



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: Thursday, December 1, 2016
Time: 9:30 a.m.
Location: Lions Club, Hart Bradley Memorial Hall
103 Bonnet Avenue, Salt Spring Island, BC

	Pages
1. CALL TO ORDER	9:30 AM - 9:30 AM
2. APPROVAL OF AGENDA	
3. PREVIOUS MEETINGS	9:30 AM - 9:35 AM
3.1 Draft Minutes of the Salt Spring Island Local Trust Committee	
3.1.1 <u>Draft Minutes of the November 3, 2016 SSI LTC Regular Meeting</u> For Adoption	5
3.2 Resolutions Without Meeting Report	13
Report dated November 24, 2016	
3.3 Draft Minutes of the Advisory Planning Commissions	
3.3.1 <u>Draft Minutes of the October 27, 2016 Agricultural Advisory Planning Commission Meeting</u> For Information	14
3.3.2 <u>Draft Minutes of the November 17, 2016 Advisory Planning Commission Meeting</u> For Information	16
4. BUSINESS ARISING FROM MINUTES	9:35 AM - 9:40 AM
4.1 Follow-Up Action List	19
Report dated November 24, 2016	
5. COMMUNITY INFORMATION MEETING - None	
6. PUBLIC HEARING - None	
7. REPORTS	9:40 AM - 10:00 AM
7.1 Policy and Standing Resolutions List	26
For Information	
7.2 Work Program Top Priorities Report	29
Report dated November 24, 2016	

7.3	Projects List	33
	Report dated November 24, 2016	
7.4	Applications with Status Report	40
	Report dated November 24, 2016	
7.5	Expense Report - October 2016	54
7.6	Trust Fund Board Report - None	
8.	LOCAL TRUST COMMITTEE PROJECTS	10:00 AM - 10:45 AM
8.1	SS-BL-493 - Piers Island Official Community Plan Bylaw Amendment	55
	For Consideration of Second and Third Readings - Staff Report	
8.2	SS-BL-487 & SS-BL-496 - Rural Watershed Land Use Bylaw Amendments	63
	Project Update - Staff Report	
8.3	Watershed Management	80
	Staff Report	
9.	CORRESPONDENCE	10:45 AM - 11:00 AM
9.1	Salt Spring Island Farmer's Institute, Chair R. Vipond - Dated November 7, 2016 & Trustee P. Grove response Dated November 16, 2016 - Concerning Local Trust Committee decisions impacting Island Agricultural priorities & relationships	89
	For Consideration	
	<u>.....BREAK UNTIL 12:00 NOON.....</u>	
10.	TRUSTEE REPORTS	12:00 PM - 12:10 PM
	Verbal Report	
11.	CHAIR'S REPORT	12:10 PM - 12:15 PM
	Verbal Report	
12.	CRD DIRECTOR'S REPORT	12:15 PM - 12:20 PM
	Verbal Report	
13.	DELEGATIONS - None	
14.	TOWN HALL AND QUESTIONS	12:20 PM - 12:40 PM

Reminder: the Public Hearing for Bylaws No. 474 & 475 (2850 Fulford-Ganges Road) closed on June 11, 2014; Bylaw No. 483 (Abattoir - 1449 Fulford-Ganges Road) closed on November 19, 2015. Bylaw No. 492 (Land Use Bylaw Technical Update) closed on September 23, 2016. Bylaw No. 493 (Piers Island OCP Amendment) closed on October 3, 2016. Per Meeting Procedures Bylaw No. 391, the Local Trust Committee must not permit a delegation to address a meeting of the Committee regarding a bylaw in respect of which a public hearing has been held.

- 15. APPLICATIONS AND REFERRALS** 12:40 PM - 2:00 PM
- 15.1 SS-DVP-2016.4 – J. Wake – 120 Drake Road** 94
Development Variance Permit to reduce setback from interior side lot line - Staff Report
- 15.2 SS-DP-2016.2 – R.S. & B.I. Aust – 1429 Fulford-Ganges Road** 105
Development Permit for additional mini-storage facility - Staff Report
- 15.3 SS-ALR-2016.2 – K Elston-Tuttle - 231 Meadow Drive** 124
Agricultural Land Reserve Application for Non-Farm Use - Dwelling - Staff Memorandum
- 15.4 SS-ALR-2016.4 – M. Bond – 300 Le Page Road** 149
Agricultural Land Commission Application for Non-Farm Use in the Agricultural Land Reserve to permit expansion of the existing veterinarian clinic - Staff Report
- 15.5 SS-ALR-2016.3 – G. Gilchrist – 902 and 952 Beaver Point Road** 170
Subdivision in the Agricultural Land Reserve - Staff Report
- 15.6 SS-DP-2016.6 – A. Scanlan – 125 Mapleridge Place** 194
Development Permit for Development Permit Area 7 - Riparian Areas - Staff Report
- 16. OTHER BUSINESS** 2:00 PM - 2:10 PM
- 16.1 New Business**
- 16.1.1 Regulations Regarding Accessory Buildings Without an Established Principal Use 220
Staff Report
- 16.1.2 Salt Spring Island Local Trust Committee 2017 Regular Meeting Schedule 226
For Consideration - Staff Memorandum
- 17. CLOSED MEETING** 2:10 PM - 2:30 PM
- 17.1 Motion to Close the Meeting**
The Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Part 4, Division 3, Section 90(1)(f) law enforcement, if the Committee considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment and that staff be invited to remain.
- 17.2 Motion to Open the Meeting**
The Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter.
- 17.3 Rise and Report**
- 18. UPCOMING MEETINGS**

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on December 22, 2016 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

19. ADJOURNMENT



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Thursday, November 3, 2016
Location: Lions Club, Hart Bradley Memorial Hall
103 Bonnet Avenue, Salt Spring Island, BC

Members Present: Peter Luckham, Chair
George Grams, Local Trustee
Peter Grove, Local Trustee

Staff Present: Jason Youmans, Planner 2
Seth Wright, Planner 2
Kim Stockdill, Island Planner
Shelley Miller, Planner 1
Sarah Shugar, Recorder

Media and Others Present: Capital Regional District (CRD) Director Wayne McIntyre
Gulf Islands Driftwood Reporter
Approximately 4 members of the public - a.m.
Approximately 7 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 Luckham called the meeting to order at 9:30 a.m. He introduced himself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting in the territory of the Coast Salish First Nations and he expressed his gratitude.

2. APPROVAL OF AGENDA

The following supplemental item to the agenda was presented for consideration:

15.3.1 A4 – SS-DVP-2016.3 – Correspondence

The following addition to the agenda was presented for consideration:

16.1 Advocacy for Affordable Housing

By general consent the agenda and addendum were approved.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the October 13, 2016 SSI LTC Regular Meeting

The following amendment to the minutes was presented for consideration:

1. replace “traditional territory” with “territory” in Item 1 – Call to Order.

By general consent, the minutes of the October 13, 2016 Salt Spring Island Local Trust Committee Regular Meeting were adopted as amended.

3.1.2 Draft Minutes of the October 3, 2016 SSI LTC Special Meeting (Piers Island)

By general consent, the minutes of the October 3, 2016 Salt Spring Island Local Trust Committee Special Meeting (Piers Island) were adopted.

3.2 Resolutions Without Meeting Report

The report was received.

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Draft Minutes of the September 22/October 6, 2016 Agricultural Advisory Planning Commission

The minutes were received for information.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-Up Action List

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

The report was received.

SS-2016-200

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the Bylaw Enforcement Officer provide a report regarding the status of Short-Term Vacation Rentals (STVRs) and Airbnbs with particular reference to standing resolution SSI-164-07.

CARRIED

7.3 Projects List

The report was received.

7.4 Applications with Status Report

The report was received.

7.5 Expense Report - September 2016

The report was received.

7.6 Trust Fund Board Report - None

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 SS-BL-492 - Technical Land Use Bylaw Amendment

Planner Wright presented a staff report dated October 25, 2016 regarding a Technical Land Use Bylaw update - Bylaw No. 492 for consideration of third reading.

SS-2016-201

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend Bylaw No. 492, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016," as specified in Appendix 1 of the staff report dated October 25, 2016.

CARRIED

SS-2016-202

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 492, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016," be amended as follows: Section 2.5 is amended by deleting the words "Agricultural Waste Management Regulation" and replacing it with the words "Agricultural Waste Control Regulation."

CARRIED

SS-2016-203

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 492, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016," be read a third time.

CARRIED

SS-2016-204

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 492, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016," be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

8.2 SS-BL-487 & SS-BL-496 – Rural Watershed Land Use Bylaw Amendments

Planner Youmans presented a staff report dated October 27, 2016 regarding Rural Watershed Uses – OCP Amendment and Land Use Bylaw Amendment updates.

SS-2016-205

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to revise draft Bylaw No. 496 to include an amendment to OCP policy item B.6.2.2.7(i) to remove "all".

CARRIED

SS-2016-206

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to consult with local agricultural and environmental advocacy groups regarding Bylaw No. 496 by: 1) attending meetings of those groups to provide project information; and 2) convening a small working group to review and refine the bylaw.

CARRIED

SS-2016-207

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to draft a terms of reference identifying the duty and tasks of the small working group for consideration at the next meeting of the Salt Spring Island Local Trust Committee.

CARRIED

SS-2016-208

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee revise Schedule 1 of draft Bylaw No. 496 Section 1.3, Section B6.2 to add "the natural environment or" prior to "water quality".

CARRIED

9. CORRESPONDENCE

9.1 Karla Campbell, Capital Regional District Senior Manager to the Salt Spring Island Local Trust Committee - Concerning water allocation to a 7-lot subdivision at 277 Morningside Road - Dated October 3, 2016

The correspondence was received.

The Local Trust Committee introduced the following resolution which, in plain terms, requests that the Chair approve a written response from staff which will provide clarification on the subdivision process and further to that, a meeting be organized between the CRD Senior Manager and the Islands Trust Regional Planning Manager to further discuss.

SS-2016-209

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to respond to the letter from Karla Campbell, Capital Regional District Senior Manager dated October 3, 2016 providing clarification and inviting her to a meeting, for approval by the Chair.

CARRIED

9.2 Trustee George Grams to the Copper Kettle Community Partnership - Dated October 20, 2016

The correspondence was received.

The meeting recessed at 11:00 a.m. and reconvened at 12:00 p.m.

10. TRUSTEE REPORTS

Trustee Grams reported that he attended meetings with the following: Trust Council Executive Committee; the Agricultural Land Commission in Nanaimo regarding inter-agency collaboration; the Salt Spring Island Watershed Protection Authority (SSIWPA); the SSIWPA Conservation and Efficiency Working Group regarding a review of water consumption on Salt Spring Island (SSI); the Saturna Island Local Trust Committee (LTC); the North Pender Island LTC. He attended a luncheon held for the SSI Agricultural and Advisory Planning Commissions.

Trustee Grove reported that he attended meetings with the following: the Financial Planning Committee; the SSI Incorporation Study Committee; and the Ferry Advisory Committee regarding new vessels and the Fulford Terminal upgrades. He reported that Ministry of Transportation and Infrastructure staff advised of parking restrictions considered for Morningside Road. Trustee Grove attended a luncheon for the SSI Agriculture and Advisory Planning Commissions. He also attended two Copper Kettle events regarding homelessness and affordable housing on SSI. He spoke to proposed affordable housing projects and noted secondary suites are permitted on approximately 25% of SSI properties and that the SSI LTC has added Temporary Use Permits for Secondary Suites and Cottages to their Top Priorities list. He reported that the SSI Incorporation Study Committee is hosting Open House events.

11. CHAIR'S REPORT

Chair Luckham reported that he attended meetings with the following: Trust Council Executive Committee and the Financial Planning Committee regarding 2017/18 budget preparations. He reported that a Transition Plan regarding the potential incorporation of SSI has been submitted to the Ministry of Community, Sport and Cultural Development. Chair Luckham noted an increase in freighter traffic and anchorages in Plumper Sound and Trincomali Channel as a result of the annual grain harvest delivery. He reported that the next Trust Council meetings are scheduled for December 6 to 8, 2016 on Salt Spring Island.

12. CRD DIRECTOR'S REPORT

Capital Regional District (CRD) Director McIntyre reported that the CRD has completed a service review in advance of upcoming budget deliberations. The CRD is proposing a Regional Transportation Authority and Director McIntyre will advocate to maintain the autonomy of the SSI bus service. He attended a several meetings regarding affordable housing and noted that a Drake Road Affordable Housing Steering Committee meeting is scheduled for November 15, 2016. He spoke of an Experience the Gulf Islands event scheduled for November 17, 2016 in Sidney, BC. The CRD and Ministry of Community, Sport and Cultural Development will have representatives attend the SSI Incorporation Study Committee Open House events scheduled for November 7, 8 and 20, 2016. He advised that the next meeting of the CRD Board is scheduled for November 9, 2016.

13. DELEGATIONS - None

14. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:21 p.m.

One member of the public reported that the Swartz Bay ferry terminal parking lot expansion was a result of the Ministry of Transportation and Infrastructure requirement to remove traffic from the highway. He expressed concern regarding safety at the Fulford Harbour ferry terminal and noted an accident at the Fulford-Ganges Road / Beaver Point Road intersection.

One member of the public expressed gratitude to the Driftwood newspaper for support regarding water protection on SSI and reported a correction to a recent article. He reported a cyanobacteria producing species of algae was detected in Cusheon Lake and cyanotoxins were not detected. He acknowledged the SSI Watershed Protection Authority for looking into a communication system for reporting the detection of toxins to community water system users.

15. APPLICATIONS AND REFERRALS

15.1 SS-RZ-2016.2 - L. Brown - Lot 15 Park Drive

Planner Miller presented a staff report dated October 19, 2016 regarding a proposal to amend the Land Use Bylaw from Commercial Accommodation 4 to Residential 6.

Applicant Len Brown was present and spoke to the application.

SS-2016-210

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to refer Bylaw No. 497 to the Salt Spring Island Advisory Planning Commission and public agencies for comment.

CARRIED

15.2 SS-ALR-2016.1 – N. Fraser and M. Fraser – 240 Atkins Road

Planner Miller presented a memorandum dated November 3, 2016 regarding Agricultural Land Reserve Exclusion Application SS-ALR-2016.1.

15.3 SS-DVP-2016.3 - E. Booth - 380 Long Harbour Road

Planner Wright presented a staff report dated October 20, 2016 regarding a Development Variance Permit for Reduced Minimum Lot Size for Subdivision. Correspondence was received under addendum item 15.3.1.

Applicant Eric Booth was present and spoke to the application.

SS-2016-211

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2016.3.

CARRIED

16. OTHER BUSINESS

16.1 Advocacy for Affordable Housing

There was discussion regarding advocacy for affordable housing and how the SSI LTC could support the CRD with measures to promote affordable housing on SSI. CRD Director McIntyre reported that he would provide information after the next Drake Road Affordable Housing Project Steering Committee meeting and noted the benefit of early grant application submissions.

17. CLOSED MEETING - None

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on December 1, 2016 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

19. ADJOURNMENT

By general consent the meeting adjourned at 12:42 p.m.

Peter Luckham, Chair

Certified Correct:

Sarah Shugar, Recorder

DRAFT



Islands Trust

Print Date: November 24, 2016

Resolutions Without Meeting

Salt Spring Island

Resolution #	Action	Resolution Description	Resolution Date
2016-06	In Favour	That the Salt Spring Island Local Trust Committee approve extraordinary travel expenses for one return trip to Vancouver for one Trustee, per Trustee Travel Policy 7.2.iii, for meetings associated with furthering the objectives of Project 4020 (Ganges Village Planning - Harbourway).	09-Nov-2016
2016-07	In Favour	"That the Salt Spring Island Local Trust Committee endorse the request by Trustee Grams for Trust Council to include funding in the 2017/18 fiscal year budget for a temporary Senior Freshwater Specialist."	23-Nov-2016



Salt Spring Island Agricultural Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting: Thursday, October 27, 2016
Location: Baptist Church, Lower Level
520 Lower Ganges Road, Salt Spring Island

Members Present: Ken Byron, Chair
Bree Eagle, Deputy Chair
Zack Hemstreet, Commissioner
George Laundry, Commissioner
Jane Squier, Commissioner

Absent: Michael Ableman, Commissioner

Regrets: Dan Jason, Commissioner

Staff Present: Jason Youmans, Planner 2
Sarah Shugar, Recorder

Media and Others Present: Applicant Malcolm Bond
Derek Masselink, Ministry of Agriculture representative
1 member of the public

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

Chair Byron called the meeting to order at 3:04 p.m.

1. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration.
4.1 – Derek Masselink - Ministry of Agriculture Regional Agroecologist

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

CARRIED

2. MINUTES OF PREVIOUS MEETING

2.1 Draft Minutes of the September 22, 2016 and October 6, 2016 AAPC Meetings
For Adoption

It was MOVED and SECONDED,
that the Salt Spring Island Agricultural Advisory Planning Commission Minutes
of September 22, 2016 and October 6, 2016 be adopted.

CARRIED

J. Squier arrived at the meeting at 3:06 p.m.

3. BUSINESS ITEMS

3.1 SS-ALR-2016.4 – M. Bond – 300 Le Page Road

Planner Youmans presented a staff report dated October 13, 2016 regarding a non-farm use application in the Agricultural Land Reserve.

Applicant Malcolm Bond was present and spoke to the application.

It was MOVED and SECONDED,
that the Salt Spring Island Agricultural Advisory Planning Commission
recommend the Salt Spring Island Local Trust Committee forward application
SS-ALR-2016.4 to the Agricultural Land Commission with strong support on the
basis of technical merits and benefit to the community and local agriculture.

CARRIED

M. Bond left the meeting at 3:14 p.m.

4. OTHER BUSINESS

4.1 Derek Masselink – Ministry of Agriculture Regional Agroecologist

D. Masselink introduced himself and reported he is the regional agroecologist for the Cowichan Valley, Nanaimo, Victoria and the Southern Gulf Islands. He presented an overview of his role to support the agricultural community.

One member of the public asked for clarification regarding policy to transfer land in and out of the Agricultural Land Reserve.

5. ADJOURNMENT

By general consent, the meeting adjourned at 3:40 p.m.

Ken Byron, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Salt Spring Island Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting: Thursday, November 17, 2016
Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Stephen Roberts, Chair
Sally John, Commissioner
Nancy Krieg, Commissioner
John Newton, Commissioner
Kristin Peebles, Commissioner
Jeff Thompson, Commissioner

Regrets: Gayle Baker, Commissioner
Neil Morie, Commissioner
Stanley Shapiro, Commissioner
Robert Steinbach, Commissioner
Janet Stethem, Commissioner

Staff Present: Shelley Miller, Planner 1
Sarah Shugar, Recorder

Media and Others Present: Applicant Len Brown
One member of the public
Peter Grove, Trustee

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

The meeting was called to order at 1:04 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Draft Minutes of the July 7, 2016 Salt Spring Island Advisory Planning Commission Meeting

It was **MOVED** and **SECONDED**,
that the Salt Spring Island Advisory Planning Commission Minutes of July 7,
2016 were adopted.

CARRIED

3. BUSINESS ITEMS

3.1 SS-RZ-2016.2 – Len Brown - Lot 15 Park Drive - Staff Report

Planner Miller presented a staff report dated October 19, 2016 regarding a proposal to amend the Land Use Bylaw from Commercial Accommodation 4 to Residential 6.

Applicant Len Brown spoke to the application.

There was discussion and the following comments were highlighted;

- There was a question regarding whether the property will have access to community sewer and water. No formal responses have been received although initial email correspondence from service providers was received.
- There was a question regarding whether a single-family dwelling is a permitted use on Commercial Accommodation 4 (CA4). A single-family dwelling is not a permitted use in CA4.
- There was a question regarding the history of the property. Planner Miller advised no previous rezoning applications were noted. The applicant noted the property was originally a nursing home.
- There was a question regarding whether a commercial accessory building is a permitted use. Commercial accessory use is not permitted in CA4.
- The current zoning would permit higher usage. The applicant noted nine units are permitted on the lot although North Salt Spring Waterworks District will not supply water for a commercial accommodation at this time.
- There was a question regarding potential archaeological material on the property. The CRD building permit process would require documentation to reflect the property's archeological potential. The applicant advised he has contacted the BC Archaeological branch.
- There was discussion regarding the access easement for the parking area.

It was MOVED and SECONDED,
that the Salt Spring Island Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee proceed with application SS-RZ-2016.2, subject to registration of an easement that allows access to the parking area of the adjacent lot.

CARRIED

Applicant L. Brown left the meeting at 1:26 p.m.

4. OTHER BUSINESS

4.1 Bylaw No. 487 – Rural Watershed Uses – Staff Memorandum

A memorandum dated November 17, 2016 regarding Bylaw No. 487 was presented for information.

There was discussion regarding whether the feedback provided by the Advisory Planning Commission was incorporated into draft Bylaw No. 487. It was noted it would be helpful for the planner responsible for the project to attend the meeting

for reporting.

5. ADJOURNMENT

By general consent the meeting adjourned at 1:35 p.m.

Stephen Roberts, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

Follow Up Action Report

Salt Spring Island

07-Apr-2016

Activity	Responsibility	Target Date	Status
The SSILTC approve issuance of development permit SS-DP-2015.12 conditional upon receipt of the following: 1. An irrevocable letter of credit in the amount of \$13,500 to ensure timely completion of landscaping visible from Suffolk Road; 2. An irrevocable letter of credit in the amount of \$52,000 to ensure timely completion of the riparian enhancement plan; 3. Preparation, at the owners cost, and registration of, a restrictive covenant related to the installation and ongoing maintenance of a 3 metre wide vegetative buffer adjacent to agricultural land; 4. A letter of no concern from the Salt Spring Island Fire Department; and 5. An amended landscape plan that uses strictly native species and that is acceptable to planning staff (175 Suffolk Road). September 8, 2016 - On hold pending condition fulfillment by applicant. Applicant waiting until close of summer season to begin work.	Claire Olivier Jason Youmans		On Going

02-Jun-2016

Activity	Responsibility	Target Date	Status
That the SSI LTC approve issuance of development permit SS-DP-2014.3 for Lot 1, Section 15, Ranges 1 and 2, South Salt Spring Island, Cowichan District, Plan 12248 (2850 Fulford-Ganges Road) conditional upon adoption of Bylaws No. 474 and 475 and subject to receipt of a lighting proposal from the applicant that complies with development permit guidelines. Update - Lighting plan received - Staff will bring DP back for LTCs approval concurrent with rezoning application.	Claire Olivier Jason Youmans		On Going

Follow Up Action Report

That the SSI LTC accept a covenant under section 219 of the Land Title Act from the registered owners of Lot 1, Section 15, Ranges 1 and 2, South Salt Spring Island, Cowichan District, Plan 12248 requiring: 1) Membership in Clean Marine B.C.; 2) Installation and operation of a pump-out facility; and 3) any required septic upgrades and designate any member of the Local Trust Committee to sign the covenant (2850 Fulford-Ganges Road).

The SSI LTC direct staff that adoption of Bylaw No. 474 and Bylaw No. 475 be subject to notification that the covenant requiring: 1) Membership in Clean Marine B.C.; 2) Installation and operation of a pump-out facility; and 3) any required septic upgrades, has been registered on title.

Aug 11, 2016 update: SSI LTC have signed covenant; however, registration pending due to FN re-referral of the bylaws

Sept 23, 2016: Re-referral to First Nations sent out on MCSCD advice. Awaiting reponses.

October 26, 2016: Site visit by Cowichan Tribes, Halalt, and Lyackson

November 21, 2016: Site visit by Tsawout First Nation

Claire Olivier
Jason Youmans

On Going

29-Jun-2016

Activity	Responsibility	Target Date	Status
INDUSTRIAL: The SSILTC direct staff to review: the general employment definition, the creative industry definition, the residential use provisions, and the office use provisions in draft Bylaws No. 488 and 489, and to incorporate the results of that review into draft Bylaws No. 488 and 489 for consideration. The SSLTC direct staff to add accessory retail sales to the CF2 zone in draft Bylaw No. 490, and to review the parking requirements for accessory retail sales in the CF2 zone, and to incorporate the results of that review into draft Bylaw No. 490 for consideration.	Stefan Cermak Rob Milne		On Going

Follow Up Action Report

The SSILTC request that the applicant for SS-RZ-2013.7 (Park Drive) provide a water servicing plan prepared by a professional engineer that contains the following related to the provision of potable and non-potable water to the subject lot:

1. Confirmation that potable water in the amount required to obtain occupancy permits can be provided under the plan for all proposed units and that water in the amount required for fire suppression and irrigation can also be provided;
2. Where potable water is to be supplied by groundwater, a pump test(s) conducted by a professional engineer and containing supporting documentation that the test was of sufficient duration to establish the long-term reliability of the water supply in accordance with generally acceptable hydrological engineering practices;
3. Where potable water is to be supplied by groundwater, a water quality analysis that demonstrates that the groundwater from each proposed water supply source or well is potable or can be made potable with a treatment system; and
4. Where potable water is to be supplied by groundwater, assessment of how groundwater use on site will impact:
 - a. Nearby wells or other neighbourhood water supplies;
 - b. Agricultural activities; and
 - c. Springs necessary to maintain fish habitat.
5. That the applicant makes every effort to include rainwater as part of the water supply plan

Update September 2016: Awaiting applicants hydrological report.

Jason Youmans

On Going

The SSILTC direct staff, upon receipt of a water servicing plan from the applicant for SS-RZ-2013.7 (Park Drive), 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.

Update September 2016 - Awaiting applicants hydrological report

Jason Youmans

On Going

21-Jul-2016

Activity	Responsibility	Target Date	Status
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Follow Up Action Report

The SSLTC direct staff to provide additional details, options and project estimates for Watershed Management specifically regarding an Integrated Water Management Program and follow up actions from recommendations in the Water Conservation and Water Demand Management Report dated April 2016.

Justine Starke

On Going

The SSLTC direct staff to review the greenhouse gas emissions target referred to in draft Bylaw No. 493, Schedule No. 1, for achievability.

Seth Wright

Done

01-Sep-2016

Activity	Responsibility	Target Date	Status
The SSLTC request staff to convene a Community Information Meeting and forward decision regarding Bylaw No. 487 to the Advisory Planning Commission and the Agricultural Advisory Planning Commission. Update November 2016 - Community Information Meeting on hold pending formation of Working Group per LTC resolution. Update October 2016 - Staff working to organize community information meeting Update September 2016 - Decision forwarded to AAPC in Sept 22 agenda package.	Jason Youmans Daniela Murphy		On Going
The SSILTC accept a water treatment covenant under section 219 of the Land Title Act from the registered owners of Lot B, Section 3, Range 5 East, North Salt Spring Island, Cowichan District, Plan 30586 and designate any member of the Local Trust Committee to sign the covenant (SS-SUB-2015.3, 380 Long Harbour Road). Oct 12, 2016: Applicant advised that covenant will be finalized upon confirmation of correct site plan (subject to SS-DVP-2016.3)	Claire Olivier Seth Wright		Done

23-Sep-2016

Activity	Responsibility	Target Date	Status
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Follow Up Action Report

The SSILTC request staff to consult with the Salt Spring Island Watershed Protection Authority to review the terms of reference for services relating to a drought risk analysis and a detailed peak day/month supply versus demand analysis to determine the current available yield of St. Mary Lake and Maxwell Lake during peak summer demand periods.

Justine Starke
Stefan Cermak

On Going

The SSILTC direct staff to investigate the regulatory mechanisms at the disposal of the SSILTC to restrict North Salt Spring Waterworks District connection to only one building on Lot 9 District, District Lot 4, North Salt Spring Island, Cowichan District, Plan 9115.

Jason Youmans

On Going

Update November 1, 2016 - Staff receive request from applicant to defer further consideration of file until Spring 2017. Staff accept request.

Update October 24, 2016 - Staff investigating options

13-Oct-2016

Activity	Responsibility	Target Date	Status
Resolution SS-2016.44, that the SSILTC reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 491, cited as Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2016, is not contrary to or at variance with the Islands Trust Policy Statement, adopted at the March 10, 2016 regular business meeting of the Salt Spring Island Local Trust Committee be rescinded.	Claire Olivier Jason Youmans		On Going
The SSILTC direct staff to prepare an amendment to Salt Spring Island Official Community Plan Bylaw No. 434 to include all lands and waters within the proposed Commercial 7 (C7) zone under Bylaw No. 491 in Development Permit Area 1.			
The SSILTC request staff to prepare a draft bylaw to amend the Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone Lot 15, Sections 2 and 3, Range 3 East, North Salt Spring Island, Cowichan District, Plan 18728 from Commercial Accommodation 4 to Residential 6.	Claire Olivier Shelley Miller		Done
Nov. 3, 2016: Draft Bylaw No. 497 presented to LTC.			

**Follow Up Action Report**

The SSILTC approved issuance of the revised Development Permit SS-DP-2014.5 for Lot 1, Sections 3 and 4, Range 3 East, North Salt Spring Island, Cowichan District, Plan VIP 75338, except part in Strata Plan VIS 5366 (Phases 1, 2, 3, 4, 5 and 6), as attached to the Staff Report presented at the October 13, 2016 LTC meeting (107 Atkins Road).

Claire Olivier
Seth Wright

Done

03-Nov-2016

Activity	Responsibility	Target Date	Status
The SSILTC adopted minutes from the October 3, 2016 Special Meeting (Piers Island) be posted to the website.	Lisa Floritto		Done
The SSILTC adopted minutes from the October 13, 2016 Regular Meeting be posted to the website.			
The SSILTC request the Bylaw Enforcement Officer to provide a report regarding the status of Short Term Vacation Rentals (STVRs) and Air B&Bs with particular reference to standing resolution SSI-164-07.	Thomas Loo		On Going
The SSILTC amend Bylaw No. 492, cited as Salt Spring Island Land Use Bylaw, 1999, Amendment No.4, 2016, as specified in Appendix 1 of the staff report dated November 3, 2016.	Claire Olivier Seth Wright		Done
The SSILTC Bylaw No. 492, cited as Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016, be amended as follows: Section 2.5 is amended by deleting the words Agricultural Waste Management Regulation and replacing it with the words Agricultural Waste Control Regulation.			
The SSILTC Bylaw No. 492, cited as Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016, read a third time.			
The SSILTC Bylaw No. 492, cited as Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.			



Follow Up Action Report

The SSILTC direct staff to revise draft Bylaw No. 496 to include an amendment to OCP policy item B.6.2.2.7(I) to remove all.	Claire Olivier Jason Youmans	Done
The SSILTC direct staff to consult with local agricultural and environmental advocacy groups regarding Bylaw No. 496 by: 1) attending meetings of those groups to provide project information; and 2) convening a small working group to review and refine the bylaw.		
The SSILTC direct staff to draft a terms of reference identifying the duty and tasks of the small working group for consideration at the next meeting of the Salt Spring Island Local Trust Committee.		
The SSILTC revise Schedule 1 of draft Bylaw No. 496 Section 1.3, Section B6.2 to add the natural environment or prior to water quality.		
The SSILTC request staff to refer Bylaw No. 497 to the Salt Spring Island Advisory Planning Commission and public agencies for comment. Nov. 15, 2016: Draft Bylaw referred to public agencies. Nov. 17, 2016: Draft Bylaw presented to the Advisory Planning Commission.	Claire Olivier Shelley Miller	On Going
The SSILTC approve issuance of Development Variance Permit SS-DVP-2016.3.	Claire Olivier Seth Wright	Done
The Local Trust Committee introduced the following resolution requesting the Chair send a written response drafted by staff providing clarity on the subdivision process and water allocation. The SSILTC request staff to respond to the letter from Karla Campbell, Capital Regional District Senior Manager dated October 3, 2016 providing clarification and inviting her to a meeting, for approval by the Chair.	Seth Wright	Done



SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

Oct 4/07	SSI-164-07	Bylaw Enforcement Short-Term Vacation Rentals	It was MOVED and SECONDED that the recommendations in the staff report of September 28, 2007 be adopted as follows: 1. THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs that have one or more of the following characteristics will be subject to enforcement: 1. They are advertised on the Internet, newspapers or other media; 2. They are not managed by the property owner; 3. More than one dwelling on the lot is simultaneously made available for STVRs; 4. While the property is rented persons are staying in tents, trailers, or RVs; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR; 7. The owner of the property uses more than one property on Salt Spring Island as an STVR. 2. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time. 3. THAT the Salt Spring Island Local Trust Committee direct staff to concentrate its bylaw enforcement efforts with respect to short-term vacation rentals on those properties where there is no permanent resident on site.
Feb 4/10	SSI-11-10	Bylaw Enforcement Reports	It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee directs staff to provide quarterly in-camera and public reports on on-going and current bylaw enforcement investigations and actions in the Salt Spring Local Trust Area.
Jan 10/13	SSI-09-13	North Salt Spring Waterworks District Reporting	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. *Bylaw 461 was adopted May 2, 2013



SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

Feb 5/15	SS-2015-38	Strategic Directions 2015-2018	It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee adopt its Strategic Directions for 2014 to 2018 as follows: • Fostering Salt Spring Island as a hub for excellence in socio-economic health, resiliency and sustainability, including the need to reduce our ecological footprint; • Collaborating with other agencies in responding to community needs with the intent to encourage integrated governance; • Building a strong foundation of land use planning service to the community; and • Working with Trust Council and provincial leaders to fully articulate the Gulf Islands as unique in many social, cultural, economic and environmental aspects.
Jan 14/16	SS-2016-16	Bylaw Enforcement Unlawful Suites and Dwellings	It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee affirms its previous direction to delay enforcement on unlawful suites and single family dwellings and illegal use of seasonal cottages until it has made a final decision on Proposed Bylaw No. 471 and directs staff to commence enforcement on all other unlawful dwellings in accordance with the following enforcement policy: a. Staff should put the highest priority on unlawful dwellings complaints concerning areas deemed to be environmentally sensitive such as, within potable water watersheds or unlawful dwellings which have serious health and safety issues, such as failing septic systems, over-taxed sewage treatment facilities, or unlawful dwellings which are unsafe; b. Islands Trust Bylaw Enforcement Officers, when speaking to property owners with unlawful dwellings, should initially adopt a coaching technique with a view to helping the owners legalize their unlawful dwelling if possible. People will be directed to Islands Trust planners or to the Capital Regional District Building Inspection and Capital Regional District Water and Sewage Commissions, who can explain the mechanisms for compliance. Tenants will also be directed to local agencies which can help find new housing if needed; c. Islands Trust Bylaw Enforcement Officers should place a priority on enforcement of unlawful dwellings which are also of concern to other agencies to ensure that all related issues are dealt with at the same time; d. Recommendations to the Salt Spring Island Local Trust Committee for legal action to close an unlawful dwelling should only be made if it will have the active support and participation of other agencies, such as building inspection, health authorities or water and sewage treatment providers.

SALT SPRING ISLAND POLICY & STANDING RESOLUTIONS LIST

Jun 2/16	SS-2016-114	Grantville Neighbourhood lawful non-conforming sewage disposal field repair or replacement	It was moved, seconded, and carried that the Salt Spring Island Local Trust Committee adopt "Standing Resolution 2" as specified in Appendix 2 of the staff report dated May 25, 2016. (shown below): That the Salt Spring Island Local Trust Committee direct staff to administer and enforce Bylaw 484 according to the following policies: 1) Where a sewage disposal field or septage pit is lawfully non-conforming with respect to Bylaw 484, and pursuant to Local Government Act Section 529, the Salt Spring Island Local Trust Committee considers that the following actions do not constitute maintenance, alteration, or extension, and therefore require a development variance permit application to the Salt Spring Island Local Trust Committee: a) Removal and replacement of the dispersal system in its entirety 2) Where a sewage disposal field or septage pit is lawfully non-conforming with respect to Bylaw 484, and where a health hazard exists as defined under the B.C. Public Health Act, an Authorized Person may carry out immediate, temporary repairs of the system that result in a further contravention to Bylaw 484 than that existing at the time the repair or alteration was started to prevent or contain the hazard. Permanent repairs or alterations that result in a further contravention of Bylaw 484 than that existing at the time the repair or alteration was started, or 1(a) above, should be supervised by a Professional and will require a development variance permit application to the Salt Spring Island Local Trust Committee following resolution of the emergency. 3) "Authorized Person" and "Professional" have the same meaning as in the Sewerage System Regulation.
Jul 21/16	SS-2016-167	Medical Marihuana Producer	It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to add the following to the Policy and Standing Resolutions List: The Salt Spring Island Local Trust Committee direct staff to report to the Salt Spring Island Local Trust Committee with all proponent names and proposed locations as submitted in the Notice of Intent to apply to become a licensed producer of marihuana for medical purposes.

November 2016 Update



Top Priorities

Salt Spring Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Watershed Management + SSIWPA	Sept.26, 2016-SSIWPA receives terms of reference, individual working groups and agencies to review. Sept. 23, 2016-LTC refer terms of reference to SSIWPA for comment July 21, 2016-LTC direct staff to draft a terms of reference for a detailed peak day/month supply versus demand analysis to determine the current available yield of the St. Mary Lake and Maxwell Lake during peak summer demand periods. May 5, 2016 - LTC, SSIWPA, and NSSWD News Release - agree to collaborate and SSIWPA to peer review OPUS report; SSIWPA to undertake sustainable water planning exercise March 31, 2016 - OPUS presentation to LTC Feb. 19, 2016-OPUS presentation to SSIWPA Feb. 11, 2016 - LTC receives and endorses St. Mary Lake IWMP and requests if any changes are needed in LUB to implement actions and measures; approve RFD to TC regarding Special Tax requisition; amend project charter, schedule business meeting March 31, 2016, request Chair to send letter to NSSWD supporting raising the weir Jan. 22, 2016 - SSIWPA meeting Jan. 13, 2016- OPUS meeting with NSSWD and IT staff. Advancing deliverables.	07-Jun-2012	Justine Starke	

**Top Priorities****Salt Spring Island**

No.	Description	Activity	R/Initiated	Responsibility	Target Date
2	Ganges Village Area Planning - Harbourwalk	November 15, 2016 - Trustee Grove and Planner Youmans meet Ganges Marina owners September 15, 2016 - Communications with land owners and other stakeholders. Communications with CRD. Anticipate report to LTC October 13 meeting. August 3, 2016 - Project update received from Chloe Fox. Planner Youmans reviewing work to date and next steps July 28, 2016 - Planner Jason Youmans assigned to file April 26, 2016 - Planner Chloe Fox contracted to advance project deliverables March 10, 2016-LTC give first reading to Bylaw 491 and sent for referrals Feb. 11, 2016 - LTC direct staff to draft bylaw; to consult with PARC to change zoning of Pecks cove to PR4(a); rescind the resolution requesting an appraisal; and develop a Terms of Reference for a Joint Task Force Jan. 27&30, 2016- Special Business Meetings for community engagement	20-Jun-2013	Jason Youmans	



Top Priorities

Salt Spring Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
3	LUB Update - Industrial Zones	July 7, 2016 - APC are advised of LTC resolutions implementing APC recommendations June 29, 2016 - LTC direct staff to implement APC recommendations June 2, 2016 - LTC approves updated Project Charter and directs staff to draft agriculture edge planning and vegetative buffers into bylaws April 26, 2016 - Planner Chloe Fox contracted to advance project deliverables March 10, 2016-LTC give first reading to bylaws 488-491 and send for referrals. Feb. 16,2016 - Three neighbourhood meetings (Fulford, Merchant Mews area, GISS for Atkins/Rainbow area). Jan. 21, 2016 - ongoing planning for neighbourhood meetings. Review of draft bylaws. Ongoing work for communication materials	07-Jun-2012	Stefan Cermak Rob Milne	30-Mar-2017



Top Priorities

Salt Spring Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
4	LUB Update - Rural Watershed Uses. Agricultural uses appear incompatible with watershed drinking water quality.	November 3, 2016 - LTC direct staff to revise OCP amendments, draft terms of reference for bylaw review working group. September 15, 2016 - Staff working to schedule Community Information Meeting and draft appropriate OCP amendment per LTCs direction. August 2016 - Ongoing discussion with interest parties (farmers, NSSWD, SSIWPA) July 28, 2016 - Referral response received from Ag. Ministry July 4, 2016: Conversation with VIHA water protection manager Lynne MacGee about proposed bylaw June 21, 2016: Conversations ongoing with MoAg about whether LGA Div. 17 applies to LTC efforts to regulate farming. February 2, 2016 - Bylaw referred to Ministry of Environment (water quality division) and Island Health (water quality division) January 5, 2016 - Ongoing discussions between staff and Ministry of Agriculture about jurisdiction and authority November 26, 2015 - APC and AAPC consider proposed bylaws	11-Jun-2015	Jason Youmans	15-Jun-2017
5	TUPs for Secondary Suites and Cottages	July 21, 2016 - LTC make project Top Priority Sept. 3 2015 - LTC include project in Proposed 2015/16 Project Budget June 2015 - LTC may consider further actions pending report back from Bylaw enforcement. October 24, 2013 - SSI LTC gives first reading to Bylaw 471, a bylaw that proposes residential uses to be permitted by a Temporary Use Permit.	21-Jul-2016	Seth Wright	30-Mar-2017



Projects

Salt Spring Island

Description	Activity	R/Initiated
Marine Environment Protection	June 29, 2016 - SSI LTC to receive Staff Report on Royal Roads University students research into ways the Islands Trust can protect Clam Gardens June 2, 2016 - LTC direct staff to add to the projects list options to strengthen protection of the marine environment within the OCP	02-Jun-2016
Update the Farmland and Agricultural Land Reserve Inventory	July 22, 2016-Grants Program Manager forwards feasible 50% funding via grants from http://iafbc.ca/funding-opportunities/ag-planning/ July 5, 2016 - staff discuss with RDCKs General Manager of Development Services their recent announcement to create an Agricultural Land Use Inventory and to develop an Agricultural Water Demand Model (AWDM) based on information found. Joint federal, provincial, regional funding, 3 years in development, agricultural major growing economic importance. June 29, 2016-LTC resolution to add Update the Farmland and Agricultural Land Reserve Inventory to the Projects List	29-Jun-2016



Projects

Salt Spring Island

Description	Activity	R/Initiated
First Nations Heritage Sites	October 25, 2016 - Arch Branch provides formal comment Oct 5, 2016 - Updated report (with new maps) forwarded to B.C. Arch Branch for review May 15, 2016 - Report forward to B.C. Arch Branch for review May 5, 2016 - Heritage inventory report received by LTC in-camera April 28, 2016 - Report to be provided to LTC in May 5, 2016 agenda February 8, 2016 - Service contract issued February 2, 2016 - Deliverables agreed by contractor, service contract request sent to IT finance January 6, 2016 - Staff drafting invitation to quote for posting mid January Dec. 18- Cowichan Tribes members to visit SSI. December 17, 2015 - LTC direct staff to draft an RFP for services to draft a Heritage Inventory and recommend changes to SSI OCP. Nov. - LTC send letter to Lyackson and Cowichan Tribes inviting meeting.	08-Jan-2015



Projects

Salt Spring Island

Description	Activity	R/Initiated
Piers Island Bill 27 OCP update	August 22, 2016 - Special Meeting (town hall) and Public Hearing scheduled for October 3, 2016 on Piers Island. July 14, 2016 - LTC received Staff Report summarizing referrals; LTC read Bylaw 493 first time and directs staff to prepare a Public Hearing; LTC also directs staff to research achievability of emission targets. March 31, 2016 - LTC receive contractors report, give first reading to Bylaw 491 and send for referrals. February 23, 2016 - Notification sent to Piers Island owners for March 8th consultation. February 19, 2016 - Contract signed with Kelly Gesner, Landworks Consultants Inc. January 12, 2016 - Invitation to Quote distributed to select Qualified Vendors. December 17, 2015 - LTC direct staff to draft and issue Service Contract for Planning Services to update the Piers Island OCP within current fiscal. June 11, 2015 - LTC put on hold pending outcome of Incorporation Study LTC work program 2010 to 2015 Provincial requirement since 2008	17-Dec-2015



Projects

Salt Spring Island

Description	Activity	R/Initiated
Proposed Nat. Marine Con. Area Reserve - Internal Boundaries	Sept. 23, 2016-LTC include in draft 2017/18 project budget Sept. 3 2015 - LTC include project in draft 2016/17 project budget January 2014 Check in from Parks Canada advising of extension of the stakeholder consultation program. Parks Canada will report back. June 2013 LTC resolution to advance to #1 in Projects List April 2013 LTC resolution to Parks Canada requesting public information meeting on Salt Spring Island. January 2013- added to Projects List. Budget and staff resources to be considered. Refer to Dec 2012 Trust Council Request for Decision.	10-Jan-2013

**Projects****Salt Spring Island**

Description	Activity	R/Initiated
Integrated Community Sustainability Plan	April 27, 2016-conclusion of ongoing discussions regarding funding from BC Rural Dividend. The fund is tightly focused on job creation and has substantial requirements for the Islands Trust to even apply. Staff decision to proceed no further, instead to focus on next round of Gas Tax funding. Investigating successful funders with similar goals (ex; Revelstoke). April 5, 2016 - EOI submitted. March 31, 2016 - Grant Administrator forward potential funding opportunity via BC Rural Dividend. EOI due April 7. March 22, 2016 - staff discussion with Sebastion Moffat (ICSP pioneer) regarding possible development of a Project Charter and/or planning/facilitation of visioning sessions. Mr. Moffat unavailable but will respond with other similar contacts. January 21, 2016 - UBCM refuse grant (only forwarded to staff March 9, 2016) Sept 15, 2015-staff contacted UBCM- no announcement till late winter 2015 or early 2016. Sept. 3 2015 - LTC include project in Proposed 2016/17 Project Budget July 16, 2015: Grants Administrator following up with UBCM regarding status April 16, 2015: LTC supports in principle the Terms of Reference for the Integrated Community Sustainability Plan and funding in amount of \$115,000 from UBCM Strategic Priorities fund. Grant proposal includes \$15,000 Water Management Planning. Work pending UBCM funding decisions in June. Foundation includes: Feb 2015 LTC Strategic Directions; Trust Council Strategic Plan focus on Community Economic Sustainability and Security;	24-Jul-2014



Projects

Salt Spring Island

Description	Activity	R/Initiated
	LTC proposal in 2015/16 budget; CRD Economic Development Commission June 24 2014 workshop, workshop, actions regarding long term planning, addressing infrastructure deficit, fostering community resilience; Flood Management Guideline Update 2014 in Province of BC; 2010 Climate Change Adaptation Plan; Reduction of GHG Emissions; refer to correspondence from Transitions Salt Spring and Climate Action Salt Spring.	
OCP & LUB Review - Housing for Farm Workers; Subdivision for a Relative	· Nov 2012 - mtg SSI trustees & RPM with ALC staff. information forthcoming from ALC re subd for a relative - provincial publication. · July 2012 - scope expand to include OCP policy re Subdivision for Relative · May 2012 - Letter to ALC re meeting · April 2011 - Invite meeting to ALC · May/09 - Feb/10 Staff undertaking research, Feb/10 Initial Report to LTC	10-Nov-2008

**Projects****Salt Spring Island**

Description	Activity	R/Initiated
LUB update: Affordable housing	Affordable housing may include: TUP amendment, cottage rentals, secondary suites pilot area expansion, other related issues. · June 2015- LTC considers project on hold pending NSSWD hydrology reports · Oct. 24, 2013 - LTC request staff to review the fees bylaw and in particular the application fee for a Temporary Use Permit in order to make small housing applications more affordable. · March 2010 initial scope of work, to follow suites and other priorities. · Feb 2010 LTC resolution directing staff to pursue creation of Community Affordable Housing Strategy (done), to investigate and report back on opportunities with CRD Housing to manage housing agreements (done), request MoU with CRD on housing agreements (Nov 2014 staff report - focus on operational terms), bring forward recommendations for amendments to LUB to enable creation of affordable housing (ongoing).	
Cottages - Affordable Rental Housing	July 21, 2016 - LTC request additional details, options, and project estimates Sept. 3 2015 - LTC include project in Proposed 2016/17 Project Budget · 2008 OCP, initial work in 2010, priority to follow suites	21-Jul-2016
Bylaw Review and Procedural Updates	Sept. 3 2015 - LTC include project in Proposed 2016/17 Project Budget Feb 2015 LTC Work Program, inclusive of Land Use Bylaw Technical Amendments, Soil Bylaw update, Development Approval Information bylaw, Zoning Regulations, Land Use Contracts and Outer Islands, Bylaw Enforcement Policies	05-Feb-2015



Islands Trust

Print Date: November 24, 2016

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2015.2	Capital Regional District (Parks & Recreation Manager) Planner: Stefan Cermak	24-Sep-2015	Sports Fields (Non Farm Use) - 181 Brinkworthy Road, SSI
Planning Status			
Status Date: 15-Nov-2016 ALC refuse proposal			
Status Date: 23-Sep-2016 ALC site visit			
Status Date: 21-Jul-2016 LTC refer application to ALC with comments and recommended conditions			
File Number	Applicant Name	Date Received	Purpose
SS-ALR-2016.1	Noella Fraser and Michael Fraser Planner: Shelley Miller	22-Mar-2016	ALR Exclusion - 240 Atkins Road, SSI
Planning Status			
Status Date: 03-Nov-2016 Memo to the LTC, which provided an update regarding the status of the application.			
Status Date: 28-Jul-2016 Met with the SSI Farmland Trust to discuss application and if/how the proposal could benefit agriculture.			
Status Date: 14-Jul-2016 Meeting with applicant. Applicant indicated that they will look into hiring a professional agrologist, as well as get more information regarding water and sewer servicing options. Application processing will remain on hold until applicant collects this information, or until the applicant indicates they wish to proceed with their application as is.			
File Number	Applicant Name	Date Received	Purpose
SS-ALR-2016.2	ELSTON-TUTTLE, KIM	31-Mar-2016	Non-Farm Use (Cottage) - 231 Meadow Drive, SSI

Applications

Planner: Jason Youmans

Planning Status

Status Date: 23-Nov-2016

ALC approves application. Staff working with applicant to implement ALC conditions.

Status Date: 23-Jun-2016

Application package forwarded to ALC - awaiting ALC decision.

Status Date: 02-Jun-2016

LTC votes to forward application to ALC with support

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2016.3	GILX Management Corporation	07-Jun-2016	Beaver Point Rd - subdivision for a relative.
Planner: Shelley Miller			

Planning Status

Status Date: 22-Nov-2016

Staff report 2 presented at the Dec 1, 2016 LTC meeting

Status Date: 06-Oct-2016

Site visit with planning staff, applicant and AAPC members. Staff report presented at AAPC meeting.

Status Date: 22-Sep-2016

Staff report presented to the AAPC. AAPC concluded that they would like a site visit.

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2016.4	Salt Spring Island Veterinary Services Ltd.	04-Aug-2016	Non-Farm Use: To allow for 600 sq. ft. addition to existing vet clinic. 300 Le Page Road, SSI
Planner: Shelley Miller			

Planning Status

Status Date: 22-Nov-2016

Staff Report 2 presented at the Dec. 1 2016 LTC meeting.

Status Date: 27-Oct-2016

Application presented to the AAPC.

Applications

Status Date: 13-Oct-2016

LTC resolved to refer application to the AAPC at the Oct 13 LTC meeting

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2014.3	McKerrell, David	26-May-2014	Marina expansion - 2850 Fulford-Ganges Rd - SSI

Planner: Jason Youmans

Planning Status

Status Date: 25-Aug-2016

Lighting plan received - planner to await return of rezoning to LTC agenda before bringing DP back for approval

Status Date: 29-Jun-2016

Planner and applicant discuss submission of lighting plan

Status Date: 02-Jun-2016

LTC grants permit conditional upon submission of satisfactory lighting plan

File Number	Applicant Name	Date Received	Purpose
SS-DP-2015.12	Polaris Land Surveying Inc.	23-Dec-2015	DPA2, DPA4 & DPA7: Resort Redevelopment - 175 Suffolk Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 15-Aug-2016

Applicant advises waiting for end of summer guest season to begin work.

Status Date: 20-Jun-2016

Planners Youmans and Miller visit site with applicant and engineer. Applicant advised of outstanding conditions before work can begin.

Status Date: 18-May-2016

Awaiting fulfillment of conditions prior to permit issuance

File Number	Applicant Name	Date Received	Purpose
SS-DP-2015.9	Salt Spring Island Agricultural Alliance Society	17-Aug-2015	DPA2: Salt Spring Abattoir

Applications

Planner: Jason Youmans

Planning Status

Status Date: 15-Sep-2016

Planner checks in regarding occupancy permit status.

Status Date: 12-Aug-2016

Planner checks in the applicant regarding occupancy permit status.

Status Date: 09-Jun-2016

Planner checks in with applicant regarding status of occupancy permits

File Number	Applicant Name	Date Received	Purpose
SS-DP-2016.2	Aust, ROGER	04-Jul-2016	DPA2 - DP Amendment for Storage Facility - 1429 Fulford-Ganges Road

Planner: Seth Wright

Planning Status

Status Date: 20-Oct-2016

File transferred to Planner Wright

Status Date: 27-Sep-2016

Applicant submitted requested documentation.

Status Date: 19-Aug-2016

Advised applicant that in order to strengthen the application, staff recommend submission of: a lighting plan, a more robust landscaping plan, a revised drainage plan. Staff also recommend contacting BC Hydro and the Ministry of Transportation and Infrastructure.

File Number	Applicant Name	Date Received	Purpose
SS-DP-2016.6	Scanlan, Andria	15-Sep-2016	To construct a SFD; 125 Mapleridge Drive, SSI.

Planner: Shelley Miller

Planning Status

Status Date: 22-Nov-2016

Staff Report presented at the Dec 1, 2016 LTC meeting.

Status Date: 25-Oct-2016

Received Riparian Areas Regulation assessment report.

Applications

Status Date: 27-Sep-2016

Advised applicant that a Riparian Areas Assessment report from a QEP is required in order to process application.

File Number	Applicant Name	Date Received	Purpose
SS-DP-2016.7	JORDAN J SHARP CAROLYN F SHARP Planner: Seth Wright	16-Nov-2016	DP Amendment for 146 Natalie Lane; Installation of 1 1/4' diameter water line to supply domestic water to the Studio and Residence.
Planning Status			

Status Date: 17-Nov-2016

Planner Wright assigned to DP-2016.7

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2015.10	Clement, IAN Planner: Shelley Miller	24-Dec-2015	Setbacks for interior side lot line & natural boundary of the sea - 145 Scott Point Drive, SSI
Planning Status			

Status Date: 07-Nov-2016

Applicant submitted amended survey showing heights of existing structures.

Status Date: 11-Aug-2016

Applicant indicated that they are gathering various professional reports to support the application.

Status Date: 12-Jul-2016

Biologist's report submitted for the subject property. Emailed applicant asking how they would like to proceed with the application.

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2016.1	Roberts, STEPHEN Planner: Jason Youmans	25-Apr-2016	Vary Height / Number of Rooms / Maximum Floor Area of Accessory Buildings - 680 Sunset Drive, SSI
Planning Status			

Status Date: 01-Nov-2016

Applicant requests application be held until Spring 2017. Planner accepts request.

Applications

Status Date: 23-Sep-2016

LTC direct staff to investigate LTC jurisdiction to limit water connection to one building

Status Date: 01-Sep-2016

LTC defer consideration.

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2016.4	Wake, CHARLES	01-Nov-2016	Side lot line setback variance. 120 Drake Road, SSI.

Planner: Seth Wright

Planning Status

Status Date: 23-Nov-2016

Staff Report to Dec. 1 LTC

Status Date: 08-Nov-2016

Planner Wright assigned to SS-DVP-2016.4

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.4	Capital Regional District	19-Apr-2013	To rezone property from Agriculture 1 to Agriculture 1(c) to permit the expansion of the current liquid waste treatment facility - 133 Burgoyne Bay Road

Planner: Seth Wright

Planning Status

Status Date: 02-Jun-2016

Application to remain open, pending Draft Bylaw 490 results (Industrial Land Use Project)

Status Date: 18-May-2016

Application in Dormant Applications report for June 2, 2016 LTC meeting

Status Date: 14-Apr-2016

Applicant notified of dormant status via email and mail

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.6	Island Marine Construction Services Ltd.	08-May-2013	OCP amendment - shoreline DP area increase & LUB S2 zoning expansion - Fulford Landing - 2850 Fulford-Ganges Road, SSI

Applications

Planner: Jason Youmans

Planning Status

Status Date: 21-Nov-2016

Site visit by Tsawout First Nation

Status Date: 26-Oct-2016

Site visit by Cowichan Tribes, Halalt, and Lyackson First Nations

Status Date: 23-Oct-2016

First Nations re-referral sent out

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.7	Salt Spring Ventures Inc.	09-Aug-2013	OCP and Land Use Bylaw Amendment - Park Drive (Swanson's Pond), SSI

Planner: Jason Youmans

Planning Status

Status Date: 20-Oct-2016

Applicant advises in process of obtaining pump test and engineers report.

Status Date: 25-Aug-2016

Ongoing conversations between applicant, Comptroller of Water Rights and planner

Status Date: 29-Jun-2016

LTC requests applicant to submit engineers report related to water provision, and directs staff to forward such report to public agencies for review and comment.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.9	CRD, Regional Housing	06-Sep-2013	CRD & School District multi-family affordable housing rezoning- 161 Drake Road, SSI

Planner: Stefan Cermak

Planning Status

Status Date: 07-Nov-2016

Affordable Housing and Water availability meeting hosted by MLA Holman.

Status Date: 26-May-2016

Applications

Owners conclude contract with applicant JG Consulting. New applicant: Christine Culham, Senior Manager, CRD Regional Housing

Status Date: 02-Oct-2015

Applicant indicates progress with CRD and BCH for funding an alternative water strategy.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2014.2	Salt Spring Island Agricultural Alliance Society Planner: Jason Youmans	11-Dec-2014	Rezoning R/In2 to In2(b) (Abattoir) - 1447 Fulford-Ganges Road, SSI

Planning Status

Status Date: 15-Sep-2016

Planner checks in regarding occupancy permit status

Status Date: 25-Aug-2016

CRD BI confirms occupancy permits still outstanding

Status Date: 18-May-2016

Staff awaiting confirmation of CRD building occupancy permits per LTC resolution

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2015.3	Capital Regional District Planner: Stefan Cermak	01-Dec-2015	Rezoning (OCP/LUB) to Playing Fields - 181 Brinkworthy Road, SSI

Planning Status

Status Date: 21-Jul-2016

LTC defer further consideration until response from ALC received

Status Date: 29-Jun-2016

LTC refer revised application to APC

Status Date: 10-Mar-2016

Preliminary Staff Report to LTC

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2015.4	, Planner: Jason Youmans	09-Apr-2015	Grantville Neighbourhood Project

Applications

Planning Status

Status Date: 03-Mar-2016

Public Hearing held March 3, 2016

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2016.1	LANGEVIN, ROBERT	26-May-2016	805 Vesuvius Bay Road. Rezone From CA2 to R8 variant
Planner: Seth Wright			

Planning Status

Status Date: 23-Nov-2016

Applicant indicated will aim to provide information for Dec. 22 LTC

Status Date: 12-Sep-2016

Applicant indicated well drilling in progress; will not aim for Sept. 23rd LTC

Status Date: 22-Aug-2016

Checked in with applicant; discussed working toward Staff Report at Sept 23rd LTC

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2016.2	Wisteria Guest House Ltd.	30-Jun-2016	Rezoning from CA4 to R6, single family dwelling and commercial meeting room - 268 Park Drive
Planner: Shelley Miller			

Planning Status

Status Date: 17-Nov-2016

Presented at the November 17 2016 APC Meeting.

Status Date: 15-Nov-2016

Draft Bylaw referred to public agencies.

Status Date: 03-Nov-2016

Staff Report # 2 presented to LTC at Nov 3 2016 meeting. LTC resolved to refer the application to the APC and public agencies for comment.

Soil Deposit and Removal

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2016.3	Mackie, Michele	20-Oct-2016	SDP Application to remove in excess of 1000 m3. 170 Jones Road, SSI.

Applications

Planner: Shelley Miller

Planning Status

Status Date: 20-Oct-2016

Planner Miller assigned to SS-SDP-2016.3

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.2	Spencer's Excavating	29-Apr-2011	Proposed 4-lot subdivision at 250 Collins Rd. (east side of Collins Road)

Planner: Shelley Miller

Planning Status

Status Date: 02-Jun-2016

Application to remain open

Status Date: 18-May-2016

Application in Dormant Applications report for June 2, 2016 LTC meeting

Status Date: 14-Apr-2016

Emailed and mailed dormant application letter to applicants.

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

Planner: Jason Youmans

Planning Status

Status Date: 14-Oct-2016

Being held open pending staff conversation about conservation covenant monitoring

Status Date: 27-Nov-2015

Cheque for \$5,000 received for Conservation Covenant Monitoring (Shepherd Hills Road)

Status Date: 21-May-2015

IT sign-off to MOTI

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2012.3	Island Explorer Realty	27-Jun-2012	3 lot bare land strata subdivision - Stewart Road

Applications

Planner: Seth Wright

Planning Status

Status Date: 02-Jun-2016

Application to remain open.

Status Date: 18-May-2016

Application in Dormant Applications Report for June 2, 2016 LTC meeting

Status Date: 14-Apr-2016

Applicant notified of dormant status via email and mail

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2014.1	Rivers, Dale A.	17-Jan-2014	3 lot subdivision - 114 Swanson Road, SSI

Planner: Shelley Miller

Planning Status

Status Date: 27-Jul-2016

MOTI issues PLA

Status Date: 16-May-2016

Completed subdivision referral form sent to MOTI and applicant.

Status Date: 06-Apr-2016

Planner Miller assigned to SS-SUB-2014.1

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2014.4	Polaris Land	22-Jan-2014	3 lot strata subdivision - 250 Collins Road (west side of Collins Road)

Surveying

Planner: Shelley Miller

Planning Status

Status Date: 09-May-2016

Applicant indicated that subdivision is held up due to water servicing.

Status Date: 26-Nov-2015

Applicant indicated wells to be drilled in coming months.

Status Date: 17-Nov-2015

Emailed applicant - Follow up RE: subdivision status



Applications

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2015.3	Agent for TsaliX Investments Inc. Planner: Seth Wright	02-Apr-2015	2 Lot Subdivision - 380 Long Harbour Road, SSI
Planning Status			
Status Date: 01-Sep-2016 Water Treatment Covenant authorized by LTC			
Status Date: 15-Jul-2015 PLA Issued			
Status Date: 08-May-2015 Planner completed review and submitted referral to MoTI			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2015.4	& Salt Spring Island Conservancy Planner: Seth Wright	28-May-2015	Boundary Adjustment - 265 Blackburn Road & 1002 Fulford-Ganges Road, SSI
Planning Status			
Status Date: 03-Sep-2015 PLA issued			
Status Date: 25-Jun-2015 Planner completed Review and Forwarded Referral to MoTI			
Status Date: 24-Jun-2015 Planner conducted Site Visit			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2015.7	Salt Spring Island Excavating Ltd. Planner: Shelley Miller	23-Sep-2015	6 Lot Strata Subdivision - 1482 Fulford-Ganges Road, SSI
Planning Status			
Status Date: 16-Dec-2015 PLA issued by MOTI			

Applications

Status Date: 22-Oct-2015

Site Visit & Referral sent to MOTI

Status Date: 25-Sep-2015

Planner Miller assigned to SS-SUB-2015.7

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2015.8	Kanne, REAYANE	09-Dec-2015	Boundary Adjustment - 1201 & 1231 Beaverpoint Road, SSI
Planner: Shelley Miller			

Planning Status

Status Date: 20-Jan-2016

Subdivision referral form emailed to MOTI and applicant

Status Date: 09-Dec-2015

Planner Miller assigned to SS-SUB-2015.8

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2016.1	Polaris Land Surveying Inc.	19-Feb-2016	2 Lot Subdivision - 288 Long Harbour Road, SSI
Planner: Shelley Miller			

Planning Status

Status Date: 05-Apr-2016

Subdivision referral form sent to MOTI and applicant.

Status Date: 04-Apr-2016

Site visit with applicant and owner.

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2016.2	QUESNEL, JOHN	11-Jul-2016	2 lot subdivision - 124 David Crescent, SSI
Planner: Shelley Miller			

Planning Status

Status Date: 11-Aug-2016

Site visit with applicant. Sent completed referral form to MOTI and applicant.

Status Date: 13-Jul-2016

Planner Miller assigned SS-SUB-2016.2



Applications

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2016.3	Rush, Robert	15-Jul-2016	Boundary Adjustment - Collins Road, SSI

Planner: Seth Wright

Planning Status

Status Date: 07-Oct-2016

Proposed Subdivision Review Status issued from AO requiring revised plan of sub containing 20 m road frontage prior to issuance of PLA or PLNA

Status Date: 22-Aug-2016

Islands Trust referral comments forwarded to MoTI

Status Date: 18-Aug-2016

Site visit with applicant

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2016.4	Core Group	07-Nov-2016	8 Bare Land Strata Lot Subdivision - 114 Cranberry Road, SSI.

Consultants

Planner: Seth Wright

Planning Status

Status Date:

Islands Trust
LTC EXP SUMMARY REPORT F2017
Invoices posted to Month ending October 2016

655 Salt Spring	Invoices posted to Month ending October 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-655	LTC "Trustee Expenses"	3,000.00	1,126.76	1,873.24
		<u>3,000.00</u>	<u>1,126.76</u>	<u>1,873.24</u>
LTC Local				
65200-655	LTC - Local Exp - LTC Meeting Expenses	7,000.00	5,292.14	1,707.86
65210-655	LTC - Local Exp - APC Meeting Expenses	1,500.00	2,003.64	-503.64
65220-655	LTC - Local Exp - Communications	1,250.00	0.00	1,250.00
65230-655	LTC - Local Exp - Special Projects	1,000.00	2,367.78	-1,367.78
TOTAL LTC Local Expense		<u>10,750.00</u>	<u>9,663.56</u>	<u>1,086.44</u>
Projects				
73001-655-2007	Salt Spring OCP/LUB	4,000.00	0.00	4,000.00
73001-655-4009	Salt Spring Affordable Housing	4,000.00	0.00	4,000.00
73001-655-4014	Salt Spring watershed management	5,000.00	0.00	5,000.00
73001-655-4015	Salt Spring industrial land use bylaw	5,000.00	2,164.48	2,835.52
73001-655-4020	Salt Spring Ganges Village Area Plan	8,000.00	0.00	8,000.00
73001-655-4021	Salt Spring Secondary Suites Implementation	2,000.00	0.00	2,000.00
73001-655-4030	Salt Spring National Marine Conservation Reserve	2,000.00	0.00	2,000.00
73001-655-4058	Salt Spring First Nations Heritage Sites	3,000.00	0.00	3,000.00
73001-655-4068	Salt Spring Integrated Community Sustainability Plan	20,000.00	0.00	20,000.00
73001-655-4075	Salt Spring Land Use Rural Watershed	2,000.00	0.00	2,000.00
TOTAL Project Expenses		<u>55,000.00</u>	<u>2,164.48</u>	<u>52,835.52</u>



File No.: 6500-20 (Piers Island)

DATE OF MEETING: December 1, 2016
TO: Salt Spring Island Local Trust Committee
FROM: Seth Wright, Planner II
Salt Spring Island Office
SUBJECT: Consideration of Second and Third Reading for Bylaw 493 to amend Piers Island OCP Bylaw No. 51

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee amend Bylaw No. 493, cited as “Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016,” as specified in Appendix 1 of the Staff Report dated December 1, 2016.
2. That the Salt Spring Island Local Trust Committee Bylaw No. 493, cited as “Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016,” be read a second time.
3. That the Salt Spring Island Local Trust Committee Bylaw No. 493, cited as “Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016,” be read a third time.
4. That the Salt Spring Island Local Trust Committee Bylaw No. 493, cited as “Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016,” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

A Special Meeting of the Salt Spring Island Local Trust Committee (LTC) and the Public Hearing for Bylaw 493 were held on Piers Island on Monday, October 3, 2016. This report addresses questions raised at the Public Hearing and provides some minor amendments. Staff recommend that the LTC consider amending the bylaw as specified in Appendix 1, giving the bylaw second and third reading, and forwarding the bylaw to Executive Committee for approval.

A Public Hearing was held on October 3, 2016. This staff report advances Bylaws 479 for consideration of 3rd Reading following the Public Hearing. Please note that no new information may be considered by the LTC post-public hearing.

BACKGROUND

Bylaw 493 amends the Piers Island Official Community Plan (Salt Spring Island Local Trust Committee Bylaw No. 51) to include Greenhouse Gas (GHG) emission reduction objectives, policies, and actions. It also includes a small number of housekeeping amendments, including a new map of the existing OCP land use designations.

This project was previously considered at the July 21, 2016 regular meeting of the LTC, where the LTC passed resolutions to (1) give bylaw 494 first reading, (2) prepare a public hearing, and (3) direct staff to review the greenhouse gas emissions target referred to in draft Bylaw No. 493, Schedule No. 1 for achievability.

ANALYSIS

Issues and Opportunities:

The following matters were raised during Public Hearing:

Target Metrics

A number of Piers Island residents identified the absence of Piers Island-specific energy and emissions inventory as a significant issue. Some advocated for the creation of a Piers Island Greenhouse Gas (GHG) inventory to develop an accurate understanding of current emission levels, while others advocated for a non-numerical target.

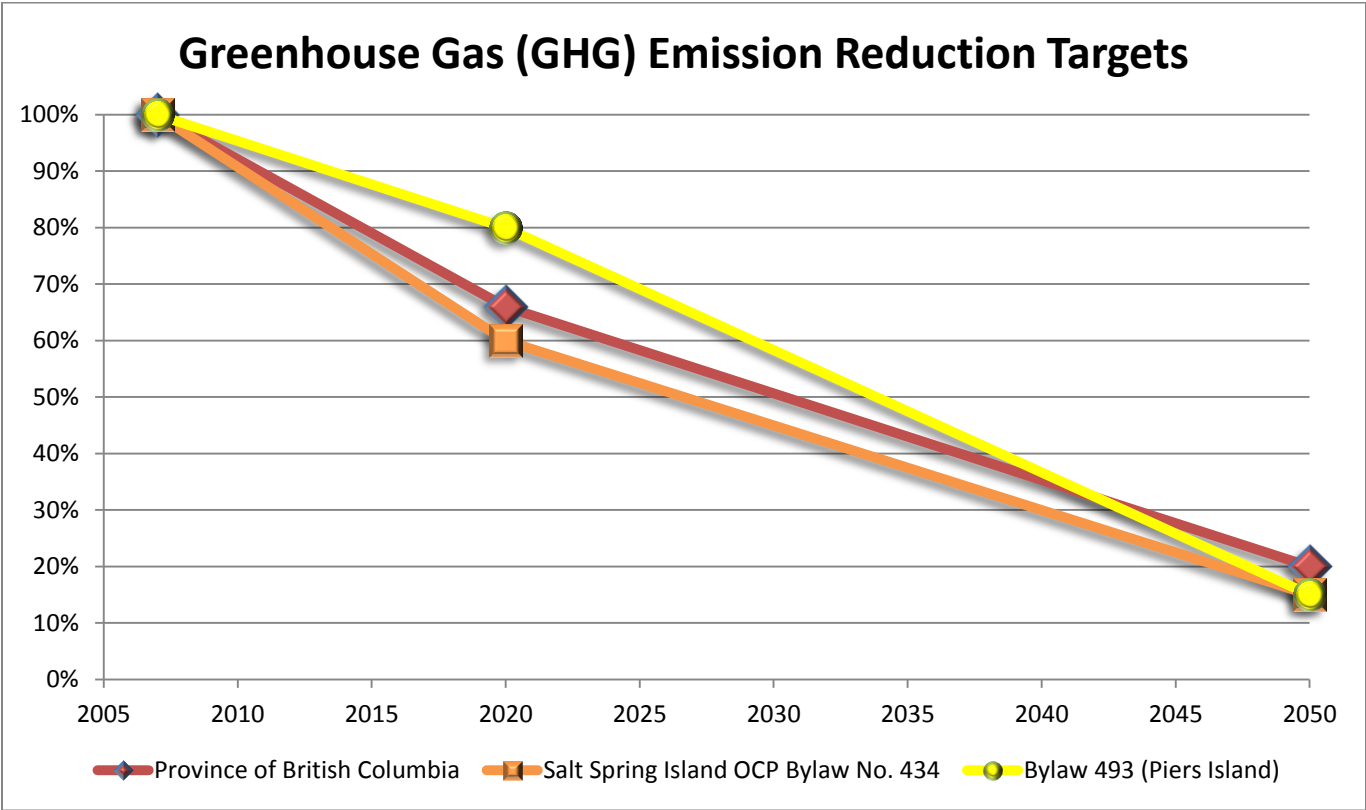


Figure 1: Emission Reduction Targets

In enacting the *Local Government (Green Communities) Statutes Amendment Act, (Bill 27) 2008*, the Provincial Government established the Community Energy and Emissions Inventory (CEEI) to support local governments in measuring GHG emissions over time. While the CEEI establishes an inventory for most communities (local government areas) in the province, Piers Island falls within the Salt Spring Island inventory. Typically, unincorporated communities with a population less than five hundred would not have an Official Community Plan, and so such an issue would not arise. In drafting Bylaw 493, Staff have recommended that the targets be similar with the Salt Spring Island Official Community Plan, so as to support the targets at the broader inventory scale, which are generally consistent with the provincial targets (see Figure 1 below).

In calculating emissions and developing strategies to reduce them, the Ministry of Community Development indicated that local governments should consider GHG emissions produced from electricity and energy use, transportation, and the quantity and composition of waste and disposal methods. As Piers Islanders rely on boats as their primary form of transportation and there is no centralized waste management, an inventory is likely to

be quite difficult, would entail significant methodological issues about comparability and would involve a large margin of uncertainty. Staff consider that the cost of a reasonably defensible emissions inventory would far exceed the potential benefits of establishing an emissions inventory for such a small population. As well, an emissions inventory is beyond the scope of the current project and unlikely to provide significant potential to reduce emissions. Therefore, staff recommend removing the numerical targets from Bylaw 493, but maintaining inclusion of the target section and the wording “This Plan commits to a reduction in greenhouse gas emissions.”

ALTERNATIVES

1. Give Bylaw 493 Third Reading with Select Amendments

If the LTC would like to give second and third reading to Bylaw 493 with only select amendments proposed by staff, the LTC can pass the resolution below prior to consideration of recommendations 2 (second reading), 3 (third reading), and 4 (referral to Executive Committee).

Resolution:

That the Salt Spring Island Local Trust Committee Bylaw No. 493, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2016,” be amended as follows:

Submitted By:	Seth Wright Planner II	November 22, 2016
Concurrence:	Stefan Cermak Regional Planning Manager	November 22, 2016

ATTACHMENTS

1. Bylaw 493 – Proposed Second Reading

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 493

A BYLAW TO AMEND PIERS ISLAND OFFICIAL COMMUNITY PLAN BY-LAW, 1980

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

1. Citation

This bylaw may be cited for all purposes as “Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016”.

2. Salt Spring Island Local Trust Committee Bylaw No. 51, cited as “Piers Island Official Community Plan By-law, 1980,” is amended as shown on Schedules No. 1 and No. 2 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 21ST DAY OF JULY 2016

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS 3RD DAY OF OCTOBER 2016

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

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 493

SCHEDULE NO. 1

1. Schedule “A”, is amended as follows:

1.1 The provision entitled “Purpose”, second paragraph is amended by deleting the words “Municipal Act” and replacing them with the words “*Local Government Act*”.

1.2 The provision entitled “Goals” is amended as follows:

1.2.1 by deleting the heading “Goals” and replacing it with the word “Objectives”;

1.2.2 by adding the following three objectives:

“7. To limit greenhouse gas emissions.

8. To maximize energy efficiency.

9. To maintain and enhance current levels of carbon sequestration.”

1.3 PART 1 – PROPOSALS FOR THE ISLAND, Section POLICIES, Sub-Section 1, Article (a) is amended by deleting the bracketed measurement “(400 sq. ft.)”.

1.4 PART 1 – PROPOSALS FOR THE ISLAND, Section POLICIES, Sub-Section 2 is amended by deleting the bracketed measurement “(0.4 acres)”.

1.5 PART 1 – PROPOSALS FOR THE ISLAND, Section POLICIES, Sub-Section 3 is amended by deleting the bracketed measurement “(2 acres)”.

1.41.6 PART 1 – PROPOSALS FOR THE ISLAND, Section POLICIES, Sub-Section 9 is amended by deleting the bracketed measurement “(50 ft.)”.

1.75 PART 1 – PROPOSALS FOR THE ISLAND is amended by inserting a new Section 10 as follows:

“10. Climate Change Adaptation and Greenhouse Gas Emissions Reduction

In response to climate change, the Provincial Government gave Royal Assent to Bill 27 “*Local Government (Green Communities) Statutes Amendment Act, 2008*” on May 29, 2008. Bill 27 amends the *Local Government Act* and other provincial regulations to provide new tools for local governments. Bill 27 requires local governments to include Green House Gas emission reduction targets – and policies and actions to achieve those targets – in their Official Community Plans.

The Piers Island community is committed to maintain a light footprint on the island, to conserve energy and to minimize Green House Gas emissions.

10.1 Target

The following target is established to ensure that the reduction of Greenhouse Gas emissions and the impact of climate change are considered in land use planning for Piers Island:

This Plan commits to a reduction in greenhouse gas emissions ~~of twenty percent by 2020 and eighty-five percent by 2050 from 2007 levels~~. Within the planning area, in cooperation with the Salt Spring Island Local Trust area, this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land-use policies and regulations.

10.2 Objectives

The following objectives are provided to reduce greenhouse gas emissions and maximize energy efficiency:

- (a) To consider the impacts of climate change as a central factor in land-use decision-making.
- (b) To support actions to minimize greenhouse gas emissions.
- (c) To recognize the importance of forested lands as a carbon sink.
- (d) To work with other agencies and levels of government to support actions that limit greenhouse gas emissions.

10.3 Policies

- a) The Salt Spring Island Local Trust Committee supports the retention and enhancement of forested areas and vegetation as a carbon sink;
- b) The Salt Spring Island Local Trust Committee supports the composting of food scraps and yard waste to minimize burning and disposal in landfill;
- c) The Salt Spring Island Local Trust Committee supports the limited number of fossil fuel vehicles on the island;
- d) The Salt Spring Island Local Trust Committee supports the reuse and recycling of surplus items rather than sending them to landfill;
- e) The Salt Spring Island Local Trust Committee supports an annual chimney-sweep program.

10.4 Advocacy Policies

- (a) The Salt Spring Island Local Trust Committee encourages preparation for sea-level rise by promoting provincial best practices and Islands Trust regulations for building setbacks from the natural boundary of the sea and for minimum elevations for construction.

- (b) The Salt Spring Island Local Trust Committee encourages the use of a private ferry service, boat sharing, and the creation of a public ferry service.
- (c) The Salt Spring Island Local Trust Committee encourages walking and bicycling on the island;
- (d) The Salt Spring Island Local Trust Committee encourages solar orientation in the siting and design of houses and the use of renewable energy such as photovoltaic solar panels and solar hot water.
- (e) The Salt Spring Island Local Trust Committee encourages residents to select clean-burning wood stoves and retrofit old inefficient wood stoves.
- (f) The Salt Spring Island Local Trust Committee encourages other levels of government and agencies to provide assistance for recycling programs.
- (g) The Salt Spring Island Local Trust Committee encourages the Islands Trust Council to provide resources to assist Piers Island to achieve its greenhouse gas emission targets.

10.4 Actions

- (a) The Piers Island Association is supported in protecting and caring for the community forest in order for it to continue to sequester carbon.
- (b) The Piers Island community is supported in sharing the community tractor.
- (c) The Piers Island Fire Department is supported in organizing and supervising regular burning of wood waste when weather conditions are suitable.
- (d) The Piers Island community is supported in using the community website to share information, services, errands and goods.
- (e) The Piers Island community is supported in using any private or public ferry service between Piers Island and Vancouver Island.

1.86 PART 1 – PROPOSALS FOR THE ISLAND, Section 11. Zoning Regulations is amended by deleting the words “Plan Map” and replacing it with the words “Map 1-Plan Area with Land and Shoreline Use Designation”.

1.97 By making such consequential numbering alterations to effect these changes.

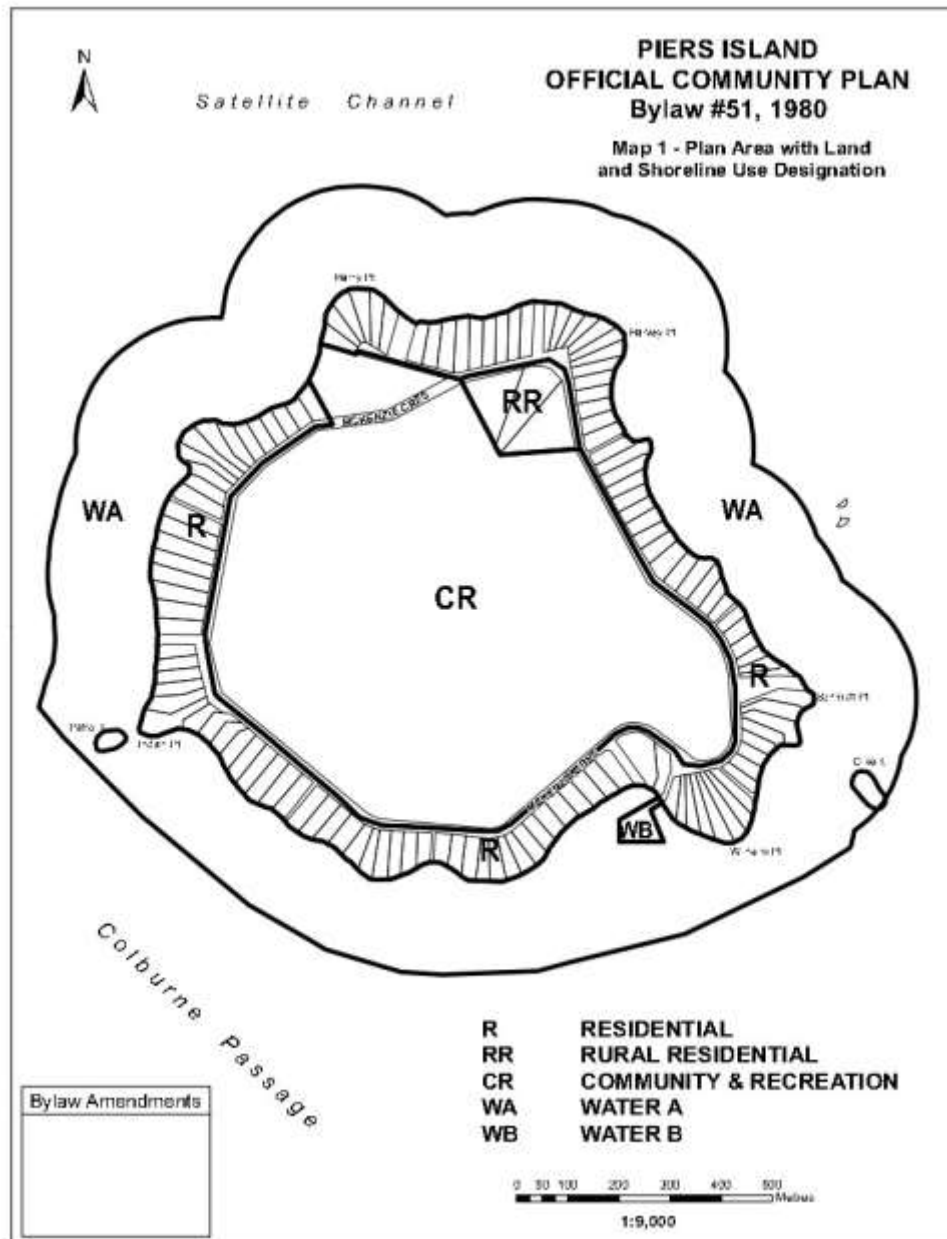
DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 493

SCHEDULE NO. 2

2. Schedule "A", is amended as follows:

2.1 By deleting the "Plan Map" and replacing it with the following new "Map 1 – Plan Area with Land and Shoreline Use Designation".





File No.: 6500-20 (Rural Watershed Uses)

DATE OF MEETING: December 1, 2016
TO: Salt Spring Island Local Trust Committee
FROM: Jason Youmans, Planner 2
Salt Spring Island Office
SUBJECT: Working Group Terms of Reference + OCP Amendment

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee endorse the Agriculture in Rural Watershed Zones Working Group Terms of Reference.

REPORT SUMMARY

This staff report provides the Local Trust Committee with the terms of reference for a working group to be formed to review the bylaw amendments proposed under Draft Bylaws 487 (see Appendix 3) and 496 (see Appendix 2). It also provides the LTC with a revised OCP amendment bylaw per LTC direction for information.

Appendix 4 contains correspondence received prior to the November 3, 2016 LTC meeting, but that arrived too late for inclusion in that meeting agenda. All attached correspondence was sent to trustees upon receipt.

BACKGROUND

The LTC's Rural Watershed Uses project was undertaken to develop appropriate regulatory or legislative measures to address current or potential impacts from agricultural practices in the Rural Watershed 1 and 2 zones.

At its November 3, 2016 meeting, the LTC passed the following resolutions concerning its Rural Watershed Uses project:

SS-2016-205

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to revise draft Bylaw No. 496 to include an amendment to OCP policy item B.6.2.2.7(i) to remove "all".

CARRIED

SS-2016-206

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to consult with local agricultural and environmental advocacy groups regarding Bylaw No. 496 by: 1) attending meetings of those groups to provide project information; and 2) convening a small working group to review and refine the bylaw.

CARRIED

SS-2016-207

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to draft a terms of reference identifying the duty and tasks of the small working group for consideration at the next meeting of the Salt Spring Island Local Trust Committee.

CARRIED

SS-2016-208

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee revise Schedule 1 of draft Bylaw No. 496 Section 1.3, Section B6.2 to add “the natural environment or” prior to “water quality”.

CARRIED

ANALYSIS

Terms of Reference - Agriculture in Rural Watershed Zones Working Group

A draft Terms of Reference for the proposed Agriculture in Rural Watershed Zones Working Group is attached to this staff report as Appendix 1 for the LTC’s review and endorsement.

Bylaw No. 496 (OCP Amendment)

The subject OCP amendment has been revised per the LTC’s resolutions at its November 3, 2016 meeting and is attached as Appendix 2 for the LTC’s consideration.

Issues and Opportunities:

Agriculture in Rural Watershed Zones Working Group Terms of Reference - Membership

It is important to note that while members will be appointed to the Working Group under the proposed terms of reference on a first-come-first-served basis, any relevant organizations of which they may be a member will also have an opportunity to address the proposed bylaws during the formal bylaw referral process which will take place once the LTC is confident the proposed bylaws are in a satisfactory form.

If the Local Trust Committee is concerned about the proposed method of Working Group appointment (first-come, first-served) and wishes a different process, it can direct staff to revise the terms of reference as such. Other available options are that membership be open to anyone who wishes to attend, with no cap, or that the lead staff person hand-pick the membership. If the LTC wants direct involvement in the composition of the Working Group, then it may wish to convene a Special Advisory Planning Commission in accordance with Advisory Planning Commission Bylaw No. 467.

Bylaw No. 496 (OCP Amendment)

See staff report of [November 3, 2016](#) for discussion of issues and opportunities related to Bylaw 496.

Rationale for Recommendation:

Recommendation 1

As the LTC has requested the opportunity to review the proposed Agriculture in Rural Watershed Zones Working Group terms of reference, its endorsement would give staff direction moving forward.

ALTERNATIVES

Agriculture in Rural Watershed Zones Working Group Terms of Reference

1. Convene a Special Projects Advisory Planning Commission

If the LTC wishes to have a direct hand in determining the composition of a group formed to assess and advise on proposed regulatory and legislative changes related to agriculture in the Rural Watershed Zones, it should form a Special Project Advisory Planning Commission.

Resolution:

That the Salt Spring Island Local Trust Committee direct staff to develop a Terms of Reference for a Special Project Advisory Planning Commission to review and assess Bylaws 487 and 496.

Bylaw No. 496 (OCP Amendment)

1. Give first reading to Bylaw No. 496

If the LTC wishes to advance the bylaw approval process for Bylaw 496 it can give the bylaw first reading and forward it to its advisory commissions with the following resolution:

That Salt Spring Island Local Trust Committee Bylaw No. 496, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 3, 2016”, be read a first time and referred to the Salt Spring Island Advisory Planning Commission and the Salt Spring Island Agricultural Advisory Planning Commission for review and comment.

Staff do not advise first reading at the current juncture, as the efforts of the proposed Working Group may prompt the LTC to revise the Bylaw(s).

NEXT STEPS

If the Local Trust Committee endorses the Agriculture in Rural Watershed Zones Working Group Terms of Reference, staff will send out invitations to the local groups noted in the terms of reference with the intention that the Working Group meet for the first time in the second week of January.

Additionally, staff are preliminarily scheduled to attend board meetings of the following organizations to discuss the project as follows, in accordance with previous direction from LTC:

- Agricultural Alliance – December 1
- Islands Natural Growers – December 7
- Farmers Institute – January 10

Staff are also developing a mail-out to all residents in the Rural Watershed zones, but will await distribution until the work of the Working Group is complete in the event the LTC makes amendments to the proposed bylaws.

Following completion of the Working Group’s assessment and review by advisory commissions, staff will refer Bylaws 487 and 496 to all necessary agencies and organizations for their review and comment.

Submitted By:	Jason Youmans, Planner 2	November 24, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 24, 2016

ATTACHMENTS

1. Agriculture in Rural Watershed Zones – Draft Terms of Reference
2. Draft Bylaw No. 496
3. Proposed Bylaw No. 487 (highlighted)
4. Correspondence Received

Salt Spring Island Local Trust Committee**Agriculture in Rural Watershed Zones Working Group Terms of Reference****DRAFT****Background**

The Salt Spring Island Local Trust Committee (LTC) has identified protection of the Island's potable water sources as a priority. In pursuit of this objective, the LTC has focused its attention on ensuring that agricultural practices outside of the ALR but within the watersheds of the Island's drinking water lakes do not compromise water quality for residents. It has identified the following objectives:

- To protect surface water drinking resources
- To minimize agricultural impacts on water quality
- To ensure agriculture is an ecologically responsible land use

As such, the Local Trust Committee is giving consideration to Official Community Plan and Land Use Bylaw amendments that would introduce new regulations for agriculture in the drinking water lake watersheds.

The LTC has identified the need to convene a working group to review the draft bylaws under consideration to understand the impact they may have on water quality protection and agriculture and propose any alternative measures the group deems necessary.

These terms of reference outline the roles and responsibilities of the "Agriculture in Rural Watershed Zones Working Group" (the "Working Group").

Purpose

The purpose of the Working Group is to help the LTC ensure safe, clean drinking water for Islands residents by evaluating proposed bylaws amendments 487 and 496 and suggesting changes if and where necessary.

Objective

The broad objective of the Working Group is to advise the LTC on the most effective regulatory approach to achieving its objectives.

It is anticipated that discussion among the group will generally address, though not be limited to, the following questions:

- What are the common goals of the Working Group participants?
- How are surface water sources currently protected from agricultural uses?
- How will Bylaws 487 and 496 help achieve the LTC's objectives as noted above?

- What are the shortcomings of Bylaws 487 and 496 in helping achieve the LTC's objectives?
- What changes could be made to Bylaws 487 and 496 to better achieve the LTC's objectives?

Membership

The Agriculture in Rural Watersheds Working Group will be limited to 12 members. In assembling the group, the project manager will aim to achieve an equitable distribution around the table between those with clear interest or expertise in water/environmental protection and those with a clear interest or expertise in farming.

Prior to final confirmation of membership, the lead staff person may cap membership at a number less than 12 in order to maintain equitable distribution between the above-noted interests.

Invitations to join the Working Group will be sent to the following local groups with the intention they be shared with their membership:

Agriculture	Water/Environmental Protection	Other
Salt Spring Island Agricultural Alliance Island Natural Growers Salt Spring Island Farmers Institute Salt Spring Island Agricultural Advisory Planning Commission	Salt Spring Island Water Preservation Society Salt Spring Island Conservancy Cusheon Lake Stewardship Salt Spring Salmon Enhancement Society Salt Spring Island Watershed Protection Authority	North Salt Spring Water District Beddis and Cusheon Lake Area Residents Association Highland Water and Sewer Services Commission

Once invitations are distributed, potential members can contact the project manager and the Working Group's membership will be determined on a first-come, first-served basis.

While individual members of the working group may have membership or leadership roles in local community organizations, they do not sit at the working group table as appointees or members of those organizations, rather as individuals with interest or expertise in areas relevant to Bylaws 487 and 496, that being agriculture and watershed and environmental protection. They are not expected to report back to the organizations to which they belong, though may do so if they wish.

The project manager will serve as an information resource to the Working Group.

An outside facilitator may be brought in to facilitate the meeting(s) of the Working Group.

A single Trustee and the Ministry of Agriculture Regional Agrologist may participate in the Working Group.

Members will serve without remuneration.

Guidelines for Decision Making

Decision-making of the Working Group will be by consensus. Consensus is defined as agreement by each member. There are two levels of consensus; Full and Working.

- Full Consensus – all members agree and support the decision
- Working Consensus – Not all members support the decision, but all can agree to respect the decision.

Where consensus is not reached, a majority and a minority opinion statement will be recorded in the meeting notes. Every effort will be made to explore, understand and accommodate the interests of dissenting viewpoints.

Meeting format will be facilitated discussion (i.e. not Robert's Rules). The facilitator will help the group work toward consensus recommendations to the LTC.

Conduct

- Communications at all meetings will be respectful, considerate, honest and issue-focused
- All viewpoints will be encouraged, respected, and considered
- Participants will make every effort to resolve issues at the table

Meetings

It is anticipated that the Agriculture in Rural Watersheds Working Group will meet not more than three times. The need for further meetings beyond the first will be determined by the Group.

The meetings of the Working Group will be closed to the public.

The lead staff person will provide a meeting agenda and relevant documents to the Working Group members one week before the first meeting when such is scheduled.

Funding

Any costs incurred (room rental, facilitator, materials, refreshments) will be covered through the LTC project budget (account 4075).

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO 496

A BYLAW TO AMEND OFFICIAL COMMUNITY PLAN BYLAW NO. 434, 2008

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

1. Citation

This Bylaw may be cited for all purposes as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 3, 2016.”

2. Salt Spring Island Official Community Plan Bylaw No. 434, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008” is amended as shown on Schedule No. 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

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 496**

SCHEDULE NO. 1

1. Schedule “A”, Volume 1 is amended as follows:
 - 1.1 Section B 6.2 – Agricultural Land Uses – Article B.6.2.2.5 is deleted in its entirety and replaced with the following:

“Farming activities and necessary structures should continue to be allowed by zoning in other Designations on all properties where they are currently allowed.”
 - 1.2 Section B 6.2 – Agricultural Land Uses – Article B.6.2.2.6 is deleted in its entirety and replaced with the following:

“The Local Trust Committee will not make changes to local bylaws to prohibit or restrict farming in the Agricultural Land Reserve or that are obstacles to the creation of local abattoirs, cold storage facilities, or other facilities that would improve local food security.”
 - 1.3 Section B 6.2 – Agricultural Land Uses is amended by inserting a new Article between Articles B.6.2.2.6 and B.6.2.2.7 as follows:

“The Local Trust Committee may make changes to local bylaws to prohibit or restrict farming in areas outside of the Agricultural Land Reserve where farming is now allowed in order to protect the natural environment or water quality.”
 - 1.4 Section B 6.2 – Agricultural Land Uses – Article B.6.2.2.7 Clause (i) is amended by removing the word “all.”
 - 1.5 By making such consequential numbering alterations to effect these changes.

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 487

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2015”.

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw, 1999,” is amended as follows:

2.1 Section 9.10.1 – Permitted Uses of Land, Buildings and Structures is deleted in its entirety and replaced with:

(1) In addition to the *uses* permitted in the Subsection 3.1.1 of this Bylaw, the following *principal* and *accessory uses, buildings and structures* and no others are permitted in the Rural Zones indicated:

	R	RU1	RU2	RU3	RW1	RW2	Ri
Principal Uses, Buildings and Structures							
<i>Single-family dwellings</i>	♦	♦	♦	♦	♦	♦	♦
<i>Two family dwellings</i> constructed before July 31, 1990	♦	♦					
Dental and medical offices for a maximum of two medical practitioners	♦						
<i>Elementary schools, pre-schools and child day care</i>	♦	♦					
<i>Public health care facilities</i>	♦	♦					
<i>Community halls</i>	♦	♦					
<i>Churches and cemeteries</i>	♦	♦					
Veterinarian clinics and animal hospitals	♦	♦					
Pet boarding <i>services and kennels</i>	♦	♦					
<i>Pounds</i>	♦	♦					
<i>Active outdoor non-commercial recreation, excluding golf courses and activities primarily involving the use of power-driven means of conveyance</i>	♦	♦					
Lighthouse stations							♦
<i>Agriculture</i>	♦	♦	♦	♦			♦
<i>Agriculture, excluding intensive agriculture</i>					♦	♦	
<i>Public service uses</i>	♦	♦	♦	♦			♦
Accessory Uses							
<i>Seasonal cottages</i> subject to Section 3.14	♦	♦		♦			♦
<i>Home-based business use</i> , subject to Section 3.13	♦	♦	♦	♦	♦	♦	♦
<i>Information Note: See Section 3.3.1, which indicates that where land is in the Agricultural Land Reserve, agriculture, farm buildings and farm structures are permitted in a manner similar to the Agriculture 1 zone.</i>							

2.2 Section 9.10.2 Size, Siting and Density of Land, Buildings, and Structures, is deleted in its entirety and replaced with:

- (1) Subject to Part 4, *buildings* and *structures* in the Rural, Rural Uplands, Rural Watershed and Rural Islet Zones must comply with the following regulations regarding size, siting and density:

	R	RU1	RU2	RU3	RW1	RW2	Ri
Lot Coverage and Floor Area							
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> (per cent)	33	33	5	10	33	33	10
Maximum <i>floor area</i> of a <i>building</i> used for a <i>community hall</i> , <i>church</i> , <i>pre-school</i> or <i>day care centre</i> (square metres)	930	930	N/A	N/A	N/A	N/A	N/A
Maximum total <i>floor area</i> of <i>farm buildings</i> and <i>farm structures</i> (square metres)	465	465	465	465	465	465	465
Number of Units and Minimum Site Areas							
Maximum number of <i>dwelling units</i> per 8 ha with the exception of <i>secondary suites</i> , where permitted	N/A	N/A	1	N/A	N/A	N/A	N/A
Maximum number of <i>seasonal cottages</i> per 8 ha	N/A	N/A	1	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for a <i>day care centre</i> (ha)	2	2	N/A	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for pet boarding facilities, including <i>kennels</i> (ha)	4	4	N/A	N/A	N/A	N/A	N/A
Minimum <i>lot area</i> required for a <i>pound</i> (ha)	2	2	N/A	N/A	N/A	N/A	N/A
Setbacks of Uses, Buildings and Structures							
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:							
Minimum <i>Front lot line</i> setback (metres)	*	*	15	*	*	*	*
Minimum <i>Rear lot line</i> setback (metres)	*	*	15	*	*	*	*
Minimum <i>Interior side lot line</i> setback (metres)	*	*	15	*	*	*	*
Minimum <i>Exterior side lot line</i> setback (metres)	*	*	15	*	*	*	*
Despite Section 4.5, the following <i>water body</i> setbacks apply for the <i>zone</i> indicated:							
Minimum setback for <i>agriculture</i> from the natural boundary of lakes and <i>wetlands</i>	N/A	N/A	N/A	N/A	30	30	N/A
Minimum setback for <i>agriculture</i> from the natural boundary of any other <i>water body</i>	N/A	N/A	N/A	N/A	15	15	N/A

* indicates provisions of Section 4.3 apply

READ A FIRST TIME THIS 1ST DAY OF SEPTEMBER 2016

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

 _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary



Nov. 1 2016,

Dear Salt Spring Island Local Trustees;

I am writing this letter to encourage you to follow the recommendation as suggested in the staff report for

SS-BL-487 & SS-BL-496 – Rural Watershed Land Use Bylaw Amendments.

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee direct staff to consult with local agricultural and environmental advocacy groups regarding Bylaw 496 by:

- 1) Attending meetings of those groups to provide project information; and
- 2) Convening a small working group to review and refine the bylaw

It is only through consultation that the best possible solution to this problem and threat to our surface and ground water may be solved. We all need to be diligent and careful when working on our land in our drinking watersheds.

Thank you for your consideration of this matter.

Sincerely,
Doreen Hewitt
President of the Beddis and Cusheon Lake Area Residents' Association

From: Elizabeth White [REDACTED]
Sent: Wednesday, November 02, 2016 10:54 AM
To: Peter Grove; George Grams
Cc: Jason Youmans
Subject: Agriculture in Drinking Watersheds

Importance: High

Dear Trustees

The Salt Spring Island Agricultural Alliance (SSIAA) is concerned about water quality for domestic and agricultural use and supports the protection of Salt Spring's drinking watersheds along with agricultural practises that do not negatively impact water quality. The board met with representatives from the watershed protection community in January and believes there is common ground.

It is not clear to us what effect, if any, the changes in proposed Bylaws 496 and 487 will have if implemented and whether or not there will be unintended consequences. Consultations with the agricultural community are in our view needed. We look forward to reviewing and discussing the proposed bylaws with planner Jason Youmans and trust that input from the agricultural community will be used to inform the proposal before it is brought to the community at large.

Yours truly

Elizabeth White, on behalf of the SSIAA

Elizabeth White, secretary SSI Agricultural Alliance

phone [REDACTED]

email: [REDACTED]

<http://plantofarm.org>

From: JOHN WRIGHT [REDACTED]
Sent: Sunday, October 30, 2016 4:20 PM
To: ssiinfo
Subject: Rural watershed 1 and 2

I would like to express my support for the two excellent recommendations made concerning the next actions to take on this matter.
John Wright
[REDACTED]

From: Doreen Hewitt
Sent: Sunday, October 30, 2016 1:56 PM
To: ssiinfo
Subject: Ss-BL-487&SS-BL-496- Rural Watershed Land Use Bylaw Amendments

Dear Salt Spring Island Local Trustees;

I am writing this letter to encourage you to follow the recommendation as suggested in the staff report for

SS-BL-487 & SS-BL-496 – Rural Watershed Land Use Bylaw Amendments.

RECOMMENDATION

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It is only through consultation that the best possible solution to this problem and threat to our surface and ground water may be solved. We all need to be diligent and careful when working on our land in our drinking watersheds.

Thank you for your consideration of this matter.

Sincerely,
Doreen Hewitt

Dear Salt Spring Island Local Trust Committee;

I am writing this letter to encourage you to follow the recommendation as suggested in the staff report for
SS-BL-487 & SS-BL-496 – Rural Watershed Land Use Bylaw Amendments.

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee direct staff to consult with local agricultural and environmental advocacy groups regarding Bylaw 496 by:

- 1) Attending meetings of those groups to provide project information; and
- 2) Convening a small working group to review and refine the bylaw

It is only through consultation that the best possible solution to this problem and threat to our surface and ground water may be solved. We all need to be diligent and careful when working on our land in our drinking watersheds.

Thank you for your consideration of this matter.

Sincerely,
Wayne Hewitt

Salt Spring Island, BC



DATE OF MEETING: December 1, 2016
TO: Saltspring Island Local Trust Committee
FROM: Justine Starke, Island Planner
Victoria Office
SUBJECT: Watershed Management – Update Report

RECOMMENDATION

1. That the Saltspring Island Local Trust Committee endorses the Project Charter Version 8, dated November 10, 2016.

REPORT SUMMARY

The purpose of this report is to update the Salt Spring Island Local Trust Committee (LTC) on the watershed management project, to consider next steps, and to consider the updated Project Charter Version 8.

BACKGROUND

The Salt Spring Island Local Trust Committee (LTC) has identified watershed management as one of its top priorities. The Watershed Management Program was initiated in 2012 and involves a multi-jurisdictional approach to the protection and management of freshwater resources on Salt Spring Island. The work program involves coordination of the Salt Spring Island Watershed Protection Authority (SSIWPA) as well as consideration of land use planning tools that will support the implementation of SSIWPA's work.

SSIWPA has embarked on an "integrated watershed management program" to ensure a sustainable supply of fresh water by quantifying the volume of freshwater available for human use on Salt Spring Island, and to identify efficiencies to protect against over-demand. Currently, one aspect of the integrated watershed management program is to address the limits of St Mary and Maxwell lakes to continue to supply additional properties within the service boundaries of North Salt Spring Waterworks District.

It is within this context that the SSI LTC's planning work in 2016 has attempted to respond to the moratorium on new connections in the North Salt Spring Waterworks District (NSSWD) by commissioning the, "Water Conservation Supply and Demand Management Plan for Salt Spring Island," dated May 6, 2016 by OPUS DaytonKnight Consultants Ltd. The report identified a key concern for the community, which is in meeting peak water consumption during the summer months when lake levels are at their lowest due to negligible rainfall recharge. The report recommended that because of the infrastructure limitations and summer drought conditions, a drought risk analysis including a detailed peak day/month "supply versus demand" analysis should be conducted to determine the current available yield of the two lakes during peak summer demand periods.

However, this assessment was outside the scope of that study. With critical feedback from NSSWD and SSIWPA, the LTC considered the report on July 21, 2016 and decided it should be updated. The updated report would include reconsideration and possible refinement of recommendations, and provide a peak day/month supply versus demand analysis to determine the current available yield of St. Mary Lake and Maxwell Lake during peak summer demand periods. The LTC directed staff to draft a terms of reference for this work.

At the meeting of September 23, 2016, the SSI LTC received a draft Terms of Reference for updating the OPUS report and passed the following resolution:

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that staff consult with the Salt Spring Island Watershed Protection Authority to review the terms of reference for services relating to a drought risk analysis and a detailed peak day / month supply versus demand analysis to determine the current available yield of St. Mary Lake and Maxwell Lake during peak summer demand periods.

CARRIED

Over the last months, SSIWPA, its member agencies, and the Technical Working Group (TWG), have considered the Terms of Reference and submitted the attached response (see Appendix 2), drafted by the TWG and endorsed by member agency representatives and the SSIWPA steering committee.

In the meantime, planning staff have been reviewing the project as a whole and refined the project charter to bring it up to date.

ANALYSIS

Project Charter Version 8:

The SSI LTC's Project Charter has been updated and is provided in Appendix 1 as *Watershed Management Project Charter Version 8*. The updated project charter has removed completed tasks and refined the objectives, deliverables, and scope to reflect the evolution of the project over recent months and years. Some elements, such as the "work break down structure," was removed because it is too detailed for this level of reporting. It will be retained by planning staff to be used internally as needed. The purpose of this project charter is to provide a framework for the whole watershed project, which is expected to continue on an ongoing basis, spanning years to come. The overall project deliverables are as follows:

- Ongoing coordination of the Salt Spring Island Watershed Protection Authority, managed through a third party contact.
- Annual Salt Spring Island Special Property Tax Requisition requests to Trust Council for SSIWPA coordination services.
- Creation of coordination agreements/memorandums of understanding with other member agencies of the Salt Spring Island Watershed Protection Authority.
- Identification of land use planning and other tools to protect and manage watershed health, including groundwater and surface water.
- Update Official Community Plan, Land Use Bylaw, and any other relevant policies or regulations to implement the results of the integrated watershed management program.
- Coordinate the implementation of the St. Mary Lake Integrated Watershed Management Plan and the future updated Cusheon Lake Watershed Management Plan, including amendments to the Official Community Plan and Land Use Bylaw as appropriate.

- Coordinate implementation of other Salt Spring Island watershed management plans, as appropriate.
- Assist with the development of a Salt Spring Island Water Conservation and Water Demand Management Plan for the NSSWD area.

Individual, one page project charters that address different components or deliverables within the over all work program will be created as needed, to guide planning work over shorter time frames (within a given fiscal year or political term).

It is too early in SSIWPA's integrated watershed management planning program for the LTC to consider changes to the land use regulations that impact watershed management. For example, the OPUS report recommends not considering changes to the OCP Section C.3 (NSSWD Supply) until the ability for NSSWD systems to meet peak demands during summer months is clearly established. The other recommendations of the OPUS report are very relevant to LTC regulations, but are questioned by SSIWPA (more below). However, the work plan for the Conservation and Efficiency Working Group is currently being developed. Within this work plan is to analyse the policy framework related to rainwater storage and re-use. Staff will be working with the CEWG as they refine their work plan and look for opportunities to contribute land use planning expertise; this work can then be fleshed out with a one page LTC project charter.

Salt Spring Island Water Conservation and Water Demand Management Plan:

The intent of the OPUS report was to provide information that would support updating water supply and demand standards found in the Land Use Bylaw and the Official Community Plan. Feedback from SSIWPA indicates there is more work to be done to amend the Terms of Reference (ToR) for an updated OPUS report. The Technical Working Group recommends comprehensive changes to the OPUS report, suggesting the water supply of the NSSWD is not currently known, and recommends the focus of the ToR be a request for OPUS to better quantify demand in a statistically relevant way. Staff are continuing to consult with SSIWPA, the TWG, and NSSWD to develop a ToR that will meet the needs of SSIWPA and NSSWD. It does not seem likely this work will be complete before Christmas. Staff will aim to bring an updated ToR to the LTC on December 22, so the contract can be let in the New Year.

ALTERNATIVES

The LTC may choose to not endorse the amended project charter version 8.

Submitted By:	Justine Starke	November 19, 2016
Concurred By:	Stefan Cermak	November 21, 2016

ATTACHMENTS

1. Salt Spring Island Watershed Management Project Charter Version 8
2. SSIWPA Technical Work Group response to the Terms of Reference for an addendum to the "Water Conservation Supply and Demand Management Plan for Salt Spring Island," dated May 6, 2016 by OPUS DaytonKnight Consultants Ltd.

Creation Date: April 25, 2013

Last Updated: November 19, 2016

Version: 8

Purpose

This project aims to address water quality and quantity issues on Salt Spring Island. The purpose of this Project Charter is to guide the overall program for watershed management on Salt Spring Island. Individual project charters will be developed to support components of this work.

1. Coordination of the Salt Spring Island Watershed Protection Authority:
 - The Salt Spring Island Local Trust Committee (SSI LTC) coordinates and participates in the Salt Spring Island Watershed Protection Authority, which entails collaborating with a number of different agencies that have a responsibility for watershed management and potable water supply.
 - Funding for this coordination is through a Special Property Tax Requisition from the Salt Spring Island Local Trust Area.
2. Land Use Planning for Watershed Management:
 - Consider the Local Trust Area's regulatory and policy framework applicable to watershed management in drinking watersheds, and consider appropriate Salt Spring Island Official Community Plan and Land Use Bylaw amendments.
 - Funding for the land use planning is through the Trust Council budget for Salt Spring Island Local Trust Committee Projects.

Background

In 2012, the Salt Spring Island Local Trust Committee (LTC) identified watershed management as one of its top priorities. This project is supported by the Islands Trust Council 2014-2018 Strategic Plan Strategy 4.1 "Coordinate with other agencies to protect water quality and quantity."

The Salt Spring Island Local Trust Committee has received additional powers from Trust Council (under Bylaw 154), to enable it to take a leadership role in coordinating the multiple agencies involved in watershed management. Bylaw 154 delegates the SSILTC the powers (from *Islands Trust Act* section 8.2(b)) to:

- *coordinate* and *assist* in the *determination* of regional, improvement district and government of British Columbia policies;
- *coordinate* the *implementation* and *carrying out* of regional, improvement district and government of British Columbia policies.

Under this authority, the LTC coordinated the establishment of the Salt Spring Island Watershed Protection Authority (SSIWPA) in 2012. The [Salt Spring Island Watershed Protection Authority](#) is composed of a steering committee, a technical working group, and a conservation and efficiency working group. It relies on advice from public advisory committees from time to time to address issue specific objectives. The work of SSIWPA is guided by its [Terms of Reference](#), which includes the following mission statement, "To cooperate on the development and implementation of policies and initiatives for improved raw water quality, and coordinated management of quantity of Salt Spring island water sources."

SSIWPA was originally created in response to severe water quality problems in St. Mary Lake. It undertook technical analysis and community engagement, and adopted the [St. Mary Lake Integrated Watershed Management Plan](#) in 2015.

SSIWPA has initiated an “integrated watershed management program,” in recognition Salt Spring Island’s need for sustainable water use. The program aims to quantify the volume of freshwater available for human use and to identify ways to maximize the efficiency, with the overall purpose “to ensure a sustainable supply of fresh water, and to protect against over-demand and degradation of the resource and the natural systems that depend on it” (SSIWPA website: <http://ssiwatersheds.ca/water-supply-conservation/>). This may include recommendations to amend Salt Spring Island’s Official Community Plan and Land Use Bylaw, and perhaps to limit further densification in areas where water quantity sensitivities exist.

SSIWPA brings together the individual authorities of representative agencies that have responsibility for water management, environment, land use planning, public health, and the delivery of potable drinking water, but SSIWPA does not have any formal authority itself. As a participant in SSIWPA, the Salt Spring Island Local Trust Committee can offer its authority to use planning to regulate land use on Salt Spring Island.

Project Objectives

- Coordinate and resource the work of the Salt Spring Island Watershed Protection Authority.
- Formalize the Salt Spring Island Watershed Protection Authority to ensure agency commitment.
- Implement the results of the “integrated watershed management program” on an incremental basis, as appropriate.
- Coordinate the implementation of individual watershed management plans for Salt Spring Island’s surface water supplies.
- Coordinate the protection and sustainable use of Salt Spring Island’s groundwater supplies.

Project Deliverables

- Ongoing coordination of the Salt Spring Island Watershed Protection Authority, managed through a third party contact.
- Annual Salt Spring Island Special Property Tax Requisition requests to Trust Council.
- Creation of coordination agreements/memorandums of understanding with other member agencies of the Salt Spring Island Watershed Protection Authority.
- Identification of land use planning and other tools to protect and manage watershed health, including groundwater and surface water.
- Update Official Community Plan, Land Use Bylaw, and any other relevant policies or regulations to implement the results of the integrated watershed management program.
- Coordinate the implementation of the St. Mary Lake Integrated Watershed Management Plan and the updated Cusheon Lake Watershed Management Plan, including amendments to the Official Community Plan and Land Use Bylaw as appropriate.
- Coordinate implementation of other Salt Spring Island watershed management plans, as appropriate.
- Assist with the development of a Salt Spring Island Water Conservation and Water Demand Management Plan for the North Salt Spring Waterworks District.

Project Scope

In Scope	Out of Current Project Scope
• <i>Coordinate and assist</i> in the determination of the policies of a regional district, improvement district or the government of British Columbia; and to <i>coordinate</i> (not assist) in the implementation, and carrying out of the policies of a regional district, improvement district or the government of British Columbia (Bylaw 154). • Coordinate the Salt Spring Island Watershed Protection Authority (SSIWPA). • Contract manage coordination of SSIWPA and other third party contracts required to carry out the work. • Oversee the Terms of Reference for SSIWPA, the Technical Advisory Committee (TWG), the Conservation and Efficiency Working Group (CEWG). • Facilitate a Special Property Tax Requisition for the Salt Spring Island Local Trust Area to fund coordination on an annual basis. • Facilitate multi-stakeholder watershed management planning process. • Consider land use planning tools to improve groundwater and surface watershed management. • Facilitate cooperation agreements and letters of agreement with other member agencies. • Support the development of a Water Conservation and Demand Management Plan in the North Salt Spring Water District area. • Coordinate collaborative broader policy development to be implemented by SSIWPA and its member agencies.	• Carrying out capital works or the implementation of other agencies' policies • Assisting in the implementation and carrying out of the policies of a regional improvement district or the government of British Columbia • consideration of the SSI LTC's Rural Watershed Program

Stakeholders

Technical Working Group

The Salt Spring Island Watershed Protection Authority created a Technical Advisory Committee in October 2013 to objectively assess research to date, identify gaps in the information, and research solutions. The committee was reformed as a Technical Working Group in September 28, 2015.

Conservation and Efficiency Working Group

In October 2014, the Salt Spring Island Watershed Protection Authority began drafting Terms of Reference for a Water Quantity Committee. The purpose of the Water Quantity Committee is to assess quantity of potable water supply from Salt Spring Island surface and ground watersheds as well as design and evaluate improvements as directed by SSIWPA.

Public Advisory Committees

The Salt Spring Island Watershed Protection Authority establishes Public Advisory Committees (PAC) on an as needed basis. The Salt Spring Island Watershed Protection Authority created a Public Advisory Committee in October 2014 to advise SSIWPA on the St. Mary Lake Integrated Watershed Management Plan. The committee was disbanded upon delivery of the IWMP. Other PACs will be convened at appropriate times.

Salt Spring Island Community

Community participation in reviewing and prioritizing watershed management goals and objectives is central to the success of this project.

First Nations

The Salt Spring Island Watershed Protection Authority has recognized that First Nations are more than stakeholders in this work and that this is a project which may generate interest by First Nations. The SSIWPA has invited membership on the SSIWPA by First Nations.

Project Budget

- Activities related to land use planning are resourced through the Trust Council annual project budget. For certainty, activities that are customarily associated with land use planning processes include community consultation sessions where regulatory and land use planning tools are being considered.
- The SSI LTC has \$5000 remaining in the 2016-17 project budget for watershed management. It has requested \$20 000 for the 2017/18 fiscal year.
- SSIWPA coordination is funded through the annual Salt Spring Island property tax requisition, administered by Islands Trust.
- Please the attached SSIWPA Draft Budget for 2017-18.

Project Team Resources

Name	Role	Responsibility
<i>Stefan Cermak, RPM</i>	<i>Project Supervisor</i>	<i>Ensures project aligns with strategic goals, provide adequate project resources.</i>
<i>SSI Local Trust Committee</i>	<i>Project Sponsor</i>	<i>Provides support through maintaining the project as a work program priority.</i>
<i>Island Planner</i>	<i>Project Manager</i>	<i>All project management of the project, lead/ direct all project work.</i>
<i>Consultant</i>	<i>Coordinator</i>	<i>Overall coordination of SSIWPA, including supporting budget planning, work plan, community consultation, facilitation, meeting arrangements and other requirements such as agendas, minutes and webposting etc.</i>
<i>Mark Van Bakel</i>	<i>GIS Support</i>	<i>In house, Islands Trust and CRD- as needed</i>
<i>Contractor</i>	<i>Minute Taking</i>	<i>Secretarial Service to SWIPPA including agenda circulation and minute taking.</i>
<i>Planning Team Assistant</i>	<i>Admin support</i>	<i>Minimal in house supplemental support</i>
<i>SSIWPA</i>	<i>Steering Committee</i>	<i>Provide in-kind resources and funding towards achieving project objectives.</i>

Endorsements:

Role	Name	Endorsement Date
Project Supervisor	Regional Planning Manager	November 21, 2016
Project Manager	Island Planner	November 19, 2016
Project Sponsor	SSI Local Trust Committee	

MEMORANDUM

To: George Grams, Chair, SSIWPA
Date: October 23, 2016
Subject: Comments on Terms of Reference for Opus Dayton Knight
Project: SSIWPA TWG
Submitted by: SSIWPA Technical Working Group

The following comments are provided by the Technical Working Group (TWG) of SSIWPA at the request of the Steering Committee. The comments are based on Terms of Reference for a second phase to the study *Water Conservation and Demand Management Plan for Salt Spring Island*. In addition, the final draft of the Opus report, dated March 24, 2016, was re-reviewed.

Recommendations:

1. That the terms of reference be expanded and made explicit, and that a scope of work and methods be prepared and reviewed before issuing the contract. Outside expertise should be obtained as needed.
2. That the study report focus specifically on (i) the characteristics of water consumption and demand within the District, and (ii) actions/incentives to reduce consumption.
3. That the report places emphasis on water conservation (essentially chapters 4 and 5 with edits) and Trust/NSSWD actions to achieve/support it. Determine the penetration of conservation technologies on Salt Spring.
4. That the study eliminates a comparison of consumption and demand with renewable supply because reliable estimates of supply do not yet exist.

Recommendations 2 and 3 require consideration of the scope of work involved: at one end, simply cleaning up the analyses done to date; or at the other expanding the analyses to provide a statistical description of consumption and related demand matched to zoning (see further below re Sec. 3.3).

Review Comments - Overview

The stated purpose of the study is to “*develop strategic water conservation measures and tools to support existing water supply infrastructure and network demands and plan for future growth and development*”. Only bullet 3 under Objectives references evaluation of supply and demand. This objective requires that supply is known, annually and during the dry season, which is currently not the case. Consequently, it is our opinion that this objective cannot be met at this time.

Terminology: confusing use of demand, consumption and supply: suggest *consumption* be used exclusively for water delivered through a connection (metered consumption), *demand* be used for the amount of water that must be supplied to meet consumption (equivalent to water produced from the lakes) and *supply* be used solely for the renewable amount of water from each lake (if supply is to be included).

Use one consistent set of units throughout (metric).

The report requires a thorough edit by a senior engineer in the contractor’s organization. The draft report is poorly written and contains a great deal of irrelevant information.

Review Comments by Section:

Sec. 2.1-2.3	deal with groundwater resources in a superficial way and note that a quantitative assessment is not possible given the paucity of data. It is unclear why this topic is being considered in the report since NSSWD draws water only from surface resources, not groundwater. The weakness of the conclusions undermines the effectiveness of the report. [This aspect is being dealt with by SSIWPA, and BCMOE/FLNRO in separate investigations currently underway.]
Sec. 2.3	unsatisfactory – major editing required
Sec 3.1-3.2	retain
Sec 3.3	deficient and important – this section should determine the actual consumption statistics for the billing categories used by NSSWD; a far more thorough analysis is recommended, one that separates those institutional and commercial users that are unique, or nearly so, from residential connections for which there is much more data. Consideration of seasonal variations is of critical importance. The outcome is important because it allows (i) proper comparison (mean and variance) with standards, and (ii) provides a sound basis for extrapolating future growth of water consumption. It would also allow incorporating the benefits of conservation measures in a quantitative model.
Sec 3.4	deficient – cannot reconcile Table 3-10 (consumption?) with 3-7 (demand). Confusing wording between supply, demand and consumption.
Sec 3.5	remove
Sec 3.6-3.7	recast in terms of consumption for all zoned properties within District, and ICI users, with estimates of variance. Relate results to number of properties/users currently served by NSSWD and number yet to be served. Scale up to give estimates of demand with seasonal variation.
Sec 3-8	remove
Chapter 4	this should be the key objective of the study
Sec 4.1	recast in terms of results from consumption/demand analysis
Sec 4.3	retain with editing (review comments from NSSWD)
Chapter 5	retain with editing – meets key objective

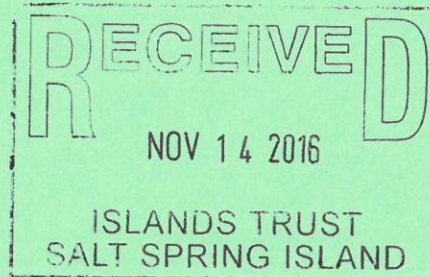


Salt Spring Island Farmers' Institute

• Established 1895

Box 661, Salt Spring Island, BC V8K 2W3 • (250) 537-4755

E-mail: ssifi@shaw.ca • Website: www.ssifi.org



7 November, 2016

Peter Luckham
Chair Local Trust Committee
Islands Trust,
Salt Spring Island, BC

Re: Decisions of Salt Spring Island Trustees impacting island agricultural priorities and organization relationships.

The Board of Directors of the Salt Spring Island Farmers' Institute strongly objects to the actions and decisions Local Trustees, G. Grams and P. Groves, have taken over the last year on matters concerning their continued support for non-farm use of farmland in the Agriculture Land Reserve (ALR), the lack of any constructive dialogue with the island agricultural organizations on local food security priorities, or any of the strategic priorities expressed in the Salt Spring Island *Area Farm Plan* and the sudden and inexplicable decline of the relationship between the Islands Trust with the Farmers' Institute.

Established in 1895, the Farmers' Institute was founded by island pioneers. This not-for-profit Society is managed by a Board of Directors elected by the membership at annual general meetings, who along with many members, all community volunteers, represent the Institute on several agricultural and community organizations, such as the Salt Spring Agricultural Alliance and the Salt Spring Island Farmland Trust, with the goal to promote farming and protect farmland. Over the years, the Institute has donated countless structures and properties that have shaped the character and history of this island. The backbone of the Farmers' Institute is the commitment and dedication of hundreds of volunteers that maintain our facilities for use by a range of community organizations and make the Salt Spring Island Fall Fair the seminal event of this community.

Since the creation of the Islands Trust, the Farmers' Institute has developed and established a strong working relationship with the Trust and its Trustees because our objectives are fundamentally compatible. Together we have succeeded in a range of significant community agricultural initiatives, including the transfer of farmland in the Burgoyne Valley, the completion of the *Area Farm Plan* and the agricultural community's input into the last Official Community Plan (OCP) Review. As part of this positive working relationship, the Islands Trust has appointed Farmers' Institute board members to the

members to the Agricultural Advisory Committee (now the Agricultural Advisory Planning Commission) to provide sound and informed advice to the Trustees on land use applications impacting on non-farm use or removal of ALR. These appointments have been systematically reduced to zero.

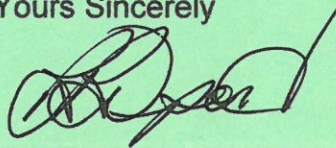
In our view the reason that the appointments have been eliminated is that our publicly stated goal 'to promote and protect farmland in the ALR' is in direct conflict with the current Salt Spring Island Trustees actions which have been to aggressively pursue an agenda to increase non-farm use in the ALR for non-essential community services. Evidence of this is as follows.

- In September of 2013, the Trustees went so far as to eliminate the Agricultural Advisory Committee which the Ministry of Agriculture actively encouraged local governments to form. Later, after the Ministry of Agriculture encouraged the Local Trust Committee to reconsider their decision after which the Trustees re-appointed the committee.
- In December of 2015, prior to the first Agricultural Advisory Planning Commission (AAPC) meeting on the Brinkworthy non-farm use proposal in the ALR, a proposal unanimously rejected by the AAPC members at two meetings called by the Island Trust (and subsequently supported by the Local Trustees). Farmers' Institute members on the AAPC were directed by an e-mail from the Island Trust to "reacquaint themselves ...with the conflict of interest and bias..." document. Aside from the fact that some members who have been serving for more than a decade on the advisory committee had never heard or seen anything like this before, the goal "to promote farming and protect farmland" on the Agricultural Advisory Planning Commission can hardly be considered a conflict of interest!
- In July of this year, the Farmers' Institute and the Salt Spring Island Agricultural Alliance were alarmed that the local trustees discussed at an Islands Trust meeting, without any prior discussion or consultation with the agricultural community, the parameters of a delegation agreement to exercise some or all the Agriculture Land Commission's (ALC) power to decide applications for non-farm use with respect to Salt Spring land in the ALR. These actions continue to confirm initiatives by the Trustees to reduce and reshape the ALR on Salt Spring.

The Farmers' Institute has a fiduciary responsibility to our members and the agricultural community at large to protect farmland and promote farming. However, while we fully support the 'no net loss' of ALR on Salt Spring as outlined in the Area Farm Plan, we also fully understand and endorse the Agriculture Land Commission Act which permits non-farm use for essential community services and where the non-farm use proposal results in appropriate compensation and a benefit to the agricultural community. As per a recent non-farm use proposal before the Trust, we opposed the Brinkworthy baseball proposal for all the reasons already expressed in previous correspondence, but we endorse the expansion of veterinary infrastructure on ALR land because it is a direct benefit to the agricultural community specifically and an essential service to the community in general.

Finally, at this point we would like to be very clear that it is not our desire to continue with this adversarial relationship with the Local Trustees and abandon the cooperative relationship we have cultivated over the years with the Islands Trust. This working relationship has clearly resulted in actions and decisions benefiting both the agricultural and non-agricultural community of Salt Spring. The Farmers' Institute would like to engage the Islands Trust in a positive discussion on the initiatives of the Area Farm Plan and the future collaborative relationship with the Trust.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Rick Vipond', with a long horizontal stroke extending to the right.

Rick Vipond
President

CC Honourable Norm Letnick, Minister of Agriculture
F. Leonard, Chair ALC
P. Grove, Local Trust Committee
G. Grams, Local Trust Committee

Correspondence to R. Vipond

From: Peter Luckham
Sent: Tuesday, November 22, 2016 6:39 PM
To: [REDACTED]; Salt Spring Island Local Trust Committee
Subject: Letter from Farmers Institute

Rick thank you for your letter of November the 7th which I received by email on the 14th of November. I have read the letter and am concerned about your observations. I have not had an opportunity to prepare myself for a suitable response and I anticipated discussing the letter and a response at the coming LTC meeting. As Trustee Groves has suggested meeting face to face would be the best way to better understand your concerns. I would suggest that the LTC needs to have a conversation about your concerns of which an outcome may be to have a formal meeting with your board and the LTC which I would attend. The next LTC meeting is December the 1st and I will follow-up with you after that meeting. I hope this meets with your approval and thank you for your patience while we prepare to meet with you.

Peter Luckham
Islands Trust Trustee, Thetis Island
Chair Islands Trust Council
Phone: 250-210-2553
Email: pluckham@islandstrust.bc.ca
www.islandstrust.bc.ca

From: Peter Grove
Sent: Wednesday, November 16, 2016 8:43 AM
To: Marguerite Lee
Cc: George Grams; Stefan Cermak
Subject: Fwd: Letter from SSI Farmers' institute attached.

To Rick Vipond

Dear Rick

Thank you for your letter to the LTC. I am sorry you believe that the Farming Community is not being supported as it should be. I am an avid supporter of farming and want to do all I can to help develop such an essential part of our community.

I would welcome the opportunity to talk with you and/or your Board. Unfortunately George and I are not allowed to meet with you together, or I am sure we would. I am copying him to let him now I am reaching out.

Sincerely

Peter

Peter Grove
Salt Spring Island Trustee
Islands Trust
Phone: 250-537-1117
Cell: 604-341-6710

File No.: SS-DVP-2016.4

DATE OF MEETING: December 1, 2016

TO: Salt Spring Island Local Trust Committee

FROM: Seth Wright, Planner II
Salt Spring Island Office

SUBJECT: Development Variance Permit to reduce setback from interior side lot line

Applicant: C.J. Wake

Location: 120 Drake Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2016.4.

REPORT SUMMARY

The application proposes to vary the side lot line setback from 3 metres required by the Salt Spring island Land Use Bylaw to 2.3 metres. Two Official Community Plan objectives indicate support of the proposal. A piece of correspondence was received from a neighbour indicating support for the application. Staff recommend that the Local Trust Committee consider approving issuance of the proposed permit.



Figure 1: Context Map of Subject Property

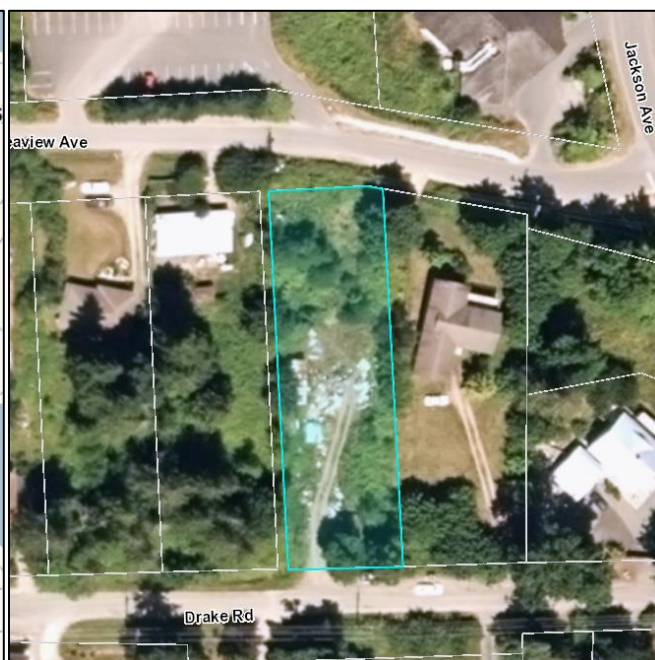


Figure 2: 2013 Orthophoto of Subject Property

BACKGROUND

The purpose of this application is to vary the setback to the interior side lot line on the subject property to permit the siting of a dwelling and porch 2.3 metres from the lot line, rather than 3 metres, as required by the bylaw. The applicant indicated that the foundation was poured out of alignment with the property line and that the cost of realigning the foundation is prohibitive.

A riparian-designated ditch runs along the opposite interior side lot line. A Development Permit to permit development of the subject property and to protect and enhance the riparian area was considered by the Salt Spring Island Local Trust Committee at their October 22, 2015 meeting and subsequently issued on November 10, 2015 (DPA 7 – Riparian Areas; SS-DP-2015.8).

The proposed Development Variance Permit is attached as Appendix 1. Site Context and Policy Analysis are included as Appendix 2 and 3 respectively.

ANALYSIS

Policy/Regulatory:

The Salt Spring Island Official Community Plan Bylaw No. 434 (OCP) includes the subject property within the Residential Neighbourhoods (RN) designation. The objective of the RN designation is “To continue to provide for a range of medium density residential uses consistent with the community's rural character.”

The OCP provides no policies directly pertinent to setbacks from lot lines, but provides two Residential Land Use Objectives pertaining to Settlement Patterns. Objective B.2.3.1.1 encourages development to be located away from environmentally sensitive areas and other areas of significance. In light of the riparian area on the opposite side of the subject property, staff consider the proposal supports this objective by providing a greater buffer. Objective B.2.3.1.5 advocates creating “...future settlement patterns that minimize energy and resource use.” Staff consider the proposal consistent with this objective as the foundation has already been poured and realigning the foundation in proper alignment with the setbacks would constitute a significant energy and resource expenditure.

Issues and Opportunities:

Setbacks are typically intended to provide a buffer to reduce potential conflicts between adjacent land owners and adjacent land uses. The proposed reduction is fairly modest and is not expected to pose a significant impact.

Consultation:

In accordance with the Local Government Act and Salt Spring Island Development Procedures Bylaw No. 304, statutory notice of the variance was mailed to all tenants and owners of properties within 100 metres of the subject property's boundaries on November 8, 2016.

A piece of correspondence, from a neighbour, was submitted with the application indicating support of the requested variance. As of the date of this Staff Report, no further correspondence has been received.

Rationale for Recommendation:

Granting a variance does not set a precedent and the Local Trust Committee is unfettered in its ability to grant or deny variances. However, the approval of variances regarding setbacks may create expectations in the community with regard to future applications.

1. *The applicant's stated rationale for the application – The applicant is requesting a variance for the following reasons:* The concrete was poured in the incorrect alignment.

2. *The impact that granting the variance might have on adjacent and other properties:* The variance would allow the house to be 2.3 metres from the side lot line rather than 3.0 metres.
3. *The overall intent of the regulations being varied:* Setbacks are typically intended to provide a buffer to reduce potential conflicts between adjacent land owners - especially those resulting from different land uses. Setbacks also often provide space for a visual and vegetative buffer between neighbours.

Staff find that this variance application seeks to relax the setbacks to a modest degree on a small lot, and recommend that the LTC consider issuance of the proposed permit.

ALTERNATIVES

1. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial.

Resolution:

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2016.4.

Submitted By:	Seth Wright Planner II	November 22, 2016
Concurrence:	Stefan Cermak Regional Planning Manager	November 22, 2016

ATTACHMENTS

1. Proposed Permit
2. Site Context
3. Policy Checklist
4. Correspondence



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2016.4

TO: C.J. Wake

1. This Permit applies to the land described below:
 PID: 005-829-542
 Lot 23, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 6344
2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:
 - 2.1 Section 4.3 – Setbacks from Lot Lines and Access Easements –
 Article 4.3.1(3) "Setback from *interior side lot line*" is varied from
 3.0 metres to 2.3 metres.
3. The land described herein shall be developed in substantial accordance with the terms, conditions and provisions of this Permit and in accordance with Schedules 1, 2, and 3 attached to and forming part of this Permit, as signed and dated by the Deputy Secretary of Islands Trust.
4. This is not a Building Permit, nor does it remove any obligation on the Permittee to obtain other approvals necessary for the lawful completion of the development.
5. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

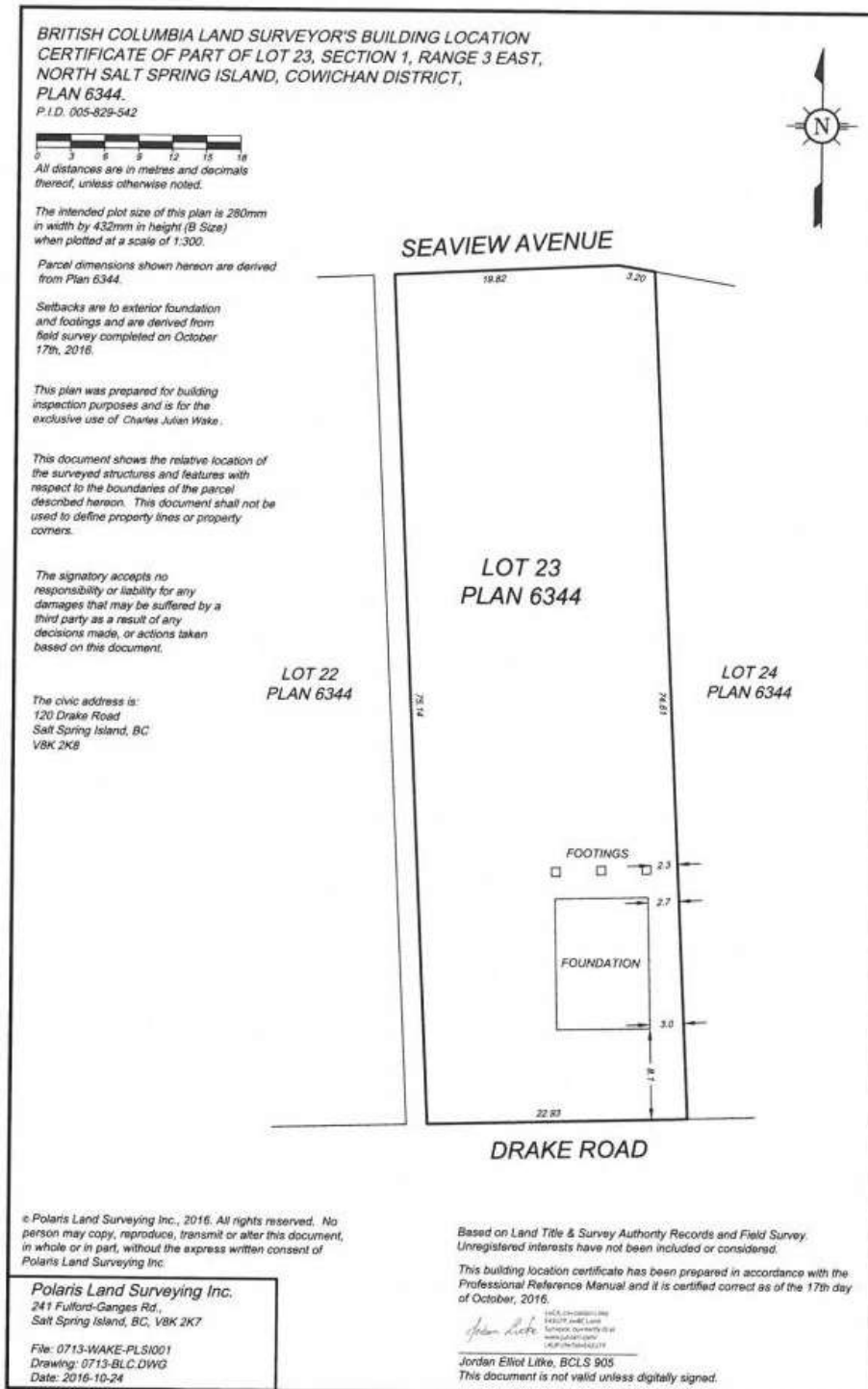
**AUTHORIZING RESOLUTION PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE
THIS ___ DAY OF ___, 20__.**

Deputy Secretary, Islands Trust

Date of Issuance

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

SCHEDULE 1

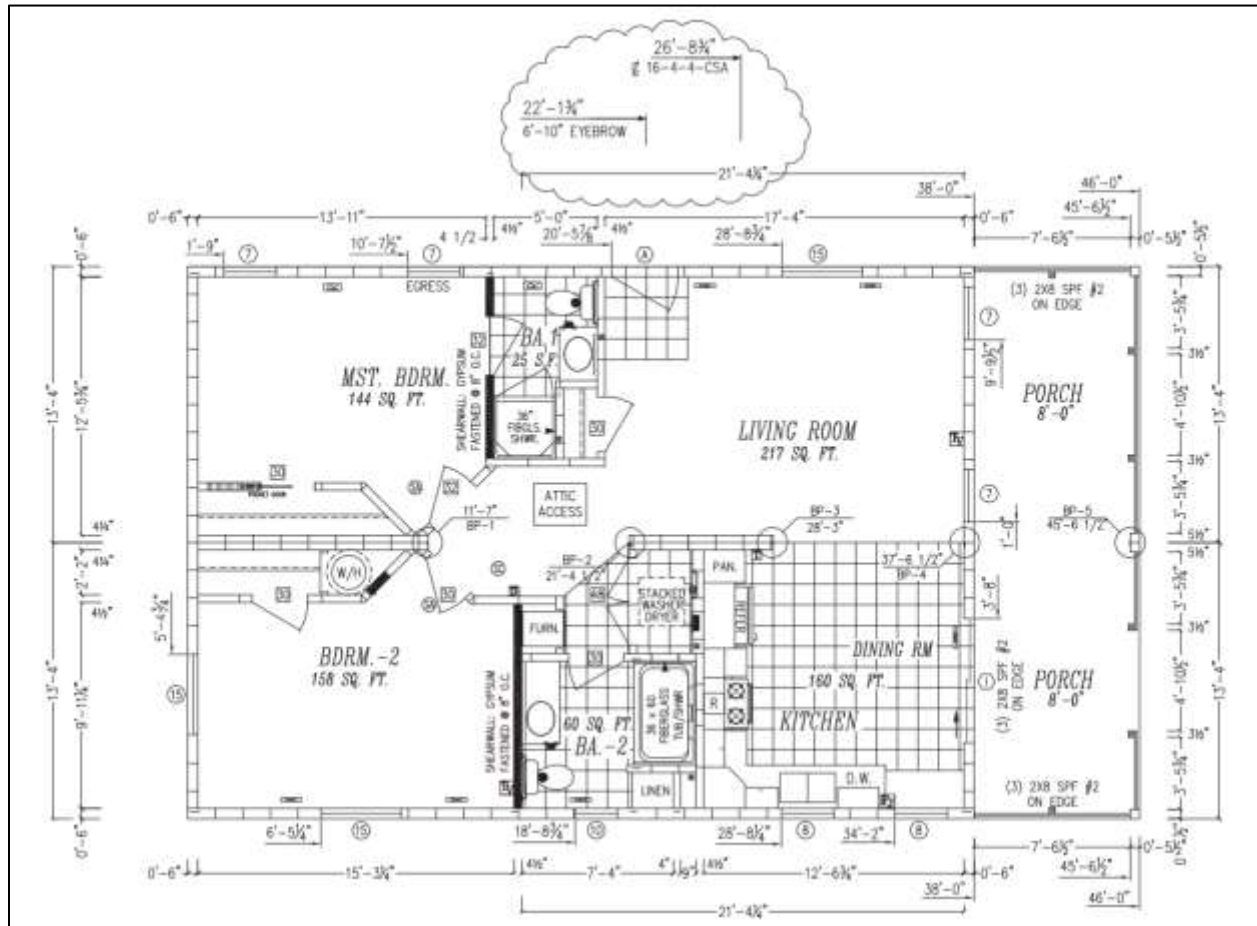




PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT SS-DVP-2016.4

SCHEDULE 2

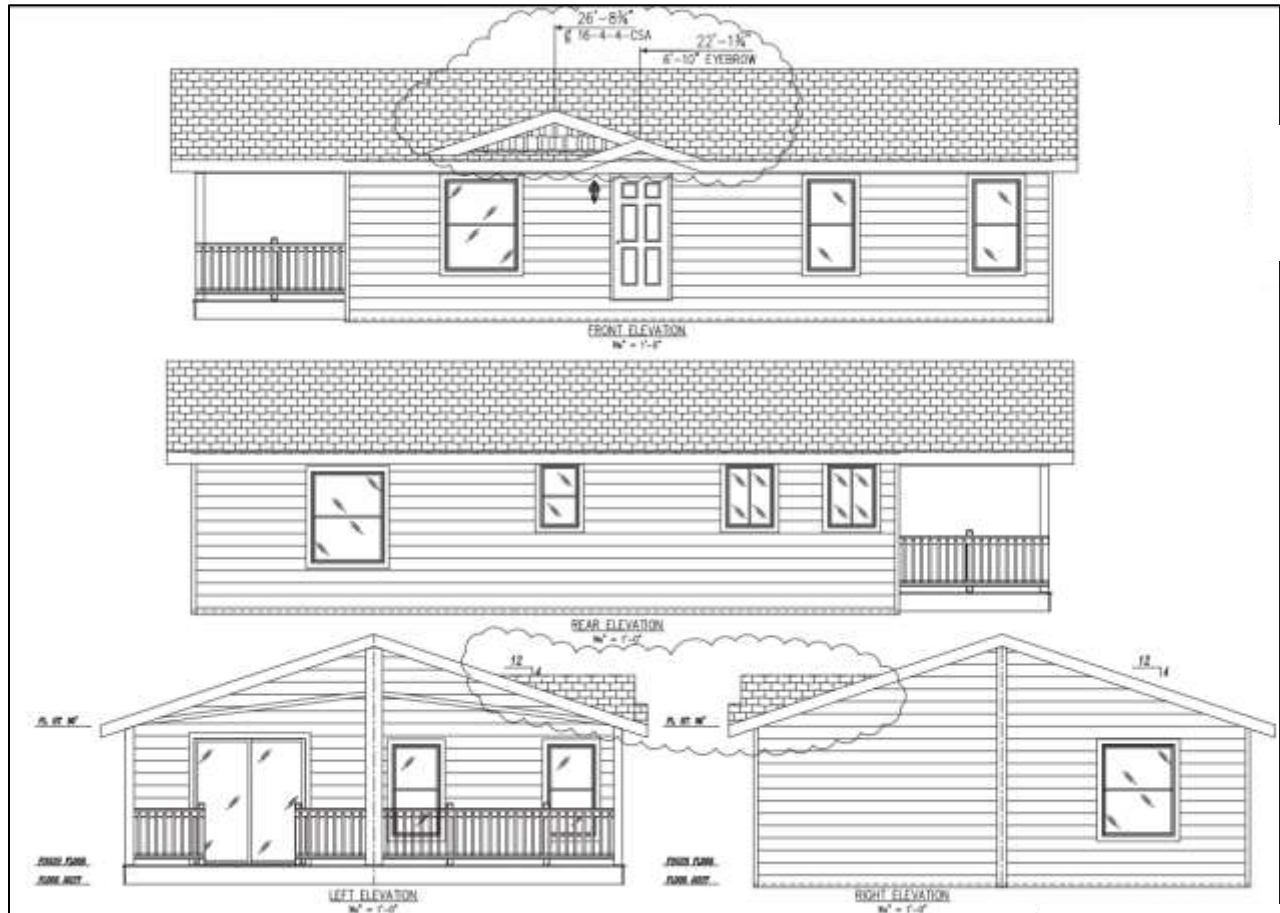




PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT SS-DVP-2016.4

SCHEDULE 3



SITE CONTEXT

File No.: SS-DVP-2016.4

LOCATION

Legal Description	Lot 23, Section 1, Range 3 East, North Salt Spring Island, Cowichan District, Plan 6344
PID	005-829-542
Civic Address	120 Drake Road

LAND USE

Current Land Use	Vacant lot currently occupied by travel trailer; a foundation for the has recently been poured.
Surrounding Land Use	The subject property and adjacent properties to the east and west have double frontage on Seaview Avenue and Drake Road. Immediately adjacent properties are residential. ArtSpring – Island Arts is located opposite Seaview Avenue and residential properties and Our Lady of Grace Parish are situated opposite Drake Road.

HISTORICAL ACTIVITY

File No.	Purpose
SS-DP-2015.8	Development Permit for Riparian Areas along west-facing side lot line; Permit issued Nov. 13, 2015

POLICY/REGULATORY

Official Community Plan Designations	The subject property is designated Residential Neighbourhoods, and the following OCP Policy characterized the intent of this designation: <i>Zones within the Residential Neighbourhoods Designation will continue to accommodate the medium density residential uses and the other compatible land uses allowed in the existing bylaw. Existing commercial, industrial and multi-family zones will also remain, but zoning changes should not be made to locate more of these zones on additional lands in this Designation, with the exception of multiple-family affordable housing projects.</i>
Land Use Bylaw	The subject property is zoned Residential 6 (R6).
Covenants	No covenants are listed on title.
Bylaw Enforcement	The subject property has no bylaw enforcement files.

SITE INFLUENCES

Species at Risk	No species at risk are indicated in Islands Trust mapping.
Sensitive Ecosystems	The subject property is not indicated as a sensitive ecosystem on Islands Trust mapping, however the riparian value adjacent to the ditch is considered of significant environmental value.
Hazard Areas	Islands trust mapping indicates no geotechnical hazards on the subject property.

Archaeological Sites	No archaeological sites or potential are indicated on the subject property.
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POLICY CHECKLIST

File No.: SS-DVP-2016.4

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 434

OCP Objective/Policy	Complies	Planner Comments
B.2.3.1.1 To encourage future development to locate away from environmentally sensitive areas, agricultural and forestry lands, community water supply watersheds, lands with the potential for surface erosion or slope instability, public lands, tidal waterfront, areas with outstanding natural beauty and views, or archaeological and historic sites. To ensure buffers are retained on settlement lands where they adjoin agricultural lands.	yes	The reduced setback creates a moderately enhanced buffer from the riparian area on the opposite side of the lot.
B.2.3.1.5 To create future settlement patterns that minimize energy and resource use.	yes	The variance allows the foundation to be used despite being sited within the setback.

To: Salt Spring Island Trust Committee

October 27, 2016

Due to a small error in survey, the placement of the foundation for the new residence on Lot 23, Plan 6344, located at 120 Drake Road, Ganges, encroaches the required 3.0m setback area at the northeast corner of the structure reducing it to 2.3m.

As owners of [REDACTED] we cannot foresee any consequences from this minor infringement. We support the owner, Julian Wake, in his application for a variance in this regard.

[REDACTED]
Donna Salmon

[REDACTED]
Raymond Salmon

[REDACTED]
Stephen Salmon





DATE OF MEETING: December 1, 2016

TO: Salt Spring Island Local Trust Committee

FROM: Seth Wright, Planner II
Salt Spring Island Office

SUBJECT: Development Permit for Additional Mini-Storage Building in DP Area 2

Applicant: R.S. & B.I. Aust

Location: 1429 Fulford-Ganges Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request the applicant provide a revised proposal in accordance with relevant Development Permit Area guidelines and provide the following:
 - a. A revised site plan that reduces the inconsistency of the character with the surrounding neighbourhood.
 - b. A revised building design with a scale, size, massing, shape, roof line and exterior finish varied and articulated to reduce apparent mass.
 - c. A Landscape Plan completed by a landscape professional providing an effective vegetation screen along the Fulford Ganges right of way, demonstrating conformance with applicable DPA guidelines, and providing species and cost estimates for all supplies and installation services.
 - d. A revised lighting plan that minimizes light to the area required and maintains a low level of light in the island's night time atmosphere.
 - e. Confirmation from a Professional Engineer that all stormwater recommendations to date have been reasonably installed and that the proposed development will not result in flooding or adverse impacts on watercourses or agricultural lands.

REPORT SUMMARY

The purpose of this application is to permit the removal of a Quonset hut and replacement with a mini-storage facility on this industrial zoned property. Development Permit Area 2 – Non-Village Commercial and Industrial – is established “to ensure that the commercial and industrial businesses allowed in rural and residential neighbourhoods can develop with the least impact on neighbouring properties.” The Local Government Act authorizes local governments to issue development permits only in accordance with applicable DPA guidelines. Staff find the proposal inconsistent with the guidelines and recommend that the LTC request a number of revisions in order to consider issuance of the requested permit.

BACKGROUND

A building permit was referred to Islands Trust proposing an additional mini-storage building on the Industrial 2 (In2) zoned lot. As the proposed additional building is inconsistent with the previous Development Permit issued, an amendment to the Development Permit is required prior to approval of the Building Permit. The Local

Government Act requires issuance of development permits only in accordance with DP Area guidelines. Staff consider the proposal inconsistent with several guidelines and recommend revisions to the proposal to allow consideration of issuance.

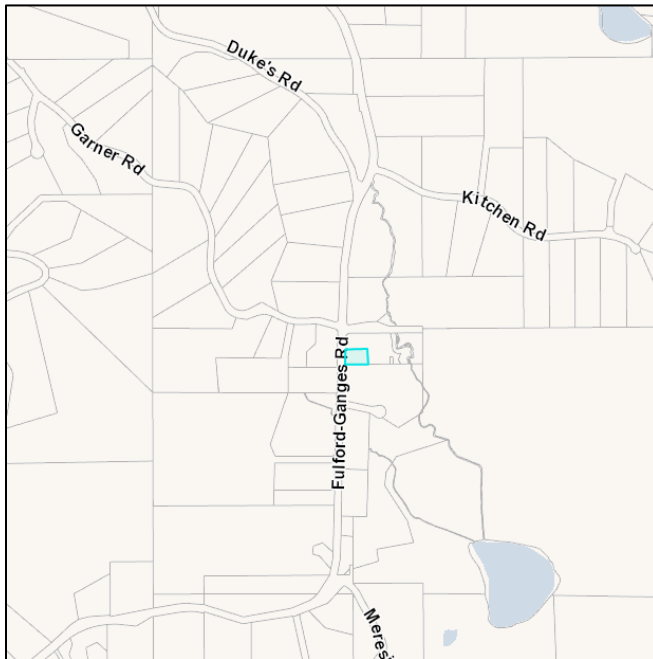


Figure 1: Context Map of Subject Property



Figure 2: 2013 Orthophoto of Subject Property

The subject property was created as part of a 3-lot bareland strata subdivision in 2008 (SS-SUB-2004.3). Rezoning applications seeking to allow additional uses and increase subdivision potential were made in 2004 and 2012, but both were withdrawn shortly after being made. A development permit was issued in 2008 authorizing the 3 lot subdivision and construction of Building 1 (Figure 2), and requiring installation of landscaping and a fence (SS-DP-2008.1). Following bylaw enforcement action in 2008, a Temporary Use Permit was applied for and received in 2012 permitting indoor retail sales of pet and livestock supplies in Building 1. The property has also been subject to a number of bylaw enforcement files pertaining to a range of issues including non-conforming use, structures in the Fulford-Ganges Road right of way, non-conforming signage, and failure to comply with terms of development permit. The site context – containing a summary of historical file activity and applicable policies and regulations – is attached as Appendix 2.

ANALYSIS

Policy/Regulatory:

DPA Guidelines

Section 490 of the Local Government Act authorizes local governments to issue development permits “...only in accordance with the applicable guidelines specified...in an official community plan...” The Salt Spring Island Official Community Plan Bylaw No. 434 provides seven general categories of guidelines to evaluate proposed developments within DP Area 2: Off-street Parking, Location and Design; Building Form; Building Exteriors; Lighting; Signs; and Stormwater Drainage and Water Pollution.

The proposal is generally inconsistent with General Site Design Guidelines. In particular, the site access (driveway) measures 12 metres wide, which is considerably out of character with the surrounding neighbourhood, where 4 to 5 metre driveways are typical. The visual impact of the site is mitigated by a modest cedar fence and Ceanothus shrubs, whereas the guidelines require an effective vegetation screen.

Guidelines for off-street parking, location and design are consistent with the proposal. Guidelines for building form also conform to the proposal – except for guideline E.2.6.5 which requires that “Large new structures should avoid long, homogenous facades. They should have a scale, size, massing, shape, roof line and exterior finish varied and articulated to reduce apparent mass.” The proposed building is comprised of a long, homogenous façade with no variation.

The proposal is largely inconsistent with landscaping guidelines, as the landscaping proposed has been sited within the Fulford-Ganges Road right of way. Staff at the Ministry of Transportation and Infrastructure have indicated that this landscaping is subject to removal. Guidelines for lighting require that “Lighting should be kept to the minimum necessary for safety and visibility,” however a large number of flood lights are proposed.

Finally, the proposal is inconsistent with stormwater drainage guidelines as stormwater management reports submitted do not consider the totality of site development, detrimental impacts on agricultural lands or watercourses, and do not provide confirmation of conformance with previous storm water management recommendations.

Land Use Bylaw

The Salt Spring Island Land Use Bylaw No. 355 zones the property Industrial 2 (In2). The In2 zone permits

- Storage, with the exception of outdoor storage of derelict vehicles and equipment, commercially licensed trucks, bulk fuel products, or waste materials
- Indoor service and repairs to vehicles, equipment, machinery and boats
- Collection of recyclable materials, excluding outdoor sorting and storage
- Collection of recyclable materials, including outdoor sorting and storage
- Public service uses
- Automobile and equipment parking

The zone also permits the following accessory uses:

- Retail sales accessory to a permitted principal use
- One dwelling unit accessory to industrial use

The subject property currently advertises the presence of commercial uses not permitted by the industrial zoning.

Consultation:

Development Permits have no statutory notification requirement; accordingly, no notification has occurred. At the time of publishing this Staff Report, staff have not received any correspondence from the public.

Rationale for Recommendation:

In accordance with the Local Government Act, Development Permits can only be issued in accordance with applicable guidelines. Staff consider the application to be inconsistent with many of the guidelines and recommend that the proposal be amended and additional information be provided.

ALTERNATIVES

1. Deny the application

The LTC may deny the application.

Resolution:

That the Salt Spring Island Local Trust Committee deny Development Permit application SS-DP-2016.2.

2. Approve Issuance of the Permit

The LTC may deem that the guidelines have been met and approve issuance of the permit.

Resolution:

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit application SS-DP-2016.2.

Submitted By:	Seth Wright, Planner II	November 23, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 23, 2016

ATTACHMENTS

1. Proposed Permit
2. Site Context
3. Policy Checklist



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2016.2

To: R.S. & B.I. Aust

1. This Development Permit (the "Permit") applies to lands described below and all buildings, structures and other developments therein:

PID 027-925-820

Strata Lot B, Section 78, South Salt Spring Island, Cowichan District, Strata Plan VIS6760 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V.

2. This Permit is authorized as follows:

- 2.1 Development of commercial space in accordance with Schedule 1 – Site Plan, Schedule 2 – Building Elevations, Schedule 3 – Landscaping Plan, and Schedule 4 – Lighting Plan.

- 2.2 Installation of Stormwater Management features in accordance with Schedule 5 and Schedule 6 – Stormwater Drainage, prior to issuance of building permit for the building identified as "new building" in Schedule 1.

All in accordance with Schedules 1, 2, 3, 4, 5 and 6 attached to and forming part of this permit, as signed and dated by the Deputy Secretary of the Islands Trust.

3. Any alterations requiring a development permit and not specifically authorized in this Permit may require a new Development Permit or a Development Permit Amendment.
4. This is NOT a Building Permit, nor does it remove any obligation on the Permittee to obtain all other necessary approvals including, but not limited to the Vancouver Island Health Authority and Ministry of Environment, for the lawful completion of the proposed development.
5. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules and specifications attached to this Permit, which shall form a part thereof.

AUTHORIZING RESOLUTION FOR THE ISSUANCE OF THIS DEVELOPMENT PERMIT PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS _____ DAY OF _____.

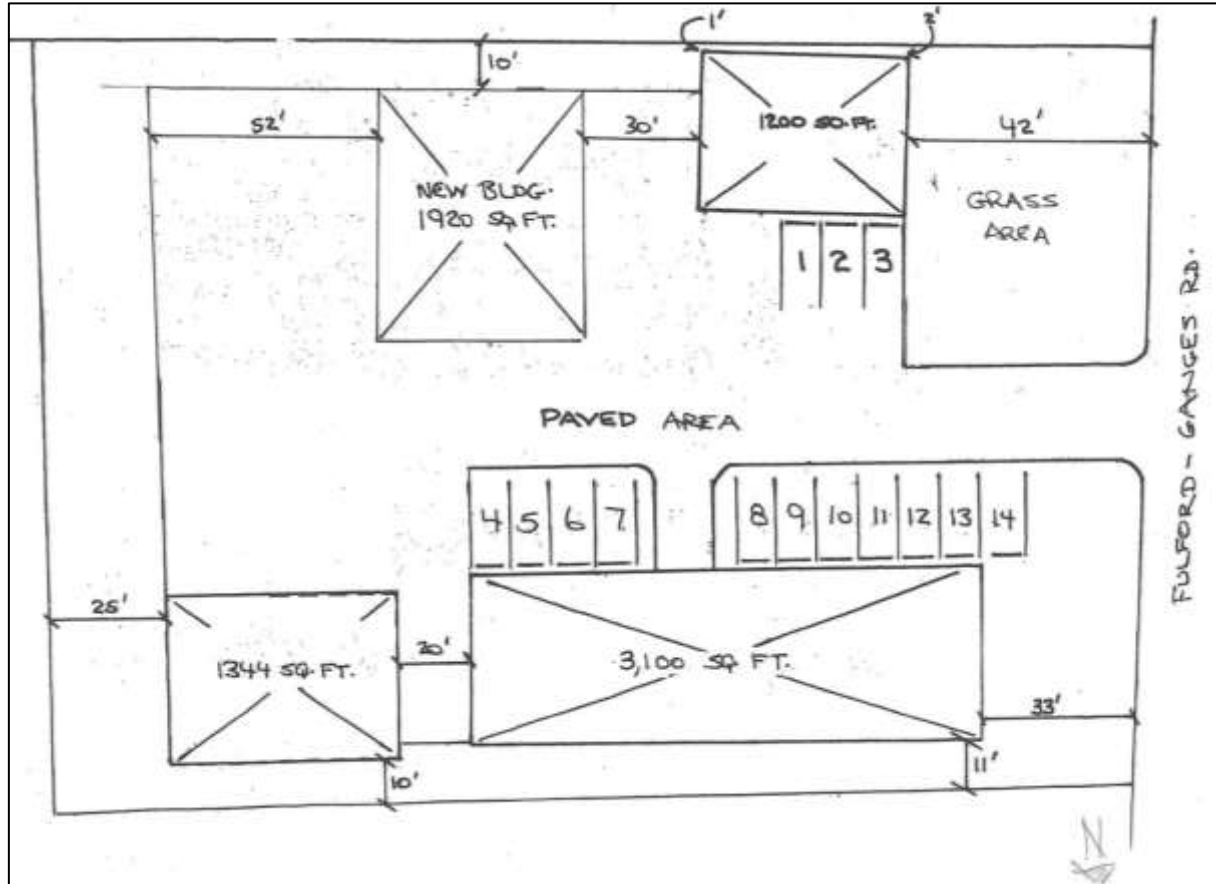
DEPUTY SECRETARY, ISLANDS TRUST

DATE OF ISSUANCE

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

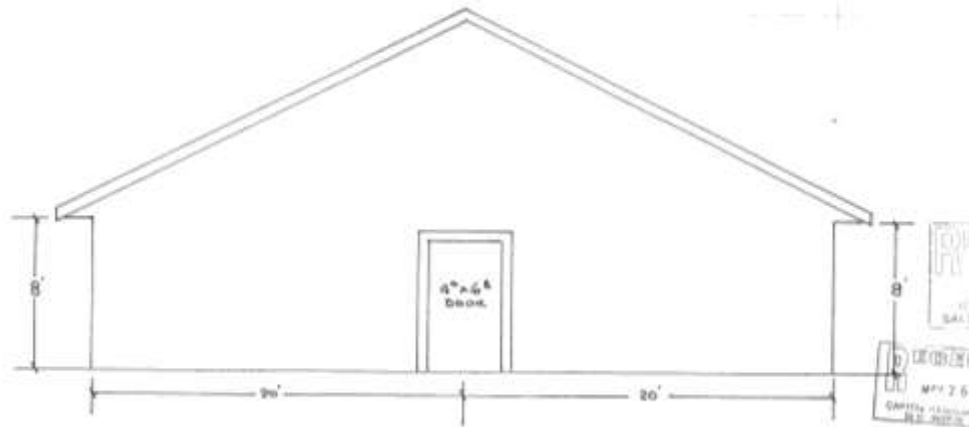
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2

Schedule 1 - Site Plan

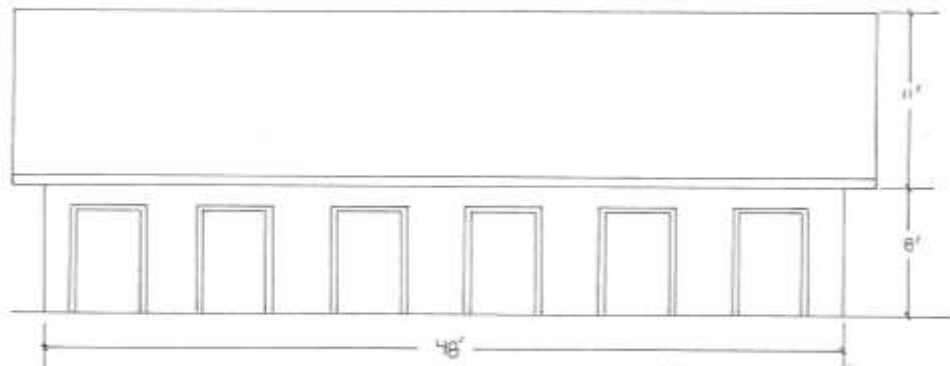


SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2

Schedule 2 – Building Elevations



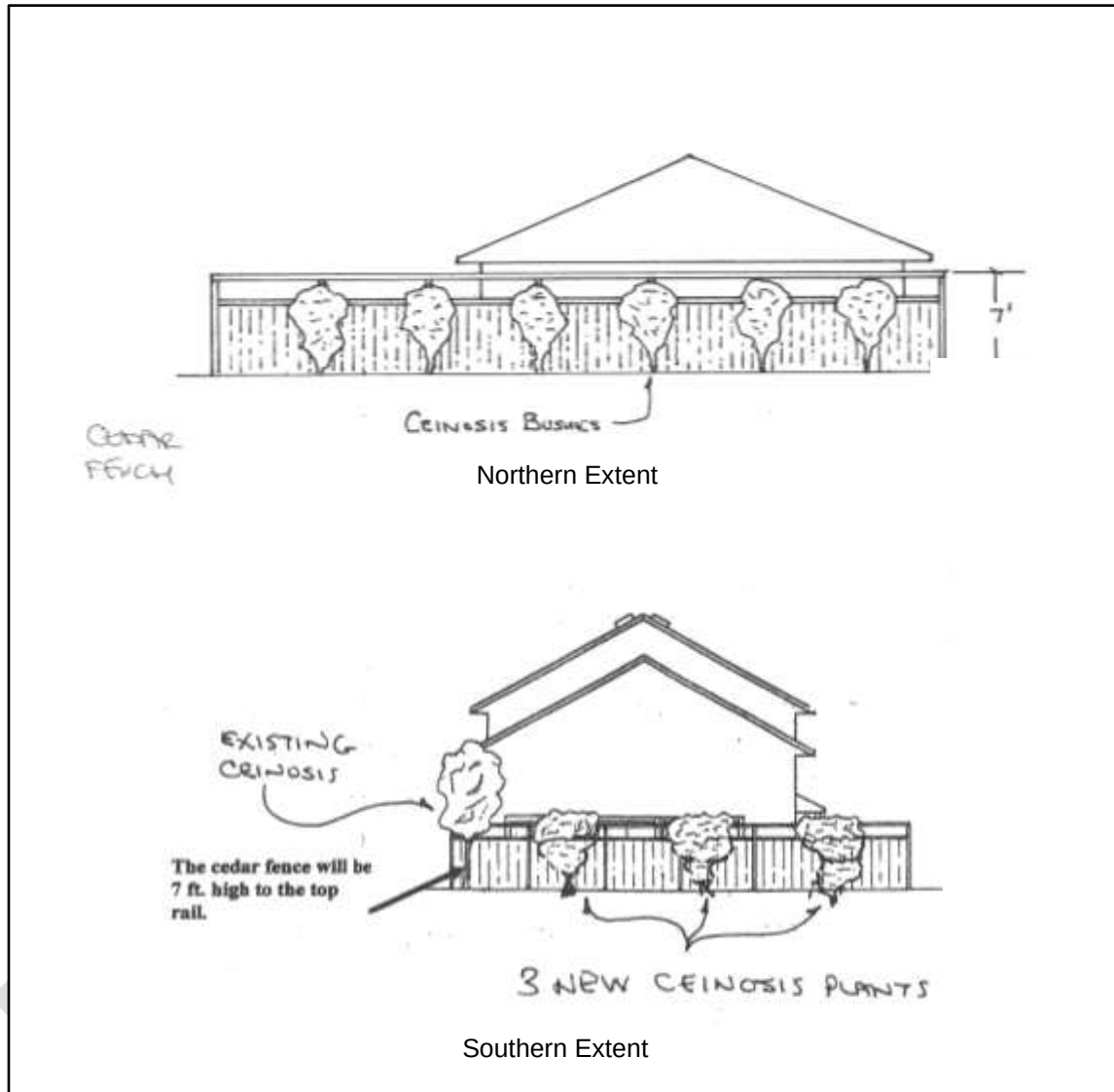
South Elevation



East and West Elevation

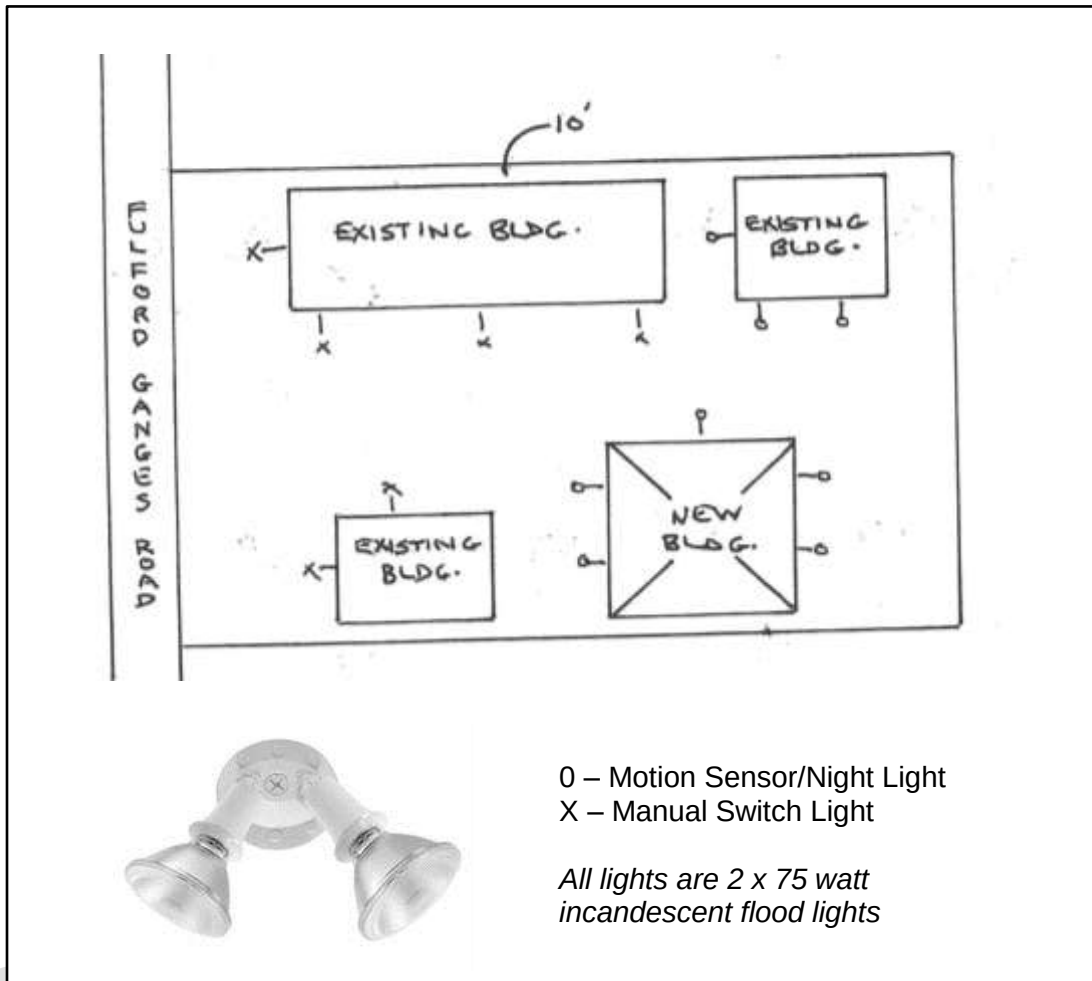
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2

Schedule 3 - Landscaping Plan



SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2

Schedule 4 - Lighting Plan



**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2**

Schedule 5 – Stormwater Drainage



RYZUK GEOTECHNICAL
ENGINEERING & MATERIALS TESTING

28 Crease Avenue
Victoria, B.C.
V8Z 1S3
Tel: 250-475-3131
Fax: 250-475-3611
mail@ryzuk.com

E-mail / Fax Memo

Project No: 1554-23

Project: Proposed Commercial Building - 1429 Fulford Ganges Rd, Salt Spring Island, BC

Client: Island Explorer Realty Ltd.

Contact: Mr. S. Aust

Email / Fax No: strick@saltspring.com

Date: July 1, 2016

Copy to:

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☐
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Email / Fax:

Copy to:

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As requested, we visited the above referenced site on June 22, 2016, to review the existing geotechnical and hydrological conditions and discuss the proposed building construction and paving areas. We understand that the site is designated as Development Permit Area 2 (DPA-2 Non-village Commercial and Industrial) in the Salt Spring Island Official Community Plan. Accordingly, professional review is required when drainage alterations or an increase of impervious surface areas are proposed. We herein provide our associated observations, comments, and recommendations in this regard and generally for the proposed building. Our work has been carried out in accordance with, and are subject to, the attached Terms of Engagement.

The site is currently occupied by several existing storage unit buildings and warehouses, surrounded by a combination of paved and gravel surfaced area. The proposed construction would generally consist of removal of an existing semi-quonset building and construction of a new 1920 sqft (approximately 178 m²) warehouse, with a marginal increase in paved areas within the southern portion of the site.

We have reviewed the previous drainage reports produced in support of the past development in 2004 and 2008 by Grange Engineering Associates Ltd. The report includes recommendations for future impervious surface installations to be regulated such that the storm loading to an existing oil interceptor located within the southeastern corner via a collection swale would not exceed the inlet capacity.

Based on the proposed construction, we consider that the addition of paving will not significantly alter the existing drainage regime to the oil interceptor. This is due to the location/grading of the new paved area which would be drained by flowing overland and not directly into the existing underground pipe network which discharges directly into the swale. The collected roof drainage from the building however is proposed to be piped directly into the swale which discharges to the oil interceptor. Therefore, a storage system would need to be included and the corresponding storage volume required for the building is 1.78 m³ (as per drainage report criteria for future impervious surface additions).

We understand that the native mineral soils at the site may have relatively good drainage. We consider one option to achieve an adequate storage would be to install a concrete barrel sump with an open base. This barrel should be 1.2 m diameter with 1.2 m below the inlet pipe and include a 300 mm thick base layer of drainrock. This barrel could be located just beyond the edge of the asphalt along the east side. Alternatively, a rock pit could be installed within a similar location beyond the pavement. This pit should be 1 m wide by 1.5 m deep by 3 m long, filled with drainrock with the sides and top covered with heavy non-woven geotextile. In both cases an outlet pipe would not be required provided that the base of the new building slab is kept above the surface elevation of the rock pit or the barrel lid.

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2**

Island Explorer Realty Ltd.
Page 2 of 2

July 4, 2016

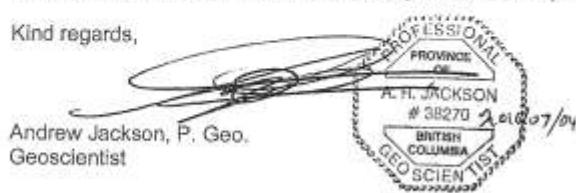
We expect that the native sandy mineral soils would be encountered at a relatively shallow depth based on the terrain and site discussions about the past earthworks. The dense native sand would be capable of providing stable long term support to the proposed building spread footings, which can be designed with an allowable bearing capacity of 150 kPa. Seismic site classification 'C' is deemed appropriate for the anticipated conditions. Foundation subgrade should be inspected by a qualified professional at the time of construction to confirm bearing and site classification.

In summary, we consider the proposed construction and paving to be feasible and that the drainage conditions can be maintained as generally outlined above. As such the work would be compliant with the Development Permit Area requirements.

We trust that the preceding is suitable for your current requirements. Please call if you have questions.

Kind regards,

Andrew Jackson, P. Geo.
Geoscientist



Attached -- Terms of Engagement

RYZUK GEOTECHNICAL

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.2**

Schedule 6 – Stormwater Drainage



RYZUK GEOTECHNICAL
ENGINEERING & MATERIALS TESTING

E-mail / Fax Memo

Project No: 1554-23

Project: Proposed Commercial Building - 1429 Fulford Ganges Rd, Salt Spring Island, BC

Client: Island Explorer Realty Ltd.

Contact: Mr. S. Aust

Email / Fax No: strick@saltspring.com ✓

Date: September 20, 2016

E-MAILED
21.09.16 8:40

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Tel: 250-475-3131
Fax: 250-475-3611
mail@ryzuk.com

Copy to:



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Copy to:



Email / Fax:

Further to our report of July 1, 2016, as well as recent discussions, correspondence, and our site inspection of September 7, 2016, we have reviewed the existing developments carried out since 2008, as related to the drainage study and Development Permit Area requirements (Section E.2.12 of Bylaw 434). Our associated observations, comments, and recommendations in this regard are contained herein.

We understand that the developments carried out since 2008 consist of new asphalt within the southeastern portion of Lot A, as well as a storage locker building within the eastern portions. The new asphalt area drains to the east by sheet flow which we understand typically rapidly infiltrates the granular soils present adjacent to the asphalt. The collected southern roof drainage from the building is directed to the drainage swale via a solid PVC pipe, while the northern roof drainage falls directly onto the gravel surface to the north.

Based on the existing hydrologic conditions, we consider that the placement of asphalt since the 2008 approved work has not significantly changed the drainage regime of the area. To provide conformance with the drainage study, we recommend that the collected roof drainage be redirected into the proposed infiltration/storage barrel to be installed for the proposed building. This barrel should be increased in depth to 1.8 m to accommodate the additional collected roof storage.

During our review we inspected the conditions of the oil interceptor within the southeast area of the site, as per the request of the Islands Trust. We noted that the inlet to the tank comprised a 150 mm diameter PVC pipe with no protective measure to stop detritus from entering the oil interceptor directly, and as such the arrangement was not considered a robust long term design. We therefore recommend that a proper surface drain catch basin with a capped 'Tee' fitting (or approved similar) be installed at the inlet area to address this.

Provided the above, it is our professional opinion that the site development with respect to drainage carried out since 2008 as well as the currently proposed work, would be conformant with the drainage study and the Development Permit Area requirements pursuant to Section E.2.12 of Bylaw 434. We trust that the preceding is suitable for your current requirements. Please call if you have questions.

Kind regards,

Andrew Jackson, P. Geo.
Geoscientist





SITE CONTEXT

File No.: SS-DP-2016.2

LOCATION

Legal Description	Strata Lot B, Section 78, South Salt Spring Island, Cowichan District, Strata Plan VIS6760, Together with an interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V
PID	027-925-820
Civic Address	1429 Fulford-Ganges Rd.

LAND USE

Current Land Use	Mini-storage facility
Surrounding Land Use	North: Yard for storage of boats East: Yard for storage of excavation equipment South: Abattoir West: Residential

HISTORICAL ACTIVITY

File No.	Purpose
SS-SUB-2004.3	Subdivision of one parent parcel into 3 bare land strata lots (Strata Plan VIS6760); Subdivision registered in 2008
SS-RZ-2004.2	Rezoning application to permit additional uses within zone, withdrawn shortly after application was made.
SS-DP-2008.1	Development Permit for DPA 2 in support of subdivision SS-SUB-2004.3
SS-BP-2006.X	Building Permit Referral for Building 2 (being replaced by current BP application SS-BP-2016.45. Exempted from requirement for DP amendment due to building size
SS- BP-2011.10	Building Permit Referral for Quonset Hut; exemption granted for DP amendment due to building size
SS-BP-2011.10	Building Permit not issued due to failure to fulfill terms of issued permit
SS-TUP-2011.2	Temporary Use Permit to allow indoor retail sales of pet and livestock supplies; Issued May 3, 2012 and expired April 26, 2015
SS-RZ-2012.3	Rezoning application to increase density and allow additional uses; application withdrawn in 2013
SS-BP-2016.45	Building Permit Referral to replace Quonset Hut with new Mini-Storage Building. Building Permit referral put on hold during consideration of this Development Permit amendment

POLICY/REGULATORY

Official Community Plan Designations	OCP Land Use Designation is Rural Neighborhoods. The property is within Development Permit Area 2 – Non-village Commercial and Industrial.
--------------------------------------	--

SITE CONTEXT

File No.: SS-DP-2016.2

Land Use Bylaw	Current zoning is IN2. Note: this property is proposed to be rezoned to GE2 as part of Draft Bylaw 489. Allowable lot coverage is 33%. Lot coverage with replacement Building 3 will be about 26%.
Covenants	FB250838 Restrictive Covenant on title in relation to 15 metres of Ford Creek, which is located on adjacent Strata Lot B.
Bylaw Enforcement	SS-BE-2005.2 - Setback violation for rock structure and sign. No further information available. SS-BE-2008.41 – Bylaw violation for the following: Retail use not permitted in Industrial zone; multiple sign excesses in size, number and characteristics; building use non-compliant with Development Permit; installation of a chain link fence instead of 7' cedar fence required by Development Permit. Temporary Use Permit was issued to allow retail use. No indication of how other violations were resolved. SS-BP-2011.10 “To verify compliance with DP – DP conditions not satisfied – landscaping details incomplete”. There is no indication of resolution or why file was closed.

SITE INFLUENCES

Species at Risk	There is no indication of impacts to Species at Risk
Sensitive Ecosystems	The site is not noted as Sensitive Ecosystem.
Hazard Areas	The site is noted as subject to seasonally flooding. The Drainage Plan includes recommendations to minimize hazards.
Archaeological Sites	There are no archaeological sites noted within the property or within 100 meters in the Provincial RAAD database.
Climate Change Adaptation and Mitigation	There are no significant GHG emission changes that would result from approval. It is possible that increased intensity of storm events could increase the risk of flooding from Ford Creek. The submitted Drainage Plan includes conservatively calculated mitigation measures.



POLICY CHECKLIST

File No.: SS-DP-2016.2

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 434

OCP Objective/Policy	Complies	Planner Comments
E.2 Guidelines for General Site Design, Building Location and Access		
E.2.4.1 Property line setbacks should not be varied from those allowed by local bylaws.	no	<i>Building C is sited 39 centimetres from the interior side lot line facing south. The new building proposed is consistent with the required setbacks.</i>
E.2.4.2 Site access to commercial and industrial properties should maintain the character of the surrounding neighbourhood as much as possible; there should ideally be only one access to a commercial or industrial property from the public street.	no	<i>The site access is approximately 12 metres wide at the front lot line. The typical width of a residential driveway in the surrounding neighbourhood is 3 to 5 metres at the front lot line. There is, however, only one access to the property from the public street.</i>
E.2.4.3 Sites should be designed to minimize impacts on neighbouring properties and public areas, including water surfaces. Particular attention should be paid to locating and screening loading docks, garbage and recycling containers and other service areas so that visual and noise impacts are minimal.	no	<i>Neighbouring properties are all also zoned Industrial 2 (In2) and are currently of similar visual character to the subject property. Impacts associated with the storage facility are considered principally to be traffic, light and noise.</i> <i>To the east and south of the proposed new building, there is some existing vegetation that adds screening between the properties.</i> <i>The wide site access and minor screening allows large areas of the site to be visible from the road, including storage, loading and other service areas. The Landscaping Plan included with this application includes a revision to the original Landscaping Plan by adding three new Ceanothus shrubs.</i>
E.2.4.4 An effective vegetation screen should be maintained along any boundary with a non-commercial or non-industrial property.	no	<i>The front lot line is the only boundary facing non-industrial properties. The current proposal includes a revision to the original Landscaping Plan elevation drawing with three additional Ceanothus shrubs. The addition of three such shrubs, in front of Building 2 only does not constitute an effective vegetation screen.</i> <i>The property has been developed to the property line that borders Fulford-Ganges Road, with the fence on the property line. The existing shrubs are suspected to be in the MoTI right of way. As development permits can only apply to the lots which the development is proposed, any landscaping must be within the lot boundaries.</i>
E.2.5 Guidelines for Offstreet Parking, Location and Design		
E.2.5.1 Commercial and industrial parking lots with more than 15 spaces should be screened from adjacent streets and homes. If this is not possible, the lot	yes	<i>The proposed site plan indicates 14 parking spaces on the property.</i>

OCP Objective/Policy	Complies	Planner Comments
should be landscaped to break up large continuous parking areas.		
E.2.5.2 Areas should be provided for the loading and unloading of delivery trucks. The site should allow delivery trucks to manoeuvre without having to block or back onto adjacent streets.	yes	<i>The proposal is consistent with this guideline. The site plan does not contain a designated loading area.</i>
E.2.5.3 Emergency vehicles should be able to readily reach all parts of the development.	yes	<i>The site plan illustrates sufficient area for emergency vehicles to access all parts of the development.</i>
E.2.6 Guidelines for Building Form		
E.2.6.1 Building height should not exceed that permitted by local bylaws and should minimize the obstruction of views from neighbouring structures.	yes	<i>The Salt Spring Island Land Use Bylaw defines height as "the average height between eaves and the ridge of the upper roof ...measured from grade." According to this definition, the height of the proposed building is approximately 4.1 metres. The Land Use Bylaw permits a maximum height of 7.6 metres. During a site visit, staff observed no neighbouring structures that might suffer from obstructed views as a result of the proposed buildings.</i>
E.2.6.2 On sloping land, horizontal modulation (stepped buildings) should be used so buildings and structures conform to the site.	yes	<i>The property has a very minor slope (i.e. approximately 5% grade)</i>
E.2.6.3 Existing site topography and landscape should not be altered and should be complemented by proposed structures	yes	<i>The proposed site plan does not involve significant changes to the site topography and landscape.</i>
E.2.6.5 Large new structures should avoid long, homogenous facades. They should have a scale, size, massing, shape, roof line and exterior finish varied and articulated to reduce apparent mass.	no	<i>The proposed building contains a long, homogenous façade. There are no variations or articulations in the scale, size, massing, shape, roof line or exterior finish.</i> <i>The applicant states that the proposed new building will utilize the same finishes as existing Building 4.</i>
E.2.6.6 Where practical, building roofs should be similar in design to those on neighbouring structures.	yes	<i>The proposed building's roof is similar in design to the other buildings on the property.</i>
E.2.6.7 Roof-top mechanical equipment (satellite dishes, air-conditioning) should be screened from view.	yes	<i>No roof-top mechanical equipment is proposed.</i>
E.2.6.8 Large areas of curtain-wall glazing should not be used.	yes	<i>No curtain wall glazing is proposed.</i>
E.2.6.9 All portions of a building should be authentic, functional space - artificial or	yes	<i>There are no artificial or contrived architectural features.</i>

OCP Objective/Policy	Complies	Planner Comments
contrived architectural features should not be included in building designs.		
E.2.7 Guidelines for Building Exteriors		
E.2.7.1 Where large new commercial or industrial developments are visible from streets or other public areas, site landscaping should be installed before issuance of the building occupancy permit. A letter of credit should be deposited with the Local Trust Committee for an amount equal to 150% of the cost of the work to complete any landscaping that would be visible from public areas.	no	<i>The proposed new building, in itself, is not be considered large, however, in concert with the other buildings on the property and in the scale of non-village commercial and industrial developments on Salt Spring Island, the development of this lot constitutes a large development. A letter of credit should be deposited prior to issuance of a permit.</i> <i>The applicant has failed to provide a costing of the landscaping works.</i>
E.2.8.2 Where landscaping of large new commercial and industrial areas is visible from public areas, informal, natural landscaping with native species is encouraged as opposed to formal, decorative plantings.	no	<i>A row of three Ceanothus is proposed in the Landscaping Plan, which is characteristic of a formal, decorative planting. The landscaping is located within the Ministry of Transportation and Infrastructure right of way.</i>
E.2.8.3 New plant materials should be chosen with a view to conserve water.	yes	<i>Ceanothus is a drought tolerant species.</i>
E.2.8.4 Landscaping next to creeks and lakes should remain natural and wild to protect fish habitat. Plant species with a high water demand or that may require the use of pesticides or fertilizers should not be located in this area. Bark mulches and impermeable landscape fabric should not be used.	yes	<i>The proposal is consistent with this guideline. There is no creek on the property, and there is a covenant protecting a buffer area to the nearest creek.</i>
E.2.8.5 Where practical, special care should be taken to retain existing vegetation and incorporate it into new development.	no	<i>The applicant has not indicated whether existing landscaping will be retained.</i>
E.2.8.6 Fencing should be natural in appearance and coordinated with the design of the main building.	no	<i>Cedar fencing panels have been installed. While comprised of a natural material, they are formal and are not coordinated with the design of the main building.</i>
E.2.9 Guidelines for Lighting		
E.2.9.1 Lighting should be kept to the minimum necessary for safety and visibility, to maintain a low level of light in the island's night time atmosphere.	no	<i>Six switch-controlled sets of 2 x 75 watt incandescent floodlights are proposed along the front two buildings and eight motion-activated sets of 2 x 75 watt incandescent floodlights are proposed for the rear two buildings.</i>
E.2.9.2 Light fixtures should be carefully chosen to focus light on the area to be	no	<i>Floodlights are broad-beamed, high-intensity lights.</i>

OCP Objective/Policy	Complies	Planner Comments
illuminated.		
E.2.9.3 Incandescent fixtures are preferred.	yes	<i>Incandescent fixtures are proposed</i>
E.2.9.4 Flashing or strobe lights should not be used to attract attention to commercial uses. Neon lighting should not be used outside buildings	yes	<i>There is no flashing, strobe, or neon lighting proposed.</i>
E.2.10 Guidelines for Signs		
E.2.10.1 Total sign area should not exceed that permitted by local bylaws.	yes	<i>The signage is consistent with bylaw requirements.</i>
E.2.10.2 Signs should not be placed more than 5 m above the ground.	yes	<i>The signage is not more than 5 m above the ground.</i>
E.2.10.3 Plastic, back lit signs should not to be used	yes	<i>The proposal is consistent with this guideline. The existing sign is not back-lit.</i>
E.2.10.4 Signs should not move or be audible. They should not incorporate lighting that moves or flashes or gives the impression of doing so.	yes	<i>The proposal is consistent with this guideline. There is no moving or audible signage or with lighting effects.</i>
E.2.12 Guidelines regarding Stormwater Drainage and Water Pollution		
E.2.12.1 New commercial or industrial developments that will create more than 280 m ² of new impervious surfacing should include a report prepared by a Professional Engineer that determines the extent of changes to the natural drainage. It should identify any conditions that should be incorporated into the development permit to protect property from flooding, erosion or from other undesirable impacts as a result of changes to stormwater runoff. Particular attention should be paid to ensuring that drainage changes will not result in detrimental impacts such as flooding or reduced groundwater availability on agricultural lands or watercourses that either adjoin the development or are located in the same watershed.	no	Stormwater Drainage Reports were submitted in 2004 and 2008 by Grange Engineering as part of the 3-lot subdivision of the parent parcel. The 2008 Report requires that "if new impervious surfaces (from pre-development conditions) are to be installed, exceeding a total of 280m², then an associated volume reduction and detention system is recommended." New impervious surfaces, since 2008, on the subject property exceed an area of 280 m². Staff require additional information to determine if these conditions have been met. Two supplemental reports have been submitted from a Professional Geoscientist considering the proposed new development, but not accounting for other development carried out since 2008. These reports provide a number of recommendations to mitigate the impact new impervious surfaces, but do not consider the full breadth of development on the subject property and do not consider impacts on neighbouring properties, to agricultural lands, or to watercourses.
E.2.12.3 Development should not result in the pollution of surface or groundwater supplies. Particular care should be taken to ensure that there are no detrimental impacts on agricultural land or fishbearing	no	The property contains an oil interceptor, but a letter from Andrew Jackson, P.Geo., dated September 20, 2016, indicates that the inlet to the tank has no protective measure to stop detritus from entering the oil interceptor directly. The reports also do not consider impacts on agricultural land or fish bearing



Islands Trust

POLICY CHECKLIST

File No.: SS-DP-2016.2

OCP Objective/Policy	Complies	Planner Comments
watercourses because of water pollution.		watercourses.



File No.: SS-ALR-2016.2

DATE OF MEETING: December 1, 2016

TO: Salt Spring Island Local Trust Committee

FROM: Jason Youmans, Planner 2
Salt Spring Island Office

SUBJECT: SS-ALR-2016.2 - ALC Decision and Restrictive Covenant

Applicant: Kim Elston-Tuttle

Location: Lot 7, Section 42, South Salt Spring Island, Cowichan District, Plan 49877
(531 Meadow Drive)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee direct staff to draft a restrictive covenant to implement the conditions required by British Columbia Agricultural Land Commission resolution #386/2016.
2. That the Salt Spring Island Local Trust Committee direct staff to enter into a cost recovery agreement with the applicant for file SS-ALR-2016.2, pursuant to Trust Council policy and Salt Spring Island Local Trust Committee Bylaw No. 428, for Islands Trust legal counsel review of all covenants related to the subject application.

REPORT SUMMARY

The purpose of this staff report is to advise the Salt Spring Island Local Trust Committee of a recent decision of the provincial Agricultural Land Commission (ALC) concerning file SS-ALR-2016.2 (see Appendix 1). The ALC found that residential use of the building subject of the application by the applicant's daughter is consistent with the intention of ALC regulations and policy governing the use of manufactured homes on ALR land.

This staff report also provides the ALC with information regarding the implementation of the conditions outlined in the ALC's decision on the matter. ALC staff have indicated via e-mail that they consider implementation of the ALC's conditions to rest with the LTC (see Appendix 2).

BACKGROUND

File SS-ALR-2016.2 concerns an application to allow the use of a small (approx. 40 m²) stick-built dwelling unit by the applicant's daughter (see Appendix 3 for site and building plans). An ALC non-farm use application was required as Islands Trust planning staff determined that the subject structure did not meet the ALC's definition of "manufactured home," which would otherwise be permitted on the lot.

At its June 2, 2016 meeting, the LTC passed the following resolution with respect to file SS-ALR-2016.2:

SS-2016-122

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee forward application SS-ALR-2016.2 for Lot 7, Section 42, South Salt Spring Island, Cowichan District, Plan 49877, to the Agricultural Land

Commission with strong support and to be accompanied by a letter from Trustee Grams (231 Meadow Drive).

CARRIED

See Appendix 4 for letter signed by Trustee Grams submitted concurrently to the ALC with the Islands Trust referral package for file SS-ALR-2016.2.

ANALYSIS

The ALC has indicated that use of the dwelling identified in application SS-ALR-2016.2 be subject to the following conditions:

“[19] The Proposal is approved subject to the following conditions:

- a. the registration of a covenant for the removal or full decommissioning of the cottage upon sale of the Property
- b. that the cottage be in lieu of a manufactured home
- c. the cottage be used for immediate family member use only”

Staff consider these to be reasonable conditions easily captured in a restrictive covenant and enforceable by Islands Trust Salt Spring staff.

Issues and Opportunities

LTC Obligations

Staff do not believe that the LTC is obliged to administer and enforce conditions required in the ALC’s decision. Nonetheless, the Islands Trust object encourages inter-agency cooperation and staff do not consider administration and enforcement of the ALC’s conditions a major imposition, provided the cost of developing the necessary restrictive covenant is shifted to the applicant.

Enforcement Costs

Taking on administration of the conditions required by the ALC will shift the cost of enforcing said conditions to the LTC.

However, staff do not anticipate that LTC will incur significant costs related to covenant enforcement. Violations of conditions b. and c. above could be addressed by bylaw enforcement staff, rather than through the courts, as violations of these covenant terms would also constitute violations of the land use bylaw. Violation of condition a. could be enforced through the courts, however, any new owner of the property that uses the subject building as a dwelling unit would also be in violation of the land use bylaw as the ALC’s permission applies to the current property owners and their unique circumstances, not to the property itself. As such, future owners could be found to be in violation of the land use regulation limiting properties to a single dwelling unit.

Future Applications

Despite Trustee Grams request that the ALC work with the Salt Spring Island Local Trust Committee to develop guidelines for small homes consistent with the ALC’s manufactured home policies, the ALC has indicated that doing so would require amending the ALC’s Use, Subdivision and Procedures Regulation, a project the ALC does not intend to entertain at the current time. Therefore, the decision of the ALC as it relates to 231 Meadow Drive cannot be considered precedential.

Rationale for Recommendations:

Recommendation 1

The ALC has indicated that it wishes the LTC to be responsible for implementing the conditions required by the ALC in its decision. This is a reasonable request as enforcement of the covenant terms is more feasibly undertaken by local authorities.

Recommendation 2

The \$300 application fee received by Islands Trust through ALR applications is insufficient to cover any costs incurred over and above standard staff time required for application processing. As such, and in accordance with Salt Spring Island Bylaw No. 428 and Islands Trust policy, cost-recovery for legal review of any proposed covenant is advised. See Appendix 5 for an excerpt of Salt Spring Island Fees Bylaw No. 428 as it relates to extraordinary costs. See Appendices 6 and 7 for Islands Trust policy guidelines related to cost-recovery agreements and extraordinary processing services.

ALTERNATIVES

1. Advise the ALC of LTC concerns about administering and enforcing conditions

The LTC may consider that it is inappropriate for the ALC to request that the LTC implement conditions it did not itself approve. Alternatively, the LTC may disagree with the conditions arrived at by the ALC. As such, the LTC could make the following resolution.

Resolution:

“That the Salt Spring Island Local Trust Committee direct staff to advise the ALC of its concerns with implementing the conditions described in ALC decision #386/2016 and inquire what other options may be available.”

Adopting the above resolution may further delay the applicant’s use of the subject building. The ALC’s approval to use the subject building is not made active until the three conditions noted in the approval are fulfilled. If neither the LTC nor the ALC agree to hold the covenant necessary to implement the ALC’s conditions, the subject structure would constitute an unlawful dwelling under the Land Use Bylaw and would have to be decommissioned (kitchen and shower removed) or removed from the property.

NEXT STEPS

If the LTC adopts the recommended resolutions, staff will work with the applicant on an agreement to recover costs incurred by Islands Trust in the course of covenant development and legal review. Once staff and the applicant work out a satisfactory cost-recovery agreement it will be brought to the LTC for approval per Islands Trust policy 5.6.ii. Staff will work with the applicant to develop an appropriate covenant and submit it for review by Islands Trust legal counsel. Once the covenant has the approval of Islands Trust legal counsel, staff will present it to the LTC for acceptance and signature. It will then be registered on title by the applicant.

Submitted By:	Jason Youmans, Planner 2	November 23, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 24, 2016

ATTACHMENTS

1. ALC decision
2. ALC correspondence
3. Site and building plans
4. G. Grams correspondence to ALC
5. Bylaw 428 Excerpt
6. Islands Trust cost-recovery agreement guidelines
7. Islands Trust extraordinary processing services guidelines



Agricultural Land Commission
133–4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Appendix 1

November 15, 2016

ALC File: 55182

Kim Elston-Tuttle
231 Meadow Drive
Salt Spring Island, BC V8K 1T9

Dear Mrs. Elston-Tuttle:

Re: Application to Conduct a Non-Farm Use the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Island (Resolution #386/2016) as it relates to the above noted application. A sketch plan depicting the decision is also attached. As agent, it is your responsibility to notify the applicant accordingly.

Reconsideration of a Decision as Directed by the ALC Chair

Please note that pursuant to [s. 33.1 of the Agricultural Land Commission Act](#), the Chair may direct the executive committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6, or does not adequately take into consideration s. 4.3.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

Reconsideration of a Decision by an Affected Person

We draw your attention to [s. 33\(1\) of the Agricultural Land Commission Act](#) which provides a person affected the opportunity to submit a request for reconsideration.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Sara Huber at (sara.huber@gov.bc.ca).

Page 2 of 2

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'S. Huber', with a stylized, cursive script.

Sara Huber, Land Use Planner

Enclosure: Reasons for Decision (Resolution #386/2016)
 Sketch Plan

cc: Islands Trust (File: SS-ALR-2016.2)

55182d1



AGRICULTURAL LAND COMMISSION FILE 55182

REASONS FOR DECISION OF THE ISLAND PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicant:

**Kim Elston-Tuttle
(the “Applicant”)**

Application before the Island Regional Panel:

**Jennifer Dyson, Panel Chair
Honey Forbes
Clarke Gourlay**



THE APPLICATION

[1] The legal description of the property involved in the application is:

Parcel Identifier: 015-738-183

Lot 7, Section 42, South Salt Spring Island, Cowichan District, Plan 49877
(the "Property")

[2] The Property is 1.7 ha in area.

[3] The Property has the civic address 231 Meadow Drive, Saltspring Island, BC.

[4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

[6] Pursuant to s. 20(3) of the ALCA, the Applicants are applying to utilize a 423 ft² (39.3 m²) dwelling for the Applicant's daughter to live in while she works on the farm (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

RELEVANT STATUTORY PROVISIONS

[7] The Application was made pursuant to s. 20(3) of the ALCA:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

[8] The Panel considered the Application within the context of s. 6 of the ALCA:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD BEFORE THE PANEL

[9] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents
- 3. Agricultural capability map, ALR context map, and satellite imagery

All documentation noted above was disclosed to the Applicant in advance of this decision.

[10] At its meeting of June 2, 2016, the Saltspring Island Local Trust Committee resolved:

That the Saltspring Island Local Trust Committee forward application SS-ALR-2016.2 for Lot 7, Section 42, South Saltspring Island, Cowichan District, Plan 49877, to the Agricultural Land Commission with strong support and to be accompanied by a letter from Trustee Grams (231 Meadow Drive).

SITE VISIT

[11] On September 22, 2016, the Panel conducted a site visit in accordance with the *Policy Regarding Site Visits in Applications* (the "Site Visit").

[12] A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications*. The site visit report was certified as accurately reflecting the observations

and discussions of the Site Visit by the Applicant on October 3, 2016 (the "Site Visit Report").

FINDINGS

- [13] The Applicants have submitted the Application as the proposed dwelling, although designed to be moved, does not meet criteria for a manufactured home pursuant to s. 3(1)(b) of BC Regulation 210/2016 Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the "Regulation") and ALC Policy #8: *Residential Uses in the ALR – Zone 1* which permits one manufactured home up to 9 metres in width for use by an immediate family members, in addition to a single family dwelling. The Applicant states:

We feel that because it was built from the beginning with the intention that it would eventually be moved, and we put careful thought and consideration into designing and engineering the structure so that it could be safely transported to a new location, we feel that we are conforming to the intention of the rules laid out by the ALC, and we are asking that you accept this building to be used under the ALC Policy #8 for our daughter to live in while she works on our farm.

- [14] During the Site Visit, the Applicant described the farm activity which currently includes 34 lay hens, one rooster, five adult goats and four kids on the Property. In viewing the Property at the Site Visit, the Panel determined that there is a small portion of flat land on the Property, and that the majority of the Property is sloped with some rock outcropping. The proposed second dwelling is currently located on the rocky slope and therefore, the Panel finds that location does not negatively impact agricultural activity on the Property.

- [15] The proposed dwelling is small, is designed to be moved, and shall only remain on the Property while the Applicant's daughter works on the farm. When the Applicant's daughter leaves the Property; she plans to take the dwelling with her, as stated in the Application:

This building however was built from the beginning with the intention of being moveable, so that when/if our daughter can afford to buy a little farm of her own, she could move it there as a complete unit without damage and it would be ready to use very quickly after it is delivered to the new site (probably quicker and better than a manufactured home).

The Panel finds that the dwelling is constructed to be temporary and specifically for the use of immediate family to assist on the farm, and as such the dwelling can be removed when it is no longer required for an immediate family member.

- [16] With regard to accepting alternate small dwellings in lieu of a manufacture home, the Panel also received a letter, dated June 6, 2016 from Salt Spring Island Trustee George Grams Mr. Grams letter states:

Mobile and manufactured homes are more traditionally redolent of trailer-like structures. By virtue of the fact that these types of buildings are not representative of island character and so are inconsistent with Islands Trust goal C, the SSI L TC would wish to discourage them. Accordingly, we would respectfully ask that ALC policy #8 be considered in light of a perceived conflict with the Islands Trust mandate and goal C. Having said that, the SSI L TC recognizes the intent of ALC policy #8. We support that intent and believe it can be captured in ways that are more aptly supportive of the arts and crafts culture on Salt Spring Island.

Tiny homes and small scale bespoke dwellings can readily be designed and built in a manner that meets the intent of ALC policy #8 but that are more flexible in terms of respecting traditional island character that the L TC is obligated to uphold...

- [17] While the Panel recognizes that the Islands Trust does not find mobile or manufactured homes to be consistent with the character of Salt Spring Island, the Panel is not at liberty to modify the definition or intent of the Regulation or ALC Policies by way of an application. Consideration of tiny homes being permitted outright in lieu of manufactured homes would more appropriately be addressed through amendments to the Regulation. Until such time, the Commission must review individual requests and base decisions upon the merits of



each application. This decision should not be extrapolated as an alternate interpretation of the Regulation or ALC Policies to be broadly applied to any other circumstance or property.

DECISION

[18] For the reasons given above, the Island Panel approves the Proposal to utilize a 423 ft² (39.3 m²) dwelling for the Applicant's daughter to live in while she works on the farm.

[19] The Proposal is approved subject to the following conditions:

- a. the registration of a covenant for the removal or full decommissioning of the cottage upon sale of the Property
- b. that the cottage be in lieu of a manufactured home
- c. the cottage be used for immediate family member use only

[20] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[21] These are the unanimous reasons of the Island Panel of the Agricultural Land Commission.

[22] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

[23] This decision is recorded as Resolution #386/2016 and is released on November 15, 2016.



CERTIFICATION OF DECISION

A handwritten signature in black ink, appearing to be 'Jennifer Dyson', is written over a horizontal line.

Jennifer Dyson, Panel Chair, on behalf of the Island Panel

END OF DOCUMENT

ALC Application 55182 (Elston-Tuttle)
Conditionally Approved Non-Farm Use
Resolution # 386/2016



Legend:

-  Property Boundary
-  Approved Non-Farm Use

From: Huber, Sara AGRI:EX <Sara.Huber@gov.bc.ca>
Sent: Thursday, November 17, 2016 9:57 AM
To: Jason Youmans
Subject: RE: Agricultural Land Commission ALC Application 55182 (Elston-Tuttle) Release of Decision

Hi Jason,

The covenant is to be made between the Islands Trust and the owner.

Please let me know if you need anything further.

Sincerely,

Sara Huber | Planner | Agricultural Land Commission
133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7046 | F 604.660.7033
sara.huber@gov.bc.ca | www.alc.gov.bc.ca

From: Jason Youmans [<mailto:jyoumans@islandstrust.bc.ca>]
Sent: Tuesday, November 15, 2016 2:02 PM
To: Huber, Sara AGRI:EX; 'Kristin Tuttle'
Subject: RE: Agricultural Land Commission ALC Application 55182 (Elston-Tuttle) Release of Decision

Hello Sarah,

Thank you for the ALC's attention to this matter.

Where the restrictive covenant is concerned, can you tell me whether such covenant is to be made between the owner and Islands Trust, or the owner and the ALC?

Best,

Jason

From: Huber, Sara AGRI:EX [<mailto:Sara.Huber@gov.bc.ca>]
Sent: Tuesday, November 15, 2016 1:02 PM
To: 'Kristin Tuttle'
Cc: Jason Youmans
Subject: Agricultural Land Commission ALC Application 55182 (Elston-Tuttle) Release of Decision

RELEASE OF REASONS FOR DECISION

Dear Mrs. Elston-Tuttle:

This email is to advise that the Reasons for Decision for ALC Application ID 55182 (Elston-Tuttle) has been released. Please log into the [ALC Online Application Portal](#) to view the

Reasons for Decision. The document can be found by clicking 'View' and then navigating to the 'ALC Information' tab.

For your convenience, please find attached the Reasons for Decision.
Sincerely,

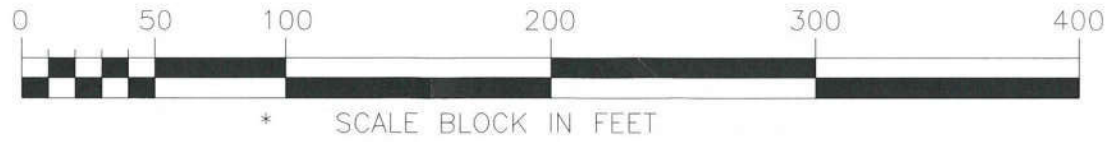
Sara Huber | Planner | Agricultural Land Commission

133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7046 | F 604.660.7033

sara.huber@gov.bc.ca | www.alc.gov.bc.ca

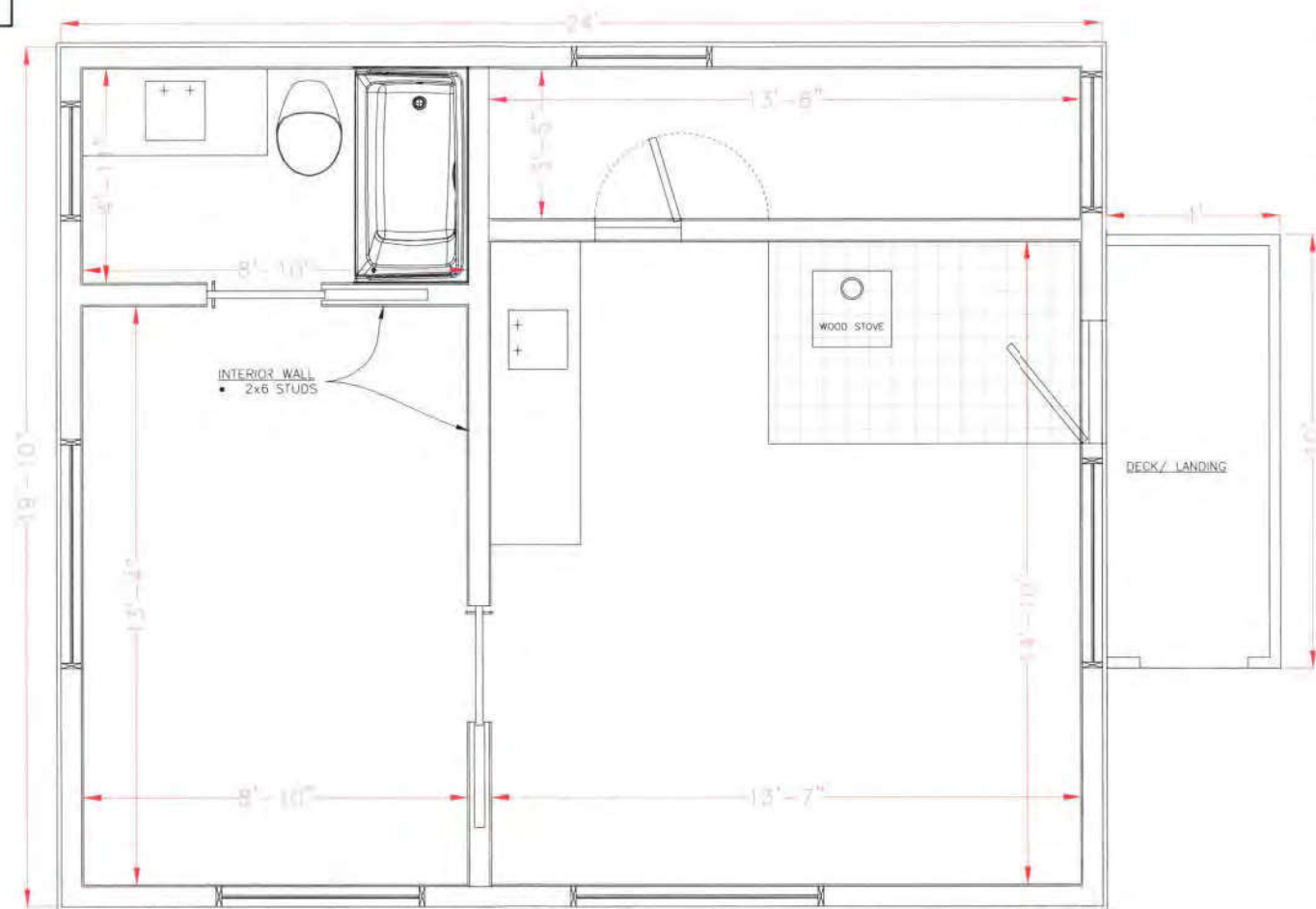
RECEIVED
MAR 31
ISLANDS

231 MEADOW DRIVE



SITE PLAN

231 MEADOW DRIVE



RECEIVED
MAR 31 2016
ISLANDS TRUST



FLOOR PLAN

* SCALE BLOCK IN FEET

231 MEADOW DRIVE

RIDGE BEAM

- FOUR 12x12'S LAMINATED TOGETHER TO CREATE A BEAM (SUPPORTED AT EACH END AND AT END OF LOFT)
- MAXIMUM 14' SPAN

VENT

- VENTED RIDGE CAP

CHIMNEY

ROOF

- METAL ROOFING
- 2x4 STRAPPING
- 2x10 RAFTERS ON 16" CENTERS
- R28 ROXUL INSULATION

LOFT

- 3/4" T&G PLYWOOD
- 2x6 FLOOR JOISTS ON 16" CENTERS

VENT

- CEDAR SOFFIT VENTED THRU EYES

EXTERIOR WALLS

- 1/2" PLYWOOD
- 2x6" STUDS @ 16" O.C.
- R22 (ROXUL) INSULATION
- WOOD PANELING INSIDE

FLOOR

- 3/4" T&G PLYWOOD
- 2x10 JOISTS @ 16" O.C. (DOUG FIR)
- R28 (ROXUL) INSULATION
- ALUMINUM VENTED CLADDING ON SOFFIT

CONCRETE FOOTING

- x4 2x8 BUILTUP BEAM (DOUGLAS FIR) ON
- 10"Ø OR 8"Ø SONOTUBE UPRIGHT EITHER PINNED INTO ROCK OR ON A 24"x24"x8" PAD (ONLY THE FRONT 3 POSTS HAVE PADS)

CONTINUOUS PONY WALL

- 8"(W)x24"(L) (HEIGHT WILL VARY DEPENDING ON BEDROCK)
- 20M DOWEL @ 2' O.C. GROUTED INTO ROCK AT OPPOSING ANGLES



* SCALE BLOCK IN FEET

SECTION DETAILS

RECEIVED
MAR 3
ISLANDS



1 - 500 Lower Ganges Road Salt Spring Island BC V8K

Telephone 250.537.9144 Fax 250.537.9116

Toll Free via Enquiry BC in Vancouver 604.660-2421. Elsewhere in BC 1.800.663.7867

Email ssiinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

Appendix 4

June 8, 2016

SS-ALR-2016.2

Provincial Agricultural Land Commission
133-4940 Canada Way
Burnaby, BC, Canada
V5G 4K6

Dear Sir or Madam;

Re: ALC Policy No. 8

This letter to the ALC concerns ALC policy #8, "Permitted Uses in the ALR: Residential Uses" as it relates to mobile and manufactured homes for an immediate family member.

Islands Trust goal C is to "Sustain Island Character and Healthy Communities". Sustaining island character applies as much to our built environment as it does to the preservation and protection of the natural environment. Salt Spring Island has a well-deserved reputation for its arts and crafts industries and that culture of craftsmanship is widely expressed in both residential and farm buildings.

Mobile and manufactured homes are more traditionally redolent of trailer-like structures. By virtue of the fact that these types of buildings are not representative of island character and so are inconsistent with Islands Trust goal C, the SSI LTC would wish to discourage them. Accordingly, we would respectfully ask that ALC policy #8 be considered in light of a perceived conflict with the Islands Trust mandate and goal C. Having said that, the SSI LTC recognizes the intent of ALC policy #8. We support that intent and believe it can be captured in ways that are more aptly supportive of the arts and crafts culture on Salt Spring Island.

Tiny homes and small scale bespoke dwellings can readily be designed and built in a manner that meets the intent of ALC policy #8 but that are more flexible in terms of respecting traditional island character that the LTC is obligated to uphold. The proposal by Kim Elston-Tuttle for the dwelling at 231 Meadow Drive we believe fits this category. The building is more representative of island character than a mobile or manufactured home, impacts no more on the lot than a manufactured home (for example the BC Building Code demands a full foundation and seismic tie downs for all manufactured homes erected in BC), is modest in size and would be capable of being readily removed or relocated. For this reason we support the application to the ALC to allow this building to be used for the use of an immediate family member.

We would also wish to enquire whether the ALC would be amenable to receiving from the Salt Spring Island LTC a set of guidelines for homes on farms for immediate family members that would meet the intent of ALC policy #8 and that would also respect the Islands Trust goal to maintain island character. We believe agreement on such a set of guidelines would serve the interests of both the ALC and the SSI LTC.

Yours truly,

George Grams
Salt Spring Island Trustee

Salt Spring Island Local Trust Committee Bylaw No. 428 (Excerpt)**4. Extraordinary Costs**

4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.

4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, inspection, advertising and administration related to the application, the Islands Trust shall refund the excess amount to the Applicant.

4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, the Islands Trust shall invoice the Applicant for the excess amount which shall become a debt due and payable to the "Islands Trust".

5.6.ii. Policy**COST RECOVERY AGREEMENTS**

Trust Council: September 10, 1994

Amended: June 10, 2004

A: PURPOSE:

1. The Cost Recovery Agreement Policy is intended to provide the principles by which cost recovery for extraordinary services beyond the fee schedule can be negotiated between an applicant and a local trust committee and implemented.

B: REFERENCES:

1. Policy Manual: Application Processing Services Policy (5.6.i.)
2. LTC Fees Bylaws

C: BACKGROUND:

1. The Application Processing Services Policy outlines three service levels, namely "information", "processing", and "extraordinary". The basis for establishing cost recovery agreements falls under the "extraordinary" service level which is defined as "providing a planning review related service to an applicant beyond the standard processing service with funding provided by the applicant or through a cost recovery agreement".
2. The Cost Recovery Agreement Policy is intended to:
 - 2.1. Outline principles for undertaking cost recovery.
 - 2.2. Establish authority to enter into cost recovery.
 - 2.3. Provide a consistent approach for cost recovery to ensure procedural certainty.

D: POLICY:

1. Cost Recovery Agreements are voluntary on the part of the applicant.
2. Cost recovery reflects a service level which includes extraordinary, discrete costs as well as requirements to efficiently and effectively undertake the approval process for a complex application.

3. Agreements will endeavour to recover all costs of processing that exceed the applicable average costs of processing; such costs may include but are not limited to complex covenant requirements, dedicated staffing, public consultation beyond a statutory public hearing, specialized technical assistance/assessment, legal counsel services and process agreement negotiation costs.
4. The existence of a Cost Recovery Agreement will not fetter a local trust committee's discretion with respect to an application before the committee.
5. Authority for negotiating cost recovery agreements is provided within the respective local trust committee fee bylaws.
6. Cost Recovery Agreements will proceed only by resolution of the local trust committee after consultation with the Regional Planning Manager.
7. Cost Recovery Agreements will be negotiated with the applicant by the Regional Planning Manager, and approved by the Director of Local Planning Services.

5.6.iii Guidelines**EXTRAORDINARY PROCESSING SERVICES GUIDELINES**

Trust Council: March 9, 1996

Amended: June 10, 2004

PURPOSE

Extraordinary Processing Services Guidelines are designed to assist local trust committees and planning staff in the identification and implementation of extraordinary application processing services.

The intent of these guidelines is to provide alternate means of handling extraordinary costs - either through applicant provided services or applicant payment of Trust provided services.

RELATED POLICY

Application Processing Services (Policy 5.6.i); Cost Recovery Agreement (Policy 5.6.ii); and LTC Fees Bylaws.

DETAILS**1. Identifying Extraordinary Processing Service Requirements**

- a) Local trust committees have the ability to determine the necessary requirements for processing applications. These requirements may include the need for extraordinary processing services, which a LTC may recommend, where:
 - i) the actual or estimated Processing Service level costs are in excess of the costs reflected in the relevant application fee (determined as the average cost of processing) (eg. additional public consultation, complex covenant requirements or extensive staff requirements); or
 - ii) the processing requirements include services that are beyond the Processing Service level (eg. special technical assistance, specific legal services).
- b) The Regional Planning Manager is responsible for assisting local trust committees in identifying and costing extraordinary processing service requirements and advising the local trust committees of the options available to handle these requirements. For reference, criteria for extraordinary processing service requirements are outlined in the Application Processing Services policy (5.6.i).
- c) The Regional Planning Manager is responsible for ensuring that complex service requirements include terms of reference which outline detailed criteria and parameters for studies.

ISLANDS TRUST POLICY MANUAL

2. Provision of extraordinary processing services

- a) Extraordinary processing services can be provided:
 - i) directly by the applicant, in addition to paying to the Islands Trust the applicable standard fee; the local trust committee must be satisfied that the services have been fulfilled before further processing of the application will occur or,
 - ii) by the Islands Trust via a cost recovery agreement, with costs to be paid by the applicant, in addition to the applicable standard fee.
- b) With respect to both options noted above, a resolution of the local trust committee, following the recommendation of the regional Planning Manager is required to proceed.

3. Negotiating with the applicant

- a) When extraordinary processing service requirements have been identified, the applicant should be advised by staff that the application can not be processed because the extraordinary processing service requirements are not available within existing resources. The requirements to properly process the application must be clearly identified to the applicant.
- b) A Cost Recovery Agreement needs to be endorsed by resolution of the respective local trust committee.
- c) Upon agreement with the applicant, all requirements, in the case of 2.a and 2.b, must be met prior to approval of a permit or adoption of a bylaw.

4. Approval of agreements

- a) The cost recovery agreement letter will be submitted, together with the recommendation of the Regional Planning Manager and the local trust committee resolution, for approval by the Director of Local Planning Services (or designate) prior to final agreement with the applicant.



DATE OF MEETING: December 1, 2016
TO: Salt Spring Island Local Trust Committee
FROM: Shelley Miller, Planner 1
Salt Spring Island Office
SUBJECT: Non-Farm Use in the Agricultural Land Reserve
Applicant: Malcolm Bond
Location: 300 Le Page Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request staff to forward SS-ALR-2016.4 to the Agricultural Land Commission with the following comment:

The Salt Spring Island Local Trust Committee supports the non-farm use application for 300 Le Page Road because the proposal is consistent with Salt Spring Island Official Community Plan Bylaw No. 434 policies as they relate to the non-farm use of land within the Agricultural Land Reserve. The veterinarian clinic provides services for both food supply animals and domestic animals, which benefits the local farming community and the greater community. The veterinarian clinic allows an active farm to diversity and broaden its income, while not decreasing the farming capability of the property. The application has been considered by the Salt Spring Island Agricultural Advisory Planning Commission, which resolved to recommend strong support for this application on the basis of technical merits and benefit to the community and local agriculture.

REPORT SUMMARY

This application proposes a non-farm use in the Agricultural Land Reserve (ALR) to permit the expansion of an existing veterinarian clinic. See Appendix 1 for the proposed site plan.

The Agricultural Land Commission (ALC) has the authority to approve non-farm use proposals within the ALR. The *Agricultural Land Commission Act* requires that the Salt Spring Island Local Trust Committee (LTC) make the decision on whether to forward the application to the ALC for consideration.

The purpose of this Staff Report is for the LTC to consider the application after consideration by the Agricultural Advisory Planning Commission (AAPC).

Staff consider this application to be consistent with the Salt Spring Island Official Community Plan Bylaw No. 434 (OCP) policies as they relate to non-farm use of ALR land. Therefore, staff recommend that the application be forwarded to the ALC with a supporting comment.

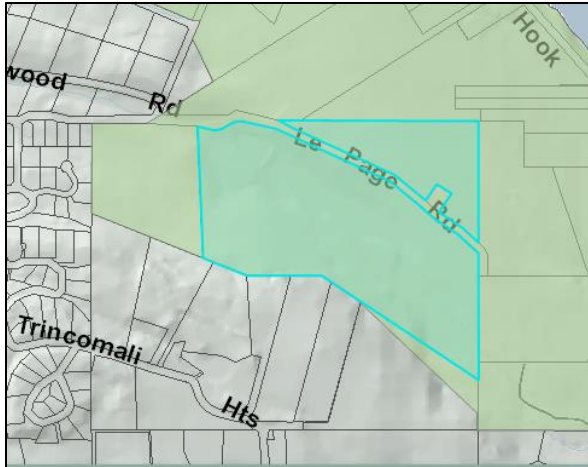


Figure 1: Location of subject property with the ALR in green.

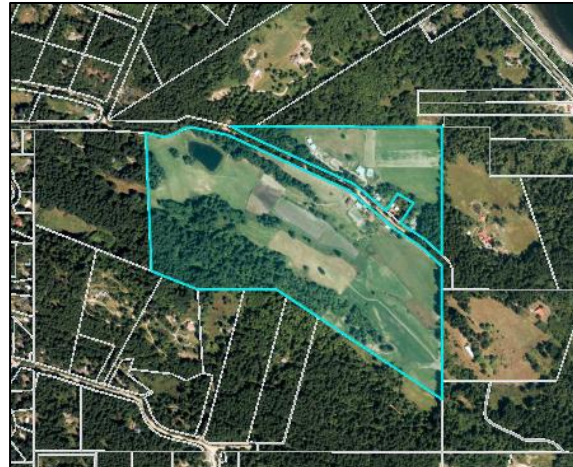


Figure 2: 2013 Air photo of subject property.

BACKGROUND

This application was first considered by the LTC at its October 13, 2016 meeting. Please refer to the [Preliminary Staff Report](#) for detailed background information. On October 13, 2016, the LTC resolved to refer this application to the AAPC.

The AAPC met on October 27, 2016 and passed the following resolution:

It was MOVED and SECONDED,

that the Salt Spring Island Agricultural Advisory Planning Commission recommend the Salt Spring Island Local Trust Committee forward application SS-ALR-2016.4 to the Agricultural Land Commission with strong support on the basis of technical merits and benefit to the community and local agriculture.

CARRIED

ANALYSIS

Policy/Regulatory:

Official Community Plan

OCP policy B.6.2.2.15 indicates that the Local Trust Committee could support applications to the ALC for non-farm use of ALR land in some situations where local farming or the greater community would benefit. Support for such applications should only be considered if the application has been referred to the Agricultural Advisory Committee and falls into one of four categories. The application falls into the following category:

- a. The proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property.

Staff consider the proposed non-farm use to be consistent with category (a), as the veterinary clinic allows an active farm to diversify and broaden its income, while not decreasing the farming capability of the property. Please see Appendix 4 for description of how the veterinary clinic income has been used for agricultural improvements on the property.

OCP policy B.6.2.2.31 indicates that the LTC will support the implementation of the Salt Spring Island Area Farm Plan. The Salt Spring Island Area Farm Plan¹ identifies the following strategic objectives as they relate to Improved Protection and Utilization of Farm Land:

- Minimize non-farm activities and subdivision of land within the Agricultural Land Reserve and encourage farming as the primary land use activity.
- Ensure the compatibility of proposed land uses adjacent to agricultural land.

Staff consider this non-farm proposal to be consistent with these strategic objectives. Farming is the primary land use activity on the subject property. The proposal is for 0.1 ha in area dedicated to the non-farm use. This is considered a minimal area for the non-farm use, when compared to the 33 ha lot that includes approximately 21 ha of improved farmland. The veterinarian clinic services food supply animals, which is considered to be compatible and necessary for farming on Salt Spring Island. The veterinary clinic has been in operation for 18 years and the existing farm operation has been successful. This suggests that the veterinarian clinic and the adjacent agricultural land are compatible.

Please see Appendix 3 for a detailed policy analysis.

Land Use Bylaw

Veterinarian clinics are not a permitted use within the Agriculture 1 (A1) zone. The A1 zone permits home-based business use provided the use is in accordance with Section 3.13 of the Salt Spring Island Land Use Bylaw. However, a veterinarian clinic is not a permitted occupation under the home-based businesses regulations, and the proposed clinic expansion exceeds the maximum permitted floor area for home-based businesses.

Subject to ALC approval, expansion of the existing veterinarian clinic on the subject property will require either a bylaw amendment or a temporary use permit.

Islands Trust Fund

[Islands Trust Policy 3.3.ii](#) indicates that all applications and referrals, including Agricultural Land Commission referrals, shall be referred to the Trust Fund Board for comment if the application or referral is regarding land that directly affects a property adjacent to a Board owned property or conservation covenant.

The subject property is adjacent to two properties affected by Trust Fund Board conservation covenants: Ruffed Grouse Ridge #1 and #2. Islands Trust Fund staff have indicated that a staff to staff referral would suffice. This referral was completed on October 11, 2016. Islands Trust Fund staff have indicated that they have no concerns related to the adjacent covenant areas.

¹ Masselink Environmental Design. (2008). Salt Spring Area Farm Plan. Retrieved from <http://www.islandstrust.bc.ca/ltc/ss/pdf/ssareafarmplan.pdf>

Rationale for Recommendation:

Staff recommend that this application be forwarded to the ALC with a supporting comment, as the non-farm use proposal is consistent with OCP policy B.6.2.2.15 as well as the Salt Spring Area Farm Plan.

ALTERNATIVES

Pursuant to subsection 25(3) of the *Agricultural Land Commission Act*, this non-farm use in the ALR application cannot proceed to the ALC unless authorized by a resolution of the LTC. Ultimately, the LTC has the following options:

1. Pass a resolution to forward the application to the ALC with comment.
2. Pass a resolution to forward the application to the ALC with no comment.
3. Pass a resolution to not forward the application to the ALC.
4. Defer passing a resolution until additional information is obtained.

NEXT STEPS

If the LTC concurs with Staff recommendation, then the application will be forwarded to the ALC with the recommended comment. If the ALC approves this non-farm application, and the applicant wishes to proceed with the proposal, then either a bylaw amendment or a temporary use permit application will be required.

Submitted By:	Shelley Miller, Planner 1	November 10, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 10, 2016

ATTACHMENTS

1. A1 - SS-ALR-2016.4 - Site Plan
2. A2 - SS-ALR-2016.4 - Site Context
3. A3 - SS-ALR-2016.4 - Policy Checklist
4. A4 - SS-ALR-2016.4 - Application

[House]
300
LePage

MALCOLM BOND

537-9464

ROAD ALLOWANCE

EACH 250 FT²

(1960's) ALL OPEN
3 OLD SHEDS
2 REBUILT ON SITE

House

326
LePage

11

Le PAGE ROAD

NOTE THE 5 BUILDINGS
CLOSEST TO ROAD WERE
BUILT ON SITES BEFORE
ROAD WAS GAZETTED

CORALS

OLD
SHED
24x20'
1930's

ROAD ALLOWANCE

1950's
OLD
ROOT
CELLAR
900 FT²

COOLER
98 FT²

SHED
OLD-REBUILT
ON SITE
150 FT²

EXISTING VETERINARY
CLINIC
APPROXIMATELY 1200 FT²

PROPOSED
BUILDING

ADDITION

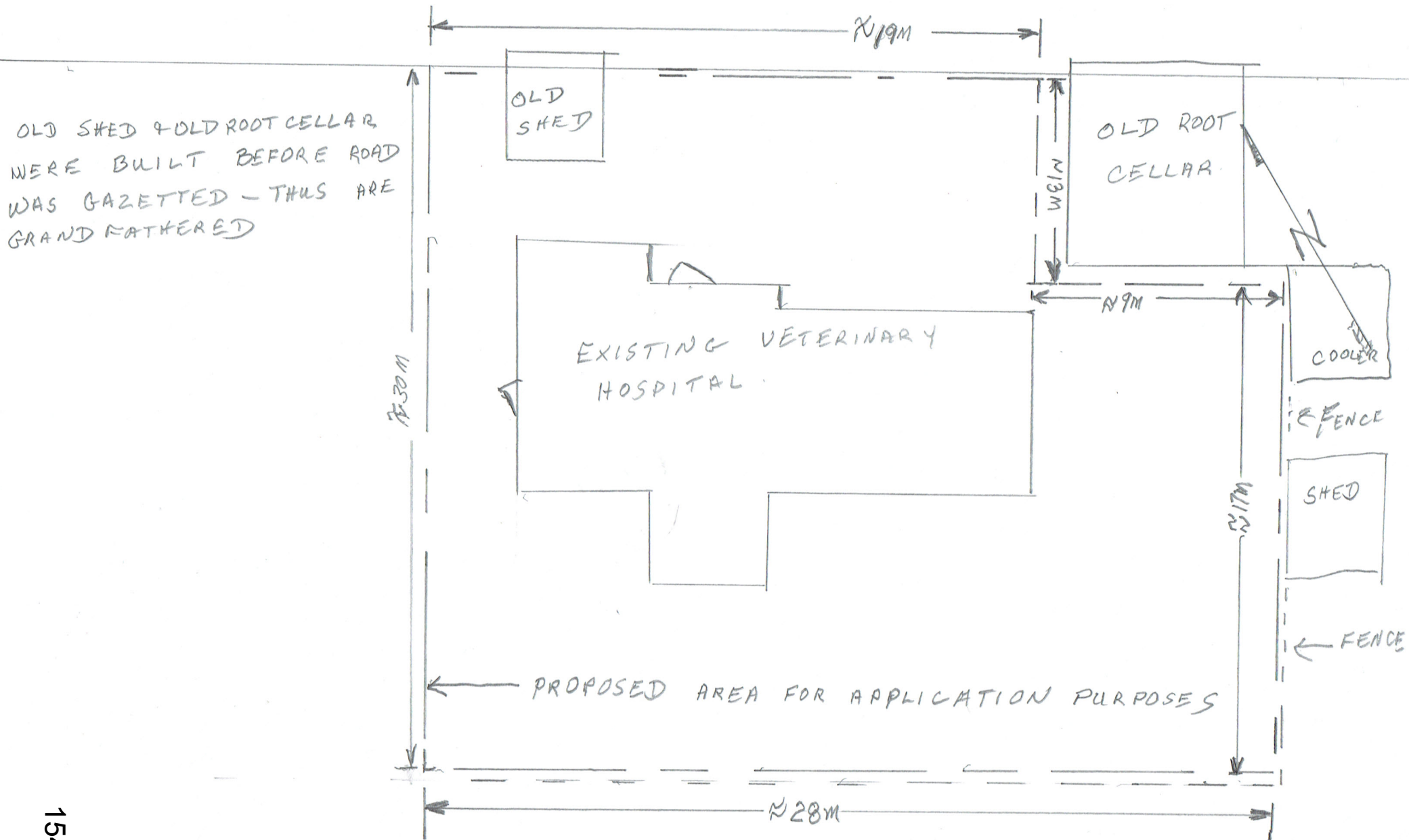
36'
1951
BARN
LIVE STOCK

Appendix 1

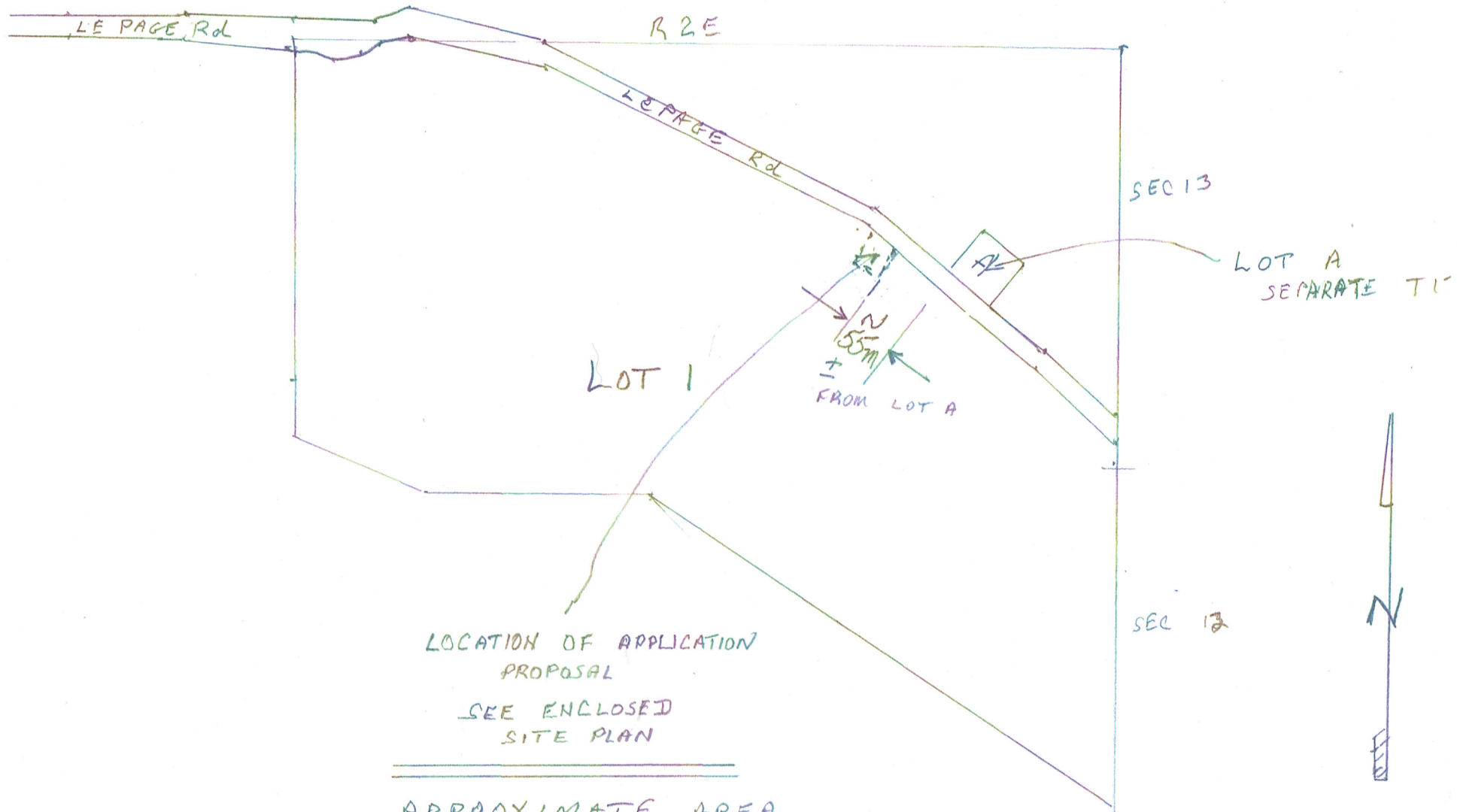
PROPOSED BUILDING
EXPANSION TO EXISTING
BUILDING

LAND PLAN OF PROPOSED ALR USE FOR VETERINARY
CLINIC ADDITION.

LEPAGE Rd ALLOWANCE



LOT 1 SEC 12+13 A2E NORTH SALTSPRING



LOCATION OF APPLICATION
PROPOSAL

SEE ENCLOSED
SITE PLAN

APPROXIMATE AREA
= 0.07 HECTARE OR
(7,650 SQUARE FEET)
≈ 750 SQUARE METERS

SITE CONTEXT

File No.: SS-ALR-2016.4

LOCATION

Legal Description	Lot 1, Sections 12 and 13, Range 2 East, North Salt Spring Island, Cowichan District, Plan VIP52234
PID	017-312-302
Civic Address	300 Le Page Road

LAND USE

Current Land Use	The subject property is within the Agricultural Land Reserve (ALR) and is primarily used for agriculture. The 33 ha lot includes approximately 21 ha of improved farmland, all of which is currently used for a farm operation and production of farm products. Existing buildings and structures on the lot include various farm buildings, two permanent detached dwelling units and one bunk house. See Appendix 4 for a full description of agricultural uses. There is also an existing veterinarian medicine clinic that services both domestic and food supply animals, and is located in a 120 square meter (1300 square foot) building. See Figures 2-8 below.
Surrounding Land Use	Properties to the West, North and East are within the ALR and are used for residential and agricultural purposes. Properties to the South are not within the ALR, and are rural lots used for residential and conservation purposes.

HISTORICAL ACTIVITY

File No.	Purpose
SS-BP-2016.38	In May 2016, the Islands Trust received a Building Permit application referral for the subject property from the Capital Regional District. The application proposed a 56 square meter (602 square foot) addition to the existing veterinarian clinic building. This application was not approved as the veterinarian clinic expansion was not permitted under current zoning regulations. The applicant was advised that a non-farm use application to the Agricultural Land Commission would be required, followed by a temporary use permit or bylaw amendment application made to the Islands Trust.
SS-ALR-1993-7	In July 1993, the Islands Trust received an application referral for the subject property from the Agricultural Land Commission (ALC). The application proposed construction of two additional permanent dwelling units in addition to the existing dwelling unit. The ALC refused the application, but permitted a second permanent dwelling unit to be located on the property.

POLICY/REGULATORY

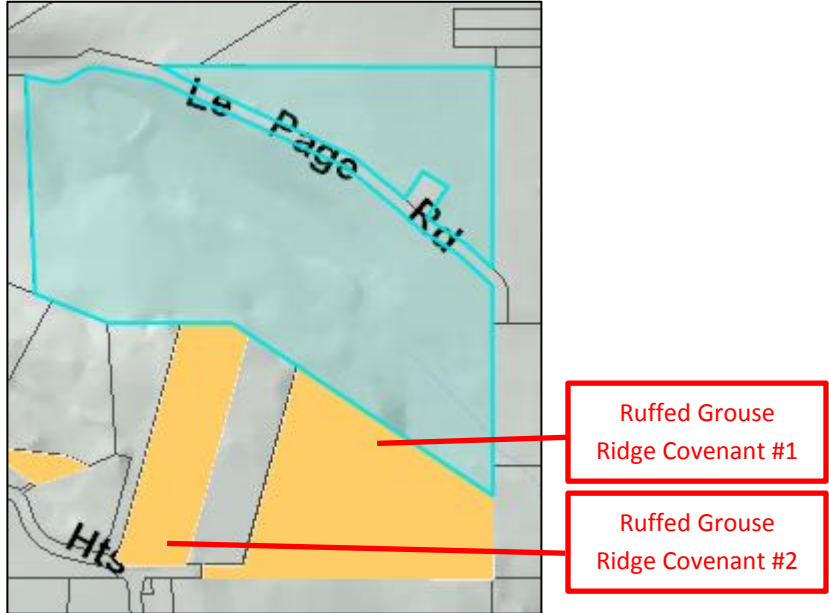
Official Community Plan Designations	The subject property is within the Agriculture land use designation. See Appendix 3 for the land use designation policies. The subject property is located within Development Permit Area 4 – Lakes, Streams and Wetlands (DPA 4) and Development Permit Area 7 – Riparian Areas (DPA 7). The proposed non-farm use area for veterinarian clinic
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	expansion is not within DPA 4 nor DPA 7.
Land Use Bylaw	The subject property is within the Agriculture 1 (A1) zone. Veterinarian clinics are not a permitted use within the A1 zone. The A1 zone permits home-based business use provided the use is in accordance with Section 3.13 of the Salt Spring Island Land Use Bylaw. However, a veterinarian clinic is not a permitted occupation under the home-based businesses regulations, and the proposed clinic expansion exceeds the maximum permitted floor area for home-based businesses. Subject to ALC approval, expansion of the existing veterinarian clinic on the subject property will require either a bylaw amendment or a temporary use permit.
Agricultural Land Commission Act	The Agricultural Land Reserve Use, Subdivision and Procedure Regulation does not permit veterinarian clinics as a farm use nor as a non-farm use within the ALR. These regulations require the applicant to submit a non-farm use application to the ALC. Pursuant to subsection 25(3) of the <i>Agricultural Land Commission Act</i> , this non-farm application cannot proceed to the ALC unless authorized by a resolution of the LTC.
Covenants	There are two Statutory Right of Ways (ROW) registered on title, which relate to BC Hydro and Telus infrastructure. Future development may be subject to the terms of these documents, as the Area of Works identified in the ROWs is located along the southern side of Le Page Road.
Bylaw Enforcement	There are no Islands Trust Bylaw Enforcement files associated with the subject property. There is a Bylaw Contravention Notice registered on title, which relates to the contravention of building regulations. CRD Building Inspection staff have indicated that they do not have information relating to this contravention.

SITE INFLUENCES

Islands Trust Fund	Islands Trust Policy 3.3.ii indicates that all applications and referrals, including Agricultural Land Commission referrals, shall be referred to the Trust Fund Board for comment if the application or referral is regarding land that directly affects a property adjacent to a Board owned property or conservation covenant. The subject property is adjacent to two properties affected by Trust Fund Board conservation covenants: Ruffed Grouse Ridge Covenants #1 and #2 (see Figure 1 below). The Ruffed Grouse Ridge Covenants were donated by a landowner on Salt Spring Island jointly to the Islands Trust Fund and The Land Conservancy of BC.
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	 Figure 1: Subject property (in blue) and Trust Fund Board conservation covenants (in orange) Islands Trust Fund staff have indicated that a staff to staff referral would suffice. This referral has been completed as of October 11, 2016. Islands Trust fund staff indicated that they have no concerns related to the adjacent covenant areas.
Regional Conservation Strategy	This application is not expected to impact the adjacent conservation areas.
Species at Risk	Islands Trust mapping indicates no species at risk on the subject property.
Sensitive Ecosystems	Islands Trust mapping indicates no sensitive ecosystems on the subject property.
Hazard Areas	Islands Trust mapping shows there as being low-medium risk steep slopes located on the subject property.
Archaeological Sites	The Remote Access to Archaeological Data (RAAD) database indicates there are is a recorded archaeological site on the subject property, as well as areas identified as having archeological potential. The proposed non-farm use area is not located on the recorded archaeological site; however it is located on areas with archeological potential. The applicant has been advised to correspond with the BC Archeology Branch. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed

	before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The proposal to permit an existing veterinarian clinic to be located on a farm is expected to result in reduced greenhouse gas emissions. The farm workers who live on the farm also work at the veterinarian clinic, which helps to thereby reduce greenhouse gas emissions from commuting to work. Similarly, veterinarian clinic clients are able to purchase farm products while on site, thereby reducing the amount of vehicle use required.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



Figure 1: Street view of veterinarian clinic on subject property, located adjacent to farm stand.



Figure 2: Veterinarian clinic signage and farm stand on subject property.



Figure 3: Parking area for veterinarian clinic, located in Le Page Road dedication.



Figure 4: Outdoor corral and pens used for veterinarian services for food supply animals.



Figure 5: Existing veterinarian clinic building and proposed area for expansion.



Figure 6: Market gardens located adjacent to veterinarian clinic.



Figure 6: Market gardens on subject property.



Figure 7: Hayfield and pasture on subject property.



Figure 8: Farm stand signage located at intersection of North End Road and Le Page Road.



Islands Trust

POLICY CHECKLIST

File No.: SS-ALR-2016.4

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN

OCP Objective/Policy	Complies	Planner Comments
B.6.2.2.15 The Local Trust Committee could support applications to the Agricultural Land Commission for non-farm use or exclusion of land within the Agricultural Land Reserve in some situations where local farming or the greater community would benefit. Support for such applications should only be considered if the application has been referred to the Agricultural Advisory Committee and falls into one of the following categories: a. the proposed non-farm use or exclusion would allow an active farm to diversify and broaden its income, but not decrease the farming capability of the property. b. the proposed non-farm use or exclusion is consistent with local zoning or a land use designation or policy in this Plan, including policies B.3.3.2.10 and B.7.2.2.7. c. in the instance of a proposed exclusion, the Local Trust Committee may consider an application that would result in inclusion of existing non-ALR farmland into the ALR. d. the non-farm use or exclusion of property for essential community services, if the location of the service is limited by engineering constraints, or by strategic considerations such as those that determine the best location for an emergency response station, and the proponent has demonstrated that there is no suitable alternate, non-ALR property.	Yes	This policy indicates that the non-farm use application should be referred to the Salt Spring Island Agricultural Advisory Planning Commission (AAPC). The AAPC recommended the Salt Spring Island Local Trust Committee forward this non-farm use application to the Agricultural Land Commission with strong support on the basis of technical merits and benefit to the community and local agriculture. The veterinarian clinic services food supply animals, which directly benefits local farming. The veterinarian clinic services domestic animals, which directly benefits the greater community. Staff consider the proposed non-farm use to be consistent with category (a), as the veterinary clinic allows an active farm to diversify and broaden its income, while not decreasing the farming capability of the property. The veterinary clinic has been in operation for 18 years and the existing farm operation has been successful. Please see Appendix 4 for detailed information describing how the revenue from the veterinary clinic has been used for extensive agricultural improvements on the property.
B.6.2.2.31 The Local Trust Committee will support the implementation of the Area Farm Plan by the Salt Spring Island Agricultural Alliance.	Yes	The Area Farm Plan identifies the following Strategic Objectives as they relate to Farmland Use on Salt Spring: - Minimize non-farm activities and subdivision of land within the Agricultural Land Reserve and encourage farming as the primary land use activity. - Ensure the compatibility of proposed land uses adjacent to agricultural land. Farming is the primary land use activity on the subject property. The proposal is for 0.1 ha in area dedicated to the non-farm use. This is considered a minimal area for the non-farm use,



POLICY CHECKLIST

File No.: SS-ALR-2016.4

		when compared to the 33 ha lot that includes approximately 21 ha of improved farmland. The veterinarian clinic services food supply animals, which is considered to be compatible and necessary for farming on Salt Spring Island. The veterinary clinic has been in operation for 18 years and the existing farm operation has been successful. This suggests that the veterinarian clinic and the adjacent agricultural land are compatible.
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Provincial Agricultural Land Commission - Applicant Submission

Application ID: 55393

Application Status: Under LG Review

Applicant: Malcolm Bond

Local Government: Islands Trust

Local Government Date of Receipt: 06/28/2016

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: To allow for the addition of 600 square feet of building space to an existing veterinary clinic.

Mailing Address:

300 LePage Road
Salt Spring Island, BC
V8K 1N1
Canada

Primary Phone: (250) 537-9464

Mobile Phone: (250) 537-8434

Email: mb9464@telus.net

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 017-312-302

Legal Description: Lot 1 Plan VIP52234 Section 12 and 13 Range 2E jurisdiction 764 gulf islands rural

Parcel Area: 37.5 ha

Civic Address: 300 LePage rd, Salt Spring Island BC,

Date of Purchase: 08/03/1983

Farm Classification: Yes

Owners

1. **Name:** Malcolm Bond

Address:

300 LePage Road
Salt Spring Island, BC
V8K 1N1
Canada

Phone: (250) 537-9464

Cell: (250) 537-8434

Email: mb9464@telus.net

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple
Parcel Identifier: 009-941-681
Owner with Parcel Interest: Malcolm Bond
Parcel Area: 7 ha
Land Use Type: Agricultural/Farm
Interest Type: Registered Lease
-

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Description and use of parcel under application. The 37 hectare farm has 21 hectares of improved farmland all of which is in production as follows: a) 4.5 hectares in market garden of which 3 hectares are in pumpkins and sweet corn as well as 1.5 hectares in various vegetables ranging from potatoes, tomatoes, cole crops, greens, eggplants, peppers and all root crops to supply local stores and our own farm vegetable stand. b) 16 hectares in hayland and improved pasture for feeding of farm's sheep and hay sales of which approximately 1000 bales are sold annually. c) About 0.5 hectares of land in farm buildings. Buildings include 2 farm houses, 1 bunk house, a 1500 square foot 2 story livestock/hay storage barn, a 1200 square foot root cellar, a walk-in cooler, a brooder house, feed storage sheds, a 1000 square foot chicken house, 2 pump houses, a 1000 square foot greenhouse (tomatoes), a 250 square foot plant starter greenhouse, a 1000 square foot workshop, a 3 stall horse barn/hay storage, 7 machine sheds, 2 woodsheds, and a 100 square foot slat house for potted plants. d) 16 hectares of woodlot with some rough pasture all of which is fenced. e) Currently raise annually approximately 60 meat lambs. Approximately 100 laying hens for farm stand egg sales and 30 turkeys for the Christmas market, annually.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Agricultural improvements made to the parcel. a) 21 hectares of land has been cleared and cultivated, most since the current family arrived in 1930. b) Fencing. There are approximately 7200 meters of fencing most of which is post and page wire. A small portion is split cedar rail. 7 hectares of the cleared land is deer proof fenced. All of the deer proof land is supplied with irrigation. It would not be possible to market garden on this land without deer proof fencing. c) Drainage. The farm has a valley running through it and includes 1.5 hectares of muck soil. Without drainage this would not be of agricultural value for most of the year. There are 2000 meters of main drainage and cross drainage subsurface. There is one main open drainage ditch that extends from one end of the valley to the other. d) Irrigation: Over the past 22 years an irrigation system has been built. It includes i) a 17 acre foot reservoir ii) a pump house with 2 x 10 hp electric pumps iii) 1,00 meters of 4" buried schedule 40 PVC irrigation pipe iv) 310 meters of 3" schedule 40 buried irrigation pipe v) 23 hydrants and numerous hose bibs vi) a 3" irrigation reel 250 meters in length vii) 200 meters of 4" moveable aluminum sprinkler pipe

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

An older 1200 square foot building for the practice of food and domestic animal veterinary medicine with an annual gross revenue of 800,000 dollars.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: rough/wooded pasture in ALR

East

Land Use Type: Agricultural/Farm

Specify Activity: hay land/rough pasture/wooded in ALR

South

Land Use Type: Residential

Specify Activity: wooded residential some in a Conservancy

West

Land Use Type: Agricultural/Farm

Specify Activity: wooded rough pasture in ALR

Proposal

1. How many hectares are proposed for non-farm use?

0.1 ha

2. What is the purpose of the proposal?

To allow for the addition of 600 square feet of building space to an existing veterinary clinic.

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

Not realistically. The father, mother and son owners of the practice along with another son all work in the clinic as well as on the farm. Logistically, a practice off site would restrict the farming practices currently in place. There is a greater efficiency of labour if the owners and employees who work in both veterinary and farm businesses do not have to commute back and forth.

4. Does the proposal support agriculture in the short or long term? Please explain.

Short Term. Emphatically yes. 1)The vet clinic brings people to the farm on a daily basis and for the 10 months of the year the vegetable stand is open, these clients also buy significant egg, vegetable and lamb products. Those clients that have horses and ruminants are also responsible for the purchase of a large portion of our total hay sales. The location is remote enough that without this client base people would be unlikely to visit just for farm produce. The clinic staff is also responsible for catering to both the farm and veterinary clients. This creates an efficiency of service that would not be possible otherwise. 2) It creates a greater efficiency of labour not having to commute between the farm and a remote veterinary practice. 3) Over the past 22 years the farm has had invested in it over \$250,000.00 in capital improvements. The majority of this capital came out of veterinary income not farm income. Farm sales in 1994 were about \$5000.00 per year. Today they are about \$70,000.00 per year. LONG TERM: 1) We offer farm animal veterinary services at the farm. This service includes veterinary care for pigs, sheep, camelids, goats, cattle and poultry. We have a full size coral, loading ramp and chute for all species. We have a head gate with an open side for performing surgery on livestock up to 2000 pounds. Nobody else on Salt Spring offers this service. 2) We currently have 2 generations of veterinary involvement. A third generation has already expressed interest in continuing with the agricultural side and if marks permit the veterinary side of the family business as well. The sustainability of the farm and veterinary practices are sure for at least 20 years and possibly as much as 50.

Applicant Attachments

- Proposal Sketch - 55393
- Other correspondence or file information - site plan
- Other correspondence or file information - property boundary
- Certificate of Title - 017-312-302

ALC Attachments

None.

Decisions

None.



File No.: SS-ALR-2016.3

DATE OF MEETING: December 1, 2016

TO: Salt Spring Island Local Trust Committee

FROM: Shelley Miller, Planner 1
Salt Spring Island Office

SUBJECT: Subdivision in the Agricultural Land Reserve

Applicant: Garry Gilchrist of GILX Management Corporation

Location: 902 and 952 Beaver Point Road (PID 009-744-053 and 009-744-070)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request the applicant to submit a subdivision plan that conforms to Salt Spring Island Official Community Plan Bylaw No. 434 policies B.6.2.2.8, B.6.2.2.13, and B.6.2.2.17 (SS-ALR-2016.3).
2. That the Salt Spring Island Local Trust Committee request the applicant to submit a report prepared, signed and sealed by a Professional Agrologist, which demonstrates how the subdivision plan conforms to Salt Spring Island Official Community Plan Bylaw No. 434 policies B.6.2.2.8, B.6.2.2.13, and B.6.2.2.17 (SS-ALR-2016.3).

REPORT SUMMARY

This application proposes the subdivision of two parcels located partially within the Agricultural Land Reserve (ALR) in order to create a total of five parcels. See Appendix 1 for the proposed site plan. The Agricultural Land Commission (ALC) has the authority to approve subdivision proposals within the ALR. The *Agricultural Land Commission Act* requires that the Salt Spring Island Local Trust Committee (LTC) decide on whether or not to forward the application to the ALC for consideration. The purpose of this Staff Report is for the LTC to consider the application following review by the Salt Spring Island Agricultural Advisory Planning Commission (AAPC).

Staff conclude that this application is inconsistent with the land use policies of the Salt Spring Island Official Community Plan Bylaw No. 434 (OCP) as they relate to subdivision of ALR land and to maintaining the long-term potential of farming on the subject properties. Therefore, staff recommend that the applicant provide a subdivision plan that conforms to OCP policies B.6.2.2.8, B.6.2.2.13, and B.6.2.2.17, and a report prepared by a Professional Agrologist, which demonstrates how the subdivision plan conforms to these OCP policies.

BACKGROUND

The subject parcels were owned by the late William George Smith (deceased in 2006) and are currently owned by his four children. The purpose of this subdivision is to divide the two-parcel estate into five parcels for

distribution among four members of the Smith family and to balance estate interests. Please refer to the [Preliminary Staff Report](#) for detailed background information.

This application was first considered by the LTC at its September 1, 2016 meeting. At the September 1, 2016 LTC meeting, the LTC referred the application to the AAPC. The AAPC met on September 22, 2016 and concluded the following:

By general consent, the Salt Spring Island Agricultural Advisory Planning Commission recommend staff schedule a site visit prior to consideration of the application.

By general consent, the Salt Spring Island Agricultural Advisory Planning Commission recommend staff schedule a site visit to 902 Beaver Point Road.

On October 6, 2016, various AAPC members and one staff member attended a site visit at the subject properties. The AAPC met on October 6, 2016 and discussed the following:

- There was a question regarding regulations for subdividing for a family member within the ALR;
- There was a question regarding whether the house sites could be designated on rock outcroppings to preserve the agricultural land;
- There was a comment that a high percentage of the property is not suitable for agriculture;
- There was a comment that small parcels of land can build agriculture capacity and there could be merit to permit a smaller lot in a lower price range;
- There was a question regarding whether consolidating lots “D” and “E” would protect agricultural land.

On October 6, 2016, the AAPC passed the following resolution:

It was MOVED and SECONDED,

that the Salt Spring Island Agricultural Advisory Planning Commission recommend that the Salt Spring Island Local Trust Committee forward application SS-ALR-2016.3 to the Agricultural Land Commission with support, and the recommendation that a house site be designated on Lot “D” that would not impact the agricultural capability of the property.

CARRIED

ANALYSIS

Policy/Regulatory:

This proposal for subdivision of ALR land is subject to four regulatory regimes:

- OCP Policies for Agricultural Land;
- Salt Spring Island Land Use Bylaw Subdivision Regulations;
- Section 514 of the *Local Government Act* (Subdivision to provide residence for a relative); and
- *Agricultural Land Commission Act*.

OCP Policies for Agricultural Land

Staff conclude that the proposal is inconsistent with OCP policies that speak to subdivision of ALR land. Please see Appendix 4 for a full OCP policy analysis.

OCP policy B.6.2.2.13 states that the LTC could support subdivision of ALR land if:

- a. the subdivision results in improved farming capability or production on all proposed lots in a way that would be impossible without subdivision.
- b. the subdivision is to provide a house site up to 0.6 ha in size for an adult relative of the property owner, as defined by Section 946 [currently Section 514] of the *Local Government Act* and the parcel was held by that owner (or a blood relation) before the adoption of the *Agricultural Land Commission Act* on December 21, 1972
- c. The subdivision is clearly in the public interest consistent with other objectives of this Plan.

Analysis of each of these three policy items are summarized below:

- a. There is no documented evidence that the subdivision will improve farming capability or production on all proposed lots in a way that would be impossible without subdivision. Research shows that subdivision in the ALR has been found to undermine the viability of farming by diminishing the agricultural potential of the land, creating potential for conflict at the boundary of farms and residential areas, and creating the expectation that farmland can be converted to rural residential use¹.
- b. Proposed Lot D is 3.06 ha in area and is considered significantly larger than a house site. It is unknown if Lot D will provide residence for a relative and if it will be used for agriculture as the lot does not contain any buildings or structures and the application states that some owners wish to divest their interest in the parcels in order to balance estate interests.
- c. There is no documented evidence that demonstrates that the subdivision is clearly in the public interest consistent with other objectives of the OCP. The maintenance and protection of long term potential for farming is an objective of the Salt Spring Island OCP. As a general planning principle, the fragmentation of agricultural land is inconsistent with maintaining long-term farming potential.

Furthermore, staff also conclude that the proposal does not comply with other OCP policies that relate to subdividing agricultural land, as detailed below:

OCP Policy B.2.3.2.4 indicates that subdivision applicants will be encouraged to cluster new lots onto that part of their land that has the best capacity for residential development, and the least value for agriculture. The proposed subdivision layout is creating new lots on agricultural land while maintaining future subdivision potential on proposed Lot C (non-agricultural land).

OCP Policy B.6.2.2.8 indicates that the minimum average size of lots that can be created by subdivision in the Watershed-Agriculture Designation will remain the same as permitted by existing zoning. Proposed Lot D is within the Watershed-Agriculture (WA) designation, is 3.06 ha in area, while existing zoning requires 8 ha for the minimum lot size created by subdivision. There is no documented evidence that proposed Lot D would benefit local farming or protect agricultural land by allowing clustered development.

OCP Policy B.6.2.2.17 indicates that the LTC encourages subdivision layouts that reduce the potential for conflict with farming. As noted above, subdivision in the ALR and creation of small lots has been found to create

¹ Curran, D. (2005). Protecting the Working Landscape of Agriculture: A Smart Growth Direction for Municipalities in British Columbia. West Coast Environmental Law. Research Foundation. Retrieved from <http://wcel.org/sites/default/files/publications/Protecting%20the%20Working%20Landscape%20of%20Agriculture.pdf>

potential for conflict at the boundary of farms and residential areas, and creating the expectation that farmland can be converted to rural residential use².

OCP Policy B.6.2.2.31 indicates that the LTC will support the implementation of the Salt Spring Island Area Farm Plan. The Salt Spring Island Area Farm Plan lists among its strategic objectives in the category of Improved Protection and Utilization of Farmland:

- Minimize non-farm activities and subdivision of land within the Agricultural Land Reserve and encourage farming as the primary land use activity.
- Protect and enhance Salt Spring Island's existing agricultural land base.
- Encourage farmland owners to farm or make land available for farming.
- Provide long-term, affordable access to farmland for beginning farmers.

AAPC meeting minutes show that there was a comment that small parcels of land [i.e. Proposed Lot D] can build agriculture capacity and there could be merit to permit a smaller lot in a lower price range. However, the applicant indicates that proposed Lot D is to provide a residence for a relative in accordance with Section 514 of the *Local Government Act*.

Salt Spring Island Land Use Bylaw Subdivision Regulations

The Agriculture 2 (A2) zone requires a minimum lot size of 8 ha while proposed Lot D is only 3.06 ha. Section 514 of the *Local Government Act* allows the Provincial Approving Officer to approve the subdivision of a parcel that would otherwise be prevented by local bylaws (i.e. the minimum parcel size for proposed Lot D), if the subdivision is also permitted by the ALC. Therefore, a land use bylaw amendment would not be required if the subdivision proposal is approved by the ALC and the Provincial Approving Officer concludes that the proposal meets the requirements of Section 514 of the *Local Government Act*. If the Provincial Approving Officer concludes that the proposal does not meet the requirements of Section 514 of the *Local Government Act*, then a land use bylaw amendment would be required for the proposed subdivision layout. Local governments are not required to allow changes in zoning when the ALC has approved a subdivision if the rezoning does not meet other land use goals³.

Section 514 of the *Local Government Act*

Section 514 of the *Local Government Act* contains provisions for subdivision to provide residence for a relative. The applicant indicates that proposed Lot D is in accordance with Section 514 of the *Local Government Act*. It is unknown if Lot D will actually provide residence for a relative as the lot does not contain any buildings or structures and the application states that some owners wish to divest their interest in the parcels in order to balance estate interests. It is unknown who will own each parcel, how Lot D will actually be used.

² Curran, D. (2005). Protecting the Working Landscape of Agriculture: A Smart Growth Direction for Municipalities in British Columbia. West Coast Environmental Law. Research Foundation. Retrieved from <http://wcel.org/sites/default/files/publications/Protecting%20the%20Working%20Landscape%20of%20Agriculture.pdf>

³ West Coast Environmental Law. Subdivision. Retrieved from <http://wcel.org/subdivision>

The Provincial Approving Officer has the ultimate authority to determine if the proposal is consistent with these *Local Government Act* provisions. MOTI staff have indicated that a subdivision application under Section 514 must be made separately from a proposal to subdivide the parent parcel. The applicant has been advised of these regulations and processes and encouraged to contact MOTI staff regarding this subdivision proposal.

Agricultural Land Commission Act

The application states that the purpose of this subdivision is to divide the original homestead from the balance of the land, and that this subdivision application is made pursuant to the ALC's 'Homesite Severance on ALR Lands', Policy #11. ALC staff have indicated that if there is no home (i.e. on Lot D), then it is not a homesite severance. If not a homesite severance, then the ALC will consider the application as a regular subdivision proposal. The ALC has the authority to determine if the subdivision proposal is consistent with the ALC's purpose, which is:

- To preserve agricultural land;
- To encourage farming on agricultural land in collaboration with other communities of interest;
- To encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Note that the ALC is not obliged to approve subdivisions that meet minimum lot sizes required by existing zoning⁴.

Issues and Opportunities:

There is no right to subdivide in the ALR; The ALC has the ultimate authority to approve subdivision proposals within the ALR. Local governments also have significant authority to shape development and activities on ALR land through zoning and OCP policies. Staff find the application to be inconsistent with OCP policies relating to the subdivision of ALR land and to maintaining the long-term potential of farming. Proposed Lot D is smaller than would otherwise be permitted by the Agriculture 2 zone provisions and the application is at variance with strategic objectives identified in the Salt Spring Area Farm Plan.

Staff have advised the applicant that there are alternative subdivision layouts that would not fragment agricultural land, and would be consistent with existing zoning and land use objectives and policies. Proposed Lot C is 21.7 ha in area, is zoned Rural Watershed 1 (RW1) and is not within the ALR. Based on minimum lot size requirements, proposed Lot C could be further subdivided into 5 lots (provided all other subdivision regulations are satisfied). The applicant indicates that there are time constraints and economic barriers that make subdividing Lot C impractical for the current owners.

⁴ West Coast Environmental Law. Subdivision. Retrieved from <http://wcel.org/subdivision>

Rationale for Recommendation:

Staff recommend that the LTC proceed no further with the current application unless the applicant provides documented evidence that the proposal conforms to OCP policies that speak to subdivision of ALR land. While the AAPC recommended support for application, and the applicant states that the subdivision plan is in the public interest and results in improved farming capability, staff cannot recommend that the LTC proceed with the application without documented evidence that the application conforms to OCP policies.

In order for the application to proceed any further, staff recommend that the LTC request the applicant to:

1. Submit a subdivision plan that conforms to OCP policies B.6.2.2.8, B.6.2.2.13, and B.6.2.2.17; and
2. Submit a report prepared, signed and sealed by a Professional Agrologist, which demonstrates how the subdivision plan conforms to OCP policies B.6.2.2.8, B.6.2.2.13, and B.6.2.2.17.

A report prepared by a Professional Agrologist would provide the necessary documented evidence if the subdivision results in improved farming capability or production, and if the subdivision is in the public interest consistent with other OCP objectives.

ALTERNATIVES

Pursuant to subsection 25(3) of the Agricultural Land Commission Act, this ALR subdivision application cannot proceed to the ALC unless authorized by a resolution of the LTC. Ultimately, the LTC has the following options:

1. Defer passing a resolution until additional information is obtained.
2. Pass a resolution to not forward the application to the ALC.
3. Pass a resolution to forward the application to the ALC with no comment.
4. Pass a resolution to forward the application to the ALC with comment.

NEXT STEPS

If the LTC concurs with staff recommendation, then application processing will remain on hold until the applicant submits a subdivision plan and a report prepared by a Professional Agrologist, which demonstrates how the subdivision plan conforms to OCP policies B.6.2.2.8, B.6.2.2.13, and B.6.2.2.17.

Submitted By:	Shelley Miller, Planner 1	November 15, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 15, 2016

ATTACHMENTS

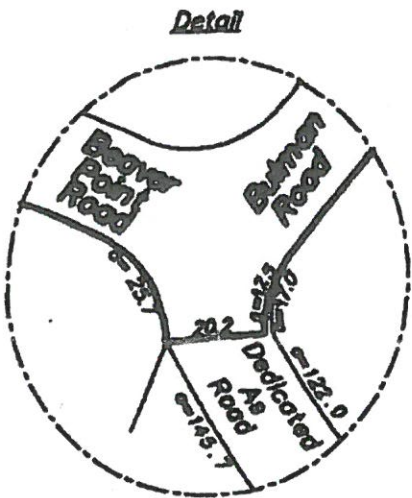
1. A1 - SS-ALR-2016.3 - Proposed Site Plan May 10 2016
2. A2 - SS-ALR-2016.3 - Original Site Plan March 23 2016
3. A3 - SS-ALR-2016.3 - Site Context
4. A4 - SS-ALR-2016.3 - Policy Checklist
5. A5 - SS-ALR-2016.3 - Application

Plan Showing Proposed Subdivision Of:
The North 1/2 Of The North West 1/4 Of Section 59,
And The South 1/2 Of The South West 1/4 Of
Section 73, South Salt Spring Island, Cowichan
District, Except Part In Plan 17520.



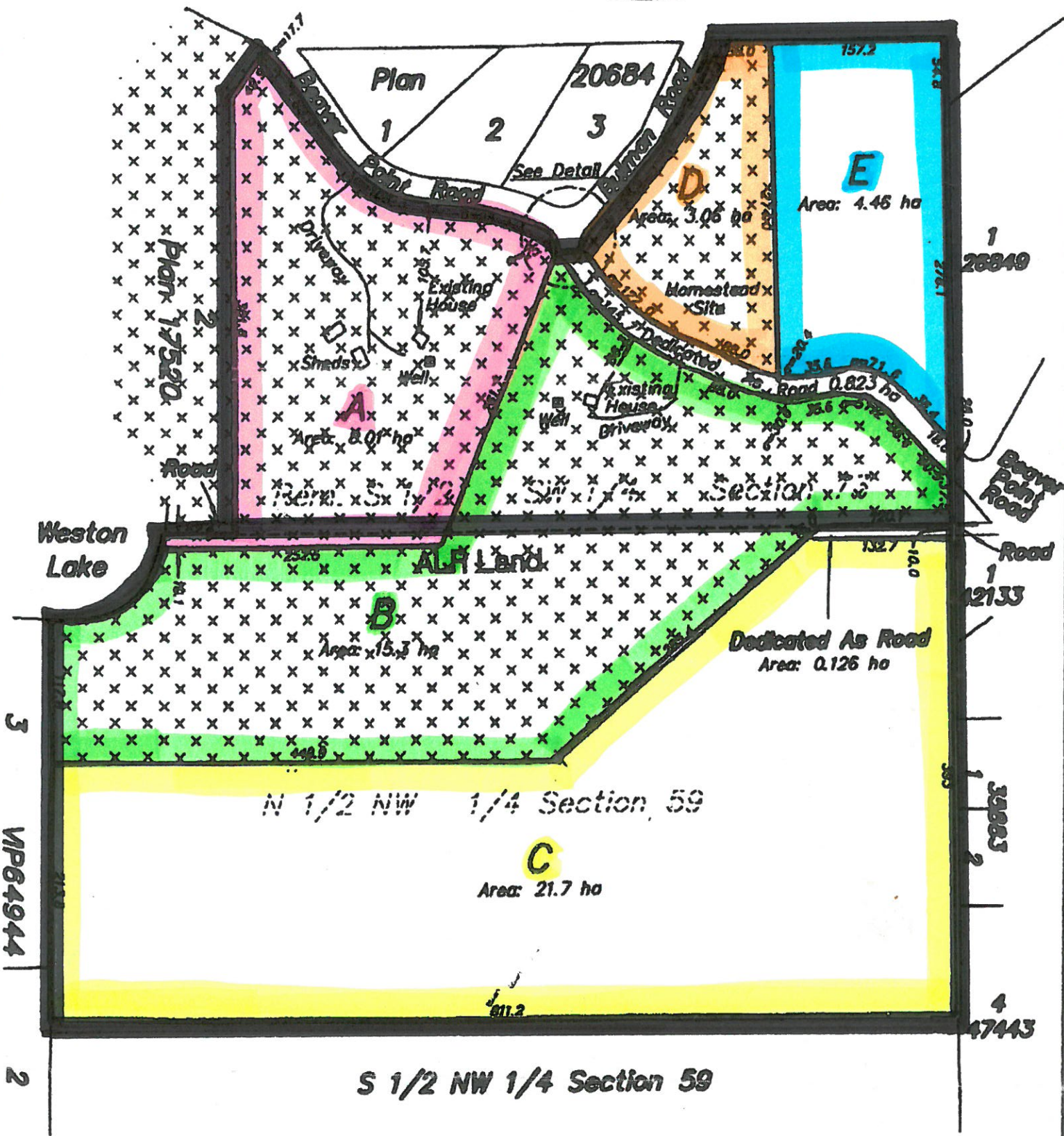
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Dated this 10th day of May, 2016.
Distances shown are in metres.



Legend

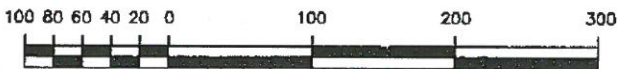
- Current Parcel Boundaries
- ALR Land



Revised to meet min. lot sizes

Wey Mayenburg Land Surveying Inc.
www.weysurveys.com
#4-2227 James White Boulevard
Sidney, BC V8L 1Z5
Telephone (250) 856-5155

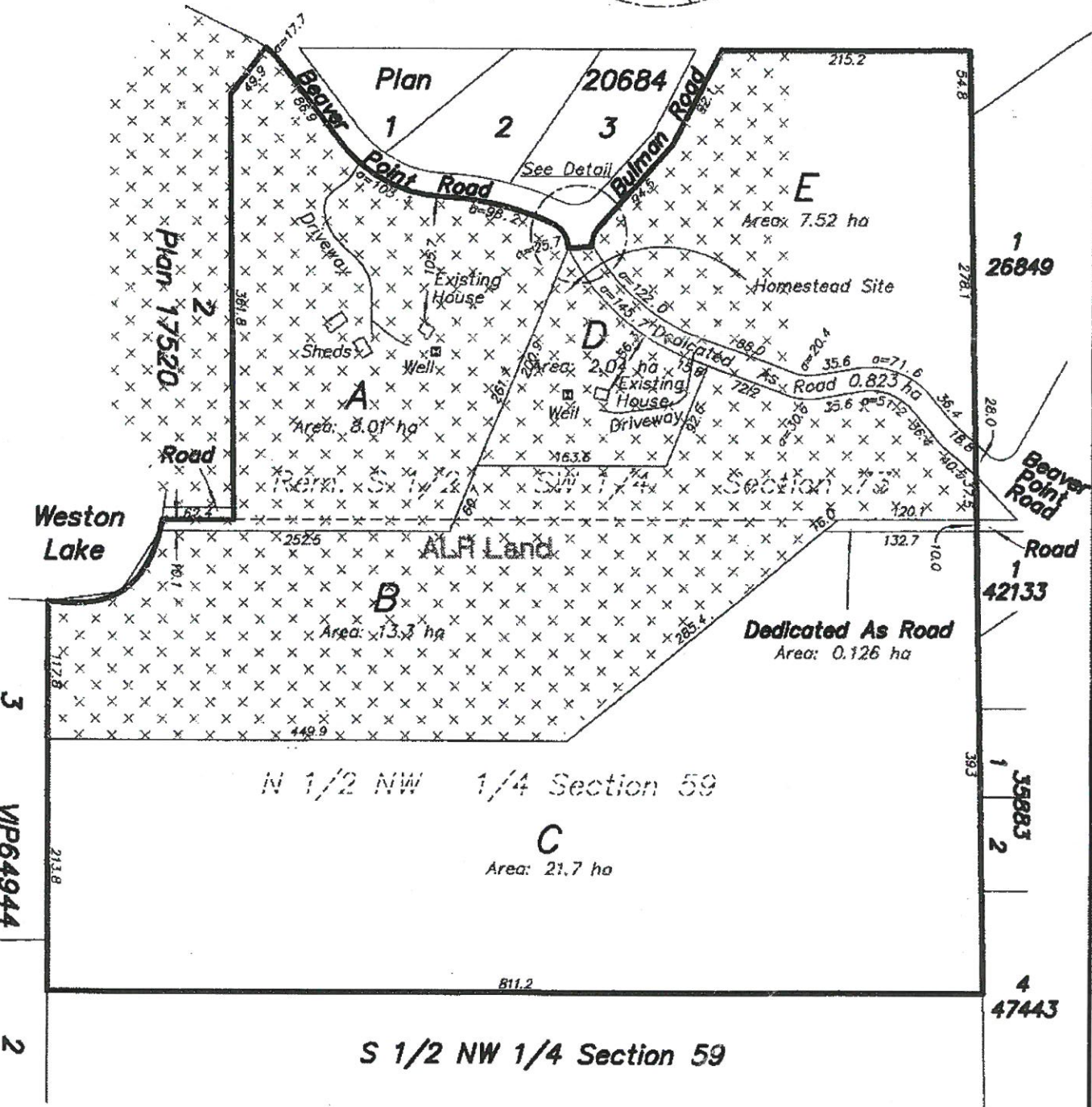
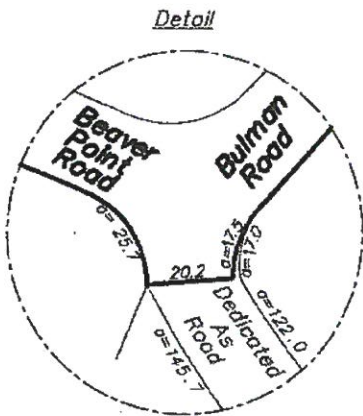
Plan Showing Proposed Subdivision Of:
The North 1/2 Of The North West 1/4 Of Section 59,
And The South 1/2 Of The South West 1/4 Of
Section 73, South Salt Spring Island, Cowichan
District, Except Part In Plan 17520.



Scale = 1:5000

Dated this 23rd day of March, 2016.

Distances shown are in metres.



Wey Mayenburg Land Surveying Inc.
www.weysurveys.com
#4-2227 James White Boulevard
Sidney, BC V8L 1Z5
Telephone (250) 656-5155
File: 130150F/pro/LE

Original - does not meet LUB lot sizes



Islands Trust

SITE CONTEXT

File No.: SS-ALR-2016.3

LOCATION

Legal Description	The South 1/2 of the South West 1/4 of Section 73, South Salt Spring Island, Cowichan District, as shown red on Plan DD 9168, except part in Plan 17520 and The North 1/2 of the North West 1/4 of Section 59, South Salt Spring Island, Cowichan District, as shown red on Plan DD 9168
PID	009-744-053 and 009-744-070
Civic Address	902 and 952 Beaver Point Road
Location Description	The subject parcels are located at the intersection of Beaver Point Road and Bulman Road with Beaver Point Road traversing through the northern parcel. The parcels extend west to Weston Lake, north along Beaver Point Road and Bulman Road, and southeast to Demetri Way and Ambleswood Drive. The northern parcel is 21.53 ha (53.20 acres) in area, and the southern parcel is 31.97 ha (78.99 acres) in area. See Figures 2-6 below for site photos.

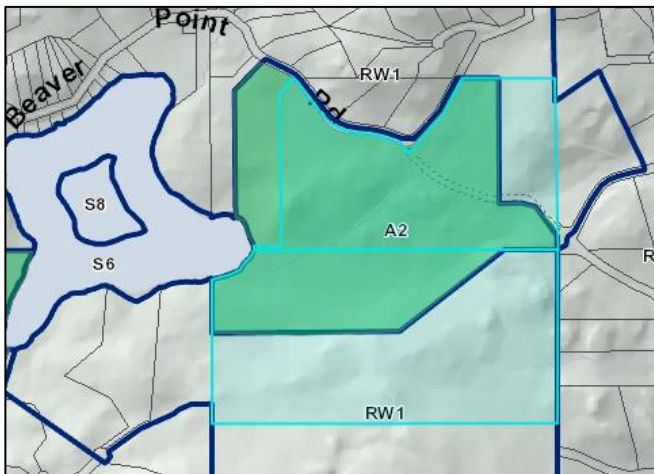
LAND USE

Current Land Use	Existing buildings on the northern parcel include two single family dwellings and accessory buildings. There are no existing buildings on the southern parcel. The current agricultural activity includes hay production.
Surrounding Land Use	The adjacent property to the west is zoned Agriculture 2 (A2) and is within the Agricultural Land Reserve (ALR). All other adjacent properties are zoned Rural Watershed 1(RW1) and contain private residences.

HISTORICAL ACTIVITY

File No.	Purpose
SS-SUB-1992.8	In January 1992, the Islands Trust received an eight parcel subdivision proposal for the subject parcels. The applicants were advised that the proposal required application to the Agricultural Land Commission (ALC) and a land use bylaw amendment. There was no further action taken on this application and the file was closed.
SS-SUB-1994.19	In August 1994, the Islands Trust received an eight parcel subdivision proposal for the subject parcels. The applicants were advised that the proposal required application to the ALC. The Ministry of Transportation and Highways denied the subdivision application as various agencies did not approve the proposal, including the Islands Trust, the ALC, the Environmental Health Officer, BC Hydro and the BC Ministry of Environment, Lands and Parks. The Provincial Approving Officer believed the land was subject to natural hazards and advised the applicant to consult a Geotechnical Engineer. There was no further action taken on this application and the file was closed.

POLICY/REGULATORY

Official Community Plan Designations	The subject parcels are within the Watershed - Agriculture (WA) designation and the Watershed and Islet Residential (WIR) designation. See Appendix 4 for land use designations policies. The subject parcels are located within Development Permit Area 4 – Lakes, Streams and Wetlands (DPA 4) and Development Permit Area 7 – Riparian Areas (DPA 7). Subdivision within DPA 4 and DPA 7 requires a Development Permit, prior to subdivision approval.
Land Use Bylaw	The subject parcels are both split zoned Agriculture 2 (A2) and Rural Watershed 1 (RW1). See Figure 1 below for zoning and ALR land.  Figure 1: Subject parcels (light blue) with zoning (dark blue) and ALR land (green). The A2 zone permits one single family dwelling and one additional dwelling provided that it is a mobile home, a secondary suite, or a farmworkers dwelling unit, and is consistent with ALC policies and regulations. The existing dwelling units were issued Building Permits by the Capital Regional District Building Inspection department in 1975 and 1989. At that time, the previous Salt Spring Island Zoning Bylaw No. 123 permitted additional dwelling units necessary for farm use, and the second dwelling unit was approved by the CRD as farm worker accommodation. Both dwellings do not have final inspections, nor were they issued Occupancy Permits. The proposed subdivision layout is consistent with the minimum and average lot area requirements for each zone, with the exception of proposed Lot D. In the A2 zone, the minimum area of an individual lot that may be created through subdivision is 8 ha. Proposed Lot D is within the A2 zone and is only 3.06 ha. The applicant indicates that proposed Lot D is in accordance with



	Section 514 of the <i>Local Government Act</i>, to provide residence for a relative. If the ALC approves the proposed subdivision, and the applicant qualifies under Section 514, a land use bylaw amendment would not be necessary.
<i>Local Government Act</i>	Section 514 of the <i>Local Government Act</i> contains provisions for the subdivision of land to provide a residence for a relative. These provisions allow the Provincial Approving Officer to approve the subdivision of a parcel that would otherwise be prevented by local bylaws (i.e. the minimum parcel size for proposed Lot D), if the subdivision is also permitted by the ALC. The <i>Local Government Act</i> allows local governments to establish minimum parcel sizes for subdivision for a relative. The Salt Spring Island Land Use Bylaw does not specify this minimum parcel size, and these minimum parcel sizes do not apply within the ALR. Excerpts of Section 514 of the <i>Local Government Act</i> are provided below: Subdivision to provide residence for a relative 514 (1) If the requirements of this section are met, an approving officer may approve the subdivision of a parcel of land that would otherwise be prevented from subdivision by a provision of (a) a bylaw under this Act, other than a bylaw under subsection (4), that establishes a minimum parcel size, or (b) a regulation under the <i>Local Services Act</i> that establishes a minimum parcel size. (2) An application for subdivision of a parcel under this section may be made only if all the following requirements are met: (a) the person making the application has owned the parcel for at least 5 years before making the application; (b) the application is made for the purpose of providing a separate residence for (i) the owner, (ii) a parent of the owner or of the owner's spouse, (iii) the owner's child or the spouse of the owner's child, or (iv) the owner's grandchild; (c) the proposed subdivision is not a subdivision that an approving officer is prevented from approving by subsection (3). (6) Any parcel created by subdivision under this section must be at least 1 hectare unless a smaller area, in no case less than 2 500 m², is

	approved by the medical health officer. (7) For 5 years after subdivision under this section, unless the applicable use is changed by bylaw, (a) the use of the parcel subdivided for the purpose of providing a residence as stated in subsection (2) (b) must be residential use only, and (b) the use of the remainder of the original parcel must not be changed from the use of the original parcel. (ii) will not be subdivided under this section, and Section 510 of the <i>Local Government Act</i> exempts the applicant from the dedication of parkland because the smallest parcel being created is larger than 2 hectares.
<i>Agricultural Land Commission Act</i>	This subdivision of ALR land application is made pursuant to the ALC's 'Homesite Severance on ALR Lands' (Policy #11), which includes guidelines for situations where the subject property has been the principal residence of the applicant as owner occupant since December 21, 1972 and the applicant wishes to dispose of the parcel but retain a homesite on the land.
Covenants	Both parcels have a right of way registered on title and this relates to BC Hydro infrastructure servicing. The proposed subdivision is not contradictory to this charge on title, although any future development may be subject to the terms of this document. Beaver Point Road bisects the northern parcel, although it is not currently a formal road dedication. Ministry of Transportation and Infrastructure staff have confirmed that Beaver Point Road is a Ministry Road and that a formal road dedication would be required through the subdivision process.
Bylaw Enforcement	Not Applicable

SITE INFLUENCES

Islands Trust Fund	Not Applicable
Regional Conservation Strategy	Not Applicable
Species at Risk	Islands Trust mapping indicates that the subject parcels contain: • The Douglas-fir / dull Oregon-grape (<i>Pseudotsuga menziesii</i> / <i>Mahonia nervosa</i>) Ecological Community, which is on the provincial Red list; and • Critical habitat for the Barn Owl (<i>Tyto alba</i>), which is on the provincial Red List.
Sensitive Ecosystems	Islands Trust mapping indicates that the Wetland Sensitive Ecosystem is located on proposed Lot A and Lot B, adjacent to Weston Lake. Weston Lake is the water source for the Fulford Water System.



Hazard Areas	Islands Trust mapping shows there as being low-medium risk steep slopes located on both parcels.
Archaeological Sites	The Remote Access to Archaeological Data (RAAD) database indicates there are no known recorded archaeological sites nor areas identified as having archeological potential located on or in the vicinity of the subject parcels. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Agricultural Capability	The agriculture capability ratings for the subject parcels are Class 3W, Class 6RT and Class 5M. The Class 3W land has excess water limitations that require moderately intensive management practices and/or the range of crops are moderately restricted. The Class 6RT land is nonarable, has shallow soil and topographical restrictions and is limited to the production of native and/or uncultivated perennial forage. The Class 5M land has soil moisture deficiency limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
Water Resources	There are two existing water wells located on proposed Lot A and Lot B. As part of the subdivision process, the applicant would be required to provide confirmation that there is sufficient water to supply all uses, buildings and structures permitted on the lot. The owner holds a Water Licence from 1977 which authorizes the diversion of water from Weston Lake for irrigation and domestic purposes.
Climate Change Adaptation and Mitigation	The existing buildings on proposed Lots A and B appear to be sufficiently upland from Weston Lake, which is considered an adaptive measure for potential seasonal flooding. The creation of additional lots will likely result in increased water demand, which may be impacted increasing seasonal droughts. Land clearing, site preparation and construction associated with subdivision will result in greenhouse gas emissions.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



Figure 2: Proposed Lot D, looking north from Beaver Point Road.



Figure 3: Hay fields and riparian area on proposed Lot B.



Figure 4: Historic farm buildings on proposed Lot B.

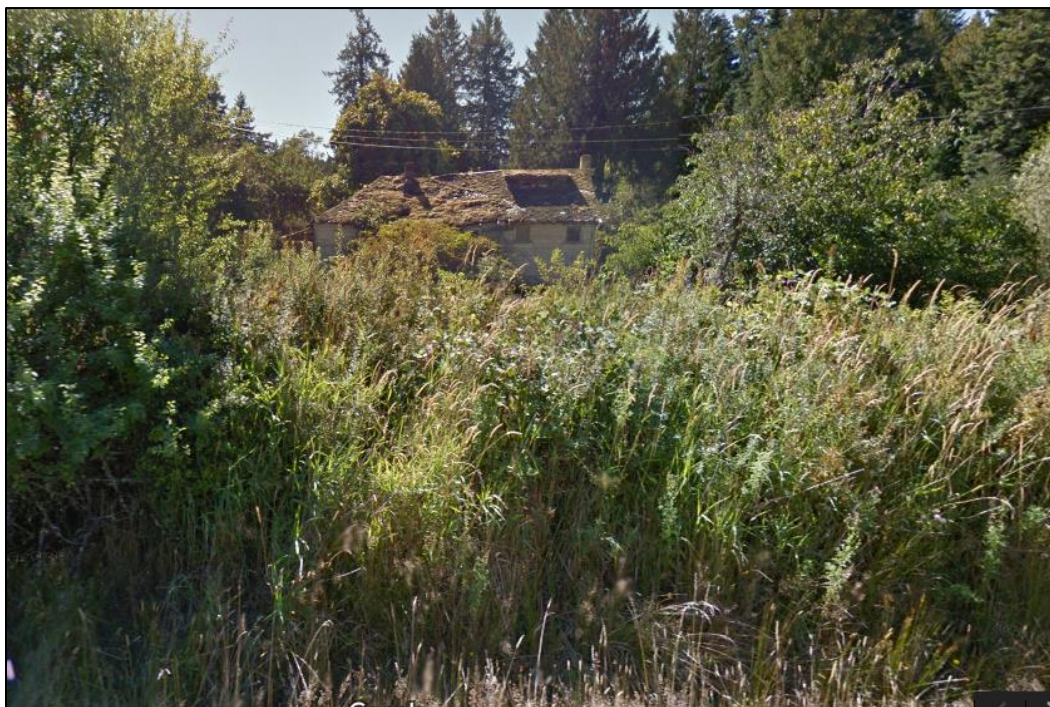


Figure 5: Historic farm house on proposed Lot B, looking south from Beaver Point Road.



Figure 5: Beaver Point Road bisecting northern parent parcel, looking east.



Islands Trust

POLICY CHECKLIST

File No.: SS-ALR-2016.3

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN

OCP Policy	Complies	Planner Comments
B.2.3.2.4 Subdivision applicants will be encouraged to cluster new lots onto that part of their land that has the best capacity for residential development, and the least value for agriculture, forestry or environmental protection, or protection of archaeological sites or other First Nations cultural sites. The Local Trust Committee will develop informational materials for subdivision applicants that illustrate how they could maintain their development potential while preserving open space (See example below).	no	The proposed subdivision layout is creating new lots on agricultural land while maintaining future subdivision potential on proposed Lot C (non-agricultural land). Proposed Lot C is 21.7 ha in area and is zoned Rural Watershed 1 (RW1). Based on minimum lot area requirements, proposed Lot C could be further subdivided into 5 lots (provided all other subdivision regulations are satisfied). Staff have advised the applicant that subdividing proposed Lot C would not fragment agricultural land, and would be consistent with existing zoning and land use objectives and policies.
B.6.2.2.8 The minimum average size of lots that can be created by subdivision in the Agriculture and Watershed-Agriculture Designation will remain the same as permitted by existing zoning. The Local Trust Committee could consider amending the minimum size of individual lots, if such a change would benefit local farming or protect agricultural land by allowing clustered development.	no	Proposed Lot D is within the Watershed-Agriculture (WA) designation and is zoned Agriculture 2 (A2). Lot D is 3.06 ha in area while existing zoning requires 8 ha for the minimum lot size created by subdivision. Section 514 of the <i>Local Government Act</i> allows the Provincial Approving Officer to approve the subdivision of a parcel for a relative that would otherwise be prevented by local bylaws, subject to conditions. See Appendix 3 for Section 514 provisions of the <i>Local Government Act</i>. Agricultural Advisory Planning Commission (AAPC) meeting minutes show that there was a comment that small parcels of land can build agriculture capacity and there could be merit to permit a smaller lot in a lower price range. The AAPC resolved to recommend that a house site be designated on Lot "D" that would not impact the agricultural capability of the property. However, the applicant indicates that proposed Lot D is to provide a residence for a relative in accordance with Section 514 of the Local Government Act. It remains unknown who will own each of the proposed lots, how they will be developed, and if they will be used for agricultural purposes. There is no documented evidence that proposed Lot D would benefit local farming or protect agricultural land by allowing clustered development.
B.6.2.2.13 The Local Trust Committee could support applications to the Agricultural Land Commission to subdivide land within the Agricultural Land Reserve if: a. the subdivision results in improved	no	a. The applicant has not provided documented evidence demonstrating that the proposed subdivision results in improved farming capability or production on all proposed lots in a way that would be impossible without subdivision. The applicant indicates that the proposed subdivision layout will



farming capability or production on all proposed lots in a way that would be impossible without subdivision. b. the subdivision is to provide a house site up to 0.6 ha in size for an adult relative of the property owner, as defined by Section 946 of the Local Government Act and the parcel was held by that owner (or a blood relation) before the adoption of the Agricultural Land Commission Act on December 21, 1972. c. the subdivision is clearly in the public interest consistent with other objectives of this Plan.		result in improved farming capability. The applicant states that the fractured ownership of the parcels precludes development of or investment in the properties and the subdivision will resolve estate issues, allowing for individual ownership of the proposed parcels. The applicant suggests that the presence of Beaver Point Road bisecting the northern parcel affects the farming capability of this parent parcel. b. Proposed Lot D is 3.06 ha in area and is considered significantly larger than a house site. Lot D is not an existing house site as it does not contain any buildings or structures. Note that the <i>Local Government Act</i> requires that the parcel to provide residence for a relative must be at least 1 hectare unless a smaller area, in no case less than 2500 m², is approved by the medical health officer. The AAPC recommended that a house site be designated on Lot D that would not impact the agricultural capability of the property. In a previous subdivision application made by the current owners in 1994, the Provincial Approving Officer believed the land was subject to natural hazards and advised the applicant to consult a Geotechnical Engineer. Therefore, engineering services may be required to investigate suitable house sites on Lot D. The parcels were held by the current owner (William George Smith, now deceased) since prior to December, 1972. William George Smith has four children, who are also current owners of the property. The four siblings were granted an Option to Purchase the two parcels in 1971 and became registered owners in 1974. It is unknown if Lot D will provide residence for a relative as the lot does not contain any buildings or structures and the application states that some owners wish to divest their interest in the parcels in order to balance estate interests. It is unknown who will own each parcel and how Lot D will be used. c. There is no documented evidence that demonstrates that the subdivision is clearly in the public interest consistent with other objectives of this Plan. The Salt Spring Island Area Farm Plan includes the strategic objective of minimizing the subdivision of land within the ALR as a means for improved protection and utilization of farm land.
B.6.2.2.17 The Local Trust Committee encourages subdivision layouts that reduce the potential for conflict with farming. When subdivisions are proposed for land	no	There is no documented evidence that the proposed subdivision layout will reduce the potential for conflict with farming. Subdivision in the Agricultural Land Reserve and creation of small lots has been found to create potential for conflict at the boundary of farms



that drains towards agricultural lands, the staff shall request that the Subdivision Approving Officer consider how changes to natural drainage patterns could affect agricultural activities. Such applications may be referred to the Agricultural Advisory Committee for advice and the Advisory Committee's suggestions for the protection of farming operations will be forwarded to the Subdivision Approving Officer for consideration.		and residential areas, and creating the expectation that farmland can be converted to rural residential use¹. The AAPC resolved to recommend that that a house site be designated on proposed Lot D that would not impact the agricultural capability of the property. Upon receipt of a subdivision application referral from the Ministry of Transportation and Infrastructure, this AAPC recommendation will be forwarded to the Subdivision Approving Officer for consideration.
B.6.2.2.31 The Local Trust Committee will support the implementation of the Area Farm Plan by the Salt Spring Island Agricultural Alliance.	no	The Salt Spring Island Area Farm Plan lists among its strategic objectives in the category of Improved Protection and Utilization of Farmland: • Minimize non-farm activities and subdivision of land within the Agricultural Land Reserve and encourage farming as the primary land use activity. • Protect and enhance Salt Spring Island's existing agricultural land base. • Encourage farmland owners to farm or make land available for farming. • Provide long-term, affordable access to farmland for beginning farmers. The Area Farm Plan Steering Committee also recommended that the Salt Spring Island Official Community Plan be revised to limit the subdivision of land within the ALR.²
B.8.1.2.4 The minimum size of lots that can be created by subdivision in this [Watershed and Islet Residential] Designation will remain the same as indicated in the Local Trust Committee's current Land Use Bylaw. New lot sizes should continue to be no smaller than 12 ha in the Maxwell Lake watershed and no smaller than 4 ha in other watershed areas.	yes	Proposed lot E is 4.46 ha in area and is consistent with land use bylaw requirements. Proposed Lot C is 21.7 ha in area and could be further subdivided into 5 lots, provided all other subdivision regulations are satisfied.

¹ Curran, D. (2005). Protecting the Working Landscape of Agriculture: A Smart Growth Direction for Municipalities in British Columbia. West Coast Environmental Law. Research Foundation. Retrieved from <http://wcel.org/sites/default/files/publications/Protecting%20the%20Working%20Landscape%20of%20Agriculture.pdf>

² Masselink Environmental Design. (2008). Salt Spring Area Farm Plan. Retrieved from <http://www.islandstrust.bc.ca/lrc/ss/pdf/ssareafarmplan.pdf>

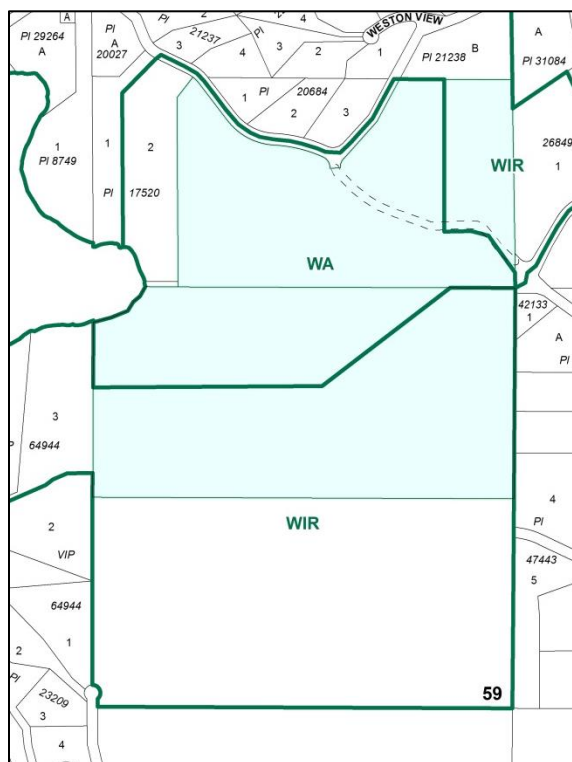


Figure 1: Subject parcels (light blue) with land use designations (green).

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 55159

Application Status: Under LG Review

Applicant: Anne Kenney , Maureen Quested , Bruce Smith , Douglas Smith

Agent: GILX Management Corporation

Local Government: Islands Trust

Local Government Date of Receipt: 04/08/2016

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: Property was optioned by parents in 1967 and subsequently modified to include current owners in 1971 (2 sons / 2 daughters). Purpose is to sub-divide original homestead from the balance of the land; one current owner (Bruce) resided on what we have called Lot D / Homestead since early 1980's and subsequently moved to Lot A (about 1993) when parents retired to Victoria; Bruce intends to remain on Lot A...one owner (Doug) wishes to retain the original homestead (Lot D) ...the two daughters wish to divest their ownership for health reasons. The lots have been created to maximize future agricultural opportunities.

Agent Information

Agent: GILX Management Corporation

Mailing Address:

411 Constance Avenue

Victoria, BC

V9A 6N2

Canada

Primary Phone: (250) 213-8133

Email: GILX.Management.Corporation@gmail.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 009-744-053

Legal Description: Remainder of S 1/2 of SW 1/4 of Section 73

Parcel Area: 20.5 ha

Civic Address: 902 Beaver Point Road

Date of Purchase: 07/16/1971

Farm Classification: No

Owners

1. **Name:** Anne Kenney

Address:

2316 Sonora Drive

Coquitlam, BC

V3J 6Y5

Canada

Applicant: Anne Kenney , Maureen Quested , Bruce Smith , Douglas Smith

Phone: (604) 469-2039
Email: makenney@shaw.ca

2. **Name:** Maureen Quested

Address:
811 Stanehill Place
Victoria, BC
V9C 3X2
Canada

Phone: (250) 478-7595
Email: mquested@shaw.ca

3. **Name:** Bruce Smith

Address:
902 Beaver Point Road
Salt Spring Island, BC
V8K 1X8
Canada

Phone: (250) 653-2438

4. **Name:** Douglas Smith

Address:
212 Hart Road
Victoria, BC
V9C 1A1
Canada

Phone: (250) 478-9606
Email: kaydat@telus.net

2. **Ownership Type:** Fee Simple

Parcel Identifier: 009-744-070

Legal Description: North 1/2 of the NW 1/4 of Section 59, South Salt Spring Island, Cowichan District, Plan DD 9168

Parcel Area: 32 ha

Civic Address: None Assigned

Date of Purchase: 07/16/1971

Farm Classification: No

Owners

1. **Name:** Anne Kenney

Address:
2316 Sonora Drive
Coquitlam, BC
V3J 6Y5
Canada

Phone: (604) 469-2039
Email: makenney@shaw.ca

2. **Name:** Maureen Quested

Address:
811 Stanehill Place
Victoria, BC
V9C 3X2
Canada

Phone: (250) 478-7595
Email: mquested@shaw.ca

3. **Name:** Bruce Smith

Address:
902 Beaver Point Road
Salt Spring Island, BC
V8K 1X8

Applicant: Anne Kenney , Maureen Quested , Bruce Smith , Douglas Smith

Canada
Phone: (250) 653-2438
4. **Name:** Douglas Smith
Address:
212 Hart Road
Victoria, BC
V9C 1A1
Canada
Phone: (250) 478-9606
Email: kaydat@telus.net

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

PID 009-744-053 - Hay on part of ALR land...balance is treed PID 009-744-070 - Hay intermittent otherwise no current agricultural activity...mostly treed

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

PID 009-744-053 - Part of ALR land cleared for orchard...now hay PID 009-744-070- Small part cleared for hay - majority treed

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

PID - 009-744-053 - Original homestead + newer home occupied by Bruce Smith...garage / sheds for auto repair PID - 009-744-070 - No current active uses

Adjacent Land Uses

North

Land Use Type: Residential

Specify Activity: Single family acreages

East

Land Use Type: Residential

Specify Activity: Single family acreages

South

Land Use Type: Residential

Specify Activity: Large treed lot

West

Land Use Type: Residential

Specify Activity: Singlr family acreages & Weston Lake

Proposal

1. Enter the total number of lots proposed for your property.

8 ha

13.3 ha
21.7 ha
2 ha
7.5 ha

2. What is the purpose of the proposal?

Property was optioned by parents in 1967 and subsequently modified to include current owners in 1971 (2 sons / 2 daughters). Purpose is to sub-divide original homestead from the balance of the land; one current owner (Bruce) resided on what we have called Lot D / Homestead since early 1980's and subsequently moved to Lot A (about 1993) when parents retired to Victoria; Bruce intends to remain on Lot A...one owner (Doug) wishes to retain the original homestead (Lot D) ...the two daughters wish to divest their ownership for health reasons. The lots have been created to maximize future agricultural opportunities.

3. Why do you believe this parcel is suitable for subdivision?

Sub-division has been in effect imposed by the construction of Beaver Point Road. The remaining ALR area has been effectively sub-divided into usable lots with the original homestead being retained for sentimental value.

4. Does the proposal support agriculture in the short or long term? Please explain.

The sub-division boundaries reflect ALR boundaries and physical realities. Parcel sizes with the exception of the homestead Lot D meet or exceed current guidelines. Lot boundaries approximate intermittent stream courses.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

Yes

Applicant Attachments

- Agent Agreement - GILX Management Corporation
- Proposal Sketch - 55159
- Homesite Severance Qualification - 55159
- Other correspondence or file information - BC Assessments
- Certificate of Title - 009-744-053
- Certificate of Title - 009-744-070

ALC Attachments

None.

Decisions

None.

File No.: SS-DP-2016.6

DATE OF MEETING: December 1, 2016

TO: Salt Spring Island Local Trust Committee

FROM: Shelley Miller, Planner 1
Salt Spring Island Office

SUBJECT: Development Permit for water line installation within Development Permit Area 7 – Riparian Areas.

Applicant: Andria Scanlan

Location: 125 Mapleridge Place

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2016.6.

REPORT SUMMARY

This application proposes to permit the installation of a domestic waterline in Development Permit Area 7 - Riparian Areas (DPA 7). The applicant has submitted a Riparian Areas Regulation (RAR) assessment report prepared by a Qualified Environmental Professional (QEP), which forms part of the proposed Development Permit (see Appendix 3). The RAR assessment report contains recommendations intended to meet the DPA 7 guidelines for new development and these recommendations have been incorporated into the proposed Development Permit. Therefore, staff recommend that the LTC approve issuance of the proposed Development Permit.



Figure 1: 2013 Orthophoto of subject property, with DPA 7 shown in blue.

BACKGROUND

In August 2016, the Islands Trust received a building permit referral for construction of a new single family dwelling and accessory buildings on the subject property. Planning staff advised the applicant that a Development Permit would be required for development, including water line installation, within DPA 7. There are existing water service boxes located in the Mapleridge Place right of way. The applicant proposes to install a waterline connected to the water service boxes to serve the new single family dwelling. See Appendix 3, Schedule 1 for the proposed site plan. See Appendix 2 for detailed Site Context information.

ANALYSIS

Policy/Regulatory:

Section 490 of the *Local Government Act* requires that the authority to issue development permits be exercised only in accordance with the applicable guidelines. Staff consider the application to be consistent with applicable guidelines, with the exception of guidelines E.7.6.4 and E.7.6.5. See Appendix 2 for a full analysis of DPA 7 guidelines for new development.

Issues and Opportunities:

DPA 7 guideline E.7.6.4 indicates that the Local Trust Committee (LTC) could require a security to ensure satisfactory completion of habitat protection works, restoration measures, or other works for the stream and streamside habitat. The QEP recommended installation of silt fencing and revegetation of disturbed areas including planting native grass seed immediately after waterline installation. The silt fencing has already been installed and inspected by the QEP (see Appendix 1, Figure 1). The LTC may resolve to collect a security to ensure satisfactory completion of the recommended revegetation. DPA 7 guidelines indicate that the security shall be 150% of the estimated value of the required works as determined by the LTC. The QEP estimates this restoration will cost \$50, which corresponds to a \$75 security. Given the minor monetary value, staff conclude that a security is not warranted in this case.

DPA 7 guideline E.7.6.5 indicates that the Development Permit should not allow any development activities to take place within the Streamside Protection and Enhancement Area (SPEA) identified by the QEP. The QEP has recommended that the trench and waterline cross the SPEA for 2-3 metres in order to connect to the existing water service boxes. The QEP has indicated that development, as outlined in the assessment report, will not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area. The Ministry of Forests, Lands, and Natural Resource Operations has confirmed that the report meets the assessment and reporting criteria of the Riparian Areas Regulation. Therefore, the LTC may deem the placement of the waterline within the SPEA to be appropriate.

Consultation:

Development Permits have no statutory notification requirement; accordingly, no notification has occurred. At the time of publishing this Staff Report, staff have not received any correspondence from the public.

Rationale for Recommendation:

The applicant has submitted a RAR assessment report prepared by a QEP, which forms part of the proposed Development Permit. The RAR assessment report contains recommendations intended to meet the DPA 7 guidelines for new development and these recommendations have been incorporated into the proposed Development Permit. The QEP has indicated that development, as outlined in the assessment report, will not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area. Therefore, staff recommend that the LTC approve issuance of the proposed Development Permit.

ALTERNATIVES

If the LTC wishes to obtain a security to ensure satisfactory completion of habitat protection works and restoration measures, the following resolution is provided:

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2016.6 conditional upon receipt of a \$75 security.

NEXT STEPS

If the LTC concurs with staff recommendation, then the proposed Development Permit will be issued to the applicant.

Submitted By:	Shelley Miller, Planner 1	November 21, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 21, 2016

ATTACHMENTS

1. A1 - SS-DP-2016.6 - Site Context
2. A2 - SS-DP-2016.6 - DPA Checklist
3. A3 - SS-DP-2016.6 - Proposed Development Permit



SITE CONTEXT

File No.: SS-DP-2016.6

LOCATION

Legal Description	Lot 3, Section 10, Range 2 West, North Salt Spring Island, Cowichan District, Plan 45544
PID	008-392-811
Civic Address	125 Mapleridge Place

LAND USE

Current Land Use	A single family dwelling and accessory buildings are proposed to be built on this undeveloped lot.
Surrounding Land Use	Small residential lots (0.3-0.9 ha in area), zoned Residential 6 (a)

HISTORICAL ACTIVITY

File No.	Purpose
SS-BP-2016.62	In August 2016, the Islands Trust received a building permit referral for construction of a single family dwelling and accessory buildings on the subject property. Planning staff advised the applicant that a Development Permit (DP) would be required for development, including water line installation, within Development Permit Area 7 – Riparian Areas (DPA7). The applicant provided a notarized letter indicating no development would occur within DPA7 until approval was granted by the Islands Trust. The building permit referral was approved with the requirement to obtain a DP for development within DPA7.

POLICY/REGULATORY

Official Community Plan Designations	The property is within the Channel Ridge Residential (CRR) designation. The property is within Development Permit Area 6 – Unstable Slopes and Soil Erosion Areas (DPA6), and is identified as having a high hazard for slope instability (Map 24). The property is outside of the area shown on Map 14, as shown by a professional survey submitted to the Islands Trust on May 3, 2016. The following exemption applies: E.6.1.3 Despite Section E.6.1.2, the following activities are also exempted from the requirement to obtain a Development Permit: a. development on land within this Development Permit Area, that is, according to a professional survey submitted to the Islands Trust by the developer, outside an area shown on Maps 13 and 14 as having a high hazard for slope instability or soil erosion. The property is also within Development Permit Area 7 – Riparian Areas (DPA 7). Development, including soil disturbance, within this area requires a Development Permit.
Land Use Bylaw	The property is zoned Residential 6 (a). The proposed single family dwelling and accessory buildings are permitted uses within this zone.



Water Servicing	The property is located within the North Salt Spring Waterworks District (NSSWD). NSSWD staff indicate that the property could be provided with water servicing for a single family dwelling only.
Covenants	Covenant R32170 – Restricts development within the Channel Ridge Development Lands and Watershed Lands. Covenant R111629 – Restricts building site locations. Statutory Building Scheme S108883 – Restricts development on the subject property. Exterior design and finishing of house and accessory buildings must be approved by the Grantor (Channel Ridge Properties Ltd.). Easements EB65663, EB65665, EB65672, EB65674 and EB65676 – Grant access for installing and maintaining domestic water lines
Bylaw Enforcement	Not applicable.

SITE INFLUENCES

Islands Trust Fund	Not applicable.
Regional Conservation Strategy	Not applicable.
Species at Risk	Islands Trust mapping indicates that the subject property contains Slender-spiked Mannagrass (<i>Glyceria leptostachya</i>), which is a species of Special Concern and is on the provincial blue list.
Sensitive Ecosystems	Islands Trust mapping indicates that the Woodland Sensitive Ecosystem is located on the subject property.
Hazard Areas	Islands Trust mapping shows there as being low-medium risk steep slopes located on the subject property. The property is within Development Permit Area 6 – Unstable Slopes and Soil Erosion Areas.
Archaeological Sites	The Remote Access to Archaeological Data (RAAD) database indicates there are areas identified as having archeological potential located on and in the vicinity of the subject lot. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a Heritage Conservation Act permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The proposed building sites are located upland from the nearest watercourses, which is considered an adaptive measure for potential seasonal flooding. Land clearing, site preparation and construction will result in greenhouse gas emissions.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable



Figure 1: Existing water service boxes and silt fencing located within DPA 7 on the subject property.



POLICY CHECKLIST

File No.: SS-DP-2016.6

SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN

Development Permit Area Guidelines for New Development	Complies	Planner Comments
E.7.6.1 The property owner shall be required, in addition to any other application requirements enacted or imposed by the Local Trust Committee, to provide at their expense an assessment report from a Qualified Environmental Professional which has been submitted per the Riparian Areas Regulation.	Yes	The applicant has provided an assessment report from a Qualified Environmental Professional, which has been submitted per the Riparian Areas Regulation and is attached to the proposed Development Permit. The Ministry of Forests, Lands, and Natural Resource Operations has confirmed that the report meets the assessment and reporting criteria of the Riparian Areas Regulation.
E.7.6.2 The Local Trust Committee may impose permit conditions based on the assessment report including: a. Require specified natural features or areas to be preserved, protected, restored or enhanced in accordance with the permit. b. Require natural water courses to be dedicated. c. Require works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features of the environment. d. Require protection measures, including that vegetation or trees be planted or retained in order to: i. preserve, protect, restore or enhance fish habitat or riparian areas; ii. control drainage, or; iii. control erosion or protect banks.	Yes	The proposed Development Permit, attached as Appendix 3, requires the applicant to develop in accordance with the recommendations of the assessment report appended to the permit as Schedule 2. This includes the following mitigation measures: - A 'no excavation' zone is to be protected from development and will include the detention pond and a 3 m buffer around this pond. - A silt fence will be installed prior to development, to ensure sediment and erosion control. Silt fencing is to be inspected by the environmental monitor. - Disturbed areas are to be revegetated and planted with native grass seed immediately after the trench is completed. - A Qualified Environmental Professional must submit written confirmation to the Islands Trust that the development has occurred in accordance with the recommendations contained in the assessment report.
E.7.6.3 The Local Trust Committee shall require a security for developments clearing greater than 280m ² (3,012 ft ²) of land within the Development Permit Area. Security shall be returned upon confirmation by a Qualified Environmental Professional that assessment report conditions have been satisfactorily addressed.	Not applicable	The proposed development will not result in clearing greater than 280m ² of land within the Development Permit Area.
E.7.6.4 Security shall be provided to secure satisfactory completion of habitat protection works, restoration measures, or other works for the streams and streamside habitat (the "required works"). The security shall be 150% of the estimated value of the required works as	To be determined	Habitat protection works include installation of silt fencing. The silt fencing has been installed. The Qualified Environmental Professional is required to inspect the silt fencing, as part of the environmental monitoring section of the assessment report. Restoration measures include revegetating disturbed areas and planting native grass seed immediately after the trench is



determined by the Local Trust Committee.		completed. The Qualified Environmental Professional estimates this restoration will cost \$50. The Local Trust Committee may require security of \$75 to ensure the area is revegetated.
E.7.6.5 The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area identified by the Qualified Environmental Professional and the property owner should be required to follow any measures identified by the Qualified Environmental Professional for protecting the Streamside Protection and Enhancement Area over the long term and these measures should be included as conditions of the development permit. The width of the Streamside Protection and Enhancement Area may be less than the width of the Development Permit Area.	No	The proposed trench and waterline installation crosses the Streamside Protection and Enhancement Area (of Reach 2) for 2-3 metres. The Qualified Environmental Professional requires disturbed areas to be revegetated and planted with native grass seed immediately after the trench is completed. The Qualified Environmental Professional has indicated that development, as outlined in the assessment report, will not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area. The Development Permit requires the Qualified Environmental Professional to submit written confirmation to Islands Trust that the development has occurred in accordance with the recommendations contained in the assessment report.
E.7.6.6 Where a Qualified Environmental Professional or other professional's report describes an area within the Development Permit Area as suitable for development, that is, where the Streamside Protection and Enhancement Area is less than the width of the Development Permit Area, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a Qualified Environmental Professional or other professional at the property owner's expense should be required during construction and development phases, as specified in a development permit.	Yes	The Qualified Environmental Professional has determined that the Streamside Protection and Enhancement Area is 2 m wide, while the Development Permit area is 5 m wide. The Development Permit restricts activities in the Streamside Protection and Enhancement Area to those detailed in the assessment report. The proposed trench and waterline installation crosses the Streamside Protection and Enhancement Area (of Reach 2) for 2-3 metres. The Development Permit requires disturbed areas to be revegetated and planted with native grass seed immediately after the trench is completed. The Development Permit requires monitoring as per Section 5 of the Assessment Report. Reporting to the Islands Trust is required upon completion of development.
E.7.6.7 If the nature of the proposed project within the Development Permit Area changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the property owner to have the professional update the assessment at the property owner's expense and development permit conditions may be amended accordingly.	Not applicable	The Development Permit requires monitoring as per Section 5 of the Assessment Report. Reporting is required upon completion of development.



PROPOSED

Appendix 3

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2016.6

To: Andria Scanlan and Richard Clarke

1. This Development Permit (the "Permit") applies to lands described below and all buildings, structures and other developments therein:

PID: 008-392-811

Lot 3, Section 10, Range 2 West, North Salt Spring Island, Cowichan District, Plan 45544

2. This Permit is authorized as follows:

2.1 Siting of trench and water supply piping must be in accordance with Schedule 1.

3. This Permit is subject to the following conditions:

3.1 All development must be in accordance with the recommendations contained in the Riparian Areas Regulation Assessment Report for the subject property submitted by D. Gooding, P.Eng, dated 2016-10-09, and attached to this permit as Schedule 2.

3.2 The Streamside Protection and Enhancement Area (SPEA) must be revegetated in accordance with the recommendations contained in Section 5 of the *Riparian Areas Regulation* Assessment Report for the subject property submitted by D. Gooding, P.Eng, dated 2016-10-09, and attached to this permit as Schedule 2.

3.3 A Qualified Environmental Professional must submit written confirmation to Islands Trust that the development has occurred in accordance with the recommendations contained in the *Riparian Areas Regulation Assessment Report* which form part of this permit.

4. Development and revegetation authorized by this permit is to be concluded within 2 years of the issuance of the permit.
5. This Permit is authorized in accordance with Schedules 1 and 2, attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust.
6. Any further development, redevelopment or changes to this permit including the siting of buildings, structures, and landscaping in Development Permit Area 7 – Riparian Areas may require a new Development Permit or a Development Permit Amendment.
7. This is not a Building Permit, nor does it remove any obligation on the Permittee to obtain all other necessary approvals for the lawful completion of the proposed development.
8. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.

AUTHORIZING RESOLUTION FOR THE ISSUANCE OF THIS DEVELOPMENT PERMIT PASSED BY THE SALT SPRING ISLAND LOCAL TRUST COMMITTEE THIS ___ DAY OF ____, 201_.

PROPOSED

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE _ DAY OF _____, 201_,
THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2016.6

Scale ~ 1:500

10 0 10 20 30 40 50 m

LEGEND
 Bearings are westings, derived from File 45544
 (Line by date iron post found shows that) ... • 00
 (Line by date iron post not shown that) ... 00
 All distances are in metres unless otherwise indicated

SEC. 10

PLAN

Maple Ridge Place

Detention Pond

Building Site

Driveway

SEC. 10

30 m Reach 1 RAA Bdy

30 m Reach 2 RAA Bdy

10 m Reach 1 erosion & litter ZOS & West SPEA Bdy 4554

Reach 1

Reach 2 & 2 m SPEA Bdy

Reach 1 shade ZOS

Buried Water Supply Pipe

pavement edge R. 21

Area Right of Way 208.5 m²

Area Right of Way 108.6 m²

Area Right of Way 108.6 m²

Total Area Right of Way 425.7 m²

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date 2016-10-09

I. Primary QEP Information

First Name	David	Middle Name	Douglas
Last Name	Gooding		
Designation	P.Eng.	Company	Gooding Hydrology
Registration #	22102	Email	dgooding@saltspring.com
Address	681 Rainbow Rd		
City	Saltspring Island	Postal/Zip	V8K 2M6
Prov/state	B.C.	Country	Canada
		Phone #	250 538-1869

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
		Phone #	

III. Developer Information

First Name	Andria	Middle Name	
Last Name	Scanlan		
Company			
Phone #	250 5381888	Email	andria.scanlan@gmail.com
Address	136 Seclusion Lane		
City	Saltspring Island	Postal/Zip	V8K 1S4
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Construction: single family residential		
Area of Development (ha)	0.04	Riparian Length (m)	35
Lot Area (ha)	0.795	Nature of Development	new
Proposed Start Date	2016-10-15	Proposed End Date	2017-04-01

V. Location of Proposed Development

Street Address (or nearest town)	125 Maple Ridge Place		
Local Government	Capitol Regional District	City	Saltspring Island
Stream Name	Duck Creek		
Legal Description (PID)	Lot 3 Plan VIP4544 Sect10 Range 2W LD16 N Saltspring (008-392-811)	Region	1
Stream/River Type	stream	DFO Area	South Coast
Watershed Code	925-258500-28000		
Latitude	48	53	0.5
Longitude	123	33	35

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.

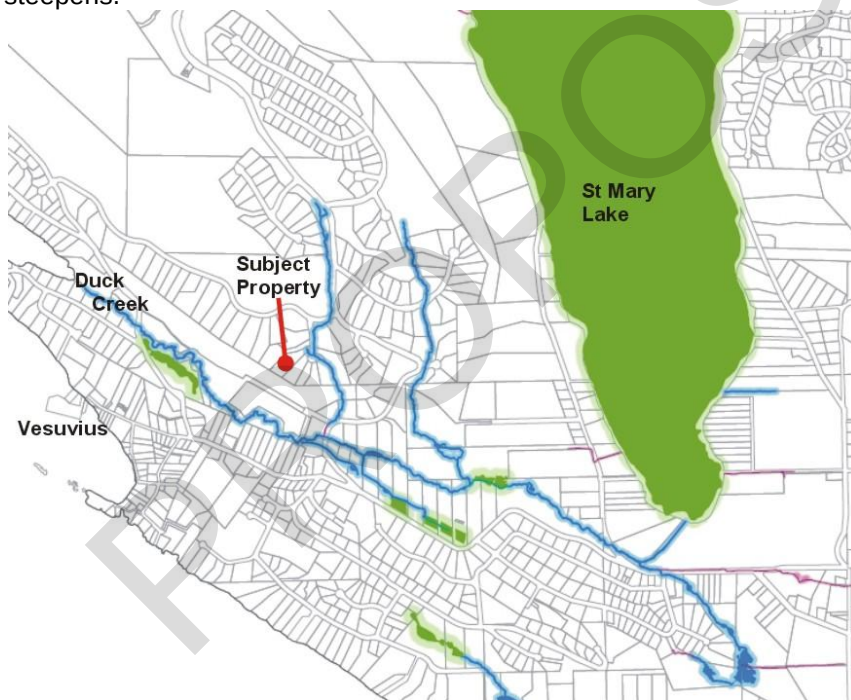
Table of Contents for Assessment Report

	Page Number
1. Description of Fisheries Resources Values	3-4
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4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
1. Danger Trees.....	9
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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

St. Mary Lake, at 18.04 sq km is the largest lake on Saltspring Island. The FISS database lists rainbow trout, cutthroat trout, and small-mouth bass as species resident in St. Mary Lake, which is a popular sport fishing lake for both bass and trout. The outflow of St. Mary Lake is 3 km long Duck Creek, which discharges flow to Stuart Channel, on the west coast of Saltspring Island, at Duck Bay. Duck Creek is listed in FISS as having cutthroat and rainbow trout, steelhead, and coho and chum salmon spawning and rearing. Duck Creek is listed as having a section of cascade-pool morphology and a beaver dam at the lake outlet which created difficulties for fish passage, however with increasing demand for domestic water use, the beaver dam has been recently replaced with a weir. Increased water usage has exacerbated low flow problems in Duck Creek in late summer/fall.

The tributary of Duck Creek which runs adjacent to the subject property drains off of Channel Ridge, through the subdivision, where it has been frequently relocated from its previous path into ditch lines. Approximately 3/5 of its length from the wetland headwaters down to Duck Creek the tributary stream has been diverted to the ditch which runs down the east side of Maple Ridge Place, on the opposite side of the road from the subject property 125 Maple Place Rd (photo 2). While the gradient along this studied reach 1 is average 7%, further downstream the slope steepens.



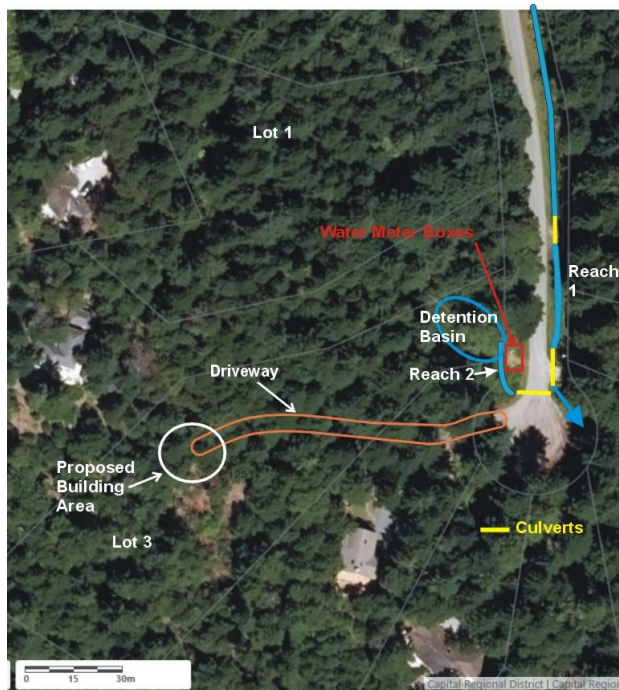
Approximately 60 m upstream of its confluence with Duck Cr the stream enters the Broadwell Road ditch. Upslope of this ditch the tributary's gradient is around 45% (photo 1) which prevents fish passage upstream to the vicinity of the subject property. This stream is dry during late summer/early fall.

This tributary (M12 Broadwell) is rated in the 2012 Saltspring Fish Habitat Mapping report done

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

for Islands Trust by Kathy Reimer, RPBio, due to the steep gradient, and going dry for over 4 months each summer, as not fish bearing.



The road into Maple Ridge Place was constructed across a swale which runs from the upper left of the adjacent air photo, through the 'detention basin', and originally met the stream on the east (right) side of the road. Construction of the road base partially blocked the shallow sub-surface flow to the stream which occurred prior to construction, raised the average groundwater level, and created an unintentional detention pond which is wetted during saturated soil/ heavy rainfall events. A short ditch (reach 2) was excavated across the swale by the road, and culverted across the road to the stream. Though occasionally wetted, there is no wetland vegetation in this accidental man-made detention pond. However, for sedimentation and windthrow protection reasons, this wetter area and a 3 m buffer are designated a "no excavation" zone.

Current riparian condition: The east side of stream reach 1, which was not included in the assessment process as it is the opposite bank from the subject property, is treed and in good condition. The west side of reach 1 is the road fill embankment, grassed with some bracken fern (photo 2). Planting of shrubs, or even trees where there is a bit of a bench between the TOB and base of road fill, would be beneficial. On the subject property side of the road, the SPEA of ditch reach 2 has been cleared during subdivision construction, but is now grassed with bracken fern, shrubs (salal) and berry vines around much of its 18 m length (photo 3), with the exception of around 4 m below the water service meter boxes, where it is only grassed (photo 4).

Proposed Activities:

The proposed extension of the driveway and construction of a single residence on the property are outside of either 30 m RAA of the two reaches, and with minor silt control will not impact the stream or SPEAs. The water service boxes and the west side road shoulder are in both reach 1 & 2's RAA, but are outside of their SPEAs. It is proposed to dig a waterline from the water service box along the shoulder of the road to the driveway, and up to the residence. This also follows the surveyed services ROW, and only crosses ditch reach 2's SPEA where the shoulder narrows for 2 or 3 m near the culvert.

Water line & services trenching and residence construction is planned for October 2016, with completion by March 2017.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2016-10-09

Description of Water bodies involved (number, type)

Broadwell tributary to Duck Creek

Stream	1
Wetland	
Lake	
Ditch	1
Number of reaches	2
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)	
starting point	.75	8	I, <u>David D Gooding PEng</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
upstream	.75	8	
	1.1	7	
	1.5	7	
	1.5	7	
downstream	.9	6	
	.6	6	
	.7	6	
	.85	5	
	.7	5	
	.6	5	
Total: minus high /low	7.85	4	
mean	.87	4	
	R/P	C/P	S/P
Channel Type		x	

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		x	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>David D Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:	1		Method employed if other than TR
SPVT Type	LC	SH	This polygon is between the road shoulder and the ditch, (west side of reach 1), and is impractical for tree vegetation.
		x	
Polygon No:			
SPVT Type	LC	SH	East side of reach 1 is not relevant to planning of subject property and is not included as polygon or segment.
		x	

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	0 to 2	South bank	Yes		No	X	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes		No	X	If non-fish bearing insert no fish bearing status report		
SPEA maximum	10	(For ditch use table3-7)					

I, David D Gooding, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Andria Scanlan;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

This tributary to Duck Cr has been relocated for much of its length through the Channel Ridge subdivision. Reach 1 is the trib relocated to a ditch. The 10 m SPEA on the west side consists of the east side road embankment, shoulder, and the pavement surface of Maple Ridge Place.

Reach # 2

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point	0.7		I, <u>David D Gooding PEng</u> , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
upstream	0.7		
	0.65		
	0.65		
	0.6		
downstream	0.65		
	0.65		
	0.6		
	0.65		
	0.6		
	0.5		
Total: minus high /low mean	5.75		
	0.64		
	R/P	C/P	S/P
Channel Type	ditch		

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons	☒	☐	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>David D Gooding PEng</u>, hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:	<u>2W</u>		Method employed if other than TR
SPVT Type	LC ☐ SH ☐ TR ☒		
Polygon No:	<u>2E</u>		Method employed if other than TR East side of ditch 'reach 2' is the lower fill slope between ditch and road shoulder.
SPVT Type	LC ☐ SH ☒ TR ☐		

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	<u>2 W</u>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	<u>2</u>						
Litter fall and insect drop ZOS (m)	<u>2</u>						
Shade ZOS (m) max	<u>2</u>	South bank	Yes	☐	No	☒	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes	☐	No	☒	If non-fish bearing insert no fish bearing status report		
SPEA maximum	<u>2</u>	(For ditch use table3-7)					
Segment No:	<u>2 E</u>	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	<u>2</u>						
Litter fall and insect drop ZOS (m)	<u>2</u>						
Shade ZOS (m) max	<u>2</u>	South bank	Yes	☐	No	☒	
SPEA maximum	<u>2</u>	(For ditch use table3-7)					

I, David D Gooding PEng, hereby certify that:

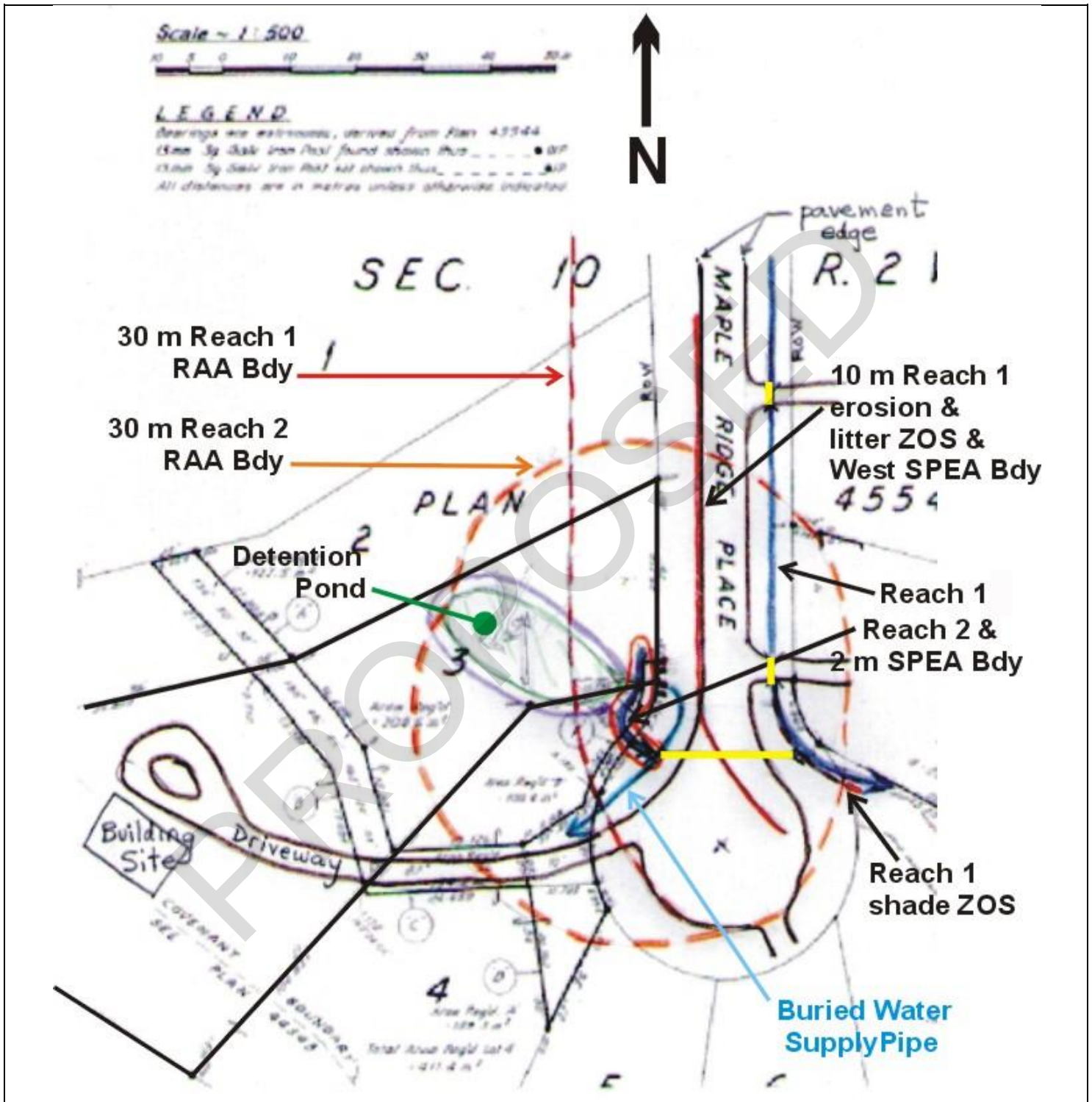
e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Andria Scanlan ;

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Section 3. Site Plan



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF *before* inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	There are no obvious danger trees in or around the SPEAs. Raising of the water table in the swale uphill to the west of the road by the road bed and culvert elevation appears to have loosened the roots of the three larger trees near the bottom road end of the swale which have since fallen. Some of the few medium sized fir higher in the swale may eventual also fall, however they are not near roads or developed areas and their falling would be of low consequence.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (name of developer) ; k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Planned development will have no significant impact on resistance to windthrow of any trees in or adjacent to the SPEAs. However, the raise in groundwater levels in the 'detention pond' area caused by original road construction has resulted in the larger trees in that area blowing down. A 'no excavation' zone including the occasionally wetted 'detention pond plus 3 m buffer will be staked off to prevent further weakening of roots.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (name of developer) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Slope Stability	There are no slope instability issues which could impact values in the SPEAs.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (name of developer) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Protection of Trees	No activities which could damage trees or their roots, or other vegetation besides grass along the road shoulder, are proposed within 5 m of any of the SPEAs.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (name of developer) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods	

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

set out in the Schedule to the Riparian Areas Regulation	
d. Encroachment	No fencing is necessary, as no construction activity or even occasional usage is likely in any sensitive areas.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (<i>name of developer</i>) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Sediment and Erosion Control	A silt fence across the ditch near the mouth of the culvert on the west side of Maple Ridge Place, and along the shoulder of the road below the excavation for the water line, should be kept in place until the disturbed ground has re-grown in grass. No excavation will be allowed in the 'detention pond' area.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (<i>name of developer</i>) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
d. Stormwater Management	Reach 1 is a channelized stream acting as a ditch on the east side of Maple Ridge Place road, and is designed as part of the stormwater system. The other water feature, on the west side of Maple Ridge Place is a short ditch (reach 2) attached to a detention pond which has been created by blockage across the swale by the road, and the height of the culvert across the road to Reach 1, and is also part of the stormwater management system. Proposed residence location is at a distance from the reaches and their SPEAs, and should have no significant impact. Care should be taken not to discharge roof drainage below the residence onto the steep slope.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (<i>name of developer</i>) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
e. Floodplain Concerns (highly mobile channel)	There are no floodplain concerns in and around the SPEAs.
I, <u>David D Gooding P.Eng.</u>, hereby certify that: f. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; g. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Andria Scanlan</u> (<i>name of developer</i>) ; h. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Silt fencing needs to be in place prior to trenching in the water line and services, and inspected by the environmental monitor. Monitor will also ensure that disturbed areas near the water boxes and along the road shoulder are re-landscaped, and planted with native grass seed immediately after the trench is completed.

Section 6. Photos

Photo 1: 45 % gradient down to Broadwell ditch approx 1 km d/s of Reach 1



Photo 2: Reach 1 on east side of Maple Ridge Place road



Photo 3: From culvert looking up ditch reach 2.



Photo 4: From Maple Ridge Place rd across water boxes and ditch Reach 2 along south property line. Green grassed area at center ponds at extreme high flows.



Photo 5: Looking down W side road shoulder over water boxes, proposed route for water pipeline. Grassed ditch reach 2 enters picture from center right to culvert at center.



Photo 6: Culvert under culdesac lower right. Buried water pipe will follow shoulder up to new driveway in center.



Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date 2016-10-15

1. I/We David D Gooding PEng

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Andria Scanlan, which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.]



File No.:

DATE OF MEETING: December 1, 2016
TO: Salt Spring Island Local Trust Committee
FROM: Seth Wright, Planner II
Salt Spring Island Office
SUBJECT: Regulations Regarding Accessory Buildings without an Established Principal Use

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee establish Accessory Buildings as a project.

REPORT SUMMARY

It has come to the attention of planning staff that CRD Building Inspection has historically misinterpreted the Salt Spring Island Land Use Bylaw No. 355 and issued Building Permits for accessory buildings on lots that don't have an established principal use – typically, a single family dwelling. Staff have provided clarity to building inspection services and ensured that the bylaw is being considered accurately. While this correction represents proper process, staff anticipate the change from historical practice may lead to some frustration and opposition – especially in the building and trades community. To respond to these concerns, staff deemed it worthwhile to bring this matter to the Local Trust Committee for consideration. This staff report details the nature of the current exclusion, provides a summary of policy options enacted in other local trust committees, and provides recommendations for next steps.

BACKGROUND

In September 2016, Islands Trust planning staff denied approval of a building permit referral for an accessory building without an established principal use building on the lot. This refusal was based on the definition of accessory in the Salt Spring Island Land Use Bylaw No. 355, which is detailed in the Policy/Regulatory section of this Staff Report. CRD Building Inspection indicated that they have approved accessory buildings without principal uses on lots for many years without referral to the Islands Trust. CRD Building Inspection contended that because the Land Use Bylaw does not include a clause explicitly prohibiting accessory buildings before principal use buildings, accessory buildings should be permitted with or without established principal use buildings. Planning staff have since provided CRD Building Inspection services with a planning analysis detailing how the Land Use Bylaw prohibits accessory building prior to principal use buildings, which has been affirmed by recent case law. CRD Building Inspection Staff have indicated that they will now conform with this regulation.

Following elucidation of this regulation, staff received a handful of public responses indicating concern and opposition to this longstanding, but unenforced, regulation, and expect that greater concern may arise as builders become aware of this change. In this light, staff determined it appropriate to present this issue for consideration by the LTC.

A review of regulations across the Islands Trust area provides a spectrum of approaches to regulation of accessory buildings prior to principal use buildings. This staff report provides a high-level analysis of those approaches and seeks LTC direction on how to proceed.

ANALYSIS

Policy/Regulatory:

Section 3.1 of the Salt Spring Island Land Use Bylaw No. 355 provides the following in relation to accessory buildings:

3.1.1 The following *uses* are permitted in every zone:

- (4) *uses, buildings and structures accessory to a principal use on the same lot that is permitted by this Bylaw;*

Thereafter, Section 3.12 [*Accessory Buildings and Structures*] provides the following five regulations pertaining to accessory structures:

- 3.12.1 Before occupation of a *principal building or structure* on a *lot*, the *use* of all *accessory buildings and structures* on the *lot* must comply with the regulations of this Bylaw.
- 3.12.2 For the purposes of this Bylaw, a *carport* is deemed to be an *accessory building*, whether or not it is directly attached to the *principal building* on a *lot*.
- 3.12.3 Except where specifically permitted by this Bylaw, an *accessory building or structure* may not be used for *residential* or guest accommodation *uses*.
- 3.12.4 An *accessory building* other than a *seasonal cottage* or other permitted *accessory dwelling unit* may not contain a shower enclosure, a bathtub, a *kitchen*, or more than three separate rooms. Despite the foregoing, barns used solely for non-*residential agricultural* purposes may have more than three separate rooms.
- 3.12.5 With the exception of a *seasonal cottage* or other permitted *accessory dwelling unit*, the total *floor area* of all *accessory buildings and structures* on a *lot* must not exceed 70 square metres for *lots* that are 1.2 ha or less in area and 185 square metres for *lots* that are greater than 1.2 ha in area. One *building* with a *floor area* less than 25 square metres may be excluded from the calculation of total *floor area* for *accessory buildings and structures*.

Information Note: See also Section 4.1 regarding the siting of accessory buildings, Subsection 3.8.2 regarding the height of accessory buildings and Subsection 3.9.1 regarding the total area of accessory buildings in a strata plan.

Finally, Section 1.1 [*Definitions*] provides the following relevant definition:

“accessory” means, in relation to a *use, building or structure*: subordinate, customarily incidental and exclusively devoted to a *principal use, building or structure* expressly permitted by this Bylaw on the same *lot* or, if the *accessory use, building or structure* is located on a common property in a bare land strata plan, on a *strata lot* in that strata plan.

The definition of accessory provides a three-part test, commonly used in British Columbia planning law. The requirements of any use, building or structure to be considered accessory are as follows:

1. **Subordinate:** An accessory use is subordinate to a principal use when the accessory use is of a lesser significance than the principal use. Subordinate may connote a lesser floor area, but always requires that the accessory use has a lesser land use impact.

2. *Customarily incidental*: An accessory use is customarily incidental to a principal use when it is commonly associated with the principal use. Case law has indicated that what is considered customarily incidental is determined, in part, by local circumstances.
3. *Exclusively devoted to a principal use*: An accessory use exclusively devoted to a principal use must exist for no purpose other than to serve the principal use.

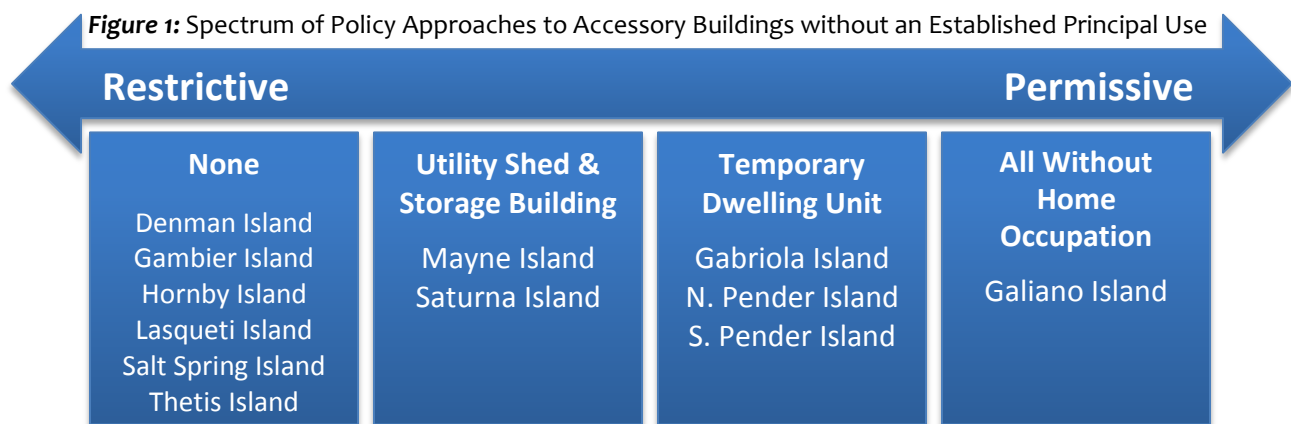
In consideration of the above, the bylaw is clear in prohibiting accessory buildings without a principal use building first established on the lot. *British Columbia Planning Law and Practice* (Buholzer, B; 2001-2016) indicates that case law has established this principle, but suggests that land use bylaws should be explicit in their consideration of accessory buildings without principal use buildings so as to avoid the possibility of legal challenges.

Issues and Opportunities:

The Salt Spring Island Land Use Bylaw currently prohibits accessory buildings prior to construction of principal use buildings. However, in the rural context of Salt Spring Island, property owners often seek to develop properties slowly by building a workshop, garage, pump house, or modest house prior to construction of the larger principal residence on the property. Where properties permit seasonal cottages (permitted in some zones for lots with an area of 1.2 hectares or greater), property owners may construct a building with a floor area of less than 56 square metres as their principal dwelling, and prior the building inspector issuing an occupancy permit for the principal residence, the 56 square metre residence is converted into a seasonal cottage.

When accessory buildings are permitted prior to principal use buildings, lots may remain awkwardly or partially developed for many years before there is construction of a principal residence. This scenario may present unfavourable land use impacts such as a protracted construction timeframe, inadequate septic infrastructure, and unsightly properties that degrade the neighbourhood character - especially in small lot neighbourhoods with little visual screening. However, staff consider that it may be reasonable to permit some accessory buildings within prescribed limits, as permitted by other local trust committees within the Islands Trust Area.

Figure 1: Spectrum of Policy Approaches to Accessory Buildings without an Established Principal Use



Various regulatory approaches have been assumed by other local trust committees, which collectively form a spectrum of regulatory approaches (Figure 1). Of the twelve Local Trust Committees, six – including Salt Spring Island – have no special provisions to allow accessory buildings without an established principal use. Mayne Island and Saturna Island both permit the construction of a utility building and a storage building prior to construction of a principal dwelling or commencement of a principal residential use. Gabriola, North Pender, and South Pender island permit construction of an accessory building that can be used for residential purposes, but require an active building permit for a principal dwelling. Galiano Island permits all accessory buildings permitted on the lot, but stipulates that a home occupation cannot be established until a principal residence is established.

The following section provides excerpts from the respective bylaws that permit accessory buildings prior to a principal residential use being establishing on the lot.

Gabriola Island Land Use Bylaw No. 177

Subsection B.6.4 [*Use of Travel Trailers, Recreational Vehicles and Accessory Buildings*] of the Gabriola Island Land Use Bylaw permits the following:

B.6.4.1 One travel trailer, recreational vehicle or accessory building may only be used as a temporary *dwelling unit* on any *lot* where *single family* residential use is a permitted use to a maximum of two years, provided:

- a. a valid *building* permit for the *principal dwelling unit* is in effect for the property;
- b. the trailer or recreational vehicle is enclosed or screened from adjacent land by a landscape screen or fence subject to subsection B.2.7 or B.2.4, respectively, not less than 2.0 metres (6.6 feet) in height; and
- c. the trailer or recreational vehicle is connected to an approved sewage disposal system.

Galiano Island Land Use Bylaw 127, 1999

Section 2.2 of the Galiano Island Land Use Bylaw provides the following:

- 2.2 Accessory buildings and structures may be constructed on a lot before the construction of the building or structure to which they are accessory, but no home occupation may be conducted in such an accessory building or structure until the building or structure to which it is accessory is constructed and occupied.

Mayne Island Land Use Bylaw No. 146, 2008

Subsection 3.5(2) of the Mayne Island Land Use bylaw permits the following:

- (2) The following buildings or structures may be constructed or placed on a lot prior to the construction of a principal dwelling or the commencement of a principal residential use on the same lot:
 - (a) one utility shed, and
 - (b) one building for the purposes of storage of building material for use on the lot and storage of personal effects.

Any other accessory building or structure may only be constructed or placed on a lot prior to the construction of a principal dwelling, or the commencement of a principal residential use, on the same lot provided that a valid building permit has been issued for any principal building on the same lot, and subject to the maintenance of a building permit for a principal dwelling on the same lot.

Accordingly, a utility shed is defined as an “an accessory building with a maximum floor area of 10 square metres (100 square feet) containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment.”

North Pender Island Land Use Bylaw No. 103, 1996

Subsection 3.4.3 of the North Pender Island Land Use Bylaw provides the following:

- 3.4.3 An accessory building or structure may be constructed or placed and occupied as a temporary dwelling prior to the construction of a principal building or structure on the same lot provided that a building permit has been issued for the principal building or structure and the water supply and sewage disposal facilities for the principal building or structure have been installed.

Saturna Island Land Use Bylaw No. 78, 2002

Subsection 2.2.4 of the Saturna Island Land Use Bylaw provides the following:

2.4.4 The following buildings and structures may be constructed or placed on a lot prior to the construction of a principal residence or the commencement of a principal residential use on the same lot:

2.4.4(1) one storage building not exceeding 61 square metres (656 sq. ft.) in floor area, and

2.4.4(2) one utility building or pumphouse not exceeding 9.3 square metres (100 sq. ft.) in floor area.

Any other accessory building or structure may only be constructed where a valid building permit has been issued for the construction of a principal use building on the same lot.

South Pender Island Land Use Bylaw No. 92, 2003

Subsection 3.5(2) of the South Pender Island Land Use Bylaw provides the following:

(2) An accessory building may be constructed or placed on a lot and occupied as a temporary dwelling prior to the construction of a single family dwelling on the same lot, subject to:

- (a) a building permit being issued, and remaining in effect, for the single family dwelling;
- (b) the connection of the accessory building to sewage disposal facilities for which a sewage disposal permit has been issued under the Health Act;
- (c) the provision of a domestic water supply;
- (d) compliance with the use, density and siting requirements of this Bylaw for dwellings and cottages; and
- (e) the occupancy of the accessory building ceases prior to occupancy of a single family dwelling on the lot.

Consultation:

As the OCP contains no policies directly considering accessory buildings, a bylaw amendment, if warranted would be a rezoning and not involve an OCP amendment. Staff consider that such a bylaw should incorporate some public engagement to consider community values and priorities. The building community, landowners, and the general public are the principal stakeholders that should be included in such an engagement. In accordance with the Local Government Act, a public hearing may be required for a bylaw amendment.

Rationale for Recommendation:

The Salt Spring Island Land Use Bylaw is limiting in restricting no accessory buildings before principal use buildings. Other local trust committees have a variety of regulatory approaches that allow varying degrees of flexibility to construct accessory buildings prior to principal use dwellings. Staff consider that a more flexible regulatory approach may have merit.

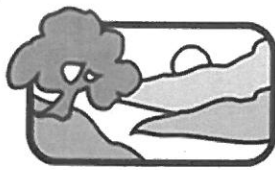
Adding this item to the Projects List will ensure that this matter is considered when active projects are concluded and new top priorities are introduced.

ALTERNATIVES

1. Not Proceed with Accessory Buildings

If the LTC would not like to proceed with consideration of a project to consider this issue, no resolution is needed and this report is provided for information.

Submitted By:	Seth Wright, Planner II	November 23, 2016
Concurrence:	Stefan Cermak, Regional Planning Manager	November 23, 2016



Islands Trust

Memorandum

Date: November 9, 2016

To: Salt Spring Island Local Trust Committee, for the meeting of December 1, 2016.

From: Daniela Murphy, Planning Team Assistant, Salt Spring Island
Stefan Cermak, Regional Planning Manager, Salt Spring Island

Re: Salt Spring Island Local Trust Committee 2017 Regular Meeting Schedule

THE PROPOSAL:

This memorandum proposes the Salt Spring Island Local Trust Committee Regular Meeting Schedule for the 2017 calendar year.

STAFF COMMENTS:

Salt Spring Island Meeting Procedures Bylaw No. 391 stipulates that the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two, and that the schedule shall be posted on a bulletin board located at the Salt Spring Island Office of the Islands Trust.

RECOMMENDATION:

THAT the Salt Spring Island Local Trust Committee approve the proposed 2017 Regular Meeting schedule as presented in Appendix 1 of the November 9, 2016 Staff Memorandum to establish a meeting schedule as required by Salt Spring Island Meeting Procedures Bylaw No. 391.

Respectfully submitted by:

Daniela Murphy
Planning Team Assistant

November 9, 2016

Date

Concurred by:

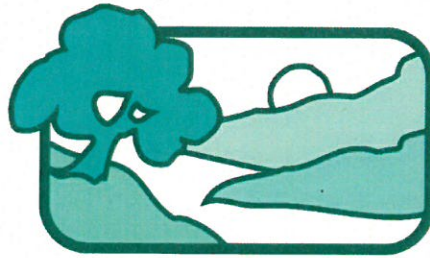
Stefan Cermak
Regional Planning Manager

November 9, 2016

Date

ATTACHMENTS:

Appendix 1: Proposed 2017 Salt Spring Island Local Trust Committee Regular Meeting Schedule



Islands Trust

2017 Regular Meetings of the Salt Spring Island Local Trust Committee

The Salt Spring Island Local Trust Committee will be meeting to consider various matters of general business such as applications received, bylaw reviews and meeting notes.

Regular Meetings are scheduled for:

DATE		TIME	LOCATION
Thursday	January 12	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	February 9	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	March 2	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	March 23	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	April 13	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	May 4	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	June 1	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	June 29	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	July 20	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	August 10	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	September 7	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	October 5	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	November 2	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	November 30	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue
Thursday	December 21	9:30 AM	Hart Bradley Hall, Lions Club, 103 Bonnet Avenue

The proposed meeting agenda is usually available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Please note that correspondence received from the public may become part of a meeting Agenda that is published online.

VISIT OUR WEBSITE: www.islandstrust.bc.ca
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