, focus groups, citizen panels, workshops) with smaller groups of citizens.
- **Active participation:** Engaging citizens in policy deliberation requires specific tools to facilitate learning, debate and the drafting of concrete proposals (e.g. citizens' fora, consensus conferences, citizens' juries).

Unlocking the potential of ICT

All OECD countries regard new information and communication technologies (ICTs) as a **powerful tool** and are making significant efforts to bring their administrations and their citizens 'on-line'. While many believe ICTs have great potential for engaging citizens in policy-making, today they remain complementary to traditional tools. Most OECD governments are working to bridge the 'digital divide', and recognise the need to ensure that all citizens, whether on-line or not, continue to enjoy equal rights of participation in the public sphere.

- **Information:** All governments in OECD countries provide an increasing amount of information on-line (e.g. via government websites and portals), although the quantity, quality and range varies greatly.
- **Consultation:** The use of ICTs for feedback and consultation is still in its infancy in all OECD countries (e.g. e-mail addresses on government websites, e-mail lists, on-line chat events).
- **Active participation:** Only a very few OECD countries have begun to experiment with on-line tools to actively engage citizens in policy-making (e.g. on-line discussion groups, interactive games).

Integration with established, 'off-line' tools and approaches is needed to make the most of ICTs.

Evaluating performance

All OECD countries recognise the **need to develop tools** and to improve their capacity for evaluation. The survey shows a striking imbalance between the amount of time, money and energy that OECD countries invest in strengthening government-citizen relations and the amount of attention they pay to evaluating effectiveness and impact on policy-making.

No OECD country currently conducts a systematic evaluation of government performance in providing information, conducting consultation and engaging citizens in policy-making.

Guiding principles for engaging citizens in policy-making

The survey suggests the following guiding principles for successful information, consultation and active participation in policy-making:

1. Commitment

Leadership and strong commitment to information, consultation and active participation in policy-making is needed at all levels - from politicians, senior managers and public officials.

2. Rights

Citizens' rights to access information, provide feedback, be consulted and actively participate in policy-making must be firmly grounded in law or policy. Government obligations to respond to citizens when exercising their rights must also be clearly stated. Independent institutions for oversight, or their equivalent, are essential to enforcing these rights.

3. Clarity

Objectives for, and limits to, information, consultation and active participation during policy-making should be well defined from the outset. The respective roles and responsibilities of citizens (in providing input) and government (in making decisions for which they are accountable) must be clear to all.

4. Time

Public consultation and active participation should be undertaken as early in the policy process as possible to allow a greater range of policy solutions to emerge and to raise the chances of successful implementation. Adequate time must be available for consultation and participation to be effective. Information is needed at all stages of the policy cycle.

5. Objectivity

Information provided by government during policy-making should be objective, complete and accessible. All citizens should have equal treatment when exercising their rights of access to information and participation.

6. Resources

Adequate financial, human and technical resources are needed if public information, consultation and active participation in policy-making are to be effective. Government officials must have access to appropriate skills, guidance and training as well as an organisational culture that supports their efforts.

7. Co-ordination

Initiatives to inform, request feedback from and consult citizens should be co-ordinated across government to enhance knowledge management, ensure policy coherence, avoid duplication and reduce the risk of 'consultation fatigue' among citizens and civil society organisations (CSOs). Co-ordination efforts should not reduce the capacity of government units to pursue innovation and ensure flexibility.

8. Accountability

Governments have an obligation to account for the use they make of citizens' inputs received through feedback, public consultation and active participation. Measures to ensure that the policy-making process is open, transparent and amenable to external scrutiny and review are crucial to increasing government accountability overall.

9. Evaluation

Governments need the tools, information and capacity to evaluate their performance in providing information, conducting consultation and engaging citizens in order to adapt to new requirements and changing conditions for policy-making.

10. Active citizenship

Governments benefit from active citizens and a dynamic civil society and can take concrete actions to facilitate access to information and participation, raise awareness, strengthen citizens' civic education and skills as well as to support capacity-building among civil society organisations.

About this Policy Brief

This policy brief is designed to support policy-makers in building effective frameworks for information, consultation and active participation by citizens in public policy-making. It draws heavily upon the experience and insights of national experts and senior officials from the centres of government in OECD countries, whose deliberations have provided the Secretariat with broad comparative perspectives and concrete examples of good practice. The Policy Brief is based on the main findings of two OECD surveys carried out in 1999-2000 on "Strengthening Government-Citizen Connections" and "Using Information Technology to Strengthen Government-Citizen Connections". The surveys were based on self-reporting by OECD countries: central governments provided information on current provisions for, and practice in, providing information, opportunities for consultation and active participation of citizens in policy-making.

Promoting good governance

The OECD supports its Member countries in building and strengthening effective, efficient, transparent and accountable government structures. Access to information, consultation and active participation in policy-making contributes to good governance by fostering greater transparency in policy-making; more accountability through direct public scrutiny and oversight; enhanced legitimacy of government decision-making processes; better quality policy decisions based on a wider range of information sources; and, finally, higher levels of implementation and compliance given greater public awareness of policies and participation in their design.

More information

The OECD publication "Engaging Citizens in Policy-making: Information, Consultation and Public Participation", on which this policy brief is based, is a unique source of comparative information on measures for strengthening citizens access to information, consultation and participation in policy-making. It does not attempt to evaluate or rank countries in terms of their progress in strengthening government-citizen relations. Rather, it offers an overall framework within which to examine a wide range of country experiences, identify examples of good practice and highlight innovative approaches. In doing so, the report takes into account the great diversity of country contexts and objectives in strengthening government-citizen relations to be found among OECD countries.

The report is accompanied by a "Handbook on Strengthening Government-Citizen Relations" designed for government officials in OECD Member and non-member countries. The handbook offers a practical guide in building robust frameworks for informing, consulting and engaging citizens in policy-making.

The report and accompanying handbook will be published in early October 2001 and may be purchased from the OECD Online Bookshop (<http://www.oecd.org/bookshop/>). This policy brief and the handbook will be made available free on-line on the PUMA web site (<http://www.oecd.org/puma/citizens/>). For more information on PUMA's work on government-citizen relations, contact joanne.caddy@oecd.org.

Next steps

The OECD report and policy brief will be the subject of public discussion and debate with representatives of civil society organisations (CSOs). Events planned include: national workshops organised by participating governments, an international roundtable event and an on-line electronic discussion forum hosted on the PUMA web site.

PUMA's future work programme on E-government will also focus on two key aspects of government-citizen relations, namely: a) the use of new ICTs in consulting citizens and civil society for policy-making and b) on-line service delivery.



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STAFF REPORT

Date: December 21, 2011

File No: SS-ALR-2011.1

To: Salt Spring Island Local Trust Committee

From: Kristin Aasen, Planner 1 for the meeting of January 5, 2012

Re: Application for Exclusion in the Agricultural Land Reserve

Owner: Noella and Mike Fraser

Applicant: Landworks Consultants (Kelly Gesner)

Legal: Lot 1, Section 2, Range 2 East, North Salt Spring Island, Cowichan District Plan VIP86207

Location: 240 Atkins Road

Preliminary Report:

☒

Final Report:

☐

THE PROPOSAL:

This application is for the exclusion of 240 Atkins Road from the Agricultural Land Reserve in order to develop a light industrial and commercial business park (see layout in Appendix 1). ALR exclusions are ultimately approved by the Agricultural Land Commission (ALC), but the ALC Act requires that the Local Trust Committee make the decision on whether to forward the application to the Commission to consider.

Should this application be approved by the LTC (and later the ALC), a rezoning and OCP amendment and development permit would also be required by the LTC in order to permit light industrial and commercial uses (see discussion in staff comments).

SITE CONTEXT:

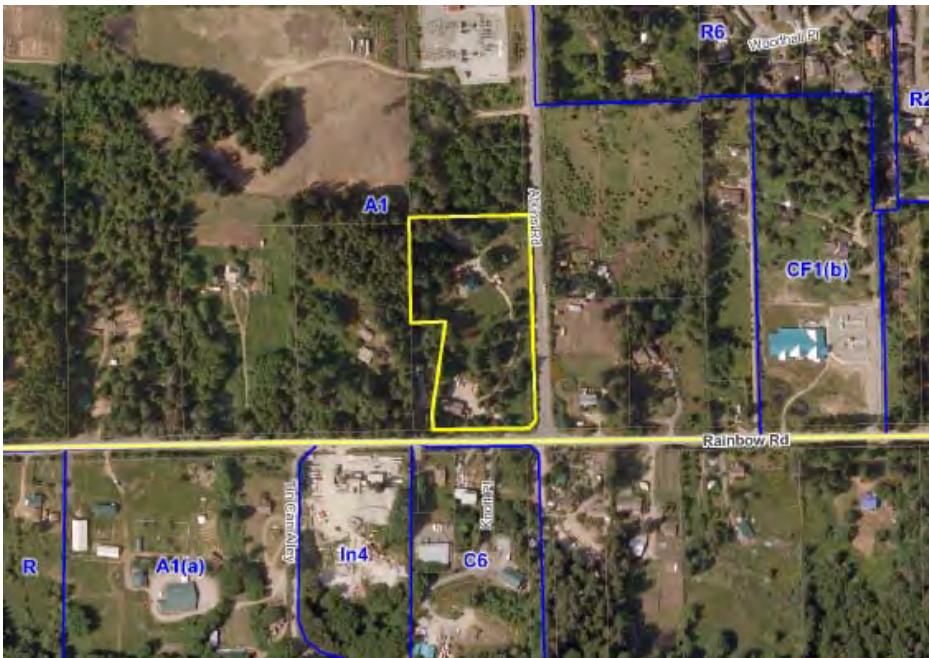


Figure 1: Orthophoto with zoning

Located at the northwest intersection of Atkins and Rainbow Road, the subject property is roughly 4.47 acres (1.81 hectares) in size. Most of the property has been cleared for residential and home based business purposes. A small pond is located near the northern boundary of the property. Developments include a single family dwelling, auto repair shop, office and accessory buildings. Some blasting, excavation and soil and rock were removed in late 2010.

Adjacent to the subject property are: BC Hydro substation to the north, residences to the east and west and a mix of commercial and industrial, and a 7-unit industrial strata lot to the south. To the south east is a campground and nursery. Zoning designations are as indicated in Figures 1 and 2.

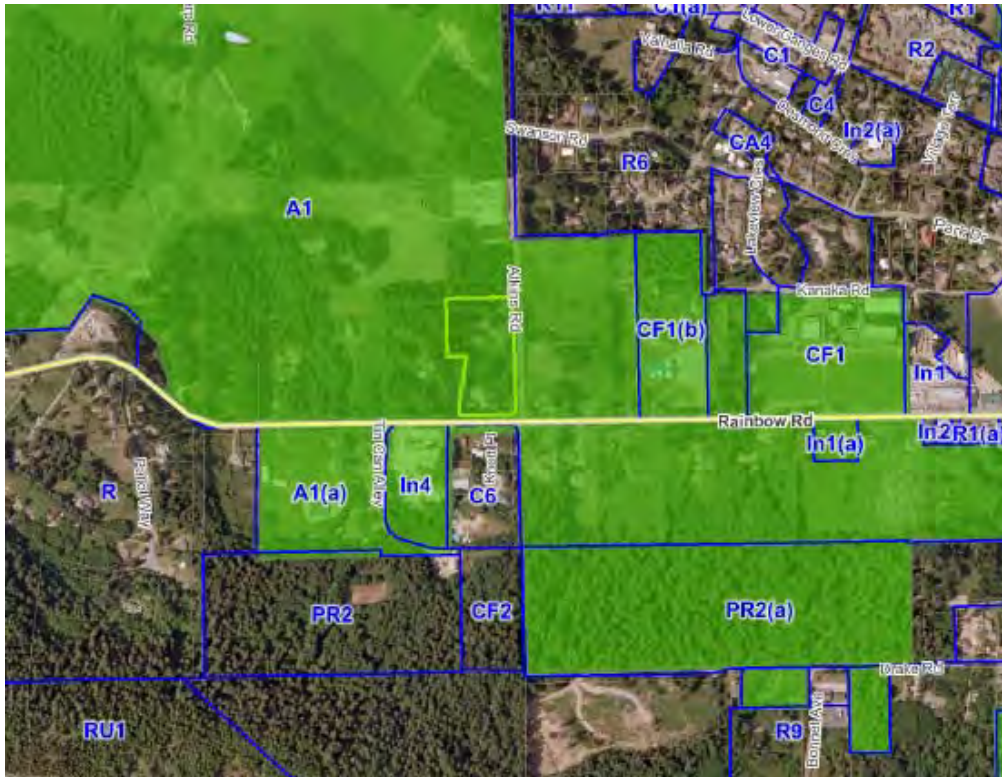


Figure 2: Orthophoto with ALR overlay (in green)



Figure 3: View of auto repair shop (home based business) - looking west near Rainbow Road.



Figure 4: North east corner of subject property looking across Atkins Road towards residential/agricultural properties.



Figure 5: Looking east towards Atkins Road along western boundary of subject parcel.

BACKGROUND

The following applications have been made to the Islands Trust for the subject property:

SS-ALR-1994.5 – boundary adjustment subdivision – not approved by ALC

SS-ALR-1995.3 – no information available

SS-BOV-1996.2 – to allow a variance of Section 13.4(2) of Bylaw No. 123 to relax the setback for the east interior side lot line from 3.0m to a 0.91m for the siting of a residence.

SS-ALR-2006.8 – ALC approval for a subdivision in ALR (boundary adjustment between the subject property and adjacent 0.22 hectares parcel immediately to the west).

SS-DVP-2008.3 – to vary Section 5.1.1(2) of the Land Use Bylaw No. 355 which permitted the approval of a boundary adjustment subdivision where no lot is created with an area less than 1 hectare (varied to a minimum of 0.220 hectares).

SS-SUB-2006.16 – boundary adjustment with lot immediately adjacent to west (to adjust the lot lines to facilitate residential construction).

RIPARIAN AREA REGULATION:

The subject property is located in a RAR designated watershed. The regulation defines development to apply to local government approvals of residential, commercial and industrial activities subject to Part 26 of the Local Government Act. As such, a report by a Qualified Environmental Professional report would be required at time of rezoning, but not an ALR application. The Ministry of Agriculture operates under an agreement with the Ministry of Environment for agricultural development of riparian areas.

CURRENT PLANNING STATUS:

LAND USE BYLAW NO. 355

The subject property is zoned A1 – Agricultural 1 by the Salt Spring Island Land Use Bylaw No. 355. The current agriculture, residential use and home based business are uses permitted in this zone (see table below).

Other than home-based businesses, commercial and industrial uses are not permitted in A1. Should the landowner wish to operate broader commercial and industrial uses on the property, an application to amend the Land Use Bylaw (rezoning) would be required. At this time, no such application has been made. As such, the implications of an ALR exclusion approval would mean that the LUB regulations for an A1 parcel would continue to apply until such time as a zoning amendment was approved.

	A1
Principal Uses, Buildings and Structures	
<i>Agriculture, farm buildings and structures</i> <i>Information note: By definition, "agriculture" includes the processing, storage, sale of farm products produced on the same lot, or on another lot that is part of the same farm business.</i>	◆
<i>Single-family dwellings</i>	◆

Accessory Uses	
One additional <i>dwelling unit</i> provided that it: a) is a <i>mobile home</i> consistent with General Order 1 #1622/83 of the B.C. Land Reserve Commission, or b) is a secondary suite no more than 85 square metres in total <i>floor area</i> that is consistent with Policy #043/98 of the B.C. Land Reserve Commission, or c) is a <i>farmworkers' dwelling unit</i> that has been specifically approved by application to the B.C. Land Reserve Commission	♦
Processing of the <i>farm products</i> of another farm located within the Salt Spring Island Local Trust Area.	♦
Sale of the <i>farm products</i> of another farm, provided that the <i>floor area</i> used for the storage and display of the products from another farm may not exceed 5 square metres or one third of the total <i>floor area</i> on a <i>lot</i> that is occupied by <i>farm product</i> storage and display.	♦
<i>Home-based business use</i> subject to Section 3.13	♦
<i>Commercial guest accommodation</i> in a <i>campground</i> accessory to a <i>commercial farm business</i> , subject to Schedule "F", provided that no more than 10 per cent of <i>campsites</i> are designed to accommodate self-contained recreational vehicles.	♦
<i>Seasonal cottages</i> subject to Section 3.14	♦

OFFICIAL COMMUNITY PLAN BYLAW NO. 434

Official Community Plan:

The Salt Spring Island Official Community Plan designates this parcel as A – Agriculture. The decision at hand is whether to forward this exclusion application to the Agricultural Land Commission. As such, the staff report provides the following analysis of the proposal's compliance with the policies for an application to exclude land from the ALR (please note, staff comments are *italicized*):

ALR exclusion policies:

B.6.2.2.15 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:

- a. 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.
- b. 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.
 - a. *Please refer to Industrial and Commercial Services policy B.3.3.2.10 below*
 - b. *This exclusion application was not accompanied by a corresponding proposal to include land in the ALR.*

B.3.3.2.10 If additional land is required for industrial uses necessary for the community, the Local Trust Committee could consider rezoning applications for properties near the junction of Rainbow and Atkins roads. Removal of up to 2 ha from the Agricultural Land Reserve for this purpose could be supported, consistent with policy B.6.2.2.15. In reviewing such applications, the Committee should consider whether:

- a. the site has limited agricultural potential
- b. existing Industrial and Commercial service lands have been developed to about 80 per cent of their practical development potential
- c. the rezoning application applies to land that is next to or across a road from existing industrial land
- d. the proposed development would be well buffered from adjacent non-industrial land
- e. there are adequate water supplies and a satisfactory means of sewage disposal.

Staff note that at time of adoption of the OCP, this policy was vetted by the Land Commission and the Ministry of Transportation and Infrastructure through the bylaw referral process. This policy is somewhat directive, and indicates that future industrial rezoning applications may be expected at the corner of Atkins and Rainbow Roads.

- a. *The application was accompanied by images of 8 test holes dug by the landowner indicating a high degree of stoniness in the soil (images on file in the Islands Trust office). No independent analysis of the soils has been submitted.*

The Agriculture Canada map and publication "Soils of the Gulf Islands of British Columbia – Volume 1: Soils of Salt Spring Island" (Research Branch, 1987) indicates that the dominant soil on the subject property is Mexicana (at a scale of 1: 20,000). While generally moderately well drained, very little agriculture has been developed on Mexicana soils other than for hay and pasture (ibid.). The major limitations for agricultural uses are the droughtiness, topography and stoniness. However, Mexicana soils on slopes not exceeding 15% may be improved with irrigation and stone picking.

- b. *See attached Appendix 2 for a map of existing industrial and commercial service (I) lands. Roughly 21 parcels (plus 21 strata lots) are designated as (I). Not all such lands have been developed to 80 percent of their practical development potential, as some parcels are not zoned for industrial or commercial purposes. However, all (I) lands have been developed to some degree.*

A review of the Trust Area Property Information System indicates that all commercial zoned lands have been developed and all industrial zoned lands have been developed with the exception of the In4(a) zoned parcels in Fulford and Long Harbours. Staff have not completed an analysis of development potential in term of the full permitted lot coverage for buildings and structures, but refer to 'developed' in this case as indicating that some development on each parcel has occurred.

- c. *As indicated in Figures 1 and 2, the subject property is predominantly located across and adjacent to agricultural zoned lands (A1). Across Rainbow Road are commercial and industrial zoned properties (C6 and In4).*
- d. *Buffering would be most important along the property lines adjacent to and across residential and agricultural uses (the eastern parcel line along Atkins Road and the western parcel line). The northern property line is adjacent to a property owned by BC Hydro. The western boundary has been cleared of vegetation; some remains along Atkins and much along Rainbow Road – please refer to Figure 4. Ministry of Agriculture guides for buffering of*

agricultural land suggests that BC Hydro Right of Ways are sufficient; the case of access routes, major freeways are considered sufficient buffering¹.

- e. *More information is required in terms of water supplies and sewage disposal. The subject property is located within the North Salt Spring Waterworks District and outside of the Ganges Sewered Area. This information would be requested at time of subdivision and rezoning application.*

Because the proposal is to develop a light industrial strata title park, which would also require a rezoning and OCP amendment approval from the Local Trust Committee and subdivision approval from the Ministry of Transportation and Infrastructure, this staff report explores the following OCP policies related to rezoning and subdivision of lands designated as Agriculture (A):

Other Agriculture policies:

- B.6.2.2.16 When it considers rezoning applications that are not related to farming, the Local Trust Committee will ensure the availability of water for farming would not be reduced because of a zoning change. If a rezoning application would result in an increase in water use, the Local Trust Committee will ask the Agricultural Advisory Committee for advice about the potential impacts on farming.

While a rezoning application has not been made, the landowner is working with the North Salt Spring Waterworks District to connect to a community water system and not draw water from neighbourhood sources. The AAC may wish to consider the potential impacts on farming the proposed industrial use may have.

- B.6.2.2.17 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.

A subdivision application has not yet been received – if ALC exclusion approval and rezoning approval are given, a subdivision application would be made directly to the Ministry of Transportation and Infrastructure (MOTI). Upon receipt of a referral from MOTI, Islands Trust staff would then evaluate the proposal for its compliance with the LUB and OCP. A drainage plan would be requested by the Islands Trust as a condition of approval. The LTC may wish to refer the application to the AAC to obtain advice on drainage impacts, or request more information by the proponent.

- B.6.2.2.18 When it considers rezoning applications for land that borders or drains into agricultural land, the Local Trust Committee will ensure that zoning changes are not made in a way that would have a negative effect on farming. For example, the Committee could require that a vegetation buffer be maintained on land that is being rezoned next to farm land, if the proposed use could result in conflicts with a farming operation. The Committee should also ensure that a zoning change would not result in detrimental changes to natural drainage or

¹ Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges. (2009). Retrieved online at http://www.agf.gov.bc.ca/resmgmt/sf/publications/823100-2_Guide_to_Edge_Planning.pdf.

pollution of water supplies. The Agricultural Advisory Committee will be asked for advice about rezoning applications on land that borders or drains into agricultural land.

Section 3.4.2 of the Land Use Bylaw No. 355 requires that a vegetation screen is required in the buffer area of any lot occupied by industrial and commercial uses (that are not contained within a building). The 'buffer area' means the area of a lot that is within 7.5 m of a lot line, where that lot line adjoins another lot zoned for residential or agriculture uses. For 240 Rainbow Road, this would mean the northern and western lot lines. Because further agricultural uses are located across Atkins Road, at time or rezoning, the LTC may wish to consider whether a vegetation buffer be required along the front and exterior lot lines as well. Because these lot lines front a road, a lesser buffer may be considered appropriate.

Studies or additional information regarding the potential impacts on natural drainage and potential pollution of water supply may more appropriately be requested at time of rezoning.

Staff see merit in seeking AAC advice on buffering, changes to natural drainage and the minimization of conflict with adjacent lands. A commercial highway access would be required by MOTI at time or rezoning.

Other related policies:

- B.6.2.2.19 Zoning changes should not be made to allow large new multi-family, industrial, institutional or commercial developments in the Agriculture or Watershed-Agriculture Designation. An exception could be considered for community facilities or limited industrial zoning that would provide broad benefits to the community and are specifically mentioned in this Plan.

In order to strictly comply with this policy, a zoning change to commercial/ industrial would require an associated amendment to the Official Community Plan land use designation from Agriculture (A) to Commercial and Industrial Services (I). Broader industrial benefits to the community have been analysed – see OCP Policy B.3.3.2.10 on page 8 of this report.

- B.6.2.2.20 The Local Trust Committee will use the Development Permit process to ensure that development in higher density areas such as commercial, industrial and multifamily zones remains buffered from agricultural areas, is designed to reduce conflicts with agriculture, and does not result in detrimental impacts due to water pollution or changes in the drainage regime.

Staff see merit in applying the Development Permit process to achieve these objectives (form and character for 'Non-village Commercial and Industrial' – DPA2). Because this parcel is not located in Development Permit Area 2, staff would recommend that a rezoning application be accompanied by an associated OCP amendment to include this parcel in DPA2.

- B.6.2.2.21 The Local Trust Committee will consider impacts on local food security when making land use decisions.

The 2006 Salt Spring Island Food Security Discussion and Planning Paper² prepared a definition on Salt Spring Island for discussion purposes – food security exists “when all

² Reichert, Pat. Retrieved Online December 14, 2011 from: http://www.communitycouncil.ca/crfair_nl/PDFs/crfair_nl_Salt_Spring_Island_Food_Security_Report.pdf.

individuals have access to adequate, nutritious food regardless of their income and their abilities. In a food secure community, most of the food is grown, processed and distributed on a local and regional basis. Food production and distribution is conducted in a manner that is environmentally and economically sustainable and local food access and production are an integral part of governance decisions affecting the community.”

Because the “Food Production and Processing” (where food is grown) aspect of food security would be impacted by removing protections for agricultural land, the community may wish to explore how other aspects such as how the enhancement of processing and preservation capacities may compensate. One such mechanism may be through a broadly permissive rezoning for agricultural processing uses. Staff recommend seeking advice from the AAC to consider the impacts on local food security by exclusion of land from the ALR that this application is considering. Because the decision to exclude land from the ALR is the jurisdiction of the Agricultural Land Commission, the ALC is ultimately responsible for determining how the application fulfills their provincial mandate to preserve agricultural land and to encourage farming in collaboration with other communities of interest.

At time of rezoning application, the bylaw referral and public hearing process may be used to seek further advice from agencies and community organizations with related expertise.

Industrial and Commercial Services policies:

- B3.3.2.5 The Local Trust Committee should undertake a review and inventory of existing industrially zoned land and facilities, assess existing and future projected demand for industrial land, and on the basis of this assessment, consider re-designating and rezoning land.

In 2009, a diverse, nine-member “Industrial Task Force” was mobilized to review and inventory all existing industrially-zoned land and facilities on Salt Spring and to identify potential options to address the preferred location of industrial zoned land. The subject property is located in an area identified by the Industrial Task Force to be considered for removal from the ALR³, and reflected in OCP Policy B.3.3.2.10.

- B.3.3.2.11 The Local Trust Committee should consider applications to strata-title existing buildings in the Industrial and Commercial Services Designation, to provide affordable industrial sites.

Should this proposal approved by the Agricultural Land Commission, the landowners intend to follow with an application for a bare land strata title subdivision that would create 9 strata lots (not a building strata).

Development Permit Areas:

The subject property is not located in any Development Permit Areas (DPAs). However, Development Permit Area2: Non-Village Commercial and Industrial is a form and character DPA designated to reduce the potential conflicts between large new commercial and industrial development and the quiet, rural character of adjacent residential neighbourhoods, and adjacent farmlands. Should the ALC approve the exclusion application and an application is made to rezone the property, an OCP amendment to include the land in DPA2 may be considered at that time.

³ Salt Spring Island Industrial Task Force Final Report. (2009). Retrieved online December 1, 2011 at: <http://www.islandstrust.bc.ca/lrc/ss/pdf/ssrptindusttaskforcenov2009.pdf>.

RESULTS FROM PUBLIC NOTIFICATION:

The ALR application was accompanied by “Proof of Serving Notice” as required by Section 16 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* (in the spring of 2011). The Islands Trust office received 19 letters on the subject of this exclusion application and attached as Appendix 2:

- 4 letters were opposed to the application (3 from owners of neighbouring properties)
- 15 letters of support (2 from owners of neighbouring properties)

The letters reflected varying perspectives on the balancing of agricultural and industrial land needs of the community, in light of limited land with the preferred criteria for industrial lands.

Letters of opposition reflected the following concerns:

- noise
- diminished quality of life
- concerns over food security impacts
- concerns with the clearing of land and potential drainage impacts adjacent to residential/ agricultural properties
- not all industrial lands are being occupied to their full potential.

Letters of support were written by community members looking for:

- affordable ownership of industrial land
- proximity to Ganges/ high visibility
- Three-Phase power availability
- reliable water supply
- vehicle accessibility
- flat land
- job creation on the Island
- efficient use of existing roads/ on route to CRD transfer station.

HAZARD LANDS

The subject property is not known to have any sensitive ecosystems, endangered species or ecosystems.

INDUSTRIAL TASK FORCE RECOMMENDATIONS:

When considering the review and inventory of existing industrially-zoned land and facilities on Salt Spring Island, the task force developed the following list of preferred criteria for industrial lands: Located within a 1 - 5km radius of Ganges and Fulford villages

- | | |
|---|--|
| • Proximity to arterial roads | • Appropriate buffering provided |
| • Three-phase power near site | • Not impacting watersheds |
| • Adequate water supply | • 30 metre setback from riparian areas |
| • Sewer connection desirable | • Not in a sensitive ecosystem |
| • Terrain slope of 15% or less is preferred | |

Based on this analysis, the task force recommended that the LTC consider adding a modest increase in the amount of industrial land in three areas of Salt Spring, which included the area around the junction of Rainbow and Atkins Roads.

STAFF COMMENTS:Further approvals:

In order for the proposed strata title light industrial park to be developed, several approvals would be required:

1. ALC exclusion approval (this application)
2. Land Use Bylaw amendment (rezoning) to permit industrial uses (and thus the minimum strata parcel size, which would be smaller than the 8 hectares currently permitted by the A1 zoning)
3. Official Community Plan amendment (same application as rezoning):
 - a. to amend Map 1 to change the land use designation from Agriculture (A) to Industrial & Commercial Services (I)
 - b. potentially to amend Map 19 to include the subject property in DPA2: Non-village commercial and industrial
4. Development Permit for DPA2
5. Bare land strata subdivision approval from the Ministry of Transportation & Infrastructure (Islands Trust staff make comments by way of application referral)

OCP compliance:

ALR exclusion - Staff consider the Official Community Plan policies regarding exclusion in the Agricultural Land Reserve to generally be satisfied by the proposal. In this instance, the LTC may wish to obtain further advice or information related to the policy for excluding land from the ALR for the purpose of creating more industrial zoned land, to confirm the extent that:

- the site has limited agricultural potential (is more information needed on the agricultural capacity of the property?)
- the existing Industrial and Commercial service lands have reached 80 per cent of their practical development (obtain a calculation of the development potential)
- the proposed development would be well buffered from adjacent non-industrial land (should criteria for a buffer be considered?)
- there are adequate water supplies and a satisfactory means of sewage disposal (does the LTC wish for confirmation of these conditions at time of exclusion?)

Rezoning/ subdivision - The LTC may wish to receive further local expertise regarding policy compliance by way of Agricultural Advisory Committee (AAC) expertise:

- While a rezoning application has not been made, the AAC may consider the impacts that potential industrial uses may have on farming
- The OCP directs that subdivision applications may be referred to the Agricultural Advisory Committee for advice and the Committee's suggestions for the protection of farming operations would be forwarded to the Subdivision Approving Officer for consideration. While a subdivision application has not yet been made, AAC advice may be relevant for the applicant to consider when finalizing the layout.
- Specifications for vegetation buffer adjacent to farm land and residential uses, specifically:
 - o Whether a 7.5m buffer should be required along Atkins Road, or an appropriately reduced width
 - o Other recommended parameters for vegetative buffers, such as type and maintenance implications
- Consideration of detrimental changes to natural drainage or pollution of water supplies.
- Consideration of impacts on local food security

Other outstanding concerns:

The LTC may wish to obtain further information regarding neighbourhood concerns, such as a traffic impact study. These types of studies, however, are more appropriately requested in the context of a rezoning application.

Options for LTC consideration:

Pursuant to 30(4) of the Agricultural Land Commission Act, this application cannot proceed to the ALC except by way of a resolution by the Local Trust Committee. The LTC has the following options:

1. pass a resolution to forward the application to the ALC with the comment that it supports the application with comments
2. pass a resolution to forward the application to the ALC with no comment
3. pass a resolution to not forward the application (application is closed).

At this stage, staff recommend referring the application to the Agricultural Advisory Committee for comment.

RECOMMENDATION:

That the Salt Spring Island Local Trust Committee **REFER** the application SS-ALR-2011.1 (Landworks Consultants, 240 Atkins Road) to the Agricultural Advisory Committee.

Respectfully submitted by:

Kristin Aasen, Planner 1

Date

Concurred by:

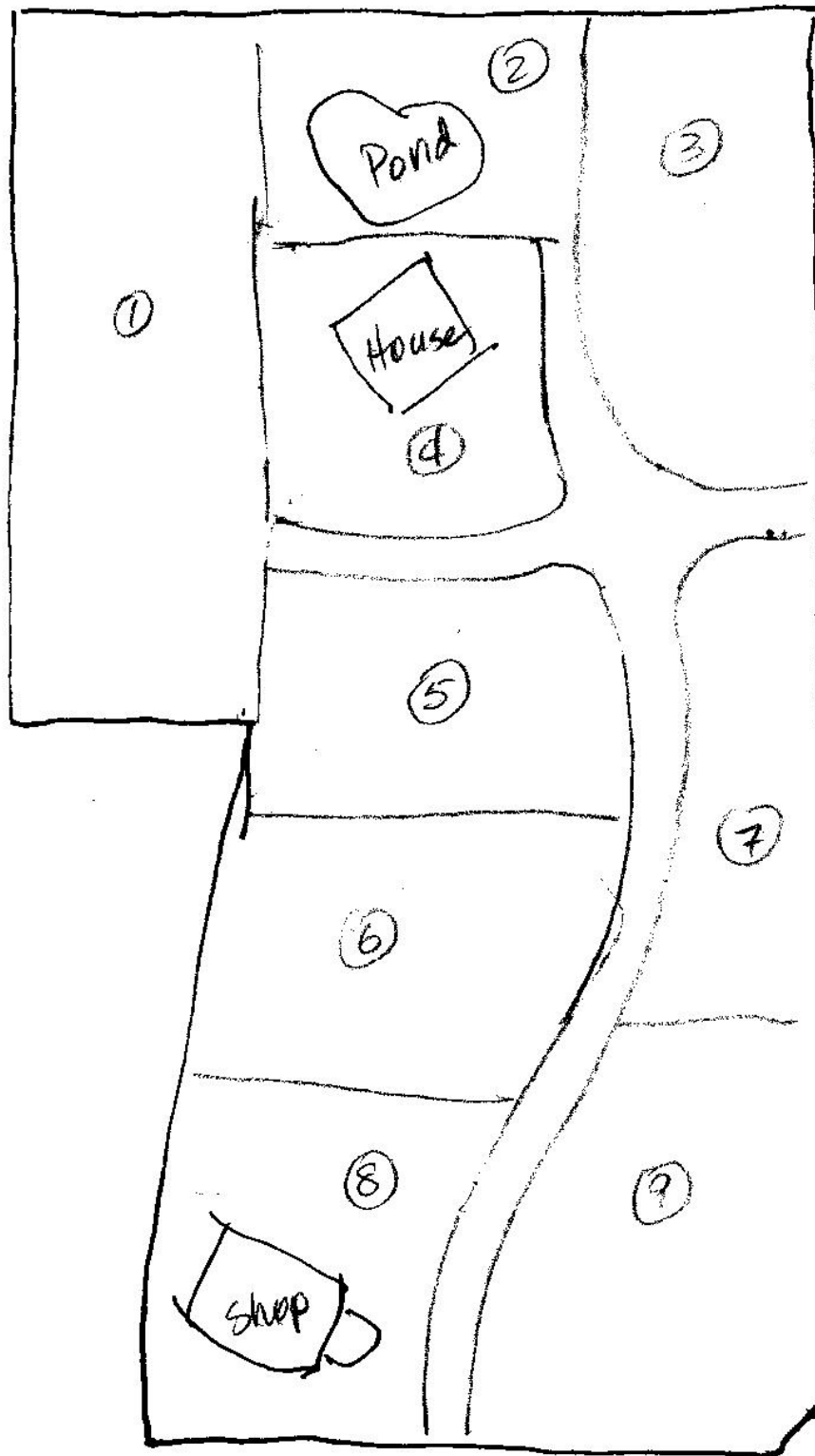
Leah Hartley, Regional Planning Manager

Date

Appendix 1: Conceptual sketch for bare land strata subdivision

Appendix 2: OCP land use designations highlighting Commercial and Industrial Services lands (map 1)

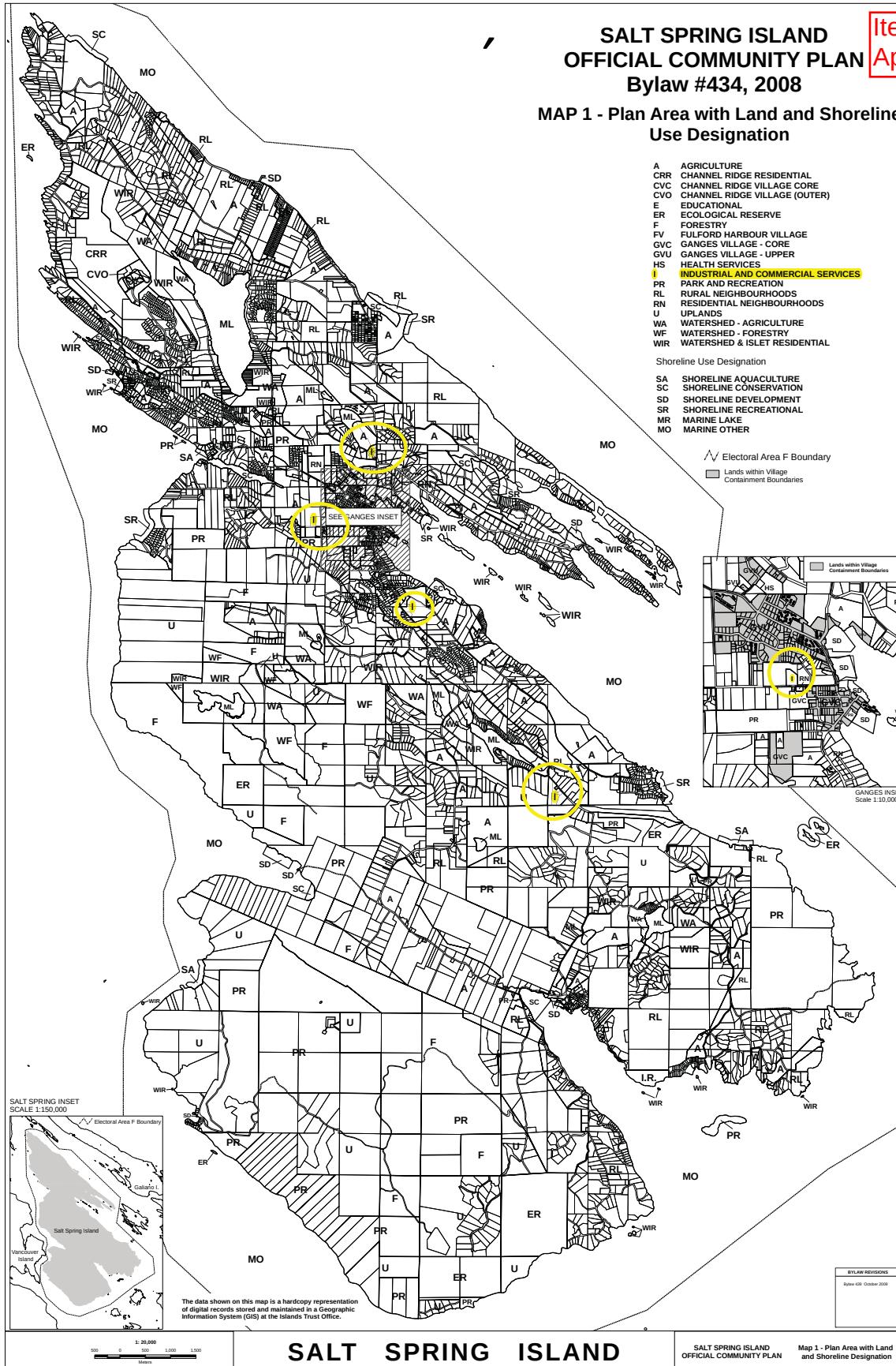
Appendix 3: Correspondence received as a result of public notification (with signatures removed for online publishing security purposes)



**SALT SPRING ISLAND
OFFICIAL COMMUNITY PLAN
Bylaw #434, 2008**

**Item 12.1
Appendix 2**

**MAP 1 - Plan Area with Land and Shoreline
Use Designation**



SSI
Maritime Projects:
2-126 Upper Ganges Road
Salt Spring Island B.C.
V8K 2S2
Tel. 250 537-4534
Cell 250 888-5516



April 25, 2010

To Whom It May Concern:

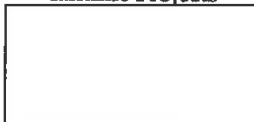
I have been made aware of the potential re zoning of the property at the intersection of Rainbow and Atkins Roads. I am fully in support of this initiative to provide industrial zoned property near the downtown core.

As a consultant to a local business, I have for some time been searching for a suitable location for marine repairs and storage. My clients require approximately one half an acre of relatively flat ground with good road access within a reasonable proximity to the launching ramps in Ganges. The business would not generate a large volume of traffic and the loads on the roadway would be less than the neighbouring concrete plant.

We are seeking a long term lease but would consider a co operative purchase agreement if available.

Yours truly,

John Roland
SSI Maritime Projects



GST# 89525 0371 RT0001

To the Islands Trust,



I have no problem with the Fraser's wanting to remove their land from the Agriculture Land Reserve for the purpose of a Light Industrial Development. I am a neighbour to the south of their property, across Rainbow Road. Opportunities should be available to Islanders and I think this proposal will help.

Ralph Blake

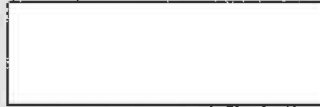


321 Rainbow Rd
Salt Spring Island, BC

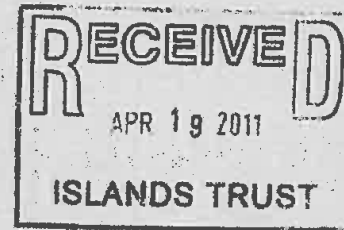
ISLANDS TRUST,
SALT SPRING ISLAND,
1-500 LOWER GANGES ROAD,
SALT SPRING ISLAND, B.C. V8K 2N8

LAND UNDER APPLICATION
TITLE NUMBER
EJ69451

I REBECCA SMITH OF 231 ATKINS ROAD, SALT SPRING ISLAND,
WANT IT KNOWN THAT I DO NOT SUPPORT THE EXCLUSION
APPLICATION REGARDING LAND IN THE AGRICULTURAL LAND
RESERVE OF 240 ATKINS ROAD, SALT SPRING ISLAND.



DATED THIS DAY - APRIL 15, 2011.



Jazzi & Chris Griffiths
7871 – 110 Street
Delta, BC
V4C 4H6

Dear Islands Trust Members,

I am writing regarding the proposed rezoning of the property owned by Michael and Noella Fraser at 240 Atkins Road. It is with sadness that I go in the opposition of the wishes of a long time neighbour. I must protest the rezoning of this property as it goes against the core of my beliefs.

I have watched as the island has been rezoned and developed in some good ways and some bad. I believe that all things change but in this case not for the better. I know that there is a "shortage" of commercial/industrial land on Salt Spring but I refuse to believe that taking land out of the ALR is the answer. It is called a reserve for a reason and not for people to develop when it suits them. The reason that ALR land is cheaper is that there are restrictions for usage. To turn around post purchase and decide that that isn't satisfactory is too bad.

The owners have told me that their land is useless for farming. I simply don't believe that. Horses were kept there for years prior to the current owners' occupation. The thought that simply because there are varying topography to the property does not mean it is useless. They themselves have in the past kept sheep, pigs, turkeys, chickens and rabbits.

When the Salt Spring Roasting Co wanted to rezone ALR for their production plant the Islands Trust said no and I hope you will again. It is not maybe the popular opinion but at some point the use of ALR land for alternative uses must stop or we will not have our sensational salt spring.

Thank You,
Jazzi and Chris Griffiths
300 Rainbow Road, owners



536 Beaver Point Road,
Salt Spring Island, B. C.,
V8K 2J9

April 23, 2011.

Islands Trust,
Salt Spring Office,
1 - 500 Lower Ganges Road,
Salt Spring Island, B. C.
V8K 2N8



Dear Trustees,

This letter is regarding the application by Mike and Noella Fraser to remove from the Agriculture Land Reserve their property at the corner of Atkins and Rainbow Roads.

As a general principle I do not support the removal of any land from the ALR. Land available for farming is going to become more and more precious over the years. The public, generally, supports the Agriculture Land Commission and its mandate, and so do the residents of Salt Spring. Even though land is not being farmed at the moment, that does not mean that it will not be important in the future. Land should remain available.

The Salt Spring Islands Trust Committee and partners, such as the Farmer's Institute and Natural Organic Growers, as well as general members of the public, have spent many hours developing a Salt Spring Farm Plan. The majority of the residents of Salt Spring support this plan and, now, to remove available land from the agriculture land reserve would seem a backward move. As a matter of fact, the Area Farm Plan states that Local Governments through the OCP and Land Use Bylaws "need to give priority to agricultural land uses."

I also believe that human nature will say, "Well, if he can do it, so can I." Once land is removed from the ALR for personal reasons or personal gain, then, it follows that other people will also want to have their property removed. I know that local governments will always say that each application is decided on its own merit, but allowing removal applications to succeed, does tell the public that the ALR is not as untouchable as was thought.

Thank you for your consideration of my opinions.

Yours truly,

Bev Byron

April 19, 2010

Islands Trust
Salt Spring Island, BC

To whom it may concern,



I am writing this letter in regards to the need for commercial/ industrial space for the growth of my business. I am a carpenter by trade and I am looking for space to manufacture cabinets and furniture as an expansion to my business. This would require a shop space of 2000-5000sf, 3-phase power and obviously, a place conveniently and centrally located to town.

It was brought to my attention that there may be a possibility of locating this type of shop at the corner of Rainbow and Atkins Roads, if an Industrial park were to be zoned there. I would like it to be noted that I am seriously interested in a property such as this, especially this close to town. I believe there is a serious need, for the community of Salt Spring Island, to have a properly designated area for an industrial park. Every community in Canada has one, why not Salt Spring?

I look forward to hearing from you.



David Whitten

537-5057

cc. Mike & Noella Fraser

April 29, 2011

Islands Trust
Agriculture Land Commission



To Whom It May Concern,

Regarding the property of Mike & Noella Fraser, at the corner of Rainbow & Atkins Roads, I would like to express my favour towards the exclusion of this property, 240 Atkins Rd, from the Agriculture Land Reserve for the purpose of rezoning to something that allows light industry. This property has been previously recommended by the Industrial Task Force, initiated by the Islands Trust, as an ideal property & area for a rezone supporting industry. This recommendation, should in itself, be enough support the removal from the ALR. I am a direct neighbour to the west of Mike & Noella and support them in this project.

Yours Truly,
Calvin Fraser



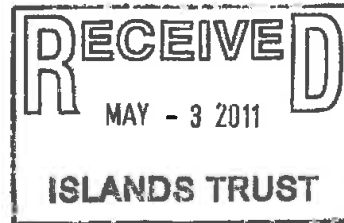
326 Rainbow Rd
Salt Spring Island, BC

Renate and Ernie Weihing
112 Bayview Road
Salt Spring Island BC
V8K 1L2

Telephone 250-537-2464

May 1, 2011

Islands Trust
Salt Spring Office
1 - 500 Lower Ganges Road
Salt Spring Island, B.C.
V8K 2N8



Dear Sir / Madam,

RE: Notice of Exclusion Application Regarding Land in the Agricultural Land Reserve
by Owners Michael and Noella Fraser, of Atkins Rd, SSI - namely
Lot 1, Section 2, Range 2 East, North Salt Spring Island, Cowichan District,
Plan VIP86207.

As owners of Lot 4 - adjacent to above property, we herewith express our opposition to the removal of Lot 1 out of the ALR. Following are the reasons:

Any industrial activity creates noise, diminishing the quality of living for the occupants of our single family house. Additional noise would not be anymore appreciated in this neighborhood, than what it is further out on Rainbow Road, where industrial activity goes on at present, much opposed by the residents of the area (metal recycling - John Quesnell). Noise does not become less disturbing when it is made legal.

As far as we know there is at present industrial zoned land not in use on this island so we don't see any need to take out more from the ALR.

With concern for food shortages all over the world it seems more important to preserve any existing ALR land for later use than to spoil it for ever with industrial activity. To the contention of the applicants, their lot being unsuitable for agriculture, it is just as suitable as any other land in this neighborhood where agricultural activity is going on at present ... i. e. Indigo Farm - at least it was before parts of it were spoilt by excavation and removal of soil and rocks seemingly far exceeding allowable limits laid out in Bylaw No 418, all done without a permit during the summer and fall of 2010.

It is our contention that the before mentioned illegal excavation near along our property line (in some place at least 6 feet deep) creates a hazard with some serious future consequences for us. Standing forest trees along our side of the property line will be deprived of moisture, as water will drain into the excavation. Consequently, they will die, a storm will topple them on top of future industrial buildings, the owners or occupants of such buildings or businesses will hold us responsible for the damage.

We appreciate your consideration in that matter.

Yours truly

A rectangular box intended for a signature, currently empty.

R. Weihing

A small, empty rectangular box, likely a placeholder for a second signature or a mark.

A rectangular box intended for a signature, currently empty.

E. Weihing

April 30, 2011



To the Islands Trust,

This letter is in response to the Application for Exclusion of land from the Agriculture Land Reserve submitted by Mike & Noella Fraser of 240 Atkins Rd. I support this action by the Fraser's, as I know Mike would like to build a light industrial park. An idea that came to mind, was that the Islands Trust could spear head the project, sort of a pilot project, to see if this would work a little smoother by not wasting time, effort & money on anyone's part of the planning process. My property, of 19 acres, adjoins the northwest corner of the Fraser property and as a direct neighbour, I have no problem with this project coming to fruition. I hope that it all comes about soon, as I believe the Islands Trust needs this for economic growth in years to come.

Regards,

Chris Acheson



378 Rainbow Rd.

Salt Spring Is., BC

SEARS CANADA OUTLET

Peter & Sylvia Andress
128 Lower Ganges Rd
Salt Spring Is, BC V8K 1S8
(250)537-5596



May 18, 2010

To Whom It May Concern:

We are interested in the possibility of relocating the Sears Catalogue Store in order to have an added showroom for the larger items such as major appliances and garden tools. This would be a great asset to the island as there are only limited items available at the present time and would keep the possibility of buying on island and supporting our own community real. The downtown core has become a congested nightmare and our current location is not conducive to the delivery or pick up of such large items.

It is my understanding that there may be a possibility of a potential industrial/commercial park at the corner of Rainbow & Atkins Roads and I would like to support this as a much needed area for Salt Spring. I believe this could open many doors to existing businesses already operating on Salt Spring Island. The fact that this property is on route to the recycle is a huge advantage for exposure as well because almost everyone recycles.

I look forward to hearing a response regarding this matter soon.



Peter & Sylvia Andress
Sears Catalogue Outlet
Salt Spring Island, BC

To Whom It May Concern:

We own and operate a business on Saltspring Island that we currently rent property and building to run our business, we have been operating this business for over 25 years and due to recent rent increases which we feel are out of line, we are very interested in having our own property and building to continue to run our business out of.

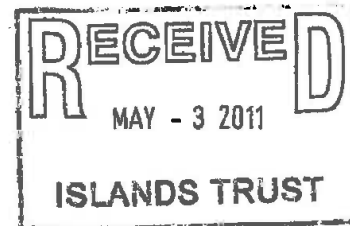
We are very much in favor of a strata property such as Mike Fraser is trying to get zoning approved for. We believe his location would be perfect for a small light industrial business development site.

We believe this would be a more economical and affordable way of controlling our own destiny, as apposed to a landlord dictating to us.

We are very hopeful you will see the positive impact this could have on the island and the local business owners and vote to allow this development to go ahead.

Colin Newton
Ross Halling
Dave Appleyard

Saltspring Auto Parts



To whom it may concern,

I am a sculptor in stone and have been living on Saltspring for 15 years. I am currently looking for a working-studio situation. I require three-phase power, and water, and would like a place close to town where I can have clients come by to view my production and finished work. I carve in large-scale outdoor stone sculptures and also make landscape features. It would be wonderful if an opportunity close to town presented itself for I feel the community would benefit from a more industrial option where artisans like myself could work.

Thank you for your consideration.

Sincerely,
Gerda Lattey
Quebec Drive
Saltspring Island
www.gerdalattey.com



589108 BC Ltd.
11401 Highway 97C
Merritt, BC
V1K 1M6
May 18, 2010



Islands Trust
1 - 500 Lower Ganges Road
Salt Spring Island, BC
V8K 2N8

To Whom It May Concern:

It has come to my attention that the property at the corner of Rainbow and Atkins Roads, owned by Mike & Noella Fraser, may be up for consideration as an industrial park. This is a much-needed space on Salt Spring Island and something I would encourage the Trust to approve.

I currently own & operate a marine welding shop, located on Alders Rd. The property is conveniently located close to town with a large shop on site; however, it is not in the best location. Access to this property is difficult due to road conditions; it is located in a residential area of waterfront properties on a lane-type road, on which large trucks find difficulty navigating. Ideally, it would be best to have this type of business located on a property close to town with 3 phase power and accessible by large trucks and boat trailers.

I believe that the property on the corner of Rainbow and Atkins Roads would be an ideal location for an industrial/commercial park due to its proximity to town and to other industry such as the cement plant across Rainbow Road. I ask that you give the Fraser's application careful consideration.

I look forward to receiving a response on this matter.

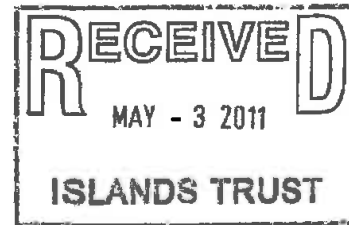
Sincerely,

A rectangular box with a thin black border, intended for a signature.

Ross Walker
President
250-537-9710

cc: Mike & Noella Fraser

IMAGES HAIR DESIGN
731 VESUVIUS BAY RD
SALT SPRING IS, BC V8K 1L5
250-537-4712 SHOP
250-537-7356 CELL



MAY 15/10

Islands Trust
To Whom It May Concern;

I am an independent barber/hairdresser looking for space within close proximity of the downtown core of Ganges. I am currently operating my own business in the Vesuvius area and as a result have lost approximately 20% of my clientele due to the distance from town.

I have been informed of a potential location at the corner of Rainbow and Atkins roads and am very interested. I have been searching for an ideal location for quite some time and have found nothing affordable. I like the idea of being removed from the congestion of the downtown core yet quite accessible. I am very excited regarding this opportunity.

I fully support this development of an industrial/commercial area in our great community of Salt Spring. I believe this is a necessary development for our ever growing community that will benefit merchants and consumers alike. I anticipate a positive vision and outcome of this project. I look forward to your reply.

Sincerely,

A rectangular box with a black border, used to redact the signature of the sender.

Cecillia Schreiner

Johnson's Automotive Services

106 Lower Ganges Rd
Salt Spring Island, BC V8K 2S7
250-537-2023



May 17, 2010

Islands Trust
Salt Spring Island, BC

To Whom It May Concern,

It has recently come to my attention that there may be a possibility of an Industrial/commercial park development at the corner of Rainbow and Atkins Roads, namely the Fraser property. I am very interested in this development and as a current business owner/operator of an automotive repair shop, fuel sales and towing operation in the downtown core; I feel it would be advantageous to my business and the community to relocate.

I am in need of a secure compound for the towing operation, a repair shop with ample parking and maybe even a future gas station on the corner of Rainbow & Atkins Roads would be a suitable answer to the congestion in Salt Spring's downtown core.

The lack of commercial/Industrial type property near the Ganges core is definitely a problem for Salt Spring. I look forward to hearing a response regarding this matter, in the very near future.

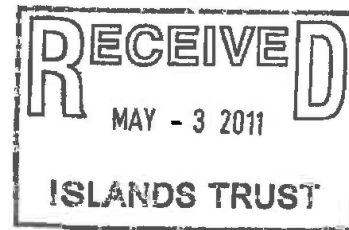
Yours truly,



Blaine Johnson
Johnson Automotive Services

THE RENTAL STOP

#1-327 Rainbow Rd
Salt Spring Island, BC V8K 2M4
250-538-0388



May 18, 2010

To Whom It May Concern;

It has been made known to me that there is a possibility of a future industrial/commercial park across the street from our current location on Rainbow Road. There is a real need for this zoning and availability of land for Salt Spring Island. The corner of Rainbow & Atkins Roads is an ideal location for this type of thing and I am quite interested and fully support a project such as this.

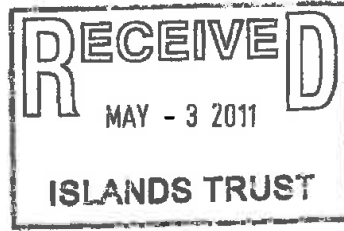
I am the current owner of a flourishing rental business. I require a small shop space, for maintenance & repairs of equipment rentals, a large retail area & storage space. The space I am currently in is reasonable but with no room to grow, therefore, I have a vested interest in the development of a potential industrial park in close proximity to our current location. It is ideal to be within a 1km distance to the downtown Ganges core, yet out of all the extreme congestion.

I support Mike & Noella Fraser in their future endeavor of the development of their property into an industrial/commercial park. What a great future this would be for Salt Spring Island businesses!

Sincerely,

A rectangular box with a thin black border, intended for a signature.

Dan Kent
The Rental Stop



May 19/10

Islands Trust
Salt Spring Island, BC

To Whom It May Concern,

I would like to express my desire and interest in the potential of an industrial/commercial park located at the corner of Atkins & Rainbow Roads, namely the property owned by Mike & Noella Fraser. I am a successful businessman in the Salt Spring community and have recently retired from the fishing business.

I am prospecting for a desirable location for a novel business venture that, I believe, would be an asset to our tourism economy as well as to our local community. I am looking for property located in close proximity to Ganges and with high visibility that would support a classic car museum & sales. I greatly support the idea and development of an industrial/commercial park. It has been a long time coming for this community.

Sincerely,



Gary LeMarchant
250-537-9673

May 28/10



To the Island Trust

To whom it may concern,

I am writing to express my interest in the possibility of an industrial park, located in the Ganges vicinity. I am the current owner/operator of an automotive repair shop on Beddis Road and as I am sure you are aware, I am having a few difficulties with the growth of this business. At my present location I have no room to expand and would support an industrial park at the corner of Rainbow and Atkins Road in the very near future. I feel there is definitely a need for a project such as this and the Fraser's have my full support. There may be a fair bit of industrial land on Salt Spring Island but in my opinion it is definitely NOT in the right places and not really accessible for purchase to the average working man. I believe there is an opportunity, with the development of an industrial park, to provide gainful employment to others while being able to keep costs reasonable and keep the business in our own community.

Yours truly,



Erik Lundstrom
Beddis Road Garage



135 Rainbow Rd
Salt Spring Island BC
V8K 2V5
250.537.4554

Providing Quality Repairs & Honest Service

May 17/2010

LETTER OF INTENT

To whom it may concern.

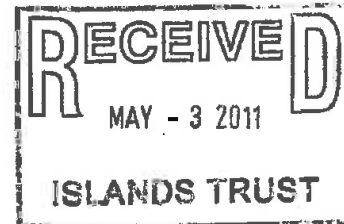
If Mike Fraser were to build a shop/complex on his property, I would be interested in leasing a building as a Truck/ Repair shop.

Currently there is a need, and there is none available.

When my business closed Sept 2009, due to new business owners, I tried to relocate but to no avail.

The addition of a Truck/Repair shop would be very beneficial to the community, plus providing 3 or 4 new jobs in the community.

Per Svendsen



STAFF REPORT

Date: December 21, 2011

File No: SS-ALR-2011.2

To: Salt Spring Island Local Trust Committee

From: Kristin Aasen, Planner 1 for the meeting of January 5, 2012

Re: **Application for Non-farm use and subdivision in the Agricultural Land Reserve**

Owner: Fulford Creek Holdings Ltd.

Applicant: JG Consulting Services Ltd. (Janis Gauthier)

Legal: South 70 Acres of Section 7, Range 2, South SSI, Cowichan District, Except the Southerly 262 Feet of the Westerly 104 Feet and Except Part in Plan VIP577191

Location: 2163 Fulford-Ganges Road

Preliminary Report:

☐

Final Report:

☒

THE PROPOSAL:

This staff report follows up on a preliminary staff report dated October 28, 2011 for this Agricultural Land Reserve (ALR) non-farm use/ subdivision proposal to create 6 strata-titled parcels in the Rural portion of the split zoned Rural/Agricultural (R/A1) property at 2163 Fulford-Ganges Road. The proposal would leave the ALR portion intact as a Strata Lot 1, and subdivide along the ALR boundary (Figure 3). The proposed access from the Rural portion to Fulford-Ganges Road connects over ALR land, and thus requires non-farm use approval.

Because the subject property is in the ALR, the approval for non-farm use and subdivision is the authority of the Agricultural Land Commission (ALC). The ALC Act however, requires that the Local Trust Committee pass a resolution to forward or not forward the application to the Commission. Should this application be approved by the LTC (and later the ALC), a bare land strata subdivision approval would also be required by the Ministry of Transportation and Infrastructure to authorize the subdivision.

SITE CONTEXT:

Located in the Fulford Valley, the parcel is approximately 27.2 hectares (67.3 acres) in size. The southern 14.9 hectares (36.8 acres) along Fulford-Ganges Road are level pasture and rocky forested slope, zoned Agriculture 1 (A1) and designated ALR. The remainder of the lot is an upland bench zoned Rural (R), and located outside the ALR boundary (see Figure 1).

The property has been in various types of agricultural production since the 1940s, with a farmhouse, farm buildings, greenhouses, fencing, a small orchard and cultivated plots. The current farming operation has been managed by Fulford Valley Organics since 2009, with 1 acre under production and plans to increase cultivation to 11.5 acres (4.7ha) in accordance with the Farm Plan (on file).

Surrounding properties are zoned A1 and Rural; adjacent residential buildings are setback from the subject property by roughly 10m to 40m (33 to 131 feet).



Figure 1:

Location of subject property with zoning overlay. Fulford Creek runs along the southern boundary of the lot, indicated by the light blue line.

Note forested region between lower agricultural (A1) zoned area and upper Rural zoned bench. Also of note is that the Rural side of the ALR boundary is only partially forested along the length.

Image also indicates field areas for current and future cultivation.

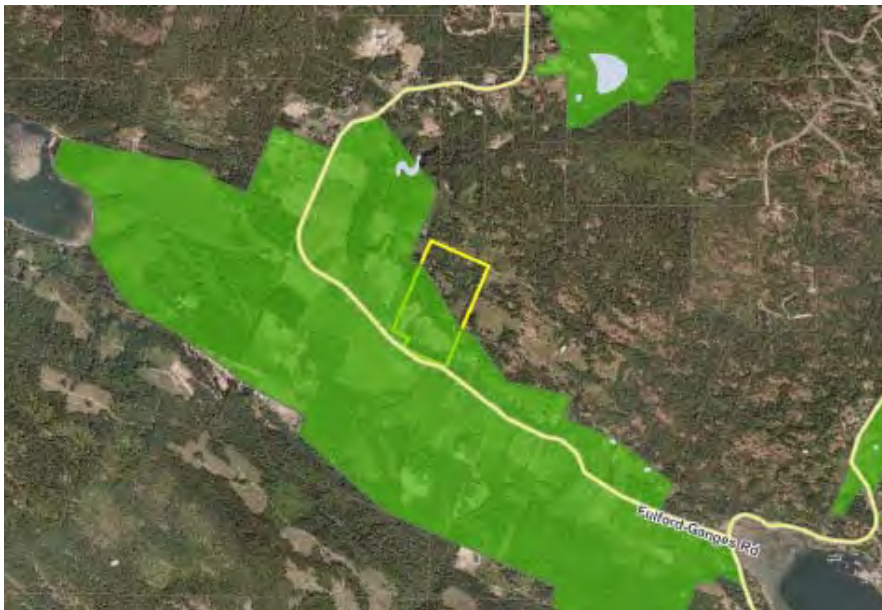


Figure 2:

Subject property with overlay of ALR designated lands in the surrounding Fulford Valley

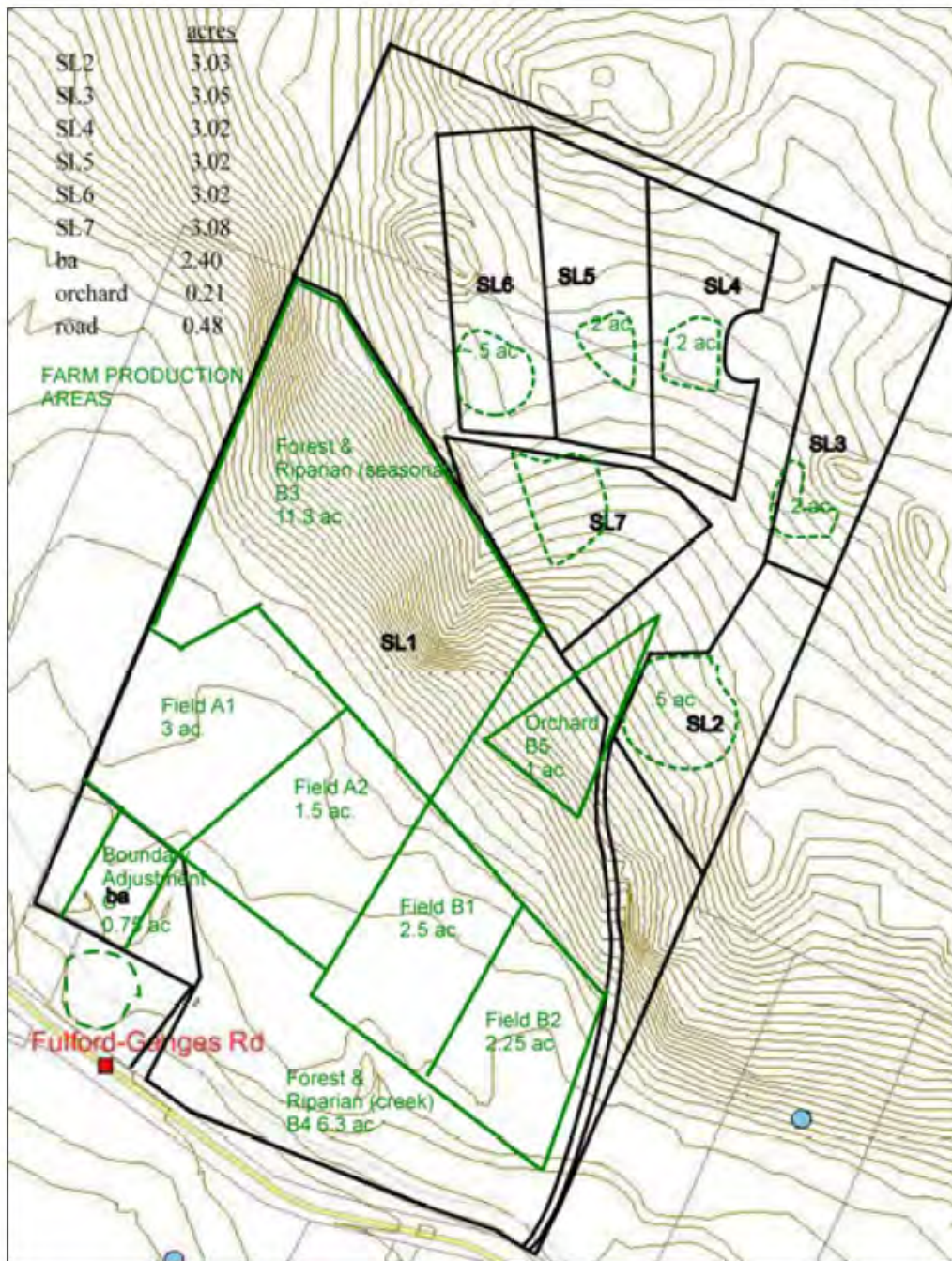


Figure 3:

Proposed bare land strata subdivision plan and road dedication area with 2m contour overlay. Note that Strata Lot 1 (SL1) corresponds to the entire ALR portion of the parcel, with SL2 through SL7 in the Rural portion of the property. Dotted lines indicate proposed building sites to be incorporated in strata bylaws (to encourage clustered development). The boundary adjustment application reference in the southwest corner of the parcel has not been made, and later would be applied for to the Ministry of Transportation to adjust lot lines to correspond with farm infrastructure.



Figure 4:

Current plot under vegetable production (looking north west towards Fulford-Ganges Road).

Figure 5:

Looking east along Strata lot 2 boundary – potential area for ALR inclusion.



Figure 6:

Proposed common area where pond is proposed (looking north east between SL 3 & 4).

Figure 7:

Cultivated area to be put into production in 2012 (looking north west) from SL1.





Figure 8:

Proposed driveway access and non-farm use for road (looking east from Fulford-Ganges Road).

Figure 9:

Example of proposed non-farm use roadway in steep sloped ALR area (looking south west)



Figure 10:

Sample of proposed non-farm use roadway in ALR area (looking north east).

BACKGROUND:

At the November 3, 2011 regular meeting, the LTC resolved to refer the application to the Agricultural Advisory Committee for review and comment (SSI-224-11). On December 1, the AAC passed the following resolution:

*It was **MOVED** and **SECONDED** that the Agricultural Advisory Committee recommends to the SSI Local Trust Committee that application SS-ALR-2011.2 (2163 Fulford Ganges Road, JG Consulting Services Ltd.) is forwarded to the Agricultural Land Commission with the following comments:*

- *that suitable agricultural land be included in the Agricultural Land Reserve*
 - *that a covenant require some or all of the agricultural commitments including an irrigation pond, field drainage, fencing, a tractor shed and wash station*
 - *that a covenant restrict removal of the vegetation along the ALR boundary to buffer future residential uses from agricultural activities*
 - *that a vegetated buffer be maintained along the portion of the strata road adjacent to the neighbouring property to the south east*
 - *that the Agriculture Advisory Committee consider the development of the six strata lots not to be a detriment to agriculture but will enhance the agricultural potential of the ALR farm as well as agriculture in the rural zone.*
- CARRIED**

CURRENT PLANNING STATUS OF THE LANDS:

LAND USE BYLAW NO. 355

This property is zoned A1 – Agricultural 1 and R – Rural by the Salt Spring Island Land Use Bylaw No. 355. Agriculture and dwelling units are permitted uses in these zones. A complete analysis of the subdivision would be completed pending a referral from the Ministry of Transportation and Infrastructure, the agency with the approving authority for subdivision.

OFFICIAL COMMUNITY PLAN BYLAW NO. 434

Development Permit Areas:

A portion of the subject property is located in Development Permit Area 4: Lakes, Streams and Wetlands. The subject property is also located in a designated Riparian Area Regulation watershed.



Figure 11: DPA4 map of subject area.

Agricultural Policies

Map 1 of the Salt Spring Island Official Community Plan identifies two land use designation for the subject parcel as A – Agriculture and RL – Rural Neighbourhoods (and correspond with the A1/Rural zoning boundary). The previous staff report analysed the relevant OCP policies to this application – this staff report highlights the key policies:

Non-farm use:

B.6.2.2.15 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:

- a. 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.*

Subdivision:

B.6.2.2.13 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 clearly in the public interest consistent with other objectives of this Plan.*

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.

B.6.2.2.17 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.

RESULTS OF PUBLIC NOTIFICATION:

The Agricultural Land Commission Act does not require notification to neighbourhood or the community at large for non-farm use or subdivision applications (only for exclusions from the ALR). A neighbouring property owner has provided a letter in response to the proposal and is attached to this staff report (see Appendix 1).

STAFF COMMENTS:

Submitted with the application was the property's Farm Plan (on file and appended to previous staff report), which provides for a 3-year implementation schedule to bring 11.5 acres/4.65 hectares of farmland into production. The applicants also documented the potential benefits to agriculture and suggestions on how to protect agriculture and reduce possible conflict with adjacent residential uses (both on file and appended to previous staff report).

1. Non-farm use – The total area of land to be subject to the non-farm use for a driveway is an estimated 0.48 acre (0.19 hectares). The current driveway is approximately 0.32 acres (0.13 ha) in area, which would increase by roughly 0.16 acres (0.065ha) in area after upgrading work. Because the entire

front portion of the lot is ALR land, there is no alternative access to the rear of the lot within the parcel other than through ALR lands.

Productivity: The non-farm use approval would not necessarily enable the current farming operation to diversity and broaden its income as required by OCP policy, but would instead enable more farmers to broaden their farming operations. The proposal indicates that the road dedication would enable the arable land to be put under cultivation by developing additional infrastructure, including irrigation, drainage, fencing, farm buildings and road access. Most critically is the access a roadway would provide to the million-gallon gravity-fed irrigation pond proposed to be developed on common property on the upper bench (in the Rural zone), which would be a benefit to agriculture since the property's water license was revoked by the Ministry of Environment in 2010 ("Water License Appeal" available on file).

ALR inclusion: The farming capability may not be considered to decrease as a result of non-farm use approval, as the proposed roadway is making use of an existing driveway. The landowners are amenable to including a portion of the Rural zoned land in the Agricultural Land Reserve if requested by the Agricultural Land Commission, and have suggested that an appropriate portion of the lot would be a cleared bench area – denoted as Strata Lot 2 'SL2' – on the proposed subdivision plan (please refer to Figure 3).

2. Strata title subdivision – The OCP provides direction for the LTC to support a subdivision proposal that results in improved farming capability or production on all proposed lots in a way that would be impossible without subdivision, and that is clearly in the public interest consistent with other objectives of the Plan. A bare-land strata subdivision is being pursued in order to establish the property as an active working farm and to enable affordable access to agricultural land and mentoring opportunities for new farmers. A conventional (fee simple) subdivision along the ALR boundary would not require ALC approval.

Potential agriculture/residential conflict: Various studies indicate that non-farm residents who live within 300 metres of an urban-agricultural edge can be impacted by certain farming activities.¹ However, if measures such as buffering and farm management are undertaken within 300 metres on either side of the interface, conflicts can be minimized. ALR boundaries or 'edges' that do not require any special management may have a physical characteristic or long term low-intensity land use that has little existing or potential for conflict; for example a mountain side, steep embankment, BC Hydro right of way or a freeway (ibid).

The proposed subdivision layout was designed in accordance with the subject property's natural topography, which separates the flat arable, agricultural land and the proposed strata lots in the Rural zone by a steeply sloped forested and rocky area. The minimum separation distance between useable farmland and the potential residential areas are separated by a minimum of 70meters of steep slope. The proponents have committed to providing disclosure statements expressing that the area will continue to be a working farm. The AAC deliberated upon buffers and further recommended that a

¹ Ministry of Agriculture. (2009) "Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges." Retrieved online December 20, 2011 from: http://www.agf.gov.bc.ca/resmgmt/sf/publications/823100-2_Guide_to_Edge_Planning.pdf.

buffer be maintained along the boundary of the residential parcel to the south east. This would take steps towards alleviating the concerns of the owners of this adjacent property (see letter in Appendix 1). When considering subdivision in the ALR, the ALC operates under the principle that the new uses should absorb the bulk of mitigation and the result should have the least possible loss of agriculture's productive potential. Because in this case, the steep slope and heavy vegetation is located predominantly on ALR land, the ALC may wish to see a vegetative buffer maintained on the residential portion of the buffer.

In their guidance documents to planners, the Ministry of Agriculture provides management guidelines for development within 300m of each side of the ALR boundary (urban/ residential and agriculture). These "farm friendly subdivision, road and building designs" includes:

- rain water/stormwater management - Erosion, sediment and rainwater control during and after construction and reducing the amount of impervious surfaces may help alleviate the potential erosion, siltation and sedimentation and flooding impacts on agricultural land. A comprehensive stormwater management plan which considers subdivision design and road layout was submitted by the applicant. The stormdrainage report will be an essential tool to analyse the subdivision, at time of application referral from the Ministry of Transportation.
- buffers – are extremely effective at preventing trespass, litter and crop damage and can mitigate against the effects of noise, light and dust. Buffer areas can be designed to help break up overland flow and divert water, thereby al reducing conflicts from rainwater run-off. Buffers provide a visual barrier between residential development and agricultural land, which has been demonstrated to significantly reduce complaints by minimizing both the cause and the perception of a nuisance. ALC staff may have recommendations for the mix of deciduous/coniferous planting, crown density, height and separation distance between the vegetative buffer and ALR boundary. At the discretion of the Commission, professional landscaping consultants may be engaged in the buffer planning and design.
- setbacks - a total minimum separation distance of 30m (15 m of which is a vegetative buffer) between a housing unit and ALR boundary is required in order to most effectively mitigate the impacts of urban and farming activities. A separation distance of 50metres has been demonstrated as optimal based on Ministry studies.
- Enhancing agricultural awareness through disclosure statements, signage and information packages for new residential owners.

Farming practices are protected by the Right to Farm legislation "Farm Practices Protection Act," when they are deemed to be considered 'normal farm practices.' Some other farm side management planning tools include animal limits, manure handling, noise, odour and dust management as well as setbacks and buffers on the agricultural side of the ALR boundary.

3. Options for LTC to consider – Pursuant to 30(4) of the Agricultural Land Commission Act, the Local Trust Committee must decide whether to forward applications to the ALC. The LTC has the following general options when considering ALR applications:

1. Pass a resolution to forward the application to the ALC with support (and other comments)
2. Pass a resolution to forward the application to the ALC with no comments
3. Pass a resolution not to forward the application (the application is closed).

The LTC should note that the Agricultural Land Commission is not bound by LTC comments. The ALC staff will weigh in on any potential LTC comments when preparing a staff report for the Commission. For LTC consideration is whether the proposal should be forwarded to the ALC and if so, whether to include comments with the resolution. These comments furnished by local expertise are helpful to for the Commission and ALC staff when considering the application.

Five mechanisms through which to ensure that agriculture is enhanced have been highlighted as suggestions the ALC consider potentially as conditions of approval.

1. that suitable land be included in the Agricultural Land Reserve of an area similar to that subject to the non-farm use
2. the development of an irrigation pond; and possibly field drainage, fencing, a tractor shed and wash station
3. a covenant restricting removal or disturbance of the vegetation along the ALR boundary to buffer future residential uses from agricultural activities (because the entire boundary is not forested, vegetation should be maintained to complete a buffer according to ALC specifications)
4. that a vegetated buffer be maintained along the portion of the strata road adjacent to the neighbouring property to the south east (2225 Fulford-Ganges Road)
5. that formalized communication be used to inform potential residential owners of the adjacent agricultural activities.

Staff conclude that when considered in conjunction with provisions to protect agriculture, the application may benefit and enhance local farming, expand the availability of affordable land and mentoring opportunities for new farmers, and thus take steps towards sustaining community food security. The application also has merit with respect to the Official Community Plan policies regarding non-farm use and subdivision in the Agricultural Land Reserve.

RECOMMENDATION:

That the Salt Spring Island Local Trust Committee **FORWARD** application SS-ALR-2011.2 (JG Consulting Services Ltd., 2163 Fulford-Ganges Road) to the Agricultural Land Commission with support and the following comments and recommendations for the ALC to consider:

1. that suitable land may be included in the Agricultural Land Reserve of an area similar to that subject to the non-farm use
2. the development of an irrigation pond be required
3. a covenant restrict the removal or disturbance of where there is existing vegetation and require the landowners to maintain sufficient vegetation in the residential area along the ALR boundary in order to buffer future residential uses from agricultural activities
4. that a vegetated buffer be maintained along the portion of the strata road adjacent to the neighbouring property to the south east (2225 Fulford-Ganges Road)
5. that Disclosure Statements and information brochures be used to inform potential residential owners of the adjacent agricultural activities.
6. the local Agricultural Advisory Committee considers the development of the six strata lots "not to be a detriment to agriculture but will enhance the agricultural potential of the ALR farm as well as agriculture in the rural zone."

Respectfully submitted by:

Kristin Aasen, Planner 1

Date

Concurred by:

Leah Hartley, Regional Planning Manager

Date

Appendix 1: Letter from owner of adjacent property



Morningside Law

(Corner of Morningside & Tahouney Road)
Fulford Harbour, Salt Spring Island, B.C.

November 23, 2011

Salt Spring Island Local Trust Committee;
Agricultural Land Commission; and
Fulford Creek Holdings Ltd.

Dear Sirs/Mesdames

**RE: Proposal for Non-farm use and subdivision in the Agricultural Land Reserve
situated at 2163 Fulford-Ganges Road**

I am writing this on behalf of Andy and Debbie McNish, whose home and property is located at 2225 Fulford-Ganges Road, directly east of the above proposed strata road dedication. They only learned about this proposed subdivision on November 17th, 2011, when an Agricultural Advisory Committee member gave them Island Trust reports and documentation from a meeting that day.

Substantial upgrades are required for the existing bridge and access road (which follows the McNish property line) before building the subdivision can begin. Thus, the McNish family will be almost immediately exposed to the noise, visual and air pollution created by industrial equipment and materials. As the project comes to completion and indefinitely thereafter, the increased population and vehicle traffic traveling along the property line will impair the long term enjoyment of the quiet, rural/country lifestyle they currently enjoy.

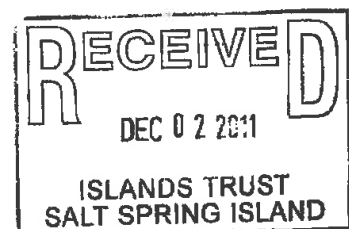
To remedy this situation, Mr. and Ms McNish request that the six old growth fir trees remain and that a buffer zone be developed on the east side of the proposed road from those trees to the newer growth forested area at the base of the slope.

They also request an aerial right-of way be included in the subdivision land development title registration. This is in accordance with a verbal agreement the McNishs had with the previous owners for aerial trespass for utility improvements to their property.

We look forward to your positive consideration and response.

Yours truly,

Wynona Elizabeth Cook



Wynona Elizabeth Cook *Barrister and Solicitor*

105 Tahouney Road, Salt Spring Island, B.C. V8K 1X1

Tel: 250-653-9966 Email: morningsidelaw@shaw.ca **Fax: 250-653-9944**



Islands Trust

STAFF REPORT

Item 12.3

Date: December 20, 2011

File: SS-ALR-2011.3

To: Salt Spring Island Local Trust Committee

From: Justine Starke, Island Planner, Local Planning Services

CC: Richard Hannah, Fire Trustee, Salt Spring Island Fire Protection District
Michael Schubert, Chair, Salt Spring Island Fire Protection District

Re: Application for Subdivision and Non-farm Use in the Agricultural Land Reserve

Owner: Brinkworthy Properties, Ltd.
Applicant: Board of Trustees, Salt Spring Island Fire Protection District (Michael Schubert, Chair, Board of Trustees and Richard Hannah, Fire Trustee)
Location: Lot 1, Sections 4 and 5, Range 2 east, North Salt Spring Island, Cowichan District, Plan 2296 (135 Brinkworthy Road)
PID: 000-127-311

Preliminary Report:

☐

Final Report:

☒

THE PROPOSAL:

The proposal seeks the non-farm use and subdivision of land in the Agricultural Land Reserve (ALR) in order to permit construction of a Fire Hall and Emergency Services Centre. This report has been preceded by a preliminary report, received by the Salt Spring Island Local Trust Committee on November 3, 2011.

Specifically, the application seeks to subdivide .80 ha (2 acres) of the subject property (to be donated from Tristar Communities Ltd. and Brinkworthy Properties Ltd.) in order to build an Emergency Response Centre as a non-farm use in the ALR. The actual building will be between 12 000 -16 000 ft² in area and include an additional 30 000 ft² of parking. The Emergency Response Centre will house a Fire Hall, a Search and Rescue Centre, and eventually an Ambulance Hall. The facility will replace the existing, aging, Fire Hall in Ganges, a temporary Search and Rescue Centre and create facilities for ambulances and an Emergency Operations Centre, in a central, accessible location. While the applicants have not yet had architectural drawings commissioned, a preliminary site plan and building scheme has been provided in Appendix 1.

The property meets all the technical requirements that the Fire Protection District requires for such a facility. Other locations have been explored, and the applicants have concluded that there is not another location outside of the Agricultural Land Reserve that meets their criteria. There has been coordination with emergency responders and some preliminary consultation with the farming community (please see Appendix 2 for details on technical requirements and rationale for the proposal).

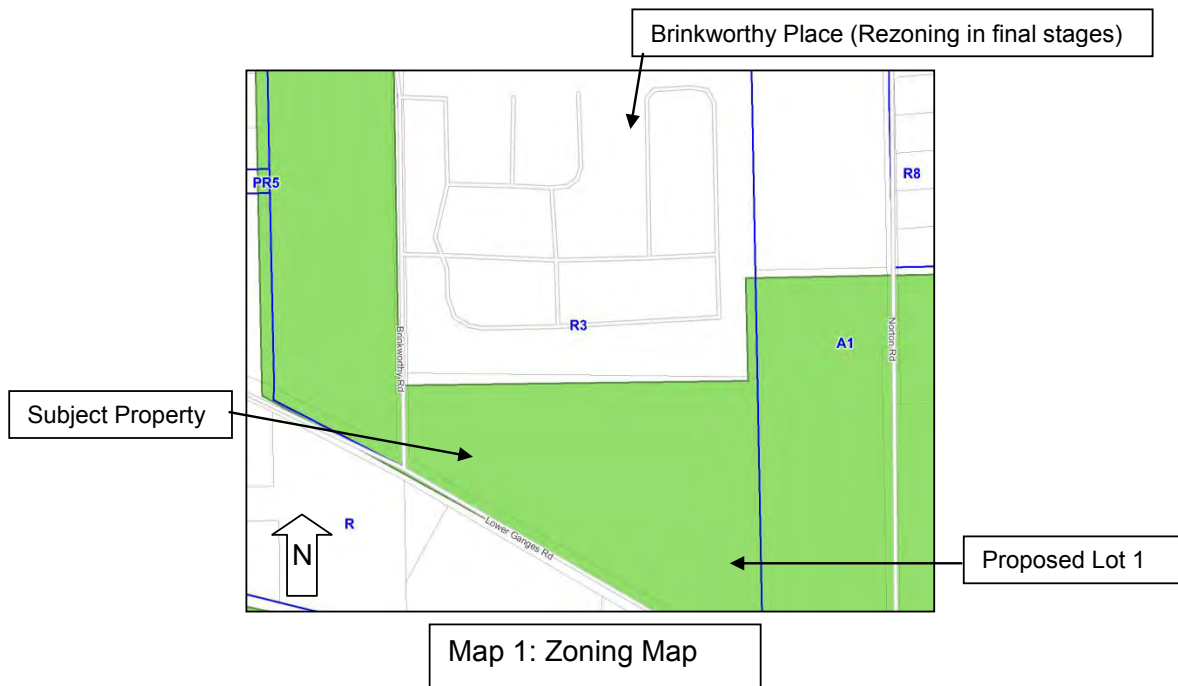
Subdivision and non-farm use of ALR land must be considered by the Local Trust Committee and approved by the Agricultural Land Commission (ALC). The Salt Spring Island Official Community Plan Policy B.6.2.2.1 directs the Local Trust Committee to seek advice from the Salt Spring Island Agricultural Advisory Committee on applications to the Agricultural Land Commission. This application has been reviewed by the Agricultural Advisory Committee as well as the Advisory Planning Commission (refer to comments on p. 4 of this report).

The Agricultural Land Commission Act states that the local government must receive the application on behalf of the ALC and that the application may not proceed to the Commission unless authorized by resolution of the Local Trust Committee (LTC). Once the application has been reviewed by the AAC, the LTC essentially has three options when it considers an application of this type: 1) pass a resolution to forward the application to the ALC with the comment that it supports the application; 2) pass a resolution to forward the application to the ALC with no comment; or 3) pass a resolution to not forward the application (application is closed).

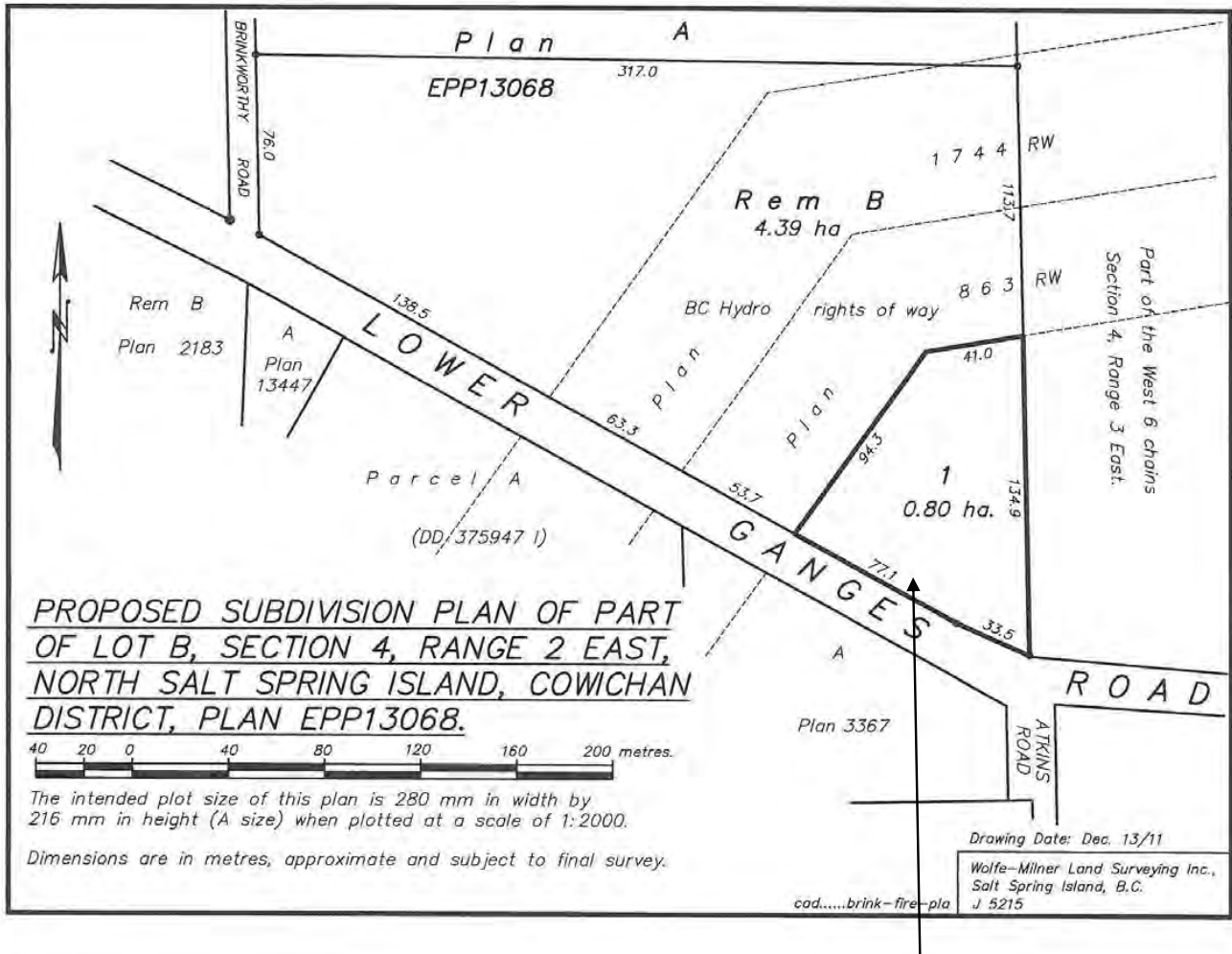
SITE DETAILS AND CONTEXT:

The parcel is located on Fulford Ganges Road, on a portion of a 13 acre parcel recently subdivided from Brinkworthy Place. This application is for a second stage subdivision that will create a 2 acre lot on the south west corner of the property. Other uses on the remaining property include a BC Hydro Right of Way, a hayfield, RV storage, and a barn.

The entire property is zoned R3 and is in the Agricultural Land Reserve (see green shading in Map 1 below). The surrounding properties are zoned Residential 3, to the east, Agricultural 1 to the north and south (ALR in green), and Rural to the west. The uses of adjacent properties include a commercial vineyard and other agricultural uses, BC Hydro yard and administrative building, and medium to high density residential (Brinkworthy Place).



Map 2: Plan of Subdivision



Subject Property: Proposed Lot 1

BACKGROUND

It should be noted that the initial review of this application by the Salt Spring Island Local Trust Committee was for non-farm use in the Agricultural Land Reserve. The applicants have since amended the application to include request for subdivision.

At the November 3, 2011 Local Trust Committee meeting the LTC passed the following resolutions (draft minutes):

SSI-204-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Application SS-ALR-2011.3 for Parcel A of Lot 1, Sections 4 and 5, Range 2 east, North Salt

Spring Island, Cowichan District, Plan 2296 to the Agriculture Advisory Committee and the Advisory Planning Committee for review and comment (SSI Fire Protection District, 135 Brinkworthy Road). **CARRIED**

SSI-205-11

It was **MOVED** and **SECONDED** that prior to final consideration of response to the Agricultural Land Commission, the Salt Spring Island Local Trust Committee request the applicant of SS-ALR-2011.3 for Parcel A of Lot 1, Sections 4 and 5, Range 2 east, North Salt Spring Island Cowichan District, Plan 2296 (SSI Fire Protection District, 135 Brinkworthy Road) to submit a drainage report by a Professional Engineer with expertise in storm drainage which outlines a plan for reducing the storm water draining off of the site and that this plan be implemented by way of a covenant or other legal agreement. **CARRIED**

SSI-206-11

It was **MOVED** and **SECONDED** that prior to final consideration of response to the Agricultural Land Commission, the Salt Spring Island Local Trust Committee encourage the applicants to hold a Community Information Meeting to discuss ways to mitigate noise and other impacts in the site plan and facility design prior to consideration of the application by the Salt Spring Island Local Trust Committee for forwarding to the Agricultural Land Commission (ALC). **CARRIED**

The Advisory Planning Commission (APC) and the Agricultural Advisory Committee (AAC) each met on November 17, 2011 to discuss this application.

The APC passed the following resolution (draft minutes):

It was **MOVED** and **SECONDED** that the Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that they forward application SS-ALR-2011.3 to the Agricultural Land Reserve with support and with the Staff Report recommendations particularly regarding issues of noise and drainage. **CARRIED** *Commissioner Healy abstained

It was **MOVED** and **SECONDED** that the Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that they not impose additional parking requirements beyond what the applicant considers necessary and that the applicant be requested to keep impermeable surfaces to a minimum. **CARRIED**

The AAC passed the following resolution (draft minutes):

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommend the Salt Spring Island Local Trust Committee forward application SS-ALR-2011.3 to the Agricultural Land Commission with support and request the applicant confirm in writing that they will provide a site plan, an engineering drainage report, community consultation, and that disturbed soil remain on site or be transferred to another agricultural site. **CARRIED**

CURRENT PLANNING STATUS

Salt Spring Island Official Community Plan:

The Salt Spring Island Official Community Plan No. 434 designates proposed Lot 1 as A – Agriculture, and gives guidance for applications considered to benefit the community at large. The following OCP objectives and policies are considered applicable to this application:

Non-farm use:

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

B.6.2.2.15 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:

d.) 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.

Subdivision:

B.6.2.2.13 The Local Trust Committee could support applications to the Agricultural Land Commission to subdivide land within the Agricultural Land Reserve if:

c.) the subdivision is clearly in the public interest consistent with other objectives of this Plan.

B.6.2.2.17 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.

Emergency Response Facilities and Services:

B.4.4.1.1 To ensure that land use bylaws accommodate emergency response facilities in locations where response times are optimal for most of the community.

B.4.4.1.2 To respect the strategic site selection processes undertaken by emergency response organizations.

B.4.4.1.3 To reduce the neighbourhood impacts of emergency response stations and training facilities.

B.4.4.1.4 To encourage shared use of emergency response facilities and land.

B.4.4.2.1 The Local Trust Committee should retain local zoning to allow emergency response facilities in most zones. Standards for vegetation screening around the perimeter of emergency response properties should be retained.

B.4.4.2.6 Should the Salt Spring Island Fire District wish to relocate its Ganges Firehall site, the Local Trust Committee should consider any proposals it might receive that would provide the District with land the District finds acceptable in exchange for higher density elsewhere, if the proposal results in the dedication of the Ganges Firehall site for public use. Land provided in this way is an eligible community amenity, which could be exchanged for a higher density of development as outlined in Appendix 3.

Development Permit Areas:

Pursuant to Volume 2 of the Salt Spring Island Official Community Plan, the subject property is not in a Development Permit Area.

Land Use / Zoning Bylaw 355:

This property is zoned R3 (Residential 3), according to the Salt Spring Island Land Use Bylaw No. 355, and is entirely located in the Agricultural Land Reserve. The principal uses, buildings and structures in this zone pursuant to the Land Use Bylaw 355 are:

- 1) Single-family dwellings
- 2) Public Service Uses.

While the property is in the ALR, *Agriculture* is not listed as a permitted use by Bylaw 355.

The definition of “*Public Service*” is:

“*public service*” means the *use of land, buildings or structures* for the maintenance, repair or storage of vehicles, equipment or construction materials that are used solely for the provision, maintenance or repair of *public utilities or highways, and for emergency response facilities that are operated for the benefit of the general population of the island on which it is located* (emphasis added).

A rezoning application will not be required in order to allow for the intended non-farm use.

Parking:

The Advisory Planning Commission recommended that the Local Trust Committee not place additional requirements for parking than those already required. Land Use Bylaw 355 sets parking standards according to use. While an emergency response centre is not listed in the anticipated uses, at time of building permit application, the parking requirements will be based on the most similar use to those listed in the bylaw. It is useful to note that at time of consideration of an access permit, the Ministry of Transportation and Infrastructure will require one parking stall for every two employees. The Fire Protection District is anticipating providing 60 parking stalls for staff and 10 parking stalls for the general public.

Subdivision:

The subdivision of land is subject to the authority of the Ministry of Transportation and Infrastructure (MoTI). When the Islands Trust receives subdivision application referrals from MoTI, staff process the application according to Land Use Bylaw (LUB) 355’s subdivision regulations. Conditions of approval based on LUB 355 requirements then become incorporated into the conditions of Preliminary Layout Approval issued to the applicant by MoTI. The Local Trust Committee does not make decisions on the subdivision itself, although sometimes other approvals are required by the LTC for the subdivision to be finalized (for example when a Development Variance Permit, frontage exemption, or in this case, ALR application is required).

In the Residential 3 zone, Land Use Bylaw 355 sets the minimum area of an individual lot that can be created by subdivision at 2 ha (5 acres). However, Section 5.1.1(1.c) of LUB 355 gives an exemption from complying with the minimum lot area where the new lot:

“is to be used solely for the operation of an *emergency response station* or *community hall* and the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting the *use* of the *lot* to one of those *uses*.”

If permission to subdivide is granted by the Agricultural Land Commission, the requirements of subdivision as set out in Part 5 of Land Use Bylaw 355 will be applicable in the approval process. A covenant restricting use will be included in these conditions and required prior to final approval.

Islands Trust Fund:

There are no Trust Fund Board covenants or land in the vicinity of this property. The subject property does not require consultation with the Trust Fund Board.

Sensitive Ecosystems and Hazard Areas:

The Terrestrial Ecosystem Mapping identifies this property as Agricultural. There are no sensitive ecosystems or hazard areas known on the property.

Archaeological Sites:

There are no sites of archaeological significance identified on the site.

Covenants:

There are no covenants registered on the subject property (although there is a covenant pending on the Brinkworthy site, associated with the rezoning of that land).

As was mentioned, there is a BC Hydro Statutory Right of Way adjacent proposed Lot 1.

Drainage Report:

A drainage report by Koers and Associates Engineering Ltd., dated March 23, 2011, was submitted in support of this application. This report was commissioned for the previous subdivision of Brinkworthy Place from the subject property and made recommendations for the retention of storm water on the subject site. The applicants have submitted a subsequent letter dated December 16, 2011 from Steven Carballeira of H2O Environmental that addresses drainage considerations. This letter confirms that “drainage for the development can be completed in a manner that will have a minimum impact on the down gradient property and existing drainage regimes.”

As noted, in resolution SSI-205-11, the LTC requested that before it considers forwarding this application to the ALC, it receive “a drainage report by a Professional Engineer with expertise in storm drainage which outlines a plan for reducing the storm water draining off of the site and that this plan be implemented by way of a covenant or other legal agreement.” However, at the time this resolution was passed, the application was not understood to include subdivision. Land Use Bylaw 355 Section 5.7 has specific and detailed requirements for a drainage report to be commissioned and implemented prior to subdivision approval being recommended by Islands Trust. Staff consider this requirement to sufficiently address the interests of the Local Trust Committee in ensuring drainage issues are dealt with on the site. It is therefore recommended that the LTC rescind resolution SSI-205-11.

PUBLIC CONSULTATION:

A public meeting was held on December 19, 2011 at 6pm at the current Fire Hall in downtown Ganges. It was advertised in three issues of the Driftwood. Approximately 30 people were in attendance, including the Fire Protection District’s Board of Trustees. Public attendance included representation from Brinkworthy Place as well as other neighbours of the site. There was mixed support for the proposal; concerns were raised regarding noise and traffic. The chair addressed concerns, stating that when an emergency does occur, the noise from the sirens would not be for an extended period at a

given time as the trucks quickly leave the site. Traffic conflicts are not likely to be a problem. There were very few concerns voiced regarding the non-farm use on agricultural land; one community member was concerned that a fracturing of ALR land would set precedent and encourage further sprawl outside of Ganges Village. The chair addressed this concern by pointing out that the exemptions that give regulatory support for an emergency response centre would not apply to other proposals for subdivision or non-farm use in the ALR.

There has been one letter received from the public since the previous staff report, dated October 25, 2011 and received by the LTC on November 3, 2011 (this report contained a few letters of correspondence). New correspondence is attached in Appendix 3.

STAFF COMMENTS:

This application meets the objectives of the Official Community Plan with reference to Emergency Response Facilities. OCP policies on development in the Agricultural Land Reserve make an exception for applications that do not have an obvious benefit to agriculture when it is a community service use where, *“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.”* In the attached proposal (Appendix 2), the applicants have demonstrated that the site meets technical requirements for emergency response and the specific criteria of the fire department and that an “exhaustive and thorough” search has been conducted for an appropriate property that is outside of the ALR, with no success.

The applicants have provided a site plan showing the building and parking locations, a letter addressing drainage on the property (a full drainage study is also required by the LUB as part of the subdivision process), and written commitment to retain all the top soil on the property. There was a public information meeting held, as requested by the Local Trust Committee.

It is the role of the Local Trust Committee to decide whether to forward this application with support to the Agricultural Land Commission. Approval of the non-farm use and subdivision in the ALR is the jurisdiction of the ALC; subdivision approving authority rests with the Ministry of Transportation and Infrastructure. Locally, this application has received support from the AAC, the APC, and many of the general public in attendance at the community meeting. While the OCP advocates for the protection and production of farmland, it acknowledges and supports emergency services as legitimate exceptions to otherwise restrictive policies designed to protect farm land. Staff therefore support this application for subdivision and non-farm use in the ALR.

RECOMMENDATIONS:

THAT the Salt Spring Island Local Trust Committee rescind resolution SSI-205-11, passed on November 3, 2011, regarding the receipt of a drainage report prior to consideration of forwarding application SS-ALR-2011.3 for Parcel A of Lot 1, Sections 4 and 5, Range 2 east, North Salt Spring Island, Cowichan District, Plan 2296 to the Agricultural Land Commission for approval (SSI Fire Protection District, 135 Brinkworthy Road).

THAT the Salt Spring Island Local Trust Committee **FORWARD with SUPPORT** application SS-ALR-2011.3 for Parcel A of Lot 1, Sections 4 and 5, Range 2 east, North Salt Spring Island, Cowichan District, Plan 2296 to the Agricultural Land Commission for approval (SSI Fire Protection District, 135 Brinkworthy Road).

Respectfully prepared and submitted by:

Justine Starke, Island Planner

December 14, 2011

Date

Respectfully concurred by:

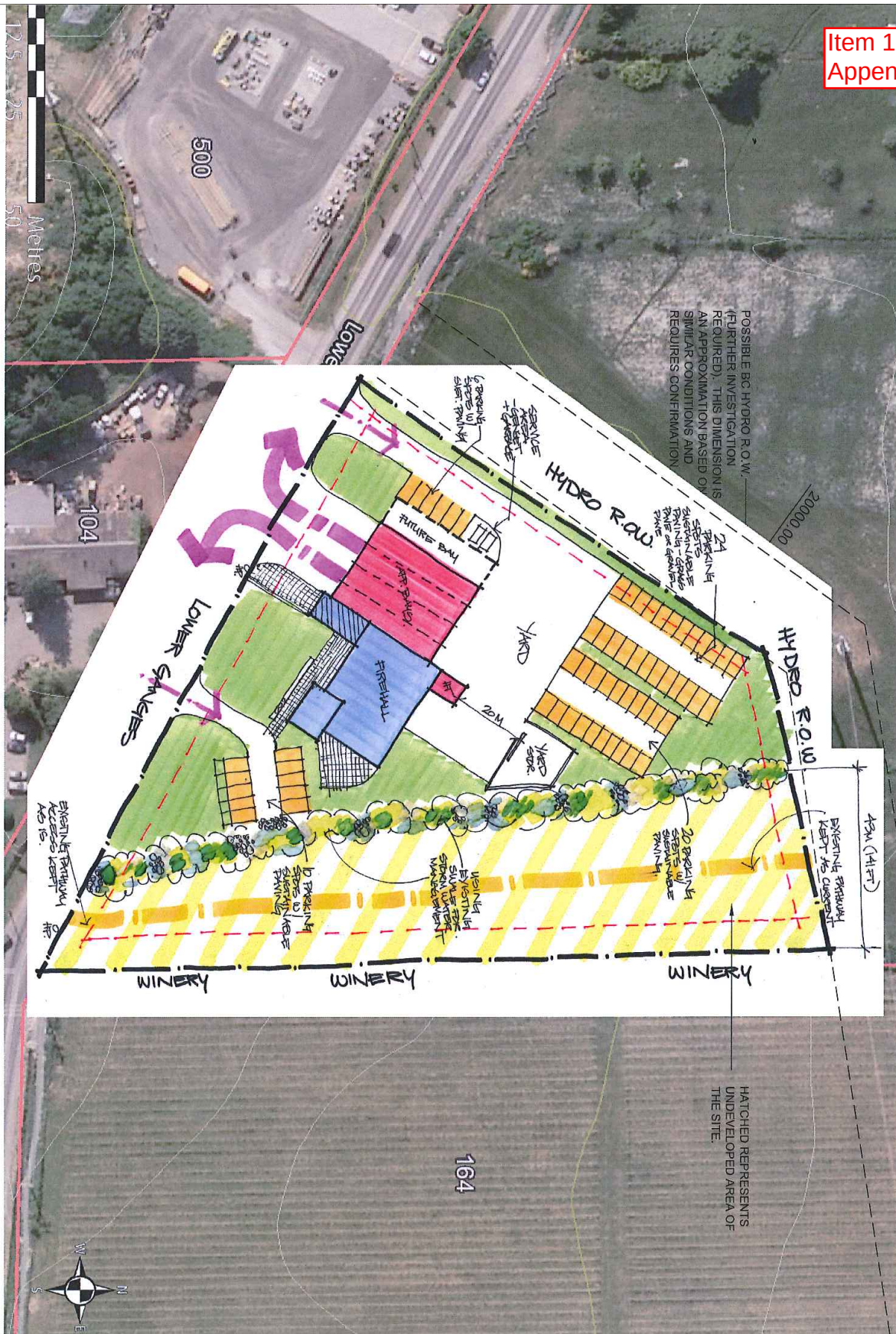
Leah Hartley, Regional Planning Manager

Date

Appendix 1: Preliminary site plan and building scheme

Appendix 2: Applicant proposal to construct emergency response centre

Appendix 3: Correspondence



Proposal to Construct a Fire Hall and Emergency Services Centre for Salt Spring Island

Introduction

The Salt Spring Island Fire Protection District seeks to build a new Fire Hall #1 to replace our aging and out-dated hall in Ganges. The existing hall was originally built in 1960 with a major addition in 1973. The existing facilities are now considered to be inadequate, seismically unsound and poorly located. There have been constant alterations, renovations and repairs over the intervening 50 years. The present hall is no longer large enough to support the staff and apparatus required for the operations of the Fire Protection District, operating as Salt Spring Island Fire-Rescue.

Rebuilding or replacing the existing hall on the present site is not feasible for two reasons: 1. the lot is too small to allow construction of adequate space for present operations let alone any future expansion; 2. the location of the existing hall in the centre of Ganges poses operational challenges due to congestion in the village. For example, volunteer firefighters, on whom we depend, sometimes have great difficulty getting to the Fire Hall and parking their vehicles in reasonable time to dispatch apparatus in response to emergency calls.

The trustees of The Salt Spring Island Fire Protection District decided some years ago to build a new hall outside of the core of Ganges, but within a 2 km radius so as to optimize our response time to the main commercial and institutional exposures in and around the village. We further determined that the location would be best north of Ganges as this is the direction of the vast majority of our emergency calls. It would also be close to the hospital, residential care homes and schools. The trustees also believe that it would be in the interest of the Island community to have as many emergency services operating from the same facility as possible. This would save on duplication of infrastructure and allows for efficient co-ordination between sister agencies during emergencies. To this end, the trustees have had discussions with Salt Spring Island Search and Rescue, BC Ambulance Service, the Salt Spring Island Emergency Operations Center and the

Salt Spring Island Amateur Radio Club (they assist in radio communications during emergencies).

At this time we have had positive response from all but BCAS (see attached letters). The trustees have taken the approach that this proposed facility will be the main operations center for the next 50 years and perhaps beyond, and to that end would like to have provision to add an ambulance station in the future.

Attached is an Architect's Schematic Site Sketch that was done for another site, 121 Norton Rd. superimposed on the proposed site to illustrate the scale of the development relative to the whole site. This scheme is approximately 11,500 sq. ft of building and allows for an additional 3000 to 4000 sq. ft. for future expansion. In addition, the scheme shows approximately 30,000 sq. ft. of parking, driveways, apron and sidewalks. We have not as yet done any actual architectural planning on this site, but would anticipate that a similar ratio of building to other developed areas would pertain here.

Current Proposal

The current proposal is to construct a Fire Hall and Emergency Services Centre for Salt Spring Island on donated land adjacent to Brinkworthy Place. This centre will house a Fire Hall, a Search and Rescue Centre, an Emergency Response Centre and eventually an Ambulance Hall, totaling between 12,000 and 16,000 sq ft. This facility will replace the existing, aging Fire Hall, a temporary Search and Rescue Centre and create facilities for Ambulances and an Emergency Operations Centre, all under one roof in a central, accessible location. The new facility will enhance the provision of Emergency Services for decades to come.

The property for location of the Centre is portion A, comprising 2 acres, of Lot 1 shown on the attached Plan. Portions A, B and C total approximately 13 acres with portion B being a Hydro right of way and portion C used as a hayfield, RV storage and barn. The property has the required services of power, water and sewer and direct access to a major road. It meets all the technical requirements for such a facility.

The technical requirements include:

- a minimum of two acres to permit the construction of a building 12,000 to 16,000 sq ft with adequate room for turning of fire trucks (turning radius typically 15 metres) and parking for up to 40 volunteer firefighters, up to 10 career staff and parking for visitors up to total of 80 spaces;
- connection to municipal water and sewer system;
- availability of 3-phase power;
- direct access to a major road, with good access to alternative routes;
- relatively flat useable land in an area with low urban density;
- an ability to meet National Fire Protection Association and the Fire Underwriters Agency minimum Suburban and Urban response standards;
- an ability to meet response times to future development;
- have minimal radio communications interference (testing has been conducted)
- be in a safe location for the installation of Emergency Response traffic control lights;
- meet LEEDS and good environmental management standards;

Several properties in the area have been examined and considered for such a facility and some met all the desired criteria. The properties given serious consideration in past year include:

- 255 Lower Ganges Road. This property meets all of the criteria outlined above; however the owners were only willing to consider selling up to 1 acre of the property, which is insufficient to meet our needs;
- 120 Blain Road. This property is occupied by the Royal Canadian Legion and consideration was given to leasing the rear, relatively unused portion of the property. Discussions were made with the local executive and a presentation was made to the members at large. However, it was eventually realized that all of the property would be needed and this was not acceptable to the Legion or the Fire District.

- 184 Kings Lane . This property was available for sale at \$1.5 million and it met most of the criteria for a Fire Hall. However, the high cost was not felt to be acceptable to the tax payer and the property has subsequently been built upon.
- 121 Norton Road. This property met all of the technical requirements. However the owner was not able to come to an agreement with the Fire District due to land swap and density considerations. The property is also in the ALR

Many other properties have been examined over the last five years including: property at the end of Drake Road; at the corner of Drake and Fulford/Ganges Road; on Rainbow Road; Knott Place, Park Drive and the Highways Yard adjacent to Hall 3 at the junction of North End Road and Vesuvius Bay Road. Discussions were also held for the purchase the BC Hydro Yard on Lower Ganges Road, with help from our local MLA Murray Coell. This proposal was turned down at the ministerial level.

In February 2008 the location of new Fire Hall at 300 Robinson Road was proposed. This property met all of the technical criteria. However, purchase of this property was defeated in a referendum in April 2008. We believe that an exhaustive and thorough search has been conducted for an appropriate property. The generous offer of donation of 2 acres of land by Tristar Communities Ltd. and Brinkworthy Properties Ltd., for land located in a prime situation, meeting all of our technical criteria, we believe is a major and perhaps final opportunity for the construction of a new Fire Hall on Salt Spring Island.

Public Consultation

Preliminary discussions have been conducted with the Farmers Institute, the residents of Brinkworthy Place and the immediate neighbours of the Brinkworthy Place location. A letter from the Farmers Institute in response to our discussions is attached. A meeting with the residents of Brinkworthy Place was held in April of 2010. About 40 residents attended and the majority of those did not raise any objections to the location of a fire hall next to their property. Some welcomed the

prospect of having better and faster response to their fire and emergency needs. Discussions were had with one owner of the vineyard located next to the property. The concerns raised consist mainly of visual screening, which can be well met. Subsequent to these discussions it was announced at the 18th April 2011 meeting of the Fire District Trustees that the subject property was the preferred choice for the location a new Fire Hall. A poll published in the Driftwood and 4th May 2011 show a ratio of 106 to 11 in favour of the location of a Fire Hall on the subject property.

Environmental Considerations

The property is bordered to the north and west by a Hydro right of way and an extension of the property that may continue to be used as a hay field. The east border comprises a vineyard on an elevation to the property. A raised berm planted with trees and shrubs will separate the two properties with a walkway providing pedestrian access to Brinkworthy Estates. The south border is a major road. The proposed facility will constructed to highest environmental standards and all efforts will be made to ensure that it will have minimal impact on the surrounding properties. Drainage is towards the main road and existing drains and sewers. It is not anticipated that there will be any deleterious run off as no noxious chemicals or substances will be used at the site. A drainage report will be commissioned, if required by the Agricultural Advisory Committee to the LTC. The building will primarily used for the housing of emergency vehicles and offices. Noise impact and visual impact will be minimal due to extensive screening and careful placement of the facility. Creation of dust, odours and obstruction of trespass will not occur.

There will not be need to create or widen existing roads and the proposal will not raise expectations for similar approvals on surrounding land. The removal of top soil will be minimized and any good quality topsoil will be moved to the rest of property or taken to existing registered farms on the Island to enhance their agricultural activities.

In summary, the property that is the subject of this application has been offered by donation to the Fire District. This represents a substantial savings of a least half a million dollars to the taxpayer. It is at the northern limit of a location meeting the criteria for a Fire Hall and Emergency Services Centre. Despite extensive searching over the last five years no other suitable land has been located in within the required location (i.e. between central Ganges and the intersection of Lower Ganges and Atkins Roads) that is outside the ALR. The commissioning of this Fire Hall and Emergency Service Centre is designed to meet the needs of the community for the next 50 years. This property does meet the requirements of the Official Community Plan in that it would be “non-farm use or exclusion of property for essential community services”. (B.6.2.2.15(d))





SALT SPRING ISLAND SEARCH AND RESCUE

261 Fulford-Ganges Rd., Salt Spring Island, B.C., Canada, V8K 2K6, (250) 537-0698

March 15, 2011



Chief Tom Bremner
Salt Spring Fire Rescue

Chief,

This letter will confirm SAR's enthusiastic endorsement of your vision of a new fire hall in which Salt Spring Search and Rescue would have a permanent home. We believe that your concept is of great strategic as well as practical value to all of Salt Spring's residents.

Please accept our thanks and our support for your very strong gesture of community support!

Sincerely,

A handwritten signature in cursive script that reads "C. Hamilton".

Charles Hamilton
Search Manager, SSI SAR

Chief Tom Bremner

From: Travis Whiting [twhiting@crd.bc.ca]
Sent: April-06-11 10:56 AM
To: Tom Bremner
Subject: [SPAM]New Fire Hall Lease

RECEIVED
APR 11 10 56 AM
CRD

Hi Chief,

This is to follow up on our discussions regarding your proposed new hall. Currently the Emergency Program leases a commercial space for the local SSI EOC. The space has been in use for a number of years, but we do have some concerns around the location, largely due to the fact that the building is not built to post disaster standards. It also has some limitations in communications. Once you are at the design and building stage of your new hall, the emergency program would be very interested in meeting to discuss the potential of leasing space from you, and working with you on developing communications capacity at the new location. The opportunity to locate the operations centre in a post disaster building would fit well with our needs, and as the emergency program does interact largely with the fire service and other first responders as a level of support, and interaction with outside agencies, colocation of our operations with you would be a good fit.

I look forward to meeting with you once the decision to move forward on construction has been made, so we can look at potential options for working together.

Cheers,

Travis Whiting
Senior Manager, Protective Services
Capital Regional District
Ph: (250)360-3186 Fax: (250)360-3232
625 Fisgard St., Victoria, BC, V8W 2S6
e-mail: twhiting@crd.bc.ca

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Thank you.

Please consider the environment before printing this email.

SALT SPRING ISLAND AMATEUR RADIO CLUB

706 MT. BELCHER HEIGHTS
SALT SPRING ISLAND, BC V8K 2J3

March 18, 2011

Salt Spring Fire / Rescue
105 Lower Ganges Road
Salt Spring Island, BC Canada V8K 2T1

Attn.: Chief Tom Bremner

Re: New Fire Hall Partnership

Dear Chief Bremner:

With the need for the replacement of Fire Hall #1 in Ganges becoming more apparent, there have been recent discussions about a multiple entity, multiple use facility and about a contributing partnership relationship of first response and quasi first response agencies and related groups that would be housed or use that facility.

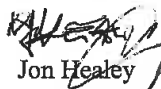
As the Club has long been considered a quasi first response entity, being tasked with providing skilled radio operators and staffing to the island's emergency operations center and to the fire department, our thoughts were invited. We appreciate this opportunity to provide our comments.

At this time, the Club supports, in principal, the concept of multiple response and support groups being operationally based within the same facility with long term rental or other arrangements being made to support the capital costs of construction and equipping the building. The Club would like to be included in such a facility but it must be understood that the Club receives no public or substantial private funds. As such it would not be able to directly contribute financially but stands willing to contribute in other ways such as with the use of Club equipment and expertise and through our society status to assist in seeking grants and other forms of financial and material contribution.

Should this multiple entity facility become a reality we would request that we be allowed to contribute our ideas, experience, and expertise toward the planning of the particular areas in the building where our duties and activities would be actively located.

Please let us know how we can be of further assistance as this goes forward.

Sincerely


Jon Healey
President

The Hannah's

From: "Iris Beck" <ibeck@saltspringfire.com>
To: "J. Bracher" <jbracher@telus.net>
Sent: Friday, April 29, 2011 11:29 AM
Subject: RE: Brinkworthy Gathering Wednesday, April 27th
Good Morning John & Judi,

Thank you for your email & your support! I have passed it on to the Board of Trustees, as well as Chief Bremner. It was our pleasure to attend the Brinkworthy Gathering & answer questions, as well as provide accurate information to the residents of Brinkworthy. Please feel free to contact us again should you have any other questions or comments.

Sincerely,

Iris Beck
Administrative Assistant
Salt Spring Island Fire Rescue
Phone: (250) 537-2531
Fax (250) 537-2507
ibeck@saltspringfire.com



www.saltspringfire.com

Please consider the environment before printing this e-mail or its attachment(s)

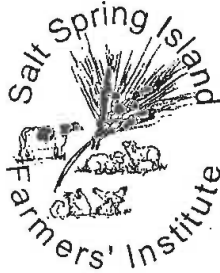
From: J. Bracher [redacted]
Sent: Friday, April 29, 2011 10:56
To: tbremner@saltspringfire.com
Cc: trustees@saltspringfire.com; ibeck@saltspringfire.com
Subject: Brinkworthy Gathering Wednesday, April 27th

We would like to express our appreciation to you, Richard Hannah and Iris for taking the time to attend the Brinkworthy Gathering on Wednesday and for giving us accurate information on the proposed Brinkworthy location for a new Firehall, as well as several other important facts.

We hope you will be successful in making this a reality.

John & Judi Bracher
[redacted]

10/18/2011



RECEIVED

Salt Spring Island Farmers' Institute

Box 661, Salt Spring Island, BC V8K 2W3 • Phone (250) 537-4755
E-mail: ssifi@shaw.ca • Website: www.ssifi.org

May 17, 2011

Salt Spring Island Fire Protection District
Board of Trustees
c/o Ganges Fire Hall
105 Lower Ganges Road,
Salt Spring Island, B. C.
V8K 2G1

Dear Michael Schubart, Chairperson

Re : Location of New Fire Hall in the Agricultural Land Reserve

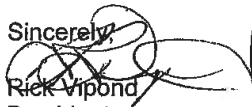
Thank you for your presentation on the proposed new fire hall location to the Salt Spring Island Farmers' Institute Board of Directors, April 12, 2011. We very much appreciated the open discussion on your plans.

As an agricultural based organization, the Farmers' Institute is committed to represent and protect the interests of agriculture on this island. We understand the well documented need for a new fire hall, the hard work undertaken by your board over the years to find a solution and the added benefit of obtaining land for no fee. However, your decision to locate fire hall in the Agricultural Land Reserve (ALR) presents us with a problem.

During the public consultation process of the Salt Spring Island *Area Farm Plan*, there were strong opinions expressed in support of a *no net loss* of ALR generally and farm land within the ALR. When land is removed or non-farm use is approved in the ALR on Salt Spring Island, potential food producing land on the island is *reduced* and lost. We support the no net loss policy of the *Area Farm Plan*. Currently, the Salt Spring Island *Official Community Plan* (OCP) allows for non-farm use of ALR or rezoning applications on the basis of public *essential* services and other considerations. A fire protection facility would arguably meet the criteria of *essential* community services, a definition that should be limited to public safety and health.

Should the Islands Trust endorse your plans and forward your proposal to the Agricultural Land Commission for final approval, the Farmers' Institute will strongly recommend that the fire district project take every and all measures to minimize impacts, such as noise, runoff, odour etc. on adjacent producing agricultural properties. Approval of this project must be conditional on the implementation of proper environmental management systems to protect the active neighbouring agricultural properties.

Sincerely,


Rick Vipond
President

December 20, 2011

Good morning.

My name is Janice Booth and I have been a resident of Brinkworthy Place for 7 years.

I fully support the proposed location of the fire hall in the "lower field" of Brinkworthy. I know that some residents are opposed to the location, citing noise as a concern. Well, I can hear the fire trucks start up downtown and I can certainly hear the sirens now as the vehicles travel along Lower Ganges Road. There would perhaps be extra noise as vehicles travel to the south.

I believe it would be an advantage to Brinkworthy residents to have the "first alert" team so close! A few minutes can make all the difference between life and death.

Just a warning -- that lower field is WET -- gum boots required whenever it has been raining...

yours truly,
Janice Booth

STAFF REPORT

Date: December 21, 2011 **File No.:** SS-SUB-2011.7
To: Salt Spring Island Local Trust Committee , for the meeting of January 5, 2012
From: Kristin Aasen, Planner 1, Local Planning Services
Re: **Exemption from the 10% lot frontage provisions of Section 994 of the Local Government Act**
Owner: Gosset Bronzes Inc.
Applicant: Gosset Bronzes Inc AND Robert McDougall/ Carrie Burns (owners Strata Lot 26)
Location: Strata Lot 27, Section 38, South Salt Spring Island, Cowichan District Plan VIS5021
Address: Anna's Drive

PROPOSAL:

This exemption request accompanies subdivision application SS-SUB-2011.7 to adjust the boundary between the subject property on Anna's Drive and the adjacent lot to the north (see proposed subdivision layout in Figure 2). The proposed layout requires the Local Trust Committee to waive Section 944 of the Local Government Act that mandates 10% of the perimeter of all lots to front on a road. If the subdivision is approved, the Proposed Strata Lots 32 and 33 will replace current Strata Lots 26 and 27.

SITE CONTEXT:

Proposed Strata Lot 33 is approximately 8.08 acres (3.27 hectares) in size and located on Anna's Drive. According to Salt Spring Land Use Bylaw No. 355, the subject property is zoned Rural Upland 1 (RU1). Adjacent properties are zoned RU1; to the south is Provincial Crown land, zoned Parks & Reserve 6 (PR6).



Figure 1: Orthophoto and zoning of subject property

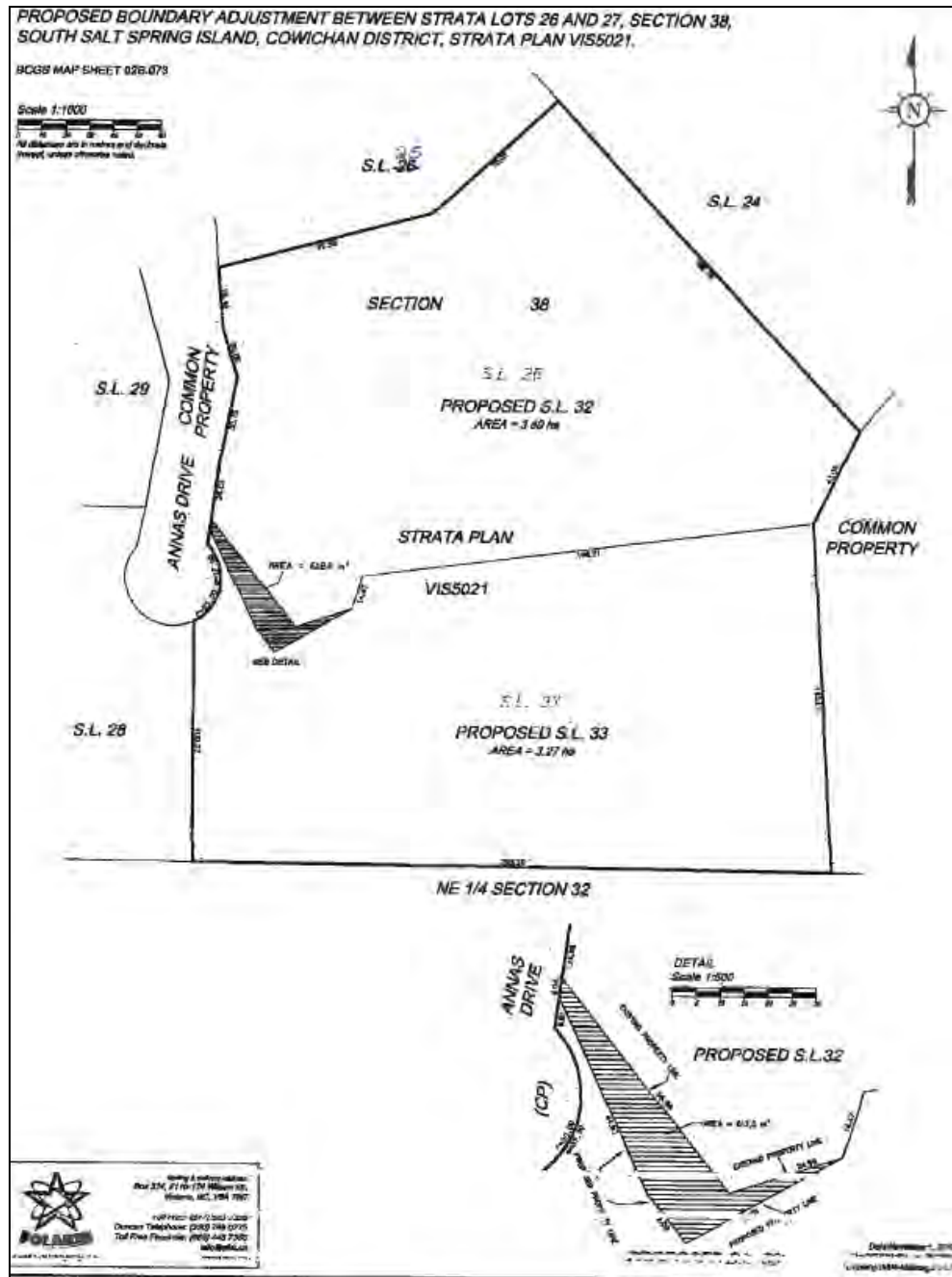


Figure 2: Proposed subdivision layout

RIPARIAN AREA REGULATION:

The property is not located in a Riparian Area Regulation watershed.

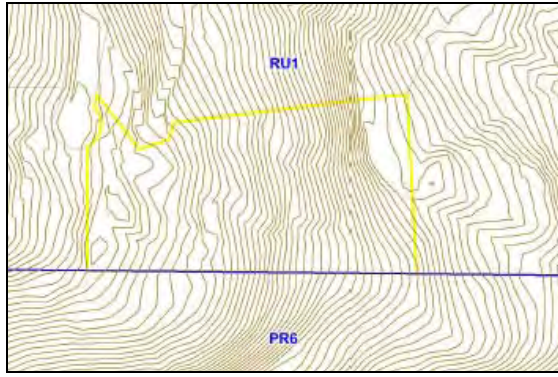


Figure 3:
Subject property with 2m contours.

LOCAL GOVERNMENT ACT

Section 944 of the Local Government Act states:

- (1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of:
 - (a) 10% of the perimeter of the lot that fronts on the highway, and
 - (b) the minimum frontage that the local government may, by bylaw, provide.
- (2) A local government may **exempt** a parcel from the statutory or bylaw minimum frontage.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

LAND USE BYLAW NO. 355

Frontage: Section 5.3.1 of the Land Use Bylaw requires that 'the frontage of any lot in a proposed subdivision must be at least 10 per cent of its perimeter, provided that in no case may the frontage be less than 10 m.' The proposed subdivision creates two parcels with the following layout (both are greater than the 10 meter minimum):

Proposed Lot 32: Frontage = 107m; Required 10% of lot perimeter = 78m

Proposed Lot 33: Frontage = 49m; Required 10% of lot perimeter = 85m

As such, Proposed Lot 33 does not meet the required frontage and does require a waiver; lot 32 does meet the frontage requirement and does not require a waiver.

OFFICIAL COMMUNITY PLAN BYLAW NO.434

The subject property is not located in any Development Permit Areas.

STAFF COMMENTS: A frontage waiver was granted for the existing Strata Lot 27 by the Local Trust Committee in 2006 (a requirement for SS-SUB-1998.1). Because 2 new legal lots would be created by the boundary adjustment subdivision, and the frontage for Strata Lot 33 is smaller than the existing Strata Lot 27, a frontage waiver is required.

The practice in the Salt Spring Local Trust area has been to grant exemptions where a subdivision layout would result in less road building and environmental impacts. Staff consider the boundary adjustment minor because the driveway is already in place, with no notable road building and environmental impacts occurring as a result of the frontage waiver.

The owner of the adjacent Strata Lot 32 to the subject property has explained that the boundary adjustment would enable his preferred siting for residential construction near to Anna's Drive. This location would provide a view of Fulford Harbour without removing any additional trees by building lower down the bank.

Granting an exemption from the frontage provisions of the Local Government Act and the Land Use Bylaw in no way may be considered to relieve the property owners from complying with all Ministry of Transportation and Infrastructure subdivision requirements, provisions and bylaws of the Islands Trust.

OPTIONS FOR LTC CONSIDERATION:

1. If the LTC grants the 10% exemption, staff would inform the Ministry of Transportation and Infrastructure (MOTI) that the frontage waiver has been granted.
2. If the LTC denies the exemption request, staff would inform MOTI that the waiver has not been granted, and the subdivision application may not obtain final approval from the Provincial Approving Officer.

The staff recommendation is presented below worded as a resolution of the Local Trust Committee.

RECOMMENDATION:

THAT the Salt Spring Island Local Trust Committee **EXEMPTS** Proposed Strata Lot 33, Section 38, South Salt Spring Island, Cowichan District Plan VIS5021, from the 10% minimum lot frontage requirements of Section 5.3 of Salt Spring Island Land Use Bylaw No. 355 and Section 944 of the Local Government Act for Gosset Bronzes Inc. and Robert McDougall/ Carrie Burns (SS-SUB-2011.7, Anna's Drive).

Respectfully submitted by:

Kristin Aasen, Planner 1

Date

Concurred by:

Leah Hartley, Regional Planning Manager

Date

December 20, 2011

File No.: SS-RZ-2011.3

To: Salt Spring Island Local Trust Committee
From: Stefan Cermak, Planner 2, Salt Spring Island Planning Team

Re: **Official Community Plan and rezoning application to permit metal recycling**

Location: Lot 4, Section 2, Range 2 East, North Salt Spring Island, Cowichan District, Plan 22860
 (Civic Address: 440 Rainbow Road)

**Owner/
 Applicant:** John Quesnel

THE PROPOSAL

The applicant's lot (440 Rainbow Road) is currently split-zoned Rural (R) and Agriculture 1 (A1)(Figure 1). The applicant proposes to rezone the current Rural zone to a variation of Industrial 4 (In4(b)) in order to bring his current business (Salt Spring Metal Recycling) into compliance with Islands Trust bylaws. The proposed rezoning requires amending the Official Community Plan (OCP) land use designation: Rural Neighbourhoods (RL), to Industrial and Commercial Services (I). The lines delineating the split-zone in the Land Use Bylaw are coincident with the lines that delineate the land use designations within the OCP (Figure 2).

Should this application advance, a draft bylaw will be written and then the proposed zoning bylaw would require, as per Local Government Act section 890, Public Hearing and consideration of submissions from all persons who believe their interest in property is affected. If the proposed bylaw were approved, the applicant will need to meet the regulatory requirements of CRD Bylaw 2810, CRD Bylaw 3600, and BC Regulation 200/2007: Vehicle Dismantling and Recycling Industry Environmental Planning Regulation (see Appendix B for details).

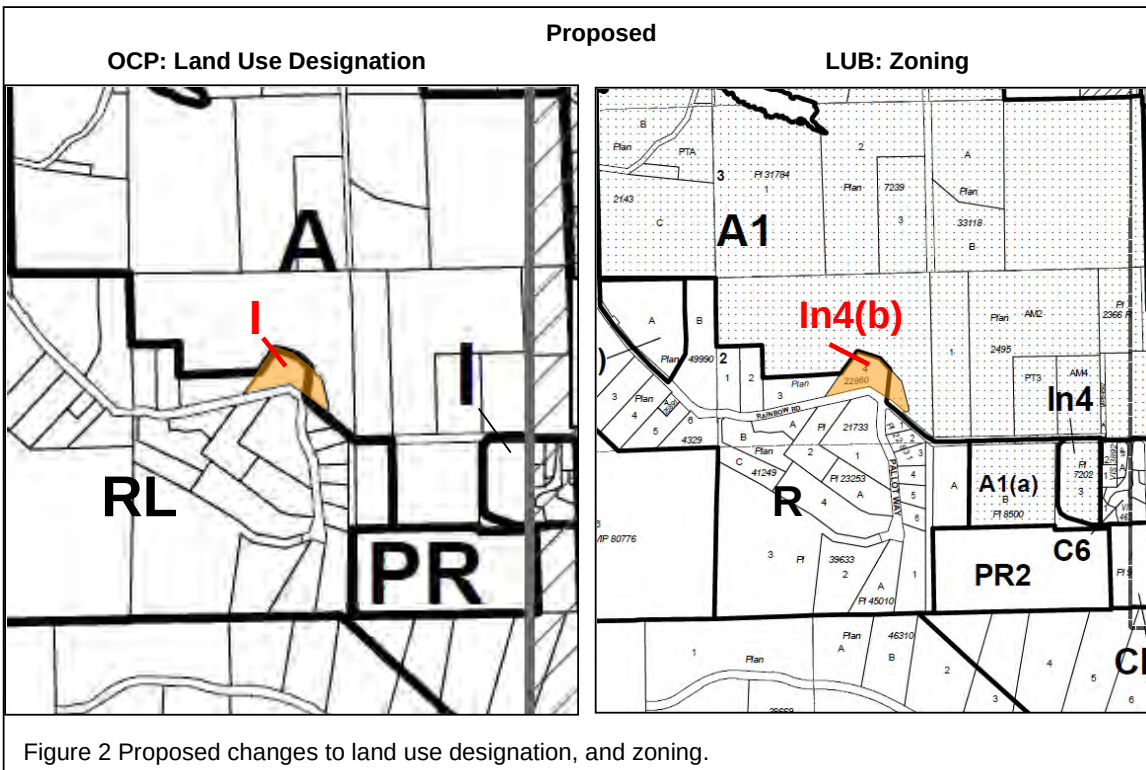
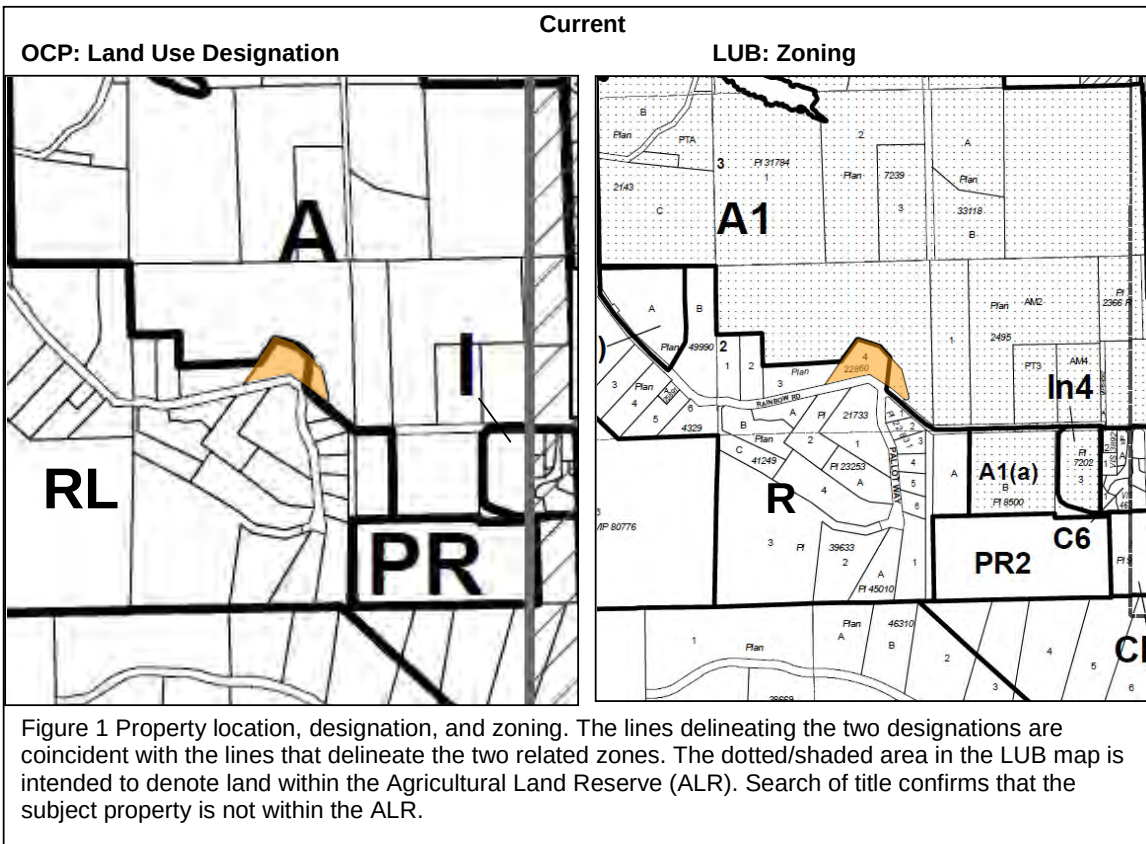
BACKGROUND

The application has been considered by the Salt Spring Island Local Trust Committee at both the October 2011 and November 2011 Local Trust Committee (LTC) meetings. This report supplements the Staff Reports dated September 28, 2011 and October 25, 2011 prepared for those respective meetings. At the most recent LTC meeting, November 3, 2011, Salt Spring Island Local Trust Committee passed the following resolution:

SSI-204-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-RZ-2011.3 (Quesnel - 440 Rainbow Road) to the Advisory Planning Commission, the Agriculture Advisory Committee, the Advisory Environment Committee and, through the Capital Regional District, the Salt Spring Island Solid Waste Advisory Committee.

SSI-205-11 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct Staff to work with the applicant of Application SS-RZ-2011.3 (Quesnel - 440 Rainbow Road) on implementing sound mitigating measures and other application requirements of Planner Cermak's letter of July 18th 2011 and to report progress back to the Salt Spring Island Local Trust Committee at the first meeting of 2012.

This report updates the LTC on results from the above resolutions.



The Advisory Planning Commission (APC) met November 24, 2011, draft minutes are included in the January 2012 LTC agenda package. The APC did not make any recommendations to the LTC; however, the applicant agreed to provide a letter of undertaking stipulating that crushing activities would only take place on Wednesdays and Thursdays from 1:00 to 4:00 PM. At time of writing this report, no letter of undertaking has been provided to the Islands Trust.

The Advisory Environmental Committee (AEC) met November 24, 2011, draft minutes are included in the January 2012 LTC agenda package. The AEC carried the following motion for a site visit:

It was **MOVED** and **SECONDED** that the Advisory Environment Committee request that Staff arrange a site visit to 440 Rainbow Road and also to the neighbouring properties, noting that time is of the essence.

The AEC made a site visit December 6, 2012 to the applicant's property and to the neighbouring properties to the north and east (420 and 400 Rainbow Road). The site visit included following presumed drainage over neighbouring properties and observing crushing operations while standing on the southern side of Rainbow Road, across from the applicant's property.

The Agricultural Advisory Committee (AAC) met December 1, 2011, draft minutes are included in the January 2012 LTC agenda package. The AAC carried the following motion:

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommends to the Local Trust Committee the following, noting that they make these recommendations based on their mandate to protect the agricultural land downstream of and adjacent to the site:

- that in order to establish a baseline, that soil and water samples be taken at the property line as soon as possible;
- a leachate management plan be established which would include the establishment of test wells at the property boundary for regular monitoring;
- that a security bond be in place;
- that all loading/unloading activity, storage and dismantling take place on an impermeable surface designed to collect all leachates and run-off;
- that no burning of any kind be permitted on the site;
- that the applicant be required to adhere to the requirements of CRD Bylaw No. 2810: Bylaw to Regulate the Operation of Transfer Stations on Salt Spring Island

On behalf of the Capital Regional District (CRD) and it's Salt Spring Island Solid Waste Advisory Committee, manager John Craveiro, reviewed the application and provided comment (Appendix A). Mr. Craveiro believes that CRD Bylaw No. 2810, amended by Bylaw No. 3600, "has the safeguards to allay local residents' concern" because "the bylaw has the safeguards to protect public health and the environment" and has "a good monitoring, response and enforcement program." Contraventions to the bylaw could lead to fines of up to a maximum \$50,000 per occurrence, in addition to suspension or cancellation of the licence.

Implementing Sound Mitigating Measures and Other Application Requirements

As discussed in previous reports, one of the primary concerns of neighbours has been the loss of enjoyment of their property due to the sound of industrial operations, including, but not limited to, the crushing of vehicles, the use of industrial machinery, and the sound of various metal objects being dropped into metal containers.

Islands Trust Land Use Bylaw 355, section 3.13.5 gives a suggested guideline for home-based business to not produce noises exceeding 40 decibels beyond the lot on which the sound was generated. CRD Bylaw

No. 3384 regulates noise for vehicles and construction which loosely relate to the application. The applicant has committed to hiring an acoustic engineer to measure sound levels during all stages of operations and to make recommendations for sound mitigation. At time of writing this report, the applicant has not submitted any professional materials with respect to noise dampening. He has however, introduced the idea of using straw bales for sound dampening as well as the fore mentioned hours of operation.

CURRENT PLANNING STATUS OF SUBJECT LANDS

Relevant OCP policies and Land Use Bylaw regulations have been discussed in previous staff reports and are included in the Appendix C for quick referral.

Based on feedback from various advisory groups, the LTC, and Islands Trust staff, the applicant has further refined proposed uses of the subject property to better reflect current and proposed future uses. The applicant is requesting the following uses found within Industrial 4 plus an additional use that describes the crushing and recycling of vehicles:

Principal Uses, Buildings and Structures	In4	Requested Uses
<i>Light industry</i>	♦	
<i>Indoor commercial, art and vocational schools</i>	♦	
<i>Funeral homes</i>	♦	
<i>Indoor sales of building supplies, appliances and furniture, with accessory outdoor sales and storage</i>	♦	
Storage, with the exception of <i>outdoor</i> storage of derelict vehicles and equipment, <i>commercially</i> licensed trucks, bulk fuel products, or waste materials	♦	♦
<i>Indoor service and repairs to vehicles, equipment, machinery and boats</i>	♦	♦
Sales and rentals of vehicles, equipment, machinery and boats	♦	
<i>Boat building</i>	♦	
<i>Indoor wholesale sales</i>	♦	
Processing of wood products produced or to be used on Salt Spring Island, including saw mills and planing mills	♦	
Processing and sorting of construction aggregates for use on Salt Spring Island, excluding asphalt	♦	
Storage of fuel products for use on Salt Spring Island	♦	
Processing, sorting and storage of timber produced on Salt Spring Island or to be used on Salt Spring Island	♦	
Veterinarian clinics and animal hospitals	♦	
Collection of recyclable materials, excluding <i>outdoor</i> sorting and storage	♦	
Collection of recyclable materials, including <i>outdoor</i> sorting and storage	♦	♦
<i>Public service uses</i>	♦	♦
Automobile and equipment parking	♦	♦
The receiving of used and derelict vehicles, the dismantling of valuable components and the subsequent crushing and recycling of the discarded residual materials from the vehicles		♦
Accessory Uses		
<i>Retail sales accessory to a permitted principal use</i>	♦	♦
<i>One dwelling unit accessory to industrial use</i>	♦	♦

Communications

Staff received communications directed toward the various advisory groups from an agricultural neighbour east of the applicant, who has farming operations approximately 200 metres downstream of

surface drainage from the applicant's property. The communications were directed towards the various advisory groups. Expressed concerns include:

- Air, noise, groundwater, and surface water pollution;
- Unknown impact on agriculture; and
- The overall inability of the Islands Trust to enforce bylaws in a timely, effective manner.

STAFF COMMENTS

Advisory groups were challenged to provide recommendations based on the fact that the use is already being conducted or not enough information was available (ex: an acoustic report, drainage report or soil study.) Staff was also challenged to pursue sound mitigating solutions, beyond limiting hours of crushing operations, until receipt of an acoustic engineers report. The applicant has suggested a tall, coated, straw bale sound barrier that would absorb sound, rather than reverberate it, along the southern boundary of the property. Installation of such a barrier would not likely be built till a dry season.

Staff has tried to ensure that the applicant does not incur unnecessary costs doing studies without first addressing the primary question of whether or not 440 Rainbow Road is a good location for the current/proposed Salt Spring Metal Recycling uses. The residential densities south of the applicant's property do not support the application as per C.4.3.2.2 (c) of the OCP. The planning logic is simple and demonstrated in the neighbourhoods response to the application, industrial uses in residential (or rural residential areas) limits the enjoyment of people's property. The applicant and other members of the community have countered with expressions of the community values and support found in the Islands Trust Policy Statement Directive 5.4.4, and within OCP policies regarding Industrial and Commercial Services such as B.3.3.2.10 (consider rezoning applications for properties near the junction of Rainbow and Atkins roads.)

The LTC gave direction to staff to explore possible solutions to the neighbour's concerns. While the applicant has agreed to limit hours of crushing, limiting of hours of operation are not possible by zoning, rather they are regulated by CRD bylaws. As well, the LTC and staff, over time, have grappled with trying to find a suitable alternative location for the applicant's operations. While a few sites exist, any location that the applicant moves to would require at least a rezoning and the applicant has been unable to commit to such a move.

Staff continue to work with the applicant as per LTC direction; however, without clear direction otherwise, cannot support the application due to its conflict with OCP policy and without solution to neighbourhood issues. Thus, Staff seeks direction from the Local Trust Committee whether or not to further pursue the application. Should LTC deny the application, the applicant may be eligible for a partial refund as per Islands Trust Fees Bylaw 428.

Option 1

The LTC may see no further merit in pursuing the application. Should LTC deny the application, the applicant is eligible for a partial refund as per Islands Trust Fees Bylaw 428.

Suggested wording for such a resolution may be as follows:

- 1) **THAT** the Salt Spring Island Local Trust Committee **REJECTS** application SS-RZ-2011.3 (Quesnel/440 Rainbow Road); and

- 2) **THAT** the Salt Spring Island Local Trust Committee **DIRECTS** staff to partially refund the application SS-RZ-2011.3 (Quesnel/440 Rainbow Road) as per Islands Trust Fees Bylaw.

Option 2

The LTC may decide to proceed with the application. If choosing to proceed, the next step forward is to receive the APC's advice and to consider requesting an acoustic engineers report. The LTC could then make a condition of rezoning approval, incorporation of the report's recommendations to mitigate sound to a suitable level – if possible. The APC adjourned, pending review of such a report and thus staff would recommend forwarding the report for their review and comments.

Agriculture neighbour concerns include any water, soil or air impacts on agriculture. OCP policies clearly do not permit uses bordering agricultural lands to impact agriculture. Staff has advised the applicant that if the application is to proceed, a drainage report will likely be required. Moreover, the applicant is in a RAR watershed and a drainage study would form an integral part of a RAR study if a Qualified Environmental Professional determined a RAR assessment is necessary. The applicant has also expressed that financial institutions will not support lending without a soil study. It is suggested that soil tests be done at the same time as drainage studies.

The applicant's operations are subject to provincial regulations including the Vehicle Dismantling and Recycling Industry Environmental Planning Regulation. The central theme of the regulation is to have a current Environmental Management Plan. As well, the manager of Policy and Planning within the Environmental Resource Management Branch at the Capital Regional District has indicated a willingness to consider issuing a limited waste transfer station permit for recycling, if the Islands Trust permits the land use. Issuance of the permit would require adherence to pollution prevention regulations and financial security.

In summary, if the LTC chooses to proceed with the application, the applicant would be directed to bring operations into compliance with provincial and regional regulations which would require the applicant to provide baseline information regarding leachate, litter, dust, noise and other pollutants. The first of these studies would involve a drainage and soil report. Appendix B lists a brief summary of the regulatory requirements for the applicant's business operations, regardless of location.

Suggested wording for such a resolution may be as follows:

- 1) That the Salt Spring Island Local Trust Committee **REFERS** application SS-RZ-2011.3 (Quesnel/440 Rainbow Road) to the Advisory Planning Commission pending Islands Trust receipt of an Acoustic Engineer's study.
- 2) That the Salt Spring Island Local Trust Committee **DIRECTS** staff to draft a bylaw for application SS-RZ-2011.3 (Quesnel/440 Rainbow Road).
- 3) That the Salt Spring Island Local Trust Committee **DIRECTS** staff to regularly update the LTC on the progress of the applicant of application SS-RZ-2011.3 (Quesnel/440 Rainbow Road) on the meeting the regulatory requirements of CRD Bylaw No. 2810 and British Columbia Regulation 200/2007 (Vehicle Dismantling and Recycling Industry Environmental Planning Regulation).

RECOMMENDATIONS

The current application does not meet OCP policies and the neighbourhood has already experienced the results of the non-compliance. Staff recommends option 1 and the following resolution would implement this resolution:

- 1) That the Salt Spring Island Local Trust Committee **REJECTS** application SS-RZ-2011.3 (Quesnel/440 Rainbow Road); and
- 2) That the Salt Spring Island Local Trust Committee **DIRECTS** staff to partially refund the application SS-RZ-2011.3 (Quesnel/440 Rainbow Road) as per Islands Trust Fees Bylaw.

Prepared and Submitted by:

Stefan Cermak, Planner 2

Date

Concurred by:

Leah Hartley, Regional Planning Manager

Date

Attachments:

- Appendix A: Communications from Mr. John Craveiro, Manager, Environmental Resource Management, Policy and Planning, Environmental Services Department for the Capital Regional District
- Appendix B: Regulatory Requirements of Salt Spring Metal Recycling Operations, Regardless of Location.
- Appendix C: Current Planning Status of Subject Lands (Relevant policies and regulations)

Appendix A: Communications from Mr. John Craveiro, Manager, Environmental Resource Management, Policy and Planning, Environmental Services Department for the Capital Regional District

Wed 14/12/2011 5:02 PM

Hi Stephan, The CRD SSI Transfer Station Bylaw No 2810, amended by Bylaw No 3600, regulates the operation of solid waste transfer stations on Salt Spring Island. There are 3 Classes of licences.

Class 1, used to receive, sort, compact, rearrange municipal solid waste or recyclable material for subsequent transfer off-site for further processing or final disposal.

Class 2, used by the operator to store municipal solid waste or recycle material for subsequent transfer off-site. A Class 2 is not authorized to accept or receive municipal solid waste or recyclables from the general public.

Class 3, used to receive and chip clean wood and land clearing waste.

Any person wishing to undertake any of the above activities on Salt Spring must first apply for and obtain the appropriate licence under the bylaw. The bylaw sets out the requirements for obtaining a licence which include; approval from the Islands Trust that the activity meets the Trust's land use and zoning regulations, fire prevention and suppression and other bylaws or Federal and Provincial regulations. The bylaw also set out the requirements for management plans to mitigate: odour; leachate; vectors; litter; dust; and noise, and operating requirements related to the types and quantities of materials to be stored on site and the duration of the storage. Finally, to ensure compliance with the bylaw, the operator is required to post monetary bonds, which the CRD may draw upon to rectify any operational deficiencies or clean up the site in the event of site abandonment. In summary, the bylaw has the safeguards to protect public health and the environment. We also have a good monitoring, response and enforcement program. Contraventions to the bylaw could lead to fines of up to a maximum \$50,000 per occurrence, in addition to suspension or cancellation of the licence. I believe that the bylaw has the safeguards to allay local residents' concerns. I trust this helps John

Appendix B: Regulatory Requirements of Salt Spring Metal Recycling Operations, Regardless of Location.

Authority:	Islands Trust	Capital Regional District	Ministry of Environment
Regulates:	Official Community Plan; Land use	Operation of Transfer Stations; Noise Bylaw	Vehicle Dismantling and Recycling Industry
Regulation or Bylaw No:	Salt Spring Island Trust Bylaw 355 and 434	CRD Bylaw 2810 and 3384	(BC Reg. (200/2007))
Zoning Bylaw amendment considered on basis of:	Agricultural Impacts • Drainage Study • Soil Study Neighbourhood impacts • Acoustic Study • Traffic Study Site Layout Plan Riparian Areas Assessment (if necessary) Potential security to ensure 7.5 metre wide buffer, containing a potential 5 m high vegetative screen And other interests as may be expressed at zoning Public Hearing Home based businesses cannot create noise that exceeds 40 dB beyond their lot boundary 3 additional full-time employees may work for home based business on lots 1.2 ha or less; 4 additional full-time employees may work for home based business on lots greater than 1.2 ha	• An odour management plan; • A leachate management plan; • A noise abatement plan; • A vector, litter and dust management plan; • A site plan and layout of facilities; and • Types and estimated quantities of recyclable material to be managed at a site, work or facility per year; • Recycler license • Waste stream management license • Restriction to inorganic materials (according to current operations) • "noise" means a sound that disturbs or tends to disturb the quiet, peace, comfort and enjoyment of the neighbours	Environmental Management Plan: • Describe how each component (including fluids) will be stored, treated, recycled or disposed of in compliance with the Environmental Management Act • Management plan to minimize or eliminate waste discharge to the environment • Contingency plan for emergencies
Other Factors for Consideration			
Industrial Task Force (ITF) recommendations to the Salt Spring Island Local Trust Committee	ITF's preferred criteria of essential requirements when considering any application for rezoning land to industrial or commercial categories: • Located within a 1 - 5km radius of Ganges and Fulford villages; • Proximity to arterial roads; • Three-phase power near site; • Adequate water supply; • Sewer connection desirable; • Terrain slope of 15% or less is preferred; • Appropriate buffering provided; • Not impacting watersheds; • 30 metre setback from riparian areas; and • Not in a sensitive ecosystem.	ITF recommended that the LTC consider adding a modest increase in the amount of industrial land in the following three locations: 1. The area around the junction of Rainbow and Atkins Roads. 2. The area around the junctions of Robinson Road/Leisure Lane, Robinson Road/Long Harbour Road and Robinson Road/Upper Ganges Road 3. The area next to the BC Crown Gravel Pit on Musgrave Road	

Appendix C: OCP Policies and LUB Regulations Referral

Islands Trust Policy Statement

The following two Trust Policy Statement Directives relate to the applicant's proposal.

- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse effects on agricultural land.
- 5.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
- 5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

Official Community Plan (OCP)

Islands Trust Salt Spring Island OCP Map 1 depicts the subject property with two designations: the western portion is designated RL-Rural Neighbourhoods, the eastern portion is designated A-Agriculture (the lines delineating the two designations are coincident with the lines that delineate the two related zones).

The following OCP policies are relevant to the current application:

(Current) Land Use Designation

B.2.5 Rural Neighbourhoods Designation

- 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 industrial zones will remain, but exceptionally large new commercial or industrial developments should not be allowed in this Designation. Existing zones that allow higher densities, smaller lots and multifamily use will also remain.

B.6.2 Agriculture Land Uses

- B.6.2.2.18 When it considers rezoning applications for land that borders or drains into agricultural land, the Trust Committee will ensure that zoning changes are not made in a way that would have a negative effect on farming. For example, the Committee could require that a vegetation buffer be maintained on land that is being rezoned next to farm land, if the proposed use could result in conflicts with a farming operation. The Committee should also ensure that a zoning change would not result in detrimental changes to natural drainage or pollution of water supplies. The Agricultural Advisory Committee will be asked for advice about rezoning applications on land that borders or drains into agricultural land.

(Proposed) Land Use Designations

B.3.3 Industrial and Commercial Services

- B.3.3.2.5 The Local Trust Committee should undertake a review and inventory of existing industrially zoned land and facilities, assess existing and future projected demand for industrial land, and on the basis of this assessment, consider re-designating and rezoning land.
- B.3.3.2.7 Local zoning should not allow new heavy or extractive industries that are not needed by the local community.
- B.3.3.2.10 If additional land is required for industrial uses necessary for the community, the Local Trust Committee could consider rezoning applications for properties near the junction of Rainbow and Atkins roads. Removal of up to 2 ha from the Agricultural Land Reserve for this purpose could be supported, consistent with policy B.6.2.2.15. In reviewing such applications, the Committee should consider whether:
 - a. the site has limited agricultural potential.
 - b. existing industrial and commercial service lands have been developed to about 80 per cent of their practical development potential.
 - c. the rezoning application applies to land that is next to or across a road from existing industrial land.
 - d. the proposed development would be well buffered from adjacent non-industrial land.
 - e. there are adequate water supplies and a satisfactory means of sewage disposal.

C.4.3 Solid Waste Management

- C.4.3.2.2 The Local Trust Committee supports the development of a site for waste management that could accommodate solid waste transfer, separation and processing of green wood waste that can be used as compost amendment, and separation and processing of other commodities that can be used beneficially on the island, and receipt of other special waste for disposal to the regional landfill or other off-island waste processing facility. Any new site would:
 - a. be located in an area of low or very low density residential use (less than one house per 2 ha).
 - b. be screened by vegetation to limit the effects of its appearance, noise and smell.
 - c. be located outside a community water system supply watershed or community well capture zone, or an environmentally sensitive area.
 - d. have an access route that does not significantly affect a residential area.
 - e. not be located on good agricultural soils.
- C.4.3.2.3 The Local Trust Committee should retain existing zoning for publicly or privately-operated solid waste transfer sites. The Local Trust Committee may also consider issuing Temporary Commercial and Industrial Use Permits for solid waste transfer stations in appropriate locations.

C.3.3 Private Surface Water and Groundwater Supplies

- C.3.3.2.2 When considering rezoning applications, the Local Trust Committee should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. If the

proposed use is expected to need more water than the uses already allowed on the property, then the Committee should ask for evidence that wells or other water supplies in the neighbourhood would not be depleted. The Committee should also consider whether water use would affect agricultural activities or deplete any springs necessary to maintain fish habitat. Should a zoning change be proposed where groundwater supplies are not adequate, the applicant could be encouraged to find other means of supplying water. Rainwater catchment or a water conservation program should be considered.

Land Use Bylaw 355:

Zoning

The subject property is currently split-zoned: the eastern portion is zoned A1-Agriculture; and the western portion is zoned R-Rural. The applicant requests rezoning the current R-Rural zone to a variation of In4 - Industrial 4 (ex: In4 (b)).

Relevant sections of Land Use Bylaw are listed below:

- 3.4.1 If a *vegetation screen* is required by this Bylaw on any *lot* in order to screen a specific land *use*, then the owner of that *lot* must ensure that, at all times during which the land *use* is located on the *lot*, a *vegetation screen* is maintained within every part of the *lot* that is a *buffer area*.
- 3.4.2 A *vegetation screen* is required in the *buffer area* of any *lot* occupied by the following *uses*:
 - (1) *industrial and commercial uses* that are not contained within a *building*; with the exception of a *farm business*
- 3.5.1 If a *lot* is located in two or more *zones*, for the purposes only of the regulations of Part 9 of this Bylaw regarding units per hectare, *lot* coverage and minimum site areas, the portions of the *lot* that have different zoning designations must be considered as if they were separate *lots*, provided that no more than one *dwelling* unit is permitted on a *lot*, unless specifically allowed.
- 7.1.1 The owner or occupier of land must provide and maintain off-street loading spaces and off-street *parking spaces* for automobiles and bicycles as determined by the *use* or occupancy of a *lot* or *building* according to Table 3.
(Note that the proposal would require approximately 6 parking spaces (2 residential, 4 commercial))

9.7.3 Stormwater Management

If the area of *impervious surface* on any *lot* in an Industrial *zone* totals 280 square metres or more, then no further *impervious surface* may be constructed on the *lot* except in accordance with a design prepared by an *engineer* which ensures that the predevelopment and post-development stormwater run-off rate, flow pattern and water quality are as similar as is reasonably feasible and that runoff is managed in a manner consistent with the *Land Development Guidelines*. Storm water runoff facilities must be operated and maintained at all times in accordance with the original design and the *Land Development Guidelines*.

The LUB defines vegetation screen as:

“vegetation screen” means a complete visual barrier, broken only by perpendicular access drives or walks, formed by trees or other plants that are 5 metres high or that will attain a *height* of 5 metres.

The LUB defines buffer area as:

“buffer area” means the area of a *lot* that is within 7.5 m of a *lot line*, where that *lot line* adjoins another *lot* used for, or zoned so as to permit *residential, commercial guest accommodation or agriculture*.

Sensitive Ecosystems and Hazard Areas

There are no known sensitive ecosystems or hazard areas related to the subject property.

Archaeological Sites

There are no known archaeological sites related to the subject property.

Agricultural Land Reserve

The subject property is adjacent to property within the Agricultural Land Reserve.

Covenants and Easements

A BC Hydro transmission corridor right-of-way covers the western portion of the subject property. The applicant informs that due to the terms of the right-of-way no buildings can be constructed within the right-of-way. The applicant conducts most of his outdoor processing and storage business within the right-of-way.

December 20, 2011

File No.: SS-RZ-2011.4

To: Salt Spring Island Local Trust Committee
From: Stefan Cermak, Planner 2, Salt Spring Island Planning Team
Re: Rezoning Application to change a split zoned lot (C5/R6) to CF1 (d)

Property: LOT 2, SECTION 4, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 23507
Location: 154-164 Kings Lane
Owner: 651626 BC LTD
Applicant: Myles Wilson

THE PROPOSAL

To rezone 154-164 Kings Lane from a split commercial/residential (C5/R6) zone to a modified community facility (CF-1) zone (Figure 1). The new zoning would facilitate the development of a health centre for the entire property where the King's Lane Medical Centre and Ganges Yoga Studio currently exist. The specific zoning variation being requested includes allowing the existing duplex as part of the new zoning. The final vision of the proposal is to have five buildings, totalling approximately 30,000 ft², matching the design (including green features) of King's Lane Medical Centre. All buildings would be used for various health care related uses with the option of residential uses on the upper storey. While the proposal is for a 30,000 ft² development, the rezoning would permit slightly greater than 37,400 ft², or 25% lot coverage. The proposal for 30,000 ft² of lot coverage for structures is slightly more than 20% lot coverage (see table below).

Table 1 Percent lot coverage

% lot coverage	Maximum permitted structure square footage for 1.39 ha lot	Zone
33	49,374 ft ²	C5 / R6 (current)
25	37,405 ft ²	CF1 (d) (proposed)

% lot coverage	Proposed structure square footage
20.05	30,000 ft ²

Should this application be approved, the applicant will require a Development Permit from the Islands Trust before receiving a Building Permit from the Capital Regional District.

SITE CONTEXT

The subject property is a 1.39 ha lot located at 154-164 Kings Lane. The subject property is split zoned (Figure 1). On the Commercial 5 (C5) zoned portion of the property there is a bowling alley (limited use), a restaurant (not in use), a garage (used for storage purposes) and parking space for the Salt Spring Island transit buses. Kings Lane Medical Building is located on the Residential 6 (R6) zoned portion of the subject property. The building contains medical offices for up to five medical practitioners on the ground floor and a residential duplex unit on the second floor.

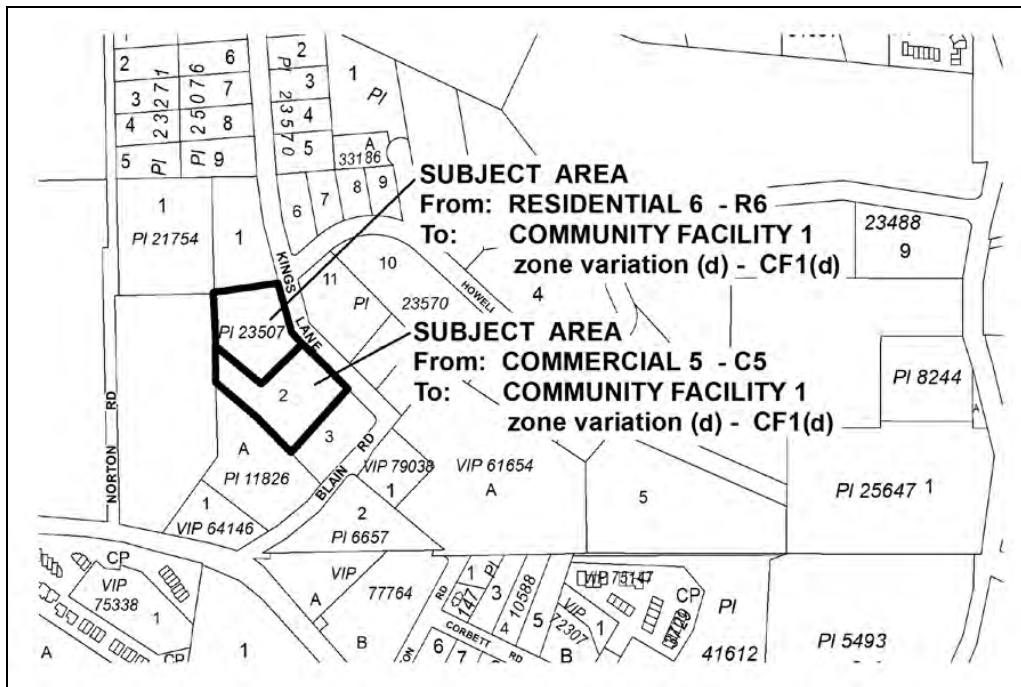


Figure 1 Location and proposed rezoning of subject property.

BACKGROUND

This Staff Report supplements the Staff Report dated September 23, 2011 and considered by the Salt Spring Island Local Trust Committee at their meeting October 6, 2011. The Salt Spring Island Local Trust Committee passed the following resolutions regarding this application:

SSI-195-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-RZ-2011.4 (Myles Wilson/154-164 Kings Lane) to the Advisory Agriculture Committee, the Advisory Planning Commission, the Ganges Sewer Local Services Commission, the Ministry of Transportation and Infrastructure and the Capital Regional District Transportation Commission and that the Salt Spring Island Local Trust Committee directs staff to draft a bylaw for application SS-RZ-2011.4 (Myles Wilson/154/164 Kings Lane). **CARRIED**

SSI-196-11

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to work with the applicant to consider additional residential dwelling units on the property; to restrict uses to the principal and accessory uses appropriate to a health care facility and to work in partnership with others to increase pathways in the neighbourhood. **CARRIED**

The Advisory Agriculture Committee (AAC) met, October 20, 2011 and passed the following resolution regarding this application:

It was **MOVED** and **SECONDED** that the Salt Spring Island Agriculture Advisory Committee recommend to the Salt Spring Island Trust Committee that the current buffer zone of 7.5 meters be maintained to ensure a buffer remains in place. **CARRIED**

The Advisory Planning Commission (APC) met, October 20, 2011 and passed the following resolution regarding this application:

It was **MOVED** and **SECONDED** that the Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee continue with the bylaw and further recommend that consideration be given to setting parking standards to medical uses and allowing additional residences associated with medical use on site. **CARRIED**

The Ganges Sewer Local Services Commission has not responded to the referral. The Ministry of Transportation and Infrastructure responded December 20, 2011 with the following comment: "The Ministry of Transportation & Infrastructure will require a detailed traffic impact analysis of this development and the impact that it will have on the surrounding road system. Please have the applicant provide this information to us for our review and comment." The Salt Spring Island Transportation Commission will meet January 17, 2012 to consider the referral (early correspondence is included in the appendices)(Appendix 2).

A draft bylaw is attached for the LTC's consideration (Appendix 1). The draft bylaw includes recommendations as per LTC resolution SS-196-11 and APC recommendations to restrict proposed uses and to consider additional dwelling units on the property. Staff continues to work with the applicant in partnership with others to increase pathways in the neighbourhood.

The subject property has a temporary use permit which permits the principal use of medical office services for five medical practitioners within the same building that houses a two-family dwelling (a duplex). The temporary use permit increased the number of medical practitioners permitted from two to five. The temporary use permit expires March 12, 2012. The applicant has applied for an extension to the TUP.

CURRENT PLANNING STATUS OF SUBJECT LANDS

Relevant Official Community Plan policies and Land Use Bylaw regulations have been discussed in previous staff reports. What follows is new information related to the application.

Trust Policy Statement

The proposal is in compliance with Trust Policy Statements (see Appendix 3 for Policy Directive checklist).

Land Use Bylaw

Parking

Assuming the development of 30,000 ft² of medical clinic structures, the total future parking space requirements are 105 spaces plus 7 disabled parking spaces. Currently, there are approximately 50 spaces plus 3 disabled parking spaces. If development proceeds as the applicant envisions, three medical buildings will be developed and the current commercial buildings will be removed. The total required parking for this "first phase" of development will require 59 parking spaces plus 5 disabled parking spaces.

The Salt Spring Island Local Trust Committee suggested staff research medical clinic parking requirements. Currently, the proposed uses are best defined within the Land Use Bylaw as "other commercial uses" when calculating parking needs. The number of automobile parking spaces required for "other commercial uses" is 1 per 25 m². According to research conducted by staff, parking spaces for similar medical services across North America range from 1 per 14 m² - 1 per 37 m² (1 per 150 ft² - 1 per 400 ft²). Research available through The Institute of Transportation Engineers (ITE) recommends that similar medical facilities require 1 space per 32.5 m² (1 per 350 ft²). Using ITE guidelines, the proposal for 2,787 m² (30,000ft²) development of medical clinic space would require 86 parking spaces plus 7 disabled parking spaces.

Further parking research through the ITE suggests that demand for automobile parking can be reduced if

developments provide transportation options. Convenient transit can reduce parking demand by up to 10% while access to convenient bike trails and pedestrian pathway network can reduce parking demand 5-15%. The subject property is one property away from a bus stop and it is conceivable that the bus could reroute through the development. As well, the applicant has committed to connecting to a pathway network, although it has been yet to be determined to what extent. Thus, a parking demand reduction of 15% is considered reasonable. If using these reductions as a guide, the development of medical clinic space would require 89 parking spaces. Parking details (design) for the proposal will be guided through the development permit process when the applicant applies for a development permit.

In summary, ITE medical clinic parking requirements and multi-modal development options suggest that the required 105 parking spaces can be reduced. Therefore, staff has included in the Draft Bylaw an amendment to Section 7.1 of Land Use Bylaw 355, to include Medical Clinics parking requirements as 1 parking space per 32.5 m² (Appendix 1). The Ministry of Transportation and Infrastructure has requested a Traffic Impact Analysis and the traffic generation caused by new Medical Clinics used in staff research should be consistent with the future consultants Traffic Impact Analysis.

Covenants

BC Hydro has a right of way easement over the northern section of the subject property. No buildings, structures, or vegetation may be placed within the right of way without BC Hydro's permission. Currently there is a parking lot, septic field, and meadow within the right of way.

The applicant has been in discussion with BC Transit to move overnight parking of BC Transit vehicles from the current parking lot on the east side of the property, to the BC Hydro right of way on the opposite side of the property. BC Hydro has expressed the need for power and water if such a move is to occur.

Public Notification Results

The application has not been required to publish notification of the development application. Relevant correspondences have been referenced within this report and are included in the appendices (Appendix 2).

STAFF COMMENTS

Staff recommends proceeding with the application by LTC giving first reading to the draft bylaw and directing staff to refer the application to all relevant public agencies pending receipt of a Traffic Impact Assessment. Staff will continue to work with the applicant in partnership with others to increase pathways in the neighbourhood. Staff will then make any further amendments to the draft deemed necessary and return to the LTC for second reading, referral to a public information session, and referral to Public Hearing as per legislated requirements.

RECOMMENDATIONS

- 1) **THAT** the Salt Spring Island Local Trust Committee **GIVES FIRST READING** to draft bylaw no. 456, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012" (Wilson, 154-164 Kings Lane, SS-RZ-2011.4).
- 2) **THAT** the Salt Spring Island Local Trust Committee **INSTRUCTS STAFF TO REFER** Proposed Bylaw No. 456 (Wilson/154-164 Kings Lane) to public agencies for comment pending receipt of the Traffic Impact Assessment requested by the Ministry of Transportation.

Prepared and Submitted by:

Stefan Cermak, Planner 2

Date

Concurred by:

Leah Hartley, Regional Planning Manager

Date

Attachments:

Appendix 1: Draft Bylaw 456

Appendix 2: Correspondence

Appendix 3: Islands Trust Policy Directives Checklist

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 456*****
A BYLAW TO AMEND "SALT SPRING ISLAND LAND USE BYLAW, 1999",
BEING BYLAW NO. 355

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

1. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999", is amended as follows:

1. By inserting in subsection 9.4.4 the following new Community Facilities 1 Zone Variation 1 (d) as an Exception in a Particular Location:

"Zone Variation – CF1(d)

Despite all other regulations of this bylaw the only principal uses permitted within lands zoned CF1(d) are:

- (a) Public hospitals, clinics and health care facilities.
- (b) Public schools, pre-schools and child day care centres.
- (c) Performing and visual art centres
- (d) Public Service Uses.

Despite all other regulations of this bylaw the only accessory uses permitted within lands zoned CF1(d) are:

- (a) Indoor retail sales accessory to another permitted use.
- (b) Dwelling units accessory to, and located above, another permitted use."

And by making such consequential numbering alterations to effect this change.

2. By inserting in Table 3 of subsection 7.1 the following new Minimum Number of Parking Spaces for Automobiles, Disabled Parking and Bicycles for Community Facilities:

Medical Clinics	1 per 350 m ²	5%*	1 per 250 sq.m. floor area
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3. By changing the zoning classification of Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507 from Commercial 5 (C5) and Residential 6 (R6) to Community Facilities 1 (d) - CF1(d) as shown on Plan No. 1, attached to and forming part of this bylaw, and by making such alterations to Schedule "A" to Bylaw No. 355 as are required to effect this change.

2. This Bylaw may be cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012".

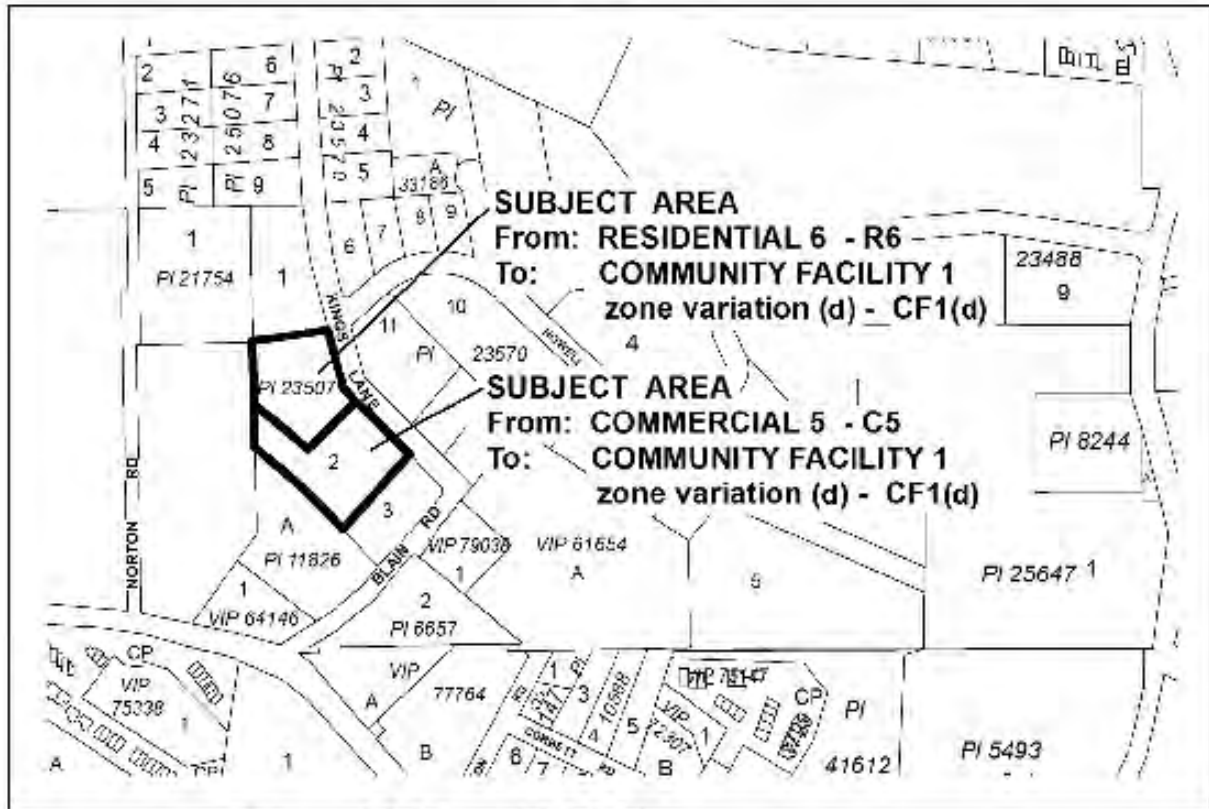
READ A FIRST TIME THIS	DAY OF	, 20__
READ A SECOND TIME THIS	DAY OF	, 20__
PUBLIC HEARING HELD THIS	DAY OF	, 20__
READ A THIRD TIME THIS	DAY OF	, 20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	, 20__
ADOPTED THIS	DAY OF	, 20__

SECRETARY

CHAIRPERSON

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 456**

Plan No. 1



APPENDIX 2: CORRESPONDENCES

Abbreviated Correspondence With Donald McLennan, Chair, Salt Spring Island Transportation

From: Donald McLennan

Sent: November-21-11 4:23 PM

Subject: Islands Trust referral: Kings Lane

...

Other Interested Parties

- I spoke with Kees Ruurs who expressed interest in the project and its pathway implications; he is to ask the Trust to refer the project to PARC as well
- I have passed a copy of the Staff Report to Jean Gelwicks as Chair of Partners Creating Pathways and asked for feedback to the Commission in due course

Parking of SS Transit Buses

Here is Ineke de Jong's take on the parking of SS Transit buses on the Kings Lane property.

We have been allowed to park at King's Lane for about three years now. We have been charged \$100 per bus per month including use of water and power. The operator paid to have the plumbing moved to the end of the building - the operator also paid to have a proper plug put into the outside of the building to allow for power supply for our power washer. We are also allowed to put a shed for storage on the site. They put in packed down gravel to avoid it becoming a mudhole when we moved to the other side of the lot due to the yoga center arriving.

We, from the start, have been notified of the plan to move SS Transit to the other part of the Kings Lane property, when and if development should happen.

I am not sure what kind of water and power service the new parking area could provide. These two are essential. The operator's ideal plan would be to have a fenced area with power and water and lots of lighting, including the possibility of our own fuel and the storage that would require. And plumbing protected from freezing. I bring these issues up now only because there might be a change in the future.

Myles asked about who is normally responsible for maintenance and liability for a public pathway on public property

- this is what PARC says:
 - Whenever the CRD/PARC enters into an agreement to establish a trial easement or statutory right of way across private property, the CRD office of Risk, Real Estate and Facility Management is brought in to develop that

agreement. Most of the time (probably all the time) the agreement contains a clause regarding liability insurance and/or indemnification between CRD and the private property owner. As far as PARC is aware, the CRD accepts liability for the public use of private property in all these agreements.

- o As far as maintenance is concerned, PARC has offered to maintain the pathways currently under the jurisdiction of CRD/Transportation Commission and a verbal agreement exists between Mr. Bob Fenske, CRD Manager for Transportation Operations and the PARC Manager for PARC to maintain these pathways. It is believed that a similar (or more formal) arrangement can be entered into for urban path sections if it comes to that.

Bus service

- the development would be keen to allow for a transit stop either on Kings Lane or on the site itself
- at the moment, SS Transit services the Hospital and Greenwoods by running the Ganges local loop up Crofton and past Kings Lane

Traffic generation

- no studies have been conducted to project the increase in traffic which might be generated by a 30,000 sq ft medical centre if it ever came to that; however the Trust Planner Stefan Cermak is a former MoT staffer
- while he does not expect MoT to come back with any substantive recommendations on either re-engineering the access roads to the site or on traffic calming on Kings Lane between Howell and Blain, he has conducted his own internet research related specifically to traffic generated by medical centres per sq ft of space
- Stefan is concerned about volumes in the longer term but he acknowledges that the geography of Howell and Leisure Lane (narrow sinewy roads) are traffic calming by definition
- it is worth recalling that the NGTP makes allowance for a future left turn lane off LGR on to Blain which would serve traffic heading for the medical centre

Regards to all.

Donald

Other correspondences:

From: "Myles Wilson"

Subject: Kings lane medical project and re-zoning

Date: 14 December, 2011 9:46:30 AM PST

George & Peter

First I would like to welcome you to Island politics. I take my hat off to you both for putting your name on the ballet.

I would like to invite both you for a first hand tour of the project and to give you a complete history on how this came about. This way you both have it from me.

The former trustee's, George, Christine (Peter Lamb to a small extent) have all had impute and I think it would be valuable to the people of SSI, the doctors and myself to have your input. We have a good idea of where we want to take this and we do have a clean slate on this property because we are asking for a rezone to create something for the island that will be here for a very long time.

Stefan Cermak has been dealing with the rezoning file and in my opinion doing an excellent job. I am grateful for the work he has done. Our goal was to have it ready to be on the table for a first reading in January. (I am waiting for an update on this today)

On a side note we have to extend our Temporary use permit for the doctors at Kings lane. I have done the paper work and submitted the necessary fee to the Trust. I received the standard letter from the trust with the re-assigned number of SS-TUP-209.2.

To my amazement it was assigned to a different planner (which I will live with) but why not give it to the planner who has all the knowledge on this file? As far as I know this new planner has to go and learn this file. This does not make sense to me. Maybe this is easy answer! Stefan may have too much on his plate.

I have asked Stefan for an explanation and he has promised me an answer today.

I know we can help solve the doctor issue I do not know how to make this happen any quicker for the doctors but with up to 3 more doctors leaving in the next year there will be a problem on the island.

Let me know what would work for you both and I look forward to working with you both.

I would also like to invite Dr. Shane Barclay to our meeting because he can tell you first hand the problems that we face in the near future.

If you wish to pass this along to Wayne McIntyre our new CRD director please do so. I do not have his email.

Cheers

Myles

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

THE POLICY STATEMENT DIRECTIVES ONLY CHECKLIST IS BASED ON THE DIRECTIVE POLICIES FROM THE POLICY STATEMENT (CONSOLIDATED APRIL 2003) WHICH REQUIRE LOCAL TRUST COMMITTEES TO ADDRESS CERTAIN MATTERS IN THEIR OFFICIAL COMMUNITY PLANS AND REGULATORY BYLAWS AND ISLAND MUNICIPALITIES TO ADDRESS CERTAIN MATTERS IN THEIR OFFICIAL COMMUNITY PLANS IN A WAY THAT IMPLEMENTS THE POLICY OF TRUST COUNCIL.

STAFF WILL USE THE POLICY STATEMENT CHECKLIST (DIRECTIVES ONLY) TO REVIEW LOCAL TRUST COMMITTEE AND ISLAND MUNICIPALITY BYLAW AMENDMENT APPLICATIONS AND PROPOSALS TO ENSURE CONSISTENCY WITH THE POLICY STATEMENT. STAFF WILL ADD THE APPROPRIATE SYMBOL TO THE TABLE AS FOLLOWS:

- ✓ IF THE BYLAW IS **CONSISTENT** WITH THE POLICY FROM THE POLICY STATEMENT, OR
- ✗ IF THE BYLAW IS **INCONSISTENT (CONTRARY OR AT VARIANCE)** WITH A POLICY FROM THE POLICY STATEMENT, OR
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
N/A	3.3	<i>Freshwater and Wetland Ecosystems and Riparian Zones</i>
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.

✓	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.

N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	<i>Aesthetic Qualities</i>
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	<i>Growth and Development</i>
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	<i>Transportation and Utilities</i>
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	<i>Disposal of Waste</i>

N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
✓	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.
POLICY STATEMENT COMPLIANCE		
✓	COMPLIANCE WITH TRUST POLICY	
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:	

Date: December 19, 2011

To: Salt Spring Island Local Trust Committee

From: Justine Starke, Island Planner, Local Planning Services

Re: **LUB Update: Secondary Suites on Salt Spring Island**

PURPOSE

The purpose of this report is to provide background information and a summary of the issues related to the legalization of secondary suites. The intent is to request Local Trust Committee (LTC) direction in February after initial discussion at its meeting in January.

BACKGROUND

The LUB Update process focussing on secondary suites was launched in June 2010. A Technical Working Group (TWG) was established to help staff develop concepts; the group provided advice regarding the potential pilot areas and gave ideas for the regulation of suites (and cottages) based on criteria set out in the Official Community Plan. In addition to the advice of the TWG, there has been extensive consultation with stakeholder groups, various community organizations, LTC's advisory committees and the broader community. The below table summarizes the process to date. Detailed analysis of consultation results can be found in previous staff reports.

2008	2009	2010	2011...		
			Spring	Summer	Fall/Winter 2011/12
OCP policy guiding affordable housing process	Legalizing secondary suites given top priority for LUB review	LUB Review begins: technical working groups, website launched, November open house	February: Community Forum with Tim Wake and Janis Gauthier Community Affordable Housing Strategy (CAHS) finalized Two Pilot Area options proposed Data refined and policy development begins	Community Consultation: o Community events o Info stand at the Tuesday market and fall fair o Agency and community groups o On-line survey conducted	Bylaw Amendment Process to begin upon direction from the Local Trust Committee elected for the 2011-2013 term.
Deliverables					

✓ Housing Needs Assessment Ph.1	✓ Housing Needs Assessment Ph.2	✓ Community Affordable Housing Strategy – Action Plan	✓ Consultation strategy that results in a well informed community that has had many opportunities for input in a diversity of forums.	➤ Adopt Secondary Suites Bylaw
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The definition of a secondary suite is typically as follows:

Secondary Suites - means an additional self-contained dwelling unit, having a separate entrance and containing kitchen and bathroom facilities, located within a residential building that contains only one other dwelling unit and is smaller than the primary residential unit.

Once permitted by zoning in Land Use Bylaw 355, secondary suites will need a building permit from the Capital Regional District Building Inspection Office in order for the suite to be considered “legal.” At the time of application for building permit, proof of servicing (water, septic, etc.) would be required.

Seasonal Cottages

While there was initially direction to investigate the legalization of secondary suites as well as the full time occupation of seasonal cottages in the LUB update, the focus was narrowed to consider secondary suites as a first step. Narrowing the focus has helped simplify the range of potential issues that need to be addressed; there are different implications for affordability and much added complexity to considering policy direction for both housing types at the same time.

Pilot areas

Potential pilot areas for the location of secondary suites were determined based on criteria established in the Official Community Plan. There have been a variety of different pilot area options deliberated on by the LTC. With LTC direction, these pilot areas have been continually refined by Islands Trust staff. Most recently, three basic Pilot Areas have been presented to the Local Trust Committee for consideration. Pilot area maps are attached in Appendices 2-4 and include:

Option 1 – Limited Pilot Area for Secondary Suites (would address approximately 1,458 parcels)¹

- Based on the location and walking distance to existing transit routes
- Excludes community water system supply watersheds² and community well capture zones.
- Boundaries are not coincident with existing zoning boundaries.

Option 2 – Expanded Pilot Area for Secondary Suites (would address approximately 3,147 parcels)

- Based on existing zone boundaries and OCP criteria.
- Identifies that zones R7, R8, R9 and R should be considered for secondary suites.
- Other zones were ruled out because they already allow secondary suites, are located in remote areas, or implement other OCP policies with respect to conservation objectives and policies.
- Excludes community water system supply watersheds and community well capture zones.

Option 3 – Secondary Suites permitted throughout the Island (would address approximately 4,103 parcels)

- Areas were excluded were based on servicing limitations (inadequate water supply or sewer capacity) and drinking watershed boundaries:

¹ Note that the number of parcels cited are rough calculations provided for context; they do not include those parcels currently in zones that already permit secondary suites or duplexes and do not take into account split zoned lots. Excludes Commercial, Industrial, Multi-family (R1, R2, R4, R11, CD1, CD2) Commercial Accommodation, and Community Facility zones as well as crown land and park land.

² Mapping of watershed areas are for example only, refined data for mapping these catchment areas is being pursued by the Islands Trust mapping department.

- o Excludes Community Water System Supply Watersheds & Community Well Capture Zones
- o Excludes The Maliview sewer service area; the Cedar Lane Water District; the Cedars of Tuam Water District
- Also excludes non-residential properties and Commercial, Industrial, Commercial Accommodation, Multi-family and Community Facility zones

CURRENT PLANNING STATUS:

OFFICIAL COMMUNITY PLAN:

The Salt Spring Island Official Community Plan has a range of policies relevant to this project; these have been cited in previous staff reports. OCP Policy B.2.2.2.15 is provided below because it is specific to secondary suites:

Secondary Suites

B.2.2.2.15 *The Local Trust Committee may give consideration to amending the Land Use Bylaw to allow secondary suites in dwellings as affordable housing under certain circumstances. Any initiative to allow suites should address the following criteria:*

- 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 m² 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.*

In evaluating the details that follow and in considering a direction forward, it is important to differentiate between the options that are considered to implement the OCP and those that would require an OCP amendment. This is highlighted in Table 1 under “Staff Comments.”

ISLANDS TRUST POLICY STATEMENT:

Local Trust Committees must consider and address policies in the Islands Trust Policy Statement to get the approval of the Executive Committee on bylaw and OCP amendments.

Policy 1.3.1:

As set out in the Islands Trust Act, bylaws of local trust committees cannot be “contrary to or at

variance with" the Trust Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws. While directive policies identify matters that must be addressed in official community plans and regulatory bylaws, such policies do not stipulate the specific policies and regulations to be included because the social and environmental characteristics of the islands vary. However, where a certain policy requires a local trust committee to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council or the plan must set out explicitly the reasons and justifications for local policies that do not do so. Each local trust committee works with its island community to develop policies and regulations to suit local needs, while still supporting the Islands Trust object and the Policy Statement. Local trust committees are not required to comply with any policy in the Policy Statement not stated as a directive policy.

The following excerpts are applicable to the legalization of secondary suites on Salt Spring. However, there are many policies in the Policy Statement relating to environmental issues that are also required to be addressed.

PART V: SUSTAINABLE COMMUNITIES

GOAL: TO SUSTAIN ISLAND CHARACTER AND HEALTHY COMMUNITIES

Communities within the Trust Area are predominantly rural in character and contrast markedly with surrounding urban areas. Each island community has developed somewhat independently of other communities. Residents of all island communities value the safe and supportive nature of their island and their quality of life. Most feel strongly that people of differing age groups and income levels should continue to have the opportunity to reside in island communities.

The health of a community is influenced by numerous factors such as economic security, education, social support systems, the cleanliness and safety of the environment, and the availability of such necessities as educational and social services, transportation, affordable food and housing. Public involvement in decisions that affect a community is also critical to the health of that community. Participation in the decision-making process influences whether an individual or group is able to realize aspirations, satisfy needs or cope with change.

Directive Policies

5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

5.8.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

The Executive Committee of the Islands Trust reviewed the Salt Spring Island secondary suites project on November 1, 2011 for preliminary feedback. There were a number of concerns raised about the unknown impacts on water supply, density, and transportation. The Local Trust Committee will need to consider and address the Policy Statement in its secondary suites bylaw before receiving approval from the Executive Committee of the Islands Trust; as the bylaw amendment process unfolds, a separate staff report will be provided that invites deliberation on each policy directive. This will help the LTC with addressing the Policy Statement.

SUMMARY OF KEY ISSUES:

Salt Spring's Housing Need and Composition:

- At the February 4, 2010 Salt Spring Island Local Trust Committee meeting, the LTC received the Salt Spring Island Housing Needs Assessment (HNA). One of the key conclusions of the study is that the need for

affordable housing cuts across all segments of the community – singles, seniors, couples, families with children, etc.

- 44% of Salt Spring renters are in “core housing need” – that means they spend more than 30% of their income on rent
- In 2009, the average rent on Salt Spring was \$1,119 for a two bedroom unit. That is affordable to households earning a median income (\$46, 693/year)
- The HNA identifies a significant gap between housing prices and the capacity of households earning the median income to purchase a home at no more than 30% of income. This finding suggests that the opportunity to have a secondary suite has a role to play in making ownership housing more affordable by providing a ‘mortgage helper’.
- Secondary Suites will not cure Salt Spring’s affordable housing crisis, but it will offer affordable rental accommodation for 66% of Salt Spring renters
- According to 2006 Census Data, three quarters of Salt Spring Island households are occupied by 1-2 people

Community Housing Affordable Housing Strategy (CAHS):

The Community Affordable Housing Strategy (CAHS) was received by the LTC at the May 3, 2011 regular business meeting. A key element of the CAHS Action Plan is to legalize cottages and suites with conditions to ensure affordability.

Affordability:

OCP Policy B.2.2.2.15 (i) requests that the Local Trust Committee *consider* the use of Housing Agreements to ensure secondary suites remain affordable (emphasis added). The previous LTC considered this closely and did not given further direction to pursue this. The LTC was advised that rent controls may discourage the construction of new suites or the legalization of existing ones. The primary motivator for people to rent out a secondary suite is economic – people want a suite in order to provide additional income needed for mortgage payments and other expenses. While there are no guarantees that a market-based approach will create a reliable stock of affordable rental housing there are several factors that support this approach:

- Maximum floor area restrictions – 90m² for secondary suites and for cottages on parcels greater than 1.2 ha in area.
- Prohibitions against creating a strata-title will ensure that the dwelling units remain as rental units.

Secondary Suites provide much needed rental housing that is affordable to middle income people. They can also make home ownership more affordable and attainable to a wider spectrum of people. A much broader approach as identified in the 2011 Community Affordable Housing Strategy is required to address homelessness and the full range of affordable housing needs on Salt Spring Island.

The Experience of Other Communities:

The experience of other communities with respect to secondary suites offers numerous lessons:

- Consult with residents and stakeholder organizations such as builders and developers
- Use a consistent approach throughout the jurisdiction (e.g. allow in all single detached dwellings)
- Provide clear information materials – e.g. factsheets and guidelines regarding requirements to legalize an existing suite or construct a new one

- Uptake on secondary suites appears to be a slow process – likely due to costs and limited desire on part of homeowners. (e.g., Bowen Island made provision for secondary suites in 2006 and, as of last spring, had 7 units approved or in the building permit process).
- There is no evidence that secondary suite zoning has resulted in problems of exceeding density limits, overloading of infrastructure or changing the nature of neighbourhoods.
- Focus efforts on creating legal suites for the future – legalizing existing suites is a difficult process.
- Simple, basic bylaws tend to be the most successful
- Encouragement is more effective than approaches that rely on penalties
- It is important to address the need for parking on-site
- No examples of a local government requiring rent controls as a condition of approval for a secondary suite were found. However, Whistler offers a density bonus opportunity where homeowners can increase the maximum floor area for a secondary suite - and in that case a housing agreement with rent and tenancy controls is required. Whistler also has a housing authority which is able to administer housing agreements.

Water Quality and Supply: Servicing Secondary Suites

A major objective of permitting secondary suites is to have home owners bring existing suites up to health and safety standards and to ensure the servicing is adequate to support them. In the CRD administered building permit process, the servicing and infrastructure standards are based on the number of bedrooms and square footage of each dwelling. If the zoning permitted secondary suites, proof of available water supply and proof of an adequate septic disposal system would be required by the building permit process before approval of new or existing suites. Improved septic fields reduce pollution and protect the quality of drainage into surface water and ground water catchment areas.

Protection of community drinking supply watersheds:

There are legitimate concerns about the impacts of secondary suites on water quality in the drinking watersheds and about impacts on water supply in general. The OCP clearly directs an incremental approach and says to avoid areas that are community water system supply watersheds or in community well capture zones; there are cautions throughout the OCP to avoid over burdening Salt Spring's water supply. Some community water districts have supply challenges that limit the viability of secondary suites in their service area. Other areas of Salt Spring are especially sensitive from either a quality or supply perspective, and sometimes from both. It is said that the lakes have limited quantity which may be further reduced in the future due to a warming climate, less precipitation in drier years, reduction in surface flow to fill lakes and increased evaporation causing lakes to lose water.

Avoiding the catchment basins of the community water districts is important for the protection of water. In the future, this could be relaxed with the introduction of more specific methods of water quality protection, for example by establishing drinking supply watersheds development permit areas and/or development setbacks that provide adequate protection of drinking water sources.

It is argued that because hundreds of suites already exist illegally in water district watersheds, legalization will offer land owners the opportunity to comply with regulations and improve septic capacity – thereby improving impacts on water quality. Existing suites already consume water and discharge waste; legalization will not increase the impact of these suites, but may improve their environmental performance. Suites are not likely to increase the density beyond that which houses and infrastructure were designed for (two 2-person families versus one 4-person family). At time of building permit application, each property owner will have to demonstrate septic capacity and sufficient potable water supply. Therefore, the servicing for each suite can be evaluated on a case by case basis.

On the other hand, some of the smaller water districts do not have capacity to deal with referrals or implement an infrastructure study that quantifies available supply. In the surface drinking watersheds, any increase in intensity of land use is seen to have a negative impact on water quality. Nutrient overloading and especially an excess of phosphorus in the lakes is causing algal blooms. Algal blooms and toxins resulting from cyanobacteria are getting worse with unknown detrimental health impacts. The Cusheon Lake and St Mary's Lake Watershed Management Plans discuss this in detail; even septic disposal fields that have been built to code leech phosphorus through the effluent discharged, thereby contributing to water quality issues in the lakes.

OCP Policy B.2.2.2.15 (d) says: *Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.* An OCP amendment would be required to permit suites in these areas. The Cedar Lane Water District, the Cedars of Tuam Water District, and the Maliview Sewer District have requested exclusion from pilot area options.

Rainwater Catchment:

Throughout the consultation process people suggested that the installation of rainwater catchment system should be required as condition of new suites. However, staff do not support imposing extra requirements that would put those wanting to provide suites as rental housing at an economic disadvantage – this could become an obstacle to affordability. Rainwater catchment is an obvious way to mitigate water shortages and if pursued in regulation should be required on all new construction, not only on new suites. This policy consideration should be discussed more broadly within the Land Use Bylaw review.

Transportation:

Single occupancy vehicle travel is the primary contributor to Green House Gas (GHG) emissions on Salt Spring Island. Allowing secondary suites all over the island will potentially contribute to an increase in traffic and vehicle use on the island. The Official Community Plan asks the Local Trust committee to *consider* limits on the numbers and location of secondary suites to minimize dependency on private automobiles. Pilot Area Option 1 permits suites only along the transit corridor which would give tenants the option of walking to the bus route.

However, previous staff reports have pointed out some flaws in the idea of concentrating potential pilot areas in locations dependent on existing transit service routes.

- Housing, workplaces, services and amenities are widely dispersed throughout the island – despite some concentration within Ganges – this makes it difficult for people to get to their destinations by means other than personal vehicle.
- Transit service is not frequent and is likely to be expanded or re-routed
- Walking environments are generally poor and unsafe since there are few off-road walking paths and street lighting is infrequent

It is well established that land use is linked to transportation behaviour and in many communities, especially in urban centres, it is logical to concentrate development along public transportation corridors linking neighbourhood nodes or centres; this approach to densification is known as “transportation orientated development” or TOD. It has many benefits for commercial vitalization along transit corridors and can create walkable commercial centres around transit terminals. Such an approach assumes an urban environment and in the context of rural Salt Spring, the benefit of commercialization along transit routes is not appropriate. Our villages are already zoned to allow duplexes so there is little benefit to permitting secondary suites only in the villages. As a geographically dispersed, rural community, Salt Spring faces many challenges in achieving a reduction in dependency on single occupancy vehicular travel; indeed, Salt Spring Island would benefit from a Transportation Demand Management Plan. Certainly permitting secondary suites across the island will not help the community come closer to the goal of reducing single occupancy vehicle travel. This factor should be considered against the other needs and objectives of the Official Community Plan that support permitting secondary suites on Salt Spring.

If the LTC does consider limiting the location and number of suites to minimize dependency on the private automobile and gives this some deliberation in a public meeting, it would be sufficient to address OCP requirement B.2.2.2.15(l).

Incremental Change:

OCP Policy B.2.2.2.15 (m) calls on the Salt Spring LTC to implement an incremental approach to the legalization of suites in order to monitor changes and limit the overall number of suites on the island.

According to the Canadian Oxford Dictionary (1988), an “increment” is:

1a The action or process of increasing or becoming greater, esp. gradually. **b** an increase or addition, esp. one of a series on a fixed scale. **c** the amount of this **2** *Math* a small amount by which a variable quantity increases.

The pilot area approach seeks to address the call for an incremental approach, with Option 2 and 3 being much less incremental than option 1. The degree of how incremental each approach is can be measured by considering the number of parcels being proposed to allow suites in each pilot area against the total number of eligible residential parcels, as can be seen in Table 1. Note that there are 831 parcels on Salt Spring Island that currently permit secondary suites or duplexes.³

Table 1:

	Number of parcels proposed ⁴	Total eligible residential parcels ⁵	Relative increase
Option 1	1,458	4554	32%
Option 2	3,147	4554	69%
Option 3	4,103	4554	90%

An OCP amendment may be required to pursue Option 2 and definitely would be required to pursue Option 3 at the outset. A truly incremental approach would be to consider the options as stages or steps and to legalize suites gradually, one step at a time.

Should the LTC not want to pursue a pilot area approach to legalizing secondary suites, it will need to either amend the OCP or develop another way permit suites “incrementally.” Some options that come to mind include:

- only permitting new suites as a first phase – once monitoring has occurred the LTC could consider permitting existing suites (with the condition of a building permit from CRD Building Inspection); or
- only permitting existing suites (with the condition of a building permit from CRD Building Inspection) and after a period of monitoring then considering permitting new suites.

*Note that staff have not recommended this approach because of the other policies in the OCP that speak to excluding the watersheds of community water districts and water sensitive areas.

Home owner Occupancy:

³ Lots in the R6, A2, A1 zones currently permit secondary suites or duplexes.

⁴ Does not include those parcels currently in zones that already permit secondary suites or duplexes. Also excludes Commercial, Industrial, Multi-family (R1, R2, R4, R11, CD1, CD2) Commercial Accommodation, and Community Facility zones as well as crown land and park land.

⁵ Eligible residential parcels includes the total number of residential parcels on Salt Spring Island that do not already allow suites or duplexes; ie excludes properties or portions of properties in the A1, A2, R6, as well as zones that allow multi-family housing (R1, R2, R4, R11, CD1, CD2), as well as Commercial, Industrial, Commercial Accommodation, and Community Facility zones, Crown land and park land.

OCP Policy B.2.2.2.15 (b) says that the owner should occupy either the principal dwelling or the suite. This condition should be considered carefully by the Local Trust Committee given Salt Spring Island's particular experience. Other communities have put provisions requiring home owner occupancy in place to provide neighbours with a sense of security, offering accountability from the owner. However, on Salt Spring Island, many houses are owned by non-residents and sit empty for most of the year. This contributes to some neighbourhoods feeling empty; if these houses had secondary suites there could be mutual benefit to the renter, the property owner, and the wider community. Fears of noisy or disruptive neighbours can be dealt with through other regulatory channels of enforcement; such nuisances are not necessarily determined by the form of tenure of a housing unit. The District of West Vancouver requires either home owner occupancy or for the owner to authorize a *property manager* in order to deal with complaints of neighbours. This approach may have merit on Salt Spring.

A study conducted by the Municipality of Oak Bay found that 9 communities of the 44 who responded to a survey and allowed secondary suites required owner occupancy. Two of the 9 acknowledged that the requirement cannot be legally imposed by a zoning bylaw or covenant. If the LTC would like to pursue requiring home owner occupation of the dwelling or suite, it is advised that a legal review be commissioned with regards to "people zoning."

Should the LTC not require the owner to occupy either the principal dwelling or suite (as is recommended by staff under "Staff Comments"), an OCP amendment would be required.

Bed and Breakfasts and Secondary Suites:

Consultation with the community has shown support for allowing secondary suites on the same property as bed and breakfast home based business.⁶ Concerns were voiced about resource use and the objection to suites being used as short term vacation rentals. Regulatory policy could continue to limit the suite from being used as a bed and breakfast and ensure its use as long-term rental housing, while allowing a bed and breakfast to be operated elsewhere on the property. The question of water use is a broader issue in terms of bed and breakfast regulations. We know that secondary suites will have to have the quality and quantity of water evaluated at the time of building permit application.

Seasonal Cottages and Secondary Suites:

A majority of survey respondents support allowing both uses on a property, especially given that seasonal cottages are only permitted on properties 1.2 ha (3 acres) or more⁷. Some cited privacy as a concern; it is expected that the minimum property size would mitigate this. This issue could use further thought and consideration but if water and septic is accounted for many people seem to be in support.

Home-based Businesses and Secondary Suites:

This was an open ended question in the survey. Survey respondents cited concerns with resource use, parking, intensity of activity on a property, and with noise issues. However, a number more people noted the mutual benefit this could create to both the tenant and the land-lord. If tenants were employed by the home based business there could be much efficiency realized in terms of the overall carbon footprint of the business (ie. no vehicle travel necessary). Some pointed out that it would allow the tenant to operate a home based business where they live.

Existing Suites:

⁶ Survey results for homeowners showed 61% in support, 29% opposed, 21% undecided; the survey of renters showed 76.7% in support, 14.9 % opposed and 12.2% undecided.

⁷ Survey results for homeowners showed 68.4% in support, 28% opposed, 14.5% undecided; the survey of renters showed 81% in support, 6.8% opposed and 12.2% undecided.

Throughout the summer of 2011, a map was presented for people to identify the location of existing secondary suites on the island. This map is inevitably incomplete, but is indicative of a general pattern that is at odds with the land use planning objectives of the Official Community Plan. The fact that a significant number of dwelling units already exist on the island presents a number of challenges for implementation of a program to legalize them with respect to zoning and building code requirements.

Some people have advised that existing suites should be permitted by amendments the Land Use Bylaw to legalize suites. This option would likely cause concerns about offering a benefit to those who have not been observing the land use regulations, however although the question was not asked, the survey results did not reveal this to be an oft cited issue. There are many advantages to legalizing the existing suites:

- Ensure dwelling units meet building code safety requirements
- Have better data for future planning and forecasting of water demand; more accurate population data is also beneficial with respect to receiving federal and provincial grants and funding based on population
- Ensure that on-site wastewater disposal systems are properly designed for site development.
- Avoid the unintended consequence of mass evictions as a result of permitting secondary suites.
- Acknowledge/legitimize the existing rental stock that is currently providing housing for many people
- Offer tenants the opportunity for regulatory support in ensuring their landlord is providing safe and adequate housing.

Implementation:

- Implementation of policies to permit secondary suites will necessarily have to be rolled out in partnership with the Capital Regional District Building Inspection Office, as it is that office that is responsible for administering the building permit process under the BC Building Code.
- Islands Trust staff are working with CRD staff to agree on implementation measures. Measures for discussion include:
 - Allowing a grace period for home owners with existing suites to bring their suites into compliance with the building code.
 - Offering a basic standard of health and safety for approval of existing secondary suites without requiring people to have to meet the full extent of the building code wherever possible (the building code already has more relaxed provisions for existing suites).
 - Providing incentives in the way of grants, rebates, and/or discounts to encourage homeowners to bring their suites into compliance.
 - Incorporating the social objective of meeting housing needs into the rationale behind implementation measures, while balancing the need to ensure the environmental impact of suites is reduced as much as possible in the permitting process (at the building permit level this means water consumption and septic disposal and perhaps the use of recycled materials).
 - Providing information to community members on the costs of different kinds of upgrades, opportunities for savings, tax implications of providing rental housing, the Residential Tenancy Act, and becoming a "landlord."
- The Official Community Plan has provisions that recommend monitoring changes and considering an annual registration system in order to remain informed about the number and location of occupied suites. A registry could be recorded by the Islands trust (or a partnering agency) with an agreed upon referral process by the CRD. A process could be established to monitor a number of factors including:

- Uptake of units
 - Rental rates
 - Potable water usage
 - Costs to upgrade existing units and to construct new ones
- Bylaw enforcement – Enforcement of the illegal use of suites for short-term vacation rentals will ensure that the units are used as intended in the LUB and help moderate rental rates.

STAFF COMMENTS:

In general, staff have found there to be broad support from the community for permitting secondary suites on Salt Spring Island. Many people have appreciated being involved and considered in the process and have urged the Islands Trust to move forward with the legalization of secondary suites.

Some people have articulated the importance of not segregating the island with a geographically limited legalization scheme. Consultation with realtors revealed the concern that restrictions defined in the more limited pilot areas will have unknown impacts on the economic landscape of the housing market, and may invite the perception of some neighbourhoods being of lesser value because of a concentration of rental units.

The long-term rental of secondary suites for residential purposes is the main source of long-term rental housing on the island. These dwelling units are currently located throughout the island and there is a strong likelihood that some will be located outside of any pilot area proposed.

In July 2011, a majority of the members of the Advisory Planning Commission voted informally to support secondary suites all over the island; some members were concerned that limiting legal suites to certain areas would create division and conflict in the community by conferring a benefit to some and not to others. Survey comments showed that a number of people are concerned about the impacts on suites that already exist outside of the pilot areas. People fear the tenants of those suites could be evicted if the pilot areas were enforced; and that those with “legal” suites within the pilot areas would have incentive to complain about the rest. Lack of enforcement of suites located outside of the pilot areas may reduce incentives for property owners within the legal areas to apply for building permits to upgrade their suites to meet minimum life safety standards and building code requirements. On the other hand, enforcement against the illegal use of suites would be difficult for renters and exacerbate the lack of available rental housing on the island. It is advised that in whatever approach the LTC decides to take, it also adopts an enforcement strategy in the implementation stage.

OCP Compliance:

Some policies in the Salt Spring Island Official Community Plan require the LTC to consider certain issues while others are more prescriptive, requiring that the LTC take action in some way. Table 1 below summarizes the options and recommended approaches to permitting secondary suites on Salt Spring and cross references these with the policy direction of OCP Policy B.2.2.2.15. It incorporates the Pilot Area Options (1-3) and includes recommendations made in previous staff reports.

Recommendation 1(R1): Permit Existing Suites

In previous staff reports it has been recommended to “grandfather”⁸ existing suites; suites that exist at the time of bylaw adoption would be permitted by zoning but would require a building permit to be fully legalized. There would be a grace period for people to register their suites as in existence at time of bylaw adoption. Other communities have also taken this approach.

Recommendation 2 (R2): Regulatory Requirements for Secondary Suites

Staff have recommended that bylaw drafting incorporate the following provisions:

- Definition: *Secondary Suites* - means an additional self-contained dwelling unit, having a separate entrance and containing kitchen and bathroom facilities, located within a residential building that contains only one other dwelling unit and is smaller than the primary residential unit.
- Must be accessory to the principal use of a single detached dwelling unit.
- The owner occupies either the principal dwelling *or the suite or has authorized a property manager to act on the owner’s behalf.*
- Use for short term vacation rentals prohibited.
- Maximum of one suite per principal dwelling.
- Must be contained within the walls of the principal dwelling unit
- Separate access/egress
- Maximum floor area: a maximum of 40 % of the floor area of the principal dwelling unit to a maximum of 90 m2 whichever is the lesser
- One on-site parking space must be provided for the occupant(s) of the secondary suite.

Table 1 below cross references the three options and two recommendations with Section B.2.2.2.15 of Official Community Plan Bylaw 434.⁹

TABLE 1:

<i>OCP B.2.2.2.15: Any Initiative to Allow Suites Should Address the Following Criteria:</i>	<i>Consistent with:</i>	<i>Complies?</i>
a) A maximum of one suite is allowed per dwelling.	R2	✓
b) The owner occupies either the principal dwelling or the suite.	R2	No
c) Suites should only be allowed in areas with an adequate supply of potable water.	O1,O2,O3	✓
d) Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.	O1,O2,O3	✓
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.	There is now Sensitive Ecosystem mapping of Salt Spring Island but this has yet to be implemented through a Development Permit Area; DPA 6 (Steep Slopes and High Soil Erosion Hazard) will need to be amended to meet this policy. Note that there is not yet direction or a description of new DP6 guidelines for suites.	On-going

⁸ Note that while widely used, this is not the correct terminology because to “legalize” existing suites would be to permit them outright without the need for “grandfathering” (“grandfathering” is provisioned for under Section 911 of the Local Government Act and known as “legal non-conforming” – this would not be necessary if suites were permitted in the zoning bylaw).

⁹ Note that bylaw amendments that are not consistent with OCP policies require an OCP amendment.

f) The use of suites will not be for short-term rental, in accordance with the Land Use Bylaw.	R2	✓
g) Regulations should limit suites to 40% of the floor area of the principal dwelling and no more than 90 m ² of floor area.	R2	✓
h) Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.	R2	✓
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.	Has been considered; not advised	✓
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.	N/A	
k) The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.	On-going	✓
l) The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles.	O1	✓
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.	O1	Depends on which option is pursued.
n) The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied suites.	On-going discussion with CRD Building Inspection.	✓

Conclusions:

Throughout many years of studies and community consultation, legalization of suites is the most frequently suggested action to increase the supply of affordable housing stock in the community. This approach to permitting secondary suites meets the objectives of the OCP, is grounded in an understanding of the social need in the community, and is designed to take responsibility for the protection of Salt Spring Island's water resources.

Attached in Appendix 1 is a scope of work for bylaw amendments that was presented to the Local Trust Committee on November 3, 2011.

This report has been presented for the information of the Local Trust Committee. It is the intention of staff to return to this report at the February LTC meeting so the Local Trust Committee may give direction to staff on how to proceed. There are perhaps three feasible directions for the LTC to consider:

- 1) Direct staff to draft a bylaw that permits secondary suites based on one of the pilot areas and on the two recommendations presented in this staff report (dated December 19, 2011).
- 2) Direct staff to schedule a special meeting of the Local Trust Committee so the LTC can workshop next steps with the community at large.
- 3) Direct staff to defer further work on this project until the LTC has set work program priorities for the term.

Respectfully submitted by:

Justine Starke
Island Planner, Salt Spring Island

December 19, 2011

Concurred by:

Leah Hartley
Regional Planning Manager, Salt Spring Island

December 19, 2011

Appendices

Appendix 1: Work Program and Project Schedule

Appendix 2: Map of Pilot Area Option 1

Appendix 3: Map of Pilot Area Option 2

Appendix 4: Map of Pilot Area Option 3

APPENDIX 1: WORK PROGRAM AND PROJECT SCHEDULE

	Work Program:	Targeted Completion Date:
1.	Review IT Policy Statement and SSI OCP for policy direction	November 2011
2.	Preliminary consultation with Executive Committee of IT	November 2011
3.	Refine pilot area maps	November 2011
4.	LTC to give direction for bylaw drafting	February 2012 LTC meeting
5.	Prepare bylaw amendment for first reading	February-March 2012
6.	Draft bylaw to receive legal review	March 2012
7.	LTC to consider first reading of draft bylaw	April 2012 LTC meeting
8.	Proposed bylaw referred to advisory committees for discussion	April 2012
9.	Circulate proposed bylaw to agencies and interest groups and make available to the community	April 2012
10.	Consultation with CRD Building Inspection on proposed bylaw	April 2012
11.	Review and comment by Islands Trust Bylaw Enforcement	April 2012
	Bylaw to go to Community Information Meetings	May 2012
12.	Staff to draft amendments to bylaw as may be required based on feedback received	May 2012
13.	Bylaw given second reading	June 2012 LTC meeting
14.	Direction to schedule Public Hearing	June 2012 LTC meeting
15.	Hold Public Hearing	June 2012
16.	Third Reading	July 2012 LTC meeting
17.	Approval by Executive Committee of Islands Trust	July 2012
18.	To Minister (if OCP amendment is required)	July – September 2012
19.	Adoption	September or October 2012 LTC meeting

Option 1 - Limited Pilot Area for Secondary Suites

For Discussion Purposes

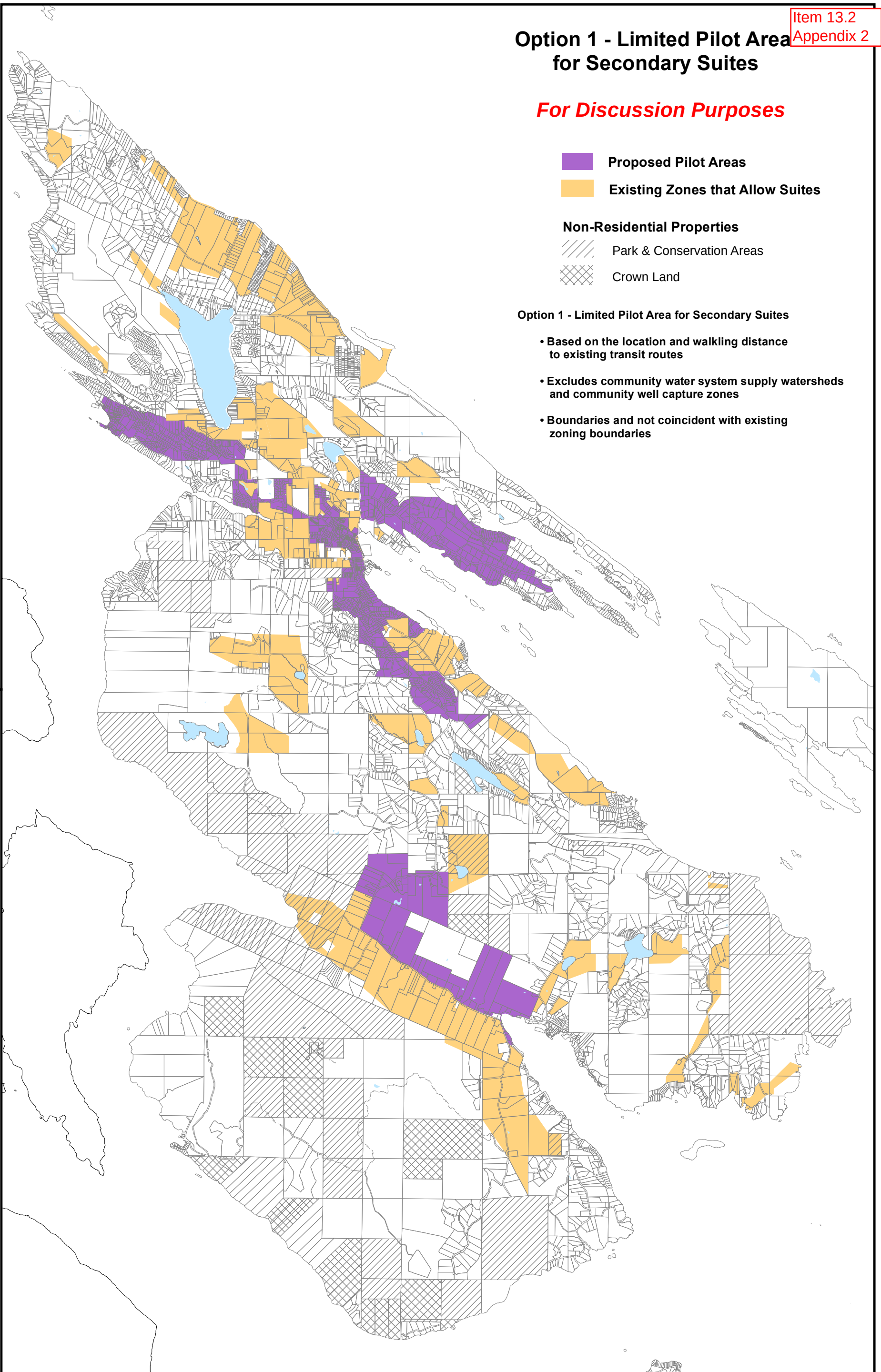
-  Proposed Pilot Areas
-  Existing Zones that Allow Suites

Non-Residential Properties

-  Park & Conservation Areas
-  Crown Land

Option 1 - Limited Pilot Area for Secondary Suites

- Based on the location and walking distance to existing transit routes
- Excludes community water system supply watersheds and community well capture zones
- Boundaries are not coincident with existing zoning boundaries



Option 2 - Expanded Pilot Area
for Secondary Suites

For Discussion Purposes

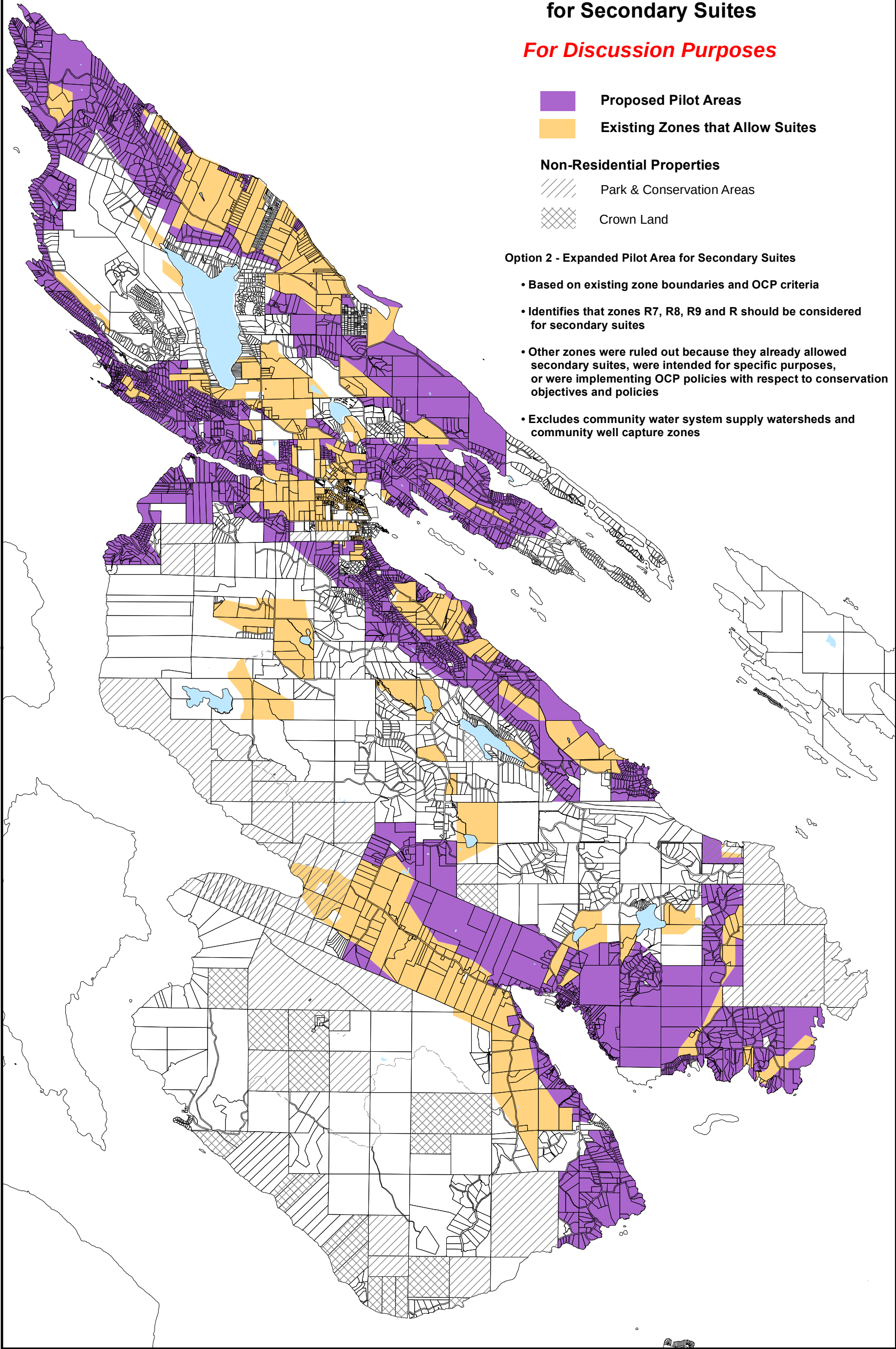
- Proposed Pilot Areas
- Existing Zones that Allow Suites

Non-Residential Properties

- Park & Conservation Areas
- Crown Land

Option 2 - Expanded Pilot Area for Secondary Suites

- Based on existing zone boundaries and OCP criteria
- Identifies that zones R7, R8, R9 and R should be considered for secondary suites
- Other zones were ruled out because they already allowed secondary suites, were intended for specific purposes, or were implementing OCP policies with respect to conservation objectives and policies
- Excludes community water system supply watersheds and community well capture zones



Option 3

Excludes Commercial, Industrial,
Commercial Accommodation
Multi-family and Community Facility zones

Excludes non-residential properties

Excludes properties or portions of properites within
Community Water System Supply Watersheds &
Community Well Capture Zones

Excludes:
The Maliview sewer service area
The Cedar Lane Water District
The Cedars of Tuam Water District

Option 3 - Salt Spring Island Pilot Area
for Secondary Suites
For Discussion Purposes

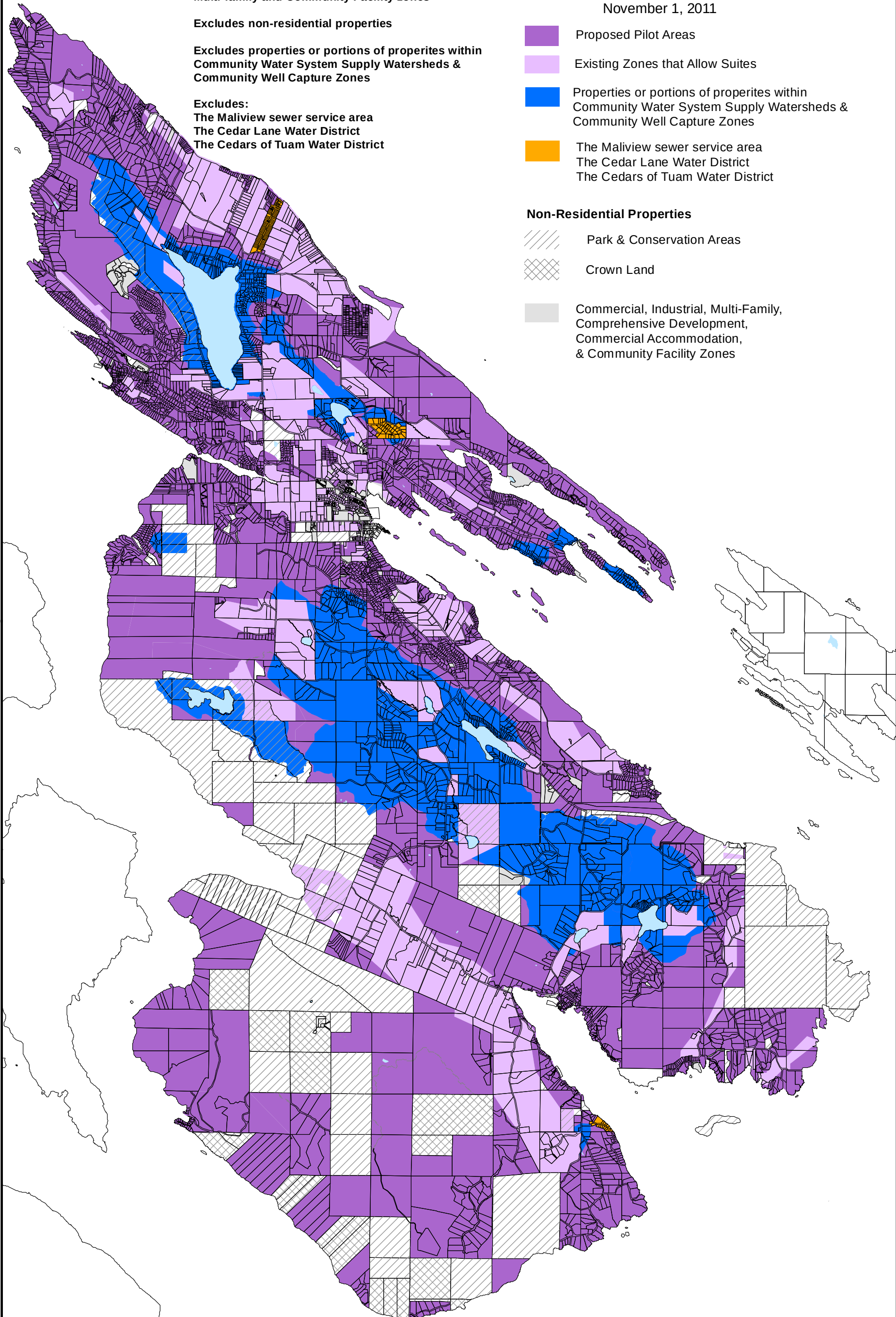
November 1, 2011

Item 13.2
Appendix 4

- Proposed Pilot Areas
- Existing Zones that Allow Suites
- Properties or portions of properites within
Community Water System Supply Watersheds &
Community Well Capture Zones
- The Maliview sewer service area
The Cedar Lane Water District
The Cedars of Tuam Water District

Non-Residential Properties

- Park & Conservation Areas
- Crown Land
- Commercial, Industrial, Multi-Family,
Comprehensive Development,
Commercial Accommodation,
& Community Facility Zones





Staff Report

December 20, 2011

File No.: SS 6500-01

To: Salt Spring Island Local Trust Committee
For meeting of January 5, 2012

From: Leah Hartley
Regional Planning Manager
Salt Spring Team

Re: Work Program Quarterly Update

THE PROPOSAL:

This report provides information on the status of the Salt Spring Island community planning work program as background for new work program priorities to be advanced by the Local Trust Committee. The report is provided for information at the January LTC meeting with anticipation of decisions on the top five priorities and a three year work program to be made at the February LTC meeting.

LTC WORK PROGRAM:

At start of its current term of office, the LTC sets priorities for a three year work program. As a general practice, it is advised that an LTC focus on three to five priorities at one time so that momentum is retained. The LTC work program also includes a "Long List" of work that deserves attention. The long list is ideally tailored to a three year term of office.

Staff focuses current work efforts on top priorities, while developing strategies and partnerships to address the longer list. As soon as work items in the top priorities are completed, new priorities from the long list can be advanced. Work may also commence on the long list when resources are available and/or when there is opportunity to partner with community groups.

The Salt Spring Region work program has its foundation in the Official Community Plan (OCP), in the Trust Council Strategic Plan (updated September 2011), in initiatives brought forward by the community, and in response to new provincial or federal land use regulations and policies. The work program of each Local Trust Committee (LTC) and each Planning Services Region is balanced with the resources of staffing and budget allocations (Summary page in Appendix 1).

Tracking of the full work program is typically summarized in a Salt Spring Region "Gantt Chart" The work program at end of the last term of office (dated September 2011) is shown in Appendix 2. The Gantt Chart is a tool to track work program items, reflecting the anticipated timing, duration and scale of resources needed to support individual initiatives.

A text description of current work plan priorities and the “longer list” of LTC and other initiatives is further detailed in Appendix 3. Once the LTC sets new priorities, the Gantt chart is amended, as is the Islands Trust centralized report of top priorities and “long list” work plans. The centralized report is used to balance staff and financial resources between the three regional planning offices of Islands Trust.

CURRENT WORK (Top Priorities):

Pursuant to the LTC direction in February, the following three projects may remain as LTC top priorities:

1. OCP Review – DP 4/RAR

The intent has been to incorporate Riparian Area Regulations with Development Permit Area 4 (Lakes, Streams, Wetlands). This work implements policies of the 2008 Official Community Plan, is required by provincial legislation and reflects a top priority of Trust Council's Strategic Plan. A separate staff report presents recommendations for next steps in this ongoing priority work.

2. Land Use Bylaw Update – Secondary Suites

Ongoing community consultation identifies secondary suites as one mechanism to address affordable housing on Salt Spring Island. The work was initiated pursuant to the 2008 Official Community Plan, recommendations of the 2009 Housing Needs Assessment, the 2010 Community Affordable Housing Strategy and community information meetings hosted by Islands Trust planners in 2010 and 2011. A separate staff report presents recommendations for next steps in developing a bylaw to permit secondary suites under certain circumstances.

3. Ganges Harbour Management Plan

Upon completion of other priority work program items, staff resources are anticipated to be directed to the coordination of partnerships and resource allocations so that the Ganges Harbour Management Plan, followed by Storm Drainage and Village Area Plans may be initiated. This work remains as a top priority.

Recently completed priorities include:

4. Land Use Bylaw Update – Industrial / Agriculture Provisions

A priority focus of the LTC was to complete Bylaw 448 implementing regulatory changes originating from the 2008 Area Farm Plan and the 2009 Industrial Task Force Recommendations. Bylaw 448 was adopted in September 2011. Staff is currently updating general planning guides and brochures to reflect the new provisions relating to agricultural industrial uses and home based businesses.

This work may be considered complete in the LTC work program.

5. Bylaw Adjudication

The bylaw notice and adjudication system is a cost effective system for dealing with bylaw violations without incurring legal costs. Bylaw 446 was adopted by LTC at its October 2011 meeting and staff is currently undertaking the administrative steps needed to support implementation throughout the Gulf Islands. This work may be considered complete in the LTC work program.

POTENTIAL UPCOMING PRIORITIES:

From the long list, the upcoming priorities as identified in the last term of office include:

- LUB Review – further Industrial Task Force recommendations and Housing for Farm Workers
- OCP Review Phase 2 – inclusive of DP Area 3(Shoreline) Review, Sensitive Ecosystem management, Watershed Management, and Hazard Lands.
- OCP Update to implement housing policies, heritage, village planning, raptor nest management, climate change adaptation.
- Bill 27 – Piers Island OCP Update.
- Development Approval Information Bylaw
- CRD /LTC On-going Agreements and Coordination
- Community Engagement Pilot.

ADDITIONS TO WORK PROGRAM – NON LTC ITEMS

As seen in the Strategic Plan, Trust Council may bring forward several initiatives in the coming term. These have yet to be elaborated on but include the following items which may coordinate well with the full work program:

- Regional Conservation Plan integration into LPS procedures (Dec 2010)
- Exploring Food Security in the Islands Trust Area (March, 2011)
- Integrated Shoreline mapping (August 2011)

Staff and agencies have also approached the Salt Spring team to support current community initiatives through revision of bylaws or procedures, or dedication of resources as follows:

- Community Energy and Emissions Inventory Update (Oct 2011 release)
- EAC Terms of Reference and Advisory Committee Review (Sept 2011 and earlier)
- Chamber of Commerce (Tourism and Small Business, Trust Council Sept 2011)
- Capital Regional District, OCP update to incorporate revised Parks and Recreation Master Plan (June 2011)
- Ministry of Transportation, update of MOU to coordinate with Salt Spring Island Transportation Commission (February 2011)
- Capital Regional District Transportation Commission, Advisory Design Panel participation in sidewalk standards (February 2011)
- Ministry of Community Services – Revisions to the Soil Removal and Deposit Bylaw (March 2010)
- Capital Regional District, Upper Ganges Transportation Plan (2010)

COMMUNITY ENGAGEMENT PILOT

In its budget allocations for 2011, Trust Council supported a community engagement pilot program on Salt Spring Island. The budget for this pilot is \$15,000. The proposal originated from several perspectives, including interest in enhanced communication resources situated in the Salt Spring region, and in improving methods of community engagement around LTC business and policy deliberations.

Trust Council's Strategic Plan includes Objective 3.3 *"To cultivate community engagement and participation in land use planning"*. It supports continued efforts in the current fiscal year to consider new tools and strategies. There is a general notion that when new techniques are successful on Salt Spring Island, they provide a good template for other Local Trust Areas.

Before attempting to focus on key issues or to set priorities for a new term of office, the LTC may favour an approach that engages citizen input into its top priorities through a community workshop to be held in February or March of 2012.

CONCLUSION:

This report is provided for information. It is recommended that the LTC receive this report and prepare to make initial workprogram decisions at the February meeting.

Prepared and Submitted by:

Leah Hartley

December 20, 2011

APPENDIX 1

Summary outline for Salt Spring Region Three-year Work plan Draft December 2011 to November 2014

Purpose:

The purpose of the three-year term plan is to ensure resources and budgets are coordinated to support the work programs of the Local Trust Committees and Trust Council. This report is part of a compilation for December 2011 Trust Council.

Updating:

The plan will be updated as changes in resources, budgets or priorities change.

Resources:

The resources supporting Local Planning Services, Salt Spring Region are listed below (FTE):

	Local Planning Services	Salt Spring Office
Director	1	
Reg. Plan Mngr	-	1
Coordinator	1 (GIS), 1 (Bylaw)	-
Island Planner	-	1
Planner 2	-	1
Planner 1	-	2
Bylaw Officer	1.6	-
GIS Tech	1	-
Clerk	-	0.8 ¹
Secretary	0.6	1
Office Admin	-	1
Totals	5.6	7.8

Resources Allocation:

Generally, community planning work is assigned to the Island Planner and Planner 2. Development applications are generally overseen by Planner 1s with support from the senior planners and Regional Planning Manager. LTC meetings are supported by the Planning Secretary; office operations are supported by the Administrative Support. The Planning Clerk oversees legislative requirements relating to applications and Freedom of Information provisions. Budget, staffing and external coordination is supported by the Planning Manager.

¹ Planning Clerk increase to 1.0 FTE in February 2012.

Salt Spring LTC work program:

2011/12 Proposal: Complete priority work currently underway to end of fiscal year. Set goals and priorities for remainder of term. With Trust Council, consider budget for 2012/13 fiscal year.

2012/13 To be determined.

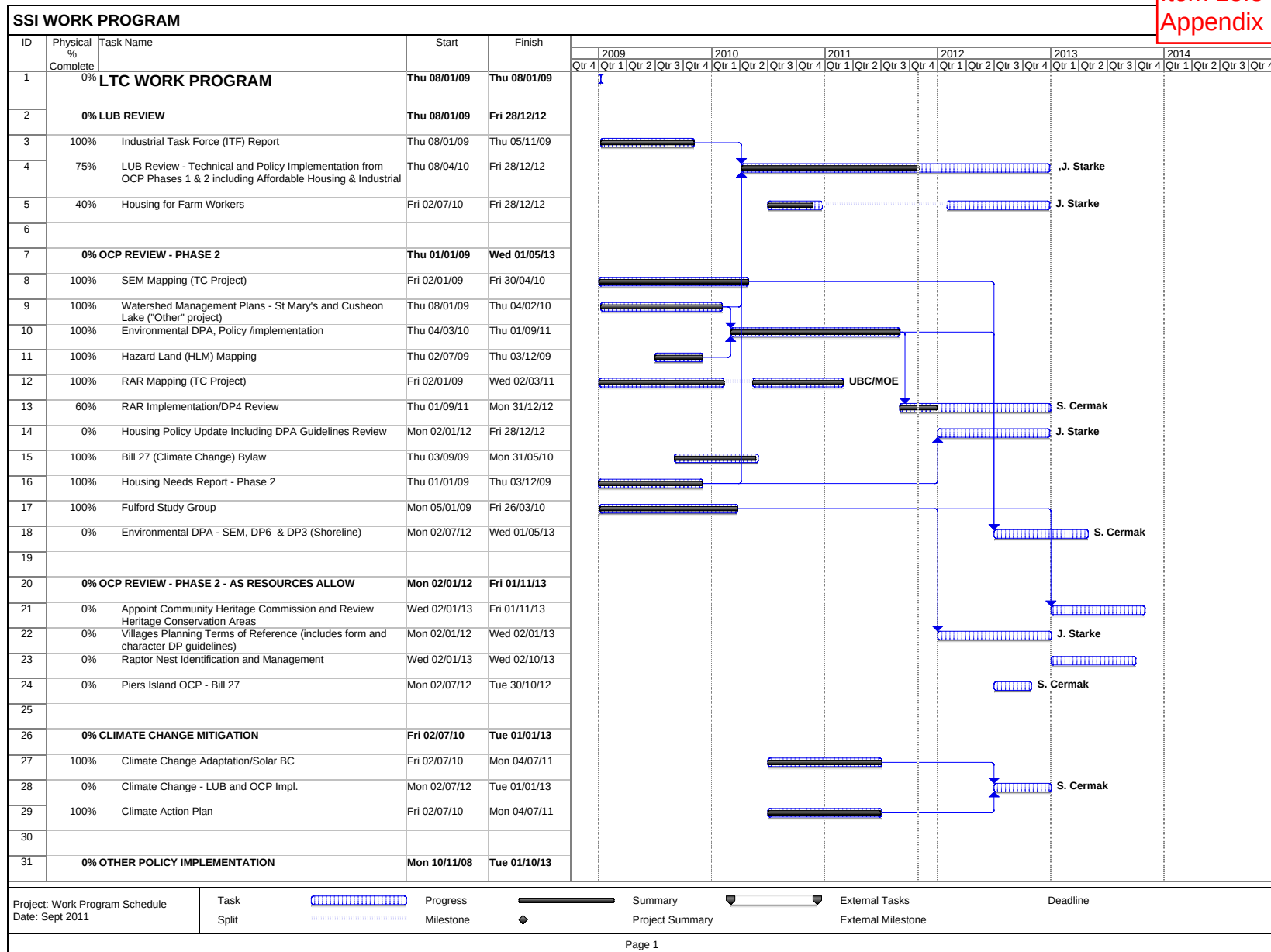
2013/14 To be determined.

LTC Current Top Priorities:

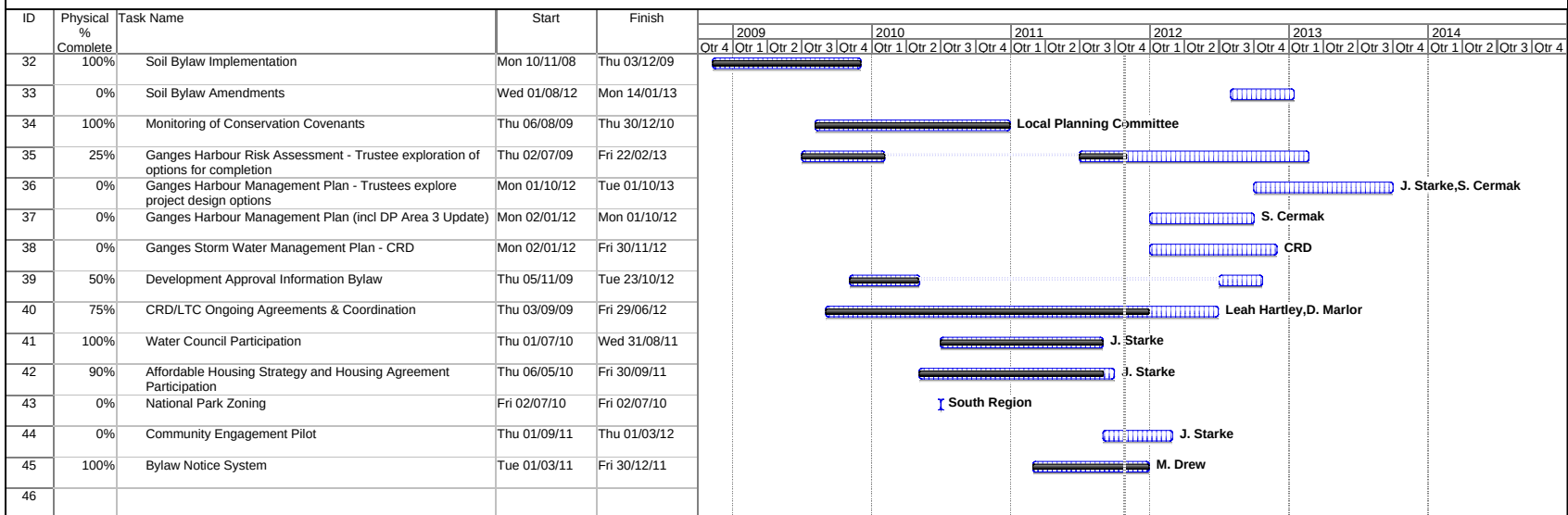
Work Program	OCP References	Strategic Plan References	Other Notes
OCP review - DP Area 4/RAR	A.5.2.8 & 9	1.1.1.4	
Land Use Bylaw Update – Secondary Suites	B.2.2.2.15	3.2.2.1	
Ganges Harbour Management Plan	B.5.2.2.7 C.2.4		

2012/13 Budget Requests:

Work Program	OCP References	Strategic Plan References	Other Notes
OCP Implementation - Village Area Planning	B 2.3.2.3 A8, B5, C2, C3, C4		Specialist services and CRD participation
OCP Implementation – Environmental DPs	A5 B8, B9	2.3.2.2.	
OCP Implementation- Affordable Housing	B.2.2	3.1.1.2	
OCP Implementation – Climate Change Adaptation and Mitigation	A6	3.2.2.1	
RAR watercourse mapping	A.5.2.8	1.1.1.4	
OCP Piers Island (Bill 27 and Updates)	Bylaw 51 adopted 1981	1.3.4.3	
LUB Updates – Industrial, climate action and technical updates	multiple		Web friendly format
Communications – Part time contract		4.3.3	



SSI WORK PROGRAM



Project: Work Program Schedule
Date: Sept 2011

Task
Split



Progress
Milestone

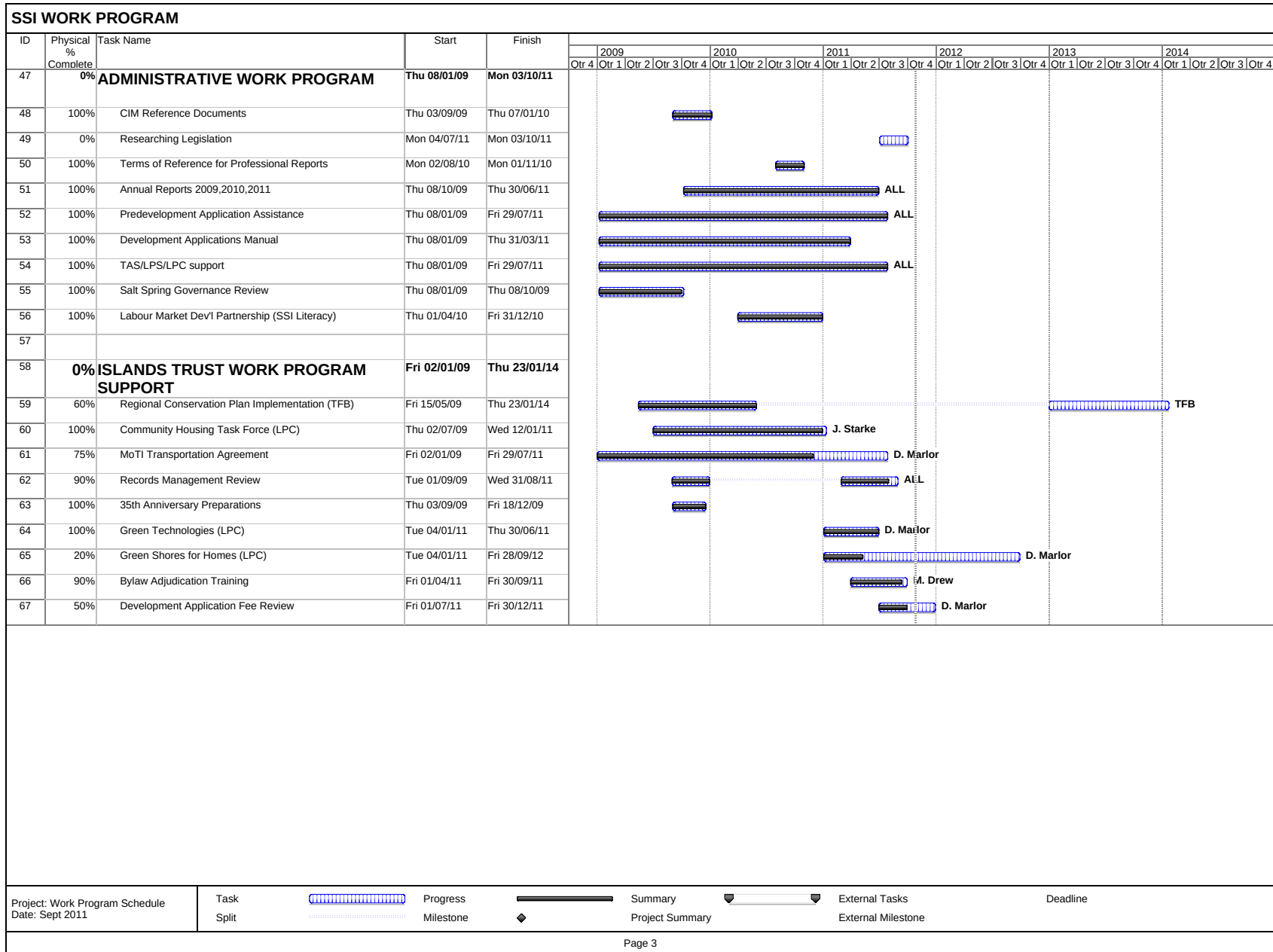


Summary
Project Summary



External Tasks
External Milestone

Deadline



SALT SPRING ISLAND LOCAL TRUST COMMITTEE ORIENTATION

POLICY WORK STATUS & SUMMARY

DECEMBER 2011

Item 13.3
Appendix 3

LTC WORK PROGRAM TOP 5 PRIORITIES							
Project	Description	Partnerships	Deliverable	Recent Background	Upcoming Decisions	Direction	2012/2013 Budget Proposal
1. OCP Review: DPA 4/RAR	The intent has been to incorporate Riparian Area Regulations (RAR) with Development Permit Area 4 (Lakes, Streams, Wetlands). This work implements policies of the 2008 Official Community Plan (OCP), is required by provincial legislation and reflects a top priority of Trust Council's Strategic Plan.	Ministry of Forestry, Lands and Natural Resource Operations, Advisory groups,	Incorporation of RAR into local bylaws. Stream mapping for St. Mary's Lake and Cusheon Lake.	Proposed Bylaw 449, which included a new map and text for incorporating RAR into DPA4, stalled at the Public Hearing stage in July 2011. A new work program and list of stream mapping options was presented to October 2011 LTC. LTC directed funds for stream mapping in St. Mary's Lake and Cusheon Lakes Watershed.	Consider RAR implementation as a top LTC work program priority. Consider mapping options with assistance from results of current stream mapping. Consider public engagement strategies. Consider RAR implementation strategy.	Provincial Requirement: Riparian Areas Regulation; Trust Council Strategic Plan 1.1 OCP Policy A.5.2.8	\$45 000 for mapping Share of \$14 000
2. LUB Update: Secondary Suites	Ongoing community consultation identifies secondary suites as one mechanism to address affordable housing on Salt Spring Island. The work was initiated pursuant to the 2008 Official Community Plan, recommendations of the 2009 Housing Needs Assessment, the 2010 Community Affordable Housing Strategy and community information meetings hosted by Islands Trust planners in 2010 and 2011.	CRD Building Inspection, CRD Environmental Services, Salt Spring Island Water Districts and sewer districts, Islands Trust Bylaw Enforcement	Land Use Bylaw 355 amendments to permit secondary suites	• November 2010 Open House to get initial community input • February 2011 Public Forum with housing experts • Research and analysis provided in various staff reports • Pilot Area options presented for consideration • Broad community outreach and consultation over summer and fall 2011.	• Direct staff to draft a bylaw amendment that reflects the LTC's decision on options presented. • Consider impacts on water consumption • Consider implementation options	OCP Policy B.2.2.2.15	Potential Budget carryover from 2011/2012?
3. Ganges Harbour Management Plan	Involves the coordination of partnerships and resource allocations so that the Ganges Harbour Management Plan, followed by Storm Drainage and Village Area Plans may be initiated.	DFO: Coast Guard, Fisheries, Small Craft Harbours; First Nations, Transport Canada, Environment Canada; FLNRO; MOE; CRD: Harbours and Watershed, PARC, Liquid Waste Management; Emergency Management Commission; Harbour Business' (especially Sea Planes and Marinas); Ganges Harbour Authority; Various Organizations	Risk Assessment, Ganges Harbour Management Plan	Nov. 2011 - Stakeholders meeting; Risks Assessment Study being conducted	Consider GHMP as a top LTC work program priority.	OCP Policy B.5.2.2.7	
4.							
5.							

LTC TOP PRIORITIES LONG LIST							
Project	Description	Partnerships	Deliverable	Recent Background	Upcoming Decisions		
6. OCP Review Phase 2: watershed management	Watershed management is a key priority to ensuring sustainable growth on Salt Spring Island and implementing the SSI OCP.	CRD; Ministry of Environment; Water Districts; Salt Spring Water Council; Water preservation society; watershed management steering committees.	Watershed protection and mitigation of development impacts using tools in Part 26 of the LGA; Develop objective criteria to evaluate development proposals and policy change within the context of adequate water supply reserves on SSI.	The SSI OCP and Trust Policy Statement recommend against increasing the density and intensity of land use in areas known to have concerns with the supply of potable water. Water is recognized by the SSI OCP as a limit to growth and there are a number of policies that speak to protecting Salt Spring's drinking watersheds. The Cusheon Lake and St. Mary Lake Watershed Management Plans have a number of recommendations for LUB and OCP amendments that will help ensure the sufficient supplies of potable water.	Consider watershed management as a top LTC work program priority.	OCP Policies B.5.3.2.17; B.8.1.1; B.8.1.2.8; Policies under C.3; Trust Council Strategic Plan 2.1	Share of \$14 000
7. LUB Update: Affordable Housing	Affordable housing has been a top priority of the LTC since the 2008 OCP was adopted. The OCP has a breadth of objectives and policies to pursue affordable housing. Work in this area is iterative, the community is now well placed with a housing needs assessment and community affordable housing strategy to finally take action with the drafting of bylaw amendments.	Capital Regional District Housing Authority; Salt Spring Island Housing Council (Housing Society); Vancouver Island Health Authority; Local housing providers.	- Land Use Bylaw 355 amendments to enable affordable housing - Coordination with the SSI Housing Council to administer and deliver a coordinated approach to offering affordable housing options to the community	- February 2010: staff directed to make recommendations for amendments to Land Use Bylaw No. 355 that will enable the creation of affordable housing on Salt Spring Island. - Spring 2011: The Salt Spring Island Community Affordable Housing Strategy (CAHS) released. - Summer 2011: Community Housing Council (Society) created, implementing a major objective of the CAHS report.	- Direct staff to continue work on policy amendments to enable affordable housing through the Land Use Bylaw - Continue to support collective efforts with CRD to coordinate affordable housing across different sectors.	OCP Policies under B.2.2; Trust Council Strategic Plan 3.1.1.2	\$5000 to implement the Community Affordable Housing Strategy
8. LUB Update: Farm Workers Housing	Housing for farm workers has been identified as an important need by the farming community.	Agricultural Alliance, Agricultural Advisory Committee, Farmer's Institute, Agricultural Land Commission staff, Ministry of Agriculture staff.	LUB and OCP Amendments; local authority for approval versus ALC referrals.	Preliminary background work was presented for LTC consideration in January 2010; Collaboration with partners is key to moving forward.	Consider if amendments to the Land Use Bylaw to accommodate farm worker housing are LTC work program priority.	OCP Policy B.6.2.2.7; Trust Council Strategic Plan 3.1.1/3.1.2	
9. LUB Update: Technical Amendments	The current Land Use Bylaw was adopted in June, 2001 and since that time there have been legislative amendments, new legal precedents and changes in terminology that influence the interpretation of the bylaw. Use of the bylaw since its adoption has allowed for identification of areas where further certainty or clarity of meaning of regulations can be established. Reformatting – Pending completion	CRD Building Inspection, the design and development community who use the bylaw regularly.	Amendment(s) to LUB 355 or a new Land Use Bylaw for Salt Spring Island	There has been some work done by staff on this project. It is a resource intensive job requiring dedicated time allocation.	Consider updating the LUB in the LTC work program.	OCP Policy D.5.3	

	of housekeeping amendments, a new LUB could be drafted that is a reformat using model LUB templates. There are OCP policies that are not currently incorporated into the LUB, these are addressed in this table as individual policy items.						
10. OCP Review Phase 2: DPA3 (Shoreline) review	Three recent mapping products: Integrated Watershed and Shoreline Mapping project: shows sediment and energy transfer as well as shoreline type; Min Environment flood mapping (2011) Eelgrass mapping update (?)	Archipelago Marine Research Ltd.; Murdoch de Greef Inc.; Water Land Consulting Ltd.; coastal and Ocean Resources Inc.; UBC School of Architecture and Landscape Architecture; Trust Wide Project (except Gambier Island)	Integrated Watershed and Shoreline Maps showing Vulnerability and/or Values which in turn can be used to inform local bylaws	Shoreline Workshop (staff and UBC) to discuss proposed product refinements – April 26, 2011; Prototype maps developed for Thetis Island SSI specific data: update waiting for UBC.	Consider implementation of DPA3 amendments as a top LTC work program priority.	OCP Policies under B.9; Trust Council Strategic Plan2.3	Share of \$14 000
11. Community Engagement Pilot	In its budget allocations for 2011, Trust Council supported a community engagement pilot program on Salt Spring Island. The budget for this pilot is \$15,000. The proposal originated from several perspectives, including interest in enhanced communication resources situated in the Salt Spring region, and in improving methods of community engagement around LTC business and policy deliberations.			• In summer of 2011, the LTC improved engagement and communications on Secondary Suites and the Riparian Area Regulations. • In August 2011, Executive Committee released a set of Guidelines for Local Trust Committee Communication Strategies. • The Local Planning Services staff development day in September 2011 also provided focus on emerging communication tools and strategies.	Consider a community engagement proposal investigating opportunities to approach Salt Spring community engagement in an innovative manner, testing new techniques and evaluating outcomes before changing existing procedures.	OCP Policy A.4.4.2; A.4.4.5; A.4.4.8 Trust Council Strategic Plan 3.3;	
12. LUB Update: Remaining Industrial Task Force Recommendations	There are a number of outstanding recommendations from the 2009 Industrial Task Force.	Capital Regional District, various Provincial ministries where applicable (for example the Ministry of Energy, Mines, and Petroleum Resources or the Ministry of Environment), the general community with an interest in industrial land, Agricultural Alliance, Agricultural Land Commission staff regarding potential industrial land in the ALR.	LUB and OCP Amendments; ALC delegation authority; information materials for general public (see January 2010 staff report for more background).	Bylaw 448 was recently adopted, amending Bylaw 355 to implement various recommendations coming from the Industrial Task Force.	Consider if amendments to the Land Use Bylaw and OCP are LTC work program priority.	OCP Policies under B.3.3	
13. OCP Review Phase 2: hazard lands	Development Permit Area 6 (DPA6) identifies high hazard areas for steep	Ministry of Transportation and	Staff anticipate future revisions to both the	In August, 2009 the steep slopes mapping project was contracted to	Consider implementation of hazard land mapping as a top LTC work program priority.	OCP Policy A.7.1.1	

	slopes, soil erosion, and unstable soil types; some new mapping (for steep slopes only) was updated in 2009 and the work has yet to be implemented.	Infrastructure, Vancouver Island Health Authority, and the CRD Building Inspections.	development permit area 6 guidelines, and to the steep slopes mapping.	the C.N. Ryzuk & Associates Ltd. consulting company. A final report was submitted in December 2009; the final products include a report and a map.			
14. OCP/LUB Update on village planning	Create Local Area Plans for Ganges and Fulford Villages, potentially also Vesuvius, Channel Ridge and Fernwood.	The Chamber of Commerce, Advisory Planning Commission, Advisory Design Panel, Ministry of Transportation, BC Ferries, CRD PARC, Fulford Study Group (adhoc 2009/10), other stakeholders	Amend the OCP with a Local Area Plans for Salt Spring Villages.	The OCP supports village planning; during the consultation stage of the 2008 OCP planning process, the OCP focus groups for each village came up with a number of recommendations that warrant further planning work.	Consider village planning as a top LTC work program priority.	OCP Policies under B.5; Ganges: B.5.2.2.8; Fulford: B.5.3.2.5	
15. Development Approval Information Bylaw (DAI)	The adoption of a DAI bylaw is recommended in the Salt Spring Island Official Community Plan. A DAI intends to clarify the impact assessment information required of applicants, and to empower the requirement of such information to assist with the consideration of three types of development applications: (i) for development permit areas (DPAs), (ii) Temporary Use Permits, and (iii) Rezoning applications	Other Local Trust Areas; various accredited professional associations, individuals, or consulting firms.	A DAI Bylaw gives applicants and staff certainty as to the types of reports staff request of applicants to support their proposals.	Local Planning Committee has a template DAI bylaw. North Pender Island recently adopted a DAI Bylaw that has been considered as a model. The DAI is an administrative bylaw and there is no legislative requirement for public hearing consultation.	Direct staff to continue work on bringing a DAI bylaw forward for consideration.	OCP Policies A.6.2.1 and G.1.4	
16. Ganges Harbour Management Plan	Involves the coordination of partnerships and resource allocations so that the Ganges Harbour Management Plan, followed by Storm Drainage and Village Area Plans may be initiated.	DFO: Coast Guard, Fisheries, Small Craft Harbours; First Nations, Transport Canada, Environment Canada; FLNRO; MOE; CRD: Harbours and Watershed, PARC, Liquid Waste Management; Emergency Management Commission; Harbour Business' (especially Sea Planes and Marinas); Ganges Harbour Authority; Various Organizations	Risk Assessment, Ganges Harbour Management Plan	Nov. 2011 - Stakeholders meeting; Risks Assessment Study being conducted	Consider GHMP as a top LTC work program priority.	OCP Policy B.5.2.2.7	
17. Bill 27 Piers Island OCP Update	Provincial requirements (Bill 27 – LGA 877 (3)) demand including GHG emission reduction targets and policies and actions to achieve those targets in Official Community Plans. Piers Island's OCP was missed when updating OCPs	Piers Island community.	GHG Baseline data. Set GHG reduction targets. Update OCP Bylaw (Salt Spring Bylaw No. 373) with policies and actions to achieve emission reductions		Consider updating Piers Island OCP as a top LTC work program priority.	Provincial Requirement under Bill 27; Trust Council Strategic Plan1.2.5/1.3.4	\$3000

18. OCP/LUB Update on heritage conservation	The SSI OCP gives direction to protect the island's archaeological sites and other sites of significance to First Nations and to identify and protect buildings, structures, roads, heritage trees, and other features that are part of the community's cultural heritage.					OCP Policies under A.8	
19. 2011-2014 LTC Priorities							
20. 2011-2014 LTC Priorities							
21. 2011-2014 LTC Priorities							
22. 2011-2014 LTC Priorities							

Trust Council, Executive Committee, or Local Planning Committee Work Program Referrals							
Project	Description	Partnerships	Deliverable	Recent Background	Upcoming Decisions	Direction	2012/2013 Budget Proposal
23. OCP Review Phase 2: Sensitive ecosystem management,	Terrestrial Ecosystem Mapping (TEM) has now been completed for the entire Islands Trust Area (with the exception of parts of the Executive Area Islands). TEM mapping covers the entire landscape and includes vegetation, soils, and terrain features. Using the TEM, Sensitive Ecosystem Mapping (SEM) has been created for islands in the Coastal Douglas-fir (CDF) Zone, including Salt Spring Island (Coastal Western Hemlock Zone areas were also mapped)	Islands Trust Fund; Salt Spring Conservancy; land owners.	OCP Amendments; evaluate potential LUB revisions where applicable.	Ecosystem Mapping information is available online at http://www.islandstrust.bc.ca/lup/map/sem/default.cfm or by following the “Ecosystem Mapping” link on the left side of the Islands Trust website. Links to the Ecosystem Mapping page are also available through the “Conservation Planning” link on the Islands Trust Fund website.	Consider implementation of sensitive ecosystem mapping as a top LTC work program priority.	OCP Policy A.5.2.8; Trust Council Strategic Plan 1.2.3	Share of \$14 000
24. OCP/LUB Update on climate change adaptation	Provincial requirements (Bill 27) demand including GHG emission reduction targets and policies and actions to achieve those targets in Official Community Plans	Ministry of Environment; Islands Trust Fund	LUB Update to reflect adaptation priorities	OCP updated in August 2010 with Bylaw 443 to include emission targets for 2015, 2020, and 2050.		SSI OCP A.6.1.7; Trust Council Strategic Plan 3.2	\$5000
25. OCP/LUB Update on raptor nest management	The Land Use Bylaw 355 requires setbacks for raptor nests in its subdivision requirements (S. 5.3.6), but does not require setbacks from raptor nests for buildings or structures or protect sensitive raptor nests in other ways.	Ministry of Environment, Registered Professional Biologists, Islands Trust Fund	LUB Update to further protect raptor nests from the impacts of development.		Consider if amendments to the Land Use Bylaw to protect raptor nests are a work program priority.	OCP Policy B,5,2,8(c)	
26. Programs from the Bylaw Enforcement Office (BEO)	Work program items sometimes are generated out of work done by the Islands Trust Bylaw Enforcement Office.	BEO, LPS	See the BEO enforcement program currently in front of Trust Council	Reference the Staff Report to Executive Committee dated November 2011.			
27. Regional Conservation Plan	Bring Forward and consider recommendations from Trust Council, December 2010						
28. Covenant and DP Monitoring	Bring forward and consider recommendations from Trust Council, 2010 and current work of LPC			\$2800 budget in current fiscal year.			



Population:
Approximately 9,780

Size:
19,663 hectares (48,587 acres)

Location:
11 kilometres north of the Swartz Bay ferry terminal on Vancouver Island.

[Land Use Planning](#)

[Related Planning Services](#)

[Related Resources](#)

[Trust Area Mapping](#)

[Related Links](#)

Salt Spring Island Local Trust Area

The Salt Spring Island Local Trust Area is the largest of the southern Gulf Islands. The easy-going lifestyle, rich culture and serene beauty makes it one of Canada's top tourism and retirement destinations. The island has all the classic attributes of West Coast topography including beaches, forests, mountains and meadows; and the island has one of the warmest year-round climates in Canada.

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Salt Spring Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

August 2011

- [Apply to Join an Advisory Committee](#)

July 2011

- [News Release RAR Continuation - July 14, 2011](#)

May 2011

- [Salt Spring Island Community Affordable Housing Strategy Action Plan](#)
- [Salt Spring Island Solar Community Final Report - March 31, 2011](#)

February 2011

- [Riparian Areas Regulation Review Public Forums February 23, 24, 2011](#)
- [Comment Sheet Riparian Areas Regulation February 23, 24, 2011 Public Forums](#)
- [LUB Update - Public Forum on Secondary Suites and Cottages, February 21st at the Lions Club Hall](#)

October 2010

- [2007 Community Energy and Emission Inventory Reports \(CEEIs\) now available](#)
- [New Islands Trust GHG Emission Inventories webpage posted](#)

September 2010

- [Stage Set for New Affordable Housing on Salt Spring Island](#)

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Salt Spring Island Local Trust Committee Current Projects

Official Community Plan (OCP) Environmental Development Permit Areas Review and Riparian Areas Regulation Implementation

- [Environmental Development Permit Areas Review - Salt Spring Island Official Community Plan Bylaw No. 434](#)

Committee Links

- [Committee Home](#)
- [Trustee Membership](#)
- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
- [Meeting Agendas](#)
- [Meeting Minutes](#)
- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

Land Use Bylaw (LUB)

- [LUB Update - Salt Spring Island Land Use Bylaw No. 355](#)
- [LUB Update - Secondary Suites](#)

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Climate Change Actions and Energy Strategy

- [Climate Wise Islands](#)
- [Upcoming Community Meetings re: Greenhouse Gas Emission Reductions](#)
- [Salt Spring Island Community Energy Strategy Baseline Report - Second Update March 2010](#)
- [Salt Spring Island Produce Study - March 2010](#)
- [Potential Climate Actions - May 2010](#)
- [Reducing Greenhouse Gas Emissions in the Trust Area](#)
- Reports of the Energy Strategy Task Force
 - [Baseline Report - 2004](#)
 - [Energy Strategy - 2005](#)
 - [Baseline Report Update- 2007](#)
 - [Baseline Report Update - 2010](#) [2.1 MB]

Climate Action Community Work Shop Notes - February 6, 2010

- [GHG Workshop - Buildings Notes](#)
- [GHG Workshop - Energy Supply Notes](#)
- [GHG Workshop - Food and Agriculture Notes](#)
- [GHG Workshop - Land Use Notes](#)
- [GHG Workshop - Transportation Notes](#)
- [GHG Workshop - Conservation Notes](#)
- [GHG Workshop - Other Notes](#)

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Farming and Food

- [The Area Farm Plan Summary Booklet](#)
- [The Area Farm Plan](#) [2MB]
- [Salt Spring Island Produce Study 2010](#)

Healthy Ecosystems, Healthy Communities (HEHCI)

- [The Healthy Ecosystems, Healthy Communities Report - 2008](#)
- [The Healthy Ecosystems, Healthy Communities Report - 2009](#)

Housing

- [Phase II Housing Needs Assessment \(Phase 1 is an appendix\)](#)
- [The 2005 Report of the Community Housing Task Force](#)
- [Community Housing Tool Kit](#) [4MB]

Industrial Task Force

- [The Report of the Industrial Task Force](#) [2MB]

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Sustainability

- [Sustainability Checklist](#)

Water

- [The St. Mary Lake Watershed Management Plan](#) [5.7MB]
- [Nine Lakes on Salt Spring Island](#), a Report by John Sprague
- [The Cusheon Lake Watershed Management Plan](#) [3MB]
- [Apparent Sources of Phosphorus affecting Cusheon Lake](#) [2.2]
- [A Soft Path Strategy for Salt Spring Island](#) - A Soft Path for Water Case Study [1.1MB]
- [Potable Water Supply and Demand](#)
 - [Appendices 1, 2, 4, 6, 7, 8, 10, 11](#)
 - [Appendices 3, 5 and 9](#)

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