



Salt Spring Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting: Thursday, July 24, 2014
Location: Lions Club, Hart Bradley Hall
103 Bonnet Avenue, Salt Spring Island, BC

Members Present: Sheila Malcolmson, Chair
George Grams, Local Trustee
Peter Grove, Local Trustee

Staff Present: Leah Hartley, Regional Planning Manager (RPM)
Stefan Cermak, Island Planner
Kristin Aasen, Planner 2
David Marlor, Director of Local Planning Services
Kristine Mayes, Planning Team Assistant
Sarah Shugar, Recorder

Media and Others Present: Wayne McIntyre, Capital Regional District (CRD) Director
Gulf Islands Driftwood Reporter
Approximately 1 member of the public – a.m.
Approximately 60 members of the public – p.m.

These minutes follow the order of the agenda although 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 acknowledged that the Local Trust Committee is meeting in the traditional territory of the Coast Salish people.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 4.3 Addition of Community Charter Section 90(1)(i) for the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- 8.4 Correspondence from D. & G. Trompeter to LTC dated July 18, 2014 re. Grace Islet
- 8.5 Correspondence from B. Penn to LTC dated July 18, 2014 re. Grace Islet
- 8.6 Correspondence from J. Slakov to LTC dated July 17, 2014 re. Grace Islet
- 8.7 Correspondence from H. Brown to LTC dated July 17, 2014 re. Grace Islet
- 8.8 Correspondence from Y. Cogan to LTC dated July 18, 2014 re. Grace Islet
- 8.9 Correspondence from F. Hill to LTC dated July 18, 2014 re. Grace Islet
- 8.10 Correspondence from D. Martin to LTC dated July 20, 2014 re. Grace Islet
- 8.11 Correspondence from F. Perkins to LTC dated July 18, 2014 re. Grace Islet
- 8.12 Correspondence from H. Greenwood to LTC dated July 18, 2014 re. Grace Islet
- 8.13 Correspondence from A. Palframan to LTC dated July 21, 2014 re. Grace Islet
- 8.14 Correspondence from Cowichan Tribes to LTC dated July 14, 2014 re. Grace Islet
- 8.15 Correspondence from J. Lee & R. Cannon to LTC dated July 19, 2014 re. Fort Street

The following supplemental items to the agenda were presented for consideration:

- 8.3 Correspondence from Director B. Isitt to LTC dated July 15, 2014 re. Grace Islet
- 14.1 Correspondence from C. Chalmers dated July 22, 2014 re. SS-RZ-2013.5, 315 Robinson Road - Bullock Lake Cottages
- 14.1 SS-RZ-2013.5, 315 Robinson Road Rezoning and OCP Amendment for Bullock Lake Cottages – Staff Memorandum dated July 23, 2014.
- 15.1 Bylaw 480 – Riparian Areas Regulation – Staff Memorandum dated July 22, 2014.
- 16.1 LTC Work Program Quarterly Update – Appendix 3 Transfer of Density – Staff Briefing

By general consent the agenda was adopted, as amended.

3. CLOSED MEETING RESOLUTION

SS-2014-131

At 9:32 a.m., it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90(1)(c) concerning labour relations or other employee relations and Section 90(1)(g) concerning litigation or potential litigation affecting Islands Trust and Section (i) concerning receipt of advice subject to solicitor-client privilege and that staff be invited to remain.

CARRIED

4. OPEN MEETING RESOLUTION

SS-2014-132

At 10:40 a.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

5. RISE AND REPORT

5.1 LTC Correspondence and LTC Submissions

Chair Malcolmson reported the following: The Salt Spring Island Local Trust Committee resolved that public submissions that are deemed to be not relevant to the jurisdiction of the Local Trust Committee pursuant to Salt Spring Islands Local Trust Committee Procedures Bylaw No. 391; or that are deemed defamatory, profane or otherwise inappropriate for general circulation pursuant to Trust Council Policy on handling Incoming Local Trust Committee correspondence, Principle Number 3, will be received in the following manner:

- a. correspondence addressed to Local Trust Committee or to two or more Trustees will be referred to the Trustees and added to the agenda only at the request of a Trustee;
- b. requests for delegation will be referred to Trustees and only added to the agenda at the request of a Trustee; and
- c. that this direction is to be pursued unless the submissions are otherwise dealt with by provincial legislation.

6. MINUTES AND RESOLUTIONS WITHOUT MEETING

6.1 Draft Minutes of the June 24, 2014 SSI LTC Regular Meeting

By general consent, the minutes of the June 24, 2014 Salt Spring Island Local Trust Committee were adopted as presented.

6.2 Draft Minutes of the July 10, 2014 Advisory Planning Commission Meeting

The minutes were received for information.

6.3 Resolution Without Meeting Report

The report was received.

7. BUSINESS ITEMS

7.1 Follow-Up-Action-List

The report was received.

8. CORRESPONDENCE

8.1 Correspondence from A. Cunningham dated June 26, 2014 re. 295 Park Drive

The correspondence was received for information.

8.2 Correspondence from Salt Spring Women Opposed to Violence & Abuse - A. Scanlan dated June 30, 2014 re. the Salish Sea Girls Leadership Project

By general consent the Salt Spring Island Local Trust Committee direct staff to draft a response letter noting opportunities such as Student Trustee position and the Advisory Planning Commission membership.

8.3 Correspondence from Victoria City CRD Director, B. Isitt dated July 15, 2014 re. Grace Islet

8.4 Correspondence from D. & G. Trompeter dated July 18, 2014 re. Grace Islet

8.5 Correspondence from B. Penn dated July 18, 2014 re. Grace Islet

8.6 Correspondence from J. Slakov dated July 17, 2014 re. Grace Islet

8.7 Correspondence from H. Brown dated July 17, 2014 re. Grace Islet

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8.10 Correspondence from D. Martin dated July 20, 2014 re. Grace Islet

8.11 Correspondence from F. Perkins dated July 18, 2014 re. Grace Islet

8.12 Correspondence from H. Greenwood dated July 18, 2014 re. Grace Islet

8.13 Correspondence from A. Palframan dated July 21, 2014 re. Grace Islet

8.14 Correspondence from Cowichan Tribes dated July 14, 2014 re. Grace Islet

8.15 Correspondence from J. Lee & R. Cannon dated July 19, 2014 re. Fort Street

The correspondence items 8.3 to 8.15 were received for information.

By general consent the Salt Spring Island Local Trust committee direct staff to respond to the letters concerning Grace Islet and request that Trustee Grams respond to Mr. Adam Olson of the Cowichan Tribes, Director Ben Isitt and MLA Gary Holman regarding Grace Islet.

Chair Malcolmson called a recess at 11:20. The meeting reconvened at 12:00 p.m. At that time, she welcomed the members of the public and thanked them for attending the meeting. She introduced the Trustees and staff and reviewed the audio recording practices.

9. TRUSTEE REPORTS

Trustee Grove reported that he attended the following meetings: the Salt Spring Island Watershed Protection Authority; the Advisory Planning Commission; the Harbour Authority of Salt Spring (HASSI) and the owners of the Treehouse Café; the Salt Spring Accommodations Group; with MLA Holman and Director Isitt regarding Grace Islet. He also attended the Canada Day celebrations.

Trustee Grams reported that he attended the following meetings: several meetings with residents; the Salt Spring Island Watershed Protection Authority; with the Chair of CRD Community Economic Development Commission. He has been in discussions with Adam Olson regarding Grace Islet.

10. CHAIR REPORT

Chair Malcolmson reported that this month the Trust Council's Executive Committee focused on reviewing 18 LTC and Bowen bylaw amendments to confirm they align with the Islands Trust Policy Statement. She will be meeting with the Tsartlip First Nation to discuss the National Energy Board's review of the Kinder Morgan pipeline application. She also advised that the Union of British Columbia Municipalities Select Committee on BC Ferries socio economic impact report is in the peer review process.

11. CRD DIRECTOR REPORT

Director McIntyre reported that he attended the following meetings: CRD working group for the Trans Canada Pipeline; the Salt Spring Island Watershed Protection Authority; the Transportation Select Committee; the Salt Spring Transportation Commission regarding public input of Ganges Hill Pedestrian and cycling upgrade and the North Ganges Village Transportation Plan Phase Two; various budget reviews; CRD Hospital Board regarding integration of Island Health; the Environmental Services Committee and the Community Economic Development Commission's strategy launch. The Salt Spring Transportation Commission has received two grants: \$75,000 Walk and Roll to support pathways in Ganges and \$60,000 towards the Rainbow Road Pathway. There was an 8.4% increase in ridership of the bus system in 2014. The Saturday Market in the Park pilot project is underway. He reported on the CRD Board deliberations regarding Grace Islet and that he cohosted Honourable Naomi Yamamoto, Minister of State for Small Business's visit to Salt Spring Island.

12. DELEGATIONS

12.1 Gayle Baker – Concerning Fort Street

Gayle Baker spoke to concerns and provided a written copy of a court decision regarding density on Fort Street.

12.2 Tom Varzeliotis – Entitled “Disaster by Design”

Tom Varzeliotis spoke and provided a written submission titled “Tom’s Town Hall Placard” dated July 24, 2014. ”.

13. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:45 p.m.

Eight members of the public spoke in opposition to application SS-RZ-2013.5, 315 Robinson Road – Bullock Lake Cottages.

Two members of the public spoke in support of the protection of Grace Islet.

One member of the public spoke and expressed concern regarding water quality in the Fort Street area.

One member of the public spoke and expressed concern regarding densities in the Fort Street area.

Chair Malcolmson called for a recess at 1:23 p.m. The meeting reconvened at 1:30 p.m.

14. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

14.1 SS-RZ-2013.5 – C. Chalmers – 315 Robinson Road

Planner Aasen presented a staff memorandum dated July 17, 2014 regarding rezoning and OCP amendment for Bullock Lake Cottages.

Applicant Cameron Chalmers spoke to the application.

Further to discussion, the following resolution was introduced.

SS-2014-133

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee proceed no further with application SS-RZ-2013.5, 315 Robinson Road.

Chair Malcolmson called for a recess at 2:04 p.m. The meeting reconvened at 2:08 p.m.

Property Owner Andrew Sinclair spoke to the application.

The question on the motion was then called,

CARRIED
Trustee Grams OPPOSED

14.2 SS-DVP-2014.2 – H. Otto – 177 Mountain Park Drive

RPM Hartley presented a staff memorandum dated July 11, 2014 regarding a development variance permit.

The applicants were present and were invited to speak.

Further to discussion, the following resolution was introduced.

SS-2014-134

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2014.2 to Herbert Otto for Lot 20, Section 11, Range 3 West, North Salt Spring Island, Cowichan District, Plan 18964 (177 Mountain Park Drive).

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS

15.1 Riparian Areas Regulation – Proposed Bylaw No. 480 – For Consideration of First Reading

Planner Cermak presented a staff report dated July 15, 2014 and a staff memorandum dated July 22, 2014 regarding Bylaw No. 480 – Riparian Areas Regulation for consideration of First Reading.

Further to discussion, the following resolutions were introduced.

SS-2014-135

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee advise the Executive Committee that it has reviewed the Policy Statement Directives Only Checklist and determined that Bylaw No. 480 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give first reading to proposed Bylaw No. 480 cited as “Salt Spring Island Official Community Plan Bylaw 434, 2008, Amendment No. 2, 2014”.

An amendment to the main motion was introduced as follows:

SS-2014-136

It was **MOVED** and **SECONDED** to amend the motion to include Bylaw 480 cited as “Salt Spring Island Official Community Plan Bylaw 434, 2008, Amendment No. 2, 2014”, as circulated July 23, 2014.

CARRIED

The question on the following motion, as amended, was then called:

SS-2014-137

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give first reading to Proposed Bylaw No. 480 cited as “Salt Spring Island Official Community Plan Bylaw 434, 2008, Amendment No. 2, 2014.” as circulated July 23, 2014.

CARRIED

SS-2014-138

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to refer Proposed Bylaw No. 480 to Chemainus First Nation, Cowichan Tribes, Halalt First Nation, Hul'qumi'num Treaty Group (for information only), Lake Cowichan First Nation, Lyackson First Nation, Malahat First Nation, Te'Mexw Treaty Association, Pauquachin First Nation, Penelakut Tribe, Tsartlip First Nation, Tsawout First Nation, Tsawwassen First Nation, Tseycum First Nation, Fisheries & Oceans, Canada Pacific Region, Agricultural Land Commission, Ministry of Agriculture, Ministry of Environment, Ministry of Natural Resource Operations, Ministry of Transportation &

Infrastructure, Island Health, Capital Regional District, Cowichan Valley Regional District, Municipality of North Cowichan, Galiano Island Local Trust Committee, Mayne Island Local Trust Committee, North Pender Island Local Trust Committee, Thetis Island Local Trust Committee for Kuper Island, Advisory Planning Commission Agricultural Advisory Planning Commission and Ministry of Community, Sport and Cultural Development.

CARRIED

SS-2014-139

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule a Community Information and Public Hearing for Bylaw 480.

CARRIED

SS-2014-140

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to forward Bylaw 480 cited as "Salt Spring Island Official Community Plan Bylaw 434, 2008, Amendment No. 2, 2014." for legal review.

CARRIED

16. REPORTS

16.1 LTC Work Program Quarterly Update

RPM Hartley presented the staff report dated July 16, 2014 regarding Local Trust Committee Work Program Quarterly Update and the Appendix 3 Transfer of Density staff briefing dated July 21, 2014.

Further to discussion, the following resolutions were introduced.

SS-2014-141

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends its work program to put Land Use Bylaw (LUB) Update - Secondary Suites on hold as a top priority and to place it on the projects list.

CARRIED

SS-2014-142

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend its work program to put Grace Islet rezoning as a top priority and direct staff to bring forward a report addressing recommendations within the correspondence received by Local Trust Committee today.

CARRIED

SS-2014-143

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to bring forward by Resolution Without Meeting a mechanism by which the Local Trust Committee may obtain legal advice on the matters raised in the Fort Street delegation in Item 12.

CARRIED

The Trustees noted that the work program Projects list is separate from the Top Priorities list and that staff resources are targeted to Top Priorities

SS-2014-144

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend its Work Program to add the following as “Number 1 Ranked Projects”, in addition to those currently ranked: a) Liquor License Regulations Update and b) First Nations Heritage Sites.

CARRIED

SS-2014-145

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends its Work Program to identify Eelgrass Mapping as a Number 2 Ranked Project, noting that mapping is currently underway.

CARRIED

SS-2014-146

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends its Work Program to add “Zoning Regulations, Land Use Contracts and Outer Islands” as a Number 3 Ranked Project.

CARRIED

SS-2014-147

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to prepare 2015/2016 budget submissions based on project summaries of the Number 1 Ranked Projects for consideration at the August Local Trust Committee meeting.

CARRIED

SS-2014-148

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refers the July 2014 Work Program Update to the Advisory Planning Commission for recommendations.

CARRIED

By general consent the Appendix 1 Briefing dated July 15, 2014 regarding Land Use Bylaw Update: Rural Watershed Uses was referred for future consideration to the August 28, 2014 meeting.

16.2 Work Program Top Priorities Report

The report was received.

16.3 Projects List

The report was received.

Further to discussion, the following resolution was introduced.

SS-2014-149

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee include on the future projects list Integrated Community Sustainability Plan (ranked number one).

CARRIED

16.4 Applications with Status Report

The report was received.

16.5 Expense Report – To end of June 2014

The report was received.

17. NEW BUSINESS

17.1 North Pender Island Local Trust Committee Bylaw No. 196 Referral

Planner Cermak presented the memorandum dated July 9, 2014 regarding Bylaw Referral from North Pender Island Local Trust Committee.

Further to discussion, the following resolution was introduced.

SS-2014-150

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to respond to the referral from North Pender Island Local Trust Area for Bylaw No. 196 indicating that interests are unaffected.

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on August 28, 2014 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

SS-2014-151

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule an extra meeting in August if required to advance a bylaw currently in progress.

CARRIED

19. ADJOURNMENT

By general consent, the meeting adjourned at 3:05 p.m.

Sheila Malcolmson, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder