

ADOPTED
MINUTES of the SALT SPRING ISLAND
LOCAL TRUST COMMITTEE REGULAR BUSINESS MEETING
Thursday, January 10, 2013 - 9:30 AM
Lions Club, Hart Bradley Hall - 103 Bonnet Avenue

Members Present:

Sheila Malcolmson, Chair
George Grams, Local Trustee
Peter Grove, Local Trustee

Staff Present:

Leah Hartley, Regional Planning Manager (RPM)
Miles Drew, Bylaw Enforcement Manager (BEM)
Justine Starke, Island Planner
Caitlin Brownrigg, Planner 1
Chris Larson, Planner 1
Kathryn Luttin, Recorder

Media and Others Present:

Wayne McIntyre, Capital Regional District Director
Approximately 3 members of the public – a.m.
Approximately 11 members of the public – p.m.

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

1. CALL TO ORDER

Chair Malcolmson called the meeting to order at 9:30 a.m. She introduced herself, the Trustees and staff, and explained the meeting procedures.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration at this time: Item 5.6 – Expense Report – Posted to January 31, 2013; Item 12.1 – SS-DVP-2012.4 (218 Dogwood Lane) – correspondence from H. Hazenboom dated January 3, 2013 and correspondence from S. & M-J. Graci dated January 9, 2013; Item 12.5 – SS-RZ-2012.1 (151 Rainbow Road) – correspondence from E. Booth dated January 4, 2013.

By general consent the agenda was approved, as amended.

For the record, the agenda was subsequently amended to add: New Business - Item 14.2 – LUB review and panhandle definition; Item 15 – Close Meeting Resolution; Item 16 – Open Meeting Resolution – Item 17 Rise and Report. The remaining agenda items were renumbered.

3. MINUTES AND RESOLUTIONS WITHOUT MEETING

3.1 Draft Minutes of the December 10, 2012 SSI LTC Special Business Meeting

The following changes to the minutes were proposed: page 8 of the minutes, under signature line on left, replace “Sheila Malcolmson, Chair” with “George Grams, Acting Chair”.

By general consent the Salt Spring Island Local Trust Committee Minutes of December 10, 2012 were adopted, as amended.

3.2 Draft Minutes of the December 13, 2012 SSI LTC Regular Business Meeting

The following changes to the minutes were requested: Item 10, Trustee Grove’s report, add the words “(by telephone)” after “Chief Financial Officer of BC Ferries”.

By general consent the Salt Spring Island Local Trust Committee Minutes of December 13, 2012 were adopted, as amended.

3.3 Draft Minutes of the December 11, 2012 Advisory Planning Commission Meeting

The minutes were received for information.

3.4 Resolution Without Meeting Log Report

The report was received.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-Up Action List

The list was reviewed. It was noted that it should be updated to include the Resolution Without Meeting # 2012-03 from December 19, 2012.

5. REPORTS

5.1 Work Program Top Priorities Report

The report was reviewed.

5.2 Projects List

The list was reviewed.

5.3 Work Program Update

RPM Hartley reviewed the staff report dated January 2, 2013 regarding the Local Trust Committee Work Program Quarterly Report.

Staff was requested to provide an update on the timing recommended for the National Marine Conservation Area Reserve internal boundaries project.

SSI-1-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee endorse the changes to the Local Trust Committee Work Program that are detailed in the staff report dated January 2, 2013. **CARRIED**

Staff advice was requested on whether further reporting is necessary for the Community Engagement Pilot results.

5.4 Year-End Development Application Summary Report

RPM Hartley reviewed the memorandum dated January 2, 2013 regarding the Application Summary Report and the Annual Application Summary.

5.5 Applications with Status Report

The report was reviewed.

5.6 Expense Report – Posted to January 31, 2013

The report was reviewed.

6. LOCAL TRUST COMMITTEE PROJECTS

6.1 Advisory Committee Terms of Reference Review

Island Planner Starke reviewed the staff report dated January 3, 2013 regarding the Advisory Committee Terms of Reference.

After discussion, the following resolutions were made:

SSI-2-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to discharge the Environmental Advisory Committee, the Agricultural Advisory Committee and the Advisory Design Panel as of January 31, 2013.

CARRIED

Chair Malcolmson Opposed

Resolution SSI-2-13 was rescinded by RWM-SSI-01-2013 on January 11, 2013.

SSI-3-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to draft amendments to the Advisory Planning Commission Bylaw 427 that would serve to ensure the composition of the Advisory Planning Commission includes those with expertise in architectural design, in environmental sciences, and in agricultural policy. **CARRIED**

SSI-4-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to bring forward a subsequent staff report that assesses what further amendments to the Advisory Planning Commission Bylaw 427 (or a companion Guideline for Advisory Committees) would be needed to improve the committee efficacy, based on the outcome of the current review process. **CARRIED**

SSI-5-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to include in a subsequent staff report an analysis of how the Official Community Plan should be amended to reflect the discharge of the Environmental Advisory Committee, the Agricultural Advisory Committee and the Advisory Design Panel. **CARRIED**

Chair Malcolmson called for a recess at 11:07 a.m. The meeting reconvened at 11:15 a.m.

6.2 LUB Update: Secondary Suites

Island Planner Starke reviewed the staff report dated January 3, 2013 regarding monitoring and evaluation of secondary suites.

Discussion followed.

Trustee Grams noted correspondence received from a member of the public which was submitted previously to staff.

SSI-6-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee endorse, in principle, the approach to monitoring and evaluating Proposed Bylaw 461 and Pilot Area 1, as presented in Appendix 1 of the staff report dated January 3, 2013. **CARRIED**

SSI-7-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request the Capital Regional District offer a one year grace period from the date of adoption of Proposed Bylaw 461 for building permit application fees for secondary suites. **CARRIED**

SSI-8-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request the Capital Regional District to investigate and consider rebate programs or other incentives for the installation of water meters by secondary suite building permit applicants. **CARRIED**

SSI-9-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request the North Salt Spring Waterworks District to report back to the Local Trust Committee every two years from the date of adoption of Proposed Bylaw 461 on:

- a) changes in water demand by the North Salt Spring Waterworks District customers with new secondary suites within the pilot area;
 - b) total withdrawal from its system in relation to its licensed capacity;
 - c) impacts on the Maxwell Lake, St. Mary Lake, and the district's water supply in general that can be attributed to the introduction of secondary suites within the pilot area.
- CARRIED**

SSI-10-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request that water conservation be actively encouraged by the monitoring program, at the Capital Regional District Building Inspection counter, the counter of Islands Trust, and in communications materials. **CARRIED**

6.3 Secondary Suites – Enforcement Strategy

Item 6.3 was addressed following Item 12.5.

BEM Drew reviewed the staff report dated January 2, 2013 regarding enforcement advice and options for Proposed Bylaw 461.

It was noted that at the top of page 2 of the staff report the word “antidotol” should read “anecdotal”.

After discussion, the following resolution was made:

SSI-11-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request staff to draft enforcement plans and policies for consideration by the Local Trust Committee based on options 3 and 4 from the staff report dated January 2, 2013 (replacing the word “proactive” with “progressive”). **CARRIED**

Chair Malcolmson called for a recess at 11:56 a.m. The meeting reconvened at 12:10 p.m. At that time, she welcomed the members of the public and thanked them for coming. She introduced the Trustees and staff and reviewed the audio recording practices. She acknowledged that the Local Trust Committee is meeting in the traditional territory of the Coast Salish People.

7. TRUSTEE REPORTS

Trustee Grams reported that he attended meetings with: the CRD Solid Waste Advisory Committee; the CRD Director and a committee member of the CRD Economic Development Commission; the Ministry of Community, Sport and Cultural Development; and prospective Green Party MLA Adam Olsen. He spoke of: the St Mary Lake Watershed Working Group; the Salt Spring Island Governance Study; and his interview on the local radio station.

Trustee Grove spoke about the Salt Spring Island Governance Study Committee. He reported that he attended Capital Regional District (CRD) Economic Development Commission round table meetings, including a recent one on health and wellness.

8. CHAIR'S REPORT

Chair Malcolmson spoke about: the Trust Council submission to the province of BC regarding BC Ferries; islanders' submissions to the National Energy Board regarding pipeline expansions; the Kinder Morgan open house session scheduled for Salt Spring Island; her November letter to Kinder Morgan; and the Islands Trust 2013-2014 Draft Budget.

9. CRD DIRECTOR'S REPORT

CRD Director McIntyre spoke about: staff changes at the CRD; their new procedures bylaw; the Fernwood/Highlands water system; the CRD Economic Development Commission; governance in the CRD; and his committee roles within the CRD.

10. DELEGATIONS

Chair Malcolmson went over guidelines for Delegations and the Town Hall, and reviewed the audio recording practices.

10.1 **Dr. Varzeliotis – Booth Canal – Inlet in Decline**

Dr. Varzeliotis provided a written submission titled “A delegation to the SSI LTC – January 10, 2013 – RAR Censorship at the Fritz” and spoke to this document in lieu of his previously submitted delegation material “Booth Canal – Inlet in Decline”.

11. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:40 p.m. Members of the public expressed their views on: the formation of an amalgamate Advisory Planning Commission; the conditions of secondary suites on Salt Spring Island; recent flooding and pathway construction. A copy of a petition addressed to previous Honorable Minister Ida Chong of the Ministry of Community, Sport and Cultural Development regarding rezoning application SS-RZ-2011.3 (J. Quesnel, 440 Rainbow Road) was received.

12. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

12.1 **SS-DVP-2012.4 - Hazenboom Construction – 218 Dogwood Lane – Building setback variance**

Planner Brownrigg reviewed the staff report dated January 2, 2013 regarding the application to vary the property’s front lot line setback.

She noted that the writers of the letter in Appendix B of the report have asked that their letter be withdrawn.

The applicant was present and spoke to the application. Discussion followed.

SSI-12-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve issuance of proposed Development Variance Permit SS-DVP-2012.4 to Steven M. Friedman and Ramona J. Ganderton at 218 Dogwood Lane, Lot A, District Lot 19, North Salt Spring Island, Cowichan District, Plan 22158. **CARRIED**

12.2 **SS-ALR-2012.2 - Polaris Land Surveying - 570 Beddis Road – ALR boundary adjustment subdivision and inclusion**

Planner Larson reviewed the staff report dated December 28, 2012 regarding the application to subdivide in the Agricultural Land Reserve (ALR) by moving the property line between two lots from the current configuration.

The applicant’s representative was present and spoke to the application. Discussion followed.

SSI-13-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Agricultural Land Reserve application SS-ALR-2012.2 (Polaris Land Surveying, 570 Beddis Road) for subdivision and inclusion in the Agricultural Land Reserve to the Agricultural Advisory Committee for review and comments. **CARRIED**

12.3 SS-ALR-2012.1 - J. Erickson - 201 McLennan Drive – Multi-use farm building with farm worker residence

Planner Larson reviewed the staff report dated December 21, 2012 regarding the application for non-farm use of land in the ALR, and construction of a two story multi-use farm structure.

The applicant was present and spoke. Discussion followed. It was noted that the property has recently achieved farm status.

SSI-14-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Agricultural Land Reserve application SS-ALR-2012.1 (Erickson, 201 McLennan Drive) for non-farm use in the Agricultural Land Reserve to the Salt Spring Island Agricultural Advisory Committee for review and comments. **CARRIED**

12.4 SS-RZ-2012.4 - Salt Spring Island Conservancy – 265 Blackburn Road - Rezoning for nature reserve & education centre

Planner Brownrigg reviewed the staff report dated January 2, 2013 regarding the application to rezone from Agriculture 2 to an Agriculture 2 zone variant and to discharge a Land Use Contract.

Staff noted that “RAR designated watershed” is a colloquial term that describes watersheds that have been identified by the Ministry of Environment as being potentially fish supporting.

The applicant’s representative was present and spoke to the application. Discussion followed.

SSI-15-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give First Reading to Draft Bylaw No. 465, cited as “Salt Spring Island Local Trust Committee Land Use Contract Authorization By-Law No. 12 (Blackburn Farm Society) Amendment Bylaw No. 1, 2013”. **CARRIED**

SSI-16-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give First Reading to draft Land Use Bylaw amendment No. 466, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2013,” **CARRIED**

SSI-17-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Proposed Bylaws No. 465 and No. 466 to the Agricultural Advisory Committee, the Environmental Advisory Committee, and public agencies for comment (SSI Conservancy, 265 Blackburn Road, SS-RZ-2012.4). **CARRIED**

12.5 SS-RZ-2012.1 - E. Booth - 151 Rainbow Road - Rezoning from residential to commercial - 151 Rainbow Rd

Planner Brownrigg reviewed the staff report dated January 2, 2013 regarding the proposal to amend the Land Use Bylaw zoning from Residential 6 to a Commercial 2 variant.

The applicant was present and spoke. Discussion followed.

Chair Malcolmson called for a recess at 2:20 p.m. The meeting reconvened at 2:24 p.m.

SSI-18-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Draft Bylaw No. 464 cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2013," as follows: a) by removing clause 1.1 in its entirety, and by making consequential numbering alterations to this effect, and b) by amending clause 1.2 as follows: replacing the words "(9) The following *accessory uses* are permitted: (a) *Mobile food carts* (b) *Dwelling units*" with the words: "(9) The following additional *use* is permitted: (a) *Dwelling units*." **CARRIED**

SSI-19-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Draft Land Use Bylaw amendment No. 464 to the Ministry of Transportation and Infrastructure, CRD Ganges Sewer Commission, School District #64, and North Salt Spring Waterworks District for comment (Booth, 151 Rainbow Road, SS-RZ-2012.1). **CARRIED**

13. CORRESPONDENCE – none

14. NEW BUSINESS

14.1 2012/13 Budget Projections

RPM Hartley gave a verbal report.

14.2 LUB review and panhandle definition

Trustee Grams introduced the topic.

SSI-20-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff, at the time that the Local Trust Committee examines Bylaw 355, to include examination of definition of setbacks on panhandle lots. **CARRIED**

SSI-21-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend the business agenda of January 10, 2013 to include an in camera session. **CARRIED**

15. CLOSED MEETING RESOLUTION

SSI-22-13 At 3:30 p.m. it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Section 90(1)(g) of the Community Charter regarding litigation or potential litigation affecting Islands Trust and Section 90(1)(i) regarding the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and 90.1(f) law enforcement, if the Local Trust Committee considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment, and that staff are invited to remain. **CARRIED**

16. OPEN MEETING RESOLUTION

SSI-23-13 At 3:49 p.m. it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter. **CARRIED**

17. **RISE AND REPORT** – none

18. **UPCOMING MEETINGS**

18.1 The next regular business meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on Thursday, January 31, 2013 at the Lions Club, Hart Bradley Hall, 103 Bonnet Avenue, Salt Spring Island.

19. **ADJOURNMENT**

By general consent the meeting adjourned at 3:50 p.m.

Sheila Malcolmson, Chair

Kathryn Luttin, Recorder