



Islands Trust

A NOTICE OF A BUSINESS MEETING OF THE **SALT SPRING ISLAND LOCAL TRUST COMMITTEE** to be held at 9:30 AM on February 2nd, 2012 at Hart Bradley Hall
- Lions Club, 103 Bonnet Avenue, Salt Spring Island, BC

AGENDA

	Approximate Duration*	Page
1. CALL TO ORDER		
2. APPROVAL OF AGENDA	5	
3. LOCAL TRUST COMMITTEE PROJECTS - AM		
3.1 Land Use Bylaw Update – Secondary Suites - <i>Staff Report</i>	<u>45</u>	3
3.2 Work Program Strategy – <i>Staff Report</i>	45	25
3.3 OCP Budget Report – <i>Staff Report</i>	15	45
RECESS until 12:00		
4. TRUSTEE REPORTS (verbal report)	<u>10</u>	
5. STUDENT TRUSTEE'S REPORT		
6. CHAIR'S REPORT (verbal report)	5	
7. DELEGATIONS - <i>None</i>		
8. TOWN HALL	30	
9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS		
9.1 SS-DVP-2011.6 – T. Iredale – 187 Trincomali Pl. – <i>Building Setback Variances - Staff Report</i>	<u>20</u>	49
9.2 SS-DVP-2011.5 – Jordan Cook & Assoc. – 135 Brinkworthy - <i>Variances to LUB 355 – Staff Report</i>	20	59
9.3 SS-TUP-2009.2 - M. Wilson for 651626 BC Ltd. – 154-164 Kings Ln. – <i>Temporary Use Permit Renewal – Staff Report</i>	<u>20</u>	71
9.4 SS-RZ-2008.3 – Landworks Consultants – 201-225 Beddis Rd. – <i>Rezoning, For Consideration of First Reading – Staff Report</i>	40	77
10. MINUTES AND RESOLUTIONS WITHOUT MEETING	10	
10.1 Draft Minutes of the SSI LTC Business Meeting of Jan. 5, 2012 - <i>For Adoption</i>		123
10.2 Section 26 Resolution-Without-Meeting Log Report – <i>For Information</i>		131
11. NEW BUSINESS - <i>None</i>		
12. BUSINESS ARISING FROM MINUTES		
12.1 Ferry Advisory Committee Delegate – <i>Verbal Report</i>	<u>10</u>	

13.	CORRESPONDENCE – Correspondence received concerning current applications is considered with the application	<u>60</u>
13.1	R. Bhimji – Email dated Oct. 20, 2011 – Advisory Planning Commission Resignation – <i>Staff recommends that the LTC receive the correspondence</i>	135
13.2	P. Polden – Email dated Jan. 15, 2012 – SSI Water Preservation Society Annual Meeting – <i>Staff recommends that the LTC receive the correspondence and consider designating one trustee to attend the meeting.</i>	137
13.3	N. Schlenker – Email dated Jan. 19, 2012 – 2011 SSI LTC Contracts – <i>Staff recommends that the LTC receive the correspondence.</i>	139
13.4	C. & I. Grooms – Email dated Jan. 21, 2012 – Invitation to help – <i>Staff recommends that the LTC receive the correspondence and request copy of the staff response</i>	141
13.5	S. John, Advisory Environment Committee Chair – Letter dated Jan. 21, 2012 – Advisory Committees - <i>Staff recommends that the LTC receive the correspondence</i>	147
13.6	A. Lyons – Letter dated Dec. 30, 2011 – Mobile Food Cart – <i>Staff recommends that the LTC receive the correspondence</i>	149
13.7	Dr. Varzeliotis – letter dated Jan 3, 2012 – Delegation to Dec 2012 Trust Council – <i>Staff recommends that the LTC receive the correspondence</i>	151
13.8	Dr. Varzeliotis – Letter/email dated Jan. 18, 2012 – Riparian Area Regulation Mapping- <i>Staff recommends that the LTC receive the correspondence</i>	153
13.9	Dr. Varzeliotis – Letter dated Jan. 22, 2012 – Riparian Area Regulation Mapping – <i>Staff recommends that the LTC receive the correspondence</i>	157
13.10	Dr. Varzeliotis – Email dated Jan. 24, 2012 – SSI LTC Meeting Schedule - <i>Staff recommends that the LTC receive the correspondence</i>	161
13.11	I. Clement – Letter dated Jan 24, 2012 – Student Practicum Position – <i>Staff recommends that the item be referred to the Advisory Planning Commission</i>	163
13.12	K. Ruurs, Capital Regional District Parks – Letter dated Dec 20, 2011 – Parks and Trail Master Plan – <i>Staff Recommends that the LTC consider the Parks and Trail Master Plan as a top priority in the work program</i>	167
13.13	L. Weston – Letter dated Jan 3, 2012 – Property Tree Cutting – <i>Staff recommends that the LTC receive the correspondence for consideration</i>	169
13.14	Islands Trust – Announcement Jan, 2012 – Online mapping tool – <i>For Information</i>	175
14.	UPCOMING MEETINGS	5
14.1	Next regular business meeting of the Local Trust Committee is scheduled for 9:30 AM on Thursday, Feb. 23 rd , 2012 at the Lion's Club, Hart Bradley Hall, 103 Bonnet Avenue.	
15.	ADJOURNMENT	

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

Date: January 23, 2012 **File No.** LUB Update –
Secondary Suites

To: Salt Spring Island Local Trust Committee

From: Justine Starke, Island Planner, Local Planning Services

Re: **LUB Update: Secondary Suites**

PURPOSE

The purpose of this report is to get LTC direction on how the legalization of secondary suites on Salt Spring Island should be pursued. Please see the attached Staff Report dated December 19, 2011 for more information.

BACKGROUND

The 2008 Salt Spring Island Official Community Plan identifies secondary suites as an important source of affordable rental housing on Salt Spring Island and gives guidance for how the Salt Spring Island Local Trust Committee should consider permitting secondary suites on Salt Spring. The legalization of Secondary Suites remains a top priority of the SSI LTC. At the January 5, 2012 Salt Spring Island Local Trust Committee, a summary report on the legalization of Secondary Suites was provided for consideration. This report is in reference to this Staff Report, dated December 19, 2011 as attached.

Of specific relevance to the recommendations of this report are the *Pilot Area Options* for consideration as well as *Recommendations 1 and 2* for drafting a bylaw designed to permit secondary suites on Salt Spring:

Recommendation 1: Permit Existing Suites

In previous staff reports it has been recommended that 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.

Recommendation 2: Regulatory Requirements for Secondary Suites

It is 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 or agent 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



STAFF REPORT

- 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.

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:
 - Excludes 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
- Also excludes non-residential properties and Commercial, Industrial, Commercial Accommodation, Multi-family and Community Facility zones

STAFF COMMENTS:

Staff recommend that the Salt Spring Island LTC consult with the community on pursuing a bylaw that permits secondary suites based on *Pilot Area Option 1* and on *Recommendation 1 and 2*, as the first phase of an incremental approach to legalizing secondary suites. Further analysis and consultation with the community can be undertaken to determine the time frame needed to consider a broadened approach in the next phase of permitting secondary suites on Salt Spring Island.

Pilot Area Option 1 most effectively implements the direction set by the 2008 Salt Spring Island Official Community Plan (Section B.2.2.2.15) and is seen as a logical first step in an incremental approach to permitting secondary suites on Salt Spring. *Recommendation 2* gives further clarity to the other regulatory objectives of OCP Section B.2.2.2.15, and *Recommendation 1* has been proposed by staff based on the research done on other communities and on the results of previous consultation with the community. *Recommendation 1* has not yet been deliberated upon by the community at large in a town hall style session; the pursuit of this recommendation in policy would benefit from more community input. Staff recommend two community information meetings be scheduled, one in Fulford and one in Ganges or Central.

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.

STAFF REPORT

Pursuing Option 1 as a pilot area for permitting new suites will also have implications for bylaw enforcement and would benefit from the implementation of a deliberate bylaw enforcement strategy. Thus, it is further recommended that before advancing to bylaw drafting, the Salt Spring Island Local Trust Committee request a report from Islands Trust Bylaws Enforcement commenting on the impacts this proposal would have from an enforcement perspective.

RECOMMENDATIONS:

It is recommended THAT the Salt Spring Island Local Trust Committee direct staff to schedule two community information meetings to discuss drafting a bylaw to permit secondary suites on Salt Spring Island, based on pilot area Option 1 and on Recommendation 1 and 2, as rationalized in the staff report dated December 19, 2011.

It is recommended THAT the Salt Spring Island Local Trust Committee request advice from Islands Trust Bylaws Enforcement that contemplates from an enforcement perspective a bylaw to permit secondary suites on Salt Spring Island that is based on the pilot area options and on Recommendation 1 and 2.

Respectfully submitted by:

Justine Starke
Island Planner, Salt Spring Island

January 23, 2012

Concurred by:

Leah Hartley
Regional Planning Manager, Salt Spring Island

January 23, 2012

Appendices

Appendix 1: Staff Report, dated December 19, 2011

Appendix 2: Map of Pilot Area Option 1

Appendix 3: Map of Pilot Area Option 2

Appendix 4: Map of Pilot Area Option 3



STAFF REPORT

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	✓ Community Affordable Housing Strategy – Action Plan	✓ Consultation strategy that results in a well informed community that has had many opportunities for		➤ Adopt Secondary Suites Bylaw

STAFF REPORT

	Ph.2		input in a diversity of forums.	
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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)³

- Based on the location and walking distance to existing transit routes
- Excludes community water system supply watersheds⁴ 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)

³ 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.

⁴ Mapping of watershed areas are for example only, refined data for mapping these catchment areas is being pursued by the Islands Trust mapping department.



STAFF REPORT

- Areas were excluded were based on servicing limitations (inadequate water supply or sewer capacity) and drinking watershed boundaries:
 - 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 maximum of one suite is allowed per dwelling.*
 - The owner occupies either the principal dwelling or the suite.*
 - Suites should only be allowed in areas with an adequate supply of potable water.*
 - Suites should not be allowed in areas that are community water system supply watersheds or in community well capture zones.*
 - New construction of dwellings with suites in areas containing sensitive ecosystems or areas that are hazardous for development should be managed by development permit.*
 - The use of suites will not be for short-term rental, in accordance with the Land Use Bylaw.*
 - Regulations should limit suites to 40% of the floor area of the principal dwelling and no more than 90 m² of floor area.*
 - Building safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards.*
 - The Local Trust Committee will consider the use of housing agreements and other measures to ensure that suites are affordable and to address occupancy.*
 - The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy.*
 - The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority.*
 - The Local Trust Committee may also consider limits on the numbers and location of secondary suites to minimize dependency on private automobiles.*
 - 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.*
 - 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."

STAFF REPORT

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

STAFF REPORT

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

STAFF REPORT

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.

STAFF REPORT

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

STAFF REPORT

- 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.⁵

Table 1:

	Number of parcels proposed ⁶	Total eligible residential parcels ⁷	Relative increase

⁵ Lots in the R6, A2, A1 zones currently permit secondary suites or duplexes.

⁶ 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.



STAFF REPORT

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:

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:

⁷ 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.



STAFF REPORT

Consultation with the community has shown support for allowing secondary suites on the same property as bed and breakfast home based business.⁸ 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 more⁹. 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:

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

⁸ 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.

⁹ 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.



STAFF REPORT

- 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.

STAFF REPORT

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.2.2.15. 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”¹⁰ 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.

¹⁰ 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).



STAFF REPORT

- 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 434.¹¹

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
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	

¹¹ Note that bylaw amendments that are not consistent with OCP policies require an OCP amendment.



STAFF REPORT

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



Islands Trust

STAFF REPORT

Appendix 2: Map of Pilot Area Option 1

Appendix 3: Map of Pilot Area Option 2

Appendix 4: Map of Pilot Area Option 3

STAFF REPORT

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

Item 3.1
Appendix 2

For Discussion Purposes

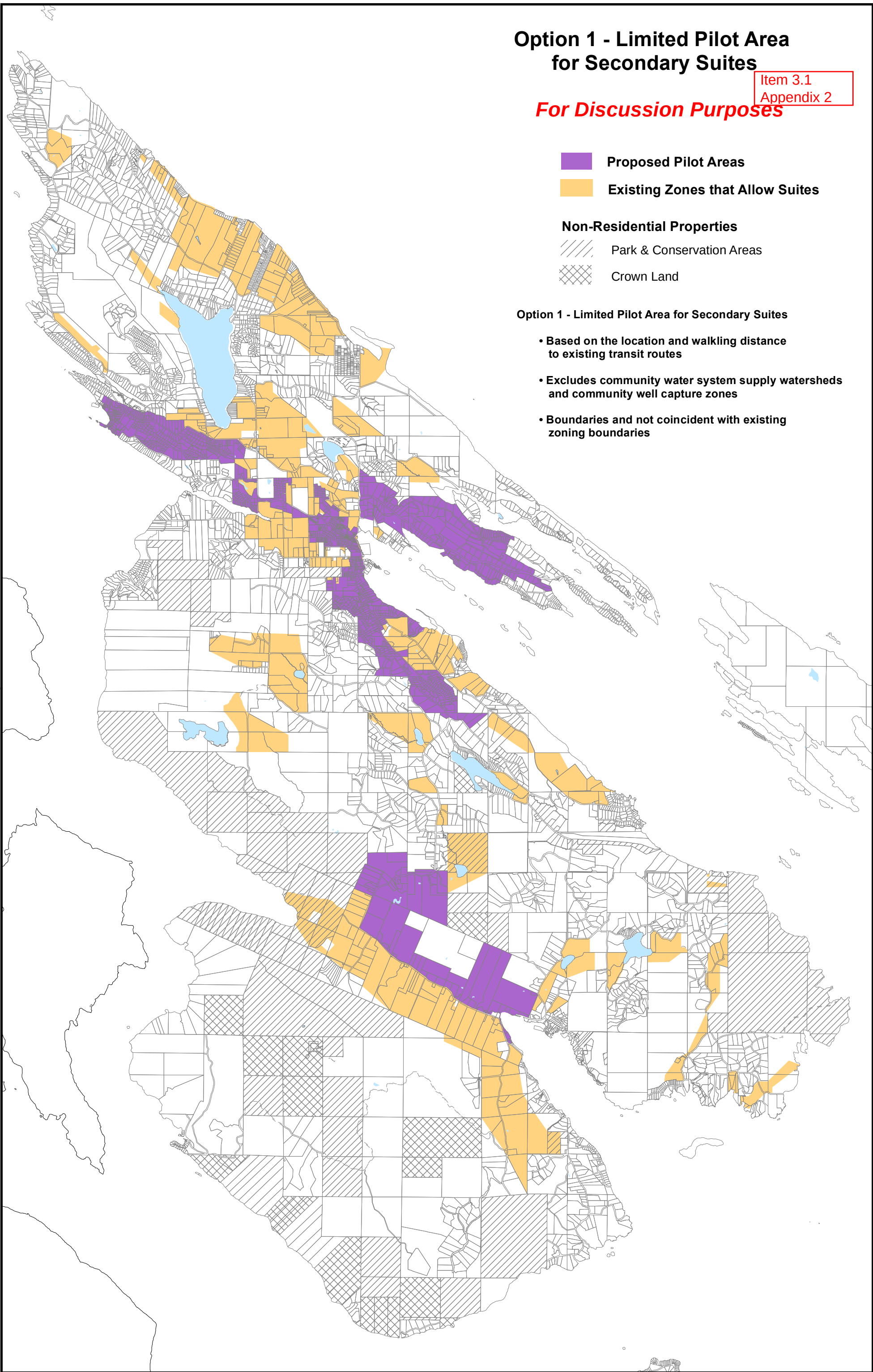
- Proposed Pilot Areas**
- Existing Zones that Allow Suites**

Non-Residential Properties

- Park & Conservation Areas**
- Crown Land**

Option 1 - Limited Pilot Area for Secondary Suites

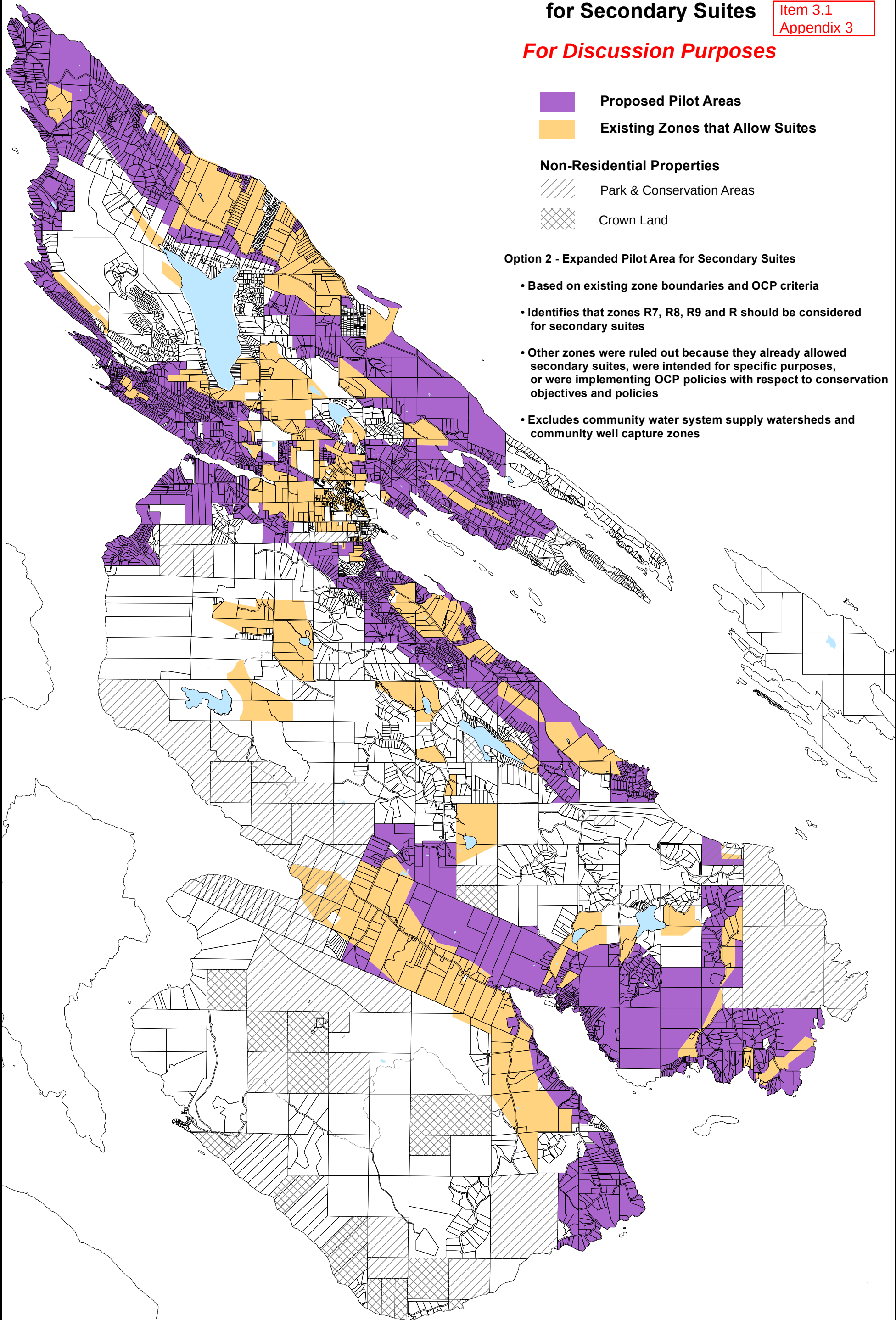
- **Based on the location and walking distance to existing transit routes**
- **Excludes community water system supply watersheds and community well capture zones**
- **Boundaries and not coincident with existing zoning boundaries**



Option 2 - Expanded Pilot Area
for Secondary Suites

Item 3.1
Appendix 3

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

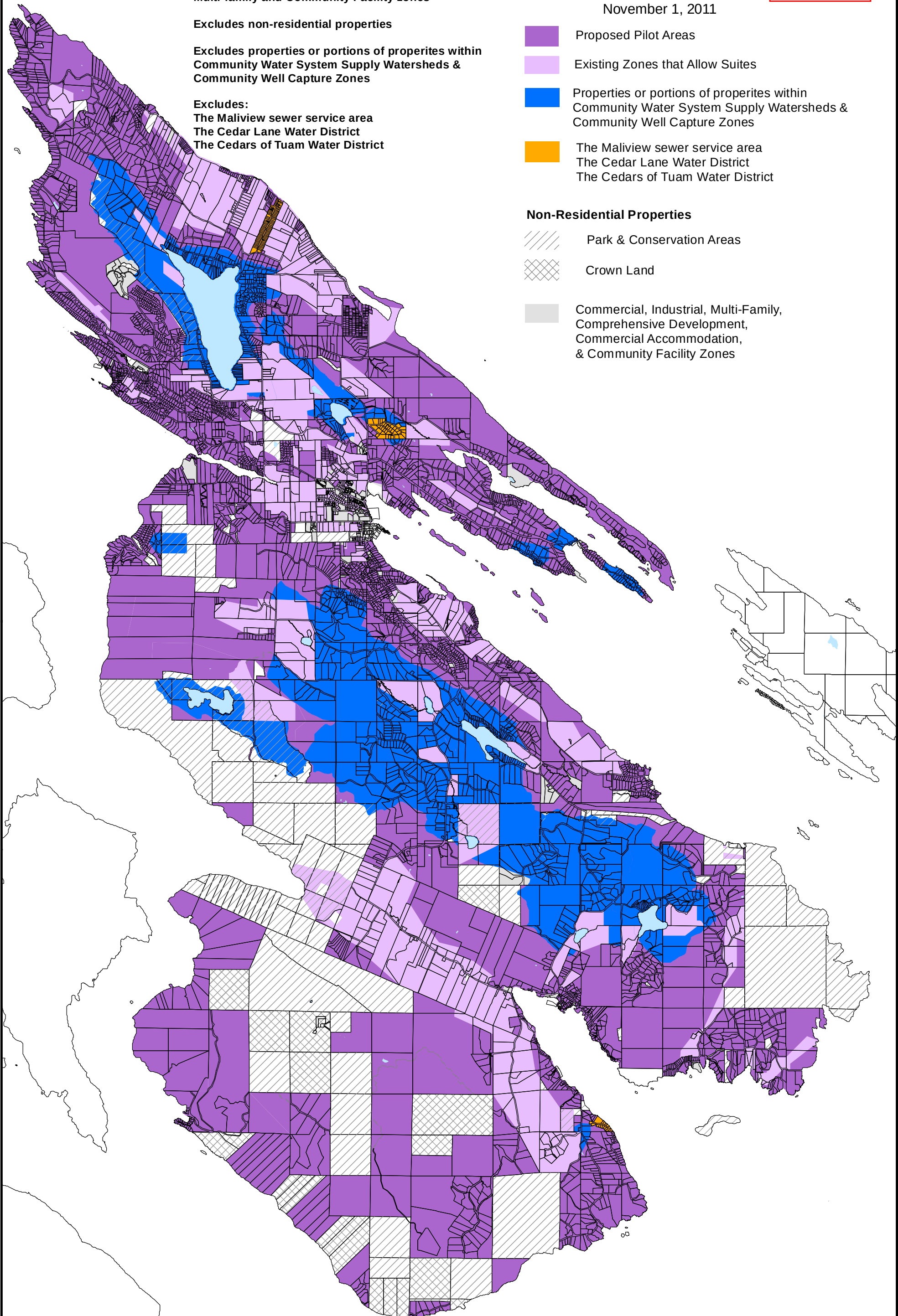
For Discussion Purposes

Item 3.1
Appendix 4

November 1, 2011

- 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





Islands Trust

STAFF REPORT

January 26, 2012

File No.: SS 6500-01

To: Salt Spring Island Local Trust Committee
For meeting of February 2, 2012

From: Leah Hartley
Regional Planning Manager
Salt Spring Team

Re: Local Trust Committee Work Program Strategy

THE PROPOSAL:

This report provides framework for considering a community planning work program of the Salt Spring Island Local Trust Committee (LTC). The work program is structured on work to implement the Official Community Plan, to update practises in line with new provincial legislation, and to implement Trust Council strategic directions. A work program approach balances the resources (budgets and staff) with the anticipated scope of work and the Local Trust Committee priorities.

LTC WORK PROGRAM:

At start of a term of office, the LTC typically sets priorities for a three year work program. As a general practice, it is advised that an LTC focus on immediate priorities so that momentum is retained. The LTC work program also includes a "Long List" of work that will deserve attention.

The Salt Spring Region work program has its foundation in the Official Community Plan (OCP adopted 2008), 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. 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.

In setting its initial work program, a Local Trust Committee may choose to consider proposals through a phased approach. The immediate deliberations will enable the LTC to indicate whether it endorses the Official Community Plan and Strategic Plan budget proposals for 2012 fiscal year, as presented in Trust Council budget deliberations (March 2012). Throughout this report, options are identified for the LTC.

STATUS OF CURRENT PROJECTS:

Pursuant to the LTC direction of September 2011, the following three projects are considered 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. Under LTC direction, the current phase of work is focused on a detailed stream mapping program in two watersheds.

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 were 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 has yet to be given a detailed scope and outline. Potential partner agencies such as the Coast Guard have been focused on completing a risk assessment of the harbour.

FUTURE PROJECTS:

The long list as seen by the Work program amended September 2011 and in effect at start of term, (reference the "Gantt Chart" in Appendix 2) includes:

- LUB Review – further implementation of Industrial Task Force recommendations, of Affordable Housing (including Housing for Farm Workers) and Technical Updates
- LUB Update – implementation of Climate Change strategies
- OCP Review Phase 2 – inclusive of DP Area 3(Shoreline) Review, Sensitive Ecosystem management, Watershed Management, and Hazard Lands.
- Housing Policy Update (including DPA Guidelines Review)
- Village Planning Terms of Reference
- OCP Updates relating to heritage, raptor nest management, climate change adaptation.
- Bill 27 – Piers Island OCP Update.
- Development Approval Information Bylaw
- Soil Bylaw Amendments (including application fees)
- Ganges Storm Water Management Plan (pending CRD)
- Community Engagement Pilot.
- Bylaw Adjudication (Notice) System implementation steps¹.

¹ Item restored to project list as LTC direction required to designate officers.

At start of a new term of office, LTC may choose to identify new projects that it wishes to consider as part of its work program. At the January LTC meeting, comments of the trustees highlighted the following items for consideration:

- Review of Advisory Committee terms of reference and bylaws
- Review of guidelines and conditions for funding disbursements from the LTC Expense Budget
- Implementation of pilot project to provide mapping under the RAR requirements (On Top Priority List above)
- Implementation of formal video recording of LTC meetings (preceded by pilot program)
- Approach to province on a governance review²
- Legalization of suites and cottages (Partly on Top Priority List above)
- Introduction of Quality Management procedures (SSI or Trust Wide)
- Pursuit of light industrial and commercial land (Overlap with Projects listed above to be explored)
- Revitalization of Ganges Core (Overlap with Projects listed above to be explored)
- Simplification of the Land Use Bylaw (Overlap with Projects listed above to be explored)
- Safety of Liveaboards (Overlap with Projects listed above to be explored)

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 within a proposed 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)
- Development Application Fee Review (December 2011)
- Islands Trust Policy Statement Review (pending March 2012)³

Staff, committees, and agencies also approach the Salt Spring planning team to support current community initiatives through revision of bylaws or procedures, or dedication of resources. Many of these proposed initiatives are directed at implementation of Official Community Plan policies. Outstanding requests are as follows:

- Community Energy and Emissions Inventory Update (Oct 2011 release)
- EAC Terms of Reference and Advisory Committee Review (January 2012, 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 (January 2012 and June 2011)
- Ministry of Transportation, update of MOU to coordinate with Salt Spring Island Transportation Commission (January 2012 and February 2011)⁴

² Project that is not in scope of LTC. It would involve trustees and staff under direction of the Ministry of Community Development, thus will be monitored from a resourcing perspective but not considered in the LTC work program.

³ Scope for LTC is not yet defined. Will be monitored from a resourcing perspective.

⁴ Referred to regions upon completion of Strategic Plan review into the 1992 Letter of Agreement.

- Capital Regional District Transportation Commission, Advisory Design Panel participation in sidewalk standards (February 2011)
- Capital Regional District, Upper Ganges Transportation Plan (2011 and 2010)

ESTABLISHING THE LTC WORK PROGRAM

In updating the Work Program, the LTC should take into account that some initiatives or projects will need to be prioritized over others. Generally, no more than two or three LTC projects can be undertaken at any given time. At most, five projects including bylaw enforcement programs are considered a full complement.

Proposed Criteria

The LTC has the unfettered discretion to prioritize the projects it resolves to be of importance, subject to legal requirements and the availability of resources. In order to provide some guidelines to assist in assessing the large number of potential projects, it is recommended that the LTC take the following criteria into consideration in prioritizing projects:

1. Policies and initiatives identified in the OCP: the OCP is the legal policy document providing direction to the LTC on future land use in the community. The policies contained in an OCP can be implemented in one of three ways: in response to applications, by the initiative of the LTC, or through the actions of other agencies or groups.
2. Islands Trust Policy Statement: the Islands Trust Policy Statement includes directive policies that must be addressed in all OCP and regulatory bylaws. Prioritizing potential projects consideration should be given to those that directly or indirectly support implementation of a directive policy. Directive policy is provided under the three goals of:
 1. Ecosystem Preservation and Protection;
 2. Stewardship of Island Resources;
 3. Sustain Island Character and Healthy Communities;
 and recognition that the goals are achieved in cooperation with others.
3. Projects that are currently on-going, or recently supported. Maintaining on-going projects provides continuity for existing initiatives and allows for the completion of projects that are already underway. Some proposed work is supported by recently completed technical studies or recent regulatory changes. If there are any on-going projects that the LTC no longer supports, these should be identified as soon as possible and the LTC should pass resolutions directing staff to cease work on these projects.
4. Trust Council's Strategic Plan: The Strategic Plan is proposed for review and update for the 2011-2014 term. The current Trust Council's Strategic Plan identifies a number of priorities including implementation of the Riparian Areas Regulation (RAR):
5. Statutory or legal requirements: these may result from changes in legislation or from emerging legal issues.
6. Project Scope: In prioritizing projects, the LTC should also consider the scope of the project. Scope is the totality of the work needed to complete the project, including time and costs. There may be benefits to prioritizing several projects in which the scope is

relatively limited, rather than undertaking a single project with a more extensive scope. Scope may also be thought of in terms of urgency to another agency or community constituents that, in their own efforts may implement OCP policies with little direct cost on Islands Trust resources.

7. Some potential projects may be a priority based on the above criteria, but cannot be initiated because they are dependent upon data that is not yet available, or because another agency or body has been identified as being responsible for the initiative, with the LTC taking a supportive role. These projects may have to be given a lower priority until circumstances change.

Finally, while the above criteria attempt to provide an objective means to assess the relative priority of potential projects, the LTC has the ability to prioritize projects or actions which it considers important because of issues brought to the LTC's attention in the community. During the term, LTC will receive a quarterly update on the work program which allows it to amend the priorities or scheduling, or to add projects as determined from time to time.

Process for Establishing Work Program

A methodology could include a Table as illustrated on the next page which lists for illustration only the above listed projects and outlines a methodology to rank each project according to the criteria discussed above. Again, these criteria are intended to provide guidance for the LTC in the consideration of prioritizing future projects.

The work program can be based on the number of criteria that the project meets:

- 4 or more criteria and the project could be considered as a high priority and added to the work program for scheduling upon completion of current priorities.
- 3 criteria, or 2 with significant scope, and the project would be of medium priority and added to the work program;
- 1 or 2 criteria, then it is suggested that the project be low priority and not added to the work program.

Projects that cannot currently be commenced because of data requirements or which would be initiated by others are ranked lower than they otherwise would be.

Table 1: Work Program Prioritization Chart (for Illustration Purposes)

	OCP Policy	On-going or recent	Strategic Plan	Legal Require	Policy Statement	Scope significance	Ranking By LTC
OCP Review – RAR/DP4	√	√	√	√		High Resources	Top Priority?
OCP Review – DP3 Shoreline							
OCP Review – Sensitive Ecosystem							
OCP Review – Watershed Mngmt							
OCP Review – Hazard Lands							
OCP Update– Heritage Components							
OCP Update– Raptor Nest Management							
OCP Update – Climate Change Adaptation							
OCP Update – Village Planning TOR							
OCP Update – Piers Island Bill 27							
LUB Review - Secondary Suites							
LUB Review - Cottages							
LUB Review –Industrial Task Force rec							
LUB Review - Affordable Housing							
LUB Review - Housing for Farm Workers							
LUB Review –Technical /Simplification							
LUB Update – Climate Change							
Housing Policy Update							
Development Approval Information Bylaw							
Soil Bylaw Amendments							
Ganges Storm Water Management Plan							
Community Engagement							
Bylaw Adjudication							
Adv. Committee TOR & Bylaws							
LTC Expense Budget Guidelines							
Videorecording implementation							
Quality Management Procedures							
Light industrial and commercial land							
Revitalization of Ganges Core							
Review of Liveaboards							
Regional Conservation Plan integration							
Exploring Food Security							
Integrated Shoreline mapping							
Devel. Applic.Fee Review							
Islands Trust Policy Statement							

Timeframe

In a new term of office, LTC's generally set the work program for reporting to Trust Council in June. The Summary Outline in Appendix 1 is a standard format for reporting.

Staff recommends that the LTC consider a set of initial resolutions in February that enable it to participate in the Trust Council budget deliberations in March. Following Trust Council decisions, the LTC may wish to direct staff to prepare the prioritization chart as shown in Table 1 (previous page) and to complete descriptions of the individual projects (as shown in Appendix 3) for deliberation at an afternoon or evening session of the Local Trust Committee in April.

As an alternative option and subject to budget parameters (see accompanying report), the LTC may wish to engage the community in a visioning exercise to confirm strategic priorities prior to establishing a work program.

2012 BUDGET CONSIDERATIONS

In its budget deliberations for 2012, Trust Council received from the Local Trust Committee a budget request for 7 projects in the 2012/2013 fiscal year, including a mix of LUB update, OCP Implementation and Strategic Plan projects. A separate staffing request (with LTC resolution) was submitted for enhanced community engagement resources.

As part of the budget review process, the proposed budget for Trust Council deliberation includes the following allocation to work program expenses (advertisements and communications, consultant services, legal review, public hearings etc.):

\$14,000 – OCP – environmental DPAs

\$3,000 – Piers Island OCP – GHG compliance with Bill 27

\$5,000 – OCP and Strategic Plan - implement Affordable Housing Strategies

\$5,000 – OCP and Strategic Plan - GHG reduction

\$45,000 – RAR mapping (non-discretionary)

It has been the practice of Islands Trust to permit LTC's to direct the allocation of budget between discretionary OCPs, LUBs and other work program elements, as the LTC work program evolves following budget approval. Assuming that this practice will remain in place, LTC may be confident that the discretionary funding proposals above (\$27,000) may be sufficient to support the work plan priorities that are anticipated for the 2012/2013 fiscal year.

The LTC has option of requesting changes to the proposed Trust Council budget, and would require resolution prior to Trust Council meeting in March

LTC OPTIONS:

In undertaking a review and update of its work program, the LTC has several options:

- Amend the Work Program through process that LTC directs
- Make no changes to the Work Program currently in effect (as of Sept 2011)

- Make changes on a phased basis, setting immediate priorities and scheduling a process for further deliberation, such as following Trust Council.

Staff recommend the third option so that momentum is not lost on work currently underway, and that the community has opportunity for considering this report and providing input to Local Trust Committee.

If it was to pursue the third option, LTC may consider the following directions:

1. Establish a Top Priority List comprised of works underway following January LTC direction, these being:
 - a. RAR stream mapping (initial mapping to inform OCP review)
 - b. LUB Secondary Suites
 - c. LTC Video Recording and Evaluation
2. Request report from bylaw enforcement staff on proposed initiatives that may be added to the work program
3. Request that staff update the Policy Work Status and Summary Chart (Appendix 3) to include projects listed in Table 1 in preparation for further deliberation at an LTC meeting in April.

There are several budget deliberations concerning OCP and work program budgets in both the current and upcoming fiscal year. These items are addressed in a companion report.

RECOMMENDATIONS:

That the Salt Spring Island Local Trust Committee establishes its top priorities as:

1. OCP Review – DP4/RAR
2. Land Use Bylaw Update – Secondary Suites
3. Video Recording Pilot and Evaluation.

That the Salt Spring Island Local Trust Committee request report from Bylaw Enforcement staff on proposed initiatives for the 2011-2014 work program.

That the Salt Spring Island Local Trust Committee request staff to update the Policy Work Status and Summary Chart of December 2011 in preparation for further work program deliberations.

Prepared and Submitted by:

Leah Hartley

January 26, 2012

APPENDIX 1

Item 3.2
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	-	0.8⁵
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.

⁵ 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:

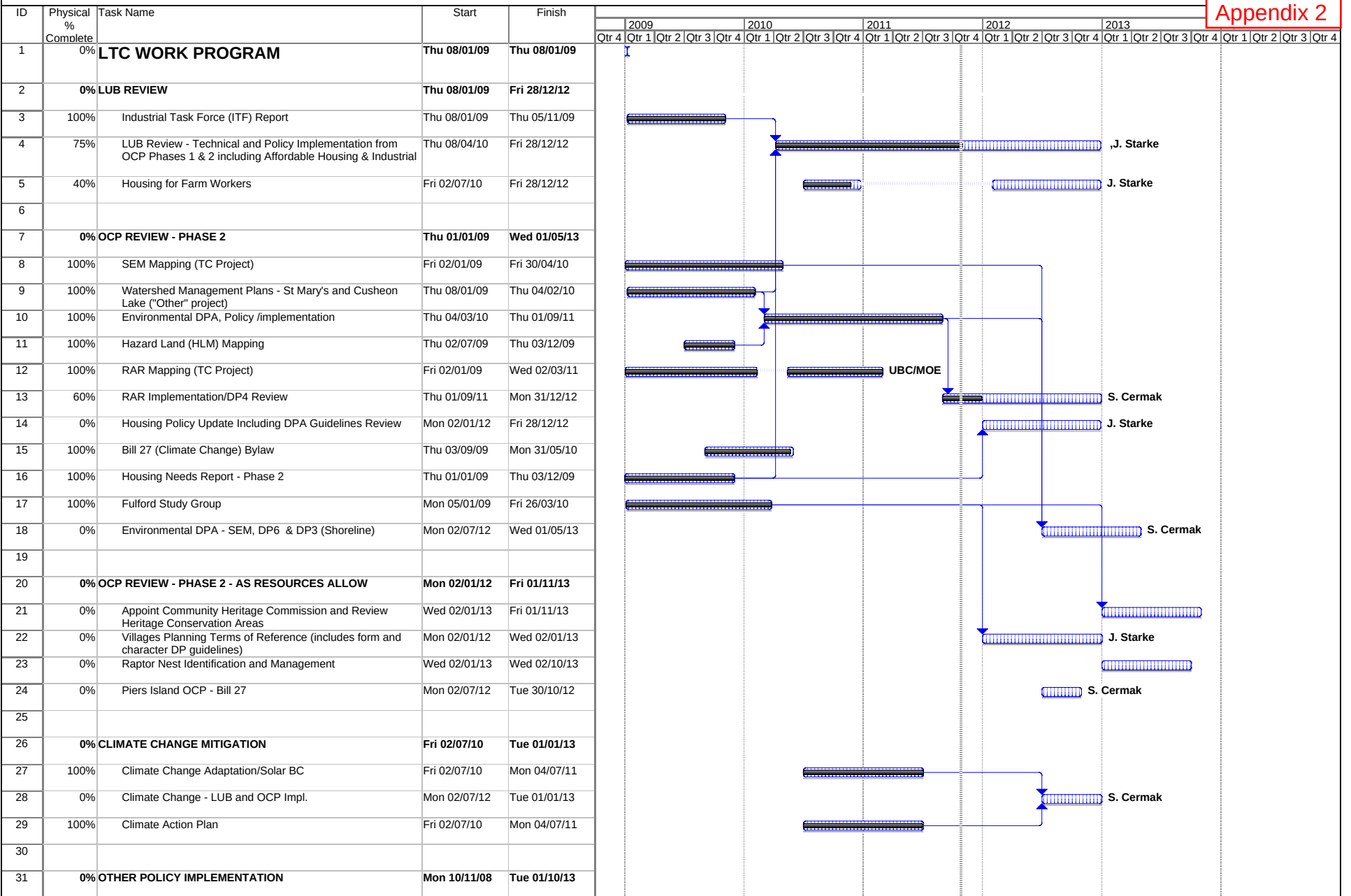
Work Program	OCP References	Strategic Plan References	Other Notes
OCP review - DP Area 4/RAR	A.5.2.8 & 9	1.1.1.4	
Land Use Bylaw Update – Secondary Suites	B.2.2.2.15	3.2.2.1	
Ganges Harbour Management Plan	B.5.2.2.7 C.2.4		

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	

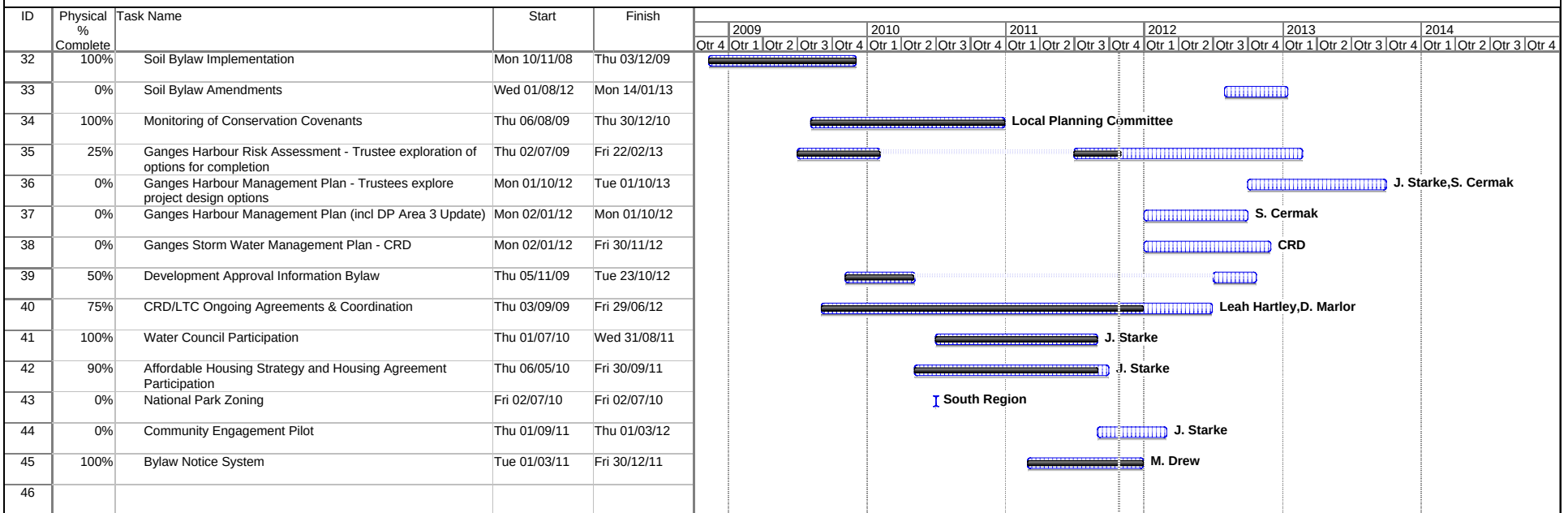
SSI WORK PROGRAM

Item 3.2
Appendix 2



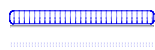
Project: Work Program Schedule Date: Sept 2011	Task Split		Progress Milestone		Summary Project Summary		External Tasks External Milestone		Deadline
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SSI WORK PROGRAM



Project: Work Program Schedule
Date: Sept 2011

Task
Split



Progress
Milestone



Summary
Project Summary



External Tasks
External Milestone

Deadline

SSI WORK PROGRAM

ID	Physical % Complete	Task Name	Start	Finish																												
					2009				2010				2011				2012				2013				2014							
					Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	Otr 4	Otr 1	Otr 2	Otr 3	Otr 4			
47	0%	ADMINISTRATIVE WORK PROGRAM	Thu 08/01/09	Mon 03/10/11																												
48	100%	CIM Reference Documents	Thu 03/09/09	Thu 07/01/10																												
49	0%	Researching Legislation	Mon 04/07/11	Mon 03/10/11																												
50	100%	Terms of Reference for Professional Reports	Mon 02/08/10	Mon 01/11/10																												
51	100%	Annual Reports 2009,2010,2011	Thu 08/10/09	Thu 30/06/11	ALL																											
52	100%	Predevelopment Application Assistance	Thu 08/01/09	Fri 29/07/11	ALL																											
53	100%	Development Applications Manual	Thu 08/01/09	Thu 31/03/11	ALL																											
54	100%	TAS/LPS/LPC support	Thu 08/01/09	Fri 29/07/11	ALL																											
55	100%	Salt Spring Governance Review	Thu 08/01/09	Thu 08/10/09																												
56	100%	Labour Market Dev'l Partnership (SSI Literacy)	Thu 01/04/10	Fri 31/12/10																												
57																																
58	0%	ISLANDS TRUST WORK PROGRAM SUPPORT	Fri 02/01/09	Thu 23/01/14																												
59	60%	Regional Conservation Plan Implementation (TFB)	Fri 15/05/09	Thu 23/01/14	TFB																											
60	100%	Community Housing Task Force (LPC)	Thu 02/07/09	Wed 12/01/11	J. Starke																											
61	75%	MoTI Transportation Agreement	Fri 02/01/09	Fri 29/07/11	D. Marlor																											
62	90%	Records Management Review	Tue 01/09/09	Wed 31/08/11	ALL																											
63	100%	35th Anniversary Preparations	Thu 03/09/09	Fri 18/12/09																												
64	100%	Green Technologies (LPC)	Tue 04/01/11	Thu 30/06/11	D. Marlor																											
65	20%	Green Shores for Homes (LPC)	Tue 04/01/11	Fri 28/09/12	D. Marlor																											
66	90%	Bylaw Adjudication Training	Fri 01/04/11	Fri 30/09/11	M. Drew																											
67	50%	Development Application Fee Review	Fri 01/07/11	Fri 30/12/11	D. Marlor																											

Project: Work Program Schedule Date: Sept 2011	Task		Progress		Summary		External Tasks	Deadline
	Split		Milestone		Project Summary		External Milestone	

SALT SPRING ISLAND LOCAL TRUST COMMITTEE ORIENTATION

POLICY WORK STATUS & SUMMARY

DECEMBER 2011

Item 3.2
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; 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 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 the Housing Council as an agency 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	Integrated Watershed and Shoreline Mapping project: shows sediment and energy transfer as well as shoreline type;	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 to discuss proposed product refinements – April 26, 2011; Prototype maps developed for Thetis Island SSI specific data: update waiting from Chris Jackson, RPM Northern Team.	Consider implementation of DPA3 amendments as a top LTC work program priority.	OCP Policies under B.9; Trust Council Strategic Plan 2.3	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	The Chamber of Commerce, Advisory Planning Commission, Advisory Design Panel, Ministry of Transportation, BC Ferries, CRD PARC, other stakeholders	Amend the OCP with a Local Area Plans for Ganges and Fulford 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 within the Local Planning Services; 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.	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 consultation. The Trust Council Development Approvals Information procedural Bylaw 2.1.viii does not require consultation, and the North Pender DAI underwent internal staff consultation only.	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					OCP Policies under A.8	

	buildings, structures, roads, heritage trees, and other features that are part of the community's cultural heritage.						
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			
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						

OTHER Work Program Referrals

Project	Description	Partnerships	Deliverable	Recent Background	Upcoming Decisions	Direction	2012/2013 Budget Proposal
29. OCP Update- CRD Parks and Trails Master Plan	Incorporate revised Parks and Trails Master Plan into the Salt Spring Island OCP	CRD PARC	Amending Bylaw	Work delayed at CRD for election.			
30. Advisory Committee Bylaw and Terms of Reference Update	Staff and Advisory Committee resolutions have identified general housekeeping amendments to the committee bylaws and terms of reference.	Advisory Committees	Amending Terms of Reference to be adopted by The Salt Spring LTC				
31. Memorandum of Understanding	Develop parallel agreements with MoT and CRD to confirm protocols within the current MoUs to incorporate CRD Transportation Commission	MoT, CRD, IT	Addendum to current MoU				
32. Soil Bylaw	Amendments to Soil Deposit Bylaw as requested by Ministry Community Services, includes provision for permit fees						
33. Coast Guard– Ganges Harbor Risk Assessment	Participate in harbour planning program when requested	Harbour Authority and other applicable agencies (see partnerships identified under the Ganges Harbour Management Plan)	Participation in process	2009- work commission – not complete November 2011 Meeting with Stakeholders			
34. CRD – Upper Ganges Transportation Plan	Participate in transportation planning review when requested.	CRD Transportation Commission, community groups, MoT	Participation in process		Feb or March 2012 presentation by CRD staff to SSI LTC		
35. C2C Forum	Invitation for Community to Community Forum	Tsawout First Nation Trust Area Services staff					
36. Liquor Licensing Policies	Update and amend policies to incorporate 2010 changes to the provincial policies and to “special occasion licenses”.	Other LTCs					
37. Living Wage Campaign	Invitation to Salt Spring employers arising from 2010 Labour Market Study	SSI Literacy, Salt Spring Employers					
38.							
39.							



STAFF REPORT

January 26, 2012

File No.: SS 6500-01

To: Salt Spring Island Local Trust Committee
For meeting of February 2, 2012

From: Leah Hartley
Regional Planning Manager
Salt Spring Team

Re: OCP Budget Report

THE PROPOSALS:

This report relates to several separate and distinct matters relevant to the Trust Council budgets in 2011/12 and 2012/13 for work within Salt Spring Island Region. Each item is accompanied with recommendation for LTC resolution in support of the OCP and work program budgets. A summary of the budgets is provided for information.

SUMMARY 2012 FISCAL:

In its budget deliberations for 2012, Trust Council received from the Local Trust Committee a budget request for 7 projects in the 2012/2013 fiscal year, including a mix of LUB update, OCP Implementation and Strategic Plan projects. The total budget request was for \$98,000 including RAR. A separate staffing request (with LTC resolution) was submitted for enhanced community engagement resources.

As part of the budget review process, the proposed budget for Trust Council deliberation includes the following allocation to work program expenses (advertisements and communications, consultant services, legal review, public hearings etc.):

\$14,000 – OCP – environmental DPAs
 \$3,000 – Piers Island OCP – GHG compliance with Bill 27
 \$5,000 – OCP and Strategic Plan - implement Affordable Housing Strategies
 \$5,000 – OCP and Strategic Plan - GHG reduction
 \$45,000 – RAR mapping (non-discretionary)
 Total: \$72,000 including RAR

The March 2012 budget proposal has no funding for enhanced community engagement on Salt Spring Island.

SUMMARY 2011 FISCAL:

The budget approved in March 2011 by Trust Council for work program expenses in the Salt Spring Region included:

\$40,000 OCP and LUB work program
\$15,000 Strategic Program: Community Engagement Pilot
\$10,000 Strategic Program: Affordable Housing Strategy
\$9,800 Other Strategic Programs (Climate Change, covenants and Sensitive Ecosystem)

The work program of 2011 was slowed during the local government election process and during orientation of newly elected trustees. As of January 24, 2012, the allocations to work program expenses have been as follows (subject to confirmation upon release of third quarter financial details):

\$33,430.97 to OCP and LUB Work program (for balance of approximately \$6,500)
\$0.00 to Strategic Program: Community Engagement Pilot (for balance of \$15,000)
\$0.00 to Strategic Program: Affordable Housing Strategy (for balance of \$10,000) and
\$0.00 to Other Strategic Programs (for balance of \$9800)

Upon close of fiscal year end at end of March, balances will go into Islands Trust reserves, unless there is decision of Trust Council to carry forward funds from one fiscal year to the next.

LTC DELIBERATIONS:

Staff has identified three matters for deliberation and possible action of the Salt Spring Island LTC. These are separate matters and each should be deliberated on individually.

1. Allocation of 2011 fiscal OCP budget as needed to support community policy work associated with development applications
2. Carry over Community Engagement funds from 2011 fiscal to 2012 fiscal
3. Carry over Affordable Housing Strategy funds from 2011 to 2012 fiscal.

Further elaboration of each is below.

Allocation of 2011 fiscal OCP budget to support community policy work associated with development applications.

Two current development applications have identified matters of broad or complex public policy that require planning or other technical (and consulting services) to attend to. These matters are considered supplemental to the original development proposal.

The Beddis Development application has drawn consultant planner services to addressing policy and practice conflicts between recommendations of the Ministry of Transportation and Infrastructure and the CRD Transportation Commission. Further dedication of consulting services has been toward developing the applicable zoning bylaw for the agricultural society portion of the lands as well as ensuring that the agricultural society(ies) are aware of the application processes. The planning team has forecast additional services that may be required for extra consultation to address these “community plan” complexities.

A similar situation has arisen in the Rainbow Road recycling application in which the LTC direction on January 5, 2012 included a request to “ask staff to work with the Capital Regional

District and other appropriate consultancies to determine parameters which would be appropriate for a metal crushing and transfer station operation on Salt Spring Island.” (draft minutes). During the deliberations, staff identified that it would likely call upon the expertise of persons trained in solid waste management before reporting back to LTC.

In both of these cases, the Islands Trust policies (5.6.i Section D 1.3, 5.6.ii and 5.6.iii) suggest that Islands Trust should consider a cost recovery procedure in which staff arrange for the original proponent absorb the costs associated with these “extra” services associated with deliberation of the application.

Upon review of the extra costs associated with the Beddis Development application, staff of Local Planning Services and Administrative Services conclude that a portion of the “extra services” is clearly attributable to complex implementation of the OCP policies, and are of broad community interest rather than the private interest of the development applicant. Staff would therefore support LTC direction enabling that the portion of costs associated with implementation of OCP policies be drawn from the 2011 OCP fiscal budget. This would be a limited amount, not exceeding the OCP /LUB funds in balance.

Carry over Community Engagement funds from 2011 fiscal to 2012 fiscal

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.

The funds have not been drawn upon in 2011 fiscal year. A similar funding request was made for the 2012/13 fiscal year and has not been advanced in the proposed Trust Council budget.

Local Planning Services and Trust Area Services managers have indicated support for a community engagement pilot and suggest that LTC may wish to draw upon the experience of a pilot program early in its new term of office. The options are for LTC to either request Trust Council add Community Engagement to the proposed budget, or to request Trust Council carry over the funds from 2011 fiscal to 2012/13 fiscal.

Carry over Affordable Housing Strategy funds from 2011 to 2012 fiscal

In its budget allocations for 2011, Trust Council supported an affordable housing strategy on Salt Spring Island. The budget for this work is \$10,000 and it is not an expected expenditure prior to fiscal year end. The 2012 proposed budget includes \$5,000 directed at both OCP and Strategic Plan Affordable Housing Strategies.

The Community Affordable Housing Strategy is an action plan based on three main strategies for addressing Salt Spring Island’s need for affordable housing. A main strategy in the action plan is to address the regulatory changes and steps that can be initiated by the Islands Trust to enable more affordable housing.

The action plan acknowledges the many agencies with roles in achieving its objectives, and as such is the basis for the newly formed housing council, created to oversee implementation of the strategy through strategic partnerships.

Staff considers CAHS as an important partnership element that has a specific role in assisting LTC implement the OCP's Affordable Housing policies, including suites and cottages.

Looking at expenses associated with legal review, consultation activities, coordination of building bylaw and land use bylaw review, housing agreement development, and public hearing for initiatives such as LUB- secondary suites, staff recommends that there is merit in seeking carry over of the CAHS funds from 2011 fiscal to 2012/13 fiscal year.

RECOMMENDATIONS:

LTC may implement the directions outlined above through the following resolutions:

That the Salt Spring Island Local Trust Committee supports the allocation of 2011 OCP/LUB budget to Islands Trust expenses associated with OCP implementation in two current development applications (RZ 2008.3 and RZ 2011.3).

That the Salt Spring Island Local Trust Committee request Trust Council to carry over Strategic Program – Salt Spring Island Community Engagement Pilot (15,000 budget) from the 2011 Fiscal to 2012/13 Fiscal Year.

That the Salt Spring Island Local Trust Committee request Trust Council to carry over Strategic Program – Salt Spring Island Community Affordable Housing Strategy (10,000 budget) from the 2011 Fiscal to 2012/13 Fiscal Year.

Prepared and Submitted by:

Leah Hartley

January 26, 2012

January 12, 2012

File No.: SS-DVP-2011.6

To: Salt Spring Island Local Trust Committee for February 2, 2012 Meeting

From: Caitlin Brownrigg, Planner 1

Re: Development Variance Permit–SS-DVP-2011.6

Owner: Lauren Iredale and Blake Schulhauser

Applicant: Richard Iredale

Location: Strata Lot 7, Range 2 East, North Salt Spring Island, Cowichan District, Strata Plan VIS06306 (187 Trincomali Place)

THE PROPOSAL

This application is to vary the requirement of Section 4.1.1 of *Land Use Bylaw No. 355* that an accessory building be not less than 3.0 metres from another building on the lot. The variance would permit a patio and roof structure between a dwelling and an accessory building. See Site Plan 1 and Site Plan 2 (attached).

Should this variance application be approved, the applicant will consult with CRD Building Inspection Services to allow construction to recommence at the site.

SITE CONTEXT

The subject property is located on Trincomali Place off of Trincomali Heights. The surrounding properties are part of a bare land strata subdivision. The subject property and surrounding properties are zoned Rural (R). The dwelling and the accessory building are both currently under construction although construction is on hold as a result of a stop-work order from CRD Building Inspection. The plans submitted for the approved building permit did not include a common roof between the two buildings. Additionally the patio as built between the two buildings is different from the plans due to the grade of the building site. The construction could be considered to be consistent with the Land Use Bylaw if it was a single structure, being the principle dwelling. However, the property owner's intent is to use the dwelling portion of the structure as a seasonal cottage when a principal residence is constructed elsewhere on the property. As such, the owner is seeking approval of this variance application so that the dwelling may be converted to a seasonal cottage use in the future.

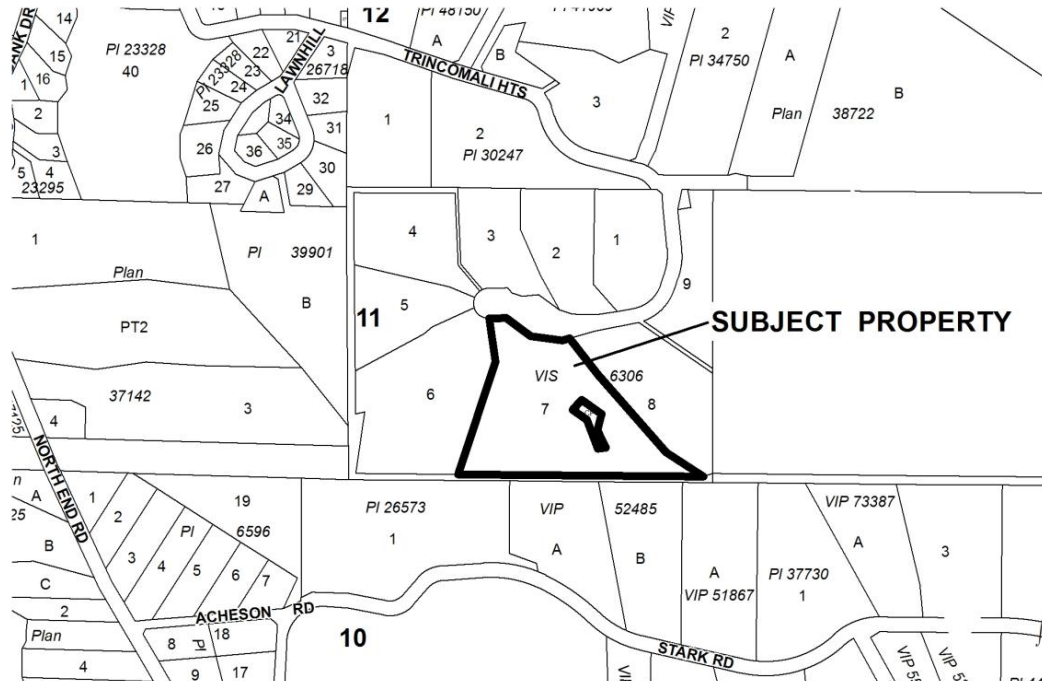


Figure 1 Subject Property Location



Figure 2 Accessory Building and Dwelling



Figure 3 Patio and Roof Structure

CURRENT PLANNING STATUS OF THE PROPERTY

Official Community Plan:

The subject property is designated **Rural Neighbourhoods (RL)** in the Salt Spring Island Official Community Plan (OCP). The use of the land is consistent with the Rural Neighbourhoods Objectives and Policies in the OCP. The adjacent properties are also designated Rural Neighbourhoods. The objective of this designation is to continue to provide adequate land zoned for medium density residential use and other traditional and compatible rural land uses. The subject property is not located within any Development Permit Areas.

Land Use/Zoning Bylaw:

The subject property is zoned **Rural (R)** in the Salt Spring Island Land Use Bylaw No.355. The applicant seeks to vary the bylaw regulations below:

4.1 SETBACKS FOR ACCESSORY BUILDINGS

4.1.1 No accessory *building* with the exception of a *carport* may be located within 3 m of another *building* on a lot.

Riparian Area Regulation:

The subject property is located in a Riparian Area Regulation Designated Watershed. A report from a Qualified Environmental Professional is being commissioned for the property, and the building has been designed to be a least 30 metres away from the seasonal watercourse on the property.

Local Government Act:

Section 922 of the Local Government Act provides the authority for local governments to issue development variance permits in accordance with the requirements for public notification.

Covenants:

There are three covenants on this property that apply to all the lots in the bare land strata subdivision; a restrictive covenant that pertains to tree cutting, a water treatment covenant held by the Salt Spring Island Local Trust Committee that ensures the owner of the properties will treat the water, and a covenant that includes building restrictions based on a geotechnical report. There is also a statutory building scheme registered on title.

Archeological Sites

There are no recorded archeological sites on this property.

RESULTS OF CIRCULATION

At time of writing this report, neighbouring owners had received notification of the application.

STAFF COMMENTS

Although granting a variance does not set a precedent and the Local Trust Committee is unfettered in its ability to grant variances, approving this variance may create expectations in the community that further variances would be granted regarding the setback between dwellings and accessory buildings. The design of the structure between the two buildings is in response to the particular rocky terrain of the building site. The patio structure connecting the two buildings allows access to both buildings directly from the driveway.

Section 4.1.1 of Land Use Bylaw No. 355 states that the distance between buildings is to be measured from their "closest points, including any structural features such as raised decks or stairs which are physically attached to the exterior wall or that function as a part of any building" Although there are 6.0 metres between the accessory building and the dwelling, the roof and patio structure connecting them will vary the setback from 3.0 metres to 0.0 metres.

The property owners own the adjacent lot and are currently building a single family dwelling on that lot. They have described potential future plans to convert the dwelling on the subject property to a seasonal cottage and build a primary residence elsewhere on the property. The applicant has been advised that any development in the future would be considered under the Land Use Bylaw in place at the time.

RECOMMENDATION

THAT the Salt Spring Island Local Trust Committee **APPROVES** Issuance of Development Variance Permit SS-DVP-2011.6 (Richard Iredale/187 Trincomali Place) to vary the required

Staff Report

setback for an accessory building from another building on the lot from 3.0 metres to 0.0 metres to allow a 6.0 metre patio and roof structure connecting the dwelling unit and accessory building.

Prepared and Submitted by:

Caitlin Brownrigg, Planner 1

Date

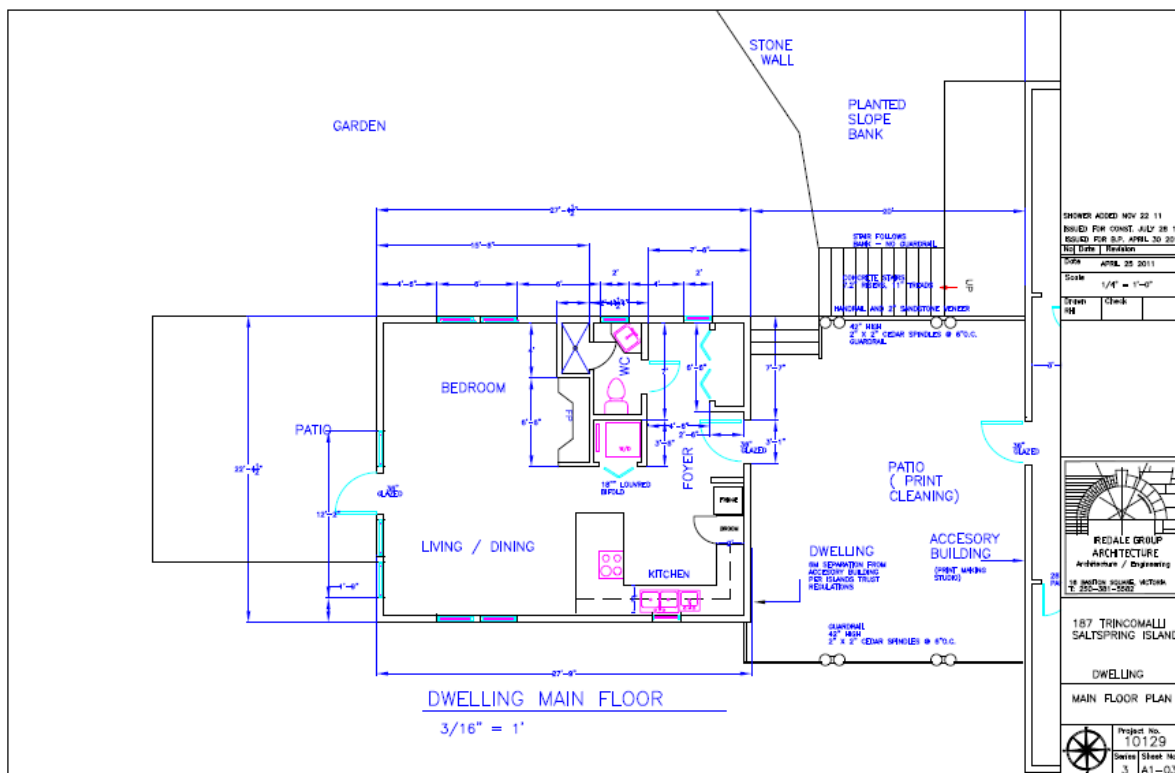
Concurred by:

Leah Hartley, Regional Planning Manager

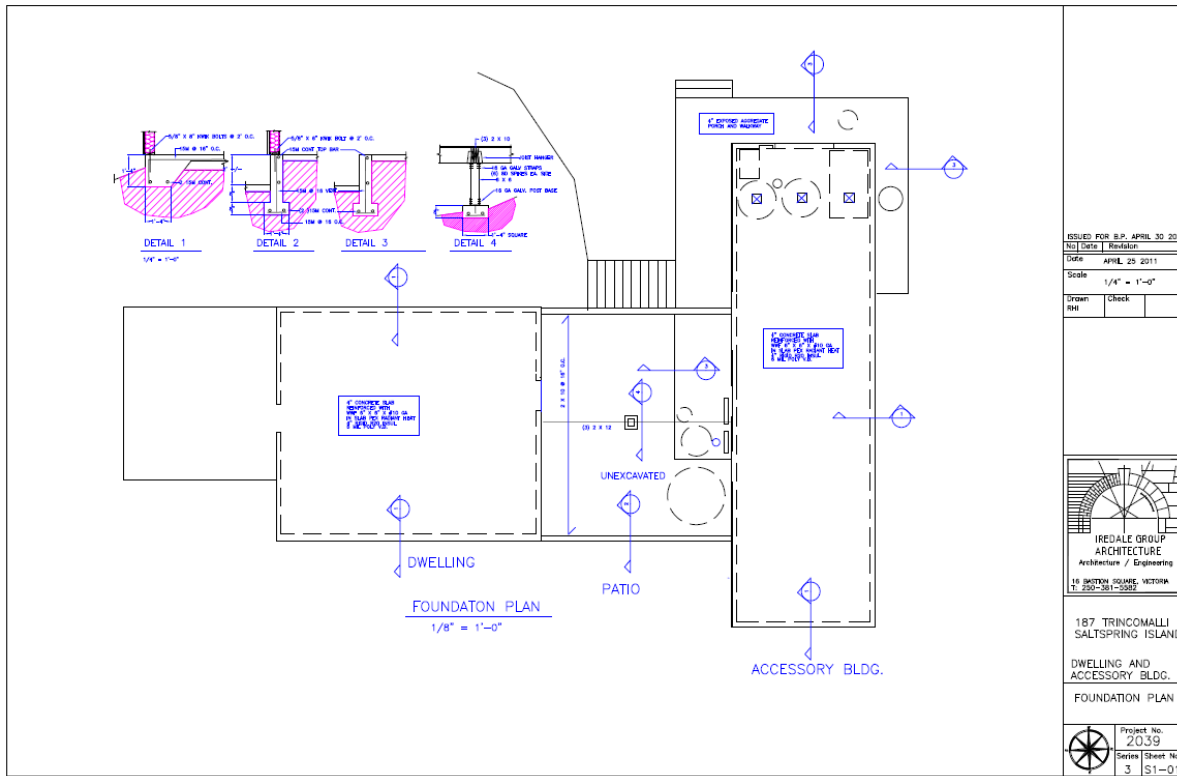
Date

Appendix 1: Proposed Development Variance Permit

Site Plan 1



Site Plan 2



PROPOSED

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
SS-DVP-2011.6**

TO: Richard Iredale,

1. This Permit applies to the land described below:

Strata Lot 7, Range 2 East, North Salt Spring Island, Cowichan District, Strata Plan VIS06306.

2. Land Use Bylaw No. 355, being the Land Use Bylaw for Salt Spring Island, is varied as follows:

1. 4.1 - Setbacks for Accessory Buildings

4.1.1 The required setback for an *accessory building* from another *building* on the lot is reduced from 3.0 metres (9.8 ft.) to 0.0 metres to allow a 6.0 metre (19.69 ft.) patio and roof structure connecting the *dwelling unit* and *accessory building*.

All in accordance with Plan No. 1 and Plan No. 2, attached to and forming part of this Permit, as signed and dated by the Deputy Secretary of the Islands Trust.

3. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS _____.

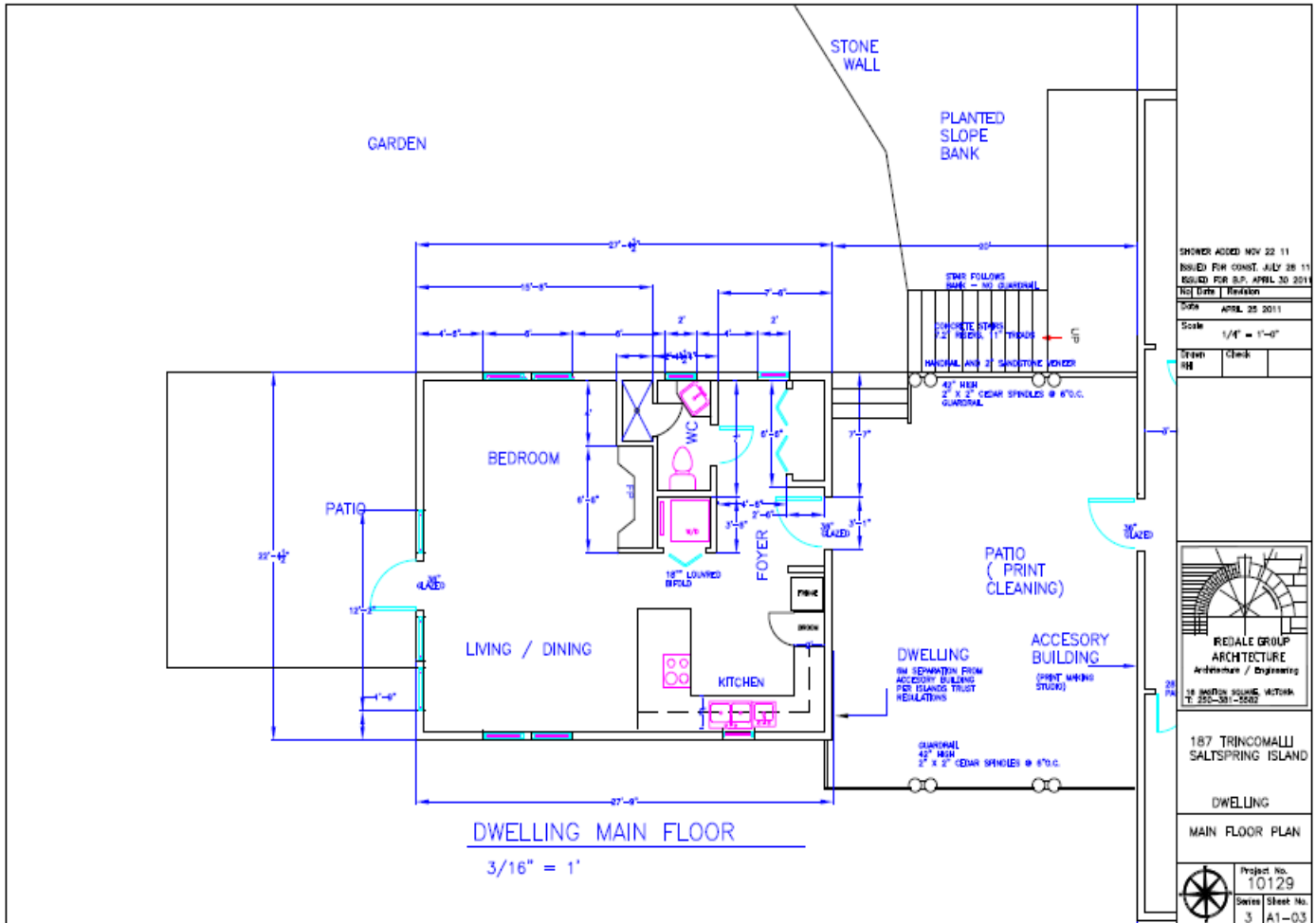
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE _____ THIS PERMIT AUTOMATICALLY LAPSES.

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
SS-DVP-2011.6**

PLAN NO. 1



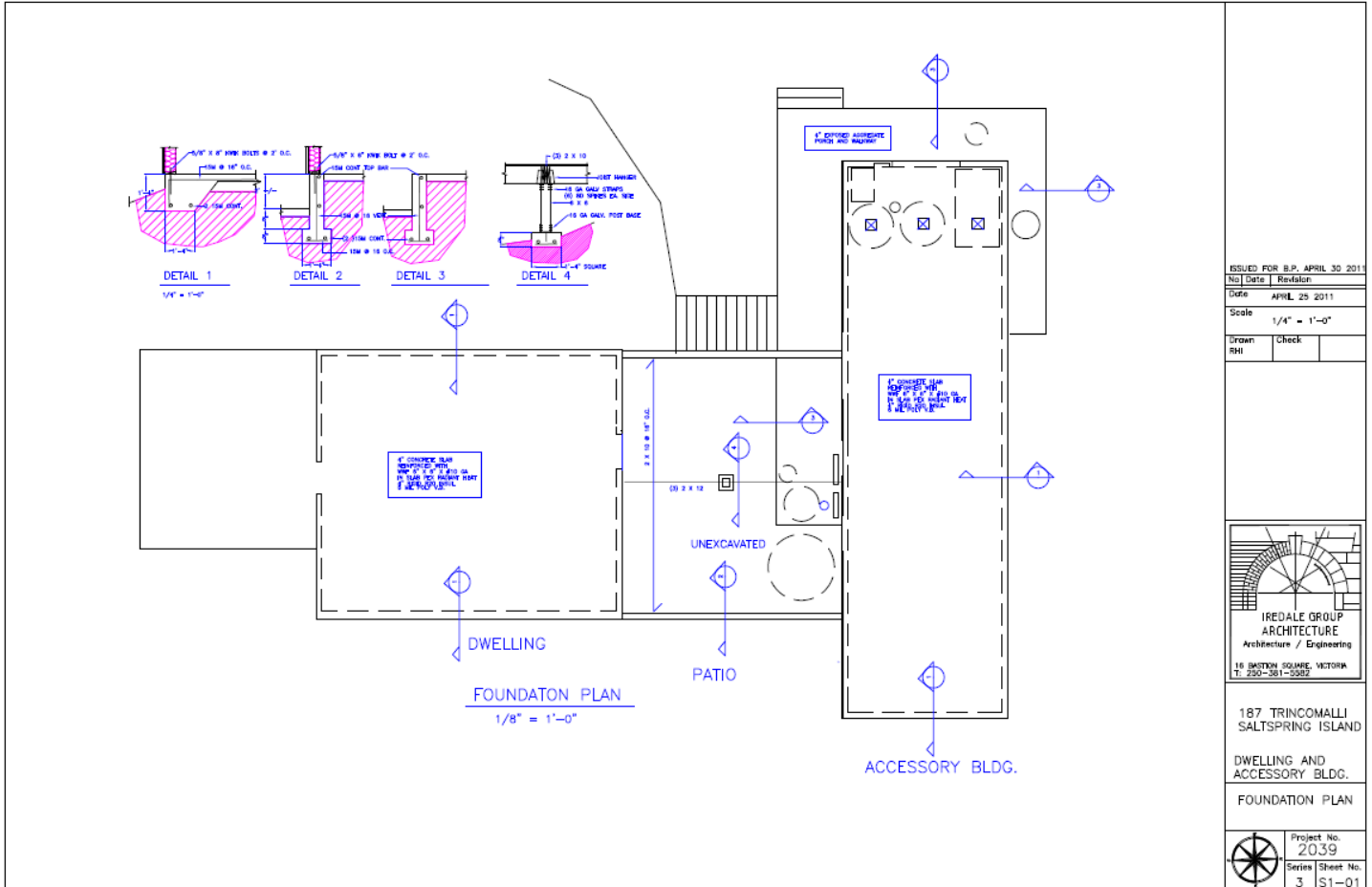
I hereby certify this to be Plan No. 1 attached to
and forming part of Development Variance Permit
No. SS-DVP-2011.6.

Deputy Secretary, Islands Trust

Date Issued

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
SS-DVP-2011.6**

PLAN NO. 2



I hereby certify this to be Plan No. 2 attached to
and forming part of Development Variance
Permit No. SS-DVP-2011.6.

Deputy Secretary, Islands Trust

Date Issued

STAFF REPORT

January 24, 2012

File No.: SS-DVP-2011.5

To: Salt Spring Island Local Trust Committee
For Local Trust Committee meeting of February 2, 2012

From: Chris Hall & Bev Suderman
Island Planning Services Consortium

cc: Richard Cook, Jorden Cook Associates
Ray Heung, Tristar Properties

Re: **Application for a Development Variance Permit (SS-DVP-2011.5)**

Location: Lot A, Sections 4 and 5, Range 2 East, North Salt Spring Island, Cowichan District Plan, EPP 13068; PID 028-671-171

Owner: Brinkworthy Properties Ltd.

Applicant: Jorden Cook Associates, Richard Cook

Civic address: 135 Brinkworthy Road

THE PROPOSAL:

The applicant wishes to strata subdivide the existing Brinkworthy Mobile Home Park (MHP), to permit homeowners/tenants to purchase the land beneath their units. The purpose of the permit is to allow some variances from the requirements of Salt Spring Island Land Use Bylaw No. 355, including Schedule E – Mobile Home Park Layout Requirements, to accommodate existing uses and layout. No change in land use or density is anticipated.

Specifically, the proposal is to vary:

- The front yard setbacks on 8 proposed strata lots (mobile home spaces);
- The side yard setbacks on 21 proposed strata lots (mobile home spaces);
- The minimum lot size requirement on 1 proposed strata lot (mobile home space);
- The minimum road right-of-way requirement generally, as well as on a stretch of Ash Street within the MHP;
- The maximum lot coverage by increasing it to 50% (excluding carport);
- Providing for common storage space on each strata lot, and not on common area lands, consistent with existing conditions;
- The minimum lot depth; and
- The right of way width for Brinkworthy Road.

Given the existing development, a Development Variance Permit is essential to ensure that Section 2.3 of the Salt Spring Island Land Use Bylaw No. 355 is respected. Section 2.3, "Conflicting Use or Siting," ensures that "No lot or area of land may be subdivided,

no *building, structure*, land or water surface may be used and no *building or structure* may be sited in a manner which renders any existing *use, building or structure* on the same *lot* non-conforming with respect to siting or density.”

The purpose of this Development Variance Permit (DVP) application is to ensure that no building or structure is made non-conforming due to the subdivision.

SITE CONTEXT:

The subject property is approximately 9.65 ha (24 acres) in size, made up of 137 mobile home spaces, common areas, road rights-of-way, and setback areas. It is a 55+ housing development that presents an affordable housing option for seniors. It is currently zoned Residential 3 (R3), but as discussed below, the adoption of Bylaw 450 will permit the creation of a zone variation (R3a) which will in turn permit the strata subdivision of the MHP.

Surrounding land uses are primarily agricultural in nature, with lands on the south, east, and north of the property located within the Agricultural Land Reserve (ALR). On the west side, the property is bounded by Brinkworthy Road, with more agricultural lands to the west.

The applicant has been working closely with community members at Brinkworthy to meet their concerns and needs throughout the process. The proposed lot lines are respectful of the existing built environment: dwellings, accessory structures, and where practical, fences and hedges. The goal has been to minimize possible disruptions for Brinkworthy residents.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Land Use Bylaw:

Subject property is zoned as Residential 3 (R3), in which the principal use is single-family dwellings. The Land Use Bylaw does not discriminate between the various types of single-family dwellings; R3 is the only zone that permits manufactured home parks. This is indicated by the minimum lot size for subdivision purposes being specified at 2 ha, as well as the number of dwelling units per hectare.

In 2011, the Salt Spring Island Local Trust Committee considered the merits of a rezoning application (SS-RZ-2009.2) brought by Brinkworthy Properties Ltd., to rezone this property from R3 to R3(a).

The purpose of the R3(a) zone variation was to permit the strata subdivision of Brinkworthy Mobile Home Park, based on the provisions of Schedule E, Mobile Home Park Layout Provisions, of the Salt Spring Island Land Use Bylaw.

Salt Spring Island Local Trust Committee Bylaw 450, which permits this rezoning from R3 to R3(a), has received 3rd reading and Islands Trust Executive Committee approval, and is awaiting registration of covenants for adoption.

Other Development Applications:

Two-lot subdivision (SS-SUB-2010.5) – Purpose: To separate the mobile home park portion of the property from the ALR portion. This application is completed, and the file is closed.

Non-farm use (SS-ALR-2011.3) – Purpose: To construct an emergency services centre on the neighbouring ALR property (no longer connected to the mobile home park).

Strata subdivision application (SS-SUB-2011.9) – Purpose: To permit the strata subdivision of the mobile home park. The application is under consideration by MOTI, and awaiting Islands Trust comments. The ability to subdivide is dependent on adoption of Bylaw 450, to address the zoning considerations, and issuance of a DVP to address the existing non-conforming structures within Brinkworthy MHP.

LOCAL GOVERNMENT ACT:

Section 922 provides the authority for local governments to issue development variance permits in accordance with the requirements for public notification.

RESULTS OF CIRCULATION:

The DVP notice, and a copy of the DVP itself, was circulated to all residents and neighbours of Brinkworthy Mobile Home Park on January 12, 2012. No comments were received from the public as of date of this report.

ISSUE SUMMARY & STAFF COMMENTS:

Brinkworthy mobile home park community dates back to the 1960's, and as such has predated much of the legislation applicable at this time: ALR Act, Salt Spring Island Land Use Bylaw, and the current incarnation of the BC Building Code, as well as predating the use of the metric system in Canada.

In most ways, the Brinkworthy MHP still meets the requirements of Schedule E. However, over time, many small decisions related to modifications within the Park and to individual dwelling units were made in relation to neighbouring structures, rather than to lot lines. Thus, while everything inside the park is currently legal and conforming, the process of subdividing the park to permit strata ownership would create a number of non-conformancies in the absence of a DVP.

The various types of non-conformancies are discussed in detail here.

1. Minimum lot size – Provision 2(d) of Schedule E requires that no mobile home space be less than 325 sq m in area. The proposed subdivision plan indicates compliance with the minimum lot size of 325 sq m for all lots, with one exception (Lot 19). In this one case, the proposed lot area is 307 sq m, a shortfall of 18 sq m. This is largely due to its location on a cul-de-sac, and the positioning of

neighbouring units. Various adjustments have been explored to achieve the minimum lot size, but the implications on adjacent parcels and existing structures make moving lot lines impractical.

2. Front yard setbacks – Provision 2(m) of Schedule E requires that “No single-family dwelling may be located within 6 m of any other single-family dwelling, accessory building or internal access drive or within 1.5 m of any boundary of a mobile home space.” It is not clear, for the front yard setback, whether the setback is intended to extend from the paved road surface or from the road right-of-way. There appear to have been a variety of interpretations in the granting of building permits. Therefore, to ensure consistency, the applicant proposes that the applicable setback from the road right-of-way be 2.5 meters. This will ensure compliance by all except 8 lots, per Plan No. 1 (attached). In 6 out of 8 cases, the exception is for a carport attached to the principal dwelling. The exceptions apply to Lots 7, 86, 98, 101, 105, 107, 108, and 124.
3. Side yard setbacks – Provision 2(m) indicates that no structure may be located “within 1.5 m of any boundary of a mobile home space.” Under the current BC Building Code, structural separation of less than 1.2 m requires specific fire retardant building materials. Over time, a number of sheds, carports, and sunrooms have been added to the principal structure within Brinkworthy. These additions received building permits in large part because measurements were made between units, rather than in relation to the mobile home space boundaries. Almost all of the structures can meet the proposed 1.2 m side yard setback standard, but there are 23 lots with structures that encroach into the 1.2 meter standard (see Plan 1, attached). In most cases, the encroachment is to accommodate an existing carport or sunroom or porch, rather than the principal structure itself.
4. Lot coverage – Provision 2(i) indicates that “No more than 35 per cent of a mobile home space may be occupied by a single-family dwelling unit, including attached structures and buildings and accessory buildings, exclusive of a carport.” Over time, sheds, carports, sunrooms, and other additions have been added to the principal structures within Brinkworthy without regard to the extent of lot coverage on each mobile home space. Rather, given the large size of the parent parcel, this dimension was largely ignored, as long as building separation standards could be met. The applicant proposes that the lot coverage be increased to 50%, exclusive of carports, to address this anomaly. If this is acceptable, all lots will conform to the regulation.
5. Common storage space – The applicant proposes that, consistent with existing conditions, storage space be provided within each strata lot. This is different from the Schedule E requirement contained in regulation 2(k), which states that “A minimum of 15 sq m of fenced common storage space is to be provided for each mobile home space indicated on the Mobile Home Park Site Plan for a lot.” Given that the residents have not had fenced common storage space, and given that

the applicant is proposing lot coverage of 50%, exclusive of carports, this should address storage needs.

6. Road right-of-way – Schedule E regulation 2(g) required a 12.5 m right-of-way, with a minimum paved width of at least 6 m for two-way traffic, and at least 4.5 m for one-way traffic. The road right-of-way width is, in most places, 12.2 m, which is the equivalent of 40 feet, which was the previous standard. Therefore, the applicant requests that the 12.2 m standard be recognized for Brinkworthy MHP. However, there is a stretch of Ash Street, approx. 100 m long, with a right-of-way of only 10.0 m within the MHP. The paved road width meets the 6 m standard, but the road right-of-way is narrower than required. The applicant requests that compliance with the right-of-way provisions be set aside for this stretch of internal access drive.

In addition to the required modifications to the provisions of Schedule E, there are two variances required from the other provisions of Salt Spring Island Land Use Bylaw No. 355:

1. Section 5.3.4, indicates that “the *lot depth* of each *lot* created by *subdivision* must be at least 30 m.” For small lots of 325 sq m, this is an impossible standard to meet. Therefore, the proposed lot depth requirement has been varied to 20 m.
2. Section 5.15, which concerns itself with Highway Standards, references a road standards agreement (1992) between the Islands Trust Council and the Ministry of Transportation and Highways. This agreement specifies minimum road standards for the different classifications. Brinkworthy Road serves as the access road to Brinkworthy Mobile Home Park, and is classified as Rural Residential. This classification requires a paved width of 5.5 m, and a road ROW of 20 m. The existing road ROW is 12.2 m, thus the recommendation to vary this requirement to 12.2 m.

Application SS-DVP-2011.5 has highlighted a potential issue for Salt Spring Island in terms of providing affordable housing. The requirement that all subdivisions require side lot lines of 30 m, providing for 30 m lot depth, as contained in Section 5.3.4 of the Salt Spring Island Land Use Bylaw, may provide a regulatory barrier to the provision of affordable housing through small lot development on Salt Spring Island. The Islands Trust planning staff and Local Trust Committee members may wish to modify this provision the next time a general “housekeeping” amendment to LUB No. 355 is proposed.

Assuming the Local Trust Committee approves the issuance of the proposed DVP, enabling the subdivision to proceed, it will have effect in perpetuity, since it will be registered on title. This will assist with future redevelopment since the DVP clearly identifies the building setbacks in relation to lot lines, which Schedule E does not do.

The exceptions will be any of the individual variances that have the potential to violate the Building Code. Any future redevelopment within the MHP will require a Building Permit, which means that they will have to, in future, conform to the setbacks and

requirements of the BC Building Code, regardless of the DVP provisions. A CRD Building Inspection staff person extended verbal invitation through Islands Trust to provide advice to individual owners on Building Code provisions.

RECOMMENDATION:

THAT the Salt Spring Island Local Trust Committee **APPROVE** proposed Development Variance Permit application SS-DVP-2011.5 for Brinkworthy Properties Ltd. at 135 Brinkworthy Road, per attached.

Respectfully submitted by:

Contract Planner

Date

Concurred by:

Regional Planning Manager

Date

Appendix 1: Development Variance Permit notice

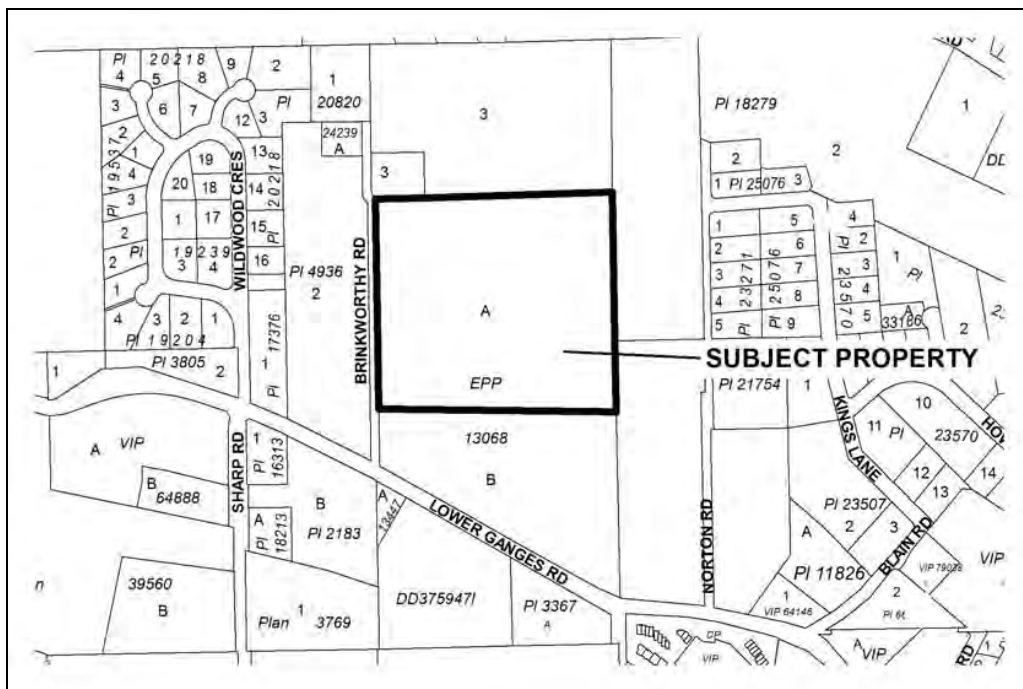
Appendix 2: Proposed Development Variance Permit

Appendix 1:

**NOTICE
 SALT SPRING ISLAND LOCAL TRUST COMMITTEE
 SS-DVP-2011.5**

NOTICE is hereby given that the Salt Spring Island Local Trust Committee will consider a Resolution to issue a Development Variance Permit, pursuant to Section 922 of the Local Government Act for Strata Lot A, Sections 4 and 5, Range 2 East, North Salt Spring Island, Cowichan District, Plan EPP13068. The purpose of the permit is to allow variances from a number of the sections of the Salt Spring Island Land Use Bylaw No. 355, including Schedule E "Residential 3 Zone Mobile Home Park Layout Regulations" (see attached proposed permit) to allow subdivision of the existing Brinkworthy Mobile Home Park into strata lots while respecting existing development.

The location of the property subject to the proposed permit is shown on the following sketch:



The Salt Spring Island Local Trust Committee will consider the proposed permit at a meeting on Thursday, February 2, 2012 beginning at 9:30 AM at Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Ganges. Please refer to the posted agenda available on the Islands Trust Website at the beginning of that week for an indication of where this application is to be placed on the agenda.

A copy of the proposed permit may be inspected at the Salt Spring Island office of the Islands Trust, at the above-noted address, between the hours of 8:30 AM and 4:30 PM, Monday to Friday inclusive, excluding Statutory Holidays, commencing Friday, January 13, 2012 and continuing up to Monday, January 23, 2012. Enquiries or comments should be directed to Salt Spring Island Local Planning Services office at 250-537-9144, or by email to: ssiinfo@islandstrust.bc.ca [Attention Bev Suderman, Consulting Planner].

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review. However, those persons who choose to make written submissions by email prior to the time and date above provided ought to require confirmation of receipt of their email and, in any event, the risk that an email is not received lies with the sender.

-- Pauline Brazier, Deputy Secretary



**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
SS-DVP-2011.5**

To: Brinkworthy Properties Ltd.

1. This Permit applies to the land described below:

Lot A, Sections 4 and 5, East North Salt Spring Island, Cowichan District Plan, EPP 13068.

2. Land Use Bylaw No. 355, being the Land Use Bylaw for Salt Spring Island, is varied to permit development as shown on Plan No. 1, noting that the following items are varied:

- a. Section 5.3.4 [requiring a lot depth of at least 30 m] is varied by replacing 30 m (98.4 ft.) with 20 m (65.6 ft.).
- b. Section 5.15 [requiring a minimum width of 20 m access road] is varied by replacing 20 m (65.6 ft.) with 12.2 m (40 ft.).

All generally in accordance with Plan No. 1, attached to and forming part of this Permit, as signed and dated by the Deputy Secretary of the Islands Trust.

3. Schedule "E" – Mobile Home Park Layout Regulations – of Land Use Bylaw No. 355, being the Land Use Bylaw for Salt Spring Island, is varied to permit development as shown on Plan No. 1, noting that the following items are varied:

- a. Section 2(g) [requiring internal access drives to have a right-of-way of at least 12.5 m] is varied by replacing 12.5 m (41 ft.) with 12.2 m (40 ft.).
- b. Section 2(i) [requiring lot coverage of no more than 35 per cent of a mobile home space, exclusive of a carport] is varied by replacing 35 per cent with 50 per cent.
- c. Section 2(k) [requiring a minimum of 15 square metres of fenced common storage space per mobile home space] is waived.
- d. Section 2(m) [requiring that no single family dwelling may be located within 6 m of any other single family dwelling, accessory building or internal access drive or within 1.5 m of any boundary of a mobile home space] is varied as follows:
 - a. No single family dwelling may be located within 2.5 m (8 ft.) of the road right-of-way for the internal access drive.
 - b. No single family dwelling may be located within 1.2 m (4 ft.) of any boundary of a mobile home space.

All generally in accordance with Plan No. 1, attached to and forming part of this Permit, as signed and dated by the Deputy Secretary of the Islands Trust.

4. Notwithstanding Sections 2 and 3 above, the following variances to Schedule E are applicable to specific proposed lots as follows:
- a. Section 2(d) [requiring a minimum lot size of 325 sq m] is varied to permit a minimum strata lot size of 307 square meters for proposed strata Lot 19.
 - b. Section 2(g) [requiring internal access drives to have a right-of-way of at least 12.5 m] is varied for a stretch of approximately 100 m along the internal road right-of-way known as Ash St. to 10.0 m, as shown on Plan No. 1 (attached).
 - c. Section 2(m) [requiring that no single family dwelling may be located within 6 m of any other single family dwelling, accessory building or internal access drive or within 1.5 m of any boundary of a mobile home space], strata lots identified on Plan No. 1 (attached) shall have front yard and side yard setbacks as depicted on the plan.
- All generally in accordance with Plan No. 1, attached to and forming part of this Permit, as signed and dated by the Deputy Secretary of the Islands Trust.
5. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for completion of the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE
THIS ____ DAY OF _____, 20__.**

Deputy Secretary, Islands Trust

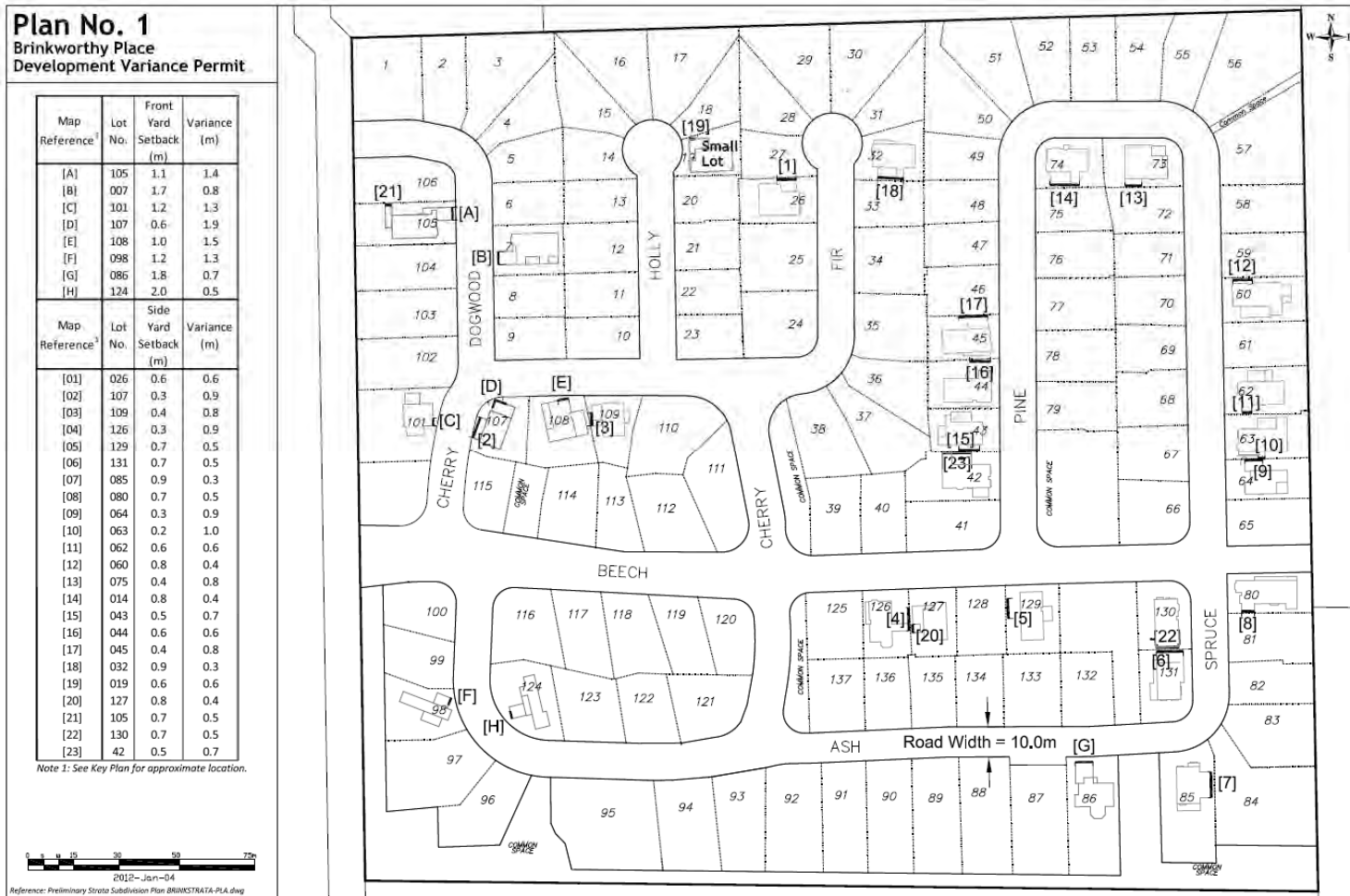
Date Issued

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF
_____, 20__ THIS PERMIT AUTOMATICALLY LAPSES.**

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
SS-DVP-2011.5**

PLAN NO. 1

(Note: A large-scale plan is available for viewing at the Islands Trust office,
and will be issued with the authorized permit)



I hereby certify this to be Plan No. 1, attached to and forming part of
Development Permit No. SS-DVP-2011.5.

Deputy Secretary, Islands Trust

Date Issued



STAFF REPORT

DATE: Jan 6, 2011

File No.: SS-TUP-2009.2 Renewal

Reference File No.: SS-RZ-2011.4

To: Salt Spring Island Local Trust Committee for February 2, 2012 Meeting

From: Caitlin Brownrigg, Planner 1

Re: Temporary Use Permit Renewal

Owner: 651626 BC LTD

Applicant: Myles Wilson

Location: Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District,
Plan 23507

Civic Address: 154-164 Kings Lane

THE PROPOSAL:

The property is subject to a temporary use permit (TUP) that expires in March of 2012. The renewal application is to allow the continued use of an existing building for five medical practitioners at 164 King's Lane. The building currently contains a medical clinic on the ground floor of a building with two dwelling units located on the second floor.

The temporary use permit requires renewal because the applicant's current rezoning application is not anticipated to be completed before the TUP expires.

CURRENT PLANNING STATUS OF SUBJECT LANDS

Official Community Plan

The subject property is designated **Ganges Village - Upper (GVU)**. The objectives for this designation are to continue to provide an adequate supply of appropriately zoned land in compact pedestrian-orientated villages to support the community's larger commercial, institutional, and cultural activities in combination with high and medium density residential use. The GVU designation allows for the issuance of Temporary Use Permits. The following policy is relevant:

B.5.2.2.2 Zones within the Ganges Village Designation will continue to allow the wide range of commercial, industrial, institutional land uses and the various densities of residential development allowed by existing zoning.

Development Permit Area 1

The subject property is located within Development Permit Area 1 – Island Villages. Renewing the TUP to maintain the current use of this property will not require a Development Permit; however, a Development Permit will be required if the rezoning application for the property is approved.

The Salt Spring Island Official Community Plan guidelines for Temporary Commercial Use Permits, state that the conditions of the TUP have to be consistent with the guidelines of Development Permit Area 1.

Temporary Commercial and Industrial Use Permits

The following guidelines from the Official Community Plan also apply:

Permits for temporary commercial and industrial uses should only accommodate uses that are consistent with this Plan. Permits could be issued for uses such as:

G.1.2.3 The temporary use of land for industrial or commercial uses that are compatible with land use designations, but are not specifically allowed by the local zoning bylaw. Such uses may be transitional or there may be uncertainty as to their appropriateness or viability. It may be premature or inappropriate to decide upon rezoning and long-term land use changes.

G.1.3.3 Permit conditions should ensure that temporary commercial and industrial uses are compatible with adjacent land uses. Noise, traffic, parking, general activity levels and any disturbance that may be apparent beyond the property's boundaries should be considered.

G.1.3.7 Permitted uses should be consistent with the objectives of this Plan.

Land Use/Zoning Bylaw:

The subject property is split zoned **Commercial 5 (C5)** and **Residential 6 (R6)** in the Salt Spring Island Land Use Bylaw No. 355.

Local Government Act

Section 921 of the Local Government Act has been updated since the original TUP was granted and now permits Temporary Use Permits to be renewed for a period of up to three years.

Riparian Area Regulations

The subject property is partially in a RAR designated watershed.

Archeological Sites

There are no suspected archeological sites on this property.

Covenants

There is a BC Hydro right of way covenant on the north part of the subject property.

SITE CONTEXT:

The subject property is located at 164 Kings Lane. On the C5 zoned portion of the property there is a yoga studio and bowling alley (limited use), garage (storage purposes), and parking space for the Salt Spring Island transit buses. The R6 zoned portion contains the subject building which was constructed as "a two person medical office with a residential duplex unit above" (Source: CRD Building Permit Referral – Dated July 27, 2009). The adjacent lands are zoned Residential 8 (a) to the north, Agriculture 1 (ALR) to the south, Residential 6 to the east and Agriculture 1 (ALR) to the west. The adjacent Official Community Plan land use designations are GVU (Ganges Village – Upper) and A (Agriculture).

RECOMMENDATION:

THAT the Salt Spring Island Local Trust Committee **APPROVE** renewal of Temporary Use Permit SS-TUP-2009.2 (Myles Wilson/ 164 King's Lane) for a three year period.

Prepared and Submitted by:

Caitlin Brownrigg, Planner 1

Date

Concurred by:

Leah Hartley, Regional Planning Manager

Date

Enclosed: Attachments (Draft Permit)



**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMIT
SS-TUP-2009.2
RENEWAL**

TO: 651626 B.C. Limited
c/o Myles Wilson

1. This Permit applies to the land described below:

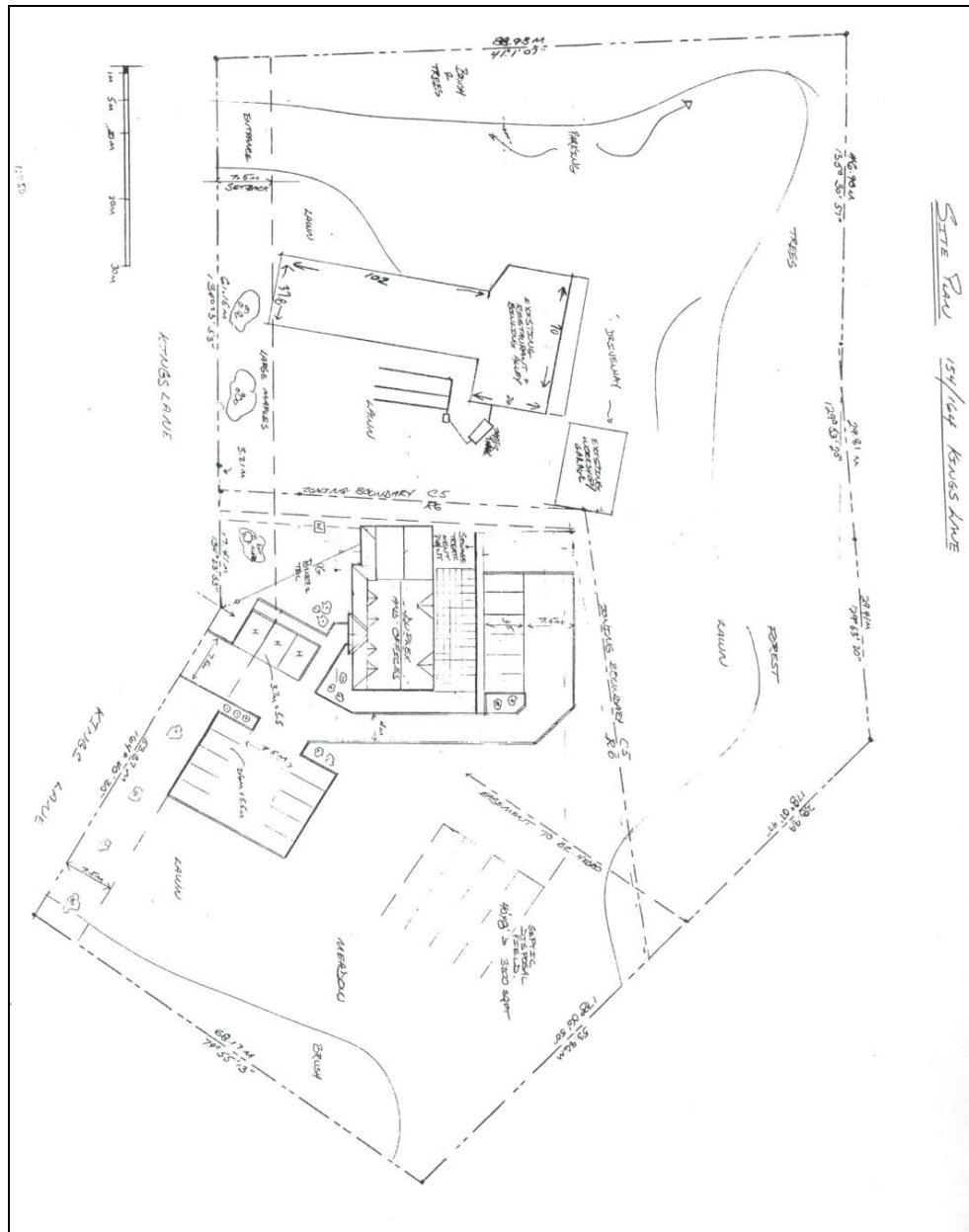
Lot 2, Section 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan 23507.
2. This Permit is issued to allow the following:
 1. a principal use of medical office services for more than two medical practitioners and not exceeding five medical practitioners all situated within the existing building.
3. This Permit is valid for a period of three years from the date of issuance.
4. This Permit does not relieve the Permittee from the need to secure all other approvals necessary for the proposed use.

AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS ___TH DAY OF ____, 20__.

Deputy Secretary

Date Issued

PLAN NO. 1



Page 76

STAFF REPORT

January 23, 2012

File No.: SS-RZ-2008.3

To: Salt Spring Island Local Trust Committee for meeting of February 2, 2012

From: Beverly Suderman & Chris Hall, Consulting Planners
Island Planning Services

CC: Kelly Gesner, Landworks Consultants Inc.

Re: **Application to Amend:**

1. **Official Community Plan (OCP) to re-designate a portion of 201 – 225 Beddis Road being:**

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,

from Agriculture (A) to Industrial and Commercial Service (I) and to include the entire lot within Development Permit Area 2.

2. **Land Use Bylaw 355 to rezone a portion of the above property from Agriculture 1 (A1) to Industrial 3 (In3) to permit a building supply yard and retail store.**

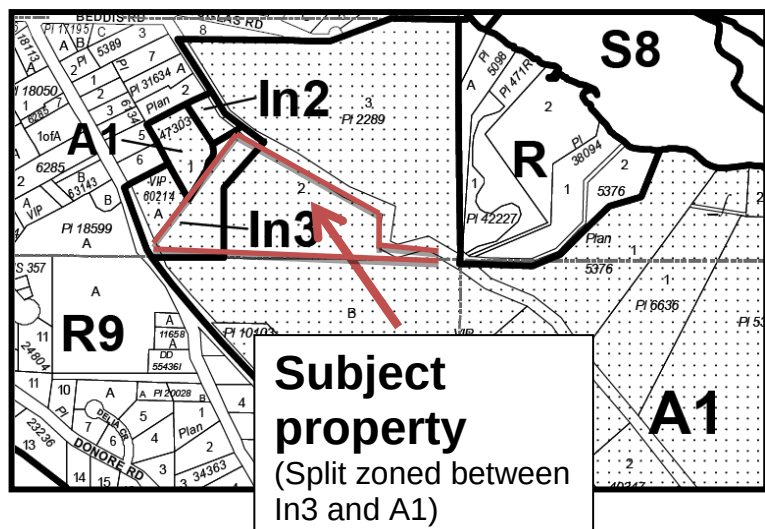
Owner: Beddis Developments Ltd.

Applicant: Kelly Gesner, Landworks Consultants Inc.

Location: 201-225 Beddis Road

THE PROPOSAL:

Bylaws 457 and 458 (attachments 1 and 2) are presented here for First Reading. Bylaw 457 is a proposed amendment to the Salt Spring Island Official Community Plan, modifying the boundaries of the land use designations on OCP Map 1, and extending the boundaries for Development Permit Area 2 accordingly.





Current OCP land use designations



Current zoning of subject property

Bylaws 458 and 459 are two proposed amendments to the Salt Spring Island Land Use Bylaw 355 Section 9.7.5 to add two zone variations, and to redesignate the zoning of the subject property, 201-225 Beddis Road, on Schedule A Zoning Map of the Land Use Bylaw.

These bylaws are to permit the applicant to create a building supply centre, and fulfil its obligations to the Agricultural Land Commission (ALC).

The property is currently within the Agricultural Land Reserve (ALR), with an ALC exclusion approval in place (SS-ALR-2005.4). The approval is subject to provision of an agricultural benefit.

Through negotiations with the Salt Spring Island Farmland Trust Society and Salt Spring Island Agricultural Alliance, a commitment acceptable to the ALC has been reached. This commitment is that Beddis Developments will:

- Provide an agricultural society with a 0.6 ha (1.5 ac) parcel of land subdivided from the parent property on Beddis Road;
- Undertake site preparation and erect a building of approximately 90m² (969 sq ft) to house the produce distribution centre;
- Endow an agricultural

society with \$40,000 to undertake the work.

A subdivision application (SS-SUB-2011.1) has been submitted separately to create the agri-industrial parcel. The proposed lot is located at the northernmost part of the subject parcel. The remainder of this report will discuss the application and supporting bylaws as applying to two parcels, one for an agricultural society, and the other for Slegg Lumber (parent parcel).

The applicant is proposing to build a new building supply centre for Slegg Lumber on the parent parcel. The facilities would consist of a retail and wholesale store and outside storage, some of which will be covered. The proposed retail and wholesale facility is anticipated to require a store with a footprint of up to 3,250 m² (35,000 sq ft), covered outside storage of approximately 95 m² (1,023 sq ft), with the existing house to continue to be used for employee accommodation, of approximately 150 m² (1,614 sq ft). The intent is to have a predominantly porous site. To this end, access, circulation, parking and most of the outside storage area will all be pervious surfaces.

The Beddis Road site was chosen by the applicant because:

- “The current building supply centre at 804 Fulford-Ganges Road is at capacity, allowing no room for expansion to provide better service and more options to customers on Salt Spring Island;
- “It provides more than enough space for expansion of the current facilities;
- “It also provides safer access and egress to suppliers and customers than the current location; and
- “Because the property, historically, has been used for gravel extraction and sawmilling, and has limited agricultural potential, ongoing commercial or industrial purposes are appropriate.”

It is the intention of the applicant (Slegg Lumber) to divest itself of the property at Fulford-Ganges Road.

BACKGROUND

At its meeting on September 1, 2011, the Salt Spring Island Local Trust Committee considered this application for the first time and passed the following motions:

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-177-11	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 the Advisory Environment Committee, the Agriculture Advisory Committee and the Advisory Planning Commission for their review and comment prior to developing the bylaws. 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

The minutes also show that “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.”

This report will familiarize the Local Trust Committee with the application, and update Committee members with actions taken on this file since the September 1, 2011 Local Trust Committee meeting.

SITE CONTEXT:

The subject property is approximately 5 hectares (12.4 acres) in size. The subject property has split zoning. The western portion is zoned Industrial 3 (In3), while the

remainder of the property is zoned Agriculture 1 (A1). Historically the property has been used for sawmill and gravel extraction. Currently the site is used primarily as a lumber storage yard.

Adjacent properties to the east and south are zoned Agriculture 1 (A1), and Rural (R). The immediate property to the south is a campground. Properties to the west and north are zoned Agriculture 1 (A1), Industrial 2 (In2) and Industrial 3 (In3). The industrial uses consist of auto & equipment repair, and storage. All of these surrounding properties are in the Agricultural Land Reserve. Properties on the west side of Fulford-Ganges Road are zoned Residential 9 (R9).

There are two streams that influence development of this property. One is an unnamed and ditched stream along the northwestern edge of the property. The other is Mowhinna Creek, which flows through a ravine on the eastern-most portion of the property.

There are steep slopes along the Ganges-Fulford Road (most westerly) boundary of the property, and in the eastern portion of the property along the creek, as well as along the southern boundary. These steep slopes present an erosion/steep slope hazard.

Figure 2. Approximate streamlines based on topographic contours

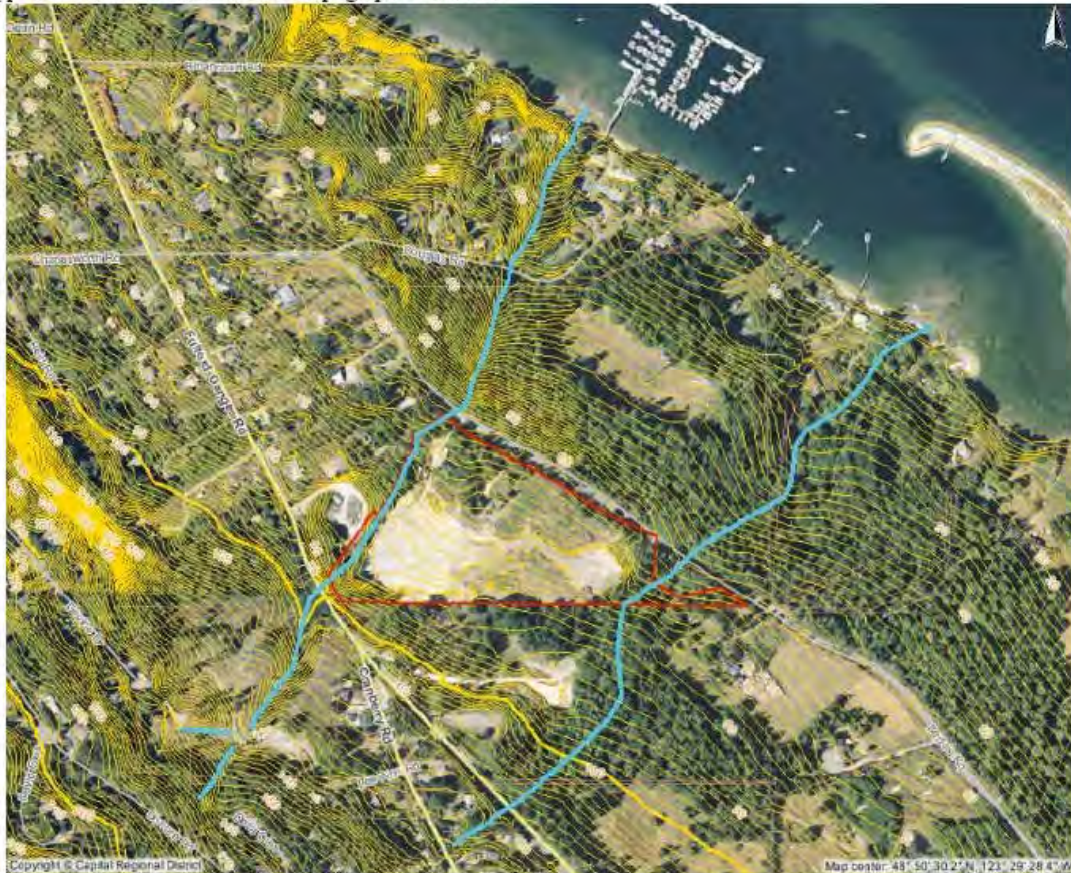


Image from *Riparian Areas Regulation Assessment Report*, prepared by Steve Toth (R.P. Bio) May 17, 2010, for Mark Rithaler, Slegg Construction.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

There are a number of policy statements and regulatory requirements that influence this proposal, as well as a number of related applications that are in process.

Island Trust Directive and Policy Statements:

Relevant Islands Trust policy statements:

4.1.6: OCP's and regulatory bylaws shall "address the use of adjacent properties to minimize any adverse affects [sic] on agricultural land."

5.2.1: ... "growth and development in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character."

5.2.3: OCP's and regulatory bylaws shall "address policies related to the aesthetic, environmental and social impacts of development."

5.2.6: OCP's and regulatory bylaws shall "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."

Official Community Plan:

The subject property is designated for Industrial and Agricultural uses, approximately following the existing zoning boundaries. Proposed Bylaw 457 would designate the entire subject property for Industrial uses within the OCP. It would also designate the entire subject property as part of Development Permit Area 2 for non-village commercial and industrial land uses.

OCP Maps indicate that Beddis Road is designated as a Minor Rural Road as well as being designated as a Heritage and Scenic Road Segment. The subject property is within the North Saltspring Waterworks District. The easternmost portion of the site is in a High Soil Erosion Hazard and Slope Stability Hazard area (DPA 6) as well as showing some potential for sand and gravel deposits. There are two streams crossing the property, one of which is a "natural" watercourse (through the eastern part of the property) called Mowhinna Creek, and the other which is a "ditched" watercourse (along the northwestern boundary of the property).

Figure 1. Features and SPEA setbacks on the property



Image from *Riparian Areas Regulation Assessment Report*, prepared by Steve Toth (R.P. Bio) May 17, 2010, for Mark Rithaler, Slegg Construction.

Relevant OCP policy statements include:

A.5.2.8 – “The Local Trust Committee (LTC) will encourage protection of ... wetland, stream and riparian corridor habitats, ... through the development permit process ...”

A.5.2.10 – “The LTC should develop improved methods of determining and assessing environmental impacts and encouraging protection of the natural environment when it is processing land use applications and referrals. The LTC should obtain comprehensive development approval information as designated and specified in s.G.1.4.”

A.5.2.13 – “The LTC encourages landowners and others to utilize current best practices and guidelines in undertaking an ecosystem-based approach to site planning and development ... Landowners and developers are encouraged to utilize the following principles in new development:

- a) Identify environmental values prior to site clearing and design.
- b) Locate development away from areas with high environmental values, and place natural buffers between the development site and sensitive features.

- c) Concentrate development in areas with low environmental values.
- d) Develop and implement site plans that protect biodiversity, clean air, and clean water.
- e) Locate developments away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts.
- f) Locate developments away from areas of agricultural potential and establish buffers between the development site and farmland.
- g) Minimize impacts of roads and driveways and reduce fragmentation of habitat.
- h) Maintain water quality.
- i) Maintain air quality and reduce greenhouse gas emissions.
- j) Design energy- and water-efficient developments that conserve natural resources.
- k) Minimize wastes, and manage wastes in an environmentally sound manner.
- l) Work with the local community to maximize the benefits of good environmental planning at the community and site level. ...”

A.5.2.14 – “The LTC should retain existing regulations to control surface run-off and to manage stormwater ...”

A.7.2.2 -- “The LTC will continue to require applicants for large new commercial, industrial or multifamily developments in village areas to ensure their development does not increase flooding of downslope properties. Such effects will be managed through the Development Permit process or through Land Use Bylaw regulations.”

A.7.2.4 -- “The LTC should not approve applications for rezoning that would increase development in areas with natural hazards.”

B.3.3.1.1 (Objective) -- To provide an adequate amount of land zoned for industrial use that is affordable, appropriately serviced and well located to accommodate local industry.

B.6.2.2.11 -- “The LTC could consider rezoning applications to allow higher density in exchange for community owned farmland or land for community farm product processing or storage facilities. Such applications to follow guidelines in Appendix 3. Such land is an eligible community amenity, which could be exchanged for a higher density of development as outlined in Appendix 3.”

B.6.2.2.18 -- “When it considers rezoning applications for land that borders or drains into agricultural land, the LTC will ensure that zoning changes are not made in a way

that would have a negative effect on farming operations. ... The Committee should also ensure that a zoning change would not result in detrimental changes to natural drainage or pollution of water supplies. ...”

B.6.2.2.19 -- “Zoning changes should not be made to allow large new ... industrial ... 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.”

C.2.1.1.4 (Objective) -- “To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.”

C.2.2.2.12 -- “Some road segments with scenic or heritage importance are designated on Map 15. Policies regarding future designations of scenic and heritage road segments will be developed in consultation with MOTI and the community.”

C.3.3.2.2 -- “When considering rezoning applications, the LTC should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. ...Rainwater catchment or a water conservation program could be considered.”

G.1.4.2 – “The objective of the designation of the Plan Area as a development approval information area is to ensure that consistent and comprehensive information pertaining to the impacts of proposed development on the environment, infrastructure and services, energy efficiency, energy security, and the local community is obtained.”

Land Use / Zoning Bylaw:

As noted earlier, the subject property is split zoned into Agriculture 1 (A1) and Industrial 3 (In3) zones. The proposal would make the entire parcel Industrial, although at the time of application the specifics of the industrial zoning were left undetermined. One option is to extend the In3 zoning across the entire parcel.

A wide range of uses are permitted in the In3 zone including: light industry; indoor commercial; funeral homes; indoor sales of building supplies, appliances and furniture, with accessory outdoor sales; storage; indoor service and repair to vehicles, equipment, machinery and boats; boat building; indoor wholesale sales; processing of wood products produced or to be used on Saltspring Island including sawmills and planing mills; veterinary clinics; collection of recyclables –excluding outdoor sorting and storage; public service uses; auto and equipment parking; plus one accessory dwelling unit.

The minimum lot size in industrial zones is 0.6 hectares (1.5 acres). Maximum lot coverage in In1 and In3 zones is 75%, while in In2 and In4 zones, it is 33%.

Section 9.7.3 of the Land Use Bylaw provides for the management of stormwater on industrial lots, to prevent increased runoff due to environmentally insensitive development.

Section 3.4 of the Land Use Bylaw provides for vegetative screening of “industrial and commercial uses that are not contained within a building ...” The Bylaw defines a vegetation screen as “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 Bylaw defines the buffer area as “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.”

Amenity Zoning¹:

The Salt Spring Island amenity zoning policy provides for the “granting of additional development potential by the Local Trust Committee in exchange for the voluntary provision of a community amenity by the land owner.” One of the eligible community amenities is “(e) land for community-owned farmland or land for community agricultural processing or storage facilities provided to the Salt Spring Farmers’ Institute or a community farmland trust organization.”

Development Permit Areas:

The portions of the site zoned Industrial are subject to the provisions of Development Permit (DP) Area 2 for Non-Village Commercial and Industrial Uses.² Prior to approval of any site development, the applicant will require approval of site development plans. An application has been submitted (SS-DP-2011.5).

Due to portions of the site being within Hazard areas on OCP maps 13 and 14, the site is subject to the relevant aspects of Development Permit Area 6 (slopes and erosion hazard). An exemption for the proposed subdivision from the requirements of this DP Area was granted to the applicant, based on previous geotechnical stabilization work and followup verification. (Letter from Planner Aasen, January 12, 2012.)

Given the presence of two streams across the property, the provisions of Development Permit Area 4 (Lakes, Streams, and Wetlands) may also apply, although the subject property does not appear on the DPA4 map (OCP map 21). To address these concerns, the applicant has undertaken a Riparian Area Assessment for the property, as described later in the report.

As part of the overall site development, no land disturbance activity is anticipated within the 10m SPEA as required by the Riparian Area Assessment report, or within 8 m of the crest of the slope on the eastern portion of the property. These commitments can be ensured through the provision of no build covenants to address the protection of streams and steep slopes.

¹ Salt Spring Island Official Community Plan, Volume 2, Appendix 3.

² This report recommends that, should Industrial land use designation be extended over the entire site, through OCP amendment, then DPA2 should also be extended over the entire site.

Industrial Task Force Report November 2009:

This study was undertaken to assess the supply and need for industrial sites on Saltspring. It identifies the subject property as consisting of 3.69 acres of industrially zoned property³ of which approximately 2% is used for buildings. The site is serviced with Three Phase Power, is approximately within a 1.3 km radius of Ganges, and appears to meet the other criteria specified by the Task Force in determining preferred locations for industrial lands.⁴ It concludes that there appears to be a shortage of industrially zoned land, either because existing lands are being underutilized or because the lands zoned industrial are unaffordable.

The Industrial Task Force also recommended increased usage of the In1(a) zone variant, with the modification of adding “retail sales of farm products” to the list of permitted uses, and that the Islands Trust consider extending permitted uses on farm land not in the ALR to include “storage, packing, product preparation and processing” of farm products using raw materials that are grown on Salt Spring Island farms. Through Bylaw 448, adopted September 2011, these suggestions have been addressed by the Local Trust Committee.

Saltspring Island Area Farm Plan January 2008:

The Farm Plan made three important recommendations. The third was the establishment of key community facilities that support the expansion of agricultural activities including cold storage and processing facilities. These actions are identified as a high priority and are a consideration in the review of this application.

Covenants, Notations on Title:

Easement EH151115 – Provides for an easement from the Slegg property directly to Fulford-Ganges Road, over part of a neighbouring parcel identified as Lot A, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP60214. Letter dated April 27, 1994 from MOTI indicates that this access from the sawmill onto Fulford-Ganges Road was to be removed and blocked off “entirely and permanently.” Further, the letter went on to indicate that “No commercial or farm accesses will be issued on Fulford-Ganges Road for the new proposed lot or the sawmill.”

Easement EK12406 – Provides for an easement by a neighbouring parcel identified as Lot A, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP60214 over a portion of the westernmost part of the subject property, adjacent to the neighbouring property.

³ 3.69 ac = 1.5 ha. This is only the In3 portion of the land, not the entire parcel.

⁴ A list of preferred criteria for industrial lands was determined, as follows: 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. (Industrial Task Force Report, 2009, p.3)

EN88737 -- Temporary Industrial and Commercial Use permit, valid 1999-2000.
EP76903 -- Temporary Industrial and Commercial Use permit, valid June 2000.
EP9910 -- Temporary Industrial and Commercial Use permit, valid 2000-2002.

RAAD: The site has been checked in the provincial archaeology database. No archaeological sites have been identified in proximity to this site.

Contaminated Site Legislation: Stage 1 and Stage 2 Preliminary Site Investigations were completed in 2003, prior to Slegg purchasing the site. Stage 2 recommended that a Detailed Site Investigation (DSI) be completed in the immediate area of the former sawmill location. The DSI was completed the same year, recommending no soil remediation. All reports were done by Levelton.

Agricultural Land Commission: The site is partially within the provincial Agricultural Land Reserve although an exclusion decision is in place. See next section.

ALR Exclusion Application

The ALR Exclusion application (SS-ALR-2005.4) was first reviewed by the LTC in August 2005. At that time, the LTC referred the application to the Agricultural Advisory Committee (AAC) for their review. The AAC conducted a site visit on October 19, 2005, and passed the following resolution:

It was **MOVED** and **SECONDED** that the Agricultural Advisory Committee recommend to the Local Trust Committee that the application for exclusion from the ALR for lands at 201-225 Beddis Road be forwarded to the Agriculture Land Commission with recommendation for approval, and further that the following recommendations also be considered by the Local Trust Committee at the appropriate time.

An appropriate buffer and drainage plan be created in consideration of the adjacent properties and the water course.

The utmost consideration be given to ecologically protect the water course on the east side of the property with appropriate measures.

To promote a greater community benefit, the transfer of industrial zoning from the Fulford Ganges property to the Beddis Road should be considered. **CARRIED**

In December 2005, Islands Trust staff advised the applicants that applying for the rezoning and OCP amendment application at the same time as the ALR exclusion application would be recommended so that the Local Trust Committee could evaluate the exclusion application in the context of the larger proposal for the site. The application was received in the Victoria office of the Islands Trust on May 16, 2008. In July 2008, the LTC again considered the application, and again referred it to the AAC for comment. The AAC reiterated their concerns from 2005.

The exclusion application, with LTC recommendation, was received by the ALC on January 21, 2009. The site inspection took place on March 25, 2009, and the ALC's Island Panel rendered its decision on December 18, 2009, that the application be approved with the following conditions:

- a) fulfillment of the commitments made by the proponents in the letter of November 2, 2009,⁵
- b) the establishment of tenure for the distribution centre to a recognized body representing agricultural interests as approved by the Commission, and
- c) Commission confirming the transfer of the agricultural distribution parcel of land to the above agricultural organization. (Resolution # 1906/2009)

THE PROPOSED DEVELOPMENT

A 0.6 ha parcel on the northerly portion of the site is in the process of being subdivided for the proposed agricultural produce distribution centre, to be owned by a Salt Spring Island-based agricultural organization, still to be determined. The central portion of the parent parcel will contain the proposed building supply centre. The eastern portion of the parent parcel will be set aside as a conservation area, to avoid development in a highly erodible environment, to protect the natural watercourse that runs through it, and to provide buffering to agriculturally zoned uses on the eastern and southern side of the property. Appropriate buffers will be established and/or maintained around the property.

The proposed new building supply centre for Slegg Lumber would consist of a retail and wholesale store and outside storage, some of which will be covered. The intent is to have a retail and wholesale store with a building footprint of up to 3,250 m² in size⁶, covered outside storage of approximately 95 m² and the existing house, used for employee accommodation, of approximately 150 m². This represents approximately 8% lot coverage.

The proposed agricultural produce distribution centre is anticipated to be approximately 90 m² (969 sq ft) in size, and the existing barn is approximately the same size. This represents approximately 3% lot coverage. Concept plans for the agricultural produce distribution centre are at a rudimentary stage.

The diagrams which follow, however, provide a rough indication of what site coverage might look like. Diagram 4 shows roughly the presence of existing vegetation.

⁵ The letter of November 2, 2009 outlined the conditions as described on page 2 of this report.

⁶ Design work is at the conceptual stage, pending the outcomes of the OCP amendment/rezoning process. Therefore, all figures used are approximate.

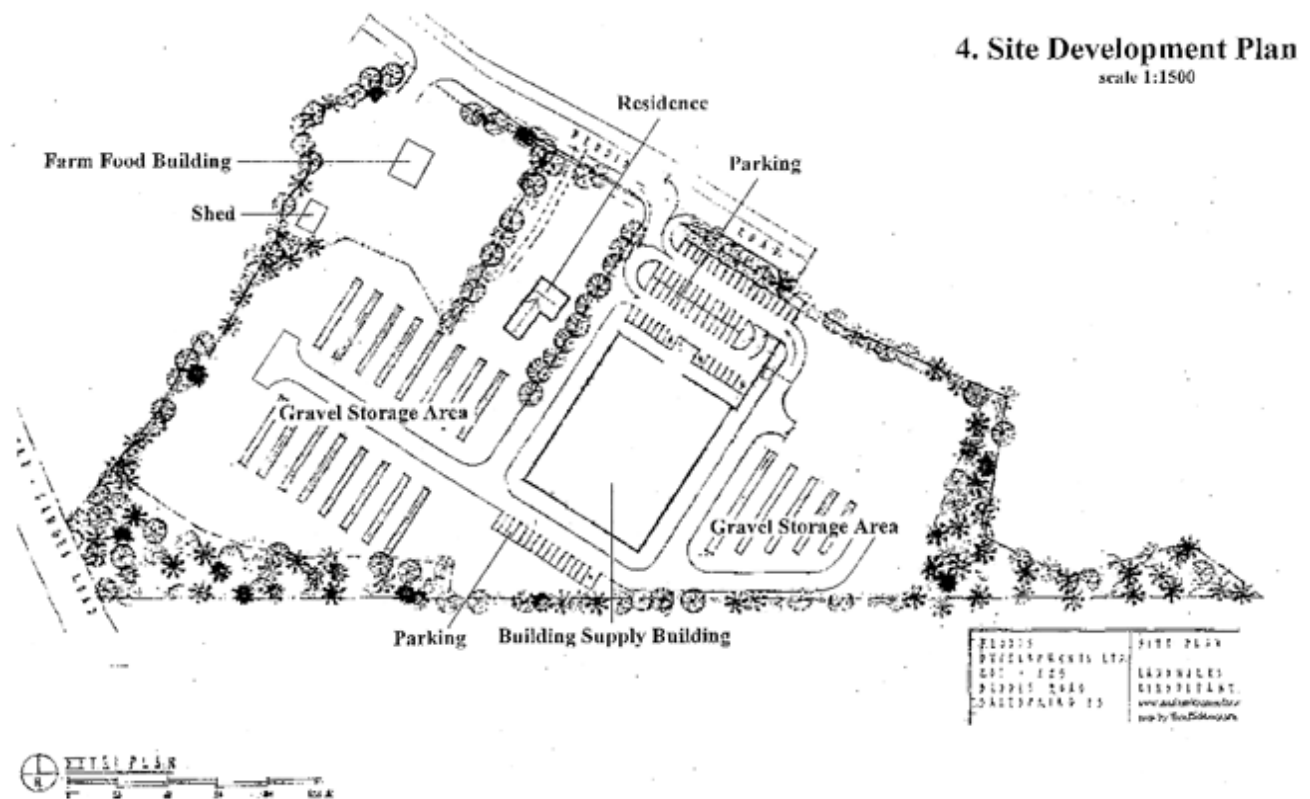


Image from *Stormwater Management Plan, Beddis Developments Property, Salt Spring Island*, prepared by Michael Bocking Landscape Architect Ltd., June 2011.

The intent is to have a predominantly porous site. To this end, access, circulation, parking and most of the outside storage area will all be pervious surfaces such as gravel, pavers, grass-crete or porous concrete. A stormwater management plan has been prepared to assist with ideas for enhancing overall perviousness, as well as to ensure that post-development flows approximate pre-development flows for the site, per section 9.7.3 of the LUB. (See diagram “5. Proposed Stormwater Works”)



Image from *Stormwater Management Plan, Beddis Developments Property, Salt Spring Island*, prepared by Michael Bocking Landscape Architect Ltd., June 2011.

DETAILED SITE CONSIDERATIONS

There is a long list of policy directives that need to be addressed in evaluating this application, including Islands Trust Policy statements and OCP policy, as listed earlier in this report. Staff comment on these policies follows:

Islands Trust Policy Statements:	Staff Comment:
4.1.6: OCP's and regulatory bylaws shall "address the use of adjacent properties to minimize any adverse affects [sic] on agricultural land."	The ALC has made its decision regarding the exclusion of these lands from the ALR, in part in response to the degraded nature of those lands from previous industrial activities. The adverse impacts (sawmill, gravel extraction) on agricultural land significantly predate this application and this land-owner. Environmentally protective measures, as proposed, should minimize the potential for adverse effects on nearby agricultural lands.
5.2.1: ... "growth and development in the Trust Area should be compatible with preservation and	The applicant's site design proposes to protect the natural amenities (creek and drainage channel, mature trees) of the site, and protect the environment through stormwater management. There is a potential for the

protection of the environment, natural amenities, resources and community character.”	project to contribute to Salt Spring Island’s greenhouse gas emission reduction targets by moving its operations closer to the major population centre. The new location is a driving distance of 1.6 km from the centre of Ganges. The old location at 804 Fulford-Ganges Road is a driving distance of 3.2 km from the same intersection in Ganges.
5.2.3: OCP’s and regulatory bylaws shall “address policies related to the aesthetic, environmental and social impacts of development.”	Preliminary design drawings indicate a concern by the applicant to address a West Coast aesthetic in the building. Environmental considerations are being addressed through riparian setbacks, setbacks from slopes, protection of mature vegetation, use of permeable paving and other techniques for managing stormwater on-site. Social considerations are being addressed through the agreement with the Farmland Trust, which will enhance Salt Spring Island’s food security initiatives; and through the proposal to provide affordable on-site housing for employees by maintaining the existence single family dwelling for that purpose.
5.2.6: OCP’s and regulatory bylaws shall “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.”	The property under consideration is located in Development Permit Area 6, so designated because of a portion of the site which is subject to high soil erosion or slope instability hazard. Work has been undertaken, under the direction of geotechnical professionals, to mitigate concerns for this site, and to ensure that development is set well back from the risk areas. The application has received a DPA6 exemption.

OCP Policy	Staff comment
A.5.2.8 – “The Local Trust Committee (LTC) will encourage protection of ... wetland, stream and riparian corridor habitats, ... through the development permit process ...”	The applicant has a DP application in process and has completed a Riparian Areas Assessment, which has been accepted by the BC Ministry of the Environment. It requires a 10 m Streamside Protection and Enhancement Area (SPEA) of 10 m on both sides of Mowhinna Creek, and 10 m on the subject property side of the ditched watercourse to protect water quality and riparian habitats on site.
A.5.2.10 – “The LTC should develop improved methods of determining and assessing environmental impacts and encouraging protection of the natural environment when it is processing land use applications and referrals. The LTC should obtain comprehensive development	See discussion related to OCP section G.1.4. The applicant has provided additional studies to investigate questions related to the application when these studies have been requested by Islands Trust personnel.

OCP Policy	Staff comment
approval information as designated and specified in s.G.1.4.”	
A.5.2.13 – “The LTC encourages landowners and others to utilize current best practices and guidelines in undertaking an ecosystem-based approach to site planning and development ... Landowners and developers are encouraged to utilize the following principles in new development: a) Identify environmental values prior to site clearing and design. b) Locate development away from areas with high environmental values, and place natural buffers between the development site and sensitive features. c) Concentrate development in areas with low environmental values. d) Develop and implement site plans that protect biodiversity, clean air, and clear water. e) Locate developments away from areas that may be subject to erosion, flooding, wildfires, and wildlife conflicts. f) Locate developments away from areas of agricultural potential and establish buffers between the development site and farmland. g) Minimize impacts of roads and driveways and reduce fragmentation of habitat. h) Maintain water quality. i) Maintain air quality and reduce greenhouse gas emissions. j) Design energy- and water-efficient	The applicant has been sensitive to the requirements of the site, and has undertaken an ecosystem-based approach to site planning. Site development, of course, is pending the results of the rezoning/OCP amendment process. Specific comments on the principles: a) The site had been used historically for industrial purposes, and therefore was highly disturbed. However, in the design process, environmental values have been given a high priority. b) Development is proposed to be set well away from areas with high environmental values, with buffering of sensitive features and neighbouring uses. d) Site plan protects mature vegetation, calls for some revegetation, and proposes stormwater management practices which will enhance the environmental values of the site and reduce the development's impact on the public water system, i.e. storing water for irrigation purposes. e) Development is being located away from areas subject to erosion and flooding, thereby also away from wildfire risk areas and wildlife conflicts. f) Development is on lands where agricultural potential was seriously diminished by previous industrial activities. Buffers are in place between the development site and adjacent farmland and other lands in the ALR. g) No new roads are being constructed. Improved road design was proposed, but not supported by MOTI. h) Stormwater measures proposed will maintain water quality. i) Development may assist with reduction of greenhouse gas emissions, by moving a major business closer to the major population centre. j) This aspect of development is addressed

OCP Policy	Staff comment
developments that conserve natural resources. k) Minimize wastes, and manage wastes in an environmentally sound manner. l) Work with the local community to maximize the benefits of good environmental planning at the community and site level. ...”	primarily through the DP process. l) Applicant has been working closely with local community organizations, particularly the Salt Spring Agricultural Alliance and the Farmland Trust.
A.5.2.14 “The LTC should retain existing regulations to control surface run-off and to manage stormwater ...”	The applicant has prepared a stormwater management plan that will ensure site development meets the requirements of LUB 9.7.3 (stormwater management). This plan will be further refined, as design proceeds.
A.7.2.2 “The Local Trust Committee (LTC) will continue to require applicants for large new commercial, industrial or multifamily developments in village areas to ensure their development does not increase flooding of downslope properties. Such effects will be managed through the Development Permit process or through Land Use Bylaw regulations.”	The proposed development is large, by Salt Spring Island standards, but it is not located within a village area, so this policy is not directly applicable. Nevertheless, the applicant has, through a Riparian Area Assessment process and through a stormwater management study, addressed the prevention of flooding of downslope properties.
A.7.2.4 “The LTC should not approve applications for rezoning that would increase development in areas with natural hazards.”	A significant amount of geotechnical assessment work has been undertaken by Levelton Engineering, to determine risks and mitigate potential for slippage on the sloped areas. The proposed development will stay away from the risky areas.
B.3.3.1.1 (Objective) To provide an adequate amount of land zoned for industrial use that is affordable, appropriately serviced and well located to accommodate local industry.	The Industrial Task Force report (2009) indicates that there is a need for more industrially zoned land on Salt Spring Island. The Beddis Road site is appropriately serviced, and reasonably well located to accommodate local industry: proximity to population centre, Phase 3 power, with good road access. Most of the subject property is flat, with steep slopes only at the extreme western portion, and in the Mowhinna Creek ravine area on the eastern side, and along the southern boundary.

OCP Policy	Staff comment
B.6.2.2.11 “The LTC could consider rezoning applications to allow higher density in exchange for community owned farmland or land for community farm product processing or storage facilities. Such applications to follow guidelines in Appendix 3. Such land is an eligible community amenity, which could be exchanged for a higher density of development as outlined in Appendix 3.”	The ALC, in its deliberations, was aware of OCP policy and determined that the exchange of agricultural benefits for the loss of ALR designation was appropriate. The Islands Trust also had an opportunity to comment on this at the time of the ALC deliberations. In conformance to the requirements of Appendix 3, the applicant is contributing land to an as-yet unnamed agricultural society for a community agricultural storage and distribution facility, which is an eligible community amenity. In addition, the applicant is building the facility and providing the society with a substantial cash contribution to begin operations at the site.
B.6.2.2.18 “When it considers rezoning applications for land that borders or drains into agricultural land, the LTC will ensure that zoning changes are not made in a way that would have a negative effect on farming operations. ... The Committee should also ensure that a zoning change would not result in detrimental changes to natural drainage or pollution of water supplies. ...”	The proposed development is not adjacent to any farming operations, although it is adjacent to ALR lands. Detrimental changes to natural drainage or the pollution of water supplies is not anticipated. The applicant anticipates putting in place a variety of stormwater management measures to protect water quality and reduce runoff. The specifics of these measures will be addressed fully through the development permit process.
B.6.2.2.19 “Zoning changes should not be made to allow large new ... industrial ... 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.”	The application requires an OCP redesignation from Agriculture to Industrial. In its evaluation of the OCP amendment request, the Local Trust Committee will need to consider whether the proposed benefits are consistent with the overall plan objectives.
C.2.1.1.4 (Objective) “To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.”	A traffic impact study has been completed, that addresses additional traffic and increased traffic flow. Discussed in “Detailed Site Considerations” section.
C.2.2.2.12 “Some road segments with scenic or heritage importance are designated on	Beddis Road is a designated scenic/heritage road. The Letter of Agreement between MOTI and the IT,

OCP Policy	Staff comment
Map 15. Policies regarding future designations of scenic and heritage road segments will be developed in consultation with MOTI and the community.” NOTE: Policies have not yet been developed.	together with amendments to this Letter of Agreement have been considered (See Detailed Site Considerations section).
C.3.3.2.2 “When considering rezoning applications, the LTC should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. ...Rainwater catchment or a water conservation program could be considered.”	The site is connected to the North Salt Spring community water system, and will not be making draws from wells or springs. It is anticipated that the change in water use will be minimal for the proposed building supply centre. It may be that the agricultural processing site will consume more water. The preliminary stormwater management plan anticipates the use of permeable paving and/or gravel in the parking lots, to permit rainwater infiltration, as well as the construction of a stormwater retention pond, to provide irrigation water for the landscaping.
G.1.4.2 “The objective of the designation of the Plan Area as a development approval information area is to ensure that consistent and comprehensive information pertaining to the impacts of proposed development on the environment, infrastructure and services, energy efficiency, energy security, and the local community is obtained.”	Studies completed by the applicant in support of this application include: 1. Riparian Area Assessment 2. Stormwater Management Plan 3. Traffic Impact Study 4. Geotechnical investigations

There is another OCP policy (B.3.3.2.10) that outlines criteria for designating new industrial parcels, and supporting their removal from the ALR, but the policy is specific to the Rainbow/Atkins Road area adjacent to Ganges. This criteria may also be helpful to the Local Trust Committee in assessing the merits of the Beddis Road application for rezoning. The policy states that “... the LTC 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.”

COMMUNITY INFORMATION MEETING(S):

This site has been under consideration for a change in land use since 2005. The appendix (attached to this report) summarizes the various steps taken as part of a process that initially dealt with concerns over vegetation removal and ALR issues. It subsequently moved forward with a full ALR exclusion application in 2008. Public and community information processes throughout have afforded residents opportunity to comment and be informed as to the proposed use. Most recently the current application was presented to a March 1, 2011 meeting with neighbours (2 written comments received) and a subsequent March 10, 2011 open house for the community⁷ (2 written comments received at the event, and 3 additional comments received via email after the event). Comments can be summarized as follows:

- Concerns re parking, traffic, and the need for intersection improvements;
- Concerns re vegetation and its relationship to stormwater-related erosion;
- Support, based on local economic development, food security; and
- Suggestion to refer the application to the Environmental Advisory Committee and any other relevant committees as soon as possible, to get input re plans.

PRELIMINARY REFERRAL SUMMARY:

The OCP amendment/rezoning application was sent for preliminary referral to a host of agencies and First Nations who may have an interest. To date, the Islands Trust has received comments as follows:

Agency/Organization	Comments
BC Transit	Land Use : The proposed land use at 201 and 231 Beddis Road should not affect transit operations. The proposed land use may generate more ridership from employees who wish to use transit. However, any increase in ridership is not possible to predict at this time. Bus Stops : BC Transit recommends that safe and accessible pedestrian access is built to existing bus stops. While MOTI does not intend to make changes to the intersection, the Ministry would give favourable consideration to issuing a permit for the proposed bus stops/pullouts upon the CRD providing an application and detailed drawings to MOTI. <u>Detailed drawings should also be provided to BC Transit, to ensure that they comply with BC Transit standards.</u> BC Transit Level of Support : Contingent on resolution to any issues noted above, BC Transit supports the proposed development at 201 and 231 Beddis Road as it does not appear to impact transit operations. If there is a request from the CRD (through a motion from the Salt Spring Island Transportation Commission) to build bus bays at Fulford-Ganges Road and Beddis/Charlesworth, BC Transit should be provided with all information on

⁷ The report authors were present at the community open house event.

	the project to provide comment.
CRD Building Inspection	Interests unaffected
Ministry of Transportation & Infrastructure	"...The Ministry of Transportation & Infrastructure does not require any improvements to this intersection [Beddis at Fulford-Ganges Road] as a result of the proposed Slegg Lumber development on Beddis Road. The Ministry will arrange to have a 40 km/h speed advisory for the corner/intersection with Douglas Road and Beddis Road." (D. O'Brien, email, Dec 20, 11)
North Salt Spring Water District (NSSWD)	Interests unaffected
Salt Spring Island Transportation Commission	At its meeting on January 10, 2012, the Commission recommended as follows : • that the Local Trust Committee work with the MoT to identify and develop guidelines for designating and protecting the scenic and heritage value of island roads; and that in the interim, guidance be provided to the developer and to the prevailing MoT road maintenance contractor on the timing and extent of the recommended vegetation clearance on Beddis Road to take account of the scenic and heritage factors which are at play in this situation • Approval of the OCP and Land Use Bylaw amendments for a portion of 201-225 Beddis Road subject to the Conditions outlined below: - o receipt from the applicant of an analysis of the south bound Left Turn movement at the Beddis/FGR/Charlesworth intersection so as to determine when a separate Left Turn lane may be warranted for this movement on Fulford Ganges Road - o provision for a bus pull-out for transit and school buses subject to BC Transit approval as per Exhibit 24 of the Bunt Report at the time of any intersection re-design⁸ - o the provision of a pathway fronting the properties in question based upon published CRD Guidelines on Sidewalks (http://www.crd.bc.ca/regionalplanning/transportation/cycling-walking/documents/PCMP_Design_Guidelines_lowRes.pdf) or alternatively payment of a gift-in-lieu to the CRD to be applied to the construction of pathways in the core of the village of Ganges - o implementation of the various recommendations made by the consulting engineers Bunt and Associates, namely: ▪ establishment of a secondary point of access to the developments for emergency use; Bunt mentioned the option of providing a gate between the abutting land uses so that their driveway access could serve as an emergency access if needed ▪ installation of an advisory speed of 40 km/h on Beddis northbound south of Douglas Rd in conjunction with vegetation clearance to ensure minimum sight distances are met

⁸ A conversation with Donald McLellan, Chair of the SSI Transportation Commission, clarified that the Commission did not intend for the bus pull-out to be a condition of LTC approval of the OCP amendment/rezoning bylaw. However, the Commission is very concerned that this intersection be improved, given the current accident rate and the potential for this to increase in light of increased traffic.

Cowichan Tribes	"Cowichan Tribes has no specific comments at this time about the rezoning of this property. We would make a general comment however, with respect to rezoning and redevelopment of properties: Cowichan Tribes would like to see specific wording in the bylaw related to stop-work orders if and when any shell, bones or organic material is uncovered as a result of development work on this site and any other site on Saltspring Island." Email, T.F., Oct 13/11
Tsawout First Nation	"Contact Tsawout FN if any remains found." (K. Cossey, hard copy to SSI IT office)

REFERRAL TO ADVISORY COMMITTEES SUMMARY:

The application was referred to all three standing Salt Spring Island Advisory Committees, and considered at their meetings on October 20, 2011.

Advisory Planning Commission:

The Advisory Planning 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 passed a resolution 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. The Commission also expressed a concern to ensure proper drainage for the site.

Agriculture Advisory Committee:

The Agriculture Advisory Committee passed a resolution that endorsed the following Salt Spring Island Local Trust Committee September 1, 2011 resolutions: SSI-175-11; SSI-176-11; SSI-178-11; and SSI-179-11.⁹

Advisory Environmental Committee:

The Advisory Environmental Committee discussed various aspects of the application, including storm water, pervious surfaces, and wheelchair access, as well as the size of the building to be provided to the agriculture group, the disposal of the current Slegg site, and traffic statistics. The Committee passed a resolution "that application SS-RZ-2008.3 (201 Beddis Road, Landworks Consultants) go forward."

SUMMARY OF MAJOR CONCERNS

A number of concerns have been raised regarding the site-specific aspects of the project:

- Environmental considerations (natural hazard, water course protection, stormwater management, possible contamination);

⁹ NOTE: The only LTC resolution not endorsed in the AAC's motion is SSI-177-11, which was the resolution to refer the application to the Advisory Committees.

- Social considerations (potential for finding human remains during construction, traffic impacts and improvement of the intersection at Fulford-Ganges, Beddis, and Charlesworth Roads, scenic/heritage roads, neighbourhood character, protection of the ALR).

Each of these will be addressed in turn. NOTE: Many of these concerns may be resolved through a combination of DPA permit requirements and covenants that the Ministry of Transportation has asked for or that will be proposed as a condition of rezoning approval.

Environmental Considerations:

Natural Hazard (soil erosion, slope stability):

An easement¹⁰ exists on the title of the subject property that requires a geotechnical report for the site prior to any new buildings being constructed. Levelton Engineering prepared such a report in 2005. It made a number of recommendations regarding site works to address the geotechnical aspects of the property. Subsequent site visits by Levelton confirm that its recommendations have been addressed. It is recommended that as part of any future DP application that the information is reconfirmed and implications from any further site works be addressed as part of a Development Permit.

Water Courses and Drainage

Two drainage corridors cross the site: Mowhinna Creek on the eastern side, and an unnamed ditched watercourse on the western/northern boundary. A Riparian Area Regulations assessment was conducted by a qualified professional and submitted to the Provincial Registry. The report examines various features that support fish habitat. It concludes that the watercourses are highly unlikely to support fish due to the steep gradient between the ocean and the site. Nevertheless a 10m Stream Protection and Enhancement Area (SPEA) buffer was established along both watercourses, which also serves to protect vegetation within the corridor. Measures for site monitoring after construction are required and would form part of a DP application review.

Stormwater Management

Drainage systems and characteristics of the subject property were evaluated by a qualified professional to determine the current water runoff from the site, calculate any changes to water runoff based on conservative estimates related to the size of the proposed development, and recommend strategies for reducing the amount of water runoff to below current rates. The recommendations include:

- Constructing a stormwater detention pond on-site that could be used to irrigate the on-site landscaping in the summer;
- Use of permeable paving and bioswales to capture and filter stormwater; and
- Revegetating disturbed areas with trees and shrubs.

Detailed design plans will be required prior to site development, as part of a DP application review.

¹⁰ EH151111

MOTI's preliminary comments on the stormwater management plan, in an email dated July 6, 2011, appear to concur with the study's direction. MOTI's concerns are fully met in the preliminary site design and study recommendations. The proposed bioswales are to be located entirely on the Beddis Road property, adjacent to parking lots, to capture and filter any runoff from the parking.

As part of its subdivision requirements, MOTI is requiring that the applicant provide two covenants: 1) prohibiting construction of any building within 15 m of the top of the bank of Mowhinna Creek; and 2) prohibiting the removal of any vegetation within 7.5 m of the top of bank of Mowhinna Creek.

Possible contamination of groundwater and potable water supply

Letters on file indicate a concern by some downstream property owners regarding the escape of industrial contaminants into the ground water system, specifically from treated lumber stored outside. The concern is that these products may enter potable water supplies.

There is no evidence to date of any contamination as a result of past activities on the site. As indicated earlier in the report, a detailed site investigation in the immediate area of the former sawmill location was completed in 2003. No contamination was found. No soil remediation was recommended.

The applicant has indicated that treated lumber and other building supplies with potential for contaminant leakage will be covered or stored indoors to ensure no leaching occurs.

The requirements for protecting groundwater will be determined by the nature of the business. For the proposed uses, containment of possible contamination would be done in accordance with regulations regarding such material. Most potential contaminants would be contained within an enclosed building, and therefore would not contribute to contamination of groundwater. Nevertheless, measures to minimize risk of contaminant escapes should be considered as part of a DP application.

Social Considerations

Potential for finding human remains during construction

The maltreatment of human remains is a source of concern for all, but particularly for First Nations in the area. The responsible authority is the Ministry of Forests, Lands, and Natural Resource Operations, Archaeology Branch, which administers the *Heritage Conservation Act*, the latest incarnation of archaeological site protection. This legislation requires that should any archaeological artifacts, including human remains, be found during construction, that construction should cease immediately and the Archaeological Branch be notified immediately also.

The Remote Access to Archaeological Data (RAAD) database did not reveal any known archaeological sites within the vicinity of the proposed development.

Traffic impacts and improvement of the intersection at Fulford-Ganges, Beddis, and Charlesworth Roads

Beddis Road is a designated minor rural road with a mix of uses along it. Concerns have been raised regarding the intersection with Fulford Ganges Road, along with pedestrian and vehicle safety along Beddis Road in a context of increased vehicular traffic and congestion. These concerns were raised by the consultants to MOTI. Although the Ministry did not feel it necessary, the applicant has supplied a professional assessment of the safety concerns.

A traffic study¹¹ commissioned by the applicant has investigated existing conditions with regard to roads, intersections, access to the site, traffic volumes, and accident history, as well as a 10 year projection of traffic volumes, based on anticipated business and population growth. The proposed development is anticipated to generate an additional 77 trips/hour at peak hours along Beddis Road, with 39 vph exiting the sites and 38 vph entering the sites. The implications for traffic volumes are as follows:

- At the intersection of Fulford-Ganges Road / Beddis Road / Charlesworth Road, traffic volume is anticipated to increase by approximately 10%, from approximately 700 vehicles/hour in the afternoon peak hour to approximately 777 vehicles/hour in the peak hour.¹²
- Along Beddis Road, traffic volume is currently estimated at approximately 104 vehicles/hour (62 coming onto Beddis Road; 42 departing Beddis Road). This is anticipated to increase by 77 vehicles/hour at peak times (39 into the sites; 38 departing) for the stretch between Fulford-Ganges Road and the proposed development sites. This is an increase of approximately 75% in vehicle traffic in this 0.5 km stretch of Beddis Road.

The study concludes that the increased traffic forecast for both new land uses are well within the operating capacity of Beddis Road, which is designated as a minor rural road. The site plan for the Slegg Lumber land use meets the bylaw requirements for off-street parking, while the site plan for the farm food distribution centre was not developed in sufficient detail to be reviewed for compliance with bylaw requirements. Site accesses are well located. Minimum site distances for a design speed of 50 km/h could be met for all situations with some clearance of vegetation on the west side of Beddis Road, and within the Fulford-Ganges Road right-of-way in the vicinity of Beddis Road and Charlesworth Road. The study recommends that both land uses (food distribution centre and Slegg Lumber) would benefit from having a secondary point of access for emergency use, and indicates an option for addressing this concern.

The traffic study also analyzed the Fulford-Ganges Road/Beddis Road/Charlesworth Road intersection in detail. The collision history for this intersection indicates a collision rate almost double the Average Provincial Collision Rate for non-signalized two-lane undivided rural arterials with comparable traffic volumes. The study recommends a

¹¹ Completed by Bunt and Associates, 2011.

¹² In November 2008, the CRD measured traffic flows at approximately 735 vph. In May 2011, the traffic consultants counted traffic flows at approximately 685 vph. The peak hour is defined as 3:45 – 4:45 pm.

number of improvements to this intersection that are to be addressed by the applicant, should they meet with MOTI's approval.¹³

A further recommendation of the traffic study is that an advisory speed sign of 40 km/h be installed on Beddis Road northbound south of its intersection with Douglas Road in conjunction with undertaking the recommended vegetation clearance on the west side of Beddis Road to ensure that minimum recommended sight distances are met for this posted speed.

The owner has given direction to trucks delivering product to the site regarding safe use of the intersection, and respect for the rural nature of Beddis Road beyond (south of) the subject property. Namely, drivers have been instructed when leaving the Beddis Road site to turn left onto Beddis Road, and then access Fulford-Ganges Road by turning right into Ganges, turning around in the Village, and then travelling south on the Fulford-Ganges Road. After several years of these directions, there have been no accidents and no complaints about truck traffic from this site.

Vehicles parked alongside the road near the property are associated with an adjoining business. Safety and visibility concerns have been shared with enforcement personnel. The road falls under the jurisdiction of the Ministry of Transportation and Infrastructure (MOTI).

The traffic study was referred to MOTI for review and comment. The Ministry's response is that "the accident history and traffic volumes do not warrant any improvements at this location. Therefore, the Ministry of Transportation & Infrastructure does not require any improvements to this intersection as a result of the proposed Slegg Lumber development on Beddis Road. The Ministry will arrange to have a 40 km/h speed advisory for the corner/intersection with Douglas Road and Beddis Road."¹⁴

The SSI Transportation Commission also reviewed the traffic study in great detail, as well as looking at the overall transportation picture for this development. Their major focus and concern is the improvement of the Fulford-Ganges, Beddis, and Charlesworth Roads intersection, to make it safer and better able to handle increased volumes of traffic. At the same time, they recognize that solving the challenge of this intersection is a larger task than can be fixed by a single development application. Their recommendations also reflect a certain level of frustration with policy gaps in the Islands Trust toolkit, such as the development of guidelines under the terms of the 1992 Heritage and Scenic Roads agreement between the Islands Trust and MOTI.

Roads Scenic/Heritage roads – Cycle route

¹³ These include eliminating the ambiguity of where to make southbound left turns and potentially providing a bus layby that could be used by the Ganges Faerie Mini Shuttle as well as school buses for passenger pickup and drop-offs.

¹⁴ Email correspondence with Deb O'Brien, Senior District Development Technician, Vancouver Island District, Ministry of Transportation & Infrastructure, December 20, 2011.

The Salt Spring Island OCP designates Beddis Road, in its entirety, as a Heritage and Scenic Road segment. The Letter of Agreement between MOTI and the Islands Trust, (as amended in July 1996,) designates Beddis Road as a cycle route. The standards applicable for Beddis Road include the following:

- 6 m paved top width;
- 1.2 m paved shoulder¹⁵ to accommodate cyclists;
- Posted speed not to exceed 50 km/hr;
- Height of vegetation within the brushing and utility zone shall be controlled to maintain sight distance on curves and intersection sight triangles for traffic safety reasons.

The traffic study indicates that Beddis Road is adequate to meet the needs of the proposed development, although some vegetation management is required to meet sight distance requirements.

Neighbourhood character

Changes to land use are always of concern to those nearby. In this instance, there has been a history of industrial use on the site. A change in the intensity of use may impact surrounding lands. It is important to note that the property is removed from any immediate residential uses. Concerns about the potential for noise have been registered by the neighbouring campground.

The LUB vegetation screening provisions (Section 3.4) will require minimum setbacks of 7.5 m around the property's perimeter, which will, from certain angles, assist with visual and noise screening of the development. Given the topography, however, it may be that the effectiveness of the vegetation as a visual screen and noise barrier will be limited, particularly for those properties which are located at a higher elevation.

The LTC may wish to evaluate whether or not the noise generated by the proposed development is anticipated to increase substantially once the site is fully developed, or whether differences in activity and noise levels will be minimal, once construction is complete.

Protection of the ALR

As discussed earlier in this report, the ALC made a ruling in December 2009 approving the exclusion application (file number SS-ALR-2005.4), subject to a number of conditions. The conditions are in the process of being met, and steps are being taken to ensure the provisions are carried forward as expeditiously as possible.

The ALC decision speaks to OCP policies respecting protection of the agricultural land base and resource, as these are also consistent with the Commission's mandate. In its approval, the Commission stated that:

- There were "no overt losses for agriculture" as a result of the mitigation measures;

¹⁵ Letter from N. Hope, Regional Director, MOTI Vancouver Island Region to Islands Trust, Att: Mr. Gordon MacIntosh, Executive Director, dated April 16, 1996.

- Concerns with respect to adjacent ALR land, notably a buffer and drainage plan, would be dealt with at the time of development permit approval.

The question of how to ensure that the conditions related to the ALC's decision are met within the context of the rezoning and OCP amendment application must be addressed. The ALC suggests that the following arrangements would meet their requirements:

- Rezoning is made contingent upon the registration of the subdivision (including change of title to the appropriate SSI agricultural society), payment of the \$40,000 endowment to the appropriate SSI agricultural society, and submission of a letter of credit to the ALC to cover the cost of the undertaking outlined in the 2nd November 2009 letter from the applicant, to which the Commission's resolution refers.
- Once the building has been erected as indicated in the 2nd November 2009 letter and the endowment paid, the conditions will have been fulfilled. At that time the exclusion will take effect, and the ALC will notify the Registrar of Land Titles accordingly. The letter of credit would then be returned.

ENFORCEMENT ISSUES:

As a result of the encroachment of the storage yard into the A1 zoned portion of the property, the property has an outstanding enforcement concern from 2005. Resolution of the matter will occur if the application is approved. If not, further action may be warranted.

BYLAW PROPOSALS BACKGROUND DISCUSSION:

OCP Amendment: The staff report to the Trust Committee on the ALC exclusion application makes note of the need for an OCP amendment as part of the site is designated as "Agricultural". Consideration of the change in designation is part of this joint OCP and rezoning application.

The most relevant supporting OCP Policy is B 6.2.2.11 "The Local Trust Committee should consider rezoning applications to allow higher density in exchange for community owned farmland or land for community farm product processing or storage facilities. Such applications to follow guidelines in Appendix 3..." If the Trust Committee considers the agreement reached by the various parties to be sufficient, then this aspect of the OCP is resolved.

Another major OCP consideration is Beddis Road and the implications on traffic. The OCP designation of the road on its heritage and scenic road segment map suggests that the treatment of the road and the uses along it should be a consideration in rezoning. Unfortunately policies on scenic roads to assist in this application review are not yet developed sufficiently to provide clear direction.

Local residents identified increased traffic as a concern. In response a traffic impact study has been undertaken, summarized above. The proposed development will result in increased traffic along the 0.5 km between the site and the intersection with Fulford-Ganges Road, but is still well within the capacity of the road to manage with the current

standard of road construction, particularly with a 40 km/h speed alert sign to be installed at the intersection of Beddis and Douglas Roads.

OCP policies typically deal with policy direction on a wide range of matters. It falls to the Trust Committee to assess whether the broad policy direction set out in the plan will be compromised by the development proposal or whether it will advance the plan's objectives. This report has sought to address the key aspects that the consultant team has been able to identify through the file review and preliminary referral of the application including all relevant policy documents, and conversations with the applicant and local representatives.

Rezoning: The rezoning application is an opportunity for the Trust Committee to consider specific aspects of the project that relate to land use. In particular, is the requested zoning appropriate for the proposed use and the site?

Although the In3 zoning currently on a portion of the property would meet the basic needs of both the agricultural society (indoor wholesale sales; farm-related light industry¹⁶) and Slegg Lumber (indoor sales of building supplies, appliances and furniture, with accessory outdoor sales), the LTC indicated at its September meeting that In1 zone variations developed to meet the specific needs of each parcel would be the most useful approach. As a result, zoning options for the two distinctive uses have been discussed, resulting in the bylaw proposals presented here.

In both cases, a specific use proposed for each individual parcel has been added to the list of permitted uses. In the case of the agri-industrial parcel, the list of permitted uses has been modeled on, but modified from, the existing In1(a) zone variation. In the case of the Slegg parcel, the specific needs of the proposed building supply centre have been addressed by adding a statement showing permitted uses.

The boundary between the two zones (proposed In1(b) and In1(c)) will follow the parcel boundaries, once the subdivision is completed. The boundaries of the 0.6 ha (1.5 ac) agri-industrial parcel will be established by survey plan at the time of subdivision. Please note that the minimum lot size for all industrial parcels is 0.6 ha. Nevertheless, due to the split zoning all the parcel, rezoning needs to be completed before subdivision can take place.

In addition to minimum lot size, various land use aspects such as setbacks, parking, and loading requirements in the LUB have been reviewed. The current LUB provisions are appropriate to the proposed uses.

Of larger concern for the Slegg parcel was the question of lot coverage, since the parcel is very large, with the potential for exceedingly large structures to be created on-site. Through discussions with the applicant, it was decided that a maximum of 20% lot coverage would very comfortably meet their needs, including the potential for future expansion, while allowing for excellent protection of sensitive environmental features as well as excellence in stormwater management. At the same time, a maximum building

¹⁶ Per Bylaw 448, adopted on Sept 1, 2011.

size is being proposed for the site, so that with future development, additional buildings will need to be constructed on-site, preventing any one structure from becoming excessively large.

PLANNING CONSULTANT COMMENTS:

This application has proceeded through a number of significant hurdles. Most notable is the exclusion approval from the ALC with the attendant benefits to the agricultural community. In light of the ALC's decision, the continuing designation as Agriculture on a portion of the site is harder to justify. The site has in the past been used as an Industrial operation. The current use is cleaner than the past industrial activity on the site; the proposed future use as a building supply centre and adjacent agricultural processing and warehousing/storage will continue cleaner uses of the site.

A number of the issues that have arisen in contemplation of these bylaws are outside of the scope or control of the applicant to accomplish. For example, it is clear that the community desires improvements to the Beddis/ Charlesworth/ Fulford-Ganges Road intersection. However, moving forward with such improvements requires full support by another government body ... support which is not forthcoming at this time. There are gaps in the policy and implementation structure which hamper the ability of the Islands Trust to fully achieve its objectives and policies, as contained in the OCP: heritage and scenic roads guidelines; mechanisms for accepting cash-in-lieu¹⁷ for pathway development or future road improvements.

The applicant, as a long-standing business member of the community, has a history of positive community engagement, and throughout the process, has expressed willingness to cooperate and provide community amenities as requested. The concerns of the various advisory committees (road improvements, drainage) have been addressed through the studies and commitments made by the applicants, or will be addressed through the development permit process. Specifically with regard to the question of a pathway along Beddis Road, the applicant has contributed construction materials to the SSI Island Pathways group, upon request, and would voluntarily do so again in the future, whether for a pathway along Beddis or not, despite the lack of mechanism for the Islands Trust to secure this amenity at this time.

The community amenity contribution for the agricultural portion of the overall project can be valued somewhere in the range of \$453,000 - \$500,000.¹⁸ In addition, the applicant

¹⁷ It is important to note that cash-in-lieu mechanisms are in place through the CRD for certain things, such as park dedication. These are authorized by the Local Government Act and other legislation. However, although provincial legislation permits cash-in-lieu of the construction of other community amenity contributions, a policy framework needs to be put in place between the relevant jurisdictions. Such a policy framework is not in place at this time.

¹⁸ This calculation is based on the following: 1) \$40,000 endowment; 2) 90 m² (969 sq ft) building, construction of which is calculated at \$65/sq ft, for a value of \$63,000; 3) the value of the 0.6 ha lot, which the consultant has roughly estimated in value as between \$350,000 - \$500,000. This figure is a very rough working figure, based on assumptions. There are no comparable properties for sale on Salt Spring

is willing and able to address the specifics of the SSI Transportation Commission's recommendations, where these are within their power to do so. The applicant has expressed willingness to voluntarily:

- Provide an analysis of the south bound Left Turn movement at the Beddis/FGR/Charlesworth intersection so as to determine when a separate Left Turn lane may be warranted for this movement on Fulford Ganges Road;
- Establish a secondary point of access to the developments for emergency use, per the Bunt report; and
- Work with MOTI to ensure the installation of an advisory speed of 40 km/h on Beddis northbound south of Douglas Rd in conjunction with vegetation clearance to ensure minimum sight distances are met. NOTE: MOTI indicated a commitment to do this via email on Dec 20, 2011.

In light of general community support for this application, together with the overall supportive policy context, the consulting planners recommend that consideration be given to making the OCP amendments as proposed, and rezoning both parcels, such that the agri-industrial portion be rezoned to the Industrial 1 zone variation (b) (In1(b)), and that the Slegg Lumber portion be rezoned to an Industrial 1 zone variant (c) (In1(c)) that limits lot coverage to no more than 20%, and specifies a maximum building size.

The consultants will recommend (next section) that the LTC consider giving first reading to Bylaws 457, 458, and 459. First reading allows the bylaws to be circulated, giving referral agencies and advisory committees a clear indication of how the Islands Trust is proposing to address concerns expressed during the preliminary application referral process. This allows each agency and advisory committee to consider amending their recommendations, based on comments from others or changes that have been made to the application since the initial referral.

After this formal referral process, the bylaws will come back to the LTC for second reading, possibly with some modifications based on community and agency response. At the time of second reading, the planners will propose conditions of bylaw approval for LTC's consideration. These conditions will include reference to any covenants that may be required, in addition to those required by other agencies such as the ALC and MOTI. At second reading the LTC would also consider the Islands Trust's policy statement checklist, to ensure that the proposed OCP amendment and land use change meets the requirements of Islands Trust Policy Directives.

All of these matters should be known to the applicant and to the community prior to consideration at public hearing, which would occur after second reading and before third reading of the bylaw. Following the public hearing, third reading may be considered. Assuming that third reading takes place, that process will permit referral of the bylaws to the Islands Trust Executive Community and Ministry of Community Development for sign-off and approval. Please note that there is no further public input permitted after public hearing. If new information is forthcoming after public hearing, the bylaws must

Island at this time. A property appraisal will be required to estimate the property value, so that the property transfer tax can be paid appropriately.

return to second reading, and a new public hearing must be scheduled to address this new information.

RECOMMENDATIONS:

1. That the Salt Spring Island Local Trust Committee gives First Reading to proposed Bylaw No. 457, cited as "Salt Spring Island Official Community Plan, 2008, Amendment No. 1, 2012," for the property at 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; and
2. That the Salt Spring Island Local Trust Committee gives First Reading to proposed Bylaw No. 458, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2012," for the property at 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; and
3. That the Salt Spring Island Local Trust Committee gives First Reading to proposed Bylaw No. 459, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2012," for the property at 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; and
4. That the Salt Spring Island Local Trust Committee directs staff to refer Bylaws 457, 458, and 459, together with a copy of this report, to the Environmental Advisory Committee, Agricultural Advisory Committee, and the Advisory Planning Commission for their review and further comment; and
5. That the Salt Spring Island Local Trust Committee directs staff to refer Bylaws 457, 458, and 459 to agencies and First Nations, as listed in Attachment 4; and
6. That the Salt Spring Island Local Trust Committee directs staff to prepare an outline of proposed measures attached to zoning approval, the future Development Permits, to other agency requirements, or to other mechanisms intended to address the social and environmental considerations listed in this report; and
7. That the Salt Spring Island Local Trust Committee request that MOTI install an advisory 40 km/hr speed sign at the intersection of Beddis and Douglas Roads, and manage vegetation along Beddis Road in such a way that sight lines are preserved, in accordance with the suggestions of the Bunt report and the existing agreement between the Islands Trust and MOTI.

Respectfully submitted by:

Contract Planner

Date

Concurred by:

Regional Planning Manager

Date

Appendix: Beddis Application Timeline

Attachment 1: Proposed Bylaw 457

Attachment 2: Proposed Bylaw 458

Attachment 3: Proposed Bylaw 459

Attachment 4: Bylaw referral form extract, listing those agencies to receive the bylaw referral.

Attachment 5: New Addition Correspondence SSI Farmland Trust Society, dated January 25, 2012
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Appendix: Beddis Application Timelines

Resolution SSI-187-10: It was Moved and Seconded that the Salt Spring Island Local Trust Committee directs staff to ensure that the consultant or staff report to the Local Trust Committee regarding SS-RZ-2008.3 (201 Beddis Road) include a history and a time line, what happened when and by whom. CARRIED. (Minutes of the Salt Spring Local Trust Committee, December 2, 2010)

2005	Application filed with the ALC for exclusion of 5.0 ha from ALR; application not accompanied by a recommendation from local government
2005, July 13	Letter report from Levelton Engineering re slopes and soil stability at Beddis
2005, July 22	Followup letter report from Levelton Engineering
2005, Oct 18	Levelton Engineering, Field Review Report #1
2006, August 29	Levelton Engineering, Field Review Report #2
2008, May 22	Joint OCP & Land Use Bylaw amendment application filed by Landworks Consultants
2008, May 27	File opened
2008, June 13	Preliminary staff report (Alison Fox, Planner) to LTC
2008, July 3	LTC forwarded application to ALC for consideration Resolution SSI-123-08
2008, July 17	AAC resubmit their recommendations of 2005 re buffer and drainage plan to protect the water course and recommend the taking off of industrial zoning from the Fulford Ganges Road property.
2009, March 25	ALC Island Panel site visit
2009, Dec 18	ALC approved exclusion application subject to conditions: • Fulfillment of commitments (land, endowment, assistance with erecting structure) • Establishment of tenure for distribution centre to a recognized body representing agricultural interests • Confirmation of tenure transfer
2010, May 17	Riparian Area Regulation report submitted to MOE
2010, Nov 22	Staff report (Leah Hartley, RPM) re cost recovery agreement to support processing of this file.
2011, Feb 16	Island Planning Services Consortium begins work on the file
2011, Sept 1	LTC considers OCP amendment and rezoning application
2012, Feb 1	LTC considers First Reading of Bylaws 457, 458, and 459

Attachment 1:

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 457

A BYLAW TO AMEND “SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 434, 2008”

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. 434, cited as “Salt Spring Island Official Community Plan, 2008”, is amended as follows:
- 1.1 By amending Schedule ‘A’ – Map 1 (Plan Area with Land and Shoreline Designations) of Volume 1, as shown as Plan 1 of this amending bylaw.

1.2 By amending Schedule ‘A’ – Map 19 (Development Permit Area 2 – Non-Village Commercial and Industrial) of Volume 2, as shown as Plan 2 of this amending bylaw.
3. This Bylaw may be cited as “Salt Spring Island Official Community Plan, 2008, Amendment No. 1, 2012”.

READ A FIRST TIME THIS DAY OF ,20__

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__

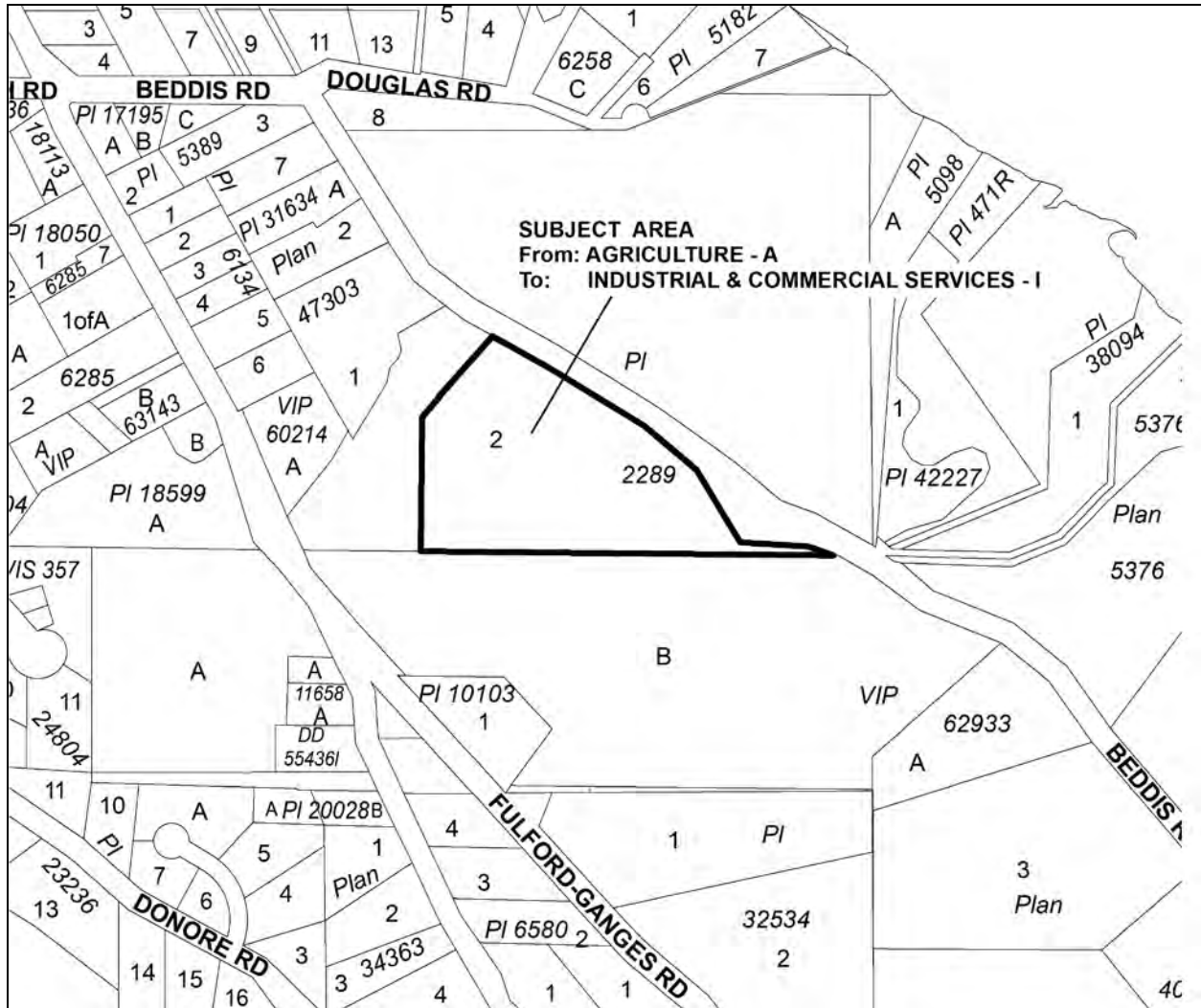
ADOPTED THIS DAY OF ,20__

CHAIR

SECRETARY

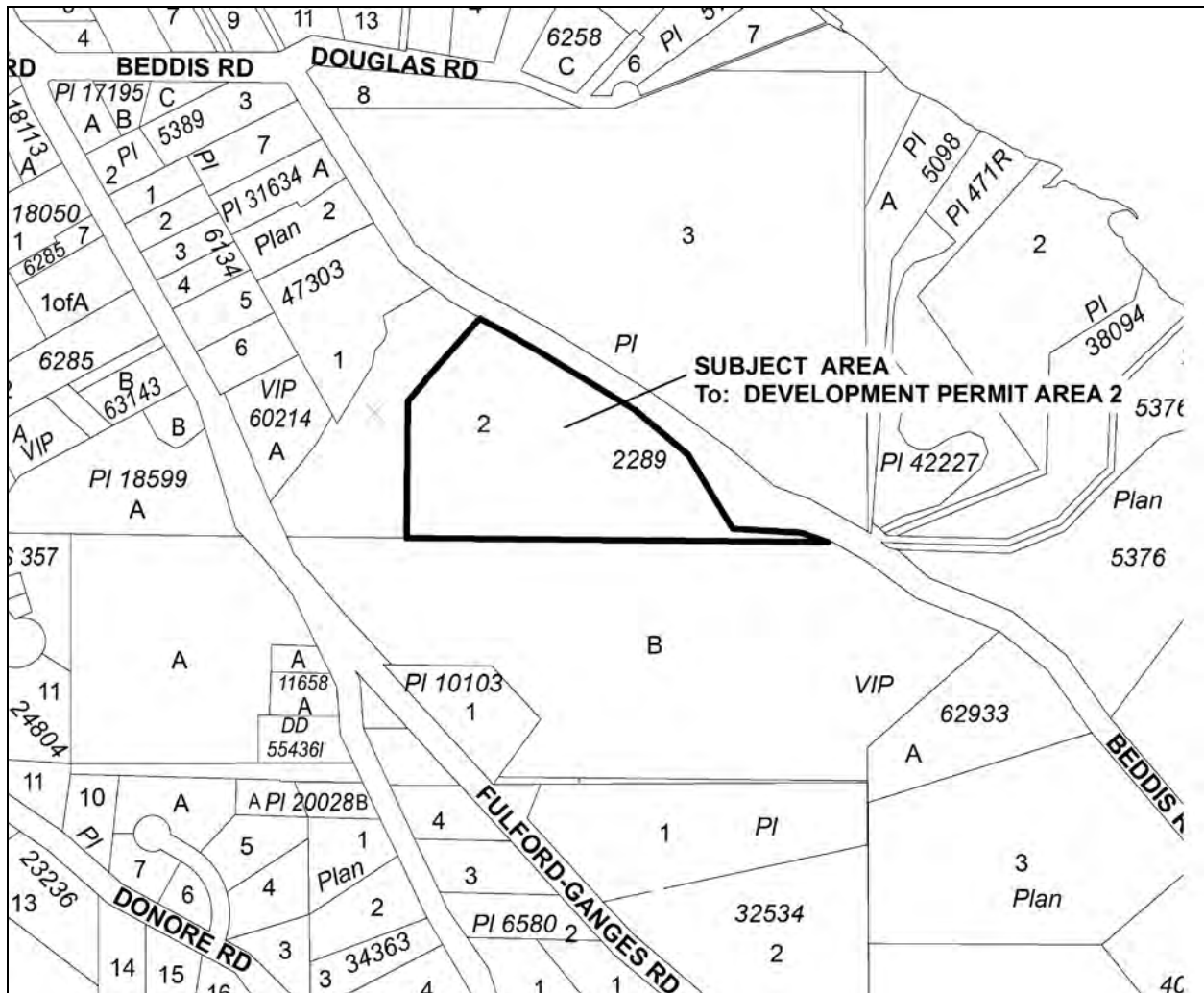
**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 457**

Plan No. 1



**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 457**

Plan No. 2



DRAFT

Attachment 2:

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 458

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:

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 9.7.5 the following new Industrial 1 Zone Variation (b) – In1(b) after article 9.7.5 (2):

“Zone Variation – In1(b)

- (3) Despite all other regulations of this bylaw the only *principal uses* permitted within lands zoned In1(b) are:
 - (a) *Farm products related light industry.*
 - (b) *Processing of farm products.*
 - (c) *Preparation, packaging and storing of farm products.*
 - (d) *Composting facility.*
 - (e) *Agriculture and food research and education.*
 - (f) *Indoor and outdoor retail sales and wholesale sales of farm products and products used in a farm operation.*
 - (g) *Agriculture, farm buildings and structures.*
 - (h) *One dwelling unit accessory to industrial use.*

And by making such consequential numbering changes as are required.

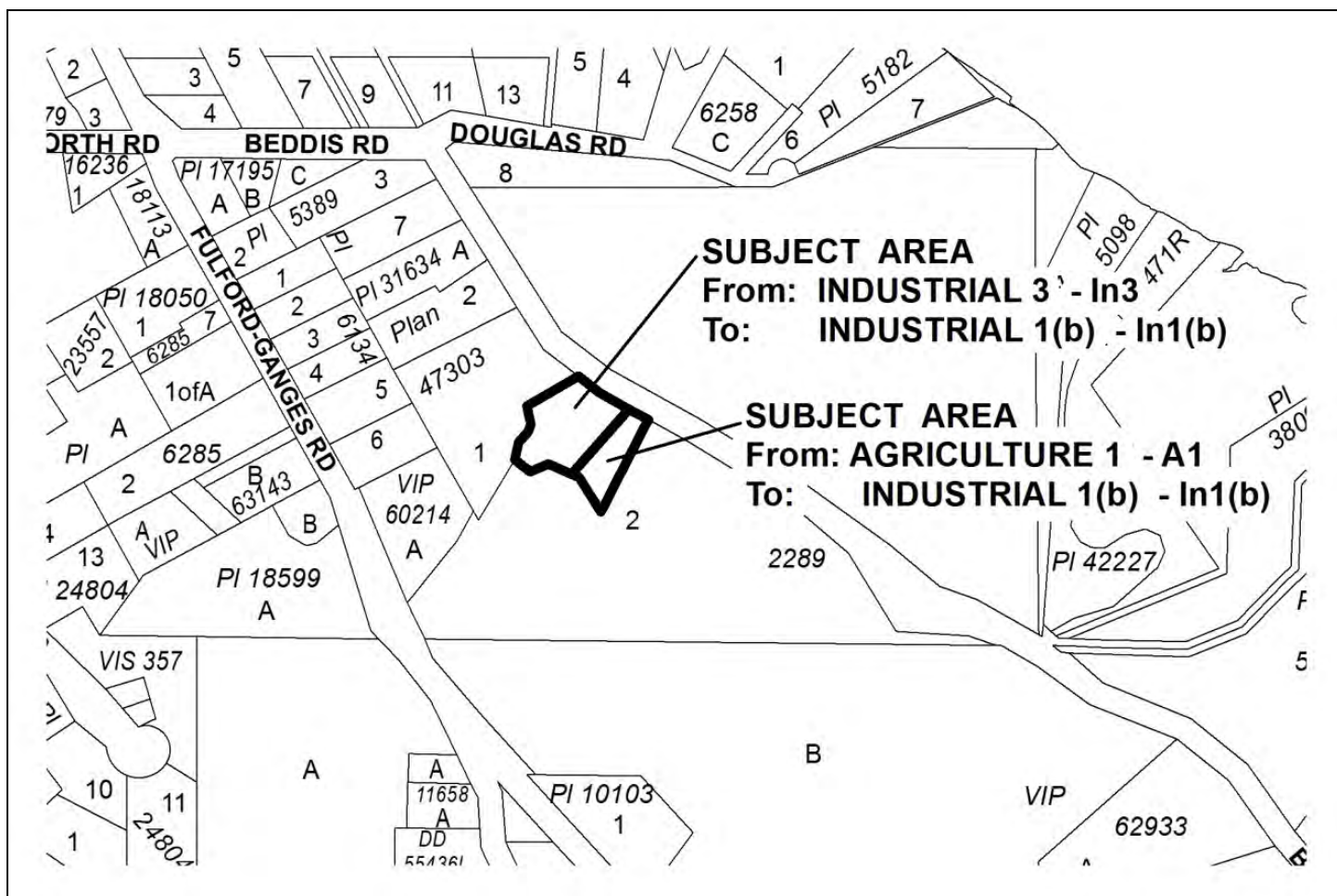
2. By changing the zoning classification of that portion of Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289, Except Parts in Plans 3960, 6134, 47303, and Except Part in Parcel A (DD253481I), and Except that Part in Plan VIP60214, from Industrial 3 (I3) and Agriculture 1 (A1) to Industrial 1 Zone Variation (b) – In1(b) – 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.
3. This Bylaw may be cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2012”.

READ A FIRST TIME THIS	DAY OF	,20__
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__

SECRETARY

CHAIRPERSON

Plan No. 1



Attachment 3:

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 459

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:

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 9.7.5 the following new Industrial 1 Zone Variation (c) – In1(c) after article 9.7.5 (2):

“Zone Variation – In1(c)

- (4) The following additional uses are permitted within lands zoned In1(c):

- (a) *Indoor and outdoor retail sales and wholesale sales of building supplies, garden supplies, appliances and furniture, with accessory outdoor sales and storage.*

- (5) The following size and siting regulations apply to lands zoned In1(c):

- (a) Despite the *lot coverage* regulations in the In1 zone in Subsection 9.7.2, the *lot coverage* for *buildings* and *structures* must not exceed 20 per cent of the *lot* area.
- (b) Despite the *lot coverage* provisions, individual *buildings* must not exceed 3,250 square metres in area.

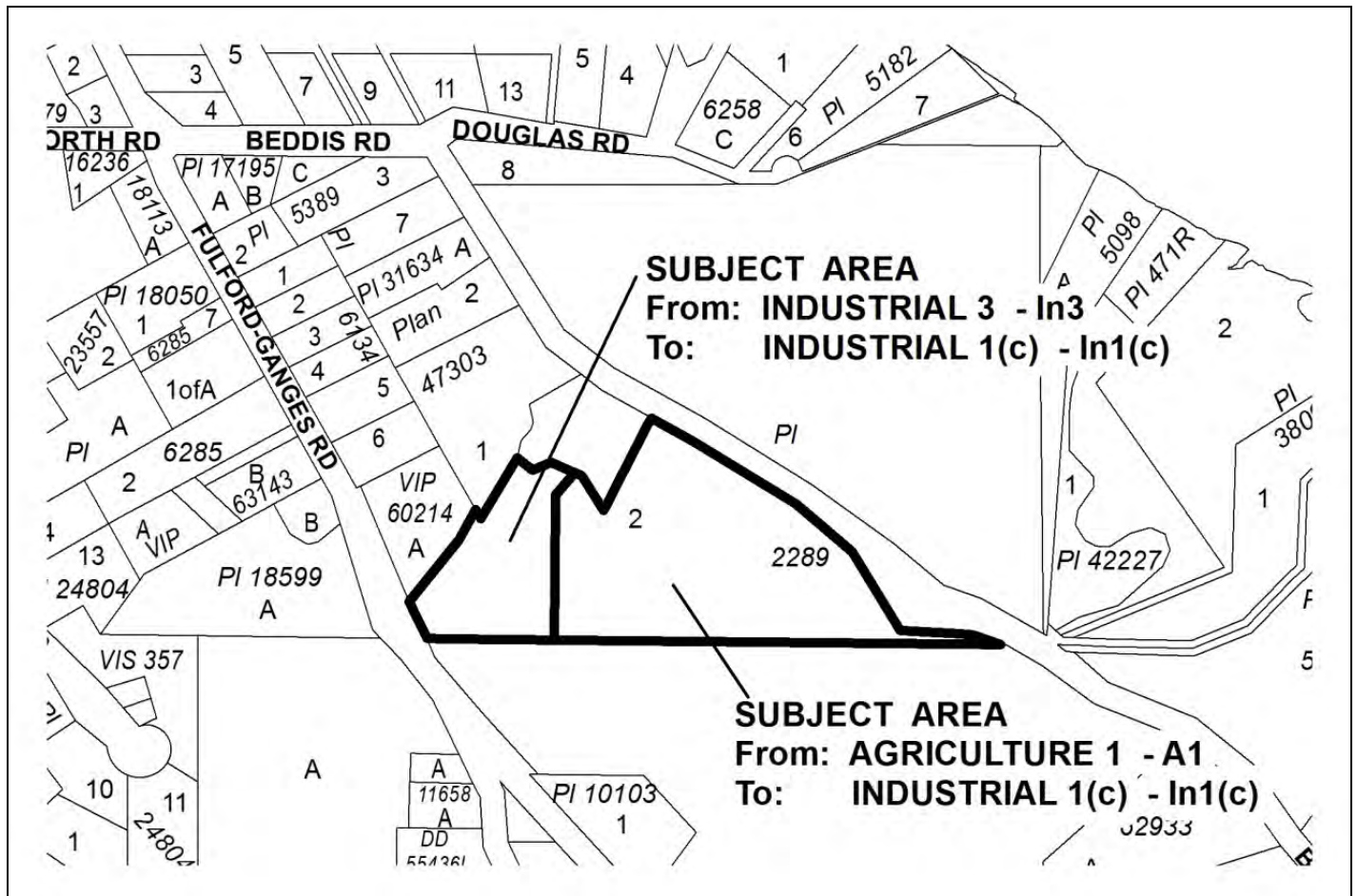
And by making such consequential numbering changes as are required.

2. By changing the zoning classification of that portion of 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, from Industrial 3 (In3) and Agriculture 1(A1) to Industrial 1 Zone Variation (c) – In1(c) – 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.
3. This Bylaw may be cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2012”.

READ A FIRST TIME THIS	DAY OF	,20__
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		
ADOPTED THIS	DAY OF	,20__
	DAY OF	,20__
SECRETARY		CHAIRPERSON

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 459**

Plan No. 1



Bylaw Referral Form Excerpts, indicating those agencies to receive the referral



BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 457, 458, 459 **Date:** _____

This referral will be sent to the following agencies:

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Regional Agencies

Capital Regional District – Development Services
CRD Parks and Recreation Commission
CRD Transportation Commission
Vancouver Island Health Authority

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Community, Sport & Cultural Development
Ministry of Environment
Ministry of Transportation & Infrastructure

Adjacent Local Trust Committees and Municipalities

Non-Agency Referrals

Ganges Sewer Committee
RCMP
SSI Chamber of Commerce
SSI Fire-Rescue

First Nations

Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation - Te'Mexw Treaty Association
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation & Penelakut Tribe

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

Salt Spring Island Trust Area

(Island)

XXX

(Bylaw Number)

(Signature)

(Title)

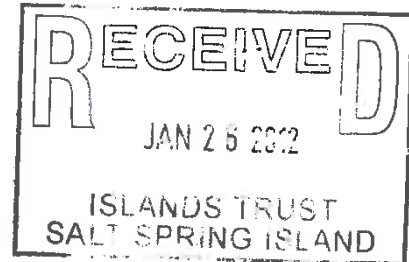
(Date)

(Agency)

Salt Spring Island Farmland Trust Society
107 Castle Cross Road, Salt Spring Island, BC. V8K 2G1
Tel: c/o 250-537-5302 email: ssifarmlandtrust@shaw.ca

January 25, 2012

Salt Spring Island Local Trust Committee
Islands Trust
#1 – 500 Lower Ganges Rd.
Salt Spring Island, BC V8K 2N8



Dear Trustees Sheila Malcomson, Peter Grove and George Grams,
We are writing in regard to Beddis Development's applications for development of the Slegg Lumber site on Beddis Road and the related proposed bylaw amendment that you will be considering at the February 2 meeting of the Salt Spring Island Local Trust Committee.

The Salt Spring Island Farmland Trust Society and the Salt Spring Island Agricultural Alliance fully support this project and the associated transfer of land to the community for agricultural purposes. Our two organizations represent the Salt Spring Island farming community and are working together to advance agriculture on Salt Spring by implementing the *Salt Spring Area Farm Plan* recommendations. Key among the recommendations is the development of agricultural infrastructure on Salt Spring. The transfer of land by Beddis Development Ltd and the associated arrangements will significantly advance these efforts by providing a site and resources that will be used for development of a farm produce distribution and storage centre. The centre will be a benefit for farmers and will support food security goals for the community as a whole.

If the Local Trust Committee approves this application, the Salt Spring Island Farmland Trust will be able to accept title to the section of adjoining land as required by the Agricultural Land Commission, pending a legal opinion on a technicality related to the Farmland Trust's charitable status with the Canada Revenue Agency. If the transaction is likely to cause a complication or jeopardize the SSI Farmland Trust's charitable status, the SSI Agricultural Alliance will accept title on behalf of the community at the time of the transfer. These arrangements between our two organizations are a firm commitment.

Finally, the SSI Farmland Trust and SSI Agricultural Alliance boards have reviewed the proposed bylaw amendment and support draft Bylaw No. 458.

Thank you for your consideration and your ongoing support of agriculture on Salt Spring Island.

Respectfully,


Marguerite Lee, Chair
Salt Spring Island Farmland Trust Society


Anne Macey, Chair
Salt Spring Island Agricultural Alliance

cc. Leah Hartley, Regional Planning Manager

DRAFT
SALT SPRING ISLAND
LOCAL TRUST COMMITTEE MEETING
Thursday, January 5, 2012 – 9:30 AM
Hart Bradley Hall, Lion's Club, 103 Bonnet Avenue

Item 10.1

PRESENT

Sheila Malcolmson, Chair
George Grams, Local Trustee
Peter Grove, Local Trustee
Leah Hartley, Regional Planning Manager
David Marlor, Director of Local Planning Services
Justine Starke, Island Planner
Stefan Cermak, Planner 2
Kristin Aasen, Planner 1
Mary Hughes, Recorder

1. CALL TO ORDER

The Chair called the session to order at 9:30 AM. There were 8 members of the public present. The Chair welcomed everyone, introduced herself, the Trustees and Staff and explained the meeting procedures.

2. APPROVAL OF AGENDA

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

7.2.1 – Town Hall Design – added; 12.7 – SS-RZ-2011.1 – Proposed Bylaw No. 452 – 125 Rainbow Road – M. Ogilvie, Staff Report dated Jan. 4, 2012 added; 13.1 – Work Program – Riparian Areas Regulation – Staff Report dated Jan. 3, 2012 added.

3. MINUTES AND RESOLUTIONS WITHOUT MEETING

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee Business Meeting of November 3, 2011

The following corrections were made to the draft minutes: Item 9.1, delete the words "Home Based Business" and insert "Bed and Breakfast" to correctly name the brochure; Item 14.4 insert "from the existing Development Permit" after "outstanding conditions"; Item 15.8, in resolution SSI-229-11, delete the words at the end of the motion, "through Resolution without Meeting if needed."

The minutes were adopted as amended by general consent, noting that Trustees' Grove and Grams were not present at the November Local Trust Committee Business meeting.

3.2 Adopted and Draft Minutes of the Advisory Planning Commission Meetings of October 20, November 17 and 24, 2011

The minutes were received for information.

3.3 Adopted and Draft Minutes of the Agriculture Advisory Committee Meetings of October 20, November 17 and December 1, 2011

The minutes were received for information.

3.4 Draft Minutes of the Advisory Design Panel Meeting of November 17, 2011

The minutes were received for information. Trustee Grams requested follow up with the Advisory Design Panel Chair on a question of panel conduct.

3.5 Adopted and Draft Minutes of the Advisory Environment Committee Meetings of October 20 and November 24, 2011

The minutes were received for information.

3.6 Section 26 Resolutions-Without-Meeting Log Report - Received

4. CORRESPONDENCE

4.1 S. Rowlandson-O'Hara - October 4, 2011 - Received

RPM Hartley spoke about the student trustee program. The Trustees asked Staff to respond to Ms. Rowlandson-O'Hara saying they wish to continue with the student trustee program.

4.2 Islands Trust Fund – Covenant Monitoring - October 27, 2011 – Received for Information.

4.3 R. Volquardsen – Access to Mount Maxwell – November 23, 2011 – Received

The Trustees asked Staff to respond to Ms. Volquardsen advising her to write to the relevant provincial minister, the Hon. Murray Coell, and to include contact information.

4.4 D. Guenette – Ferry Advisory Committees – November 24, 2011

SSI-001-12

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee wishes to convey to BC Ferries the Local Trust Committee's willingness to advise BC Ferries on community membership on the Ferry Advisory Committee and further, wishes to inquire whether the Local Trust Committee may delegate a member of the community to represent the Local Trust Committee on the Ferry Advisory Committee, and failing that, one Trustee will participate. **CARRIED**

4.5 Gulf Islands Natural Park Reserve – Newsletter – November 2011 – Received information.

5. REPORTS

5.1 Application Summary Report – Received

Trustee Grove wishes, if possible, to have the age of the files included in this report.

5.2 Annual Application Summary

The report comprised a summary from 2001 through 2011. Staff noted that rezonings and subdivisions are the bellwether of growth on Salt Spring Island. Trustee Grove made some suggestions regarding reformatting the report to draw attention to trends in these two types of applications.

5.3 Current Applications Report

The Trustees reviewed the report in detail and staff provided additional information regarding application status. Several of them are awaiting action from the applicants.

SSI-002-12

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee ask Staff to examine the viability of introducing a Quality Management system, as a pilot, into one specific development application process, which could be determined.

CARRIED

Trustee Grams will work with staff on this project and the Local Trust Committee will receive a report on a future agenda. Director of LPS David Marlor identified that Staff and financial resources would be needed, but added that such a system could have benefits for the entire Islands Trust.

5.4 Salt Spring Expense Report – posted to December 21, 2011

RPM Hartley explained that an additional \$14,000 has been allocated but not assigned, from the \$24,268 amount in the local expense budget, comprising \$2,000 for RAR mapping, and \$4,000 each for community housing, climate action and the Water Council.

6. BUSINESS ARISING FROM MINUTES

6.1 Top Priorities Report – Received for Information

6.2 Follow-up Action List - Received for information

7. NEW BUSINESS

Item 7.3 was dealt with at this point in the agenda.

7.3 Galiano Islands Trust Proposed Bylaws' No. 233 and No. 234

Island Planner Starke presented a Staff Report dated December 21, 2011.

SSI-003-12

It was **MOVED** and **SECONDED** 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 No. 233 and Proposed Bylaw No. 234 indicating that "interests are unaffected by the proposed bylaws".

CARRIED

7.1 Local Trust Committee Video Recording Pilot

RPM Hartley spoke to a Staff Report dated December 19, 2011 and added some information about research done since then into what 10 similar sized communities are

doing with reference to videotaping council meetings. Of the ten considered communities, half record meetings and half do not. A cost of \$900 per month was mentioned.

The Trustees agreed that the community wants a record of decision-making beyond what is provided by the Minutes. They favour keeping it simple, with one camera and audio supplied by the contractor.

The Chair observed that videorecording is a meeting expense not a community engagement initiative as identified in the \$15,000 Trust Council budget allocation to Salt Spring.

Further discussion on this item resumed at 4:45 PM following Item 13.4.

The Chair called for a brief recess for lunch at 11:45 AM. The meeting resumed at 12:00 Noon.

Chair Malcolmson welcomed members of the public. She introduced the Trustees and Staff and reviewed the practices regarding video recording. There were 70 members of the public present. The Chair recognized new CRD Director Wayne McIntyre, former CRD Director Holman, and former Trustees Ehling and Lamb.

7.2 2012 Local Trust Committee Meeting Schedule – Reviewed following Item 13.4

7.3 Galiano Islands Trust Proposed Bylaws' No. 233 and No. 234 – Reviewed before Item 7.1

8. TRUSTEES REPORT

Trustee Grove expressed the trustees' deep sadness at the circumstances around the death of Robin Wood in Mexico on January 3rd, 2012 and extended condolences to Wood's family and friends.

He also outlined a list of initiatives in which the two trustees share common interests. Trustee Grove spoke of the valuable training session undertaken in conjunction with the quarterly Islands Trust Council meetings in December. He listed the projects he plans to pursue, including but not limited to a review of the advisory committees and of expense allocations, as well as videotaping meetings and pursuing a governance review.

While respecting the Trust's preserve and protect mandate, Trustee Grams will also work for a provincially sponsored governance study and will seek to introduce a Quality Management system amongst other projects.

9. CHAIR'S REPORT

Chair Malcolmson said she is honoured to have been re-elected as Chair of the Islands Trust. Her priorities include a focus on planning and statutory responsibilities in light of the province's withdrawal from various services, plus a review of the Islands Trust policy statements.

10. DELEGATIONS

10.1 Dr. A. Varzeliotis

Dr. Varzeliotis spoke about the inadequacy of current RAR mapping. Written materials were received.

10.2 Maxine Leichter

Ms. Leichter offered brief definitions to differentiate the following terms: public involvement, public information, public consultation and public participation or engagement. She is seeking more and better opportunities for public participation. Written materials were received.

11. TOWN HALL

The Chair called the Town Hall to order at 12:25 PM and explained the guidelines.

Members of the public spoke for and against the rezoning application SS-RZ-2011.3 concerning 440 Rainbow Rd.; about the merits of the downtown location for the fire hall; of the proposed Agricultural Land Reserve application SS-ALR-2011.3 for a new fire hall location and a funding referendum; the importance of having a capability to recycle auto parts; the videotaping project; the sighting of a blue throated humming bird; the loss of opportunities for young people to learn agriculture; and the removal of top soil from building sites. CRD Director McIntyre spoke about increased co-operation from the CRD on governance and economic development, and a final speaker proposed a revision of the Local Trust Committee business meeting agenda so that major items like the Riparian Areas Regulation report could be discussed when most of the public is present.

The Chair called for a brief recess at 1:15 PM. Members of the public left the hall. The Meeting reconvened at 1:25 PM.

12. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

12.1 SS-ALR-2011.1 – 240 Atkins Road – Landworks Consultants

Planner Aasen spoke to the Staff Report dated December 21, 2011. The applicant, Kelly Gesner was present saying the intent of the ALR (Agricultural Land Reserve) exclusion is to develop a light industrial business park on the property. Ms. Gesner added that they have consulted with the Agricultural Land Commission.

SSI-004-12

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-ALR-2011.1(Landworks Consultants, 240 Atkins Road) to the Agriculture Advisory Committee. **CARRIED**

12.2 SS-ALR-2011.2 – 2163 Fulford-Ganges Road – JG Consulting

Planner Aasen spoke to the Staff Report dated December 21, 2011 concerning non-farm use (strata road) on ALR. Applicants' Elizabeth White and Colin McNair spoke and noted that the application is a way of acquiring the capital needed to build infrastructure to enhance agricultural activity on the property.

SSI-005-12

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee forward application SS-ALR-2011.2 (JG Consulting Services Ltd., 2163 Fulford-Ganges Rd.) 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 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. that the Salt Spring Island Agriculture 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."

CARRIED

12.3 SS-ALR-2011.3 – 135 Brinkworthy - SSI Fire Protection District, Board of Trustees

Island Planner Starke spoke to the staff report dated December 20, 2011. Michael Schubart spoke for the Fire Protection District Board of Trustees saying that replacement of the obsolete downtown fire hall has been a priority for many years and that they welcome the donation of land, requiring non-farm use of ALR.

Because 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, the following motion was introduced:

SSI-006-12

It was **MOVED** and **SECONDED** 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).

CARRIED

SSI-007-12

It was **MOVED** and **SECONDED** 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).

CARRIED

12.4 SS-SUB-2011.7 – 641 Anna's Drive – C. Burns

Planner Aasen spoke to the staff report dated December 21, 2011. The applicants were not present.

SSI-008-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee exempt 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 Sections 944 of the Local Government Act for Gosset Bronzes Inc. and Robert McDougall/Carrie Burns (SS-SUB-2011.7, Anna's Drive).
CARRIED

Item 12.7 was discussed at this time.

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

Planner Aasen spoke to the staff report dated January 4, 2012.

SSI-009-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee adopts proposed Bylaw No. 452 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2011" (Ogilvie, 125 Rainbow Road, SS-RZ-2011.1) .
CARRIED

The Chair called for a brief recess at 3:35 PM. The meeting resumed at 3:50 PM.

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

Planner Cermak spoke to the staff report dated December 20, 2011. The applicant, John Quesnel was present and spoke.

The Trustees agreed that this is a useful service which is beneficial to Salt Spring Island and that efforts should be made to identify a location where such an operation can take place. They also favour setting benchmarks for various aspects of the operation such as noise, run-off, etc. Planning staff noted that there is no appropriately zoned site on Salt Spring Island. The Trustees would like to obtain the recommendations of the advisory committees.

John Craveiro Manager of Environmental Resource Management for the Capital Regional District advised that there are four licensed waste transfer stations on Salt Spring Island of which three have legal non-conforming status. Provincial, regional and local regulations provide the desired operational measurements.

SSI-010-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee ask staff to work with the Capital Regional District and other appropriate consultancies to determine parameters which would be appropriate for a metal crushing and transfer station operation on Salt Spring Island.
CARRIED

Further action on this file is deferred pending provision of additional information including recommendations of advisory committees.

12.6 SS-RZ-2011.4 - 154-164 King's Lane – Myles Wilson for 6512626 BC Ltd.

Planner Cermak spoke to the staff report dated December 20, 2011 and advised that there was an error in the draft bylaw under section 1, subsection 2. The figure in the box should read 32.5 sq. meter floor area, not 350 sq. meters. The applicant, Myles Wilson, spoke briefly.

SSI-011-12 It was **MOVED** and **SECONDED** 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” (SS-RZ-2011.4, Wilson, 154-164 Kings Lane).

CARRIED

SSI-012-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee instructs Staff to refer Proposed Bylaw No. 456 cited as “ Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012” (Application SS-RZ-12011.4 - Wilson, 154-164 Kings Lane) to public agencies for comment pending receipt of the Traffic Impact Assessment requested by the Ministry of Transportation.

CARRIED

12.7 SS-RZ-2011.1 – Proposed Bylaw No. 452 – 125 Rainbow Road – reviewed after Item 12.4

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Work Program - Riparian Areas Regulation

Planner Cermak spoke to the staff report dated January 3, 2012 which includes an update on stream mapping for Cusheon Lake and St. Mary Lake watersheds. Local Planning Services Director Marlor was also present to respond to questions from the Trustees.

SSI-013-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs Staff to include a quote for a Simple Assessment Report within the scope of work for Riparian Areas Regulation stream mapping for St. Mary Lake and Cusheon Lake watersheds.

CARRIED

The Trustees are satisfied with the direction given to staff by the previous Trust Committee. They hope the results of this work will be made available to residents through a public consultation process.

13.2 Land Use Bylaw Background Report – Secondary Suites

Island Planner Starke spoke to the Staff Report dated December 19, 2011, noting that legalizing secondary suites must comply with the (OCP) Official Community Plan, or the OCP would need to be amended. It was also noted that the BC Building Code has separate standards for existing suites. The Trustees agreed to take more time to study the report and discuss it at a future Local Trust Committee meeting.

13.3 Work Program Summary

RPM Hartley provided the quarterly update of the work program. Chair Malcolmson asked that the status of the Ganges Harbour Management Plan project be updated. The Trustees discussed holding a separate business meeting to discuss secondary suites and the work program.

13.4 Review Local Trust Area Webpage – deferred to a future meeting

7.1 Local Trust Committee Videotaping Pilot – discussion resumed

SSI-014-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee dedicates funds from the SSI LTC Local Expense Account for pilot video recording and evaluation. **CARRIED**

SSI-015-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to contract a videographer to record two Local Trust Committee meetings and provide for web display on a pilot basis. **CARRIED**

Staff noted that when bids are received, if necessary, an amount could be specified by a Resolution-Without-Meeting. The Trustees would like to see the Staff Report dated November 1, 2011 on a future agenda.

7.2 2012 Local Trust Committee Meeting Schedule

The Trustees favour meeting more frequently than once a month and possibly separating the administrative sections, project work and applications' work. The current meeting location was found suitable. Staff will draft alternative schedules for the Trustees' consideration with options for hours, duration and frequency. A meeting schedule for the balance of 2012 could be dealt with by Resolution-Without-Meeting.

7.2.1 Town Hall Design

Trustee Grams favours initiating discussions with various community organizations with a view to partnering with them in forums, public meetings or perhaps as part of their meetings. He will develop this idea for consideration at a future meeting. Such linkages would not replace the Town Hall as it is, but he has some ideas for expanded town halls on focused topics. In the short term, he suggests that LTC retain the Town Hall at its noon time slot.

14. UPCOMING MEETINGS

14.1 The next regular business meeting of the Local Trust Committee will be Thursday, February 2, 2012 in the Hart Bradley Hall, Lion's Club, 103 Bonnet Avenue.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 5:10 PM.

Sheila Malcolmson, Chair

Mary Hughes, Recorder

RWM From: January 01, 2012 To: January 26, 2012

Salt Spring Island

Resolution #	Action	Resolution Description	Resolution Date
2012-01	In Favour	THAT the Salt Spring Island Local Trust Committee schedules its 2012 regular business meetings at Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Ganges, beginning at 9:30 AM on the following dates: February 2, 2012 February 23, 2012 March 15, 2012 April 5, 2012 April 26, 2012 May 17, 2012 June 7, 2012 July 5, 2012 August 2, 2012 August 30, 2012 September 20, 2012 October 11, 2012 November 8, 2012 November 22, 2012 December 13, 2012	Jan 20, 2012

From: Claire Olivier
To: Claire Olivier
Subject: FW: October 20 APC Agenda Package
Date: January-23-12 12:24:56 PM

Item 13.1

From: ranji bhimji [redacted]
Sent: October-20-11 10:18 AM
To: Lisa Floritto
Subject: Re: October 20 APC Agenda Package

Lisa,

Good Morning, it's Ranji....upon reflection about the conflict of meeting schedules, i have decided it is best that I not be a part of the Advisory Panel at this time.

When I have retired from the Hospice Board, I would like to re-apply to sit on this panel.

I will shred the document you gave me and return the package.

Please send my regrets.

Sincerely,

Ranji

Lisa Floritto

From: penrod@saltspring.com
Sent: January-15-12 5:44 PM
To: ssltcwebmail
Cc: penrod@saltspring.com
Subject: Salt Spring Island Local Trust Committee



January 15, 2012

From: Penny Polden
Email: penrod@saltspring.com

Subject: Salt Spring Island Local Trust Committee

Dear Trustees

The S.S.I. Water Preservation Society will be holding its Annual General Meeting on Sunday January 29th at 2.30 pm at Harbour House Hotel. Our guest speaker is Dr. Rick Nordin, a biologist and lake expert, whose presentation will discuss how Salt Spring's drinking water lakes are affected by the introduction of non-native plants and animals, by human-caused disturbances in the watershed and by climate change, and what we all can do to protect our lakes. Dr. Nordin is also a retired Senior Research Scientist and instructor at the University of Victoria Department of Biology.

We hope you can join us at this time for an important and informative presentation.

Yours sincerely,
Penny Polden
Secretary, SSIWPS

www.islandstrust.bc.ca

From: [Claire Olivier](#)
To: [Claire Olivier](#)
Subject: FW: SSI LTC's contracts of last year
Date: January-23-12 10:01:06 AM

-----Original Message-----

From: Linda Adams
Sent: January-19-12 4:32 PM
To: 'Norbert Schlenker'
Cc: Leah Hartley
Subject: RE: SSI LTC's contracts of last year

Hello, Norbert.

Thank you for the email.

My understanding is that these are valid resolutions of the Salt Spring Island Local Trust Committee and that staff will now endeavor to implement them. However, it is important to note that the SSILTC cannot approve specific contracts. The LTC resolutions of September and October provide direction to staff as to the allocated funds within the expense budget, giving general direction as to how the funds should be used. The next step in the process would be for staff to develop and enter into contracts that defined specific deliverables and timeframes. Payment occurs after satisfactory receipt of the specified deliverables.

At the time the 'hold' was put on, staff had not yet developed contracts to define the goods or services to be delivered in accordance with the local trust committee's allocation of funds.

It is my understanding that staff will now re-start that process and initiate discussions with the societies to further define the goods and/or services to be delivered and to determine if the SSILTC's resolutions can be carried out through work by those societies within the current fiscal year. In some instances, this may not be feasible, in which case staff will seek further direction.

If you have any concerns about this process, I'd be pleased to discuss them with you.

Best regards,

Linda Adams
Chief Administrative Officer
Islands Trust
200 – 1627 Fort Street
Victoria BC V8R 1H8
Ph 250.405.5160
www.islandstrust.bc.ca

Preserving Island communities, culture and environment P Please consider the environment before printing this email

-----Original Message-----

From: Norbert Schlenker [<mailto:norbert@libra-investments.com>]
Sent: January-18-12 11:25 AM
To: Linda Adams
Subject: SSI LTC's contracts of last year

Linda,

In light of the ruling last Friday, I would like to know whether the Trust will proceed with entering into

and paying on the contracts with the various societies that the LTC approved at its September and October meetings last year. During the petition hearing, Ray Young told the court that these contracts were on hold. Given the ruling, is the hold off?

Norbert

From: Claire Olivier
To: Claire Olivier
Subject: FW: Invitation to help
Date: January-25-12 1:23:10 PM
Attachments: Brent Warner.vcf
 ATT00001.htm

From: Charles and Inga Grooms <[REDACTED]>
Date: 21 January, 2012 23:30:32 PST
To: George Grams <ggrams@islandstrust.bc.ca>, Peter Grove <pgrove@islandstrust.bc.ca>
Subject: Invitation to help

Gentlemen, Congratulations on your new appointment.

As you can see from the e-mail trail there are some serious issues I am having with our Assessment Authority. Included below are some of the ongoing banter that has occurred recently.

Please read the letter I sent to MLA Murray Coell (last July) it does a decent job of describing my situation. The request, directly below, that I have sent to our Senior planner, I fear will end up being somewhat ineffective as she can only reflect on existing policy, explain zoning options and the perhaps lay out the intent of our OCP. I am still pushing for a letter of support from them as I will need all the help I can get during my hearing.

To your staffs credit, I am now in receipt of a letter removing any of the doubt that was created by a vaguely written section of Bylaw 355. The letter states that the intent of the bylaw is that one can attain large farm status with a farm being on a parcel of land greater than 20 hectares and not that the farm status area itself has to be greater than 20 hectares, thankfully. Regardless, my battle continues as my primary goal is to create a large food farm production.

I hear of Politicians on all levels right through to Ottawa speaking volumes about supporting Farmers and addressing their concerns. I would like very much to welcome the both of you to get involved with this situation. I am hearing from a lot of Island farmers that the BCA Authority seems to have been give the mandate to increase the difficulties we face. A clear and swift message to the Capital Authority office could only be of benefit to our local food security, state of mind and general well being.

Please contact me at any time to further explain/answer any queries you may have.

Thank you for your time and consideration Charles Grooms

[REDACTED]

Begin forwarded message:

From: Charles and Inga Grooms <[REDACTED]>
Date: January 17, 2012 11:54:02 PM PST (CA)
To: Justine Starke <jstarke@islandstrust.bc.ca>
Cc: Brent Warner <[REDACTED]>
Subject: Fwd: Farm Class

Hello Ms. Stark

As you may know I'm in a battle with BCAA over the arbitrary removal of 11 ac of my farm status. As you can appreciate, my taxes have as a result been raised 2800%, thus making it again more difficult to move forward with the farming plan I have in place.

A few months ago I had made two requests from the IslandsTrust office. Firstly, for direction to a local and/or respected Agrologist. Hoping you have heard some good feedback about the one recommended below~ Brent Warner.

Secondly, was a request for a letter of support to contradict the opinion of the Assessment authority that my lower 11 ac is best removed of its farm status and re-assessed as its " best and highest use" would be to convert it to residential housing. Which I believe to be in complete contradiction to what the Islands land use authority ~ you~ would wish.

The letter below addressed to Murray Coell, MLA describes the whole situation rather well and it will be a good reminder of my situation. He was very supportive of my plight but as a politician wishes not to get too involved. However, he turned me onto an even more supportive staff member, the provinces property assessment policy maker and manager, Brian Currie. BCAA is a crown corporation and as such, skates by the authority of the Government decisions, wishes and direction. I need all the help I can muster, it seems the Assessment authority is on a rampage to make it difficult for a lot of farmers in recent years, as if farming is not difficult enough. There is so much political lip-service given to supporting farmers, I feel it is time to see some of that in action.

I fear they will spring my hearing date on me with very little notice, so I kindly suggest that time is of the essence.

I do truly appreciate your time and consideration on this matter

Kind Regards Charles Grooms

Begin forwarded message:

From: Charles and Inga Grooms [redacted]
Date: January 17, 2012 11:13:24 PM PST (CA)
To: "Currie, Brian J CSCD:EX" <Brian.Currie@gov.bc.ca>
Subject: Assessment review panel

Hello Brian and Happy New Year

It has been two months since I sent in my dispute request for the supplemental assessment and still have heard no word back. Just today (after prodding) I heard that they have received the request and will inform me soon of the date.

Knowing them they will spring it on me. Have you given my request any more thought? That was to show up at the hearing and present the Governments opinion and interpretation of the policies as you have intended them. I have recently followed up with Brent Warner and he can hopefully give me an opinion. I need all the help I can muster, yours would be very much appreciated.

Talk soon warm regards, from a frigid Island. Charles

Begin forwarded message:

From: Charles and Inga Grooms [REDACTED]
Date: October 31, 2011 5:30:16 PM PDT (CA)
To: Brent Warner [REDACTED]
Subject: Fwd: Farm Class

Hello Brent

We have had quite the battle with the assessment authority over the removal of our rural zoned lands from our farm status. As you can see Brian Currie has recommended we make some contact to see if you can help our cause.

Thanks for your time and consideration Charles

The following e-mail was sent to our MLA Murray Coell on July 4th 2011:

Good Day Sir.

I will attempt to describe the situation that we have been put in as concisely as possible for you. Being the MLA in an area with so much farming you might have some experience with this already.

We purchased a sizable (53ac.) undeveloped piece of incredible land two February's ago. Our 24 ac field has been in Hay production for 30 years (with no soil rehabilitation it is in need of a lot of enhancement) and as such has always allowed all this property to have "farm status".

We moved onto the property and as the new owners we needed to apply for our own farm status. Organic hay is very sought after and fetches good income.

Here you need to know that our property has split zoning, 42 ac of it is in the ALR and 11 ac is zoned rural. It has always had farm status on all the 53 ac due (I am guessing) to the fact that 50%(ish) is in actual production and that percentage is all that is needed to be in active production to qualify.

We did extensive homework before purchasing the land in order to confirm that this piece of land would be suitable for all our needs. As a "large farm" (anything over 20 hectares = 44 ac as dictated by your farm status) you have the ability to have 3 principal residences on the property as long as two of the residences derive their main income from the farm.

They granted us our farm status based on the hay but removed the 11 ac rural from our status. They commented that they should have done it many years before, but "now that you are applying, we will do it now". That leaves us two ac short of being a large farm and as such can only build one principal residence now. This completely messes up our funding model to move forward with developing the farm. Not to mention that we would not have bought the land in the first place had it not been able to have the 3 homes. The other ironic thing is that for the first time in the rural zoned lands history it is being used for farming and to contribute much needed compost for soil enhancement. We have (at great expense) terraced, fenced and planted an entire Nut orchard, over 50 trees in that 11 ac. In addition to the trees we have started a comprehensive plan to use the massive amount of Red Alder and Maple trees to contribute to the farm. As an organic farm we cannot use fertilizers that come from the petro-chemical companies so our strategy is to chip the trees then immediately inoculate them with mushroom Mycelia then turning them into our composted/fertilizer. So far we have eight piles of oyster mushrooms started in the lower 11 ac. The benefits are twofold. Firstly you get a crop of great tasting mushrooms, Secondly the mycelia breaks down the chips into soil 5 times faster. That same rurally zoned

area has been identified as suitable to support a not-so-small Maple syrup operation.

When you read the BC Assessments 2009 newsletter announcing the change to allow contributing lands, it very clearly states that any land contributing to the betterment of the farm shall be allowed to have farm status.

Last Wednesday was the day the BC Authority assessor inspected our farm. He was impressed with the Nut Farm, understood about the value of the composting chips/mushroom combo and could see that at least half of those lands were all covered in Alder/Maples (the absolute best trees for doing the composting with) . By the Assessment Authority's own newsletters description, ([www.2.news.gov.bc.ca/news_releases_2009-2013/2009cd0047-000680](http://www2.news.gov.bc.ca/news_releases_2009-2013/2009cd0047-000680)) there is now no way we should not have our full farm status re-instated. The inspector/assessor was not very encouraging as he departed the alluded to the fact that we should not expect our status to change. At that point I went into review with him (as getting a no answer is not an option) and he could not deny that the chipped and composting piles were entirely contributing to the farm yet stated that as no one had tried just that angle before and as such would most likely be denied.

He then proceeded to recommend that we contact you as there is an unfair ruling working against us. Miko Ross is his name and he explained to us that if we had no land in the ALR then we would be able to get farm status on the entire 53 ac as we are haying the 50% required to qualify. Same as if it were all in the ALR. But because of the split zoning both parts of our land need to qualify, clearly unjust. Anyway we have proven beyond a shadow of a doubt the contributory aspects of the rural zoned lands to benefit the farm and we still fear for the worst outcome.

We have much admiration for your patience, someone whom lives in the bureaucracy

Thank you for your time and consideration , regards Charles and Inga

NB: We look forward to meeting with you this coming Friday 1 p.m..

Begin forwarded message:

From: "Currie, Brian J CSCD:EX" <Brian.Currie@gov.bc.ca>

Date: October 31, 2011 9:12:07 AM PDT (CA)

To:

Subject: FW: Farm Class

Charles, the provincial government cannot direct BC Assessment to make decisions regarding farm classifications, we can only ask them to review their decisions and consider other factors, where appropriate. In that context, we did have a very active discussion with BCA regarding your assessment, and their response was to consider only about 3 additional non-ALR acres in farm class. As you know, to do this a supplemental assessment for 2011 was provided to extend farm

class to this smaller piece.

As we discussed, the issuance of the supplemental assessment now gives you the opportunity of appealing your 2011 assessment, which would be scheduled sometime in February or March 2012. I would also encourage you to file a complaint/appeal on your 2012 assessment when it arrives in December. This will ensure that every appeal consideration will be open to you. I understand that you have received a copy of the supplemental assessment which should include appeal instructions. If not, please call me and I will coach you along the process. Similarly, when you receive your 2012 assessment, the instructions for on-line appeal are included – there is no cost to filing a complaint/appeal and by doing so you will ensure that your file is kept open.

The opportunity to appeal your supplemental assessment is probably the best outcome of this situation, as BCA does not appear to be prepared to place all the non-ALR land in farm class. As we discussed you will have a chance to argue that the whole non-ALR 11+ acres (and not just the 2.7 acres) should be in farm class. Perhaps the contributing to production argument will carry. It might be useful to talk to Brent Warner who is an agrologist who has provided some support for other property owners in determining what constitutes “contributing”. Brent is a very busy guy and if he cannot help you at this time, I am sure he can recommend someone who can.

One of BCA’s issues is that they consider the non-ALR land as a separate “parcel” to the larger ALR portion, even though they are part of the same single legal parcel. This is a point that we are now also seeking further clarification from our legal interpretation experts.

For the time being, however, the appeal of the supplemental assessment is a good place to start on sorting this out.

Brent’s contact info (sorry it took me some time to get it)

Please call me if you have any further questions.

Brian Currie | Manager | Property Assessment Services

Ministry of Community, Sport and Cultural Development

Phone: (250) 356-6075 | Cell: (250) 812-4600

Email: brian.currie@gov.bc.ca

January 21, 2012

Dear Trustees Grove, Grams and Malcolmson,

Re: Advisory committees and process

I attended a portion of the LTC meeting on January 5, and was impressed by your enthusiasm and determination to make progress in dealing with contentious issues. You have huge challenges ahead, and I commend you for your willingness to tackle them.

Advisory committees meet at the discretion of LTC

Trustee Grove, you expressed some impatience and concern at the lack of recommendations from two of the three advisory committees to which the Quesnel rezoning application has been referred. I would like to remind you that your advisory committees meet when, and only when, instructed; it is my understanding that they do not have authority to convene themselves. Only one meeting has been held by each of these committees to discuss this application; insufficient information was deemed to be available to enable a recommendation. Subsequent meetings will be held when you request them. I note that none have been called for January.

Trustee Grams, I would suggest that "punting [an issue] along" to advisory committees to "buy [you] some time" (as you suggested) is inappropriate. If you feel you need time to consider an application, you are clearly entitled to take that time; you don't need to make a referral in order to defer your decision. However if you feel that input from advisory committees will assist you in your consideration, they are there to provide that input.

Changing zoning has broad implications for the community

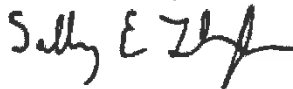
It is my opinion that, if a use is truly inappropriate for a given piece of property, by virtue of incompatibility with the OCP or other regulation, no amount of benchmarking, assessment or remediation will make it appropriate. I also believe it is the role of the LTC to ascertain the appropriateness of the proposed use of the property in question with respect to the OCP and other regulations before referring the application to committees for their recommendations.

Mr. Quesnel's operation is clearly, on the basis of the OCP alone (section C.4.3.2.2), not an appropriate use for that site. Changing the zoning for the site would require an amendment to the OCP, which applies to the whole island. This would set a dangerous precedent and would result in erosion of community trust. It would instill a feeling of vulnerability, and a sense that nowhere is safe from inappropriate development.

Advisory committees exist to help you

Advisory committees exist to assist the LTC and planning staff. They are made up of volunteers with a wide range of experience and expertise. These volunteers deserve your respect and consideration, and will appreciate your wise use of their time.

Yours respectfully,



Chair, Advisory Environment Committee

S.E.T. John, Ph.D.

331 Roland Road, Salt Spring Island

Tel: 250 653 2335

e-mail: ipf@saltspring.com

Member and Chair, AEC: February 2005 – present

Chair, APC: February 2003 – February 2005

Member, APC: June 2000 to February 2005

c.c. Leah Hartley, Stefan Cermak, Susan Hannon, David Denning, David Gooding, Jeff Thompson, Lisa Floritto

Al's
Gourmet Falafel
and Fries

WITHOUT PREJUDICE

Item 13.6



December 30th, 2011.

Salt Spring Island Trustees
Islands Trust
200 - 1627 Fort St
Victoria, BC
V8R 1H8

To Peter Grove, George Grams and to Whom It May Concern;

I am writing today to express my concern and hopes that we can work together to resolve a conflict regarding my business activities and the zoning allowances on the property where my business is vending.

As you may or may not be aware, *Al's Gourmet Falafel and Fries*, Chamber of Commerce New Business of the Year, is a mobile food cart based on Salt Spring. *Al's Gourmet Falafel and Fries* has been open at 151 Rainbow Road, Monday through Thursdays, since September 2011. It has been brought to my attention that the zoning of this property may or may not be suited for a mobile food cart. I have spoken with Geoff Kinnear and it is my understanding that there are no specific laws in respect of food carts though the zoning does allow for a home-based business, say a farm stand.

Having been set up at 151 Rainbow Road for several months I can attest to this location being a viable location for a commercial project like mine. There is plenty of pedestrian and car traffic since many other businesses are along Rainbow Road. 151 Rainbow Road is close to town but separate enough as to not compete with other businesses offering similar services. My customers have been very appreciative of my efforts.

To me, there seems to be a distinct shortage of commercial locations available in Ganges. If any are available (I am not aware of any), the rent and taxes make them unaffordable to someone like me who is starting out or doesn't have a lot of capital.

My business is an asset to the island. In my first year in business I have spent over \$50,000 locally on tradesmen, food from farmers and grocery stores and on wages. I have created two lines of credit from the local financial institutions. The SSI Chamber of Commerce has recognized my efforts with the New Business of the Year Award.

I would like to open a dialogue with the Islands Trust to find a way in which I can continue my business activities at 151 Rainbow Road and be in compliance with the zoning regulations.

I can be reached at (250)537-5304 and by email at alexlyons@gmail.com. My mailing address is 181 Le Page Road, SSI BC, V8K 1N1. Please do not hesitate to contact me with any concerns.

Thank you for your time and I wish you all a very prosperous new year.

Sincerely,

A handwritten signature in blue ink that reads "Alex Lyons". The signature is fluid and cursive, with the first name "Alex" and the last name "Lyons" clearly distinguishable.

Alex Lyons, Salt Spring Island.

183 Booth Canal Road, Salt Spring Island, BC, Canada V8K 2N2.
Fax:250-537-9303, E-mail alcyone3@telus.net

Dr. A. N. T. Varzeliotis P.Eng (Ret'd)

January 3, 2012

Ms. Sheila Malcolmson,
Chair, the I.Trust Council

By Hand, at the SSI I.Trust Office.

Dear Ms. Malcolmson,

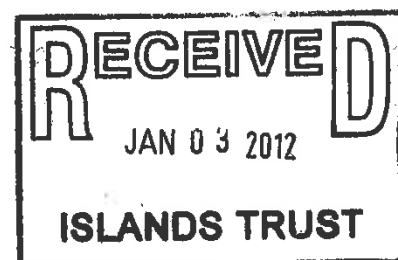
Re: Your letter of December 21, 2011, ostensibly in response to my written delegation to the Council at its December 2011 meeting

The purpose of my December 2011 Delegation to I.Trust Council is to apprise the newly elected Trustees who came in with a strong mandate for Change, that they are up against a reactionary bureaucracy determined to defend the *status quo*. In other words, the "end" I am pursuing is to apprise the Trustees of this reality so that they may factor it into their pursuit of fulfilling their mandate for Change.

As for the approach to take, the "means" to that "end" if you will, I suggest the Ideas Bank and electronic recording of public events. Having studied the corporate culture of the Trust for the past three years, I have come to the conclusion that these two measures are fundamental and **unless** implemented, the change we voted for cannot materialize or endure.

Your response to my delegation is in a sense a "form letter", written only in "fulfilment" of a Council resolution directing the chair to convey the Council's decision on a delegation to who brings it in. Evidently, the meaning has been drained out of that Council resolution and its carcass has been turned in a means of producing optics of propriety and compliance.

You do not convey a Council decision to my delegation, you convey one of your own. My delegation was brought to the Council and not to Le Roi Soleil of *L'Etat, c'est moi* fame. In contrast to your letter, an honest response would include a copy of the record of the Council considering the delegation at issue.



Your say, or imply, that Trust staff are actively considering the "means" I have repeatedly suggested to the Council. You raise hope, as contrasted to conveying information about the Trust having commanded staff to implement the Ideas Bank, to implement electronic recording and other measures for cracking the cocoon of secrecy and bring open government to the I.Trust Republic. In reality, what you say is that staff may decide in a show of magnanimity to permit the Council to implement the Ideas Bank and to record meetings. Must I respond to that or should I pray to the Force for divine intervention upon the Trust staff to allow the peoples Council to practice open government in fulfilment of the mandate we, the people, gave them?

I worded my delegation carefully to avoid **ruffling feathers** but without detracting from its objective. I toned down the description of the malaise and concentrated on resolving this extremely serious matter with the minimum possible upheaval. You used this to evade the issue by **barking up the wrong tree**, inadvertently confirming *ex-chair* that the Trust reactionary bureaucracy is (hopefully "was") the **tail wagging the dog**.

Furthermore, your letter manifest the difficulties in **teaching old dogs new tricks**. For it is as bare of specificity and awash in ambiguity, as your responses to my delegations in the past.

I hope the canine parallelisms would leave less room to parade **the cat who ate the canary** in that celebrated feline promenade of innocence, than did the gentlemanly wording of my Delegation.

Wishing you a good 2012,



Tom Varzeliotis

Copies to: SSI LTC (as per Malcolmson's letter)
I.Trust Council
Members of the I.Trust Council



From: Tom V <tomvee@telus.net>
Sent: January-18-12 12:22 PM
To: Lisa Floritto
Cc: Tom Varzeliotis
Subject: RARological mapping

Good afternoon,

evidently, the text would not fit the email form for addressing the LTC. I will therefore much appreciate it if you would kindly forward this document to the LTC. Best regards Tom V.

183 Booth Canal Road, Salt Spring Island, BC, Canada V8K 2N2.

Fax:250-537-9303, E-mail alcyone3@telus.net

Dr. A. N. T. Varzeliotis, P.Eng (Ret'd)

January 18, 2012

The I.Trust SSI RAR file

Attn: Mr. Stefan Cermak,

Dear Mr. Cermak

Re: RARological "mapping"

I must and I will with pleasure thank you for the copy of the Draft Report "Drainage Areas of the Islands Trust" which you handed me while at the January 5 SSI LTC meeting. I read it carefully, but without the benefit from the many photos and the colour maps in it, because they were lost in the B&W copying. I did, however read the picture captions which, against the background of the text, allowed me to get the overall "picture" of the Report. Sadly, I found it lacking relevance to RAR "mapping" and remain perplexed on its real purpose. Because of that and the fact that the copy you gave me of that 2009 Report is marked "DRAFT", I do not propose to comment further on it now, but certainly I will comment if and when the final version of it surfaces in the SSI RARstream.

I also read the "Staff Report" on the RAR which you address to the LTC, but I did not hear your *viva voce* presentation because it was strategically scheduled for after the public would have deserted the meeting hall. I would have persevered under other circumstances, but I could not that day. However, that *clever* scheduling prompted me to expose at the Town Hall session of that meeting the extensively documented abuse of the Agenda by the Trust to defeat the obligation to meet in public. I hope and pray the Trust comes to heed that requirement henceforth, by grouping the items of general public interest.

Furthermore, due to hitherto Trust evasion of recording its meetings, there is no available recording of your Report presentation. Then, access to the Draft Meeting Minutes of the public meetings is now

interdict by a recent Trust decision and the Minutes remain closeted until they are "corrected by staff and Trustees, approved and published", which usually occurs some three months down the road, by which time memory has faded and interest in the issues has fizzled. Therefore I cannot learn from the Minutes what you told the LTC, if different from, or in addition to, your Report. Nor I can access the discussion of your Report by the LTC, which I presumed happened on the occasion of your presentation. I do hope that the exposure of the issue may cause the Trust to open up to the public its meetings, "meaningfully" I mean.

Your Staff Report is dated January 3, 2012, which is two days prior to the meeting of the "new" Trustees on January 5, 2012, for which meeting it was intended, and more than a week past the deadline for inclusion in the Agenda Package. This timeline sheltered your Report from the public eye at that critical period, to the detriment of the RAR process. Another aspect of the Report timing is, as you write in your Report, that it addresses two Resolutions the previous LTC made on November 3, 2011, that is to say, two months earlier which is more than adequate time for a response. More so given that these resolutions were, in turn made on the basis of another Report by you to the LTC, presented on that day, ostensibly in response to LTC resolutions of July 7, 2011. The pace of this sequence is not in step with the urgency to do the RAR, claimed by the Trust.

Further, you state that "The new Trustees have expressed potential interest in **expanding** the scope of stream mapping", which I find a tad perplexing. To begin with, "expression of potential interest in" something is too lax a premise to proceed on any aspect of the RAR. This invokes suspicion of continuation of the ill-fated attempt of the Trust to sell us a *pig in a poke* kind of a RAR deal.

Given that the matter of compliance with the Fish Protection Act ("FPA"), is now set to start at square one, I must take exception with the reference to "expanding the scope of [RAR] stream mapping". Expanding what? Expanding over the "scope" of the *doctored* maps 12 and 21, which the Trust devised for their now defunct rush to impose their version of the RAR? The people have spoken on that.

I address the issue of the Trust manipulating maps to deceive the public in my delegation which I presented to the "new" Trustees at their first meeting, on January 5, 2012, the same meeting you presented your Report. By the date of your Report, January 3, 2012, by which date my Delegation had been in the possession of the Trust for more than two weeks and was already on line, in the Agenda Package for that meeting – one presumes that you, being in charge of the RAR file, were aware of it. Yet, your Report makes no reference to MAP 21 and does not come to terms with the exposure of the "additional" mapping fiasco of yesteryear. There is no apparent legitimate reason for this and, I suggest, no reason exists for your Report gone AWOL from the Agenda Package. Given the documented history of the Trust abusing the agenda to devious ends, people are justified to suspect the keeping under wraps of your Report.

Had your Report been in the Agenda Package, at least one citizen, I, would have reviewed it for the benefit of the Trustees and the society at large. And this would have been in line with open government and constructive to the cause of meeting the requirements of the FPA.

Must the public assume that the Trust does not understand that it is a crime to manipulate documents, and it is an additional crime to do it so as to mislead the public? One becomes especially concerned by you missing the exposure of it, especially when considering it in conjunction with the Chair's expression at that meeting of indignation at my characterizing "devious" the Trust motive in *doctoring* the RARmap. As if this was not an appropriate characterization, an understatement, really.

I do not propose to review your whole Report at this time. Now I will move to the core of my message. Since the RAR public discourse is to be approached with the *Zero Base* method, it should commence with an outline and interpretation of the part of the FPA to be addressed with the RAR. Such an outline of the FPA requirements should be done by the specialist professional staff and with the other resources of the Trust. It is the Trust who must do it and must present it to the public in fulfilment of the duty of government to charge the citizenry with adequate information to function as a society of free people self-governed through democracy.

The analysis of the matter should be put to public review, by means of an ad-hoc "Branch" of the Ideas Bank, dedicated to this subject of paramount importance to the whole SSI society. The "RAR Branch" of the Ideas Bank will also function as the public forum to showcase the input from the creative minds of our society and facilitate the essential debate that nurses ideas to fruition.

Remember the obvious, that without a clearly defined objective, people, cartographers included, go *every which way*, the result being unsightly and highly unlikely to result in forward motion. This has happened in the past and gave rise to characterization of the Island as being difficult to govern. Do not waste public money and time on mapping what may be at best tangential to the matter at issue.

I will also remind you of the assurance you gave me that before any RAR mapping contract is to be given out, it will be published on the Trust website for the benefit of interested contractors and clarity of the process. It is essential that the people see what the Trust purchases and this is not seen in your Report.

It is of utmost importance that the call for Public input should include review of provisions of the FPA that may be inapplicable or simply senseless for SSI. These, if such are identified, should be challenged in negotiations with the Provincial Government or go to litigation, as it may be necessary. Do not forget Charles Dickens' observation about the occurrence of "law [that] is an ass". We live in a democracy which means we remain empowered to have a go at any law that turns out to be a dick or an ass.

Exposure of the RAR through the Ideas Bank would impregnate the minds of the people, ideas will be born and be harvested for the benefit of the society. For there is no better source of wisdom for setting a course for a society than the creative minds of the people.

I will close this letter by expressing a concern and reminding us of a reality. "Concern" about jumping into mapping before determining what we need to map – this can set the whole process askew and set it on the wrong route, as happened last year.

"Reminding" us that a topsy-turvy startup, may result in "garbage out", just like it happens with "garbage in". This because even the best thing can become toxic if done in the wrong sequence, like harnessing the horse at the rear of the wagon only to see the horse being dragged into the ditch by the wagon due to that misarrangement.

I should not have been made to write this letter. Writing it was not pleasant for me, nor reading it pleasant for you, I presume. But it had to be written because what is at stake is big and important for the 10,000 souls who live on SSI and people in other locations who may be swept under a bad RAR, if one is imposed on SSI. These things had to be exposed because Pythagoras wisely observed that knowing that a course of action is wrong, obligates those who notices it to expose it. Come to think about it, democracy relies on citizens being vigilant, too!

Tom Varzeliotis, RARely Rational .

183 Booth Canal Road, Salt Spring Island, BC, Canada V8K 2N2.
Fax:250-537-9303, E-mail alcyone3@telus.net

Dr. A. N. T. Varzeliotis, Civil Eng

January 22, 2012

The Islands Trust - SSI LTC

AND

Mr. Stefan Cermak, Planner, the RAR File 28.2(a)

BY HAND

Dear Mr. Cermak,



Re: RAR Mapping

On August 18, 2011, I addressed the Trust, Ms. Leah Hartley, on the above subject to express interest in bidding for the RAR mapping contract, this being a common contracting practice. On November 20 you surprised me with the information that you were unaware of that expression of interest. I informed you accordingly; I suggested you seek the document; and I noted your assurance that the RAR mapping project will be advertised on the Trust website.

I learned from the Driftwood, January 18 issue (which, I did not receive until late January 20, due to snowfall) that there was an hour long discussion of your RAR mapping Report at the January 5 LTC Meeting, just before 5:00 PM, well after the public had departed the meeting.

Evidently, the LTC authorised a \$14,000 contract for RAR mapping: "The deadline for vendors [contractors ?] to submit their quotes is Jan. 23 and the deadline for project completion is March 15". This I learned 15 days after it happened and a weekend before the deadline for submission of bids, all because of the modus operandi of the Trust. .

A search of the Trust website did not return a call for bids ad. Nor did the Trust responded directly to my expression of interest. Such conduct is not conducive to trusting the Trust

Furthermore, the Trust prevented islanders from reviewing your RAR Report at issue by cleverly omitting it from the Agenda Package. This, on the wake of the previous Staff RAR Report which was presented *viva voce* at the November 3, 2011 LTC meeting, also without communicated through the Agenda Package, and to which you refer in your Report. Faced with such RAR cryptographic cartography I sought the Minutes of the November 3 and January 5 LTC meetings, but as yet, (January 21, 2012), neither has seen the light of the day.

The publication of the Agenda package is not *just for laughs*, it is of paramount importance to the objectives addressed by the dictum of holding meetings in front of the public and keeping the courtroom doors open, It is of paramount importance that we observe public bodies and judges in action.

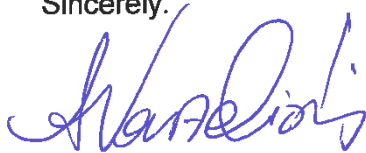
Without detracting from the need to publish, which you diligently do, staff reports of applications for a culvert replacement or the digging of an outhouse, I will remind you that fair procedure on an issue as big as the RAR, is accordingly important. Using "lax" process in the instance of the RAR is reckless and accordingly unacceptable. The omissions of your Report resulted in sheltering it from public input and deprived the people from their right to information that may be important to the way we are governed.

Public contribution to the process, and especially reviews of your Report, would have been constructive to making a good decision. Especially so given that the wording of your Report lacks specificity and allows for wide interpretation of the subject of the proposed contract which may set the process in a wrong course. I for one could have drawn on my long experience, including my role as the leading "riparian" officer of Fisheries and Environment Canada in the environmental assessment of the Canadian

leg of the then proposed Alaskan pipeline to the USA south of the 49th, which was far back as the Trudeau era. I do not know how familiar with these matter are the Trustees, but I am certain my analysis of the Report would have been a constructive contribution to the January 5 discussion. And so would the contributions from other citizens who were locked out by the Trust closeting the "Report" to the last minute after it being a year under consideration and some six months in the making.

I am hereby requesting a copy of your "call for bids" document and would appreciate you emailing it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Varzeliotis", with a stylized, cursive script.

Tom Varzeliotis

From: [Leah Hartley](#)
To: [Tom V](#)
Cc: [Claire Olivier](#)
Subject: LTC meeting of February 2, 2012 - correspondence
Date: January-25-12 2:50:33 PM

Good afternoon Dr. Varzeliotis

Thank you for contacting the Islands Trust and I wish to acknowledge receipt of your email correspondence below.

Your correspondence will be forwarded to the Local Trust Committee for its February 2, 2012 meeting and there will be a townhall session shortly after noon that you may wish to attend and to speak at. Your comments will be given every consideration.

The agenda provides opportunity for delegation requests to be made up to 14 days prior to the meeting. As we are now past that timeframe and working to publish the February 2 agenda package, I suggest that your delegation materials be submitted for the next meeting which will be on February 23, 2012.

Sincerely,

Leah Hartley, MCIP

Regional Planning Manager

1 – 500 Lower Ganges Road

Salt Spring Island BC V8K 2N8

Phone: 250-538-5607

Office: 250-537-9144

www.islandstrust.bc.ca

Preserving Island communities, culture and environment

From: Tom V [mailto:tomvee@telus.net]
Sent: January-24-12 9:17 PM
To: Leah Hartley
Subject: Fabulous LTC meeting scheduling (with copy to the SSI LTC)

Dear Ms. Hartley,

Just a few minutes ago I was informed that you have today announced the next SSI LTC meeting for February 2, 2012, by posting the announcement on the Trust website. Until yesterday the website informed the public that no LTC meeting had been scheduled.

I cannot visualize any other publicity having been given to this public meeting and the way this is happening is a matter of serious concern, given the history of the I.Trust.

As if this timing was not bad enough, you conveniently "forgot", **once again**, to email to "subscribers", like me, the usual LTC meeting announcement.

These realities notwithstanding, I am hereby registering a delegation for presentation to the LTC at the February 2, 2012 LTC meeting.

I would appreciate it if you would let me know ASAP the deadline for submitting my Delegation paper for inclusion in the Agenda Package of the February 2, LTC Meeting.

Sincerely,

Tom Varzeliotis.

January 24, 2012

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

Attention: Salt Spring Island Local Trust Committee

Dear Sirs/Mesdames:

Re: Student Practicum position - Salt Spring Island office

I write further to my understanding that it might be possible for me to occupy a practicum position at the Salt Spring Island office of the Islands Trust.

To provide some personal background, I have made my home on the Gulf Islands since 1970, and operated a law office on Salt Spring Island from 1986 until I sold my practice and subsequently became a retired member of the Law Society in 2007.

In case this might be of concern, a little over a year ago I became reinstated as a member of the Society, but have not been actively practicing on Salt Spring for contractual reasons. It is possible that this will be changing soon, as a part-time position has recently been offered to me; however, I have already canvassed the issue of potential conflicts of interest, etc., with my prospective new employer, and I have been assured that this will not be an issue.

I am currently enrolled as a student in the MACAM (Masters of Arts in Conflict Analysis and Management) program at Royal Roads University in Victoria. A requirement of this program is that all students complete a 60 hour "practicum" with an appropriate organization or agency.

In brief, the practicum is intended to give learners an opportunity to "explore the nexus between theory and practice", through observation of the challenges that the sponsoring agency faces. Ideally, the practicum participant can also benefit the agency by providing a new perspective or set of eyes on these issues.

SSI Local Trust Committee
January 25, 2012
Page 2

In case this is of concern, Worker's Compensation coverage is provided through the University and, of course, participation is on a purely volunteer and unpaid basis.

Your Regional Planning Manager, Leah Hartley, has been kind enough to offer several possible projects for me to work on, and following is her description of the one I am hoping to assist with:

NewComers Guide to Owning Land on Salt Spring Island. Such a guide is intended to inform new property owners and would supplement the provincial guide with a greater level of detail relevant to gulf island communities. To prepare such a guide, we suggest that your work would draw upon your experiences, and those of the local real estate community as well as CRD Building Inspection, Local Planning Services, water districts etc. Intent is to avoid conflicts by providing friendly advice for new purchasers.

My participation in this proposed project received preliminary approval from my RRU instructor, Robert Pidgeon, but, as matters progressed, it has become apparent that even relatively innocuous student research projects (such as this one appears to be) now bring with them the requirement of Ethics Approval from the relevant University, whenever interviews with human subjects is involved.

I have spoken with Colleen Hoppins, the Research Ethics Coordinator at RRU, and she has confirmed that an Ethics Review will be required in this case; however, it is her feeling that, under the circumstances that apply here, the process of formal approval can be accomplished with only one member, rather than all four, of the Ethics Review Board. It is hoped that this will speed up the process considerably.

The good news is that Ms. Hoppins has also confirmed that it will be in order for me to begin my work with the Trust, including commencing research for the Guide, so long as research with human subjects is not involved. Once Ethics Approval is granted, I will then be at liberty to conduct the face to face aspect of the research, in conformity with the approval given. I should explain that all such research will require disclosure and informed consent, in writing.

SSI Local Trust Committee
January 25, 2012
Page 3

Accordingly, and in anticipation that a favourable Ethics Review will be forthcoming shortly, might I request that the Salt Spring Island Local Trust Committee grant approval to my meeting with the local APC and SSI Bylaw Enforcement officer - in order to receive their input for my work? I hope to then set up meetings at the first opportunity convenient to them, following receipt of Ethics Approval.

I should also mention that it has occurred to me that it might be useful to seek insights from others who are no longer within the system: such as former Chief Building Inspector, Uli Temmel; and former Trustee, Christine Torgrimson. As it happens, I know both of them slightly, although Christine less well than Uli. My main thought is that they both strike me as intelligent, well-motivated individuals who might have gained a perspective on things that could lead to a broader vision within the Guide.

My present plan is to seek Ethics approval for conducting such further interviews - but I am quite content to leave it up to the Trust to decide whether or not, or how, you would prefer to limit my discussions in this context.

Thank you very much for your consideration. I look forward to hearing from you.

Yours very truly,

Ian Clement

Cc: Colleen Hoppins, Robert Pidgeon

December 20, 2011



To the Local Trust Committee of
Salt Spring Island - Islands Trust
1 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Re: 2011 Parks and Trails Master Plan

Dear Trustees,

Over the last year the Salt Spring Island Parks and Recreation Commission has carried out an extensive planning process to develop a detailed Parks and Trails Master Plan for the island. The Commission approved the final draft of this plan at its November 28, 2011 meeting.

This Master Plan is a follow up to the 2010 Parks and Recreation Strategic Plan that was completed in early 2010 and which recommended the creation of this Parks and Trails Master Plan.

The plan identifies the location and type of new parks and trails that are desirable to be developed over the next 10 to 20 years on the island.

145 Vesuvius Bay Road

Saltspring Island

The logical next step is to have this plan incorporated into the SSI Official Community Plan. The SSI Parks and Recreation Commission therefore requests the Local Trust Committee to include that process into its 2012 work plan and to allow staff time for this project.

British Columbia V8K 1K3

telephone: 250-537-4448

The Commission looks forward to working with the Local Trust Committee on this project during 2012.

facsimile: 250-537-4456

email: parc@saltspring.com

Yours truly,

A handwritten signature in black ink, appearing to read "Kees Ruurs".

Kees Ruurs
Manager Parks and Recreation
Salt Spring Island



**saltspring
parks and recreation
commission**

1386 North Beach Road
Salt Spring Island V8K1B2
3rd Jan 2012

Salt Spring Island Trustees: Peter Grove George Grams
1-500 Lower Ganges Road
Salt Spring Island BC V8K2N8

Dear Mr Grove & Mr Grams,

Congratulations on your being elected to the post of trustees.

Disaster struck closer to home on Remember Day 11 Nov. 2011 when 4 huge trees (3 cedars & 1 fir) crashed down from my neighbour's (1394 North Beach Road) backyard right across my backyard, bringing down 2 of my tall elders and damaged my fence. One of the cedars was so tall that ten feet of its tip protruded into my my neighbours (1380) on the other side. What's more, the trees, one on top of the other formed like the Great Wall of China, cutting off my access to McFadden Creek at the back of my property. The strong winds came from the west. My neighbours all had been clear-cutting around their properties last year, so the wind barrier was gone causing this problem.

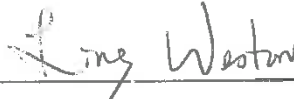
I am enclosing 2 letters written in 2004 & 2010 more or less about the same problem. Perhaps in your ingenuity & patience you can look into this problem & shed some light.

I noticed also that the riparian bylaw has come to a stand-still due to lack of survey data. My property at 1386 has been covenanted since 2002 & the property at 121 Whims Road since 2007. Both have McFadden Creek running through them & 121 Whims Road is in the watershed zone. Please include McFadden Creek in your up & coming survey as I believe McFadden Creek is one of the longest creeks on Salt Spring Island. It's also salmon bearing & its estuary is where our heronry is located on a coveted land. You can easily access my surveyed data because of the covenant requirements. If you add all the covenanted land surveys to your data you'll have more facts on your fingertips.

I am enclosing some photos I took at Hudson Point in 2011 where another tree came down with the landslide. There has been more erosion in 2012 when I walked by. Soon the cliff will collapse into the ocean. Please also look into this problem & save our heritage road which is used by boaters, kayakers, walkers & residents.

I offer, once again, to take you around & show you where the problems lie. I appreciate any assistance you can give me. I have no answering service & I don't drive.

Yours Very Sincerely,



Ling Weston (250-537-5784)



1386 North Beach Road,
Salt Spring Island, B.C. V8K1B2
5th March 2010

Salt Spring Island Trust
1-500 Lower Ganges Road
Salt Spring Island, B.C. V8K2N8

Ministry of Transportation (for Gulf Islands)
2100 Labieux Road,
Nanaimo B.C. V9T6E9

Dear Sir,

I have been living full time at 1386 North Beach Road, Salt Spring Island since 5th Nov. 1988 & I have been monitoring the condition of North Beach Road & the erosion of the road side slope & cliffs for just as long.

I'm enclosing 6 photos which I took on 29th Jan 2010 to show the recent damage along the shore-line just along 1200 to 1500 block. From photo no. 1 you can see the logs drifted there bashing against the kayak (now damaged beyond repair) & the seaweed deposited about 4 feet or more above the high tide mark. From Hudson Point the road is HOLLOW & at 1432 there is a rock slide from the edge of the road (which has been repaired many times) . The huge Douglas fir tree right on the edge its roots are now exposed & might topple over , probably seawards. The new owner at 1176 told me that the road that was once repaired years ago is now showing signs of sliding into the ocean again.

Please send someone responsible for our roads to come & inspect our listed HERITAGE North Beach Road to save it from further sliding into the sea before it's too late.

Also I have many encounters telling residents on this road NOT to dump grasscuttings & other stuff on the seaward side of the road or to cut trees or shrubs for view. These people think that on this semi water-front road, the road allowance belongs to them & they could do what they liked. I wish all residents could be issued a map to show what is boundary of the road allowance. There are a FEW exceptions that the ocean-side portion belonged to the resident's property; but they have no right to make the beach access 'disappear' nor do they have the right to lock people off on the beach when they use their staircase to the beach .

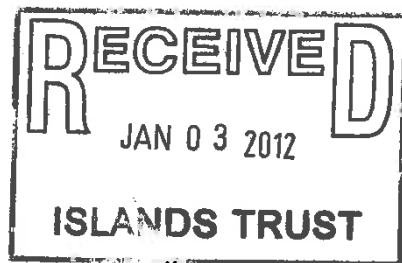
I appeal to Island Trust to hold a meeting to educate the people along this heritage road (or any other road), that road allowance does not belong to the people living close by & trees like yew, tall oregon grape & grand fir, arbutus which prefer to grow along this road are protected or need to be protected native species. Can we tag these trees/ shrubs so that people don't cut or trim them for view ? I see one example that tall oregon grape & grand fir trimmed to form a hedge, with broom trimmed to the same height !!

I volunteer to show you the places of my concern if you would come & inspect. I wish we have a system like Watchman (or watchwoman) similar to the one in Queen Charlottes so a concerned citizen has more clout.

Thank you for your kind attention.

Yours Sincerely,

Ling Weston (phone: 250-537-5784)



1386 North Beach Road,
Salt Spring Island, B.C. V8K1B2
12th Feb 2004

Kimberly Linager & Eric Booth Island Trust Trustees
Salt Spring Island Trust Office
Salt Spring Island B.C. V8K2T9
Dear Trustees,

I have been battling the issue of illegally removing or cutting trees from the highway right-of-way since 1994. I am enclosing the reply from R.E. Harold, the District Highways Manager dated 29th Sept 1994 regarding this matter. Even though Mr. Harold is no longer at this post but I don't think the rules mentioned in his letter have changed much.

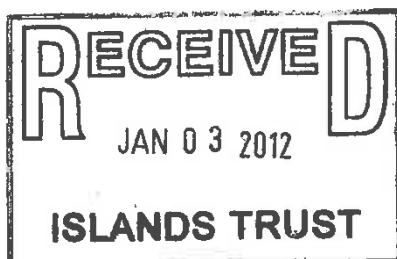
I now list the following events that I recorded (photographs enclosed) below that occurred within the last four months:

1. On 13th Oct. 2003 (Thanksgiving Weekend) on my walk I found large cedar trees right by the side of the North Beach Road, oceanside slope in front of 1410 had been cut and huge branches piled up on the beach and already partially burnt on site. I was pretty mad and reported to the Trust (by phone) and tried to salvage some of the unburnt cedar branches. A lot of walkers also noticed the big unsightly gap now created by this massacre of trees. I took photographs of this unhappy event that happened at the end of Thanksgiving weekend. Now those cedars have nothing to thank for.
2. 2nd Jan 2004 on my walk I noticed the cedars on the SAME SITE have been further brutalized and cut further down to the stumps. From the beach it looked even more ghastly. I took more photos (enclosed). And what made me fume was I met my neighbour yesterday on my morning walk and she told me that she had actually witnessed this further cutting on New Year's Eve when she went for a walk after dark. She spoke to the person at 1410 on site and informed him that this is a very sensitive area with bad shore erosion on the slope; his action would make it worse. This said person actually told her that he had a 'permit' to cut those cedars down. It seems that those who care for our environment have no clout at all in stopping people from cutting down trees. Tree cutters seem to bluff and say that they have permits and do exactly what they like to do.
3. On 28th Sept. 2003 I noticed a lot of big thick willow branches by Hudson Point estuary had been cut by someone. For what purpose I fail to understand except perhaps it's blocking his way to walk on the beach at high tide. Now trees have fallen around this area by natural causes. But to add to the destruction is inexcusable. Also people have been loading sand from this point for years and there is nothing to stop them. (there is no by-law in the community plan to stop people doing this, is there ???)
4. As evidence that Hudson Point is a very sensitive area, there was a big slide on 22nd Jan 2004 where a huge hunk of cliff covered with moss and one 10 foot cedar tree came down to the beach (photos enclosed). On 15th Feb I found this sturdy cedar tree had been removed by someone. I am really glad for this tree as it was given a second chance by a caring person and gave it a good home.
5. A huge hunk of cliff went down to the beach right between 1414/1410 on 6th Feb 2004. Close by another section a large pile of cuttings /compost also slid down to the beach (photos enclosed). This area needs to be looked at by the Highways Dept as soon as possible as it's right on the edge of the road; ocean side.

Now I have been walking the stretch of road between Hudson Point to Salt Springs Resort daily and on the beach at least once a month as I do bird counts for Waterbird Watch and Bird Studies Canada. I am very familiar with this area as I am the self-appointed custodian between Hudson Point and Salt Spring Resort for the past 15 years. Some of the road surface is actually 'hollow' as shale kept on fallen into the ocean. Maps 23/24 in Official Community Plan on Unstable Slopes and Soil Erosion Hazards need to be augmented and amended accordingly and new-by-laws implemented. And I suggest that a letter from the Trust and the Highways Dept similar to the letter of 29th Sept 1994 I enclosed be sent to every household along North Beach Road: stressing the need to preserve what trees there are left and not to pile tree branches and lawn cuttings etc. on the side of the road as apart from killing the underbrush and add extra weight to the unstable slope it is a real FIRE HAZARD as well. I have picked up umpteen empty cigarette cartons along my stretch over the years and the cigarette butts tossed by the road-side are perennially there. Unless something is done, the problems like Walker Hook Road will always return to haunt us and map 15 (P 99) of Heritage and Scenic Road that showcased North Beach Road & Walker Hook Road would have both slid into the ocean.

Yours Sincerely

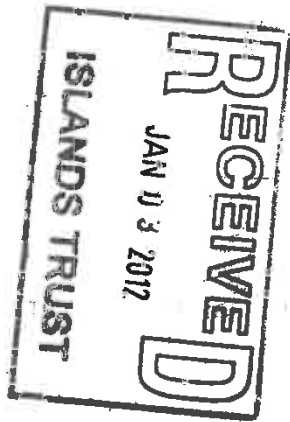
Ling Weston





Hudson Point 2011
 North Beach Rd. ←
 trees on

Cave in part
 under the road →



shoreline ←

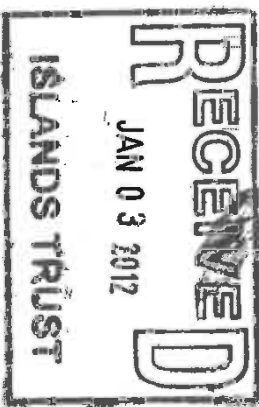
fallen tree



tide line —

Hudson Point 2011
 North Beach Rd. —

Beginning of the slide



Hudson Point 2011

200 -1627 Fort Street Victoria BC V8R 1H8

Telephone **250. 405.5151** FAX: 250 405.5155

Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**

information@islandstrust.bc.ca www.islandstrust.bc.ca

January 16, 2012

2012-02-IT

ISLANDS TRUST LAUNCHES ONLINE MAPPING TOOL

VICTORIA – The Islands Trust has now launched its new online mapping system – MapIT – identified on their web site with a new logo for easy access: www.islandstrust.bc.ca

“This is a very exciting new online mapping tool that gives islanders quick online access to much of the same mapping information that our staff and trustees use during the land use planning process,” said Linda Adams, Chief Administrative Officer. “Now you can explore the islands with the click of a mouse in your own home. Or you can build your own custom map of a single property or an entire island. I think this will be a particularly useful and interesting tool for homeowners, community groups, students and businesses that need property information, but anyone interested in knowing more about the islands or specific properties will find it helpful.”

Over several years, Islands Trust staff have assembled mapped data in cooperation with several other agencies. MapIT puts it all in one place, matches it to legal property lines and makes it easily accessible to the public. The new mapping interface provides many new features, such as more frequent updates of geographic information and simple, fast and informative data exploration and discovery tools. Highlights include:

- intuitive easy-to-use interface;
- up-to-date information, including sensitive ecosystems, zoning and publicly-available property information such as assessment and land title data;
- access to Trust-wide topographic, contour, road, lot line, and air photo data;
- standard web map tools and functionality that allow you to control visible layers, adjust transparency, and explore associated features;
- mark-up tools for adding text and graphics to your map;
- measuring tools to determine distance or area;
- access to current and historical air photos;
- integration of Google Street View (where available);
- printable maps and reports; and
- compatible with standard web browsers.

“MapIT will be a living tool, continuously growing and evolving”, said Adams. “The next step is to link the zoning classification for each property directly to the relevant land use bylaw. The best part is MapIT is friendly to the environment and to the public as we won’t need to charge now for printed maps.”

The Islands Trust Council is a federation of local government bodies representing some 25,000 people living within the Islands Trust Area. The Islands Trust is responsible for preserving and protecting the unique environment of the Islands Trust Area through planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island including Howe Sound and as far north as Comox (excluding Texada Island). The area is approximately 5200 square kilometres in size and includes 13 major islands and over 450 smaller islands.

- 30 -

CONTACT

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250.405.5181

Linda Adams
Chief Administrative Officer
250.405.5160

