



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, April 27, 2021

Location: Electronic Meeting

Members Present: Peter Luckham, Chair
Peter Grove, Local Trustee
Laura Patrick, Local Trustee

Staff Present: Stefan Cermak, Regional Planning Manager (RPM)
Jason Youmans, Island Planner
Louisa Garbo, Island Planner
Geordie Gordon, Planner 2
Kristine Mayes, Planner 1
William Shulba, Senior Freshwater Specialist
Rob Pingle, Planning Team Assistant
Sylvia Oliver, Office Administrative Assistant
Sarah Shugar, Recorder

Media and Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director
Gulf Islands Driftwood Newspaper
Approximately 20 members of the public

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

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:30 a.m. and welcomed everyone to an electronic meeting of the Salt Spring Island Local Trust Committee. Chair Luckham introduced himself, the Trustees and staff and stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory.

2. APPROVAL OF AGENDA

The following additional items were presented for inclusion in the agenda:

- 8.1.1 Weston Lake Water Availability and Climate Changes Assessment - Staff Report
- 16.10 Agricultural Land Reserve (ALR) Exemption – Harkema

By general consent, the agenda was adopted as amended.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the March 23, 2021 SSI LTC Regular Meeting

By general consent, the minutes of the March 23, 2021 Salt Spring Island Local Trust Committee meeting were adopted.

3.1.2 Draft Minutes of the March 15, 2021 SSI LTC Special Meeting

By general consent, the minutes of the March 15, 2021 Salt Spring Island Local Trust Committee Special meeting were adopted.

3.2 Resolutions Without Meeting Report – None

3.3 Draft Minutes of the Advisory Planning Commissions – None

3.4 Salt Spring Island Local Trust Committee Public Hearing Record – None

4. BUSINESS ARISING FROM MINUTES

4.1 Follow Up Action List dated April 2021

The report was received.

5. COMMUNITY INFORMATION MEETING – None

6. PUBLIC HEARING - None

7. REPORTS

7.1 Policy and Standing Resolutions List

The report was received.

7.2 Work Program Top Priorities Report dated April 2021

The report was received.

7.3 Projects List dated April 2021

The report was received.

7.4 Applications with Status Report dated April 2021

The report was received.

7.5 Expense Report dated February 2021

The report was received.

7.6 Islands Trust Conservancy Board Report dated January 2021 – None

7.7 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report – None

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Water Sustainability

Planner Youmans presented a staff memorandum dated April 15, 2021 regarding a Salt Spring Island Watershed Stewardship and Protection Strategy.

SS-2021-069

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to report back with:

- a. Options for and implications of using Watershed Strategic Planning Project resources to support community and agency engagement around issues of forest preservation and stewardship in the context of watershed protection; and
- b. How this work could be coordinated with the Coastal Douglas-fir Protection Project.

CARRIED

8.1.1 Weston Lake Water Availability and Climate Changes Assessment Staff Report

Planner Youmans presented a staff report dated April 20, 2021 regarding a Memorandum of Understanding to undertake a Weston Lake Water Availability and Climate Change Assessment in coordination with the Capital Regional District.

SS-2021-070

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve the Memorandum of Understanding for a Weston Lake Water Availability and Climate Change Assessment attached as Appendix 1 to the staff report dated April 27, 2021, and designate the Chair to sign it.

CARRIED

8.2 Coastal Douglas-fir and Associated Ecosystems Protection

Planner Youmans presented a staff report dated April 13, 2021 regarding an updated Project Charter and Community Engagement Plan for the Coastal Douglas-fir Zone and Associated Ecosystem Protection Project. Planner Youmans presented a video entitled "Coastal Douglas Fir Forests Past, Present and Future."

9. OTHER BUSINESS

9.1 Proposed Bylaw No. 522 - Amendments to Advisory Planning Commission Bylaw No. 467

Planner Mayes presented a staff report dated April 14, 2021 regarding proposed amendments to Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw No. 467 to address the recommendations of the Agricultural Advisory Planning Commission (AAPC).

SS-2021-71

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 522, cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, Amendment No. 1, 2021" be adopted.

CARRIED

The meeting recessed for a lunch break at 11:16 a.m. and reconvened at 12:00 p.m.

10. TRUSTEE REPORTS

Trustee Patrick presented the following report:

- The former Housing Working Group and the Gabriola Housing Advisory Planning Commission have recommended that a resourced cooperative body including government entities and organizations to work together on solutions to the housing crisis.
- Spoke to the rental housing shortage, the need for housing for essential workers and encouraged Salt Spring Island property owners to rent to islanders to provide more rental housing in the community.
- Attended the North Pender Island, Thetis Island and South Pender Island Local Trust Committee meetings and a Trust Council Executive meeting.
- Attended a Salt Spring Island Watershed Protection Alliance meeting and a watershed protection panel discussion hosted by Transition Salt Spring.
- Attended a Trust Council Freshwater Round Table regarding development of a Trust Area wide strategic plan.
- Attended a community discussion on defunding the police hosted by the Black, Indigenous, and People of Colour (BIPOC) Community Collective and the Salt Spring Community Alliance.

Trustee Grove presented the following report:

- Trustees have received a high volume of correspondence regarding the proposed CREST tower in the Channel Ridge area.
- The Dragonfly Commons Affordable Housing project received water approvals.
- Attended a meeting with Channel Ridge property owners regarding next steps for the Channel Ridge development.
- Encouraged everyone to follow the BC Health Directives regarding COVID-19.

11. CHAIR'S REPORT

Chair Luckham presented the following report:

- Provided clarification regarding a proposed CREST tower in the Channel Ridge area. Islands Trust considers whether to concur with the need for emergency communications and land use regulations for the proposed location. Health related issues are under the jurisdiction of Health Canada.
- Spoke to the high volume of projects and applications in 2021.
- Attended several meetings to prepare for the next Trust Council meetings to be held electronically on June 8 to 10, 2021.
- Attended a meeting with the Trust Council Governance and Management Review Select Committee.
- Attended the Thetis Island and Lasqueti Island Local Trust Committee meetings.

12. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- The Booth Canal to Central pathway project is almost complete. The CRD has received a high volume of feedback related to the pathway project including safety concerns. The Salt Spring Island Transportation Commission has directed staff to complete the pathway project and address safety concerns.
- Encouraged the Salt Spring Island Local Trust Committee to concur with the proposed CREST tower proposal in the Channel Ridge location. The proposed tower would improve emergency communications on the north/west area of Salt Spring Island.
- The Salt Spring Island Parks and Recreation Commission has directed staff to develop a business case and partnership alternatives for use of the Salt Spring Island Middle School buildings as a recreational facility.

13. CORRESPONDENCE

Correspondence received concerning current applications and/or projects is posted to the LTC webpage.

13.1 P. Hannah to LTC - Dated March 19, 2021 - Concerning STVR Enforcement

The correspondence item was received.

SS-2021-72

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee forward the correspondence received from P. Hannah to LTC dated March 19, 2021 concerning Short Term Vacation Rentals (STVR) Enforcement to Bylaw Enforcement for a written response and to provide a copy to the Salt Spring Island Local Trust Committee.

CARRIED

13.2 Z. Pereboom to LTC et al, and Trustee Patrick reply - Dated March 31, 2021 Concerning Beddis Road Petition

The correspondence item was received.

14. DELEGATIONS

14.1 J. McClean - Concerning SS-RZ-2021.1 - 114 Swanson Road, SSI

J. McClean spoke to application SS-RZ-2021.1 (114 Swanson Road) and requested the Salt Spring Island Local Trust Committee to defer consideration of the application. Ms. McClean expressed support for the application to be referred to the Ganges Village Task Force and expressed concerns regarding storm water runoff, impacts to nearby properties, impacts to Ganges Creek and removal of trees.

15. TOWN HALL & QUESTIONS

Chair Luckham opened the Town Hall at 12:37 p.m.

A member of the public requested the Salt Spring Island Local Trust Committee to expedite a non-farm use application at 427 Fulford-Ganges Road due to a potential property sale and urgency to confirm the General Employment 2 (GE2) industrial uses.

Cusheon Lake Stewardship Committee Chair and Beddis and Cusheon Lake Area Residents Association President Doreen Hewitt expressed concerns regarding application SS-TUP-2020.4 including impacts and risks to the ground and surface water within the Cusheon Lake Watershed. She spoke to the Freshwater Sustainability Strategy and requested the Salt Spring Island Local Trust Committee to not support a Temporary Use Permit for a commercial excavation business at 570 Blackburn Road.

16. APPLICATIONS AND REFERRALS

16.1 SS-TUP-2020.4 - M. Cahill & C. Gosset, Gosco Holdings (Charlie's Excavating) - 570 Blackburn Road, SSI

Planner Mayes presented a staff report dated April 14, 2021 regarding a Temporary Use Permit application for a Commercial Excavation Business.

Applicant Mia Cahill spoke to the application.

SS-2021-73

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a report demonstrating compliance with applicable codes of the temporary fuel system completed by a qualified professional (SS-TUP-2020.4, 570 Blackburn Road).

CARRIED

SS-2021-74

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee defer application SS-TUP-2020.4 for consideration at the July 27, 2021 Regular Meeting.

CARRIED

16.2 SS-ALR-2020.4 - D. Miller - 2101 Fulford-Ganges Road, SSI

Planner Mayes presented a staff report dated April 14, 2021 regarding a Non-Farm Use and Subdivision application in the Agricultural Land Reserve.

Applicant Dennis Miller spoke to the application.

SS-2021-75

It was MOVED and SECONDED,

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

CARRIED

16.3 SS-DVP-2020.7 - A. Clarke and R. Clarke - 1020 Sunset Drive, SSI

Planner Mayes presented a staff report dated April 1, 2021 regarding a Development Variance Permit application to vary siting of a septage pit and structures to the natural boundary of the sea.

Applicant Ojima Clarke spoke to the application.

SS-2021-76

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DVP-2020.7 as presented in Appendix No. 1 (1020 Sunset Drive).

CARRIED

16.4 SS-DVP-2021.3 - M. Smith, M.C. Wright and Associates - North Secretary Island

Planner Mayes presented a staff report dated March 22, 2021 regarding a Development Variance Permit application to vary the setback to the natural boundary of the sea for a proposed walkway structure and permit 5 mooring floats, one float exceeding 12 metres in length (28.65 metres) for a group strata moorage dock.

Applicant Miranda Smith spoke to the application.

SS-2021-77

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to draft a Restrictive Use Covenant to prohibit the construction of docks on residential lots and include provision for a suitable marine spill containment kit. (SS-DVP-2021.3, North Secretary Island).

CARRIED

SS-2021-78

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee endorse staff to enter into a cost recovery agreement with the applicant (SS-DVP-2021.3, North Secretary Island).

CARRIED

SS-2021-79

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to inquire about First Nation concerns regarding the Crown referral process for application SS-DVP-2021.3 (North Secretary Island).

CARRIED

16.5 SS-DVP-2021.4 - G. Welsh - 150 Drake Road, SSI

Planner Mayes presented a staff report dated April 9, 2021 regarding a Development Variance Permit application to vary the setback for a proposed accessory building to a front lot line and an interior side lot line.

Applicant Greg Welsh and property owner Heather Fox spoke to the application.

SS-2021-80

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust:

- a. A site plan by a BC land surveyor or landscape architect report demonstrating available parking on the subject property for all uses in accordance with Part 7 and Subsection 3.13.4 of Salt Spring Island Land Use Bylaw No. 355; and
- b. A site plan by a BC land surveyor indicating the present location of all structures appearing to be part of the subject property but developed within Mouat Park (including but not limited to the shed, trailer, and fencing) (SS-DVP-2021.4, 150 Drake Road).

CARRIED

16.6 SS-DVP-2021.5 - N. Langford, Nick Langford Construction Ltd. - 143 Price Road, SSI

Planner Mayes presented a staff report dated April 13, 2021 regarding a Development Variance Permit application to vary the setback for an existing accessory building to an interior side lot line.

Applicant Nick Langford spoke to the application.

SS-2021-81

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS- DVP-2021.5 as shown in Appendix No. 4 of the staff report dated April 14, 2021 (143 Price Road).

CARRIED

16.7 SS-DVP-2021.9 - D. Desormeaux - 155 Liberty Hall Lane, SSI

Planner Gordon presented a staff report dated April 12, 2021 regarding a Development Variance Permit application to permit the continued siting of a structure (a culvert) within and adjacent to a waterbody (a stream).

Applicant David Desormeaux spoke to the application.

SS-2021-82

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2021.9 (155 Liberty Hall Lane).

CARRIED

SS-2021-83

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee add “culverts in waterbody setbacks” under technical and minor land use bylaw amendments in the Work Program Projects List.

CARRIED

16.8 SS-DVP-2021.2 and SS-DP-2021.1 - F. Fontaine - 241 Morningside Road, SSI

Planner Gordon presented a staff report dated April 12, 2021 regarding a Development Permit application and a Development Variance Permit application required to retroactively permit the movement of a structure within the setback to the natural boundary of the sea, as well as to permit the construction of a proposed deck off of the existing structure.

Property owner Bernard Crotty spoke to the application.

SS-2021-84

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee deny issuance of SS-DVP-2021.2 (241 Morningside Road).

CARRIED

SS-2021-85

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee deny issuance of SS-DP-2021.1 (241 Morningside Road).

CARRIED

16.9 SS-RZ-2021.1 - D. Rivers - 114 Swanson Road, SSI

Planner Gordon presented a staff report dated April 14, 2021 regarding proposed amendments to Salt Spring Island Land Use Bylaw No. 355 to rezone the 0.5 hectare subject property from Residential 6 to a Residential 6 zone variant to permit a maximum of six dwelling units.

Applicant Dale Rivers spoke to the application.

SS-2021-86

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust the following:

- a. A water management report from a Professional Engineer or Geoscientist providing:
 1. A water quality analysis that demonstrates that the surface water and groundwater from each proposed water supply source or well is potable or can be made potable (as defined in Schedule H of Land Use Bylaw No. 355 and Guidelines for Canadian Drinking Water Quality) with a treatment system customarily used in a single-family dwelling, and include a plan of the subject property indicating each well location where a water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
 2. Proof of groundwater well(s) registration including well tag number(s) and well records
 3. Proof of Forests, Lands, Natural Resource Operations and Rural Development groundwater licence application that authorizes the withdrawal of a minimum of 10,950 litres per day of groundwater;
 4. A statement regarding the adherence to construction standards in the Groundwater Protection Regulation for each surface water supply source.
- b. A Riparian Areas Protection Regulation report from a Qualified Environmental Professional containing requirements and recommendations to protect the existing Riparian Area on the subject property during construction.
- c. A storm water management plan prepared by a qualified engineer. The plan should ensure that no flooding of downstream properties occurs as a result of the proposed development (114 Swanson Road).

CARRIED

SS-2021-87

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff, upon receipt of a water management plan from the applicant, to refer the plan to the Secretary to the Comptroller of Water Rights, Island Health, CRD Building Inspection and the North Salt Spring Water District for review and comment (114 Swanson Road).

CARRIED

SS-2021-88

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that staff refer the application to Capital Regional District for confirmation that the subject property can be serviced by the CRD's sanitary sewer system and CRD comments on the requirements for the applicant to connect to the sewer system (114 Swanson Road).

CARRIED

SS-2021-89

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant revise the rezoning application to consider the following aspects:

- a. Reduced water consumption through alternative non-potable supply for landscaping;
- b. Sustainable building techniques and energy efficient building design;
- c. The provision of an eligible community amenity as outlined in Official Community Plan Volume 2 Appendix 3 – Amenity Zoning (114 Swanson Road).

CARRIED

SS-2021-90

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to prepare a draft bylaw to amend the Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone Lot 8, Section 3, Range 3 East, North Salt Spring Island, Cowichan District, Plan 21557 from Residential 6 to a Residential 6 zone variant that permits a maximum of six dwelling units (114 Swanson Road).

CARRIED

SS-2021-91

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee will withhold third reading of the proposed bylaw until a conditional water licence authorizing the withdrawal of at least 10,950 litres per day is issued by Forests, Lands, Natural Resource Operations and Rural Development and any applicable mitigating measures to ensure water sustainability are agreed upon (114 Swanson Road).

CARRIED

16.10 Agricultural Land Reserve (ALR) Exemption – Harkema

There was a question regarding whether an application can be prioritized at the request of an applicant. Staff referred to the Trust Council Administrative Fairness Principles Policy 7.1.1. It was noted that an application for the property has not been received at this time.

The meeting recessed for a break at 4:02 p.m. and reconvened at 4:15 p.m.

17. CLOSED MEETING

17.1 Motion to Close the Meeting

SS-2021-92

At 4:15 p.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):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and that staff be invited to remain.

CARRIED

17.2 Motion to Open the Meeting

SS-2021-93

At 4:22 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

17.3 Rise and Report

The Salt Spring Island Local Trust Committee appointed Maïkan (Forest) Bordeleau, Daniel Wood, Amber Anderson, Stanley J. Shapiro, James W. Back, Kerrie Proulx, Meror Krayenhoff, Nejmah Guermoudi, Yvonne Saunders, Jessica Terezakis, Bryce Chapman and Rhonan Heitzmann to the Housing Action Program Task Force.

SS-2021-94

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend the Housing Action Program Task Force Terms of Reference dated December 2020 by changing 5 (b) to read “The total number of members shall not exceed 12”.

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on May 25, 2021 at 9:30 a.m. Check the website at www.islandstrust.bc.ca for details regarding upcoming meetings.

19. ADJOURNMENT

By general consent the meeting adjourned at 4:25 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder