



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: August 31, 2021
Time: 9:30 a.m.
Location: Electronic Meeting

	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 July 15, 2021 SSI LTC Special Meeting</u>	6
For Adoption	
3.1.2. <u>Draft Minutes of the July 27, 2021 SSI LTC Regular Meeting</u>	11
For Adoption	
3.2. Resolutions Without Meeting Report - None	
3.3. Draft Minutes of the Advisory Planning Commissions	
3.3.1. <u>Draft Minutes of the August 6, 2021 Housing Action Program Task Force Special Meeting</u>	22
For Information	
3.3.2. <u>Draft Minutes of the August 12, 2021 Advisory Planning Commission Meeting</u>	26
For Information	
3.3.3. <u>Draft Minutes of the August 12, 2021 Agricultural Advisory Planning Commission Meeting</u>	30
For Information	
3.4. Local Trust Committee Public Hearing Record - None	
4. BUSINESS ARISING FROM MINUTES	9:35 AM - 9:40 AM
4.1. Follow-Up Action List	33
Report dated August 2021	

5. **COMMUNITY INFORMATION MEETING - None**
6. **PUBLIC HEARING - None**
7. **REPORTS** 9:40 AM - 9:55 AM
 - 7.1. **Policy and Standing Resolutions List** 54

For Information
 - 7.2. **Work Program Top Priorities Report** 65

Report dated August 2021
 - 7.3. **Projects List** 67

Report dated August 2021
 - 7.4. **Applications with Status Report** 70

Report dated August 2021
 - 7.5. **Expense Report** 90

Report dated June 2021
 - 7.6. **Islands Trust Conservancy Board Report** 91

Report dated July 2021
 - 7.7. **Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report - None**
8. **LOCAL TRUST COMMITTEE PROJECTS** 9:55 AM - 11:10 AM
 - 8.1. **Ganges Village Planning**

Engagement Specialist Introduction
 - 8.2. **Water Sustainability** 94

SSIWPA Special Property Tax Requisition Business Case
9. **CLOSED MEETING** 11:10 AM - 11:30 AM
 - 9.1. **Motion to Close the Meeting**

The Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90 (1)

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

and that staff be invited to remain.

9.2. 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.

9.3. Rise and Report

.....BREAK UNTIL 12:00 NOON.....

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.	CORRESPONDENCE	12:20 PM - 12:25 PM	
13.1.	J. McClean to LTC, Dated July 21, 2021 - Concerning current rental charges for Meadowbrook		104
	For Consideration		
13.2.	D. Howard to LTC - Dated July 27, 2021 - Concerning bylaw enforcement		108
	For Consideration		
13.3.	Council of Canadians to LTC, Dated August 4, 2021 - Concerning Fish Farms Out of Coastal Waters Campaign		116
	For Consideration		
13.4.	E. Senkpiel et al to LTC - Dated August 8, 2021 - Concerning SS-CELLA-2020.1 - Proposed Rogers/CREST Communications Tower - Canvasback Place, SSI		119
	For Consideration		
13.5.	D. Odonnell to LTC - Dated August 10, 2021 - Concerning Policy Statement and Indigenous rights		124
	For Consideration		
13.6.	C. Nichols-Ledger and F. Ledger to LTC - Dated August 17, 2021 - Concerning Rogers tower on Canvasback Place, SSI		126
	For Consideration		
13.7.	J. Hutchinson to LTC - Dated August 18, 2021 - Concerning Vortex application		132
	For Information		

13.8.	D. Lucarelli to LTC - Dated August 18, 2021 - Concerning Vortex application For Information	133
14.	DELEGATIONS	12:25 PM - 12:30 PM
14.1.	R. Waldick - Concerning Fire Ecology	134
15.	TOWN HALL AND QUESTIONS Reminder, the Public Hearing for: <ul style="list-style-type: none"> Bylaws 474 and 475 (Fulford Landing) closed on November 2, 2017. Per Meeting Procedure 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.	12:30 PM - 12:45 PM
16.	APPLICATIONS AND REFERRALS	12:45 PM - 2:15 PM
16.1.	SS-DP-2021.3 & SS-DVP-2021.14 - H. Hazenboom, H. Hazenboom Construction Ltd. - 317 Rainbow Road, SSI Development Permit for DPA2 (Development of New Retail, General Employment or Commercial Space Greater than 185m ² in Gross Floor Area that is Visible from Public Areas or Other Properties) & Development Variance Permit to Make Lawful the siting of a Retaining Wall Structure – Staff Report	142
16.2.	SS-DVP-2020.16 - K. Pedersen - 150 Menhinick Drive, SSI Development Variance Permit to make lawful four separate rooms in an accessory building; make lawful Total Floor Area of all accessory buildings exceeding 70 square metres and, make lawful the siting of a building within an interior side lot line setback – Staff Report	172
16.3.	SS-DVP-2021.3 - M.C. Wright and Associates Ltd. (M. Smith) - North Secretary Island Development Variance Permit to vary the setback to the natural boundary of the sea for a proposed walkway structure and permit 5 mooring floats, one float exceeding 12 metres in length (28.65 metres) for a group strata moorage dock – Staff Report	190
16.4.	SS-DVP-2021.4 - G. Welsh - 150 Drake Road, SSI Development Variance Permit to vary the setback (and eaves projecting into a setback) for a proposed accessory building to a front lot line and an interior side lot line – Staff Report	195
17.	OTHER BUSINESS	2:15 PM - 3:15 PM
17.1.	New Business	
17.1.1.	<u>Changes to Residential Permissions in the Agricultural Land Reserve</u>	203

	Staff Report	
17.1.2.	<u>Galiano Island Local Trust Committee Referral of Proposed Bylaw No. 280</u>	216
	Staff Report	
17.1.3.	<u>Trust Council Referral of Bylaw No. 183 (Policy Statement)</u>	222
	For Consideration	
	Information Session from July 28, 2021: <u>Zoom Recording</u>	

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on October 1, 2021 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

19. ADJOURNMENT



Salt Spring Island Local Trust Committee Minutes of a Special Meeting

Date: Thursday, July 15, 2021

Location: Electronic Meeting
200-1627 Fort Street, Victoria

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

Staff Present: Stefan Cermak, Regional Planning Manager (RPM)
Geordie Gordon, Planner 2
Kristine Mayes, Planner 1
Rob Pingle, Recorder

Others Present: Brent Brochu-Ingram, Agricultural Advisory Planning Committee
Theresa Duynstee, Agricultural Alliance
Jan Steinman, Agricultural Advisory Planning Committee
Anne Macey, Agricultural Alliance
Doug Pepper, Ministry of Agriculture
Conrad Pilon, Agricultural Advisory Planning Committee
Ken Byron, Agricultural Advisory Planning Committee
Nathan Roberson, Agricultural Advisory Planning Committee
Brian Webster, Agricultural Alliance
One member of the public

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

1. CALL TO ORDER

Chair Luckham called the meeting to order at 4:02 p.m. and welcomed everyone to an electronic meeting of the Salt Spring Island Local Trust Committee. Chair Luckham introduced himself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory. Introductions were carried out.

2. APPROVAL OF AGENDA

By general consent the agenda was approved with the addition of Future Meeting on Reconciliation.

3. BUSINESS ITEMS

3.1 Local Trust Committee Chair's Welcome and Opening Remarks

Chair Luckham reported this meeting is an opportunity for the Salt Spring Island Local Trust Committee to have a discussion with the members of the Salt Spring Island Agricultural Advisory Planning Commission (AAPC) and representatives of the Salt Spring Island Agricultural Alliance on agriculture related issues.

3.2 Minutes from the February 11, 2021 Salt Spring Island Local Trust Committee and Agricultural Advisory Planning Commission Meeting

The minutes were received for information.

3.3 SS-ALR-2021.1 – K. Tuttle – 231 Meadow Drive, SSI

Planner Gordon presented a verbal update on this application for information.

In discussion the following comments were noted:

- Concern was expressed and addressed about the agricultural activity on the property.
- Question was raised about the project being in line with the new Agricultural Land Commission (ALC) directives.

3.4 ALC Information Update, dated July 12, 2021

The ALC Information Update was received.

In discussion the following comments were noted:

- Concern was expressed about the relationship between the Islands Trust and the ALC with these new rules in place and RPM Cermak discussed the implications.
- A concern was addressed about the increased ability for farm worker housing to limit the amount of farm land available.
- The Area Farm Plan was discussed as a document that will help provide local guidance to the implementation of these new rules.
- A question was raised about increasing farmworker housing on non-Agricultural Land Reserve (ALR) land.
- A question was raised if a framework was possible for Islands Trust to limit expansion of housing on Agricultural Land Reserve (ALR) land unless farming was present.
- A question was raised about filing a notice of intent about soil movement in development of a residential property. Ministry staff noted that this was to ensure agricultural land was kept as undisturbed as possible; Salt Spring Island Local Trust Area Soil Removal and Deposit Regulation Bylaw No. 418 was noted as a similar local regulation.

SS-2021-140

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to prepare a report on options to amend bylaws to accommodate the Agricultural Land Commission July 12, 2021 announcement on residential flexibility in consideration of the 2020 Salt Spring Island Area Farm Plan Renewal.

CARRIED

3.5 Discussion of Agricultural Priorities

In discussion the following comments were noted:

- A question was raised about the Islands Trust Council Policy Statement and how the Islands Trust perceives the importance of agriculture.
- Chair Luckham spoke to the role of staff in the advancing of applications or policies to ensure the options presented are in alignment with all rules and regulations and that Trustees have more flexibility to make decisions.
- Support was expressed for the advancement of agricultural activities in our community.
- Islands Trust Policy Statement 4.4.2 was referred to and it was suggested “food security” be changed to “local food production”.
- Encouragement was given to work towards a region wide discussion on agriculture within the Islands Trust area.
- Section 3.23.2 of Bylaw No. 355 (Composting Regulations) was referred to and it was suggested removing the words “produced onsite” would result in easier creation of composting facilities on Salt Spring Island.
- The budget cycle was referred to as something to consider when advancing ideas that are agricultural related.
- A question was raised about the possibility to map the properties that are accessing farm status through BC Assessment and staff commented that it was possible.
- It was suggested that there are land use maps available to gain a better understanding of agriculture in the Islands Trust, the agricultural land use inventory was referred to as a form of similar information and Ministry staff agreed, stating they could provide some resources.

SS-2021-141

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to bring forward to the next special business meeting with the AAPC and AG Alliance the following items: a map indicating farm status and the most recent agricultural land use inventory.

CARRIED

Discussion continued and the following comments were noted:

- A concern regarding water quality was raised as a major impact to viable agriculture with the increased impacts of climate change.
- Questions were raised about the viability of the current Ganges Fire Hall being converted into a farmers market with the current zoning. Staff explained the zoning of the hall is Commercial 1 (C1) and the parking lot in front of it is Park and Reserves variant a (PR4(a)).
- Further discussion ensued about the ability of those zones to allow for indoor and outdoor farmers markets. Staff could not provide clear advice on that and offered to provide a review of the zoning regulations to the Agricultural Alliance.
- It was noted that the Ganges Village Plan Project will be a good opportunity to address the above point.
- It was noted that the watershed issue might be a point of conflict between the general community and farmers as there is misunderstanding about the good and the bad of agriculture.
- There was an inquiry about the timeline on the watershed planning that is happening within the Islands Trust.
- Concern was raised about the issues of septic systems and drainage due to additional housing on farm land having a negative impact on the watershed and farm land.
- Feedback regarding agriculture as it relates to the Policy Statement was requested.

3.6 Future meeting regarding reconciliation

Trustee Patrick brought forward an offer from Staff Lisa Wilcox to present an education session on implementing reconciliation as it pertains to agriculture.

In discussion the following comments were noted:

- A request of assistance in establishing the role of farmers in ways to improve relationships with First Nations was expressed.

4. ADJOURNMENT

The next meeting is scheduled on November 18, 2021.

By general consent the meeting adjourned at 5:36 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, July 27, 2021

Location: Electronic Meeting
200-1627 Fort Street, Victoria

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

Staff Present: Louisa Garbo, Island Planner, Acting Regional Planning Manager
David Marlor, Director of Local Planning Services
Jason Youmans, Island Planner
Geordie Gordon, Planner 2
Kristine Mayes, Planner 1
William Shulba, Senior Freshwater Specialist
Rob Pingle, Planning Team Assistant
Sarah Shugar, Recorder

Media and Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director
Approximately 15 members of the public

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following additional item was presented for consideration:

8.3 CDF and Associated Ecosystem Protection – Verbal Update

By general consent, the agenda was adopted as amended.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the June 29, 2021 SSI LTC Regular Meeting

The following item was presented for consideration:

- Item 9.1.1 - Replace “BCEM Dingman presented a staff report dated June 16, 2021 to provide an update on compliance and enforcement files for unlawful dwellings and to provide recommendations for a new enforcement policy.” with Bylaw Compliance and Enforcement Manager Dingman presented a staff report dated June 16, 2021 to provide an update on compliance and enforcement files for unlawful dwellings and to provide recommendations for a new enforcement policy.

By general consent, the minutes of the June 29, 2021 Salt Spring Island Local Trust Committee meeting were adopted as amended.

3.2 Resolutions Without Meeting Report - None

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Draft Minutes of the June 17, 2021 Ganges Village Planning Task Force Meeting

The minutes were received.

3.3.2 Draft Minutes of the June 17, 2021 Housing Action Program Task Force Meeting

The minutes were received.

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

4. BUSINESS ARISING FROM MINUTES

4.1 Follow Up Action List dated July 2021

The report was received.

5. COMMUNITY INFORMATION MEETING - None

6. PUBLIC HEARING - None

7. REPORTS

7.1 Policy and Standing Resolutions List

The report was received.

7.2 Work Program Top Priorities Report dated July 2021

The report was received.

7.3 Projects List dated July 2021

The report was received.

SS-2021-142

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee add Soil Removal Bylaw Review and Update to the Projects List.

CARRIED

It was noted North Pender Island Local Trust Committee recently received a staff report regarding the North Pender Island Soil Bylaw project.

7.4 Applications with Status Report dated July 2021

The report was received.

7.5 Expense Report dated May 2021

The report was received.

7.6 Islands Trust Conservancy Board Report - None

7.7 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report

7.7.1 Coordinator's Report - None

7.7.2 Correspondence to LTC, dated June 25, 2021 - Concerning Ecosystem Resilience Mapping

A letter dated June 25, 2021 from the Salt Spring Island Watershed Protection Alliance concerning Ecosystem Resilience Mapping was received. Senior Freshwater Specialist Shulba presented an update regarding Watershed Ecosystem Resilience Mapping.

SS-2021-143

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to report back regarding options and recommendations for Watershed Ecosystem Resilience Mapping at the next LTC meeting.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Ganges Village Planning Task Force - Verbal Update

Acting RPM Garbo presented a Powerpoint presentation regarding the Ganges Village Planning project.

8.2 Housing Action Program Task Force - Verbal Update

Acting RPM Garbo presented a Powerpoint presentation regarding the Housing Action Program project.

8.3 Coastal Douglas Fir and Associated Ecosystem Protection – Verbal Update

Planner Youmans presented an update regarding the CDF and Associated Ecosystem Protection project.

SS-2021-144

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee endorse a planner to participate in Salt Spring Island Fire/Rescue wildfire resiliency planning, recognizing the intersection of wildfire mitigation, Coastal Douglas Fir forest protection and freshwater sustainability.

CARRIED

Trustee Grove Opposed

9. OTHER BUSINESS

9.1 Closure of Dormant Bylaws

Acting RPM Garbo presented a staff report dated May 12, 2021 regarding dormant bylaws. It was noted the first recommendation in the staff report was adopted at the May 25, 2021 Local Trust Committee meeting.

SS-2021-145

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to amend Bylaw No. 493, cited as "Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016" by including numerical Greenhouse Gas (GHG) reduction targets.

CARRIED

The meeting recessed for a lunch break at 10:46 a.m. and reconvened at 12:00 p.m.

10. TRUSTEE REPORTS

Trustee Grove presented the following report:

- Attended a Trust Council special meeting and town hall concerning the Trust Policy Statement.
- Attended the Ganges Village Planning Task Force and Housing Action Program Task Force meetings.

- Attended an LTC special meeting with the Salt Spring Island Agricultural Advisory Planning Commission and representatives of the Salt Spring Island Agricultural Alliance concerning agricultural priorities.
- Trustee Grove spoke to the lack of rainfall, encouraged everyone to conserve water and expressed concern regarding wildfire risk.

Trustee Patrick presented the following report:

- Attended a Trust Council special meeting and town hall concerning the Trust Policy Statement. Trustee Patrick spoke to the Trust Policy Statement and advised the Trust Policy Statement is an Islands Trust federation-wide, high level, guiding principles document. She expressed support for the Trust Policy Statement to be goal driven, inspirational and written in plain language. Trustee Patrick has heard community support to remove the prohibition of docks and de-salinization plants from the Trust Policy Statement. The Executive Committee supported a resolution requesting staff to report back on further public consultation on the Trust Policy Statement.
- Acknowledged the Salt Spring Island Agricultural Alliance for their recent letter regarding the policy statement and expressed support for the recommendations in the letter including support for local food production.
- Trustee Patrick encouraged members of the public to provide comments regarding the Trust Policy Statement by email to islands2050@islandstrust.bc.ca
- Attended a presentation entitled “What’s Happening to Our Forests”, hosted by Transition Salt Spring and the Salt Spring Island Conservancy.
- Attended a presentation entitled “Living with Wildfire” hosted by the CRD and Salt Spring Island Fire/Rescue.
- Attended a meeting with Maracaibo Estate Strata members regarding the Trust Policy Statement.
- Attended an LTC special meeting with the Salt Spring Island Agricultural Advisory Planning Commission and representatives of the Salt Spring Island Agricultural Alliance concerning agricultural priorities.
- Attended Executive Committee meetings as well as South Pender Island and Saturna Island Local Trust Committee meetings.
- Trustee Patrick acknowledged the Housing Action Program and Ganges Village Planning Task Force members for their contributions.

11. CHAIR'S REPORT

Chair Luckham presented the following report:

- Attended a Trust Council special meeting on July 8, 2021 to consider the Trust Policy Statement. Trust Council deferred first reading of the draft Trust Policy Statement to continue the public consultation process.
- Attended a meeting with the Trust Council Governance and Management Review Select Committee.
- Attended an LTC special meeting with the Salt Spring Island Agricultural Advisory Planning Commission and representatives of the Salt Spring Island Agricultural Alliance concerning agricultural priorities.
- Chair Luckham spoke to water shortages, drought conditions and wildfire risk.

- Chair Luckham spoke to an increase in COVID-19 positive cases in BC, encouraged members of the community to get vaccinated and expressed gratitude to the frontline health care workers.

12. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- Expressed support for the proposed Rogers – CREST telecommunications tower in Channel Ridge.
- Expressed support for the North Salt Spring Waterworks District to continue discussions with the CRD regarding the potential transition to a CRD water service to provide eligibility to infrastructure funding.
- The Salt Spring Island Transportation Commission has directed staff to report back on safety concerns regarding the Booth Canal to Central pathway project.
- The Salt Spring Island Transportation Commission has approved the design for a 3-D printed bus shelter that would be located at Mobrae Road and Vesuvius Bay Road.
- The Salt Spring Island Transportation Commission has approved hiring a consultant to develop a Transportation Plan for Ganges Village.
- Expressed support for application SS-RZ-2017.2 (Dragonfly Commons).
- The CRD Electoral Area Committee has requested staff to provide a report regarding a business license program for the Southern Gulf Islands.
- The Province has announced Agricultural Land Commission regulations will allow additional cottages on properties within the Agricultural Land Reserve (ALR) at the end of 2021 and subject to local government bylaw approval.
- The Greater Victoria Social Planning Council has launched a rent bank pilot project that provides short-term rental assistance to renters.

13. CORRESPONDENCE - None

14. DELEGATIONS

14.1 M. Leichter - Concerning the Vortex development (2661-2621 Fulford-Ganges Road, SSI)

Maxine Leichter expressed concerns regarding the proposed Vortex development including impacts to the wetland and shoreline and impacts from sea level rise. She presented a map entitled "CRD Seawater Inundation" and expressed concerns that the Local Trust Committee supported a variance to allow a septic system within the setback to the sea.

14.2 F. Attorp - Concerning the Vortex development (2661-2621 Fulford-Ganges Road, SSI)

Frants Attorp expressed concerns regarding the proposed Vortex development including potential for wastewater effluent pollution in the marine ecosystem, ecosystem restoration, and sea level rise. He expressed concerns that the application does not meet the Salt Spring Island Official Community Plan guidelines.

15. TOWN HALL & QUESTIONS

Chair Luckham opened the Town Hall at 12:44 p.m.

A member of the public expressed support for application SS-CELLA-2020.1 (telecommunications tower) and expressed concerns regarding application SS-TUP-2020.4 (570 Blackburn Road) including impacts to the watershed.

A member of the public expressed concerns regarding application SS-CELLA-2020.1 (telecommunications tower) including the location and potential health impacts. The member of the public requested the LTC to follow the precautionary principle and postpone a decision regarding a statement of concurrence.

A member of the public expressed concerns regarding application SS-CELLA-2020.1 (telecommunications tower) including close proximity to residences, potential health impacts and requested the LTC to issue a statement of non-concurrence.

A member of the public expressed concerns regarding application SS-CELLA-2020.1 (telecommunications tower) including potential health impacts. The member of the public expressed concerns regarding application SS-TUP-2020.4 (570 Blackburn Road) including impacts to the watershed.

A member of the public expressed concerns regarding application SS-CELLA-2020.1 (telecommunications tower) and requested the LTC to issue a statement of non-concurrence.

16. APPLICATIONS AND REFERRALS

16.1 SS-CELLA-2020.1 - T. Verigin (Cypress Land Services Inc.) - Channel Ridge Area, SSI

Planner Mayes presented a staff report dated July 15, 2021 regarding a request from Rogers for a statement of concurrence from the LTC for a proposed telecommunications facility in the Channel Ridge Estates.

Cypress Land Services Representative Chad Marlatt, presented a PowerPoint presentation regarding the proposed telecommunications facility in the Channel Ridge Estates and Capital Region Emergency Service Telecommunications (CREST) representative Gord Horth spoke to the application.

SS-2021-146

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee concurs with the proposed siting of the telecommunications facility W2176 on Channel Ridge for the following reasons:

- a. Salt Spring Island Land Use Bylaw No. 355 permits the siting of public utilities (telecommunication towers) in every zone;
- b. the tower is located in close proximity to an existing telecommunication facility;
- c. the tower is, in part, an upgrade to the emergency communication system on Salt Spring Island and will benefit the general population; and
- d. the proponent has undertaken the necessary community consultation and provided opportunity for comment from the public and the Salt Spring Island Local Trust Committee.

CARRIED

Trustee Patrick Opposed

16.2 SS-TUP-2020.4 - M. Cahill - (dba Charlie's Excavating) - 570 Blackburn Road, SSI

Planner Mayes presented a staff report dated July 13, 2021 regarding a temporary use permit for a commercial excavation business.

Applicant Mia Cahill and property owner Charlie Gosset spoke to the application.

SS-2021-147

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee amend Temporary Use Permit SS-TUP-2020.4 (570 Blackburn Road) as follows: Item 4.2 Storage of bulk fuel, lubricants and oils for the Commercial Excavation Business is NOT permitted.

CARRIED

SS-2021-148

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Temporary Use Permit SS-TUP-2020.4, as amended, for a period of 365 days in order to allow the applicant to relocate and become compliant (570 Blackburn Road).

CARRIED

16.3 SS-DVP-2021.10 - J. Van Halst - 241 Roland Road, SSI

Planner Mayes presented a staff report dated July 13, 2021 regarding a development variance permit application to reduce the setback to the front lot line, make lawful the siting of a building within the front lot line setback, and make lawful the siting of a stair structure within the setback to the natural boundary of the sea.

Applicant Steve van Halst spoke to the application.

SS-2021-149

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP- 2021.10 as shown in Appendix No. 5 of the staff report dated July 13, 2021 (241 Roland Road).

CARRIED

16.4 SS-DVP-2021.11 - K. Isherwood - 106 McKenzie Crescent, Piers Island

Planner Gordon presented a staff report dated July 14, 2021 regarding a development variance permit application to vary the height of an accessory building.

Applicant Kevin Isherwood spoke to the application.

SS-2021-150

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust an Assessment Report, completed by an eligible consulting archaeologist, which determines whether the proposed development activities presented in SS-DVP-2021.11 are likely to damage or alter any unrecorded portions of the protected archaeological site on the subject property (106 McKenzie Crescent).

CARRIED

16.5 SS-RZ-2017.2 - F. Dos Santos - 221 Drake Road, SSI (Dragonfly Commons)

Planner Gordon presented a staff report dated July 12, 2021 regarding a rezoning application to permit 30 affordable housing units.

Applicant Fernando Dos Santos spoke to the application.

SS-2021-151

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee rescind first reading of Bylaw No. 505, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017".

CARRIED

SS-2021-152

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee amend Bylaw No. 505, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017" as presented in appendix 1 of the staff report dated July 27, 2021.

CARRIED

SS-2021-153

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee Bylaw No. 505, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017” as amended, be read a first time.

CARRIED

SS-2021-154

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to refer Bylaw No. 505 to agencies, organizations and First Nations, as identified in the staff report dated July 27, 2021.

CARRIED

SS-2021-155

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee has reviewed the Directives Only Policy Checklist and determined that proposed Draft Bylaw No. 505 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SS-2021-156

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a water management report prepared by a Professional Engineer or Geoscientist providing:

- a. Identification of all proposed water sources (e.g. well water, greywater, rainwater);
- b. Identification of how each type of water use (e.g. in-house, irrigation, fire) will be serviced;
- c. Identification of water quality analysis and treatment options (if required);
- d. Identification of small water systems operator for water supply system;
- e. An estimate of the total number of occupants the available groundwater will support based on the sustainable yield of the well (as approved in the water license) and use of supplementary water sources (e.g., greywater, rainwater);
- f. An estimate of how many dwelling units the proposed water supply system would service based on occupancy rates consistent with the provincial *Design Guidelines for Rural Residential Community Water Systems* or the BC census, and;
- g. A continuous monitoring plan for the water levels in the source groundwater well and an observation well.

CARRIED

SS-2021-157

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee endorse staff entering into a Cost Recovery Agreement with the applicant for file SS-RZ-2017.2, pursuant to Trust Council policy and Salt Spring Island Local Trust Committee Bylaw No. 428, required for Island Trust legal review of all covenants related to the subject application.

CARRIED

17. CLOSED MEETING – None

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on August 31, 2021 at 9:30 a.m. Check the website at www.islandstrust.bc.ca for details regarding upcoming meetings.

19. ADJOURNMENT

By general consent the meeting adjourned at 2:52 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder



Salt Spring Island Housing Action Program Task Force Special Meeting Minutes

Date: Friday, August 6, 2021

Location: United Church Meadow
111 Hereford Avenue

Members Present: Rhonan Heitzmann, Chair
James Back
Nejmah Guermoudi
Meror Krayenhoff
Stanley Shapiro
Jessica Terezakis
Daniel Wood

Regrets: None

Absent: Kerrie Proulx, Vice Chair
Maïkan Bordeleau
Bryce Chapman
Yvonne Saunders

Staff Present: Geordie Gordon, Planner 2
Daniela Murphy, Recorder

Others Present: Adam Olsen, Member of Legislative Assembly (MLA) for Saanich North and the Islands
One member of the public

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

The meeting was called to order at 1:53 p.m. Chair Heitzmann welcomed staff, MLA Adam Olsen and Task Force members and acknowledged the meeting is being held in Coast Salish First Nations treaty and traditional territory. MLA Olsen offered a territorial acknowledgement as well.

1. CALL TO ORDER

1.1 Approval of Agenda

By general consent, the agenda was adopted.

2. DISCUSSION WITH MLA ADAM OLSEN

In discussion the following questions and comments were noted:

- There was a question about the offering of territorial acknowledgements and how is it that the Islands Trust is a land use authority over unceded territory.
 - MLA Olsen advised that there is a general acknowledgement that what is seen today as government and legislative framework is not likely to cease to exist. He spoke of reconciliation and the reasons for it, expressing that there will be challenges in the coming months and years. The courts have determined that (sole) Crown sovereignty is not correct, and that there is a shared sovereignty with the Indigenous people. How the Province accommodates and reconciles lands that have been unceded, and sharing of sovereignty is a challenge of Crown governments. There already exists a shared sovereignty with different levels of government. MLA Olsen stated that the real thing to address are the racist beliefs that Indigenous people are somewhat lesser and cannot manage things (e.g. lands, money). He advised that the Province will partner with Indigenous people, just as they partner with everyone else. He spoke to the stewardship model of land use, and how our generation has learned from previous generations, we can unlearn from them as well though it will take time, compassion and love to get to where we need to get to.
- There was a question if Salt Spring Island were to be a model of collaboration, taking guidance from First Nations on how to move forward – how could this be achieved?
 - MLA Olsen spoke to finding a way to live together in communities with each other and finding ways to solve problems. The Gulf Islands and their uniqueness has been lost to the same settlement patterns seen on the Saanich peninsula, i.e. single family homes. He spoke to an example of a property with multiple dwellings and residents supporting one another. MLA Olsen referred to North Saanich as a largely residential and agricultural area, with no available professional services. The Gulf Islands need to have a variety of housing to support the work force and the quality of life that community members expect. He advised that a rethink of how the land is zoned and used may be required, and referred to Islands Trust planners to assist with this.
- There was a question regarding what MLA Olsen meant by “services”.
 - MLA Olsen replied that services means places for childcare, seniors care and homes for doctors, nurses, and construction workers. Without self-reliance, Salt Spring’s community will suffer.
- There was a question as to whether zoning a multi-family parcel to affordable housing would solve part of the issue.
 - MLA Olsen advised that zoning (Islands Trust) is only part of the solution to the housing problem. There is also water and sewer, for example, that would need to be addressed. He spoke to the population and capacity of the island being an issue. To have 1 million people on Salt Spring Island would make for a very different island than what is experienced today. The community would experience high population density and would need to pump water in and pump sewer out. MLA Olsen spoke to the philosophical view of how home ownership is currently viewed and the option of living with family. He advised that with the housing issue, there are various government bodies responsible and they need to work in concert with one

another. A multi-jurisdictional meeting is required with the Province, Capital Regional District and Islands Trust in order to move together and effect change. He commented on the housing challenges in all of the Province, not just the Gulf Islands.

- There was a question on these government bodies and how to organize such a multi-jurisdictional meeting.
 - MLA Olsen advised that there currently is a meeting once a month of the Southern Gulf Islands forum. This meeting allows leaders to share where they are at with various challenges in their community. All Trustees, the CRD Directors, MP Elizabeth May, MLA Olsen and First Nations Chiefs attend this meeting. The forum is still in its initial stages, but may be the right outlet for this housing issue, and he spoke to the fact that it would bring an Indigenous voice to the issue.
- There was a comment about congregate housing and the benefit to having amenities and transportation options within walking distance.
 - MLA Olsen spoke to the Task Force about coming up with policy ideas, and how the challenge is to move people past barriers. He spoke to the land use bylaw and real estate market being things that people have created and treat with reverence as people have significant investments in land.
- There was a comment that community members have different values, such as wealth, farming, earth stewardship, but that everyone needs someone at some point.
- There was a comment about Ganges being a busy hub, and the potential in Fulford to create an expanded village. There was a further comment about how communities could be built around homes.
- There was a concern that topics (i.e. housing, transportation) are talked about separately, but that these topics should be considered together and that Salt Spring could be a model for other communities. There was further concern that thinking continues to be in the old paradigm, but there are many ways to do things differently and that collaborative government has to do more than just build boxes to house people.
 - MLA Olsen replied that the Province creates legislation that the Islands Trust and other local government enact. He expressed that there may be a philosophical block but often it is a regulatory framework that does not permit something to transpire. MLA Olsen encouraged the Task Force members to write down any policies or legislation that they come across that seem to prevent something, and share these findings with the Trustees and himself. He emphasized that he is here to serve the community and will look at the policy and the reasons for its existence and explore the possibility that the policy needs to be changed. MLA Olsen noted that staff is not obstructive in the process, but rather, are following the legislation. He explained the process for the legislation to be changed: It starts at the Islands Trust level, then is brought forward to the Provincial level.
- There was a comment about affordable housing, referring to the cost of building and the cost of land. There was a reference to the 99 year leases by the Musqueam Band at the University Endowment Lands. The cost of land has constrained how land is now developed. There was a question as to whether a 99 year lease could be implemented, where the land is private for that time, but then reverts back to public land.
 - MLA Olsen replied that the federal government created two models for communities: municipal and a reserve system. In the municipal model, there is a question of how much the land is worth. In the reserve system model, the land is worth nothing. He noted that the real estate market is out of control and has put

well paid people into challenges of home ownership. He noted that the status symbol of home ownership has to change, as it has become unsustainable.

- MLA Olsen offered suggestions as to alternative home designs, such as creating a home that could permit a duplex in future. He also noted that there are several houses on Salt Spring Island with multiple rooms. A change in the legislation may possibly house unrelated people in the same home.
- There was a concern regarding the housing crisis, suggesting issues need to be addressed immediately, in addition to the longer paradigm shift. It was noted that people are desperately looking for housing on-island. There was a further comment that people used to commute off-island to find work, but now people commute to Salt Spring.
- There was a comment to focus on something that can be done with some tangible outcome.
- There was a comment that the long-term goal is the creation of the interjurisdictional housing authority. A member asked MLA Olsen how he could help create this authority and navigate the bureaucratic obstacles. There was a further question on how the Speculation tax could be implemented.
 - MLA Olsen suggested that he or a member of his staff could sit in on the Housing Action Program Task Force meetings so that when these types of questions come up, he can be there to help. With regards to the Speculation tax, he has been in conversation with the Minister of Finance and he anticipates a deeper conversation in the Fall. He advised that the problem with the Speculation Tax is that the monies go to General Revenue.
- There was a comment about the model for worker housing in Whistler.
- There was a comment that there needs to be a shift towards Indigenous views that need to be supported. There was a question whether there could be an Indigenous voice on the Task Force.
 - MLA Olsen advised that the capacity to address this request could be challenging and suggested contacting Lisa Wilcox, Islands Trust Senior Intergovernmental Policy Advisor for guidance. He advised that the Task Force could do the work and then invite First Nations to review or comment.
 - MLA Olsen advised that the government will have an intense focus on housing.

4. ADJOURNMENT

The meeting was adjourned at 3:01 p.m.

Rhonan Heitzmann, Chair

CERTIFIED CORRECT:

Daniela Murphy, Recorder



Salt Spring Island Advisory Planning Commission Minutes of a Regular Meeting

Date of Meeting: Thursday, August 12, 2021

Location: Electronic Meeting

Members Present: Jeff Thompson, Chair
Mairi Wellman, Vice Chair
Ron Cooke, Commissioner
Leigh Large, Commissioner
Stanley Shapiro, Commissioner

Regrets: Jean Brouard, Commissioner
Francine Carlin, Commissioner
Nancy Krieg, Commissioner

Absent: Neil Morie, Commissioner

Staff Present: Kristine Mayes, Planner 1
Louisa Garbo, Island Planner
Geordie Gordon, Planner 2
Rob Pingle, Planning Team Assistant
Sarah Shugar, Recorder

Media and Others Present: Peter Grove, Local Trustee
Laura Patrick, Local Trustee

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

Planner Mayes called the meeting to order at 1:02 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Draft Minutes of the October 22, 2020 APC Meeting

By general consent, the minutes of the October 22, 2020 Salt Spring Island Advisory Planning Commission meeting were adopted.

3. BUSINESS ITEMS

3.1 Election of the Chair

Planner Mayes announced the election procedures.

Planner Mayes called for nominations for Chair. Commissioner Cooke was nominated and declined the nomination. Commissioner Thompson was nominated and accepted the nomination. Planner Mayes called three times for further nominations. Hearing none, she declared the nominations closed. Commissioner Thompson was elected Chair by acclamation.

Planner Mayes called for nominations for Vice Chair. Commissioner Welman was nominated and accepted the nomination. Planner Mayes called three times for further nominations. Hearing none, she declared the nominations closed. Commissioner Welman was elected Vice Chair by acclamation.

3.2 SS-RZ-2020.2 - Peter Hunt / Meghan Carr - 125 Churchill Road

Planner Mayes presented a memorandum dated July 29, 2021 regarding proposed amendments to the Salt Spring Island Land Use Bylaw No. 355 (LUB) and the Salt Spring Island Official Community Plan No. 434 (OCP) to make lawful a restaurant and two commercial accommodation units.

In discussion the following comments and questions were noted:

- There was a question regarding whether there have been complaints and/or concerns from the neighbours. Planner Mayes reported the rezoning application was triggered by a building permit review for a change of use from accessory to commercial, as a commercial use is not permitted on the subject property.
- There was a comment that the rezoning application addresses the septic capacity and the issues identified in the staff report are traffic and parking. There was a question regarding further clarification of authority over traffic and parking concerns. Planner Mayes reported the application is in the referral process including a referral to the Ministry of Transportation and Infrastructure (MOTI) and MOTI may require a commercial access to the property or street parking requirements. The Local Trust Committee has recognized that parking is a concern. The LUB does not require parking spaces for outdoor seats.
- There was a question regarding whether parking requirements and traffic impacts are within the Islands Trust jurisdiction. Planner Mayes reported impacts on the neighbourhood are considered as part of a rezoning application process. The applicants have provided a parking plan to meet parking requirements as per the LUB. The Islands Trust has the authority to require parking spaces for uses on a lot.
- There was a question regarding whether there are neighbourhood concerns regarding parking.
- There was a suggestion to increase the parking spaces on the property to reduce the demand for street parking.
- There was a question regarding regulation of septic capacity. The applicants have proposed a septic system with capacity for 38 seats.

It was MOVED and SECONDED,

That the Salt Spring Island Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw Nos. 523 and 524 proceed, subject to the following recommendations:

- Request the Ministry of Transportation and Infrastructure (MOTI) to provide guidance regarding parking on the roadway;
- Suggest that the applicant consider providing additional parking on the property to relieve roadside parking; and
- Ensure that the septic capacity is adequate.

CARRIED

3.3 Ganges Village Area Planning Project

Planner Garbo introduced herself as project lead. Planner Gordon presented a PowerPoint presentation regarding the Ganges Village Area Planning Project. Planner Garbo reported a consultant has been engaged to lead the public engagement process.

In discussion the following comments and questions were noted:

- There was a suggestion to include economic development in the project objectives.
- There was a question regarding the selection process for the public engagement consultant. Planner Garbo reported the selection process for the consultant is not a public process.
- There was a question regarding whether this is the time to provide input regarding Ganges Village. Planner Garbo reported the APC would be consulted to provide input as part of the public engagement plan.

3.4 Salt Spring Housing Action Program Project

Planner Gordon presented a PowerPoint presentation regarding the Salt Spring Housing Action Program Project. Planner Garbo reported staff would lead the public engagement process.

In discussion the following comments and questions were noted:

- There was a question regarding whether there is a target completion date for this project. Planner Garbo reported the target completion date is 2-years and a detailed timeline document is available on the project page of the website.
- There was a question regarding Agricultural Land Reserve (ALR) within the Ganges Study Area.
- There was a comment regarding a past design proposal for a three-story building on the Ganges Marina property and a question regarding First Nation interests in the Ganges Marina area. Planner Garbo reported staff is working with Senior Intergovernmental Policy Advisor Lisa Wilcox on coordination and early and ongoing consultation with First Nations.

4. OTHER BUSINESS

4.1 Future Meetings

Planning Team Assistant Pingle reported in person meetings may be required on September 30, 2021.

5. ADJOURNMENT

By general consent the meeting adjourned at 2:30 p.m.

Jeff Thompson, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

DRAFT



Salt Spring Island Agricultural Advisory Planning Commission

Minutes of a Regular Meeting

Date of Meeting: Thursday, August 12, 2021

Location: Electronic Meeting

Members Present: Bree Eagle, Chair
Brent Brochu-Ingram, Vice Chair
Conrad Pilon, Commissioner
Nathan Roberson, Commissioner
Jan Steinman, Commissioner

Absent: Ken Byron, Commissioner
Zack Hemstreet, Commissioner

Staff Present: Geordie Gordon, Planner 2
Kristine Mayes, Planner 1
Sarah Shugar, Recorder
Rob Pingle, Planning Team Assistant

Media and Others Present: Peter Grove, Local Trustee
Laura Patrick, Local Trustee
Doug Pepper, Ministry of Agriculture

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

Planner Mayes called the meeting to order at 3:00 p.m.

1. APPROVAL OF AGENDA

By general consent the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Draft Minutes of the May 13, 2021 AAPC Meeting

By general consent,
that the minutes of the May 13, 2021 Salt Spring Island Agricultural Advisory Planning Commission meeting were adopted.

3. BUSINESS ITEMS

3.1 Election of Chair

Planner Mayes announced the election procedures.

Planner Mayes called for nominations for Chair. Commissioner Eagle was nominated and accepted the nomination. Planner Mayes called three times for further nominations. Hearing none, she declared the nominations closed. Commissioner Eagle was elected Chair by acclamation.

Planner Mayes called for nominations for Vice Chair. Commissioner Brochu-Ingram was nominated and accepted the nomination. Planner Mayes called three times for further nominations. Hearing none, she declared the nominations closed. Commissioner Brochu-Ingram was elected Vice Chair by acclamation.

3.2 SS-RZ-2020.2 - Peter Hunt / Meghan Carr - 125 Churchill Road

Planner Mayes presented a memorandum dated July 29, 2021 regarding proposed amendments to the Salt Spring Island Land Use Bylaw No. 355 and the Salt Spring Island Official Community Plan No. 434 (OCP) to make lawful a restaurant and two commercial accommodation units.

Member Steinman and Doug Pepper joined the meeting at 3:15 p.m.

In discussion the following comments and questions were noted:

- There was a comment that the subject property had an art gallery and whether the proposed bylaws include a cultural space/art gallery. Planner Mayes reported the rezoning application is specific to a restaurant and two commercial accommodation units and any additional uses may require a legislative mechanism such as a Temporary Use Permit.
- There was a question regarding the proximity to properties within the Agricultural Land Reserve (ALR). Planner Mayes reported the properties to the south and west of the subject property are within the ALR.
- There was a question regarding whether there has been public input. Planner Mayes reported the application is in the first stage of referral process including referral to various agencies.
- There was a question regarding septic capacity and water availability impacts. Planner Mayes reported the property is serviced by North Salt Spring Waterworks District and the applicants have proposed a septic system with capacity for the bakery to have 38 seats.
- There was a question regarding whether there has been any evidence that the neighbouring properties within the ALR are impacted by the proposed uses on the subject property. Planner Mayes reported she is not aware of any complaints regarding impacts to the neighbouring properties that are within the ALR.
- There was a comment that cars have parked in front of a neighbouring farm stand and that may need to be addressed.
- There was a question regarding whether the AAPC would be consulted following public consultation. Planner Mayes reported the Local Trust Committee referred the application to the AAPC and the LTC could re-refer the application to the AAPC further along in the

process. A public hearing will also be an opportunity for the community to provide input on the application.

- There was a suggestion for the staff report to address local farming concerns as part of the public consultation process.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommend to the Salt Spring Island Local Trust Committee that proposed Bylaw Nos. 523 and 524 proceed for the following reason: The rezoning, when consistent with the proposed bylaw would not impinge on or obstruct any agricultural operations in the area and the business would provide one more retail outlet for local farm and related agricultural products.

CARRIED

3.3 SS-RZ-2017.2 - Fernando & Tammy Dos Santos - 221 Drake Road, SSI

Planner Gordon presented a memorandum dated July 12, 2021 regarding an update on an existing rezoning application to permit 30 affordable housing units on the subject property at 221 Drake Road.

It was MOVED and SECONDED,

That the Salt Spring Island Agricultural Advisory Planning Commission recommends that the Salt Spring Island Local Trust Committee proceed with proposed Bylaw No. 505, subject to the following recommendation: that a water management plan is completed to the satisfaction of the Islands Trust.

CARRIED

4. OTHER BUSINESS

4.1 Future Meetings

Planning Team Assistant Pingle reported in person meetings may be required on September 30, 2021.

5. ADJOURNMENT

By general consent the meeting adjourned at 3:42 p.m.

Bree Eagle, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder

Follow Up Action Report

Salt Spring Island

27-Apr-2021

Activity	Responsibility	Dates	Status
<p>1 SS-DVP-2021.3 - M. Smith, M.C. Wright and Associates - North Secretary Island</p> <p>That the Salt Spring Island Local Trust Committee request staff to draft a Restrictive Use Covenant to prohibit the construction of docks on residential lots and include provision for a suitable marine spill containment kit.</p> <p>That the Salt Spring Island Local Trust Committee endorse staff to enter into a cost recovery agreement with the applicant.</p> <p>That the Salt Spring Island Local Trust Committee request staff to inquire about First Nation concerns regarding the Crown referral process for application SS-DVP-2021.3 (North Secretary Island).</p>	<p>Daniela Murphy Kristine Mayes</p>		Completed

Follow Up Action Report

Salt Spring Island

27-Apr-2021

Activity	Responsibility	Dates	Status
<p>2 SS-DVP-2021.4 - G. Welsh - 150 Drake Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust:</p> <p>a. A site plan by a BC land surveyor or landscape architect report demonstrating available parking on the subject property for all uses in accordance with Part 7 and Subsection 3.13.4 of Salt Spring Island Land Use Bylaw No. 355; and</p> <p>b. A site plan by a BC land surveyor indicating the present location of all structures appearing to be part of the subject property but developed within Mouat Park (including but not limited to the shed, trailer, and fencing).</p>	Kristine Mayes		Completed



Follow Up Action Report

Salt Spring Island

27-Apr-2021

Activity	Responsibility	Dates	Status
<p>3 SS-RZ-2021.1 - D. Rivers - 114 Swanson Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust the following:</p> <p>a. A water management report from a Professional Engineer or Geoscientist providing:</p> <p>1. A water quality analysis that demonstrates that the surface water and groundwater from each proposed water supply source or well is potable or can be made potable (as defined in Schedule H of Land Use Bylaw No. 355 and Guidelines for Canadian Drinking Water Quality) with a treatment system customarily used in a single-family dwelling, and include a plan of the subject property indicating each well location where a water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.</p> <p>2. Proof of groundwater well(s) registration including well tag number(s) and well records</p> <p>3. Proof of Forests, Lands, Natural Resource Operations and Rural Development groundwater licence application that authorizes the withdrawal of a minimum of 10,950 litres per day of groundwater;</p> <p>4. A statement regarding the adherence to construction standards in the Groundwater Protection Regulation for each surface water supply</p>	<p>Daniela Murphy Geordie Gordon</p>		<p>In Progress</p>

Follow Up Action Report

Salt Spring Island

27-Apr-2021

Activity	Responsibility	Dates	Status
<p>source.</p> <p>b. A Riparian Areas Protection Regulation report from a Qualified Environmental Professional containing requirements and recommendations to protect the existing Riparian Area on the subject property during construction.</p> <p>c. A storm water management plan prepared by a qualified engineer. The plan should ensure that no flooding of downstream properties occurs as a result of the proposed development.</p> <p>That the Salt Spring Island Local Trust Committee direct staff, upon receipt of a water management plan from the applicant, to refer the plan to the Secretary to the Comptroller of Water Rights, Island Health, CRD Building Inspection and the North Salt Spring Water District for review and comment.</p> <p>That the Salt Spring Island Local Trust Committee request that staff refer the application to Capital Regional District for confirmation that the subject property can be serviced by the CRD's sanitary sewer system and CRD comments on the requirements for the applicant to connect to the sewer system.</p>			



Follow Up Action Report

Salt Spring Island

27-Apr-2021

Activity	Responsibility	Dates	Status
<p>That the Salt Spring Island Local Trust Committee request that the applicant revise the rezoning application to consider the following aspects:</p> <ul style="list-style-type: none">a. Reduced water consumption through alternative non-potable supply for landscaping;b. Sustainable building techniques and energy efficient building design;c. The provision of an eligible community amenity as outlined in Official Community Plan Volume 2 Appendix 3 - Amenity Zoning. <p>That the Salt Spring Island Local Trust Committee request staff to prepare a draft bylaw to amend the Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone Lot 8, Section 3, Range 3 East, North Salt Spring Island, Cowichan District, Plan 21557 from Residential 6 to a Residential 6 zone variant that permits a maximum of six dwelling units.</p> <p>That the Salt Spring Island Local Trust Committee will withhold third reading of the proposed bylaw until a conditional water license authorizing the withdrawal of at least 10,950 litres per day is issued by Forests, Lands, Natural Resource Operations and Rural Development and any applicable mitigating measures to ensure water sustainability are agreed upon.</p>			

Follow Up Action Report

Salt Spring Island

25-May-2021

Activity	Responsibility	Dates	Status
<p>1 Water Sustainability Project</p> <p>That the Salt Spring Island Local Trust Committee direct staff to schedule a special joint meeting of the Coastal Douglas Fir Science Working Group and the Salt Spring Island Local Trust Committee to discuss possible next steps for the Coastal Douglas Fir and Associated Ecosystem Protection project.</p>	<p>Daniela Murphy Jason Youmans</p>		In Progress

29-Jun-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
<p>1 SS-RZ-2013.6 - Proposed Bylaw No. 474 & 475 - Island Marine Construction Services Ltd. - 2850 Fulford-Ganges Road, SSI</p> <p>That Salt Spring Island Local Trust Committee Bylaw No. 474, cited as 'Salt Spring Island Official Community Plan Bylaw, 2008, Amendment No. 2, 2013' be adopted subject to confirmation of registration of the archaeological protection covenant attached as Appendix 1 to the staff report dated June 29, 2021 (2850 Fulford-Ganges Road).</p> <p>That Salt Spring Island Local Trust Committee Bylaw No. 475, cited as 'Salt Spring Island Land Use Bylaw, 1999, Amendment No. 6, 2013,' be adopted subject to confirmation of registration of the archaeological protection covenant attached as Appendix 1 to the staff report dated June 29, 2021 (2850 Fulford-Ganges Road).</p>	<p>Daniela Murphy Jason Youmans</p>		<p>In Progress</p>



Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
<p>2 SS-RZ-2013.6 - Proposed Bylaw No. 474 & 475 - Island Marine Construction Services Ltd. - 2850 Fulford-Ganges Road, SSI</p> <p>That the motion be amended as follows: and that staff provide Trustees the opportunity to review the draft letter.</p> <p>That the Salt Spring Island Local Trust Committee direct staff to advise First Nations that Bylaws No. 474 and 475 have been adopted upon confirmation of registration of the archaeological protection covenant and that staff provide Trustees the opportunity to review the draft letter (2850 Fulford-Ganges Road).</p>	<p>Daniela Murphy Jason Youmans</p>		In Progress
<p>3 SS-RZ-2013.6 - Proposed Bylaw No. 474 & 475 - Island Marine Construction Services Ltd. - 2850 Fulford-Ganges Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee issue Development Permit SS-DP-2014.3 (2850 Fulford-Ganges Road).</p>	<p>Daniela Murphy Jason Youmans</p>		In Progress

Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
<p>4 SS-DVP-2021.6 and SS-DP-2020.10 - J. Litke, Polaris Surveying Ltd. - 445 Blackburn Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.6 (445 Blackburn Road).</p>	<p>Daniela Murphy Geordie Gordon</p>		In Progress
<p>5 SS-DVP-2021.6 and SS-DP-2020.10 - J. Litke, Polaris Surveying Ltd. - 445 Blackburn Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2020.10, subject to receipt of a security in the amount of \$3,000 (445 Blackburn Road).</p>	<p>Daniela Murphy Geordie Gordon</p>		In Progress



Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
<p>6 SS-DVP-2021.6 and SS-DP-2020.10 - J. Litke, Polaris Surveying Ltd. - 445 Blackburn Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee exempt proposed Lot A, proposed Lot B and proposed Remainder Southwest 1/4 Section 85 of The North West 1/4 Of Section 85, South Salt Spring Island, Cowichan District, subdivision SS-SUB-2020.1 (445 Blackburn Road) from the 10 per cent minimum lot frontage requirements of Section 512 of the Local Government Act and Subsection 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355.</p>	<p>Daniela Murphy Geordie Gordon</p>		In Progress
<p>7 SS-DVP-2021.6 and SS-DP-2020.10 - J. Litke, Polaris Surveying Ltd. - 445 Blackburn Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee accept, in principle, a covenant under Section 219 of the Land Title Act requiring treatment of water from the registered owner of The North West 1/4 Of Section 85, South Salt Spring Island, Cowichan District and designate any member of the Local Trust Committee to sign the covenant (SS-SUB-2020.1, 445 Blackburn Road), conditional upon receipt of a letter of undertaking to the satisfaction of staff.</p>	<p>Daniela Murphy Geordie Gordon</p>		In Progress



Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
<p>8 SS-DP-2020.15 - T. Boekbinder - 106 Lower Ganges Road, SSI (El Loco Taco)</p> <p>That the Salt Spring Island Local Trust Committee request that the applicant submit to the Local Trust Committee a pedestrian circulation plan, consistent with Official Community Plan policy E.1.4.5, that clearly delineates a pedestrian walkway on the entire perimeter of the subject property as per the resolutions of the Salt Spring Island Transportation Commission made at their May 31, 2021 meeting. The applicant shall consult with the Ministry of Transportation and Infrastructure if required in preparing the plan (106 Lower Ganges Road).</p> <p>That the Salt Spring Island Local Trust Committee request that the applicant submit to the Local Trust Committee a parking plan that includes clearly delineating the parking that presently occurs adjacent to the subject property and within the highway right-of-way on McPhillips Avenue as per the resolutions of the Salt Spring Island Transportation Commission made at their May 31, 2021 meeting (106 Lower Ganges Road).</p> <p>That the Salt Spring Island request that the applicant review the proposal</p>	Geordie Gordon		In Progress



Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
for Development Permit application SS-DP-2020.15 to ensure that the proposed amendment is consistent with Official Community Plan Policy E.1.6.20 to ensure areas of the property provide barrier free access for those with mobility issues (106 Lower Ganges Road).			
9 SS-RZ-2020.2 - P. Hunt and M. Carr - 125 Churchill Road, SSI	Daniela Murphy Kristine Mayes		Completed
That Salt Spring Island Local Trust Committee Bylaw No. 523, cited as 'Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2021', be read a first time (SS-RZ-2020.2, 125 Churchill Road).			
That Salt Spring Island Local Trust Committee Bylaw No. 524, cited as 'Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2021', be read a first time (SS-RZ-2020.2, 125 Churchill Road).			
That the Salt Spring Island Local Trust Committee request staff refer Proposed Bylaws No. 523 and 524 to agencies, organizations and First Nations, as identified in this staff report dated June 15, 2021 (SS-RZ-2020.2, 125 Churchill Road).			



Follow Up Action Report

Salt Spring Island

29-Jun-2021

Activity	Responsibility	Dates	Status
<p>10 SS-RZ-2020.1 - D. MacAlpine - 1351 Mountain Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee direct staff to draft a Rural zone variant for Lot 5, of Sections 33 and 37, South Salt Spring Island, Cowichan District, Plan 1812 (SS-RZ-2020.1, 1351 Mountain Road) that:</p> <p>a. makes lawful an existing 60 square metre boathouse;</p> <p>b. makes the setback for buildings and structures to the natural boundary of the sea 15 metres.</p>	<p>Daniela Murphy Kristine Mayes</p>		<p>In Progress</p>
<p>11 SS-ALR-2020.4 - D. Miller - 2101 Fulford-Ganges Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee re-refer application SS-ALR-2020.4 to the Agricultural Advisory Planning Commission with the staff report dated June 8, 2021, a farm plan and a plan to reduce the road width (2101 Fulford-Ganges Road).</p>	<p>Kristine Mayes Rob Pingle</p>		<p>In Progress</p>

27-Jul-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>1 PREVIOUS MEETINGS</p> <p>Draft Minutes of the June 29, 2021 SSI LTC Regular Meeting</p> <p>The following item was presented for consideration:</p> <ul style="list-style-type: none">- Item 9.1.1 - Replace "BCEM Dingman presented a staff report dated June 16, 2021 to provide an update on compliance and enforcement files for unlawful dwellings and to provide recommendations for a new enforcement policy." with Bylaw Compliance and Enforcement Manager Dingman presented a staff report dated June 16, 2021 to provide an update on compliance and enforcement files for unlawful dwellings and to provide recommendations for a new enforcement policy. <p>By general consent, the minutes of the June 29, 2021 Salt Spring Island Local Trust Committee meeting were adopted as amended.</p>	<p>Daniela Murphy</p> <p>Rob Pingle</p>		Completed
<p>2 Reports</p> <p>That the Salt Spring Island Local Trust Committee add Soil Removal Bylaw Review and Update to the Projects List.</p>	<p>Stefan Cermak</p>		Completed



Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>3 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report - Correspondence to LTC, dated June 25, 2021 - Concerning Ecosystem Resilience Mapping</p> <p>That the Salt Spring Island Local Trust Committee direct staff to report back regarding options and recommendations for Watershed Ecosystem Resilience Mapping at the next LTC meeting.</p>	Jason Youmans		In Progress
<p>4 Coastal Douglas Fir and Associated Ecosystem Protection Project</p> <p>That the Salt Spring Island Local Trust Committee endorse a planner to participate in Salt Spring Island Fire/Rescue wildfire resiliency planning, recognizing the intersection of wildfire mitigation, Coastal Douglas Fir forest protection and freshwater sustainability.</p>	Jason Youmans		Completed
<p>5 OTHER BUSINESS - Closure of Dormant Bylaws</p> <p>That the Salt Spring Island Local Trust Committee direct staff to amend Bylaw No. 493, cited as "Piers Island Official Community Plan By-law, 1980, Amendment No. 1, 2016" by including numerical Greenhouse Gas (GHG) reduction targets.</p>	Daniela Murphy Stefan Cermak		In Progress



Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>6 SS-CELLA-2020.1 - T. Verigin (Cypress Land Services Inc.) - Channel Ridge Area, SSI</p> <p>That the Salt Spring Island Local Trust Committee concurs with the proposed siting of the telecommunications facility W2176 on Channel Ridge for the following reasons:</p> <ul style="list-style-type: none">a. Salt Spring Island Land Use Bylaw No. 355 permits the siting of public utilities (telecommunication towers) in every zone;b. the tower is located in close proximity to an existing telecommunication facility;c. the tower is, in part, an upgrade to the emergency communication system on Salt Spring Island and will benefit the general population; andd. the proponent has undertaken the necessary community consultation and provided opportunity for comment from the public and the Salt Spring Island Local Trust Committee.	Kristine Mayes		Completed



Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>7 SS-TUP-2020.4 - M. Cahill - (dba Charlie's Excavating) - 570 Blackburn Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee amend Temporary Use Permit SS-TUP-2020.4 (570 Blackburn Road) as follows: Item 4.3 Storage of bulk fuel, lubricants and oils for the Commercial Excavation Business is NOT permitted.</p> <p>That the Salt Spring Island Local Trust Committee approve issuance of Temporary Use Permit SS-TUP-2020.4, as amended, for a period of 365 days in order to allow the applicant to relocate and become compliant (570 Blackburn Road).</p>	<p>Daniela Murphy Kristine Mayes</p>		Completed
<p>8 SS-DVP-2021.10 - J. Van Halst - 241 Roland Road, SSI</p> <p>That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP- 2021.10 as shown in Appendix No. 5 of the staff report dated July 13, 2021 (241 Roland Road).</p>	<p>Daniela Murphy Kristine Mayes</p>		Completed



Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>9 SS-DVP-2021.11 - K. Isherwood - 106 McKenzie Crescent, Piers Island</p> <p>That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust an Assessment Report, completed by an eligible consulting archaeologist, which determines whether the proposed development activities presented in SS-DVP-2021.11 are likely to damage or alter any unrecorded portions of the protected archaeological site on the subject property (106 McKenzie Crescent).</p>	<p>Daniela Murphy Geordie Gordon</p>		In Progress
<p>10 SS-RZ-2017.2 - F. Dos Santos - 221 Drake Road, SSI (Dragonfly Commons)</p> <p>That the Salt Spring Island Local Trust Committee rescind first reading of Bylaw No. 505, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017".</p> <p>That the Salt Spring Island Local Trust Committee amend Bylaw No. 505, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017" as presented in appendix 1 of the staff report dated July 27, 2021.</p> <p>That the Salt Spring Island Local Trust Committee Bylaw No. 505, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017" as amended, be read a first time.</p>	<p>Daniela Murphy Geordie Gordon</p>		Completed

Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>11 SS-RZ-2017.2 - F. Dos Santos - 221 Drake Road, SSI (Dragonfly Commons)</p> <p>That the Salt Spring Island Local Trust Committee request staff to refer Bylaw No. 505 to agencies, organizations and First Nations, as identified in the staff report dated July 27, 2021.</p> <p>That the Salt Spring Island Local Trust Committee has reviewed the Directives Only Policy Checklist and determined that proposed Draft Bylaw No. 505 is not contrary to or at variance with the Islands Trust Policy Statement.</p>	<p>Daniela Murphy Geordie Gordon</p>		Completed



Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
<p>12 SS-RZ-2017.2 - F. Dos Santos - 221 Drake Road, SSI (Dragonfly Commons)</p> <p>That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a water management report prepared by a Professional Engineer or Geoscientist providing:</p> <ul style="list-style-type: none"> a. Identification of all proposed water sources (e.g. well water, greywater, rainwater); b. Identification of how each type of water use (e.g. in-house, irrigation, fire) will be serviced; c. Identification of water quality analysis and treatment options (if required); d. Identification of small water systems operator for water supply system; e. An estimate of the total number of occupants the available groundwater will support based on the sustainable yield of the well (as approved in the water license) and use of supplementary water sources (e.g., greywater, rainwater); f. An estimate of how many dwelling units the proposed water supply system would service based on occupancy rates consistent with the provincial Design Guidelines for Rural Residential Community Water Systems or the BC census, and; 	<p>Daniela Murphy Geordie Gordon</p>		In Progress

Follow Up Action Report

Salt Spring Island

27-Jul-2021

Activity	Responsibility	Dates	Status
g. A continuous monitoring plan for the water levels in the source groundwater well and an observation well.			
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13 SS-RZ-2017.2 - F. Dos Santos - 221 Drake Road, SSI (Dragonfly Commons)	Daniela Murphy Geordie Gordon		In Progress
That the Salt Spring Island Local Trust Committee endorse staff entering into a Cost Recovery Agreement with the applicant for file SS-RZ-2017.2, pursuant to Trust Council policy and Salt Spring Island Local Trust Committee Bylaw No. 428, required for Island Trust legal review of all covenants related to the subject application.			
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SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
4-Feb-2010	SSI-11-10	Bylaw Enforcement Reports	<p>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.</p> <p style="text-align: right;"><u>CARRIED</u></p>
10-Jan-2013	SSI-09-13	North Salt Spring Waterworks District Reporting	<p>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:</p> <ul style="list-style-type: none"> 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. <p style="text-align: right;"><u>CARRIED</u></p> <p>*Bylaw 461 was adopted May 2, 2013</p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2-Jun-2016	SS-2016-114	Grantville Neighbourhood lawful non-conforming sewage disposal field repair or replacement	<p>It was MOVED and SECONDED, 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):</p> <p>That the Salt Spring Island Local Trust Committee direct staff to administer and enforce Bylaw 484 according to the following policies:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2-Mar-2017	SS-2017-16	Quarterly Application Summary Staff Reports	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee direct staff to provide a quarterly summary of application tracking. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
16-Aug-2018	SS-2018-177	Cannabis Regulation	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:</p> <ul style="list-style-type: none"> • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> ○ Name of the applicant and a description of the proposal in general terms; ○ The location of the proposed establishment and the subject site; ○ The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; ○ How public comments may be submitted to the Local Trust Committee. <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
6-Dec-2018	SS-2018-278	Cannabis – Processing of Notice to Local Authorities	<p>It was MOVED and SECONDED, That the Salt Spring Island Local Trust Committee adopt the following standing resolution: that the Salt Spring Island Local Trust Committee request that Notices of Intention to apply for a Federal Cannabis License be included in the Local Trust Committee Regular Meeting agenda package.</p> <p style="text-align: right;"><u>CARRIED</u></p>
30 Apr 2019	SS-2019-88	Families as Stakeholders	<p>It was MOVED and SECONDED, That the Salt Spring Island Local Committee direct staff to include families as stakeholders in Project Charters and to propose family oriented engagement techniques, or to explain why such inclusion is not appropriate.</p> <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
27 Aug 2019	SS-2019-153	STVR	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee rescind Resolution SS-2017-120 and adopt the following new short-term vacation rental enforcement policy:</p> <p>that given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short-Term Vacation Rentals (STVRs) that have one or more of the following characteristics will be subject to proactive enforcement:</p> <ol style="list-style-type: none"> 1. They are advertised on the Internet, newspapers or other media; 2. More than one dwelling on the lot is simultaneously made available for STVRs; 3. While the property is rented persons are staying in tents, trailers, or Recreational Vehicles; 4. There are issues related to health and safety; 5. There is a written complaint by owners or residents on nearby lots about bona fide nuisance issues such as noise or parking congestion related to the STVR; 6. The owner of the property uses more than one property on Salt Spring Island as an STVR; that a Short-Term Vacation Rental (STVR) is defined as rental of a dwelling, suite, or cottage in a residential zone for less than 30-day periods; <p>that a Short-Term Vacation Rental (STVR) is defined as the rental of a dwelling, suite, cottage, camping unit, accessory building or structure for a commercial guest accommodation use in a non commercial or commercial guest accommodation zone for less than a 30-day period;</p> <p>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.</p> <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
26-Nov-2019	SS-2019-253	Reconciliation	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> a) Annually, write a letter to First Nations, (re) introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area. <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
17-Dec-2019	SS-2019-275	Referral of Items to the Agricultural Advisory Planning Commission	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee refer Agricultural Land Commission applications directly to the Agricultural Advisory Planning Commission, prior to consideration by the Salt Spring Island Local Trust Committee when:</p> <ul style="list-style-type: none">a) Applications demonstrate either that local farming or the greater community would benefit and conditions of Official Community Plan policy B.6.2.2.16 apply, orb) Applications are for public recreation use and are consistent with the Official Community Plan. <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
28-Apr-2020	SS-2020-045	Policy Options for Bylaw Enforcement Compliance on Unlawful Uses	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:</p> <ul style="list-style-type: none">a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and that staff are directed to continue with enforcement until the use is ceased.b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, temporarily cease.c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee; bylaw enforcement actions, including the issuing of notices, will continue.d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application. <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
6-Oct-2020	SS-2020-145	Enforcement Policy during COVID-19 Public Health Emergency	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy while there is a public health emergency declared for COVID-19: Enforcement activities will be deferred for vessels in contravention of section 3.19.1 of the Salt Spring Island Land Use Bylaw No. 355 for the following Shoreline zones S1 and S4 under the following conditions;</p> <ol style="list-style-type: none"> 1. Must at all times comply with provincial and federal laws pertaining to navigation and safety equipment; 2. Must be registered, insured, seaworthy and immediately ready for cruising in local waters; 3. No disposal of sewage into the marine environment; 4. Must not be used as a short-term rental; <p>Failure to meet the above referenced conditions will make vessels subject to enforcement. And that the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities at any time.</p> <p style="text-align: right;"><u>CARRIED</u></p>
6-Oct-2020	SS-2020-146	Enforcement Policy during COVID-19 Public Health Emergency	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy while there is a public health emergency declared for Covid-19: Enforcement activities will be deferred for food and liquor serving premises affected by Orders of the Provincial Health Officer, as well as cafes and coffee shops, in order to permit the use of temporary cover or enclosed outdoor areas to expand outdoor seating and that the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities at any time.</p> <p style="text-align: right;"><u>CARRIED</u></p>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
29-Jun-2021	SS-2021-109	Unlawful Dwellings	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy: Enforcement activities will be deferred for all unlawful dwellings being used for residential purposes except in the following circumstances:</p> <ul style="list-style-type: none"> a. there are concerns regarding health and safety; b. there are concerns that sewage is not being disposed of in an approved septic or sewage disposal system; c. there are concerns that septic or sewage disposal systems are being used in excess of capacity or ability as a result of unlawful dwellings; d. there are concerns of possible contamination of wells or other drinking water sources; e. unlawful dwellings are in environmentally sensitive areas; f. there are non-permitted campgrounds; and <p>that the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities at any time.</p> <p style="text-align: right;"><u>CARRIED</u></p>
29-Jun-2021	SS-2021-111	Bylaw Enforcement Policy on Portable Sawmills	<p>It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy: Enforcement on portable sawmills will be deferred while the Local Trust Committee considers amendments to the Land Use Bylaw.</p> <p style="text-align: right;"><u>CARRIED</u></p>



Top Priorities Report

Salt Spring Island

1. *Water Sustainability - coordinate multiple jurisdictions in planning for water sustainability and watershed protection.*

Currently includes: Coordination of SSIWPA; Development of Proof of Water Bylaw; Weston Lake Water Availability Study; Watershed Strategic Plan; Ongoing well-monitoring.

July 15, 2021: Signed MOU submitted to CRD for Weston Lake Study. RFP forthcoming.

May 25, 2021: LTC approves project charter of Watershed Protection Plan

April 27, 2021: MOU approved for Weston Lake Assessment

March 11, 2021 - TC budget approve: \$75,500 special tax requisition for 2021/22 SSIWPA; up to \$80,000 from surplus funds to spend on a watershed strategic plan and Weston Lake Watershed Assessment

Responsible

Jason Youmans
William Shulba

Dates

Rec'd: 07-Jun-2012
Target: 30-Dec-2022

2. *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*

Science Working Group Meetings: Nov. 18, 2020; April 12, 2021; June 15, 2021; July 13, 2021

April 27, 2021 - education materials received

July 28, 2020 - Project Charter endorsed. Phase 1: Information gathering and analyzing, consultation, and education.

Responsible

Jason Youmans

Dates

Rec'd: 17-Dec-2019
Target: 01-Dec-2022



Top Priorities Report

Salt Spring Island

3. *Ganges Village Planning*

Responsible

Dates

Task Force Meeting: 2021: April 15, May 20, June 17, July 15, August 19
March 11, 2021-TC approved \$97,000 project budget
Nov. 10 2020 - Project Charter, Public Engagement Framework, and Task Force Terms of Reference adopted. Endorsed applying for C2C funding.

Louisa Garbo

Rec'd: 08-Jun-2020
Target: 31-Mar-2022

4. *Housing Action Program*

Responsible

Dates

Task Force Meeting: 2021: May 20, June 17, July 15, August 19
April 27, 2021-12 persons appointed to Housing Task Force
Jan. 22, 2021 - Project Charter. Adopted.
Dec. 15, 2020 - LTC resolves that any further consideration of Bylaw No. 471 (TUPs for Residential use) take place in the context of LTC's 'Housing Challenges and Solutions' project.

Louisa Garbo

Rec'd: 06-Oct-2020
Target: 01-Oct-2022



Projects Report

Salt Spring Island

1. *OCP Amendments*

Responsible

Date Received

- First Nations Heritage and Cultural Site Protection (Jan. 2015)
- Piers Island Bill 27 OCP Update (Dec. 2015)
- Marine Environment Protection (Foreshore Audit) (June 2016)
- Official Community Plan Review (Nov. 2017)
- Development of a Music Strategy (June 2020)
- Waste Transfer Stations (Waste Management Plan) (July 2020)

06-Oct-2020

2. *Land Use Bylaw Amendments*

Responsible

Date Received



Projects Report

Salt Spring Island

·Housing for Farm Workers and Residential Options in the ALC (Nov. 2008)	06-Oct-2020
·Outer Islands (Feb. 2015)	
·LUB Update: Affordable Housing (June 2015)	
·Accessory Buildings Without a Principle Use (Dec. 2016)	
·Technical and Minor Amendments (Mar. 2017)	
·Limit fence height to 2.4m; increase dock width from 1.2m to 1.5m; culverts as structures in waterbody setbacks	
·Reduce Permitted Lot Coverage in Rural Upland Zones (Aug. 2018)	
·Ganges Village Planning - Harbourwalk (Oct. 2019)	
·Commercial Truck Parking and Storage (July 2020)	
·Regulate Cannabis Production (Sept. 2020)	
·Portable Sawmills (Nov. 2020)	

3. *Direct Bylaw Enforcement*

Responsible	Date Received
·Bylaw Enforcement Policies (Feb. 2015)	06-Oct-2020
·Short Term Vacation Rentals (STVRs) (May 2017)	

4. *Administrative Processes and Procedures*

Responsible	Date Received
·Land Use Contracts (Feb. 2015)	06-Oct-2020
·Soil Removal Bylaw update (Feb. 2015)	
·Improving Communications (Mine permits for aggregate pits and quarries.) (Jan. 2020)	

Projects Report

Salt Spring Island

5. *Advocate*

Responsible

Date Received

·none listed

06-Oct-2020



Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2020.4	Miller, Dennis	07-Dec-2020	Subdivision - 2102 Fulford Ganges Road

Planner: Kristine Mayes

Planning Status

Status Date: 29-Jun-2021

SSILTC re-refer application to AAPC pending farm plan & plan to reduce road width

Status Date: 08-Jun-2021

Report to 29JUN2021 SSILTC meeting

Status Date: 05-May-2021

Report to 14MAY2021 AAPC meeting

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2021.2	Shatford, Jeffrey	02-Jul-2021	Non-Farm Use - Farm Worker Housing - 246 Bridgman Road

Planner: Kristine Mayes

Planning Status

Status Date: 23-Jul-2021

Site Visit

Status Date: 06-Jul-2021

File assigned to Planner Mayes - SS-ALR-2021.2



Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2014.3	McKerrell, David	26-May-2014	Marina Expansion in DPA1 - 2850 Fulford-Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 29-Jun-2021

LTC resolves to issue permit. Permit to be issued pending archaeological covenant registration.

Status Date: 23-Dec-2016

See SS-RZ-2013.6 for status update

Status Date: 25-Aug-2016

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

File Number	Applicant Name	Date Received	Purpose
SS-DP-2018.14	Kirsten Reite Architecture	18-Sep-2018	Proposed development of 24 cottages, a restaurant, retail space, reception area, and 2 parking lots (former Fulford Inn property) in DPA2 / DPA3 / DPA6 & DPA7 - 2621 & 2661 Fulford-Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 18-May-2021

Planner meets with applicant and consulting team

Status Date: 15-Apr-2021

Applicant requests file be re-activated

Status Date: 07-Apr-2020

Applicant requests file be held in abeyance due to Covid-19. Staff agree to 3 month abeyance.



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2020.1	GILX Management Corporation	02-Mar-2020	Subdivision in DPA4 & DPA7

Planner: Kristine Mayes

Planning Status

Status Date: 21-Apr-2020

Emailed with applicant re. RAR report requirement

Status Date: 31-Mar-2020

Re-assigned to Planner Mayes

Status Date: 03-Mar-2020

Planner Gordon assigned to SS-DP-2020.1

File Number	Applicant Name	Date Received	Purpose
SS-DP-2020.10	Polaris Land Surveying Inc	19-Oct-2020	Subdivision in DPA 7 Riparian Areas requires a QEP and approval through DP to proceed - 445 Blackburn Road

Planner: Geordie Gordon

Planning Status

Status Date: 29-Jun-2021

Report to LTC. DP issued subject to \$3000 deposit.

Status Date: 01-Mar-2021

Updated assessment report received

Status Date: 19-Oct-2020

Planner Gordon assigned to SS-DP-2020.10



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2020.15	El Loco Taco	18-Dec-2020	Amend Existing Permit - 106 Lower Ganges RD

Planner: Geordie Gordon

Planning Status

Status Date: 29-Jun-2021

LTC resolutions passed requesting applicant update application to provide options improve pedestrian connectivity on site

Status Date: 29-Jun-2021

Staff report to LTC

Status Date: 07-Jun-2021

Response received from SSI Transportation Commission\n

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.3	H.Hazenboom	12-Feb-2021	Increase of sqm of allowable as per E.2.1.2(d) of 185 sqm - 317 Rainbow Road

Construction Ltd

Planner: Kristine Mayes

Planning Status

Status Date: 19-Aug-2021

Report to 31AUG2021 SSILTC meeting

Status Date: 15-Jul-2021

DVP submitted for retaining wall in setbacks

Status Date: 15-Apr-2021

Followed up with applicant



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.4	UCG Universal Consulting Group LTD	15-Mar-2021	NEW TASTING ROOM, NEW WASHROOM/ACCESSORY BUILDING, NEW CARETAKER'S COTTAGE, NEW 4-PLEX - 270 Furness Road

Planner: Kristine Mayes

Planning Status

Status Date: 28-Apr-2021

DAI letter and clarification questions sent to applicant

Status Date: 22-Apr-2021

Site Visit (Unescorted)

Status Date: 29-Mar-2021

Planner Mayes assigned to file - SS-DP-2021.4

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.5	Miss Crofton's Housing Corporation	19-Mar-2021	To increase density in-order to build 10 small rental cottages - 265 Lower Ganges Road

Planner: Geordie Gordon

Planning Status

Status Date: 25-May-2021

To be processed concurrently with SS-RZ-2021.2 - initial RZ report pending resolution of some RZ issues.

Status Date: 06-Apr-2021

Planner Gordon assigned to SS-RZ-2021.2 & SS-DP-2021.5



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.6	Shalbaf, Sina	07-Apr-2021	TO permit and accessory building in DPA 6 & 7 - 150 Margolin Drive

Planner: Kristine Mayes

Planning Status

Status Date: 11-Aug-2021

Geotechnical Report for Exemption received

Status Date: 28-May-2021

Site Visit (for SUB Application)

Status Date: 30-Apr-2021

Requested geotechnical report to determine DPA6 exemption

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.8	Aurora Professional Group INC	12-Jul-2021	Development within DPA-06 Variance regarding disposal field and setback to natural boundary of the sea

Planner: Georgie Gordon

Planning Status

Status Date: 18-Aug-2021

Email to applicant

Status Date: 10-Aug-2021

Planner Gordon assigned to file - SS-DP-2021.8

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.9	de Goutiere, Mark	17-Aug-2021	DP/DVP application to renovate existing SFD

Planner: Georgie Gordon

Planning Status

Status Date: 18-Aug-2021

Planner Gordon assigned to files



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2020.16	Pedersen, Karen	15-Dec-2020	To allow a garage to exceed the total allowable floor area - 150 Menhinick Dr

Planner: Kristine Mayes

Planning Status

Status Date: 19-Aug-2021

Report to 31AUG2021 SSILTC meeting

Status Date: 06-Jul-2021

Revised BCLS site plan received

Status Date: 16-Apr-2021

Followed up with applicant - BCLS site plan required (CRD advised potential setback encroachment)

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.11	Isherwood, Kevin	09-Apr-2021	Variance request to increase height of accessory building - 106 McKenzie Cres

Planner: Georgie Gordon

Planning Status

Status Date: 07-Jun-2021

Applicant provides photos, archeological data still outstanding

Status Date: 27-May-2021

Applicant requested to obtain archeological data from Archeology Branch

Status Date: 25-May-2021

Site photos and further information requested from applicant



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.12	Murphy, David	11-Jun-2021	Vary the setback for an accessory building to a lot line - 181 Main Street

Planner: Kristine Mayes

Planning Status

Status Date: 23-Jul-2021

Site Visit

Status Date: 14-Jun-2021

Planner Mayes assigned to the file - SS-DVP-2021.12

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.13	Aurora Professional Group INC	12-Jul-2021	Development within DPA-06 Variance regarding disposal field and setback to natural boundary of the sea

Planner: Geordie Gordon

Planning Status

Status Date: 10-Aug-2021

Planner Gordon assigned to file - SS-DVP-2021.13

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.14	H.Hazenboom Construction Ltd	15-Jul-2021	DVP submitted for retaining wall in setbacks - 317 Rainbow Road

Planner: Kristine Mayes

Planning Status

Status Date: 19-Aug-2021

Report to 31AUG2021 SSILTC meeting

Status Date: 16-Jul-2021

Planner Mayes assigned to file - SS-DVP-2021.14

**Applications****Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.15	Milton Almeida & Robert 'Barry' Power	11-Aug-2021	Variances to include cooking and plumbing facilities in an accessory building, more than three separate rooms and exceeding maximum building area of 185 SM - 250 Little Mountain Road

Planner: Kristine Mayes**Planning Status****Status Date:** 12-Aug-2021

Planner Mayes assigned to file SS-DVP-2021.15

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.16	de Goutiere, Mark	17-Aug-2021	DP/DVP application to renovate existing SFD

Planner: Geordie Gordon**Planning Status****Status Date:** 18-Aug-2021

Planner Gordon assigned to files

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.3	M.C. Wright and Associates Ltd.	03-Feb-2021	increase the allowable width of a proposed dock on North Secretary Island (situated in Water Zone A) from 2.4m to 3.0m

Planner: Kristine Mayes**Planning Status****Status Date:** 19-Aug-2021

Report to 31AUG2021 SSILTC meeting

Status Date: 12-Jul-2021

Cost Recovery commenced

Status Date: 11-Jun-2021

LSR drafted



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.4	Welsh, Greg	18-Feb-2021	To build a garage of the same size, quality and kind as the one which burned down in 2020, on the same foundation - 150 Drake Road

Planner: Kristine Mayes

Planning Status

Status Date: 19-Aug-2021

Report to 31AUG2021 SSILTC meeting

Status Date: 17-Jun-2021

Site Plan received - sent to CRD

Status Date: 27-Apr-2021

LTC request site plans re. parking & parkland encroachment

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.6	Polaris Land Surveying	22-Feb-2021	To address the road frontage created by subdivision - 445 Blackburn Road

Planner: Geordie Gordon

Planning Status

Status Date: 29-Jun-2021

Report to LTC. DVP issued. Final issuance to be concurrent with corresponding DP.

Status Date: 11-Mar-2021

Pending updated RAR report

Status Date: 22-Feb-2021

File assigned to Planner Gordon - SS-DVP-2021.6



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.7	Craig, Brian	26-Feb-2021	Variance for Gate House and Beach Stairs - 344 Reginald Hill Road

Planner: Kristine Mayes

Planning Status

Status Date: 18-Jun-2021

Site Visit

Status Date: 04-Mar-2021

File assigned to Planner Mayes - SS-DVP-2021.7

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.6	Island Marine Construction Services Ltd.	08-May-2013	Proposal to Amend OCP (Shoreline DPA Increase) & LUB (S2 Zoning Expansion) - 2850 Fulford-Ganges Road, SSI (Fulford Landing)

Planner: Jason Youmans

Planning Status

Status Date: 29-Jun-2021

LTC accepted archaeological protection covenant. Resolved conditional bylaw approval pending covenant registration.

Status Date: 23-Nov-2020

Applicant confirms intention to proceed with covenant.

Status Date: 10-Nov-2020

LTC directs applicant to enter into restrictive covenant re. archaeological site protection.

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2013.9	Capital Regional District (Regional Housing)	06-Sep-2013	Proposal to Rezone for CRD & School District Multi-Family Affordable Housing - 161 Drake Road, SSI

Planner: Stefan Cermak**Planning Status****Status Date:** 22-Jun-2021

Applicant stated nothing new to update

Status Date: 28-Jul-2020

Requested update from applicant

Status Date: 01-Aug-2019

Applicant reported successful water drilling. Discussed next steps.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.2	Fernando & Tammy Dos Santos	15-Feb-2017	Proposal to permit 30 affordable housing dwelling units and common building - 221 Drake Road, SSI.

Planner: Geordie Gordon**Planning Status****Status Date:** 27-Jul-2021

Staff report to LTC

Status Date: 14-Jun-2021

meeting with applicant re: file update. Target date for LTC update: Jul 27 meeting

Status Date: 06-May-2021

Meeting with applicant re: next steps. Applicant to confer with consulting professionals and other approval agencies and refer back to staff

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2017.3	Colligan, Jamie	05-Apr-2017	Proposal to Rezone to Rural Zone Variation to Allow Existing Cottage to be Designated as Affordable Housing - 2188 North End Road, SSI

Planner: Georgie Gordon**Planning Status****Status Date:** 15-Jun-2021

applicant indicates updated well testing to be conducted in July 2021

Status Date: 11-Mar-2021

Email to applicant re: revising pumping test requirements

Status Date: 13-Nov-2020

Requested pumping test update from applicant. Not indication test is forthcoming.

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2019.1	Nick Williams & Emily Myers	22-Feb-2019	Proposal to change current zoning from R7 to C6 Variance for Industrial Use - 248 Upper Ganges Road, SSI

Planner: Georgie Gordon**Planning Status****Status Date:** 16-Jun-2021

Applicant indicates that a professional engineer has been engaged, reports to be forthcoming over next several months.

Status Date: 15-Jun-2021

update requested from applicant

Status Date: 15-Dec-2020

Initial staff report to LTC, application advanced

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2020.1	MacAlpine, Doug	29-Jan-2020	Proposal to amend zoning to permit a 60 square meter boathouse and additional dwelling - 1351 Mountain Road, SSI

Planner: Kristine Mayes**Planning Status****Status Date:** 29-Jun-2021

Staff directed to draft bylaw for boathouse

Status Date: 15-Jun-2021

Preliminary Report drafted for 29JUN2021 SSILTC meeting (subject to concurrence)

Status Date: 17-Sep-2020

DP application received & in process

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2020.2	Peter Hunt / Meghan Carr	29-Oct-2020	Rezoning of R7 to C2 - 125 Churchill Road

Planner: Kristine Mayes**Planning Status****Status Date:** 29-Jun-2021

Bylaw No 523 & 524 given First Reading + referral to agencies

Status Date: 15-Jun-2021

Second Report to 29JUN2021 SSILTC meeting

Status Date: 05-Mar-2021

Parking plan received - requested clarification on DAI & septic report



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.1	Sea Isle Development Group	28-Jan-2021	Rezoning from existing R6 to R2 to permit the construction of a 6 unit Strata Development - 114 Swanson Rd

Planner: Georgie Gordon

Planning Status

Status Date: 07-Jun-2021

CRD indicates sewer capacity request must come from applicant

Status Date: 27-Apr-2021

Preliminary report to LTC, application advanced

Status Date: 16-Mar-2021

Requested information from applicant re: RAR report, sewer capacity, water license application

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.2	Miss Crofton's Housing Corporation	19-Mar-2021	Increase current density to build 10 small rental cottages - 265 Lower Ganges Road

Planner: Georgie Gordon

Planning Status

Status Date: 04-Aug-2021

Meeting with applicant. Alternative water source recommended.

Status Date: 09-Jun-2021

Conducted pumping test (2020) requested from applicant

Status Date: 04-Jun-2021

Reverse Osmosis (RO) feasibility report provided by applicant



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SS-RZ-2021.3	Chapman, Bryce	14-Jun-2021	To amend OCP land use designation from Channel Ridge Residential (CRR) on the East side of the property to Residential Designation (RN) and to amend Land Use Bylaw zoning from R6(a) to R8 on same portion.

Planner: Georgie Gordon

Planning Status

Status Date: 06-Jul-2021

File assigned to Planner Gordon

Soil Deposit and Removal

File Number	Applicant Name	Date Received	Purpose
SS-SDP-2021.1	Fedje, Mark	01-Apr-2021	Approximately 180 m3 of 51 mm minus crushed rock was imported by barge at high tide and transferred directly onto the lot with a loader.

Planner: Kristine Mayes

Planning Status

Status Date: 12-May-2021

Advised applicant BCLS site plan required (geotech site plan inconsistent with photos/TAPIS property boundaries)

Status Date: 01-Apr-2021

Files forwarded to Planner of the Day - SS-SDP-2021.1



Applications

Strata Conversion

File Number	Applicant Name	Date Received	Purpose
SS-SC-2018.2	Wilson, Dulcy	15-May-2018	Proposed strata conversion - 162 / 164 Maliview Drive, SSI

Planner: Kristine Mayes

Planning Status

Status Date: 29-Apr-2021

Advised applicant of additional reports required by CRD

Status Date: 09-Mar-2021

Corresponded with BCLS over phone/email re. strata plan

Status Date: 21-Jan-2021

Met with Applicant - overviewed requirements (need amended survey & CRD BI report)

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2011.2	Spencer's Excavating	29-Apr-2011	Proposed 4 Lot Subdivision - 250 Collins Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 13-Jul-2021

Revised site plan received. Strata subdivision.

Status Date: 25-Feb-2021

applicant waiting for storm water plan approval from MOTI

Status Date: 24-Feb-2021

Status update requested from applicant.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2018.7	Gilx Management Corporation Planner: Kristine Mayes Planning Status	20-Sep-2018	Proposed 2 Lot Subdivision - 902 Beaver Point Road, SSI
Status Date: 05-Jan-2021 Emailed application re. status of subdivision			
Status Date: 21-Apr-2020 Emailed applicant conditions list for subdivision			
Status Date: 31-Mar-2020 Reassigned to Planner Mayes			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2020.1	Polaris Land Surveying Inc Planner: Geordie Gordon Planning Status	26-Aug-2020	Proposed 3 Lot Subdivision - 455 Blackburn Road, SSI
Status Date: 29-Jun-2021 LTC approves several requests required for subdivision (DP/DVP/frontage/water treatment)			
Status Date: 01-Oct-2020 Referral response sent to MOTI			
Status Date: 28-Aug-2020 Planner Gordon assigned to SS-SUB-2020.1			

**Applications****Subdivision**

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2020.3	Wey Mayenburg Land Surveying Inc.	21-Dec-2020	Proposed 3 lot subdivision - 521 Mansell Road
Planner: Kristine Mayes			
Planning Status			
Status Date: 17-Feb-2021			
Applicant supplied letter from ALC advising ALC application for subdivision not required			
Status Date: 22-Jan-2021			
Subdivision Review Form sent to MoTI & applicant			
Status Date: 22-Dec-2020			
File assigned to Planner Mayes - SS-SUB-2020.3			

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.1	Polaris Land Surveying Inc	19-Jan-2021	4-Lot Subdivision - 536 Beaver Point Road, SSI
Planner: Kristine Mayes			
Planning Status			
Status Date: 30-Apr-2021			
PLR received from MoTI			
Status Date: 18-Feb-2021			
Referral Response sent to MoTI			
Status Date: 08-Feb-2021			
Site Visit			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.2	Polaris Land Surveying INC	25-Jan-2021	Proposed 2 lot boundary adjustment and acquisition of road dedication to ensure all remains are within the cemetery boundary
Planner: Kristine Mayes			
Planning Status			
<u>Status Date:</u> 08-Jun-2021 PLR recieved from MoTI			
<u>Status Date:</u> 23-Feb-2021 Referral Response sent to MoTI			
<u>Status Date:</u> 08-Feb-2021 Site Visit			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.3	Shalbaf, Sina	31-Mar-2021	2 lot subdivision 150 Margolin Drive
Planner: Kristine Mayes			
Planning Status			
<u>Status Date:</u> 10-Jun-2021 PLR received from MoTI			
<u>Status Date:</u> 28-May-2021 Site Visit			
<u>Status Date:</u> 30-Apr-2021 Corresponded with applicant re. SUB/DP application			

Islands Trust
LTC EXP SUMMARY REPORT F2022
Invoices posted to Month ending June 2021

655 Salt Spring	Invoices posted to Month ending June 2021	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-655	LTC "Trustee Expenses"	<u>1,985.00</u>	<u>0.00</u>	<u>1,985.00</u>
		<u>1,985.00</u>	<u>0.00</u>	<u>1,985.00</u>
LTC Local				
65200-655	LTC - Local Exp - LTC Meeting Expenses	6,072.00	1,328.40	4,743.60
65210-655	LTC - Local Exp - APC Meeting Expenses	1,110.00	420.80	689.20
65220-655	LTC - Local Exp - Communications	1,500.00	0.00	1,500.00
65230-655	LTC - Local Exp - Special Projects	<u>1,471.00</u>	<u>0.00</u>	<u>1,471.00</u>
TOTAL LTC Local Expense		<u>10,153.00</u>	<u>1,749.20</u>	<u>8,403.80</u>
Projects				
73001-655-4020	Salt Spring Ganges Village Area Planning	65,000.00	604.70	64,395.30
73001-655-4034	SSIWPA Coordinator Expense	60,000.00	14,767.50	45,232.50
73001-655-4035	SSIWPA Events & Communications Expense	13,740.00	0.00	13,740.00
73001-655-4036	SSIWPA Meetings Expense	1,760.00	492.00	1,268.00
73001-655-4037	SSIWPA Project - Weston Lake	30,000.00	0.00	30,000.00
73001-655-4038	SSIWPA Project - Watershed Protection Plan	50,000.00	0.00	50,000.00
73001-655-4113	Salt Spring Protect CDF Ecosystem	5,000.00	483.70	4,516.30
73001-655-4119	Salt Spring Housing Challenges & Solutions	45,000.00	233.70	44,766.30
73001-655-4122	Salt Spring Healthy Watersheds Initiative	<u>5,000.00</u>	<u>0.00</u>	<u>5,000.00</u>
TOTAL Project Expenses		<u>275,500.00</u>	<u>16,581.60</u>	<u>258,918.40</u>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JULY 13, 2021 BOARD MEETING (OPEN PORTION)

NOTE: Islands Trust Conservancy has made changes to the format of this report to make its production and delivery more efficient. For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

JOINT MEETING – Islands Trust Conservancy Board + Islands Trust Executive Committee

- The Islands Trust Conservancy Board and Islands Trust Executive Committee shared a liaison meeting and corresponded on many of the topics outlined in the sections below. The liaison meeting is intended to enhance collaboration between the two bodies by deepening understanding of the current programs and upcoming opportunities each is influencing and to proactively identify points where working together would generate a more positive outcome than would otherwise be possible. This meeting occurs annually as per Islands Trust policy.

1. ORGANIZATION UPDATES/TEAM

- Islands Trust Conservancy Manager Kate Emmings welcomed Wendy Tyrrell as the new Species at Risk Program Coordinator. Wendy comes to the Conservancy from Habitat Acquisition Trust where she worked for 14 years, originally as the Land Protection Coordinator and the past six years as the Habitat Management Program Coordinator. Having joined Islands Trust Conservancy in July 2021, Wendy is now positioned to lead the Species at Risk (SAR) Program through its second and third years.

2. STRATEGIC PLANNING/ADMINISTRATION

- The Minister of Municipal Affairs is selecting three appointees to serve on the Islands Trust Conservancy Board. The Board hopes that at least two of these appointees will be actively on the Board by the end of August 2021.

3. COVENANT AND PROPERTY ACQUISITIONS

- The Islands Trust Conservancy Board reported that they have entered into a lease agreement with the BC Parks Foundation for Saturnina Island in the Gabriola Island Local Trust Area.
- Ecosystem Protection Specialist Kathryn Martell provided an update for the Crystal Mountain application currently in progress on Galiano Island after recently visiting the site.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

4. COVENANT AND PROPERTY MANAGEMENT

- The Islands Trust Conservancy Board reviewed the Regional Conservation Plan Progress Report and noted that the recent “heat dome” effect in the Islands Trust Area and the Salish Sea may have had wide-ranging effects on forage fish populations. They agreed that the effects from the event could be something to monitor in the future.

5. COMMUNICATIONS AND OUTREACH

- Islands Trust Conservancy Chair Kate-Louise Stamford discussed her attendance of a recent Saturnina Island event hosted by the BC Parks Foundation, noting that Islands Trust Conservancy leaders (herself and Manager Kate Emmings) were guests and highlighting that the event was well-attended by press, students, and donors. Islands Trust Conservancy Board discussed partnership between Islands Trust Conservancy and the BC Parks Foundation, specifically in terms of the opportunities it provides for securing and managing land and for communications. Further, they discussed the importance of improving the inclusion of Snuneymuxw First Nation in the Saturnina Island process.
- The Islands Trust Conservancy Board discussed a plan to make a statement of support for the Howe Sound UNESCO Biosphere Reserve nomination. The process for a formal declaration has almost been completed.
- The 2020/2021 Annual Report process has been slightly delayed by a delayed financial audit. The Board resolved to hold a special meeting to review the audit results on August 24, 2021.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- During the liaison meeting, Executive Committee members recognized Acting Fundraising Specialist Carla Funk for her work and for her plan to bring national attention to the Conservancy through a legacy giving platform called “Willpower”. They discussed fundraising results, the importance of developing long-term connections, and suggested commissioning a simple infographic to convey that the Conservancy is not competing with smaller local conservation groups; rather, all are working together to protect the land with the Conservancy often feeding funds directly to the smaller conservancies to “kick-start” conservancy projects (i.e., Opportunity Fund).

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

Shortcuts here:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/planning-2018-2027/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)

File No.: 6500-20
Water Sustainability

DATE OF MEETING: August 31, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Salt Spring Island Team
COPY: Salt Spring Island Watershed Protection Alliance (SSIWPA)
SUBJECT: Salt Spring Island Watershed Protection Alliance (SSIWPA)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee endorse the SSIWPA special property tax requisition business case attached to the staff report of August 31, 2021 and forward it to Islands Trust Financial Planning Committee for inclusion in the draft 2022/23 Islands Trust budget.

REPORT SUMMARY

The purpose of this report is to provide the Salt Spring Island Local Trust Committee (SS LTC) with a business case for a \$75,500 special property tax requisition for the 2022/23 fiscal year to continue funding the coordination of the Salt Spring Island Watershed Protection Alliance (SSIWPA). See Appendix 1.

Islands Trust Director of Administrative Services has advised that business cases are required for all projects over \$5,000.

The attached business case assumes that the SS LTC wishes to continue funding SSIWPA coordination in a manner consistent with the previous fiscal year. SSIWPA's fiscal 2021/22 budget is included as Appendix 2 for reference. SSIWPA has not discussed its proposed workplan and budget for the 2022/23 fiscal year.

Staff recognize that the outcomes of Salt Spring Island Watershed Stewardship and Protection Strategic Plan may affect the ultimate requisition amount that is sought and that this business case can be amended accordingly as the Trust Council budget process progresses.

BACKGROUND

Salt Spring Island Watershed Protection Alliance (SSIWPA)

The SS LTC has been coordinating [SSIWPA](#) since 2013 using delegated authority from the Islands Trust Council (*Islands Trust Act*, [Section 8\(2\)\(b\)](#)) via Trust Council [Bylaw No. 154](#). SSIWPA provides a forum within which to engage in multi-jurisdictional planning for the sustainability and protection of freshwater resources on Salt Spring Island. The purpose of SSIWPA is to:

- Provide a framework for freshwater resources in the Salt Spring Island Local Trust Area to be managed in a manner that integrates and considers both human and ecosystem needs through integrated planning, policy development and recommendations for implementation by member agencies and organizations;

- Advise on policies of regional, local and provincial government organizations that are related to freshwater resources; and
- Coordinate the implementation of those policies.

The SSIWPA [Terms of Reference \(ToR\)](#) provides guidance for how the member agencies collaborate and provide a framework for the scope of work undertaken.

See Appendix 3 for SSIWPA's fiscal 2021/22 work plan.

SS LTC undertook a special property tax requisition of \$75,500 for fiscal year 2021/22 to fund SSIWPA's operations. This was consistent with the 2020/21 fiscal year, but down from the \$98,500 that the SS LTC sought in previous years on the basis of SS LTC direction that SSIWPA coordinator compensation be capped at \$60,000 per annum, and reducing the frequency of steering committee and technical working group meetings.

Special Property Tax Requisition

In accordance with [Trust Council Policy 6.3.ii](#), an individual Local trust Committee can request a special property tax requisition for "Additional Operations" that are not included within the general operations of local trust committees. Special property tax requisitions are approved by Islands Trust Council and must be formally requested by resolution of the Local Trust Committee.

Trust Council policy requires lead time to achieve the various levels of budget approvals (see policy 6.3ii), and the Islands Trust budget process is about to get underway.

Unspent Special Property Tax Requisition Funds

The SS LTC currently has \$93,030 in unspent special property tax requisition funds dating back to the 2016/17 fiscal year. However, the SS LTC has committed \$80,000 of these funds to associated water sustainability projects as follows:

- 1) \$30,000 - Weston Lake Water Availability and Climate Change Assessment; and
- 2) \$50,000 - Salt Spring Island Watershed Stewardship and Protection Strategic Plan

ANALYSIS

Policy/Regulatory

Pursuant to [Trust Council Policy 6.3.ii](#), the SS LTC must submit a budget program request for preliminary consideration by Trust Council in December of each year. The Local Trust Committee also has a responsibility to solicit feedback from the public minimally through a mechanism of advertising and otherwise advising the public of the purpose and value of the proposed special requisition. The feedback received must be considered by Islands Trust Council prior to the final adoption of any bylaw that incorporates a special property tax requisition. A significant portion of the public consultation may be channeled through the annual public consultation of Trust Council's budget. When presented for approval to Trust Council, the request must include a completed Special Property Tax Requisition Checklist included in Section 7 of Policy 6.3.ii.

Issues and Opportunities

Assumption of Continuity

The business case included in Appendix 1 assumes that the LTC wishes to continue funding SSIWPA in a manner consistent with previous fiscal years. If the SS LTC wishes to discuss alternative funding possibilities it can do so now or at a future meeting.

Consultation and Communication Plan

In accordance with [Trust Council Policy 6.3.ii](#), any proposed special property tax requisition for fiscal 2022/23 requires public consultation along with the overall Trust Council budget for 2022/23. Trust Council's budget consultation window will open in January 2022. Presently, staff propose that consultation and communications concerning the proposed special tax requisition be conducted primarily at the Trust Council level.

This issue can be explored in greater detail as the Trust Council budget process advances.

Rationale for Recommendation

Planning staff have been advised that all projects over \$5,000 require a supporting business case for inclusion in the draft 2022/23 Trust Council budget. Staff consider the business case included as Appendix 1 to be a placeholder until such time as SSIWPA and the SS LTC can have a more robust conversation about SSIWPA's workplan and budget needs for the coming fiscal year.

Staff recognize that the outcomes of Salt Spring Island Watershed Stewardship and Protection Strategic Plan may affect the ultimate requisition amount that is sought and that this business case can be amended accordingly as the Trust Council budget process progresses.

ALTERNATIVES

1. Amend business case

The SS LTC may already have ideas about alternative funding levels for SSIWPA. If this is the case, the SS LTC can amend the business case included as Appendix 1 as it sees fit.

Potential resolutions to do so are as follows:

That the Salt Spring Island Local Trust Committee amend the SSIWPA special property tax requisition business case attached to the staff report of August 31, 2021 by increasing/reducing the special property tax requisition amount to _____.

and

That the Salt Spring Island Local Trust Committee forward the business case as amended to Islands Trust Financial Planning Committee for inclusion in the draft 2022/23 Islands Trust budget.

2. Do not forward business case

The SS LTC may not feel prepared to discuss this matter at present. The SS LTC has until its October 5, 2021 meeting by which to endorse business cases for inclusion in the Trust Council draft budget, thus it can defer its decision until then. A potential resolution to do so is as follows:

That the Salt Spring Island Local Trust Committee defer consideration of the business case for the Salt Spring Island Watershed Protection Alliance special property tax requisition until its meeting October 5, 2021.

NEXT STEPS

If the SS LTC endorses the business case attached as Appendix 1 staff will forward it to the Director of Local Planning Services for inclusion in Financial Planning Committee's draft 2022/23 budget.

If the SS LTC choose an alternative resolution, staff will carry out the work as directed.

Submitted By:	Jason Youmans, Island Planner	August 19, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 19, 2021

ATTACHMENTS

1. Business Case – Salt Spring Island Watershed Protection Alliance Special Property Tax Requisition
2. SSIWPA 2021/22 approved budget
3. SSIWPA 2021/22 approved workplan

Budget Funding Request Short-Form Business Case

Completion of this form initiates a request to the management team for allocation of budget funds. The form is to be completed and submitted at the start of the decision making process. The business case forms part of the Annual Budget Process (refer to Islands Trust Council Budget Process Policy 6.3.i).

TO BE COMPLETED BY INITIATOR

Initiated by: Salt Spring Island Local Trust Committee	Budget Source (select all that apply): <input checked="" type="checkbox"/> Specific Project Funding <input checked="" type="checkbox"/> Third Party Contractors <input type="checkbox"/> Staff Travel Expense <input type="checkbox"/> Staff Overtime Expense <input type="checkbox"/> New Staff Member <input type="checkbox"/> Computer Hardware/Software <input type="checkbox"/> Furniture & Equipment <input type="checkbox"/> Computer Hardware/Software <input type="checkbox"/> New Staff Resources (see Staff Costing Tool) <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary Temp Duration: _____ <input checked="" type="checkbox"/> Other – please describe: Communications and education <u>materials</u> ; Meeting costs
Business Area: Salt Spring Island Local Trust Committee Local Planning Services	
Name of Request: Salt Spring Island Watershed Protection Alliance (SSIWPA) – Special Property Tax Requisition	
Date initiated: August 31, 2021	Date required: April 1, 2022 to March 31, 2023
BACKGROUND: The Salt Spring Island Local Trust Committee (SS LTC) has been coordinating the Salt Spring Island Watershed Protection Alliance (SSIWPA) since 2013 using delegated authority from the Islands Trust Council (<i>Islands Trust Act</i> , Section 8(2)(b)) via Trust Council Bylaw No. 154 . SSIWPA provides a forum within which to engage in multi-jurisdictional planning for the sustainability and protection of freshwater resources on Salt Spring Island.	
PROBLEM STATEMENT/OBJECTIVES: The purpose of SSIWPA is to:	

- Provide a framework for freshwater resources in the Salt Spring Island Local Trust Area to be managed in a manner that integrates and considers both human and ecosystem needs through integrated planning, policy development and recommendations for implementation by member agencies and organizations;
- Advise on policies of regional, local and provincial government organizations that are related to freshwater resources; and
- Coordinate the implementation of those policies.

The SSIWPA [Terms of Reference \(ToR\)](#) provides guidance for how the member agencies collaborate and provide a framework for the scope of work undertaken.

PROJECTED RESULTS/DELIVERABLES:

Assuming that SSIWPA's 2022/23 workplan is generally consistent with that of fiscal 2021/22, the following costs are anticipated:

- Coordination of SSIWPA by third-party coordinator in 2022/23 fiscal year - \$60,000
- Development and dissemination of education and communication materials related to freshwater and watershed protection on Salt Spring Island - \$13,740
- Meeting Costs - \$1,760
- **Total - \$75,500**

ALTERNATIVES CONSIDERED:

1) Fund SSIWPA from general Islands Trust budget

Trust Council Policy Special Property Tax Requisition Policy ([6.3.2](#)) states that the Islands Trust Council will evaluate and include a LTC's local initiative or program in the preliminary Islands Trust's general budget if any of the following criteria apply:

- the program is considered to be a base service of the LTC;
- the program is a scheduled official community plan review or land use bylaw update; and
- the program has Trust-wide implications and benefits.

If none of the above criteria apply or if Trust Council does not approve a LTC funding request, then the LTC can propose a special requisition for its local trust area as a means of funding the proposed program.

SSIWPA does not meet the above criteria. Therefore, it is unlikely that the Islands Trust Council would support SSIWPA as a general budget item and instead requires approval via a special property tax requisition.

2) Fund SSIWPA as a minor LPS project (up to \$5,000)

Funding SSIWPA as a minor LPS project would enable hiring a contractor to provide administrative support in the form of assembling agendas, booking meeting space and supplying a minute taker. However, there would be no one to lead development of the communications and education materials that SSIWPA has come to expect, manage any SSIWPA-led projects, or coordinate implementation of the SSIWPA workplan.

3) Terminate funding support for SSIWPA

Concluding funding support SSIWPA would mean there would be no body to coordinate the freshwater and watershed protection work of various agencies and community groups on Salt Spring Island.

CRITICAL SUCCESS FACTORS (List):

- Agency and community organization commitment

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

N/A

BENEFIT/COST ANALYSIS SUMMARY:

Freshwater policy and watershed protection is multijurisdictional on Salt Spring Island. In the absence of SSIWPA – or a similar body – there would be no existing alternate mechanism by which the agencies of jurisdiction and other interested community groups would have a forum to coordinate their freshwater efforts.

The cost of providing a contractor to coordinate SSIWPA is commensurate with the level of expectation placed on that coordinator via the RFP and signed contract. To date, the SSIWPA coordinator has been expected to be more than an administrative coordinator that assembles meeting agendas and secures meeting space. Instead, the coordinator has been expected to oversee the development of communications and education materials, compile and aggregate information for reporting to the SSIWPA steering committee, and liaise with the public and agency representatives.

The financial cost of this coordinating effort is borne by the taxpayers of the Salt Spring Island Local Trust Area.

RECOMMENDED DECISION:

That the SS LTC requests Islands Trust FPC include a special property tax requisition of \$75,500 to support the coordination of watershed and freshwater protection policy on Salt Spring Island.

PURCHASING PROCEDURE:

SSIWPA coordination contract can be renewed annually for up to five years. After five years, or at any time the annual contract expires and the LTC wishes to do so, an RFP can be issued for coordination services.

Salt Spring Island Local Trust Committee
Initiator:

August 31, 2021
Date

Director/CAO

Date

REVIEWED BY MANAGEMENT TEAM:	
Date received:	Approved: X <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>Next steps:</p> <ul style="list-style-type: none">• If approved by management:<ul style="list-style-type: none">○ the business case will be forwarded to FPC for review in October of each year.○ the funding for the request will be included in Draft 1, Version 1 of the budget which is reviewed by FPC in October of each year, and the business case forwarded to FPC.• If not approved by management:<ul style="list-style-type: none">○ the business case will be forwarded to FPC for information in October of each year.	

ISLANDS TRUST

SSIWPA Coordination Budget 2021-22

Adopted December 17, 2020

	Draft Budget 2021-22	In-Kind
REVENUES		
SSI LTC Tax Requisition	75,500	
In-Kind Staff Time	-	1,000
Draw from SSIWPA Surplus (previously recognised Constituency Grant funds)	14,097	
Total Revenues	89,597	1,000
EXPENSES		
<u>Coordination</u>		
Coordinator Contract	60,000	
	60,000	
<u>Events and Communications</u>		
Communications Materials	11,740	
Events	-	
Website Hosting	2,000	
	13,740	
<u>Meetings</u>		
Steering Committee	280	
Technical Working Group	280	
Rainwater Subcommittee	280	
Minute-taker	800	
Meeting Software Licensing Fees (Zoom)	120	
In-Kind Staff Time	-	1,000
	1,760	1,000
Total Expenses	75,500	1,000
Annual Surplus (Deficit)	14,097	-
Transfer (t CRD) from SSI LTC for Project [Weston Lake Water Availability and Climate Change Study]	(14,097)	
NET ANNUAL SURPLUS (DEFICIT) after transfers	-	-
Accumulated Surplus, opening balance (March 31, 2021 est)	109,796	
Accumulated Surplus, closing balance (March 31, 2022)	95,699	

SSIWPA Workplan April 1, 2021-March 31, 2022									
	Area or Watershed	Lead Agency	Quarter:	1	2	3	4	Partners	Status
Water Availability Analysis									
Detailed Hydrogeological Assessment of Water Service Area	Cedar Lane	CRD						Cedar Ln Commission, TWG, FLNR	Proposed
Water Availability and Climate Change Assessment*	Weston	CRD						Fulford Commission, TWG, FLNR	In process
Monitoring									
Watershed Monitoring Program:									
Observation Wells	Island	IT						FLNR	Ongoing
Observation Lakes	Bullock	IT							Ongoing
	Cusheon	IT							Ongoing
	Weston	IT							Ongoing
	Stowell	IT							Ongoing
Water System Data Management Assistance		SSIWPA							In process
Policy and Planning									
Bloom Notification Alert System	Cusheon, SML	Water Preservation						CRD, CLSC, Island Health	Proposed
Blackburn Legacy Landfill Pollution Assessment	Blackburn	Water Preservation						CRD, CLSC, ENV	Proposed
Watershed Protection Plan*	Island	IT							Proposed
Proof of Sufficient Water (Time of Subdivision)	Island	IT						CRD, FLNR	In process
Communications									
Rainwater Rebate Program	Island	Transition SS						CRD, SSIWPA	Funding being sought
Groundwater Brochure	Island	SSIWPA - TWG						FLNR	In process
Professional Design Guide for Potable Rainwater Systems	Regional ?	Pending						CRD, FLNR	Proposed
Virtual Rain Tour, Online Rain Harvesting Resources	Island	SSIWPA							Ongoing
Annual Report	Island	SSIWPA							Annually

* Linked projects; There could be other watersheds identified in the WPPlan.

From: Jenny McClean <[REDACTED]>
Sent: Wednesday, July 21, 2021 8:41 AM
To: Laura Patrick <lpattick@islandstrust.bc.ca>; Peter Grove <pgrove@islandstrust.bc.ca>
Cc: Stefan Cermak <scermak@islandstrust.bc.ca>
Subject: Fw: Study on Affordable Covenants concerning GISRA

Dear Trustees,

I am hoping to follow up on the subject of current rental charges for Meadowbrook (owned by GISRA at 121 Atkins Road, Salt Spring Island). Specifically, I am interested in learning about the current charges and at what points the rents were raised and if that is known to the Islands Trust.

In my correspondence with Geordie Gordon I write as follows,

"I wonder if GISRA has advised you of their current rental charges? There is a stipulation under section 5(a) of ES01282 concerning affordability"

Geordie replies as follows,

"To my knowledge, GISRA has not provided this rental information recently. Under 5(f), the LTC may request this information (not more than once per year). You might wish to write the Trustees to see if they would like to request this rental information from GISRA at this time."

I am following up on this to see if the LTC would like to request the current rental information for Meadowbrook?

I am also wondering what the proposed rents are for Meadwolane?

Sincerely,
Jenny McClean

From: Geordie Gordon <ggordon@islandstrust.bc.ca>
Sent: Tuesday, July 6, 2021 9:05 AM
To: Jenny McClean <[REDACTED]>
Subject: RE: Study on Affordable Covenants concerning GISRA

Hi Jenny –

Please see answers to your questions below in **red**.

Thanks,

Geordie Gordon
Planner 2
Islands Trust

#1 – 500 Lower Ganges Road | Salt Spring Island, BC V8K 2N8

T 250-538-5601 | islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəḡən məsteyəxʷ, Scia'new, səlilwətaḡ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SḶÁUTW, Stz'uminus, ʔaḡəmen, toq qaymíxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLÉLP, WSIKEM, Xeláltxw, Xwémalhkwxu/ḡop qaymíxʷ, and xʷməḡkʷəḡəm

From: Jenny McClean <[REDACTED]>

Sent: Monday, July 5, 2021 8:19 PM

To: Georgie Gordon <ggordon@islandstrust.bc.ca>

Subject: Re: Study on Affordable Covenants concerning GISRA

Hi Georgie,

Thank-you for your response.

I do have further questions as follows.

My first question is how much is the rent at Meadowbrook?

I'm not sure what the current rent is – I think this would depend somewhat on the length of tenancy. The covenant ES01282 stipulates \$850 for a 1 bedroom and \$1,075 for a 2 bedroom. Prior to the first rental of any Dwelling Unit, rents are permitted to be adjusted semi-annually in accordance with changes with the New Housing Price Index (New Housing Price Index for Victoria, British Columbia, as compiled and published by Statistics Canada or its successor). After the first rental, the rent may only be increased in line with the increase to the Consumer Price Index during the same period (unless written approval from the Trust Committee is given. This has not happened to my knowledge).

It has increased substantially.

What is the percentage of income that goes to shelter that is considered affordable for 'affordable' housing according to the Island Trust policies?

Affordable housing is defined in the OCP as "... rental or owned housing that can be acquired with 30 per cent of the median gross income of families or individuals on Salt Spring Island."

What is the current rent price per month at Meadowbrook?

See above. As suggested earlier, you might write to the Trustees to see if the SSI LTC has an interest in requesting this information from GISRA as per the terms of the covenant.

What is the target rent for Meadowlane?

The maximum monthly rent is defined in the covenant as "... an amount equal to 30% of the 2015 median total income for households on Salt Spring Island as published by Statistics Canada in the 2016 Census, as adjusted annually by the Yearly CPI [Consumer Price Index] change for as long as this Covenant is in force." The [monthly rent for 2018](#) was set at \$1,577. It would have increased as a result of increases to the CPI in 2019-2021.

What is the median income for Salt Spring?

This depends on which type you are looking at (individual, family, etc.). The median for a family in 2016 Census (pre tax) was \$59,077. Other 2016 data can be found at [Census Canada](#). For example, the median total income of one-person households in 2015 (pre tax) was \$29,402. Median total income of lone-parent economic families in 2015 was \$40,960.

Sincerely,
Jenny McClean

From: Geordie Gordon <ggordon@islandstrust.bc.ca>
Sent: Monday, July 5, 2021 10:45 AM
To: Jenny McClean <[REDACTED]>; Stefan Cermak <scermak@islandstrust.bc.ca>
Subject: RE: Study on Affordable Covenants concerning GISRA

Hi Jenny –

Thanks for your email and clarification of your question. The covenant that you are referring to (ETO79411) is between the owner (GISRA) and the Home Owner Protection Office ([a crown corporation](#)). It appears to control what the owner can do for a period of 10 years following the construction of the building (may not sell individual units, can only use them for rental). However, covenant ES01282 is between GISRA and the Islands Trust and specifies the housing agreement (rental rates, occupancy, etc.). This covenant has no expiry date and so continues to govern how Meadowbrook is operated.

Please let me know if you have any further questions.

Thanks,

Geordie Gordon

Planner 2

Islands Trust

#1 – 500 Lower Ganges Road | Salt Spring Island, BC V8K 2N8

T 250-538-5601 | islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

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From: Jenny McClean <[REDACTED]>
Sent: Monday, July 5, 2021 10:14 AM
To: Stefan Cermak <scermak@islandstrust.bc.ca>
Cc: Geordie Gordon <ggordon@islandstrust.bc.ca>
Subject: Re: Study on Affordable Covenants concerning GISRA

Hi Stefan and Geordie,

I have just forwarded the covenants on 121 Atkins to you.
ETO79411 is the covenant showing that there was a covenant registered at the Home Owner Protection office on title of 121 Atkins and that it expired after ten years (it has been expired since 2013). That covenant was for the units to remain rentals and to remain affordable.

I sent this to Peter Grove and he forwarded it to staff to look into. That is how we started this. If you can confirm or give differing information as to whether or not the covenant which was legally set to expire after ten years has in fact expired, I would like to know. Also, it appears that Meadowlane has a similar covenant, however, instead of ten years, it is for forty years. I am also interested to confirm that and I assume that the covenant for Meadowlane will exist for forty years upon the time of opening?

Sincerely,
Jenny McClean

From: Stefan Cermak <scermak@islandstrust.bc.ca>
Sent: Wednesday, June 30, 2021 5:45 PM
To: Jenny McClean <[REDACTED]>
Cc: Georgie Gordon <ggordon@islandstrust.bc.ca>
Subject: RE: Study on Affordable Covenants concerning GISRA

Hi Jenny,

There was no report. Staff reported back to the SS LTC that you had been informed about the status of the covenant. Planner Gordon can help refresh you on the conversation.

In regards, to the propane tank, all structures must be 3 metres from the interior lot line. The Islands Trust does not manage CSA restrictions although this has been flagged for future consideration to amend our bylaws.

Take Care,

Stefan Cermak
Regional Planning Manager
Islands Trust | T 250-538-5608

From: Jenny McClean <[REDACTED]>
Sent: Wednesday, June 30, 2021 10:51 AM
To: Stefan Cermak <scermak@islandstrust.bc.ca>
Subject: Study on Affordable Covenants concerning GISRA

Hi Stefan,

Is it possible to send me a link to the study you did on the affordable covenant for Meadowbrook and possibly Meadowlane?
Thank-you.

Sincerely,
Jenny McClean

From: Laura Patrick
Sent: Tuesday, July 27, 2021 8:44 AM
To: SSInfo
Cc: Warren Dingman
Subject: FW: bylaw enforcement trespassing
Attachments: letter to Trustees July 26-21-Final.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Dori Howard [REDACTED]
Sent: Tuesday, July 27, 2021 7:09 AM
To: Laura Patrick; Peter Grove; Benjamin McConchie
Subject: bylaw enforcement trespassing

Dear Ms Patrick, Mr Grove and Mr McConchie

I would first like to acknowledge that I live, work, play, practice and write to you from the traditional lands of the Hul'qumi'num and SENĆOŦEN speaking Coast Salish peoples also known as Salt Spring Island, BC.

I am writing to you for several reasons:

- Bylaw enforcement process and activity, especially by Mr. Warren Dingman
- Interpretations of definitions in the bylaws
- Bylaw violation notice and adjudication process
- Demonstrate my vested interest, learning and 'cooperation' in the process
- Recommendations

Please find enclosed my letter of my experience with the Bylaw Enforcement process and activity on my property on Salt Spring Island. The most recent occurrence involved a disturbing trespassing incident by Mr Warren Dingman.

I look forward to hearing from you and mostly, the actions that may be taken as a result of this escalation of invasive bylaw enforcement activity

REspectfully

Dori Howard, BScN, MA, CEC, PCC
Trauma informed Coach | Consultant | Facilitator
[REDACTED]

July, 26, 2021

Laura Patrick, Peter Grove, Ben McConchie, Trustees, Islands Trust,
Salt Spring Island, Pender Island, BC

Dear Ms Patrick, Mr Grove and Mr McConchie;

I would first like to acknowledge that I live, work, play, practice and write to you from the traditional lands of the Hul'qumi'num and SENĆOŦEN speaking Coast Salish peoples also known as Salt Spring Island, BC.

I am writing to you for several reasons:

- Bylaw enforcement process and activity, especially by Mr. Warren Dingman
- Interpretations of definitions in the bylaws
- Bylaw violation notice and adjudication process
- Demonstrate my vested interest, learning and 'cooperation' in the process
- Recommendations

As I mentioned in previous calls with Laura, I am concerned with the Bylaw Enforcement Process and activity on Salt Spring Island, especially during the continued stressors, impact and post recovery related to the Covid-19 pandemic. I understand this is an issue on other Gulf Islands as well.

Through an informal network here on SSI and the other Gulf Islands, several residents have shared their experiences of bylaw enforcement activity and expressed concerns of excessive pressure and unrealistic demands from Islands Trust Bylaw Enforcement. Still reeling from the stressors of the pandemic, these residents are confused, exhausted, fearful and feel unsupported by the LTC and the Islands Trust. One resident chose to leave and move his family elsewhere. One resident has left her home temporarily to live elsewhere on the island. Another has experienced a decline in health and well-being as a result of continued anonymous neighbour complaints. One resident has to provide an eviction notice to a long term rental family as a result of an 'unlawful' dwelling because it has a kitchen. Others live in secrecy or fear of minor 'violations' or creative workarounds. Others exercise their rights as free citizens and property owners and live in harmony, erecting gates and fences to maintain privacy or ignore violation notices. These are just a few examples of communities in distress.

It is well documented in health surveys done across Canada that the impact of the pandemic has affected many people's livelihoods, health and well-being, especially women, single parents, healthcare workers and small business owners (from Morneau Shepell, Blue Cross and BC Women's Health Centre surveys)

- 63% identified being at risk for anxiety and 71% at risk of burnout
- leave work feeling mentally and physically exhausted
- have trouble getting through difficult times without great stress
- 52% have fair to poor mental health vs 19% pre-Covid
- 80% BC's health workforce is women-they are exposed to increased risks, stress, burnout and depression AND serve as primary caregivers for children and elderly parents
- women reported more mental health concerns throughout the pandemic

Many residents of Salt Spring Island (more than half are women and most single parents are women) depend on activities related to home-based businesses, travel and tourism for their livelihood. Many have had to 'pivot' and find creative and innovative ways to live differently and earn a living.

The antiquated bylaws and the enforcement process are not responsive to the changing demographic, impact of the pandemic and needs of the community. They are in direct opposition to the ideals of the OCP—specifically against the goal that islanders should live safely, securely and healthily—physically, mentally and spiritually. Specifically,

A 4.5.1 states:

A.4.5.1 To accommodate the community's need to be safe, secure and healthy - physically, mentally and spiritually.

A.4.6.1 To recognize the important role that varied livelihoods and a vibrant economy play in our community's unique character.

A.4.6.2 To maintain and encourage a diverse and creative community by providing a wide range of opportunities and locations for earning a living that are compatible with and can take advantage of the protection and preservation of the island's beauty and character. In particular, to encourage small, locally owned businesses whose revenues remain on the island, especially those which expand local production and consumption to meet the needs of islanders.

A.4.6.3 To encourage living-wage, meaningful, year-round employment and income-generating opportunities that especially enable young people and families to remain on the island.

And

B.3.1.1.1 To recognize and welcome the economic value to our community of tourism that is compatible with preserving and protecting the island's natural environment, authentic resident-based sense of community, and the aesthetic values that attract visitors.

B.3.1.1.2 To allow visitor accommodation to develop in a way that will best retain and distribute the resulting economic benefits and reduce any negative impacts; to avoid concentrating benefits and impacts in only a few locations.

B.3.1.1.3 To retain and maximize the economic benefits of tourism to the community.

B.3.1.1.4 To make land use decisions that would encourage tourism in the shoulder and off-seasons and discourage any significant increase in the peak period.

B.3.1.1.5 To encourage tourism that blends well with the community and complements the rural, peaceful nature of the island, and to avoid the development of tourist attractions that are unrelated to the island's natural environment, social base or cultural heritage.

B.3.1.1.6 To provide for facilities necessary to mitigate the impacts of tourism on the island's natural or social environment. Examples are: sani-dump facilities for boats or recreational vehicles, and tour bus parking areas outside Ganges Village Core.

Bylaw interpretation is subjective. From personal experience, and accounts of others, there are varying interpretations in the bylaw. This leads to fines, violation notices and demands for proof, that often require an added expense and positions the land owner as 'guilty' or 'in violation' before being presumed innocent or given a chance to share their circumstance and perspective.

The anonymous complaint driven system only divides the community and creates dis-harmony. It also interferes with the OCP to create a healthy environment for the community. I, and many others, have received Bylaw Violation Notices and fines based on 'complaints' and from incomplete investigations that use words like 'appear' when fining residents for certain infractions. There is discrepancy in 'activity', appearance of activity and interpretation of the bylaw resulting in conflict between the land owner and the complainants and Bylaw Enforcement Officers.

When I first moved here, the circumstances by which I arrived and settled are vastly different to my current situation and landscape. In a conversation with the CAO, Mr. Hotsenpillar stated that "people move to the islands and think they can do anything they want". While I can't speak for all people, I do know that many people move to the island to live a more peaceful and healthy lifestyle. My situation is not unlike others whose life circumstances unexpectedly changed requiring a shift in ways of living and earning a living. I recognize that this may not be an issue of your concern, but it does lend some context to the situation and recommendations. When I first arrived on island in [REDACTED], I inquired at the Islands Trust about the rules, bylaws and land use. As a former RN, trauma informed coach and yoga teacher, I wanted to expand my home-based business into a more holistic coaching and consulting practice. The planner I spoke with detailed what I was allowed to build and how I could use my land. The interpretation from this planner was the information I was operating under. I hired competent people to manage and do the work while I [REDACTED].

Initially, in the Spring of 2020, a Bylaw Enforcement Officer entered my property unannounced and left a business card at my doorstep—my space of living, healing, working and spiritual practice. I was on a client call at the time

which was interrupted and disturbed by this unannounced visitor to my property. The BEO questioned my neighbor about the activity in my workshop. I cooperatively called the BEO back at that time to gain more understanding and assured him that I would speak with the person renting my workshop, believing I was 'in compliance'. Several months later, I received a letter with a violation ticket. There was no further discussion or inquiry on behalf of the BEO. Despite my confirmation that the company in question did not perform commercial activity, undue pressure and allegations continued based on the word of a 'complainant' for 'ongoing activity'. This 'ongoing activity' is and continues to be my personal use, sharing my space with family, friends as well as hiring property maintenance and repair personnel.

Following the commercial activity complaint, a barrage of emails and notices started about the 'STVR'. It has been established that there is no agreement as to the definition of an STVR and how this differs from a B&B (which is also a 'short term vacation rental' advertised on the internet). Resolution 153, moved in August 2019, well before the Covid-19 pandemic, deems most everything unlawful for a home based accommodation business. Once the pandemic hit, people were searching for safe, secluded accommodation for various reasons (respite, quarantine, home offices, etc) and homeowners were scrambling to stay afloat as income sources dwindled. Yet, proactive bylaw enforcement escalated during one of the most difficult times in our living history as a community, nation and world.

I am zoned to operate 4 B&B's on my property, and have 'home based accommodation as one of my income streams and permitted to operate a B&B in a seasonal cottage. Each time I cited a bylaw that permitted this activity, another email or letter would appear citing a different bylaw I was seemingly in violation of. My 'non-conforming' space became unlawful with a swift rewrite of the bylaw. I have been accused of erecting structures, building retaining walls and bringing in fill within the natural boundary, yet my engineer's report and survey clearly show that I am within the required limits of the natural boundary. What impact do you think these allegations without substantive evidence has on a person? It was exhausting, adding to [REDACTED].

<https://islandstrust.bc.ca/wp-content/uploads/2011/10/11.10.25-IT-Saltspring-shoreline-mapping.pdf>

In February of 2021, I received a 4-page letter accompanied by eight BNV tickets and a brochure titled 'Bylaw Enforcement Notice and Dispute Adjudication System'. The tickets totalled more than \$6000.00, in the middle of a pandemic when my income was reduced to more than half. After many sleepless nights, I inquired with SSI Islands Trust on Feb. 18th to confirm who the 'screening officer' is, and who the 'adjudicator' is without a clear answer. I continued to inquire and landed a call with the CAO of Islands Trust.

The next day, February 19th, I received an email from the Bylaw Enforcement Officer and email and voice message from the Bylaw Enforcement Manager giving me an ultimatum-- submit the tickets for adjudication to engage in a conversation or else I would be subject to further enforcement activities in small claims court. I felt pressured into adhering to a system that is operating on assumptions, judgements, interpretation disagreements and lack of clear, substantiated evidence which catapulted me into a steep learning curve about processes, bylaw and proceedings as well as many more sleepless nights.

Based on my Bylaw Enforcement experiences, I had several concerns about the Bylaw Dispute Adjudication system. I learned that the screening officer is the BE Manager, Warren Dingman, and questioned the objectivity of the screening. His name was familiar to me through many forums on social media and I was not confident that this would be a fair and equitable process. I retained conflict mediation counsel to support me in this process so I could engage in a respectful and collaborative dialogue. I reached out to Warren Dingman on February 23, 2021 with a list of questions about the adjudication process so I could learn more about it. I requested a Zoom meeting with him to learn more and to assess the objectivity of his screening. This was all done on my own accord and demonstrates a willingness to learn and cooperate.

The zoom meeting took place on March 4th. I had a clear agenda, and asked Mr. Dingman what he hoped to accomplish for the meeting, setting a co-created agenda. I had two other people on the call as my witnesses, and to take notes. The conversation was respectful and I learned more about the process. We set a tentative date for June 15th, on the conditions of my receipt of the FOI report from IT to confirm that there was no conflict of interest. Mr. Dingman replied in an email that the date was flexible, and we did not set a time or confirm anything from that point.

There did not appear to be a sense of urgency nor did I believe that it was a firm date. I did not receive a call from Mr. Dingman about a confirmed date and time. I entered into this process in good faith and a collaborative manner.

As Covid restrictions lifted, summertime became busy, joyous and liberated. Friends and family and guests took the opportunity to connect in person and enjoy the freedoms of gathering together again, making my place very busy and full. I was focused on creating experiences for people to enjoy, recharge, relax and gather.

On Thursday, June 22, 2021, I was preparing my property for my friend's wedding. My friend was to be married on Saturday, June 24 and I was busy with property maintenance and wedding preparations. Our beach is private and we know all the people who frequent the beach between our 4 properties along this stretch. The only access to the beach is through private property or by boat. Around 11 am, my dog alerted me to strangers on the beach with her protective bark and stance, mounting my own fear response. As I approached the edge of my property, a man began to climb the stairs to my house. He was accompanied by another man. They did not identify themselves, they did not ask permission to enter, did not ask me if this was a reasonable time, nor state the intention for being there. Surprised and fearful, I asked them if I could help them.

One man asked me if I rented that treehouse. I responded 'No'. He asked me if I lived there. I responded 'Yes'. He proceeded to cite a number of bylaw violations and I recognized him as Warren Dingman, from our zoom call. I asked him to stop and leave my property. He stated that he was allowed to enter my property as per the bylaw at a reasonable time anytime between working hours of 9-5. I stated that it was not a reasonable time for me and that he needed to leave. He continued to climb the stairs and told me that this was not my property, despite being within the high tide line boundary. I requested once again that he stop and leave immediately. He informed me that I had been uncooperative and missed the June 15th deadline. I reminded him that the June 15th date was not confirmed, nor did I hear from him. He told me that I was to call him and because I didn't, I was being uncooperative and he continued to cite more bylaw violations. Alone on my property, feeling nervous and uncomfortable having two unidentified men enter my property with an aggressive and accusatory manner, I called out to my neighbour, hoping he could hear me. I ran to grab my phone and called out to my neighbour again to help me. At that point, Mr Dingman stopped and descended down the stairs. The two men continued down the beach, ascended the stairs of my neighbour and continued through my neighbour's property to their vehicle, parked on my neighbour's property. I asked my neighbour if she had given permission for Mr Dingman to park on her property and access the beach through her property and she confirmed that neither she, nor her father were contacted for permission to enter the property.

Mr Dingman referred to the other man as 'David'. I called the Islands Trust office to ask who in the office was named David. I assumed the other man was David Marlor. I emailed David Marlor on Friday, July 23 to confirm that he was the man accompanying Mr. Dingman. To date, I have not heard back from David Marlor, or Warren Dingman, both whom I reached out to after the trespassing incident.

Not only was this encounter completely unacceptable, it upset me, [REDACTED] activated a [REDACTED] and distracted me from the wedding preparation. None of these responses are in keeping with my need to be safe and secure physically, emotionally and spiritually.

As a result of this encounter, I have taken the following measures:

- emailed Warren Dingman as a follow up, with no response
- emailed David Marlor as a follow up to confirm he was the unidentified man accompanying Mr Dingman, with no response
- contacted and spoke with the CAO of Islands Trust, Russ Hotsenpillar
- contacted and spoke with an RCMP constable
- contacted and spoke with Trustee Laura Patrick
- submitted a complaint to the Ombudsperson
- contacted contractors for a quotes to secure my property
- sought legal counsel
- sought counseling help

Over the past 14 months since my first encounter with Islands Trust Bylaw Enforcement, I have inquired and listened to many islanders share their stories of the Islands Trust, the bylaws, how they navigate the system or have experienced a decline in health as a result of the continued harassment, aggressive tactics and covert, coercive control measures. I have learned more each day about the governance structure, the bylaws and processes. There is a lot to learn and understand. When I called the CAO (twice), he reminded me of how busy he is and how he receives 'these types of calls' all day. When I expressed to him that I desire a win-win solution, he stated "I don't believe you"...hardly a leadership quality I would expect in a senior administrator. There is little empathy or awareness to the impact to residents regarding our time, our well-being, our busy days, our livelihoods and our safety. When I have spoken with Trustee Patrick, I am met with empathy and listening, but little movement regarding bylaw enforcement processes.

There are concerning patterns that seem to have a deeply ingrained history.

- Trust and Fear- there is an overwhelming lack of trust in the Islands Trust processes and systems. There is an overwhelming mistrust and fear with Bylaw Enforcement Officers especially with the covert tactics they seem to employ. There are many stories emerging about Mr Warren Dingman and his Coercive Control tactics. The impacts of his tactics leave people living in fear, excess stress, undue hardships and trigger a trauma response. This should not be taken lightly by Islands Trust.
- Double standards- there appear to be different standards, approaches and interpretations of the bylaws for different groups. Elite and wealthy property owners or those with ties to exclusive groups seem to be protected from Bylaw Enforcement. Others keep their head down, say nothing and keep 'under the radar' — a phrase I have heard more in the past 4 years than in my lifetime in healthcare administration.
- Anonymous reporting- assumptions and biases lead to an unfair and unjust process in addition to dividing the community.
- Antiquated bylaws- the bylaws need regular review and updating to be responsive to the demands of current events and changing demographics as well as climate change.
- Misuse of taxpayer dollars to fund mismanaged Bylaw Enforcement activities that harms the people and the community.

The mandate of the Islands Trust is to preserve and protect the environment, community and culture. Stewardship of the land is dependent on the health and well-being of the people and the community. Adaptive leadership and responsive governance structures are required in these turbulent times to build a strong, diverse and respectful community to live in harmony.

Recommendations:

1. Hold the Bylaw Enforcement Manager to account for his behaviour and demand an apology for disturbing my place of work, home, privacy and solace.
2. Cease and desist 'surprise' visits and covert tactics that intimidate, threaten and pose a threat to a landowners safety, security and privacy. Very few of us would barge into your place of work, your home and your temple unannounced, unidentified and without a clear purpose for a visit.
3. It is NEVER admissible that two unidentified men have the right to enter the private property unannounced of a homeowner, especially a female and now more than ever while homes have now become places of work, school, childcare as well as private homes. Furthermore, the Community Charter under BC Law applies to Islands Trust: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03026_02#section16

With community engagement, change the following administration bylaw:

2.6 ADMINISTRATION AND ENFORCEMENT 2.6.1 The Islands Trust Bylaw Investigation Officer or any other person designated by the Salt Spring Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time upon any lot subject to the regulations of this Bylaw, to determine whether the regulations are being observed.

To (a version of):

The Islands Trust Bylaw Investigation officer.....is only authorized to enter a lot....with adequate notice, appointment time and reasonable time deemed reasonable by the property owner. The

property owner has a right to engage the services of a third party to be present at all times during the investigation. The investigation officer must present valid ID, and a written document of the supposed violations only.

4. Uphold the Oct 6th notice, (no longer on the website) from Islands Trust and encourage Bylaw Enforcement Officers to abide by this by ceasing enforcement activity of unlawful dwellings (we are still in a pandemic..many countries have gone back into lockdown)

"6-Oct-2020 SS-2020-135 Enforcement Policy during COVID-19 Public Health Emergency It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy while there is a public health emergency declared for COVID-19: Enforcement activities will be deferred for all unlawful dwellings; there will be no evictions, except where there are concerns regarding health and safety, lack of septic services and possible contamination of wells and drinking water supplies and that the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities at any time. CARRIED

5. Uphold the June 29, 2021 resolution to suspend bylaw enforcement on unlawful dwellings
29-Jun-2021 SS-2021-109 Unlawful Dwellings It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following enforcement policy: Enforcement activities will be deferred for all unlawful dwellings being used for residential purposes except in the following circumstances: a. there are concerns regarding health and safety; b. there are concerns that sewage is not being disposed of in an approved septic or sewage disposal system; c. there are concerns that septic or sewage disposal systems are being used in excess of capacity or ability as a result of unlawful dwellings; d. there are concerns of possible contamination of wells or other drinking water sources; e. unlawful dwellings are in environmentally sensitive areas; f. there are non-permitted campgrounds; and that the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities at any time.
6. Engage in a Bylaw review and overhaul- the landscape in which we now live in requires different solutions to live by. The bylaws need to be responsive to unique and creative living situations, land use and a new normal in Covid-19. Engage the community to establish a small task force to review and overhaul the Bylaws. The increase to the 21-22 budget for increased bylaw enforcement could be put to better use and overhaul the bylaws.
7. Implement mediation and restorative justice processes: disputes between neighbours should be resolved at the local, neighbour level. An upset neighbour can make assumptions and allegations based on their perception rather than factual information. Resolving conflicts between neighbours requires collaborative and restorative dialogue. Bylaw enforcement should not be the first line of defense.
8. Implement a Bylaw interpretation services: the bylaws are complex and lengthy documents to sift through. Even with planners in the Islands Trust office, the bylaw is interpreted differently and written in language often too complex for basic understanding and leads to varied interpretation. There has been a loss of trust with the Planners. It is known that the planners and bylaw enforcement are closely connected and not act as independent bodies. The FOI report demonstrates this. Property owners are hesitant to ask questions to planners in the event that it triggers a bylaw investigation or 'street file'. Assemble a small group of local citizens to act as an interpretive body. This would lead to less threat and the ability to ask questions without filters.
9. Ensure thorough inquiry, investigation and dialogue with land owners before issuing a BVN. This does require a trusting and respectful relationship. At this juncture, it would take a long time to repair the relationship, given the current state of distrust with bylaw enforcement on the island. Educate and train BEO's in effective communication processes that develop trust and engage in effective listening, curiosity, inquiry and collaborative problem solving. Coercive and interrogative tactics are not conducive to a safe, secure and healthy (physically, mentally and spiritually) community.
10. Adopt a 'compassion clause' during and post the Covid-19 pandemic while the community, the economy and individuals continue to manage and attempt to recover from the impact of the global pandemic.

I desire a respectful and constructive way to resolve the issues where all parties involved are heard and understood., and that serious consideration is given to changes in the Bylaws, Bylaw Enforcement process and dispute management, even though the CAO stated in our conversation when I shared that with him, that he 'doesn't believe me'.

While politics, governance and laws may be your passion and purpose, it is not mine. This is not how I wish to spend my time here on this planet, nor do I want to live in fear and violation of my privacy and purpose.

I look forward to hearing from you regarding these recommendations and further support for the community during this very difficult time in the history of humanity.

Thank you for taking the time to listen to my concerns.

Dori Howard, BScN, MA (Leadership), PCC, CEC
Trauma-informed Coach | Facilitator | Consultant | Yoga Instructor



From: Fish Farms Out <fishfarmsoutpacificcoc@gmail.com>
Sent: Wednesday, August 4, 2021 10:04 AM
Subject: Asking your support for Fish Farms Out of Coastal Waters campaign by Council Of Canadians
Attachments: Letter 1 COUNCIL OF CANADIANS SUPPPORTS GETTING FISH FARMS OUT OF COASTAL WATERS ONTO LAND.docx

Please find attached important information about our Council of Canadians 'Fish Farms Out Of Coastal Waters' campaign.

We are requesting that this letter and the attached document be forwarded to the Islands Trust Chair, Trustees, Council, and Advocacy Program for their consideration about publicly endorsing our campaign.

We are seeking your support and official endorsement of our campaign regarding fish farms in B.C. We advocate moving all open-net fish farms in coastal waters to closed-containment on land. We also call for immediate direct financial support for all impacted net-pen workers and workers in dependent and related businesses to retrain and transition to sustainable jobs. We hope that you will support our campaign by emailing us at fishfarmsoutpacificcoc@gmail.com with an official endorsement statement that we can use publicly, including sending to media.

Council of Canadians 'Fish Farms Out Of Coastal Waters' Campaign

COUNCIL OF CANADIANS SUPPORTS GETTING FISH FARMS OUT OF COASTAL WATERS ONTO LAND

The Council of Canadians ‘Fish Farms Out Of Coastal Waters’ campaign is committed to protecting wild fish and the ecosystems that support them. To this end, it is our firm belief that the open net-pen fish farm industry must move its operations out of the ocean and onto land, with immediate funding from federal and provincial governments for direct and indirect industry workers to help them transition to sustainable employment.

Wild salmon are at the heart of many First Nation communities, and a primary food source. Their protection is vital for sustaining people, cultures, and all related ecosystems and species. And yet, wherever in the world open-net fish farms operate, they spread parasites, viruses, bacteria, disease, and pollution – endangering and destroying wild fish and the marine ecosystem.

In B.C, the harm caused by open-net fish farms to wild salmon is undeniable, and many salmon runs are dangerously low and at risk of extinction. The open-net fish farm industry must take its operations out of the path of all wild salmon migrations –out of the oceans and onto land-based containment, shutting down the marine-based industry and immediately funding workers to transition to sustainable jobs.

For these reasons, we believe that the recent decision by Fisheries and Oceans Canada (DFO) Minister Bernadette Jordan to close open-net fish farms in the Discovery Islands must stand. As biologist Alexandra Morton recently said, “Already this year, [fish farm company] Mowi has exceeded sea lice thresholds set to protect wild salmon in the Discovery Islands. They simply can’t control their lice and we cannot lose another generation of wild salmon to this industry. If they are allowed to restock farms in this region, we will lose the Fraser River sockeye. It is that simple.”

On paper, the Fisheries Act, the Species at Risk Act, and the Canadian Environmental Protection Act all include safeguards to protect fish, fish habitat, endangered species, and the marine environment. But in practice, the fish farm industry has too often violated the protective laws of these Acts without any penalty by the DFO. Meanwhile, the DFO continues to advocate for an expansion of the aquaculture industry. Shannon Arnold (Ecology Action Centre, Halifax, NS) and Karen Wristen (SeaChoice, Sointula BC) feel this is “making a mockery of Canada’s commitment to protect biological diversity and pursue sustainability.”

Proposed new laws are also seriously flawed. The new federal Aquaculture Act will exclude aquaculture activities from the application of the Fisheries Act.

There is some merit in the recently announced Pacific Salmon Strategy Initiative which includes the formation of a Pacific Salmon Secretariat. However, that initiative is in effect asking the fox to watch the chicken coop because it continues to rely on the dysfunctional, top-down model of the DFO overseeing data collection and operations.

First Nations leader Bob Chamberlin advocates “working at a government to government level” by inviting First Nations to fill DFO director-level positions affecting wild salmon and by creating a Director of Wild Salmon (Pacific Region) in partnership with First Nations. This proposal has been whole heartedly endorsed by many First Nations and environmentalists including Alexandra Morton.

If wild Pacific salmon are to survive, we need action now.

The Council of Canadians ‘Fish Farms Out Of Coastal Waters’ campaign calls on all affected people – First Nations, municipal and regional councils, businesses and local entrepreneurs, non-profits, and citizen groups – to work together to:

- Protect the migratory routes of wild Pacific salmon by removing all open-net fish farms from the ocean and replacing them with closed-containment fish farms on land
- Support federal and provincial government legislation and policies to provide immediate funding for all impacted open-net fish farm workers and others involved with the industry to help them transition to sustainable jobs
- Create a path towards a just recovery for the wild salmon economy
- Protect ocean ecologies from sewage and pollutants, and remove ocean debris
- Support sustainable green ocean initiatives and planning in recreation, transportation and jobs
- Ask for the world-class marine accident recovery service promised by provincial and federal governments
- Require the new Aquaculture Act to include aquaculture activities in the application of the Fisheries Act
- Invite First Nations to fill DFO director level positions that affect wild salmon and advocate for the creation of a new Director of Wild Salmon (Pacific Region) position in partnership with First Nations
- Support a Green New Deal

From: elaine senkpiel <[REDACTED]>
Sent: Sunday, August 8, 2021 1:03 PM
To: Laura Patrick; Peter Grove; Peter Luckham; SSInfo
Cc: Herbert Korte; Lynn Steiner; Lynn and William Steiner; elaine senkpiel
Subject: Proposed Rogers/Crest communications tower - Canvasback Place, Salt Spring Island
Attachments: LetterIslandsTrust1.pdf; LetterIslandsTrust2.pdf; LetterIslandsTrust3.pdf; LetterIslandsTrust4.pdf

Dear Trustees Patrick, Grove and Luckham,

Please find attached our letter with regards to your recent July 27th Zoom meeting and vote.

As you'll note, we do not support the installation of the Rogers/Crest communication tower, Canvasback Place. It is too close to our homes and another, more appropriate, location needs to be identified.

Hard copies of this letter will be hand delivered to your office August 9, 2021.

The original, with Canvasback Place Residents' signatures, has been addressed to Trustee and Chair Luckham.

Respectfully,

Elaine

Elaine Senkpiel

[REDACTED]

Dr. Herbert Korte

[REDACTED]


Lynn Steiner

[REDACTED]

Bill Steiner

[REDACTED]

Elaine Senkpiel



August 5, 2021

Dear Islands Trustees:

I, along with several of my Neighbours, listened to your Zoom meeting on July 27, 2021 at which Rogers and Crest presented their application for the installation of a communications tower adjacent to the existing TELUS installation, Canvasback Place. I hoped to participate but was unable to find a way to enter despite several attempts. I learned of the meeting by chance and suspect many others may not have known about it. I did not see any public notifications indicating that this meeting and a vote was to be held.

My Neighbours, Lynn and Bill Steiner, submitted a petition to you on July 16, 2021 indicating 17 Canvasback Place households in close proximity to the proposed site were against the tower installation. Four households could not be canvassed. We are a group of diverse professionals who are an integral part of this community and contribute significantly to its infrastructure and well being.

In addition, Mr. Chad Marlatt, Cypress Land Services - Agents for Rogers, indicated that 163 submissions were received against the proposal, 53 were supportive and 3 were neutral.

In my April 14th. email submission, I indicated I support improved wireless services for Salt Spring Island, and especially for enhanced emergency communication services. However, my Neighbours and I do *not* support a second tower within 60 - 100 metres of our homes. A more appropriate location needs to be found for this proposed second tower.

I believe Mr. Marlatt indicated that Onni owns the land. If Onni does indeed own the land for the proposed tower, why not approach them about placing it on their expansive undeveloped lands North of Canvasback Place? It has road access and some infrastructure in place and is not next to homes.

My Neighbours and I thought the meeting inadequately addressed our questions and concerns. Rather, it was our impression that a vote was held without thorough knowledge nor careful and informed consideration of the issues. I believe, Trustee Patrick indicated that she only received the information package within a day of the meeting. Trustee Patrick also spoke to the need for a Public Community Information Meeting and especially with Canvasback Place Residents. **If Trustees did not have adequate information to vote, why was the vote not delayed?**

To reiterate, as Residents who live within 60 - 100 metres of the proposed site, our main concern is with its close proximity to our homes. We've seen several references of 300 - 500 metres as an acceptable minimum distance not 60 - 100 metres.

Given the significant impact of this decision on many we should have been accorded the courtesy of a public forum to discuss our questions and concerns with an independent Electromagnetic Energy expert in attendance. This would provide for a more balanced and informed discussion.

The limited discussion also did not address issues identified in my, and I suspect others', submissions. The potential for additional carrier capacity being added to the tower in future was not mentioned. **This begs the question, if additional capacity is added, will the electromagnetic energy still be within Safety 6 limits?** Also, there was no mention of Industry, Science and Economic Development's Exclusion (ISED) policy (e.g. within a year of construction, tower height could be increased up to 25% of the initial installation height without approval). **Will Transport Canada require marking and lighting for the proposed structure?** Again, this was not mentioned.

In making your decision as Islands Trustees, did you have an opportunity to review consultation submissions or, at minimum, a summary? Again, limited mention was made of Respondents' concerns. **Given over 2/3 majority are against the proposal, why did Trustees not have a more exhaustive discussion?**

Although CoVid restrictions were in place at the beginning of this process, it would seem even more incumbent on all parties involved to have supported a public forum once restrictions eased.

Please note this letter is copied to Ms. Elizabeth May, MP Saanich - Gulf Islands, and Mr. Adam Olsen, MLA - Saanich North and the Islands, so they are informed of their constituents' concerns and in the hope that they can assist with our request to relocate the proposed tower.

In addition, it has also been copied to Spectrum Management and Telecommunications (ISED) and Vancouver Island Health Authority.

In summary, we respectfully request that you address the following concerns by Sept. 1, 2021:

- 1) our request for an in person community town hall meeting now that CoVid restrictions have eased; and, with an independent Electromagnetic Energy expert in attendance;
- 2) the question with respect to future additional carrier capacity and its impact; in particular, a potential increase in electromagnetic energy;
- 3) the question of potential exclusion of increased tower height after one year and whether Transport Canada will require marking and lighting;
- 4) the proximity (60 - 100 metres) to current and future homes directly adjacent to the proposed site which is well below acceptable minimum standards; and,
- 5) other concerns from Respondents' submissions that were not identified nor addressed at your Zoom meeting.

Respectfully,

Elaine Senkpiel and Neighbours
(whose homes are in close proximity to the proposed site)

cc. Ms. Elizabeth May, MP Saanich - Gulf Islands
elizabeth.may.clc@parl.gc.ca

Mr. Adam Olsen, MLA - Saanich North and the Islands
adam.olsen.mla@leg.bc.ca

Mr. Gary Holman, Salt Spring Island Electoral Area Director, CRD
saltspring@crd.bc.ca

Mr. Chad Marlatt, Cypress Land Services - Agents for Rogers
chad@cypresslandservices.com

Mr. Gord Horth, General Manager, Crest Emergency Communications
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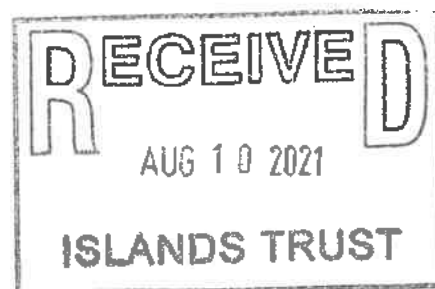
THE SALT SPRING ISLAND TRUST COMMITTEE.

Mr. Grove.

Ms. Patrick.

Mr. Luckham.

Cc All Islands Trust Committee Members.



Ladies And Gentlemen.

I and 88 of my family on Salt Spring Island have formed a SOCIETY with a commitment to protect our families interests on Salt Spring Island.

I spoke at the Trust Council meeting informing the Council that as indigenous persons we had not been consulted on the proposed changes to the Islands Trust Policy Statement.

A few weeks ago, I requested a meeting with the Salt Spring Island Trust Committee members to make known our concerns. No response has been received.

Some of the issues that need clarifying are as follows.

- 1. Science demonstrates that on Salt Spring Island carbon capture far exceeds any loss resulting from tree harvesting yet the Islands Trust has a stated goal of managing an industry that they do not understand.**

My family I and my progeny have been foresters for 180 years. The proposed policy threatens my livelihood and the future of my children to prosper in harvesting the forest. I want clarity from the Islands Trust as to how they propose to compensate those affected by new Trust forestry policy.

- 2. The indigenous population have a right to continue to live and work under their own legal system on reserve lands. Legal opinion indicates that indigenous people have the same rights on land that they have purchased under the fee simple system.**

The Indigenous population living under the Islands Trust umbrella want assurances that their rights are upheld and not subjected to the burgeoning interference by the Islands Trust Bylaw Compliance & Enforcement.

**Sincerely,
Daniel Odonnell.**



From: [REDACTED]
Sent: Tuesday, August 17, 2021 3:01 PM
To: Laura Patrick
Cc: Peter Grove; Peter Luckham; SSInfo; 'elaine senkpiel'; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]
Subject: Disputing the Rogers 5G tower on Canvasback Pl.
Attachments: 1.jpg; 3.jpg; 4.jpg; 6.jpg

Hello, Ms. Patrick,

My husband & I are home owners at [REDACTED] on Salt Spring Island. Our house & the adjacent lot [REDACTED] the proposed Rogers tower location & will be the most severely affected by it.

Attached are some photos taken from our front door & some looking from the site, towards our house. The proposed tower would be at a distance of [REDACTED] property line. If this tower is built, the few screening trees would be removed to ease construction & the tower would be within plain view from the [REDACTED]. In essence, the tower would be right in [REDACTED]. Just imagine having a 1200'+ additional height considerations tower at your front door!

We are not disputing the desire for technological improvements by either Rogers or CREST. Nor are we questioning Rogers ability to follow construction & operation guidelines as set out by federal & any other regulating boards. We are also not questioning any possible or unknown health related issues to the general public.

Our dispute is 2-fold:

1. RF waves - Due to an [REDACTED]
[REDACTED]. Any individual with a pacemaker cannot use or be in the vicinity of any device that emits RF waves or is magnetic. This includes medical equipment. Both the RF waves & magnetics cause changes/stoppages to the pacemaker, making it ineffective. In my case, this could easily lead to [REDACTED]. So my question to the Islands Trust is: Are you willing to take responsibility for the life of one of your constituents? And if the worst happened, what would be the consequences?
2. Property values - It is common knowledge that potential home buyers avoid purchasing homes near power lines/cell towers for fear of health complications, particularly in a downed real estate market. Our home & neighbouring homes will have a more difficult time selling in the future, should this tower be erected. Due to the whims of public opinion, we could be unable to sell our homes, or have to accept drastically reduced selling points. So my next question to the Trust is: Are you willing to purchase my home at an inflated rate, all the while forcing me to sell, just to agree to this location for the

Rogers tower? Or are you willing to provide a concession that will bridge the gap between the selling price of my home & it's real value, when that time comes?

We've lived in our home for [REDACTED] years & are very happy here. We live on Salt Spring Island for peace, clean air & the close proximity to nature. It is wonderful, rural living. The Channel Ridge subdivision is a reasonably dense residential area, for a rural landscape. Most lots here are ½ acre.

It's easy to see why the Canvasback site has been proposed for the Rogers tower. There already exists an access road & a small area of cleared land, which would need further clearing to accommodate the tower & service buildings. Enlarging the building space would further encroach upon the homes here.

The Channel Ridge development area is comprised of over 1400 acres of land & the top of the ridge is undeveloped. Prior to living on Canvasback, we've owned homes on the north end of the ridge & are very familiar with the undeveloped lands.

There are multiple locations for the Rogers tower to be built, where it wouldn't interfere with the lives of our residents. The Islands Trust could sell or lease some of the island-owned ridge top to Rogers & make a profit on it. Or Onni, the owner of the last phase of residential development, may be able to offer some land for this tower, also at a profit. Rogers certainly has enough funding of their own to support any road building & land clearance.

We invite you, any Trust members or others to visit our home & see the impact the Rogers tower will have on us. I know full well that if this situation was taking place in & around your own homes, you would have the same opinion & concerns as we do.

It's time for the Trust to look after it's residents & reconsider the location of the proposed tower.

Your response would be greatly appreciated!

Sincerely,
Connie Nichols-Ledger
Frank Ledger

[REDACTED]









From: James Hutchinson [REDACTED]
Sent: Wednesday, August 18, 2021 9:52 AM
To: SSInfo
Subject: Proposed resort at former Fulford Inn

It seems amazingly short-sighted to approve this project. With climate change this is a location that will experience flooding. Even though it would be nice to have another destination on the South End, this should not be the location. It is an environmental disaster waiting to happen. When it does occur, who will foot the bill? My guess that this would become a community cost. Perhaps the Trust should concentrate on solutions for the Fulford-Ganges road at that location. Moving it further north would eliminate the dog-leg and make this road, so important for our local economy, a bit more impervious to the future flooding.

Sincerely,

James

[REDACTED]

James Hutchinson

[REDACTED]
[REDACTED]

From: Dennis Lucarelli <[REDACTED]>
Sent: Wednesday, August 18, 2021 2:15 PM
To: SSInfo
Subject: Vortex -- NO!!

I'm surprised to learn the Vortex project by Fulford Harbour looks close to approval. While it's most unfortunate the old Fulford Inn closed its doors nearly a decade ago, and that the site remains empty, that Inn had very few rooms that were seldom actually occupied.

The creek mouth is a sensitive and crucial habit that has no chance of surviving the addition of such a huge development. The ideal scenario is that the land there should be condemned and funding sought for its full restoration.

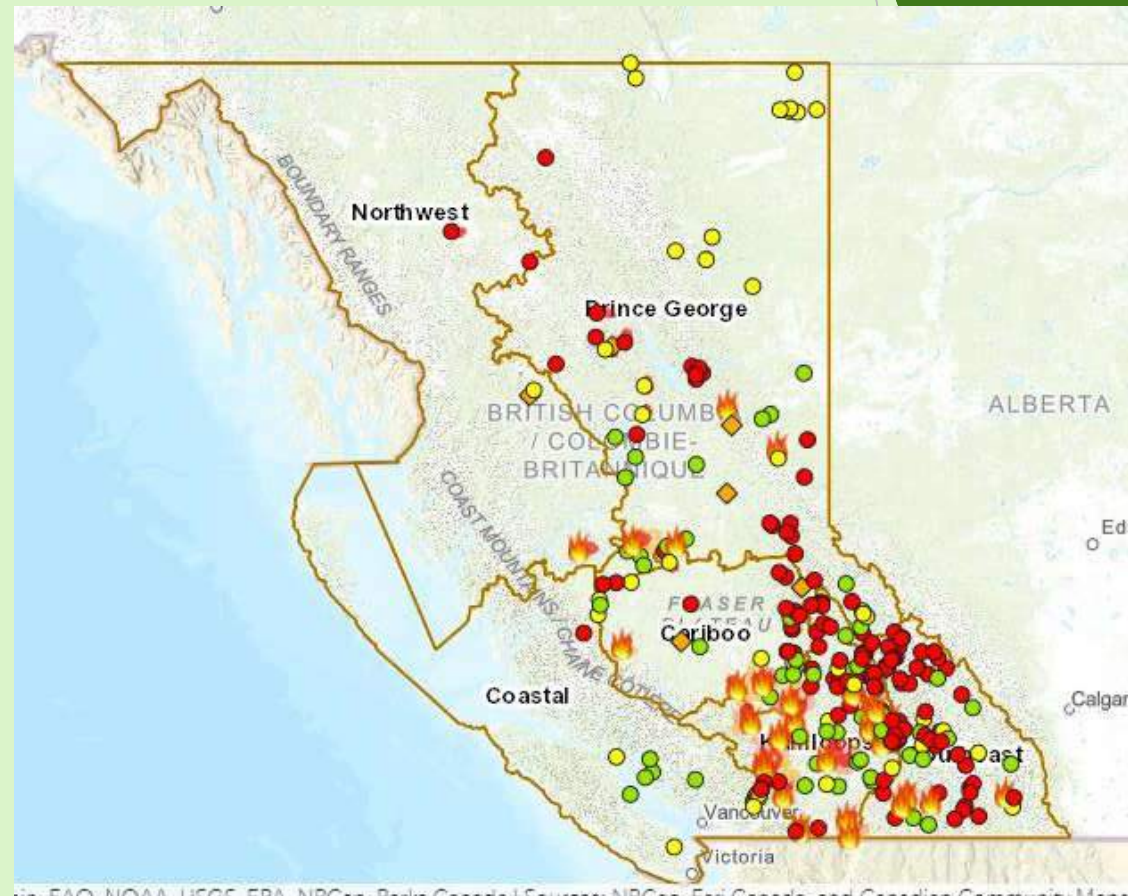
Please reconsider.

Sincerely,
Dennis Lucarelli

Understanding Fire Ecology in the CDF Zone: *planning for the future in the Southern Gulf Islands*

Presentation to the Islands Trust
August 31, 2021
Ruth Waldick, PhD.

Ecological Research Network/
Transition Salt Spring



Fire Ecology: preparing for change

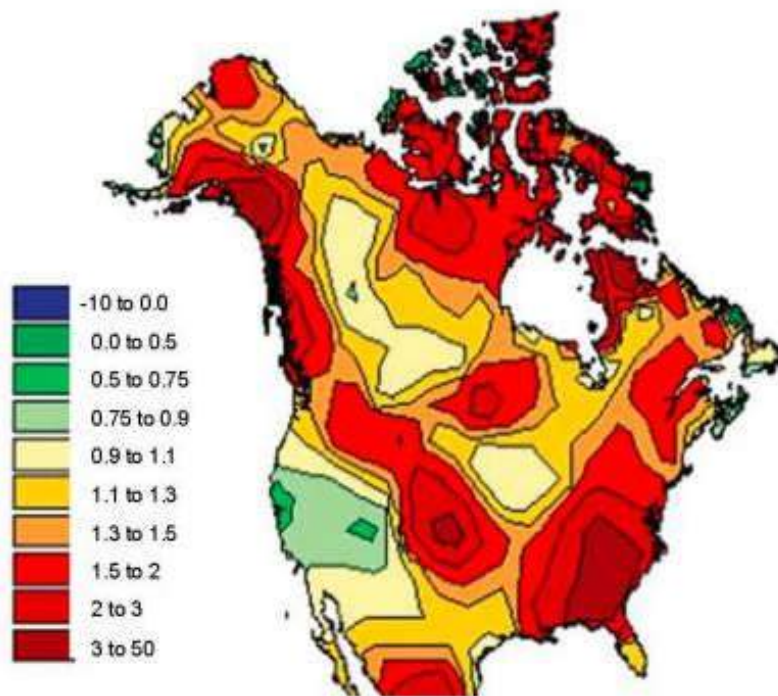
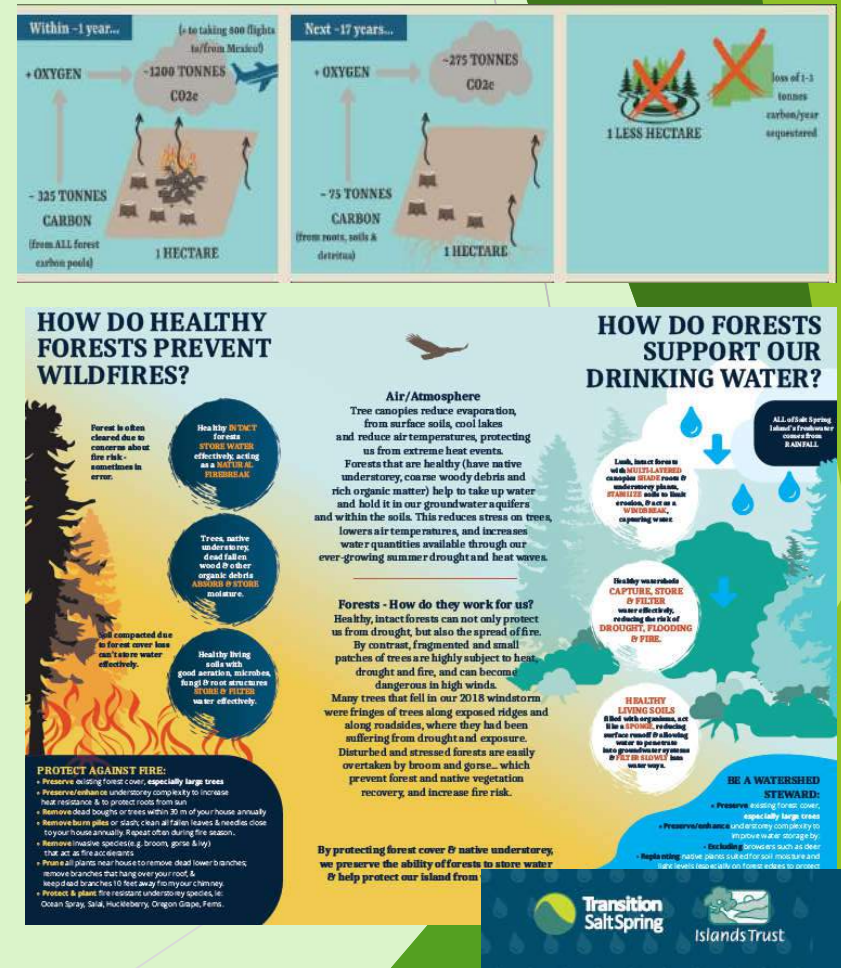
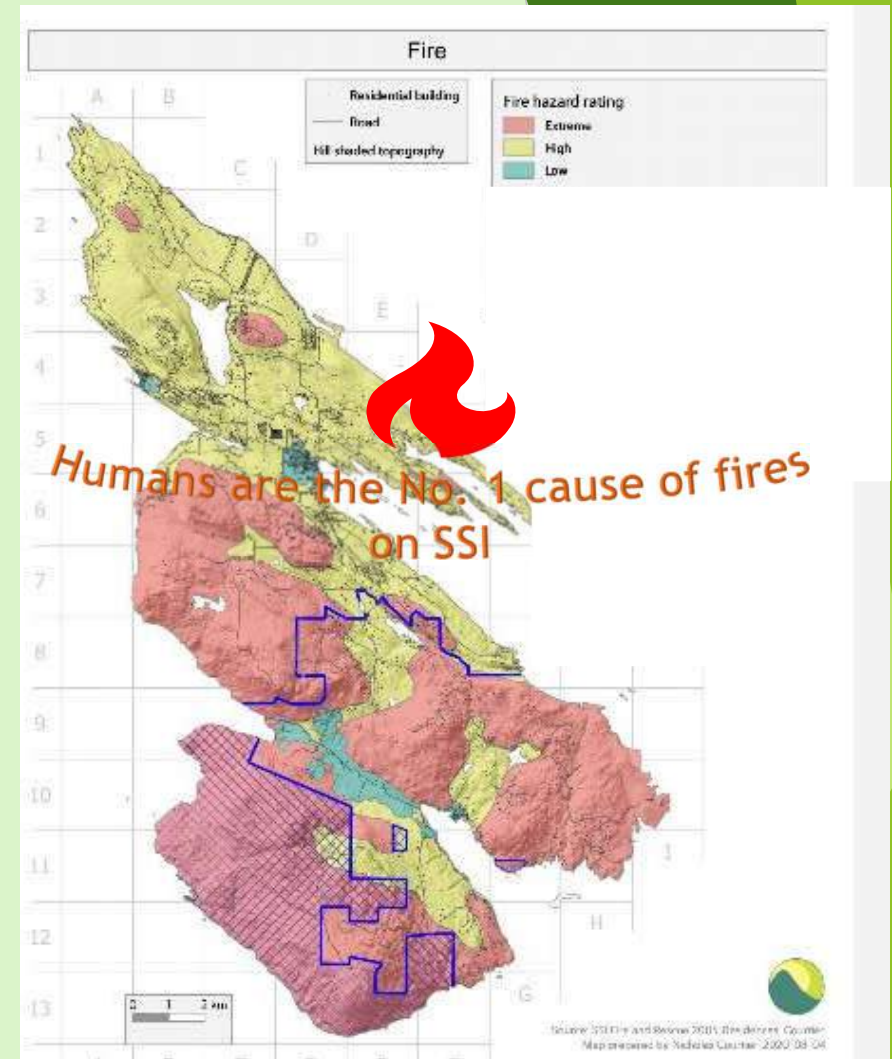


FIGURE 1-11: Projected changes in forest fire risks in 2100 relative to current times. Reported in Hengeveld et al. (2005) and calculated as a ratio of seasonal severity ratings (based on CGCM climate simulations) (Canadian Forestry Service).



What we know about Coastal Douglas-fir Ecosystems

- Intact forests can reduce the spread of fire, increase soil moisture, and water retention
- Management of existing fire hazards has been challenged by high private land ownership and jurisdictional idiosyncrasies'
- Forests are stressed - *fragmentation, drought, extreme weather, over-browsing, land clearing for development...*
- Fire Hazard is a major concern
 - Legacy forestry blocks - high ground fuels, dense stands of single age, unhealthy trees
 - Clearcutting and forest fragmentation contribute to Extreme Fire Hazard
 - Water bodies contaminated by fire can take many years to recover



We also know....

- Different ecosystems and watersheds require different management strategies
- There is consensus among SSI organizations that there is a need to manage existing fire hazards in order to protect CDF ecosystems

No ONE SIZE FITS ALL....

What we don't know...

- How is fire behaviour changing in the Southern GI?
- What types of management can be used locally to reduce ground fuels?
- How do we increase health of CDF ecosystems?
- How can both private and public lands be protected?

“No one body is in charge”*



Garry Oak Meadow



Coastal Douglas-fir fern understory



Maxwell Lake Watershed

Protecting Coastal Douglas-fir Forest Ecosystems



Protecting Coastal Douglas-fir and Associated Ecosystems: Next Steps

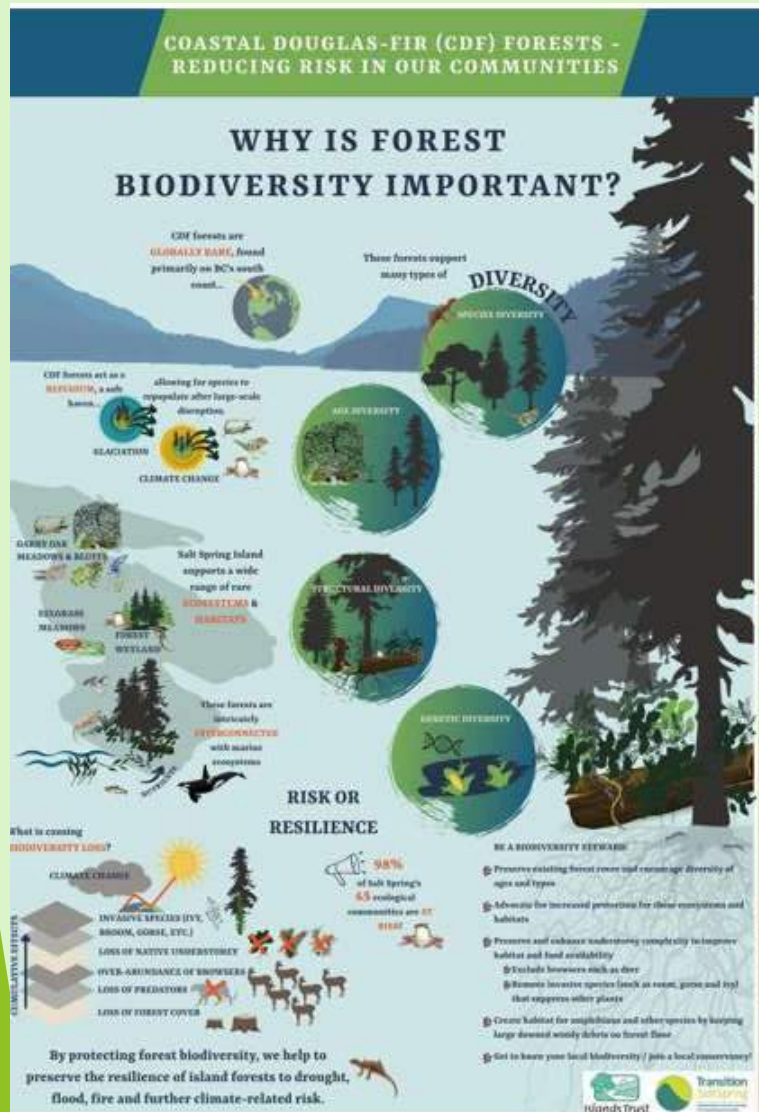
STEP 1. Understand Local Fire Ecology

- Document conditions/hazards in CDF Zone (fire ecologist - \$12,000)
SSIFR with ERN
- Identify ecosystem appropriate techniques and knowledge gaps (Expert Workshop - \$5,000)

STEP 2. Develop Strategy to Manage Fire Risk (SSI used as a model for the Gulf Islands)

- Identify priority watershed(s) (i.e., Maxwell Lake)
- Develop fire risk reduction strategy for key watersheds (\$25,000)
- Trials: Implement, document and monitor techniques used (TBD)
- Establish local and regional capacity for further Watershed Fire Risk Reduction Strategies (TBD)





Request:

LTC to provide resources for Step 1

Protecting Coastal Douglas-fir and Related Ecosystems by managing fire risks

- 1) Review and assess priority ecosystems on SSI to document hazards and outline management practices
- 2) Expert Workshop to identify ecosystem-appropriate techniques and map out management strategies*

*Proposed participant organizations: ERN, SSII Fire Rescue, UBC Forestry, SSI Watershed Protection Alliance, ESSA Technologies, FLNRO, North Salt Spring Water District, CRD, ITC, SSI Conservancy



www.transitionsaltspring.com

STAFF REPORT

File No.: SS-DP-2021.3 & SS-DVP-2021.14
 (Cross Ref. No. SS-BP-2018.105)
 (Cross Ref. No. SS-BP-2021.20)

DATE OF MEETING: August 31, 2021
 TO: Salt Spring Island Local Trust Committee
 FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
 COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
 SUBJECT: **Development Permit** for Development of New Retail, General Employment or Commercial Space Greater than 185m² in Gross Floor Area that is Visible from Public Areas or Other Properties in DPA2 & **Development Variance Permit** to Make Lawful the Siting of a Retaining Wall Structure
 Applicant: H. Hazenboom Construction Ltd (H. Hazenboom)
 Location: 317 Rainbow Road, Salt Spring Island, BC (PID: 024-113-131)

RECOMMENDATIONS

1. That the Salt Spring Island Local Trust Committee direct staff to refer applications SS-DP-2021.3 and SS-DVP-2021.14 (317 Rainbow Road) to the Advisory Planning Commission for comment.

REPORT SUMMARY

This report addresses both a Development Permit (DP) and Development Variance Permit (DVP) resulting from analysis of a building permit referral. The DVP application seeks to vary the [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) to make lawful the siting of a retaining wall within the rear, exterior side and interior side lot line setbacks. The concurrent DP application seeks to address development of new retail, general employment or commercial space greater than 185 square metres in gross floor area that is visible from public areas or other properties. Staff recommend referral of the DP and DVP to the Advisory Planning Commission (APC) for comment.

BACKGROUND

The subject property (Figure No. 1 & 2) is located in central Salt Spring Island, close to the boundaries of Ganges Village (Shiya'hwt/ SYOWT). The 0.2-hectare (0.49-acre) lot is zoned General Employment 1 variant b (GE1(b)). A comprehensive analysis of the subject property and surrounding area can be found in Appendix No. 2.

In December 2018, the Capital Regional District (CRD) Building Inspection office referred Building Permit BP004986 (SS-BP-2018.105) for a Commercial Container Mini-Storage to the Islands Trust. Staff reviewed the submission and noted the size of the development (14 sea cans) exceeded 185 square metres in floor area and advised the applicant that as proposed, the development would require a DP. The applicant submitted revised plans (Figure No. 4) reducing the number of sea cans to 12 (182.5 square metres in floor area) and the Building Permit referral was subsequently approved. In January 2021, a revision to the 2018 Building Permit was received from the applicant (SS-BP-2021.20) as the applicant amended the plans to remove the pitched roof (Figure No. 5). Upon review of the resubmission, staff observed the development had been constructed with the previously proposed configuration of 14 sea cans in accordance with the original submitted design (with a floor area of 212.6 square metres), triggering a requirement for a retroactive DP.

Following receipt of the Development Permit application and in accordance with the [Salt Spring Island Local Trust Committee Development Approval Information Bylaw No. 175](#) (DAI Bylaw). The official (planner) determined an amended site plan and a vegetation assessment were required. A revised site plan (Figure No. 3) and vegetation planting letter (Appendix No. 3) were received in March 2021.

On February 26, 2021, staff attended a site visit to the property where a retaining wall structure sited within rear, exterior side and interior side lot line setbacks was observed. The applicant was advised a DVP application would be required as well as a CRD building permit (as the retaining wall exceeded 1.2 metres in height) and Ministry of Transportation and Infrastructure (MoTI) encroachment permit (as the retaining wall was sited within 4.5 metres of the highway right of way). The applicant has subsequently obtained a MoTI encroachment permit (Appendix No. 4) and submitted a DVP application (July 2021).

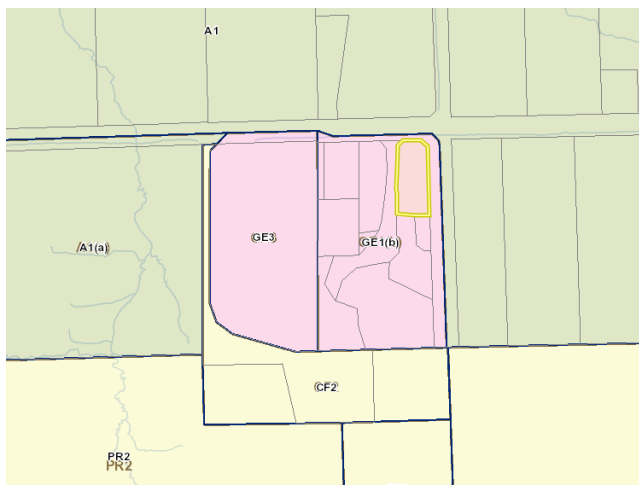


Figure 1: Zoning Map of Subject Property



Figure 2: 2017 Orthophoto of Subject Property



Figure 3: Site Plan for Subject Property

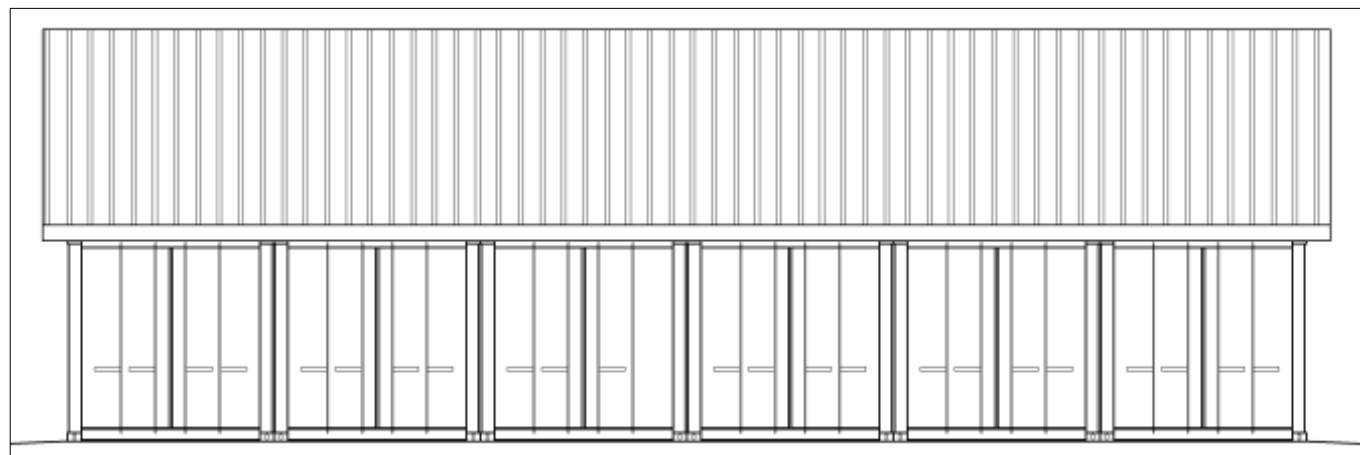


Figure 4: Approved Commercial Container Mini-Storage Front/Rear Elevation per SS-BP-2018.105 (12 seacans – 182.5 square metres)

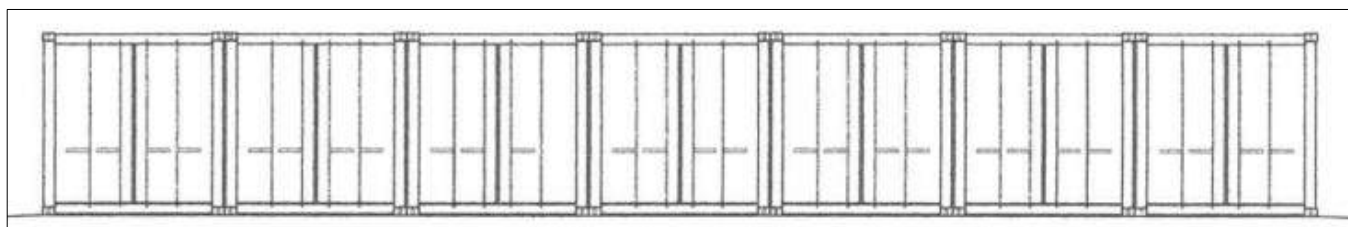


Figure 5: Revised Commercial Container Mini-Storage Front/Rear Elevation per SS-BP-2021.20 (14 seacans = 212.6 square metres)

ANALYSIS

Policy/Regulatory

Granting a variance does not set a precedent and the Salt Spring Island Local Trust Committee (SS LTC) is unfettered in its ability to grant or deny variances. However, the granting of variances regarding setbacks may create expectation in the community with regard to future applications. The DVP process enables property owners to relax minor land use bylaw regulations, while providing certainty for adjacent property owners and minimizing negative impacts on neighbours.

Official Community Plan:

The subject property is designated General Employment and Commercial Services (GE) in the [Salt Spring Island Official Community Plan No. 434](#) (OCP). The objectives for this designation are to continue to ensure that general employment uses are located in a way that reduces impacts on neighbouring properties and the natural environment and to allow for the development of affordable homes in combination with general employment land uses. See Appendix No. 5 for a full review of relevant OCP policies.

E.2 Development Permit Area 2 – Non-Village Commercial and General Employment

Development Permit Area 2 (DPA2) – Non-Village Commercial and General Employment is designated according to the Local Government Act to identify objectives and guidelines for the form and character of commercial and general employment development outside Village Designations and for the protection of farming on adjacent lands. The objectives of this DPA are “to ensure that the commercial and general employment businesses allowed in rural and residential neighbourhoods can develop with the least impact on neighbouring properties; to avoid a level of design regulation that could affect the viability of small commercial and industrial businesses; and to protect nearby agricultural lands (including their water supplies) and to reduce the potential for conflicts between agricultural activities and higher density settlement areas”. The application requires a DP under DPA2, pursuant to the following clauses in the OCP:

- E.2.1.2 All development in this Development Permit Area is exempted from the requirement to obtain a Development Permit, except:
- d. development of new retail, general employment or commercial space greater than 185 m² in gross floor area that is visible from public areas or other properties.**

Appendix No. 1 contains a review of DPA2 guidelines. A total of 40 guidelines were considered for the proposed development. Of these, 18 of the guidelines are in full conformance with the proposal and 10 were deemed not applicable. Staff consider the proposed development at variance with 5 guidelines and may be potentially at variance with 7 guidelines:

	Guideline	Complies	Comments
E.2.4.1	Property line setbacks should not be varied from those allowed by local bylaws.	No	Staff Comments: the retaining walls (structures) in the rear of the property are sited within the rear and interior lot line setbacks in contravention of subsection 9.7.2 which requires a rear and interior side lot line setback of 3 metres and an exterior side lot line setback of 6 metres.
E.2.6.2	On sloping land, horizontal modulation (stepped buildings) should be used so buildings and structures conform to the site.	No	Staff Comments: the site topography was extensively altered and retaining walls constructed to create a flat area for the building. Applicant Comments: The site topography has been altered to fully utilize the commercial and residential operation as per C6 zoning at that time.

E.2.6.3	Existing site topography and landscape should not be altered and should be complemented by proposed structures.	No	Staff Comments: the site topography was extensively altered and retaining walls constructed to create a flat area for the building.
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	Staff Comments: the building has a long and homogenous façade; however, for the most part it is screened from view. Applicant Comments: <i>We believe that the facility is not a large structure.</i>
E.2.6.6	Where practical, building roofs should be similar in design to those on neighbouring structures.	No	Staff Comments: surrounding roofs are pitched (whereas the roof on the storage units is flat).
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.	Maybe	Staff Comments: one way road system around building
E.2.5.3	Emergency vehicles should be able to readily reach all parts of the development	Maybe	Staff Comments: not enough information is available to determine compliance with this guideline.
E.2.8.1	Where large new commercial or <i>general employment</i> developments are visible from streets or other public areas, site landscaping should be installed before issuance of the <i>building</i> 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.	Maybe	Staff Comments: site landscaping is mostly in place and building occupancy has not yet been granted.
E.2.8.2	Where landscaping of large new commercial and <i>general employment</i> areas is visible from public areas, informal, natural landscaping with native species is encouraged as opposed to formal, decorative plantings.	Maybe	Staff Comments: site landscaping is mostly in place and consists of natural landscaping along the front lot line and a partial formal cedar hedge along the interior side lot line with informal grasses and blackberries on the remainder of the interior side and rear lot lines. The exterior side lot line is a mix of native and non-native species planted informally.
E.2.8.3	New plant materials should be chosen with a view to conserve water.	Maybe	Staff Comments: the applicant has supplied a vegetation planting letter from the neighbouring property indicating their intent to plant a hedge along the berm separating the two properties. Staff note the intended planting area is located in the MoTI ROW. Applicant Comments: We have been using drip irrigation on timers for new planting.
E.2.8.6	Fencing should be natural in appearance and coordinated with the design of the main building	Maybe	Staff Comments: the applicant intends to construct a wooden fence between the dwelling and general employment building.
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 <i>agricultural land</i> or fishbearing watercourses because of water pollution.	Maybe	Staff Comments: the development has a French drain emptying into a ditch alongside Knott Place, which leads into a RAR designated ditch. The RAR ditch travels east, past agricultural lands. The driveway surface is composed of semi-impermeable material (gravel). The development (storage) is unlikely to result in pollution of surface or groundwater supplies.

Land Use Bylaw:

The proposal meets LUB regulations with the exception of the following:

9.7.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

Setbacks	GE1
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:	

Minimum rear <i>lot line</i> setback abutting a lot in a <i>General Employment zone</i> (metres)	3
Minimum interior side <i>lot line</i> setback abutting a lot in a <i>General Employment zone</i> (metres)	3
Minimum exterior side <i>lot line</i> setback (metres)	6

Additionally, the following LUB regulation is pertinent to this report:

7.1 REQUIREMENTS FOR PARKING AND LOADING SPACES

TABLE 3: MINIMUM NUMBER OF PARKING SPACES FOR AUTOMOBILES, DISABLED PARKING AND BICYCLES			
LAND USE	Number of Automobile Parking Spaces Required	Number of required Automobile Parking Spaces which must be designed for use by the disabled	Number of Bicycle Parking Spaces Required
RESIDENTIAL			
<i>Single-family dwelling</i>	2 per unit	0	0
GENERAL EMPLOYMENT			
Storage	1 per employee	5%*	0

The following LUB regulations (prior to adoption of Bylaw No. 489 in July 2020) are pertinent to this report:

9.2.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

	C6
Setbacks and Siting	
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply in the specific <i>zone</i> indicated:	
Minimum <i>Rear lot line</i> setback abutting a <i>commercial</i> or <i>industrial zone</i> (metres)	6.1
Minimum <i>Interior side lot line</i> setback abutting <i>commercial</i> or <i>industrial zone</i> (metres)	6.1
Minimum <i>Exterior side lot line</i> setback (metres)	6.1

Issues and Opportunities

Visibility from Public Areas

Staff note the development, in its present configuration, is less visible from public properties or other properties than when initially constructed on the vacant lot as the siting and construction of the accessory dwelling unit subsequent to the installation of the Commercial Container Mini-Storage has greatly reduced the visibility of the development. However, staff note this reduction in visibility has been achieved by way of altering the existing site topography (which is at variance with DPA2 guidelines E.2.6.2 and E.2.6.3), not installing a peaked roof with similar design to neighbouring structures (which is at variance with DPA guidelines E.2.6.5 and E.2.6.6), and constructing an unlawful retaining wall (which is at variance with DPA2 guidelines E.2.4.1), . Retention of the vegetative buffer along the front lot line setback, partial vegetative buffer along the undeveloped portion of Atkins Road, and a cedar hedge along Knott Road by the interior side lot has also reduced visibility from the public road, pathway and other properties.



Figure 6: Subject Property Viewed from Rainbow Road

Vegetation Buffer in MoTI Right of Way

The LUB requires vegetation screens in a buffer area of any lot occupied by general employment uses where the lot adjoins non-general employment zones, which permit agriculture. Both the lots north and east of the subject

property zoned to permit agriculture (and are within the Agricultural Land Reserve) with primary use of the areas closest to the subject property utilized as an automotive garage and campground respectively. The subject property does not adjoin these properties as Rainbow Road and an undeveloped section of Atkins Road separate them. As such, Section 3.4 of the LUB does not apply, however, applicable DPA2 guidelines speak to landscaping for general employment areas visible from public areas (Section E.2.8). A portion of the general employment development is visible from the undeveloped portion of Atkins Road. The siting of the building, one-way road system around the development and retaining wall impedes the installation of landscaping on the subject property where the general employment use is taking place. The existing (and proposed) landscaping has been installed on the MoTI right of way by the neighbouring property (Figure No. 3, 7 & 8, Appendix No. 3). Staff corresponded with MoTI who advised “the Ministry would prefer to not have a vegetative buffer planted on the right of way and that it be planted within the property boundary”. Should MoTI develop this section of Atkins Road at a future time, the existing (and proposed) landscaping could be removed. The SS LTC could not include the vegetation buffer in the MoTI right of way or along Knott Place as conditions in the DP as this would be *ultra vires*. As such, the DP can only speak to landscaping on the subject property (Section 3.2 of Appendix No. 6).



Figure 7 & 8: Vegetative Buffer on Neighbouring Road Dedication to the East of the Subject Property

Access to the Subject Property

DPA2 guidelines E.2.5.2 & E.2.5.3 speak to maneuverability for trucks and access for emergency vehicles. The entrance to the subject property is narrow due to the siting of a BC hydro pole and fence forming part of the Ganges Village pathway network, which fronts Rainbow Road (Figure No. 6). The development is not accessible from Knott Place, which is directly adjacent to the subject property. MoTI has granted the applicant a permit, which authorizes “the installation, operation, and maintenance of a secondary access to allow delivery vehicles to exit the property within the Atkins Road dedication”. Notwithstanding, as the neighbouring property is using portions of the MoTI right of way, the commercial access granted by MoTI is unutilized. The SS LTC could consider requesting the applicant obtain a letter from emergency service operators such as Salt Spring Island Fire Rescue, the Royal Canadian Mounted Police, and/or BC Ambulance Service to determine whether DPA2 guideline E.2.5.3 has been satisfactorily met. Additionally, CRD Building Inspection has noted Building Permits require consideration for emergency access to commercial buildings. The SS LTC could also consider referring these applications to the Salt Spring Island Transportation Commission for comment per OCP Policy C.2.2.2.4 in respect to access to the subject property. Staff note the nature of the business (Commercial Container Mini-Storage) likely limits traffic to the 14 renters of the units and has likely supplied the required volume of parking on the subject property (3 required, 4 likely provided) in accordance with Table 3 under Section 7.1 of the LUB.

Industrial Land Uses Bylaw Adoption and Siting of the Retaining Wall

In July 2020, the associated bylaws of the Industrial Lands Project were adopted which, in part, amended Industrial and select Commercial zones to General Employment (GE) zones within the LUB on Salt Spring Island. The 2018 Building Permit referral was assessed against the subject property’s zoning at the time, which was Commercial 6 (C6). Staff have included a pre-adoption excerpt of the setbacks and siting section of Subsection 9.2.2 (Size, Siting and Density of Permitted Uses, Buildings and Structures [Commercial Zones]) in the “Land Use Bylaw” section. At time of development when the retaining wall was installed, a setback of 6.1 metres was required for the rear, exterior side and interior side lot lines (abutting a commercial or industrial zone). With the adoption of Bylaw No.

489, the setbacks were reduced to 3 metres for the rear and interior side lot line (abutting a general employment zone) and 6 metres for the exterior side lot line. Notwithstanding, the retaining wall was constructed along the lot line (a setback of 0 metres). Staff advised the applicant a reduction of a setback to the exterior side lot line (undeveloped section of Atkins Road) would require a MoTI encroachment permit. On April 28, 2021, MoTI granted permit 2021-02299 (Appendix No. 4) which permits “the construction of a structure, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow a partial retaining wall to be built within 4.5 meters of Atkins Road at 317 Rainbow Road, Spring Island, as shown on drawing 0677-02-BLC and per application dated March 18, 2021.” Staff note the requirement for a DVP to vary lot line setbacks is at variance with DPA2 guideline E.2.4.1 and is incidental to DPA2 applicability as the level area created by the retaining wall (which is at variance with DPA2 guideline E.2.6.3) encompasses the development under consideration.

Precedent Setting and Public Perception

The applicant was made aware by planning staff during the 2018 Building Permit submission that the original configuration of the Commercial Container Mini-Storage would have required a DP and the applicant amended the submission (from 14 sea cans to 12 sea cans) to reduce the total floor area. Notwithstanding, once approval was granted, the applicant reverted to the original configuration (14 sea cans), thereby requiring a retroactive DP. The SS LTC should note the discretion of local governments in the issuance of Development Permits is limited to evaluation of the application against the relevant DPA guidelines.

Consultation

In accordance with [Section 499\(3\)](#) of the *Local Government Act* and Section 8 of the [Salt Spring Island Development Procedures Bylaw No. 304](#), statutory notice of the proposed variance was mailed to all owners and tenants in occupation of properties within 100 metres of the subject property’s boundaries on August 16, 2021.

No correspondence has been received at time of submission of this report. Staff will verbally indicate if any correspondence has been received subsequent to submission of this report at the SS LTC meeting.

Agencies

This application does not require agency referrals. However, staff have worked closely with the CRD Building Inspection office in respect to the concurrent Building Permit review.

First Nations

This proposal does not require First Nations referral.

Rationale for Recommendation

The APC comprises of a panel of community members, which are generalists or experts in the fields of environment, design, or planning. Referring the application to the APC for their comment on the DPA2 guidelines, which the application is at variance with or may be at variance with would provide the SS LTC and staff with their invaluable insights into the nuances of the application prior to final consideration.

ALTERNATIVES

The SS LTC may consider the following alternatives to the staff recommendation:

1. Approve the application

The SS LTC may approve the both the DP (Appendix No. 6) and the DVP (Appendix No. 7). Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2021.3 (317 Rainbow Road).

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.14 (317 Rainbow Road).

2. Deny the application

The SS LTC may deny one or both applications. Staff advise that the implication of this alternative is that the files would be closed and Bylaw Compliance and Enforcement would be informed of the outcome. The applicant could remove two of the sea cans as per the original approved 2018 Building Permit referral, which would remove the requirement for a DP (although the unlawful retaining wall would still require a DVP). The applicant could choose to make an application to the Board of Variance for the siting of the retaining wall if hardship can be demonstrated. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of SS-DP-2021.3/SS-DVP-2021.14 for the following reasons: [list reasons] (317 Rainbow Road).

3. Request further information

The SS LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased costs to the applicant. If selecting this alternative, the SS LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-DP-2021.3 & SS-DVP-2021.14, 317 Rainbow Road).

NEXT STEPS

If the recommended resolution is adopted, the application will be forwarded the APC for their review and comment and will return to the SS LTC for reconsideration at a future date.

Submitted By:	Kristine Mayes, Planner 1	August 17, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 18, 2021

APPENDICES

1. DPA2 Guidelines
2. Site Context & Photographs
3. Vegetation Planting Letter
4. MoTI Encroachment Permit
5. OCP Policies
6. Proposed Development Permit
7. Proposed Development Variance Permit

ATTACHMENT 1 – DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 2 – NON-VILLAGE COMMERCIAL AND INDUSTRIAL

E.2.3 Objectives of this Development Permit Area

- E.2.3.1** To ensure that the commercial and *general employment* businesses allowed in rural and residential neighbourhoods can develop with the least impact on neighbouring properties.
- E.2.3.1** To ensure that the commercial and *general employment* businesses allowed in rural and residential neighbourhoods can develop with the least impact on neighbouring properties.
- E.2.3.3** To protect nearby *agricultural lands* (including their water supplies) and to reduce the potential for conflicts between agricultural activities and higher density settlement areas.

Guideline	Complies	Comments
E.2.4 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	Staff Comments: the retaining walls (structures) in the rear of the property are sited within the rear and interior lot line setbacks in contravention of subsection 9.7.2 which requires a rear and interior side lot line setback of 3 metres and an exterior side lot line setback of 6 metres.
E.2.4.2 Site access to commercial and <i>general employment</i> properties should maintain the character of the surrounding neighbourhood as much as possible; there should ideally be only one access to a commercial or <i>general employment</i> property from the public street.	Yes	Staff Comments: there is one access to the property along Rainbow Road.
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 <i>docks</i> , garbage and recycling containers and other service areas so that visual and noise impacts are minimal.	Yes	Staff Comments: the development is visible from the road and neighbouring properties and is partially obscured by the dwelling.
E.2.4.4 An effective vegetation screen, providing a visual barrier, noise abatement, and dust barrier, as required, should be maintained along any boundary with a non-commercial or non- <i>general employment</i> property.	Yes	Staff Comments: the subject property does not adjoin non-commercial and non-general employment properties. The subject property has a vegetative screen along the front lot line and partial screening along the interior side and rear lot line. There is some screening along the exterior side lot line with the neighbouring property planting along the edge of the MoTI Right of Way (ROW).
E.2.4.5 Developments adjoining <i>agricultural lands</i> should be designed to minimize conflicts with that land. The location of access roads, the siting of structures and the layout of subdivisions should follow the edge planning guidelines developed by the Ministry of Agriculture and Lands and the Agricultural Land Commission as a guide to implementing the <i>Farm Practices Protection (Right to Farm) Act</i> (MAFF, 1996). Site designs should allow for a vegetated buffer, as outlined in Guideline E.2.8.7.	Yes	Staff Comments: the subject property does not adjoin agricultural lands but is sited across the road from two agricultural properties - one operating a campground and the other a vehicle repair. There is a narrow vegetative buffer on the MoTI ROW between the subject property and agricultural property operating the campground.
E.2.4.6 Where the subject property adjoins <i>agricultural land</i> , building setbacks for <i>general employment</i> and commercial uses should be at least 15 m from the property line, to be consistent with the Guide to Edge Planning (2015), developed by the BC Ministry of Agriculture.	Yes	Staff Comments: the subject property is across the road from two agricultural properties, which serve as a minimum 15-meter buffer to those properties.

E.2.5 Guidelines for Offstreet Parking, Location and Design		
E.2.5.1 Commercial and <i>general employment parking</i> lots with more than 15 spaces should be screened from adjacent streets and homes. If this is not possible, the lot should be landscaped to break up large continuous parking areas.	N/A	Staff Comments: Not Applicable (15+ spaced not requires for development)
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.	maybe	Staff Comments: one way road system around building
E.2.5.3 Emergency vehicles should be able to readily reach all parts of the development	maybe	Staff Comments: not enough information is available to determine compliance with this guideline.
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	Staff Comments: the building does not exceed the permitted 7.6 metres.
E.2.6.2 On sloping land, horizontal modulation (stepped buildings) should be used so buildings and structures conform to the site.	No	Staff Comments: the site topography was extensively altered and retaining walls constructed to create a flat area for the building.
E.2.6.3 Existing site topography and landscape should not be altered and should be complemented by proposed structures.	No	Staff Comments: the site topography was extensively altered and retaining walls constructed to create a flat area for the building.
E.2.6.4 Where development is allowed along shorelines, it should be designed to conform to, rather than conceal the natural contours of the land that borders the shoreline.	N/A	Staff Comments: Not Applicable
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	Staff Comments: the building has a long and homogenous façade; however, for the most part it is screened from view.
E.2.6.6 Where practical, building roofs should be similar in design to those on neighbouring structures.	No	Staff Comments: surrounding roofs are pitched (whereas the roof on the storage units is flat.
E.2.6.7 Roof-top mechanical equipment (satellite dishes, air-conditioning) should be screened from view.	N/A	Staff Comments: Not Applicable (flat roof)
E.2.6.8 Large areas of curtain-wall glazing should not be used.	Yes	
E.2.6.9 All portions of a building should be authentic, functional space - artificial or contrived architectural features should not be included in building designs.	Yes	
E.2.7 Guidelines for Building Exteriors		
E.2.7.1 Where a large new commercial service or <i>general employment building</i> is visible from public streets, an effort should be made to make it unobtrusive.	Yes	Staff Comments: the development is visible from the road however it is unobtrusive as the storage units are one story, are partially obscured by the dwelling and are grey in colour.
E.2.8 Guidelines for Landscaping and Parking Lot Surfaces		
E.2.8.1 Where large new commercial or <i>general employment</i> developments are visible from streets or other public areas, site landscaping should be installed before issuance of the <i>building</i> 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.	maybe	Staff Comments: site landscaping is mostly in place and building occupancy has not yet been granted.

E.2.8.2 Where landscaping of large new commercial and <i>general employment</i> areas is visible from public areas, informal, natural landscaping with native species is encouraged as opposed to formal, decorative plantings.	maybe	Staff Comments: site landscaping is mostly in place and consists of natural landscaping along the front lot line and a partial formal cedar hedge along the interior side lot line with informal grasses and blackberries on the remainder of the interior side and rear lot lines. The exterior side lot line is a mix of native and non-native species planted informally.
E.2.8.3 New plant materials should be chosen with a view to conserve water.	maybe	Staff Comments: the applicant has supplied a vegetation planting letter from the neighbouring property indicating their intent to plant a hedge along the berm separating the two properties. Staff note the intended planting area is located in the MoTI ROW.
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.	N/A	Staff Comments: the development is not next to creeks and lakes but is in somewhat close proximity to a RAR ditch.
E.2.8.5 Where practical, special care should be taken to retain existing vegetation and incorporate it into new development.	N/A	Staff Comments: development has already occurred.
E.2.8.6 Fencing should be natural in appearance and coordinated with the design of the main building	maybe	Staff Comments: the applicant intends to construct a wooden fence between the dwelling and general employment building.
E.2.8.7 Where the property being subdivided or developed adjoins a property zoned for residential or commercial guest accommodation uses, a vegetated buffer of at least 3 m is to be planted or retained. The buffer width should increase to at least 7.5 m where <i>general employment</i> or commercial uses (with the exception of a farm business) are not contained within a <i>building</i> .	Yes	Staff Comments: the subject property does not adjoin lands with a commercial guest accommodation use but is sited across the road from a campground, which serve as a minimum 3-meter buffer. There is a narrow vegetative buffer on the MoTI ROW between the subject property and agricultural property operating the campground.
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.	Yes	Staff Comments: Not Applicable (no lights)
E.2.9.2 Light fixtures should be carefully chosen to focus light on the area to be illuminated.	Yes	Staff Comments: Not Applicable (no lights)
E.2.9.3 Incandescent fixtures are preferred.	Yes	Staff Comments: Not Applicable (no lights)
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	Staff Comments: Not Applicable (no lights)
E.2.10 Guidelines for Signs		
E.2.10.1 Total sign area should not exceed that permitted by local bylaws.	Yes	Staff Comments: sign does not exceed LUB.
E.2.10.2 Signs should not be placed more than 5 m above the ground.	Yes	
E.2.10.3 Plastic, back lit signs should not to be used.	Yes	
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	

E.2.11 Guidelines for Subdivision		
E.2.11.1 Land in this Development Permit Area should not be subdivided so that parking becomes visible from public streets and neighbouring properties, if it had been screened to meet the guidelines of this Area.	N/A	Staff Comments: Not Applicable
E.2.11.2 When land that is zoned for <i>general employment</i> or commercial service use is subdivided, lot configuration should encourage the development of a single entrance from the public street. An internal circulation system should be developed that does not require vehicles to manoeuvre outside the property. New lot sizes and shapes should ensure that a vegetation buffer can be maintained along the border with neighbouring properties.	N/A	Staff Comments: Not Applicable
E.2.12 Guidelines regarding Stormwater Drainage and Water Pollution		
E.2.12.1 New commercial or <i>general employment</i> 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 <i>agricultural lands</i> or watercourses that either adjoin the development or are located in the same watershed.	N/A	Staff Comments: Not Applicable
E.2.12.2 Developments that would create less than 280 m ² of <i>impervious surface</i> area should not alter drainage in a way that would cause detrimental impacts on other properties, including <i>agricultural land</i> . The Local Trust Committee could request that a drainage plan be prepared by a Professional Engineer to assist in establishing development permit conditions related to drainage.	N/A	Staff Comments: Not Applicable
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 <i>agricultural land</i> or fishbearing watercourses because of water pollution.	maybe	Staff Comments: the development has a French drain emptying into a ditch alongside Knott Place, which leads into a RAR designated ditch. The RAR ditch travels east, past agricultural lands. The driveway surface is composed of semi-impermeable material (gravel). The development (storage) is unlikely to result in pollution of surface of groundwater supplies.
E.2.12 Guidelines regarding Stormwater Drainage and Water Pollution		
E.2.13.1 New commercial composting facilities, subject to the Capital Regional District Composting Facilities Regulation Bylaws, should be buffered from neighbouring uses in a manner consistent with the Compost Facility Requirements Guideline: How to Comply with Part 5 of the <i>Organic Matter Recycling Regulation</i> (Ministry of Water, Land and Air Protection, 2004).	N/A	Staff Comments: Not Applicable

ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	Lot B Section 1 Range 2E North Salt Spring Island Cowichan District Plan VIP66899
PID	024-113-131
Civic Address	317 Rainbow Road, Salt Spring Island


LAND USE

Current Land Use	Residential – Storage Units & Dwelling Unit
Surrounding Land Use	<p>General Employment, Community Facilities, Agriculture & Parkland</p>  <p><i>Islands Trust Zoning Map (subject property indicated in yellow)</i></p>  <p><i>Islands Trust Orthophoto (subject property indicated in yellow)</i></p>

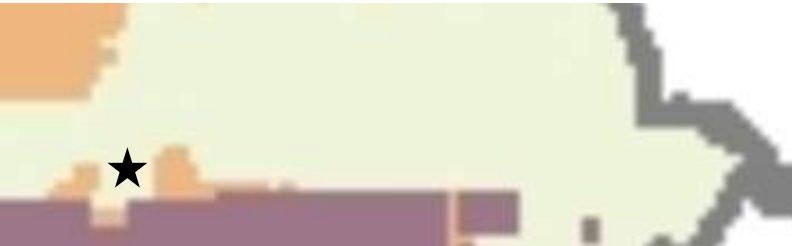
HISTORICAL ACTIVITY

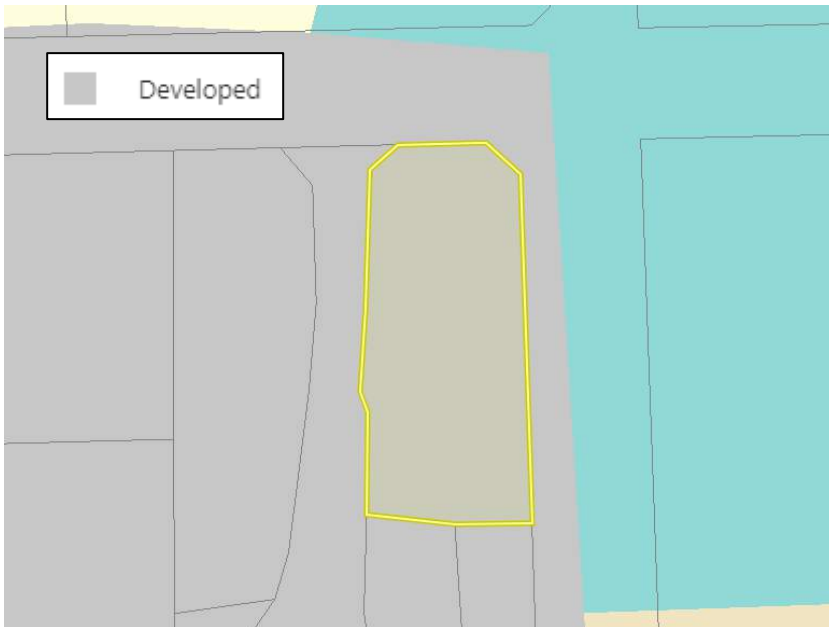

File No.	Purpose
SS-DP-2017.1	<i>Commercial Kitchen Development with Storage (File Withdrawn)</i>
SS-TUP-2017.1	<i>Commercial Kitchen (File Withdrawn)</i>
SS-BP-2018.105	<i>Proposing to Construct Commercial Mini Storage</i>
SS-BP-2019.15	<i>Proposal to Construct Accessory (Single-Family) Dwelling Unit</i>
SS-BP-2020.121	<i>Proposal to Construct Deck attached to Single-Family Dwelling</i>
SS-BP-2021.20	<i>Concurrent Building Permit Review</i>

POLICY/REGULATORY

Official Community Plan Designations	<p>General Employment and Commercial Services (GE)</p> <ul style="list-style-type: none"> Development Permit Area 2 – Non-Village Commercial & Industrial Development Permit Area 7 – Riparian Areas 
Land Use Bylaw	General Employment 1 variant b (GE1(b))
Other Regulations	None
Water Service Area	North Salt Spring Waterworks District
Title Charges	M76303: Undersurface Rights
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
Regional Conservation Strategy	<p>The subject property is primarily within the LOW relative value area for important natural areas in the Salt Spring Island Local Trust Area.</p> 

Species at Risk	<p>SAR (Public) Species: None Currently Mapped</p> <p>SAR (Public) Ecological Community: Grand Fir / Dull Oregon-grape</p>
Sensitive Ecosystems	<p>SEI: None Currently Mapped</p> <p>Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped</p> <p>RAR Watercourse: Yes (along Rainbow Road)</p> <p>ITEM: Rural</p>  <p><i>Islands Trust Ecosystem Mapping (ITEM)</i></p> <p>Islands Trust Protected Areas mapping indicates the following mapped categories surrounding or in close proximity to the subject property: Community Parks</p> 
Hazard Areas	None
Archaeological Sites/Potential	<p>Remote Access to Archaeological Data (RAAD) mapping indicates the subject property is located within 100m of areas of archaeological potential.</p> <p>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.</p>

Climate Change Adaptation and Mitigation	The subject property ranges in elevation from approximately 31 metres to 41 metres above sea level and is located approximately 900m from the nearest bus route.
Shoreline Classification	<i>Not Applicable</i>
Shoreline Data in TAPIS	<i>Not Applicable</i>

PHOTOS



Commercial Mini Storage (and Retaining Wall) on Subject Property



Commercial Mini Storage (and Retaining Wall) on Subject Property



Ditch on Neighbouring Strata Property and West Vegetative Buffer



Vegetation on Neighbouring Strata Property



Commercial Mini Storage (and Parking) on Subject Property



East Vegetative Buffer on Neighbouring Road Dedication



North Vegetative Buffer Along Public Pathway



North Vegetative Buffer and Ditch Along Public Pathway



Signage, Vegetative Buffer and Public Pathway/Roadway



View of Subject Property from Public Pathway



Subject Property Viewed from Opposite Side of Rainbow Road



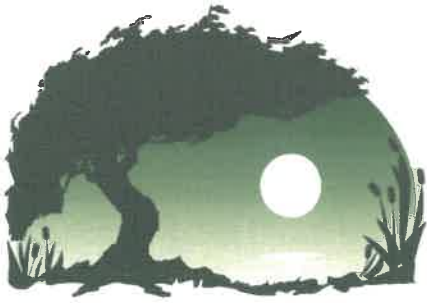
Subject Property Viewed from Corner of Rainbow & Atkins Roads



Subject Property Viewed from Opposite Side of Rainbow Road



Subject Property Viewed from Corner of Rainbow & Atkins Roads



GARDEN FAIRE

gallery & nursery
"WHERE IDEAS GROW"

305 Rainbow Road, Salt Spring Island, B.C. V8K 2M3 • Tel: (250) 537-4346 • Fax: (250) 537-1679

March 2, 2021

To whom it may concern,

This is to confirm our intention to plant a hedge along the berm that separates 321 Rainbow Road from the public parking area that lies to the east. Work to be done early March (2021) with additional interplanting to be done in Fall (2021).

Walter Davis & Shirley Taylor
Property owners at 305 Rainbow Road



BRITISH
COLUMBIA

Ministry of
Transportation

Permit/File Number: 2021-02299

Office: Saanich Area Office

PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Saanich Area Office
240-4460 Chatterton Way
Victoria, British Columbia V8X 5J2
Canada

("The Minister")

AND:

H. Hazenboom Construction Ltd.
Box 374
Salt Spring Island, British Columbia V8K 2W1
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The construction of a structure, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow a partial retaining wall to be built within 4.5 meters of Atkins Road at 317 Rainbow Road, Spring Island, as shown on drawing 0677-02-BLC and per application dated March 18, 2021.

- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
3. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
4. The Permittee shall obtain and maintain Commercial General Liability insurance including non-owned automobile and contractual liability insurance in an amount of not less than \$2,000,000.00. The insurance shall comply with all terms and conditions of the Ministry Certificate of Insurance (H0111) and evidence of such insurance shall be given by way of a duly completed H0111. All insurance coverage shall be issued with insurers acceptable to the Ministry, and issued by companies



BRITISH
COLUMBIA

Ministry of
Transportation

Permit/File Number: 2021-02299

Office: Saanich Area Office

licensed to transact business in the Province of British Columbia and Canada.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Victoria, British Columbia, this 28 day of April, 2021

Halley Leech
On Behalf of the Minister

ATTACHMENT 5 – POLICIES

OFFICIAL COMMUNITY PLAN NO. 434

OCP Objective/Policy	Complies	Planner Comments
Policy A.7.2.2 The Local Trust Committee will continue to require applicants for large new commercial, <i>general employment</i> or multifamily developments in village areas to ensure their development does not increase flooding of downslope properties. Such effects will be managed through the Development Permit process or through Land Use Bylaw regulations.	yes	This is a combination DP/DVP application.
Objective B.3.3.1.1 To provide an adequate amount of land zoned for <i>general employment</i> use that is affordable, appropriately services and well located to accommodate local economic development.	yes	
Objective B.3.3.1.2 To accommodate additional commercial and <i>general employment</i> land uses where there is a community need, with a preference for those with a low demand for transportation and energy infrastructure requirements. To carefully consider the addition of other clustered sites for <i>general employment</i> operations, to keep needed businesses on the island or to attract needed businesses onto the island.	yes	
Objective B.3.3.1.3 To ensure that <i>general employment</i> uses are located in a way that reduces impacts on neighbouring properties and the natural environment.	maybe	Landscaping would reduce impacts on neighbouring properties and the natural environment
Objective B.3.3.1.5 To allow for the development of affordable homes in combination with <i>general employment</i> land uses.	yes	The subject property contains a dwelling unit.
Policy B.3.3.2.2 Zones within the General Employment and Commercial Services Designation will continue to allow a variety of <i>general employment</i> and commercial uses.	yes	
Objective C.2.1.1.4 To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.	maybe	Access to the subject property is narrow due to the siting of a BC hydro pole and fence forming part of the Ganges Village pathway network.
Objective C.2.2.1.2 To preserve the scenic rural character of existing island roads.	maybe	Landscaping would preserve scenic rural character of existing roads.
Objective C.2.2.1.6 To give special attention to the creation of safe pedestrian footpaths and bicycle paths in all areas, particularly in or near village areas. To encourage responsible agencies ensure that roads and high speed traffic do not act as barriers to the social and business functions of villages.		The subject property is located along the Ganges Village pathway network with access to the property over the pathway.
Objective C.2.2.1.7 To support the safe delivery of emergency services to residents.	maybe	See DPA2 guideline E.2.5.3
Policy C.2.2.2.4 The Local Trust Committee will seek community advice regarding land transportation issues through the Salt Spring Island Transportation Commission.	maybe	The SS LTC could consider referral of these applications to the SSITC for comment in respect to access to the subject property.
Objective C.2.3.1.4 To reduce the visual, environmental and social impacts of automobile parking areas	maybe	Landscaping would reduce the visual, environmental and social impacts of automobile parking areas
Objective C.2.3.1.5 To provide off-street parking and loading spaces sufficient to provide for the needs of various land uses. To do so in a way that protects the safety of public roads and pedestrian routes.	maybe	Access to the subject property is narrow due to the siting of a BC hydro pole and fence forming part of the Ganges Village pathway network.

Policy C.2.2.2.8 The Local Trust Committee will support a review of the routing of and rationale for the development of an alternate route (Main Rural standard) around the Ganges Village Core, in consultation with the Ministry of Transportation and Infrastructure and the Salt Spring Island Transportation Commission. Such a route should only be developed where impacts on parks, the environment and lands within the Agricultural Land Reserve can be minimized. Zoning amendments which would increase the area of commercial or <i>general employment</i> development next to the route should be avoided. An exception could be light industrial or other <i>general employment</i> development near the intersection of Rainbow and Atkins roads.	unknown	The Rainbow Road/Atkins Road area could be
Policy C.2.2.2.11 The Development Permit process will continue to include objectives and guidelines to encourage new commercial, <i>general employment</i> and multi-family developments to support pedestrian and bicyclist use. Development permit area guidelines should include construction of safe pedestrian walkways to the nearest main road or pathway, in consultation with the Ministry of Transportation and Infrastructure and the Salt Spring Island Transportation Commission.	yes	The subject property is located along the Ganges Village pathway network with access to the property over the pathway.
Policy C.3.2.2.6 The Local Trust Committee will continue to encourage water <i>conservation</i> through guidelines for xeriscape landscaping of commercial, <i>general employment</i> and multi-family developments in island villages.	unknown	The site plan nor vegetation letter specifics this information. The subject property is outside the boundaries of but is in close proximity to Ganges Village.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.3

TO: H. HAZENBOOM CONSTRUCTION LTD.

1. This Development Permit (the "Permit") applies to the land described below:
PID: 024-113-131
LEGAL DESCRIPTION: Lot B Section 1 Range 2E North Salt Spring Island Cowichan District Plan VIP66899
2. This Permit is authorized in accordance with the following schedules attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:

Plan No. 1	Site Plan
Plan No. 2	Building Elevations and Floor Plans
3. Development within Development Permit Area 2 (DPA2), as described and illustrated in the site plan and building plans is permitted in accordance with the following conditions:
 - 3.1 Site Plan**
 Development of general employment space greater than 185 square metres in gross floor area that is visible from public areas or other public areas on the subject property shall be in substantial accordance with Plan Nos. 1 and 2.
 - 3.2 Landscaping**
 Landscaping on the subject property shall be in substantial accordance with Plan No. 1.
4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District, Ministry of Transportation and Infrastructure, Ministry of Environment and Climate Change Strategy, and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch).
6. Any further development, redevelopment or changes to this permit including the siting of buildings, structures, and landscaping on this property may require a new Development Permit or a Development Permit Amendment.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.3

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.

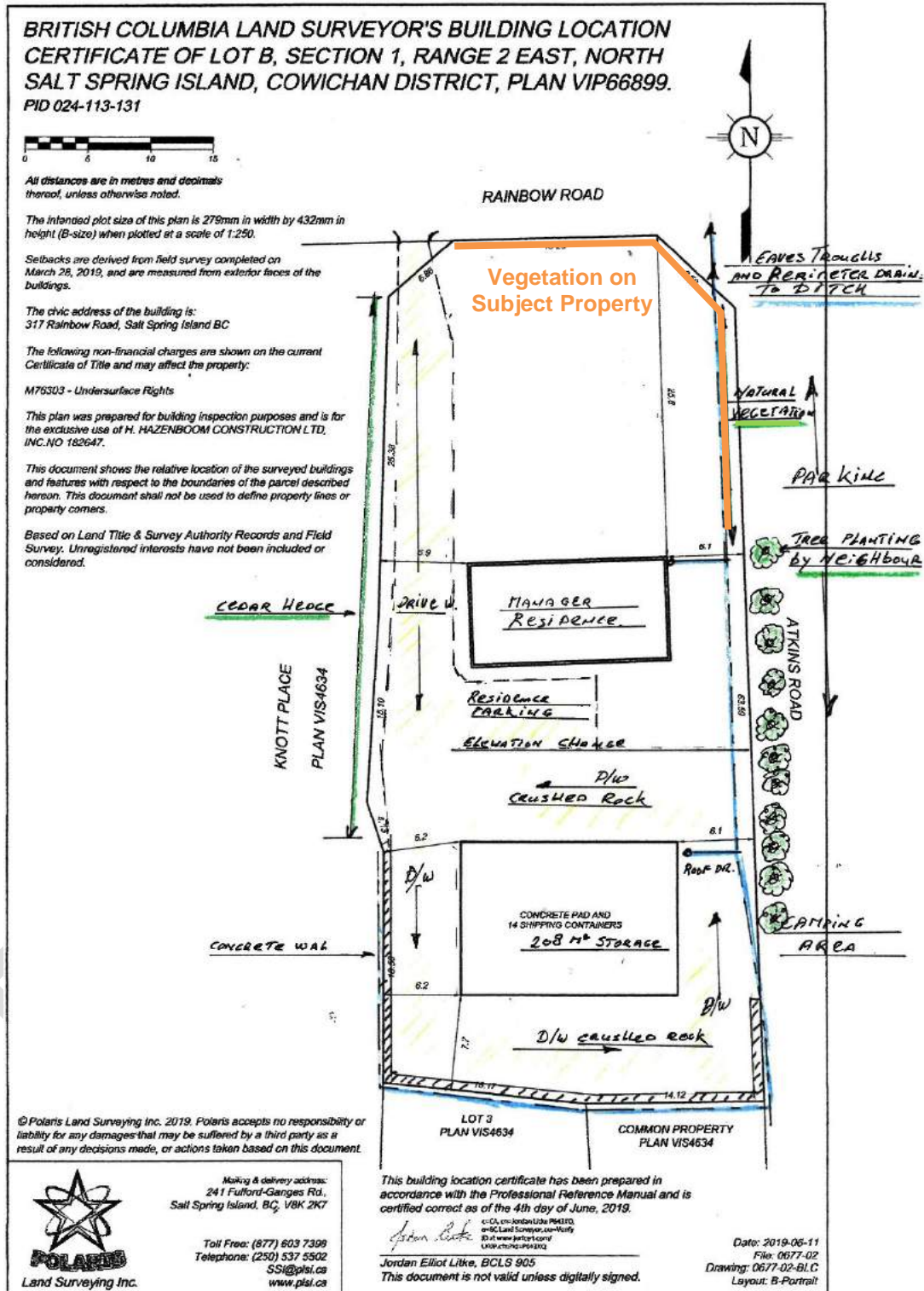
PROPOSED

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2021.3

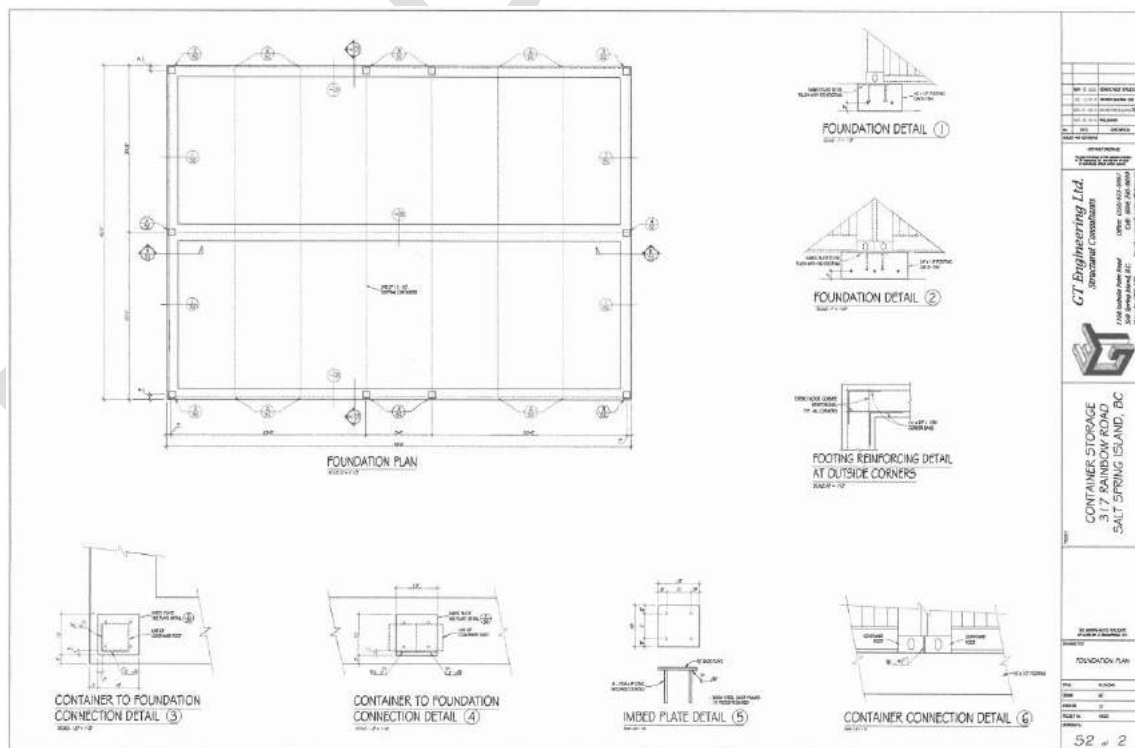
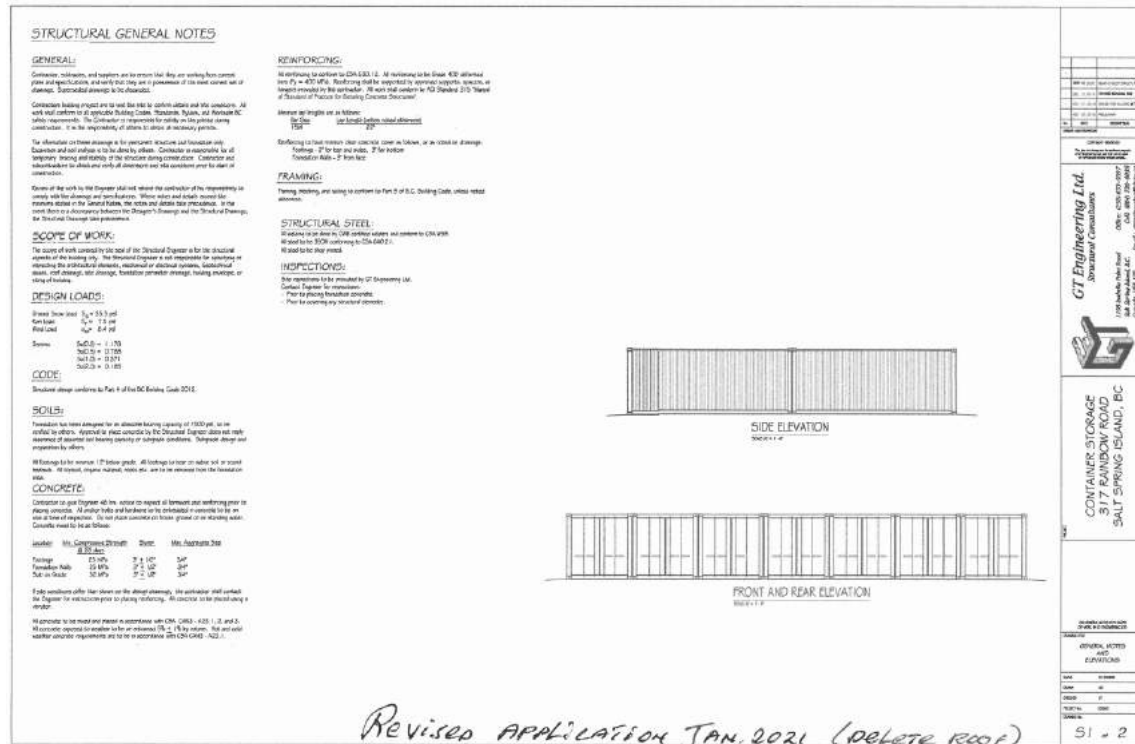
PLAN NO. 1: Site Plan





**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT SS-DP-2021.3**

PLAN NO. 2: Building Elevations and Floor Plans



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.14

TO: H. HAZENBOOM CONSTRUCTION LTD.

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 024-113-131
LEGAL DESCRIPTION: Lot B Section 1 Range 2E North Salt Spring Island Cowichan District Plan VIP66899
2. This Permit is authorized in accordance with the following plan attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:
 Plan No. 1 Site Plan, dated June 11, 2019
3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:

9.7 GENERAL EMPLOYMENT ZONES

9.7.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

- (1) Subject to Part 4 General Regulations (Siting), *buildings* and *structures* in the General Employment zones must comply with the following regulations regarding size, siting and density:

	GE1
Setbacks	
Despite Subsection 4.3.1, the following <i>lot line</i> setbacks apply for the specific <i>zone</i> indicated:	
Minimum rear <i>lot line</i> setback abutting a lot in a <i>General Employment zone</i> (metres)	3
Minimum interior side <i>lot line</i> setback abutting a lot in a <i>General Employment zone</i> (metres)	3
Minimum exterior side <i>lot line</i> setback (metres)	6

The above article is varied to reduce the setback for an existing retaining wall *structure* as follows:

- a. within a *rear lot line* from 3.0 m to 0.0 m;
- b. within an *interior side lot line* from 3.0 m to 0.0 m; and
- c. within an exterior side lot like from 6.0 m to 0.0 m

in accordance with Plan No. 1 forming part of and attached to this permit.

4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.14

5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District, Ministry of Transportation and Infrastructure, Island Health, and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch).
6. 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

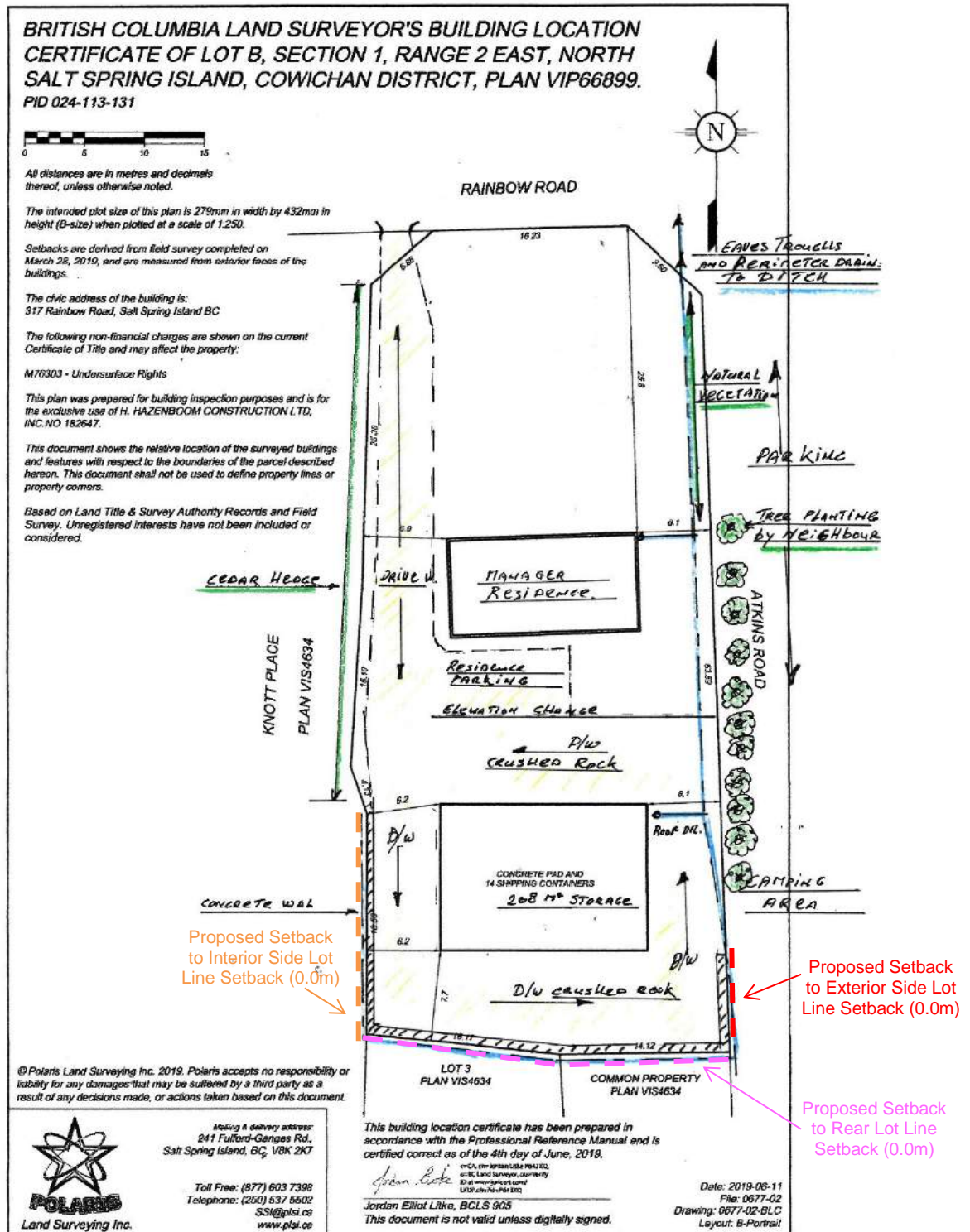
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____,
20____, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.14

PLAN NO. 1: Site Plan





File No.: SS-DVP-2020.16

X-Ref: SS-BP-2020.105 & SS-BE-2018.21

DATE OF MEETING: August 31, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Development Variance Permit to Make Lawful Four Separate Rooms in an Accessory Building, Make Lawful Total Floor Area of all Accessory Buildings Exceeding 70 Square Metres, and Make Lawful the Siting of a Building within an Interior Side Lot Line Setback.
Applicant: K. Pedersen
Location: 150 Menhinick Drive, Salt Spring Island, BC (PID: 003-629-261)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2020.16 (150 Menhinick Drive).

REPORT SUMMARY

This Development Variance Permit (DVP) application seeks to vary the [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) to (1) make lawful an accessory building with more than three separate rooms; (2) make lawful total floor area of all accessory buildings; and (3) make lawful the siting of an existing accessory building to an interior side lot line. Staff recommend issuance the DVP as the request is not contrary to or at variance with the [Salt Spring Island Official Community Plan No. 434](#) (OCP) policies and objectives (Appendix No. 1) and as the requests are relatively minor in nature.

BACKGROUND

The subject property (Figure No. 1 & 2) is located in south-east Salt Spring Island, 500 metres from the SṠÁUTW (Tsawout) First Nation Reserve. The 0.2-hectare (0.5-acre) lot is zoned Rural (R). A comprehensive analysis of the subject property and surrounding area can be found in Appendix No. 2.

In November 2020, a Preliminary Plan Review application (SS-BP-2020.105) was submitted to the Islands Trust for amendments to Capital Regional District (CRD) Building Permit SS10-327 for alterations to a Building Permit issued in November 2010. Staff reviewed the submission and noted subsequent to the enclosure of a previously open area between the lower and upper level, the floor area of the accessory building (garage) was determined to exceed 70 square metres and as such, a DVP would be required. On February 8, 2021, staff attended a site visit to the subject property where four separate rooms in the garage accessory building as well as an accessory building (studio) exceeding 25 square metres at the rear of the property were observed. The short-term vacation rental operated in the studio building is currently under investigation by Bylaw Compliance and Enforcement (BC&E) in accordance with [Standing Resolution](#) SS-2019-153 (SS-BE-2021.50). Lastly, in discussions with the CRD regarding the Building Permit history of the subject property, CRD staff noted concerns regarding a possible encroachment of the garage accessory buildings into the setback.

Subsequent to discussions with the applicant and following receipt of a BC Land Surveyor site plan, the application was revised to include a request to make lawful the siting of the garage to an interior side lot line setback from 3.0 metres to 2.8 metres. Additionally, the application addresses the total floor area for accessory buildings for both the garage and studio as well as the four separate rooms observed in the garage accessory building.



Figure 1: Zoning Map of Subject Property



Figure 2: 2017 Orthophoto of Subject Property

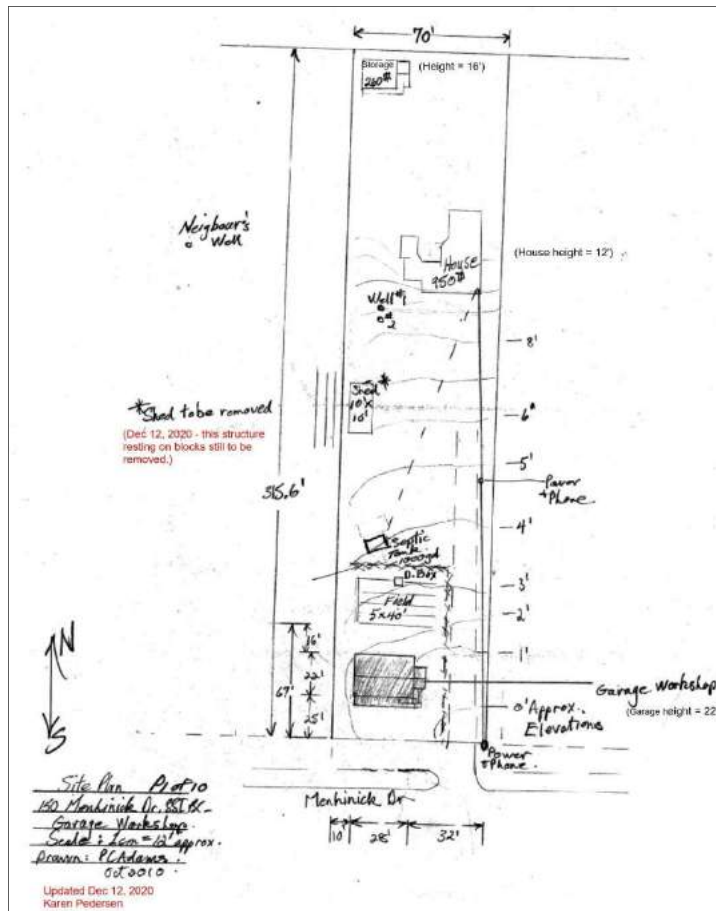


Figure 3: Hand-Drawn Site Plan for Subject Property

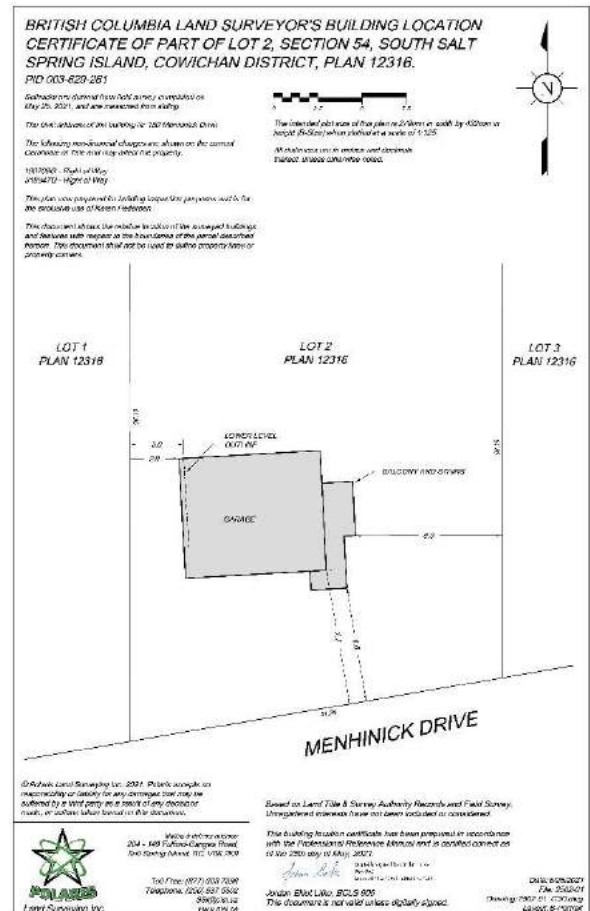


Figure 4: BCLS Site Plan for Garage Accessory Building

ANALYSIS

Policy/Regulatory

Granting a variance does not set a precedent and the Salt Spring Island Local Trust Committee (SS LTC) is unfettered in its ability to grant or deny variances. However, the granting of variances regarding setbacks may create expectation in the community with regard to future applications. The DVP process enables property owners to relax minor land use bylaw regulations, while providing certainty for adjacent property owners and minimizing negative impacts on neighbours.

Official Community Plan:

The subject property is designated Rural Neighbourhoods (RL) in the OCP. The objective for this designation is to continue to provide adequate land zoned for medium density residential use and other traditional and compatible rural land uses. See Appendix No. 1 for a full review of relevant OCP policies.

Land Use Bylaw:

The proposed development meets LUB regulations with the exception of the following:

“floor area” means the sum of the horizontal areas of all *storeys* of a *building* or *structure*, including *basements*, measured to the outer surface of the exterior walls and windows minus the average thickness of the walls; for this purpose all areas of a *building* having a floor and a ceiling at least 1.8 m apart constitute a *storey* and the horizontal area of all *buildings* where more than 60 per cent of the area between the roof and the floor is enclosed by walls and windows shall be included in the calculation of *floor area*.

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.

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*.

4.3.1 Unless otherwise specified, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:
(3) Setback from *interior side lot line*: 3.0 m

Additionally, the following LUB regulation is pertinent to this report:

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.

Lastly, the following definition and regulation from Land Use Bylaw No. 123 is pertinent to this report:

"Accessory Building" means a subordinate non-residential building or structure which is customarily accessory to the principal use being made of the land upon which it is located.

4.9 (2) Buildings accessory to a residential use shall not be used as a dwelling.

(3) Accessory buildings permitted in any zone:

(a) Height accessory building under this subsection shall not exceed 4.6 metres (15 ft.) in height or one storey;

(b) Floor area: the total combined floor area of accessory buildings under this subsection shall not exceed 54 square metres (580 sq. ft.) which shall not include the floor area of up to two (2) accessory buildings each having a floor area less than 20 square metres (215 sq. ft.).

Issues and Opportunities

Land Use & Building Permit History of the Subject Property

Staff have reviewed associated Islands Trust files and corresponded with the CRD to learn more about the land use history of the subject property:

Year	Islands Trust	Referred to IT	CRD Permit
1958	<i>Subdivision of Subject Property Registered at the Land Registry Office</i>	N/A	N/A
Unknown	<i>Construction of Single-Family Dwelling (SFD)</i> Note: CRD comments on file suggests SFD built prior to 1988 (no permit records). BC Assessment notes a year built date of 1968 (it should be noted BC Assessment information is generally supplied by property owners and it not verifiable).	N/A	N/A
Unknown	<i>Construction of 289-ft²/26.85m² Accessory Building (Studio)</i> Note: CRD comments on file suggests Studio built prior to 1988 (no permit records). Note: Applicant has provided a notarized affidavit noting the existence of a structure in 1972 where the studio building currently exists.	N/A	N/A
Unknown	<i>Construction of 180-ft²/16.72m² Accessory Building (Garden Shed)</i> Note: CRD comments on file suggests Garden Shed built prior to 1988 (no permit records).	N/A	N/A
1990	<i>Building Permit for Alteration of Existing Single-Family Dwelling (SFD)</i> Note: CRD comments on file suggests Garden Shed built prior to 1988 (no permit records). Note: Islands Trust comments on file: "permit application as submitted conforms to siting and use provisions of zoning bylaw for Salt Spring Island". Note: Applicant advised lived in Studio while the SFD was undergoing alterations.	Yes	35822

2010	Construction of 770-ft²/71.53m² Accessory Building (Garage) Note: floor are exceeds permitted 70m ² per LUB. Site Plan indicates 950-ft ² SFD, 260-ft ² Studio, and 180-ft ² Garden Shed.	No	SS10-327
2011	Alterations to Accessory Building (Studio) – 160-ft² Deck Repair without Permit	No	SS11-103

Staff note that had the garage accessory building been referred to the Islands Trust, the 71.53m² floor area would not have been permitted or more than three separate rooms. Following the site visit, staff requested the applicant provide a calculation of the floor area of the studio accessory building to accompany the floor area calculation of 71.8 square metres for the garage accessory building (Appendix No. 3) to ensure the studio building met the exemption under Subsection 3.12.5. The applicant advised the floor area for the studio accessory building was 26.85 square meters. Following a request for the building permit history for the subject property, the CRD advised the 1990 site plan referenced a size of 260 square feet (24.15 square metres) for the studio accessory building (which would have met the exclusion of one building with less than 25 square meters in floor area per Subsection 3.12.5). As such, the DVP as drafted varies the total floor area to 100 square meters for all accessory buildings and structures – 5 square meters more than currently permitted by the LUB. This would not include the garden shed accessory building which the applicant has indicated they will remove in accordance with the submitted site plan.

Establishing Lawful Non-Conformity

The onus is on a property owner to establish non-conformity – primarily by way of CRD Building Permit records, then dated photos and lastly by way of notarized affidavits from neighbours. Land use regulations have been in effect on Salt Spring Island for over 50 years – since January 13, 1971 – following the adoption of CRD Land Use Bylaw No. 66. Staff often work with applicants and members of the public to establish build dates and utilize tools such as file history and historic aerial imagery. However, in some cases there is not enough information to establish a date of construction such as in the case of the existing studio accessory building which encompasses a shower enclosure and kitchen on the subject property. The applicant had provided photos of the subject property taken in 1979 showing the single-family dwelling (Figure No. 5 & 6) and a notarized affidavit from a neighbouring property owner, which states in 1972 “...there was a structure at the high end of the lot, located close to the edge of the property farthest from the road”. Staff note that in 1972, CRD Land Use Bylaw No. 66 would have been in effect and the statutory declaration does not speak to the shower enclosure and kitchen, which are in contravention of Subsection 3.12.4. It is likely there have been improvements to this building over the past 50 years and historic building permit records identify this building as a storage shed. The applicant noted they occupied the studio accessory building as a dwelling during the 1990 building permit for the addition to the single-family dwelling. Land Use Bylaw No. 123, in effect in 1990, did not permit the use of accessory buildings as a dwelling (echoing Subsection 3.12.3 in the LUB). It did not however specifically prohibit a kitchen or bathroom as in comparison to Subsection 3.12.4 – in consideration of the active BC&E file, Planning and BC&E staff have agreed these elements could be considered lawful non-conforming, however, the use of this structure for residential or guest accommodation uses would not be permitted.



Figure 5: 1979 Photos of Subject Property Supplied by Applicant



Figure 6: 2021 Photo of SFD/Studio on Subject Property

Siting in a 3-Dimensional Context

During the construction of the garage accessory building, the CRD Building Inspector determined the building was constructed in the interior lot line setback. The applicant sought to address this contravention by way of moving

the foundation wall away from the property line (to 3 metres) with the upper floor overhanging into the setback (2.8 metres). A required setback area is considered in a three-dimensional space (measured on a horizontal plane) that is to be kept free of buildings and as such, the works did not solve the encroachment issue. Subsection 7.4.2 of the LUB permits certain building features to project 0.6 metres into a required setback area, however, the upper floor which projected into the interior side lot line would not be considered “chimneys, cornices, gutters, pilasters, sills, bay windows or ornamental features” or “steps, eaves, sunlight control projections, canopies, balconies, decks and porches”, thus requiring a variance.

Consultation

In accordance with [Section 499\(3\)](#) of the *Local Government Act* and Section 8 of the [Salt Spring Island Development Procedures Bylaw No. 304](#), statutory notice of the proposed variance was mailed to all owners and tenants in occupation of properties within 100 metres of the subject property’s boundaries on August 16, 2021.

No correspondence has been received at time of submission of this report. Staff will verbally indicate if any correspondence has been received subsequent to submission of this report at the SS LTC meeting.

Agencies

This application does not require agency referrals. However, staff have worked closely with the CRD Building Inspection office in respect to the concurrent Building Permit review.

First Nations

This proposal does not require First Nations referral.

Rationale for Recommendation

The applicant is seeking to make lawful the total floor area of accessory buildings (100 square metres instead of 70 square metres and one building not exceeding 25 square metres); make lawful the number of separate rooms in the garage accessory building (four rooms instead of three rooms); and make lawful the siting of the garage accessory building to an interior side lot line (from 3.0 metres to 2.8 metres). As these requests are relatively minor in nature (5 additional square metres of accessory building floor area, 1 additional room and 0.2 metres respectively), staff recommend these variance requests be granted. In consideration of the forgoing, staff recommend that the SS LTC approve issuance of SS-DVP-2020.16 (Appendix No. 4).

Alternatives

The Local Trust Committee may consider the following alternatives to the staff recommendation:

1. Deny the application

The SS LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed and BC&E and the CRD Building Inspection office advised of the outcome. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of Development Variance Permit SS-DVP-2020.16 for the following reasons: [list reasons] (150 Menhinick Drive).

2. Request further information

The SS LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are increased processing time and potentially increased costs to the applicant. If selecting this alternative, the SS LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a [specify type of report], completed by a Professional [specify professional] which identifies the specific [identify concerns] (SS-DVP-2020.16, 150 Menhinick Drive).

NEXT STEPS

If the recommended resolution is adopted, the DVP will be issued.

Submitted By:	Kristine Mayes, Planner 1	August 18, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 19, 2021

APPENDICES

1. OCP Policies
2. Site Context & Photographs
3. Letter from Applicant
4. Proposed Development Variance Permit

ATTACHMENT 1 – POLICIES

OFFICIAL COMMUNITY PLAN No. 434

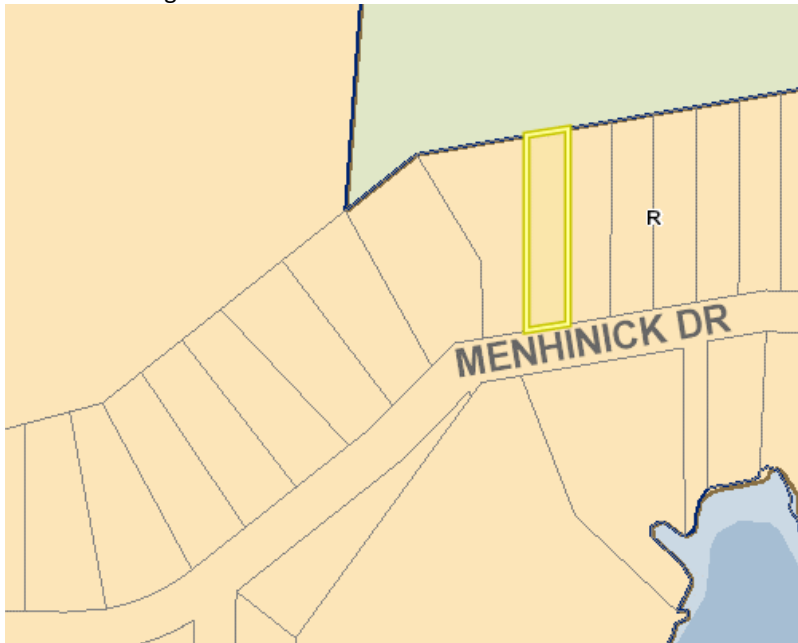
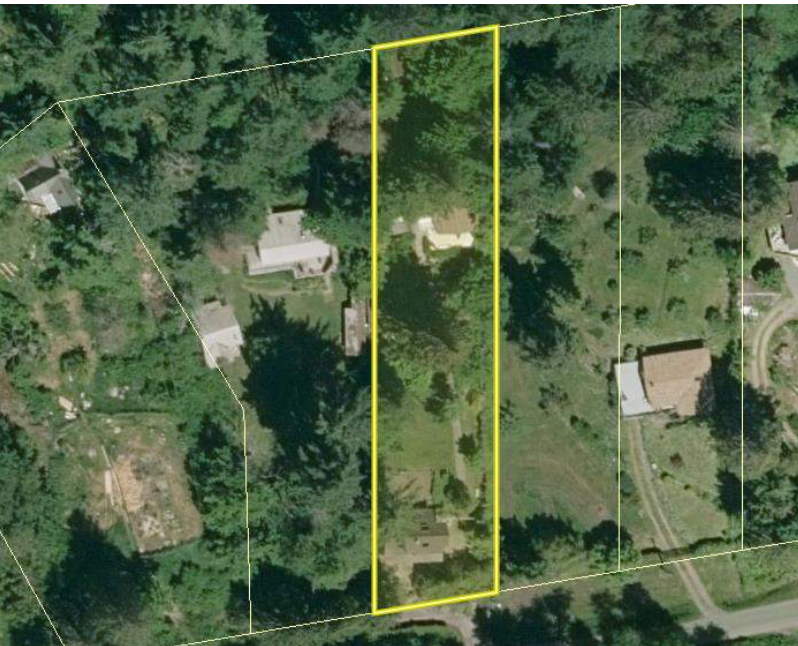
OCP Objective/Policy	Complies	Planner Comments
Objective A.4.3.4 To accommodate and direct appropriate development so that its location, appearance and impact are in harmony with the natural environment, community resources, character and existing land uses. To ensure that clustered settlements are well designed so that they become and remain acceptable and compatible with existing development.	yes	The proposed development is within the maximum lot coverage.
Objective B.2.5.1.1 To continue to provide adequate land zoned for medium density residential use and other traditional and compatible rural land uses.	yes	The proposed development (accessory buildings) is consistent with the permitted uses, buildings and structures on the subject property – staff note neither the garage nor studio accessory building can be used for residential or guest accommodation uses.
Policy B.2.5.2.2 Zones within the Rural Neighbourhoods Designation will continue to allow medium density residential development and the other rural uses allowed by existing zoning. Existing commercial and <i>general employment</i> zones will remain, but exceptionally large new commercial or <i>general employment</i> developments should not be allowed in this Designation. Existing zones that allow higher densities, smaller lots and <i>multifamily use</i> will also remain.	yes	The proposed development (accessory buildings) is consistent with the permitted uses, buildings and structures on the subject property – staff note neither the garage nor studio accessory building can be used for residential or guest accommodation uses.
Objective C.2.3.1.5 To provide off-street parking and loading spaces sufficient to provide for the needs of various land uses. To do so in a way that protects the safety of public roads and pedestrian routes.	yes	Parking is located on the subject property.

ATTACHMENT 2 – SITE CONTEXT

LOCATION

Legal Description	Lot 2, Section 54, South Salt Spring Island, Cowichan District, Plan 12316
PID	003-629-261
Civic Address	150 Menhinick Drive, Salt Spring Island

LAND USE

Current Land Use	Residential – Dwelling Unit and Accessory Buildings
Surrounding Land Use	<p>Residential & Agricultural</p>  <p><i>Islands Trust Zoning Map (subject property indicated in yellow)</i></p>  <p><i>Islands Trust Orthophoto (subject property indicated in yellow)</i></p>

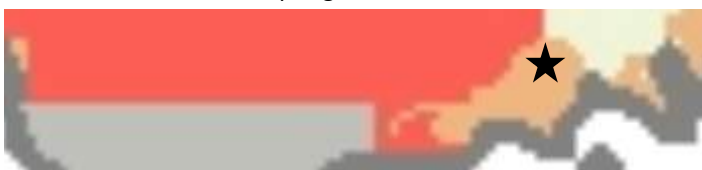
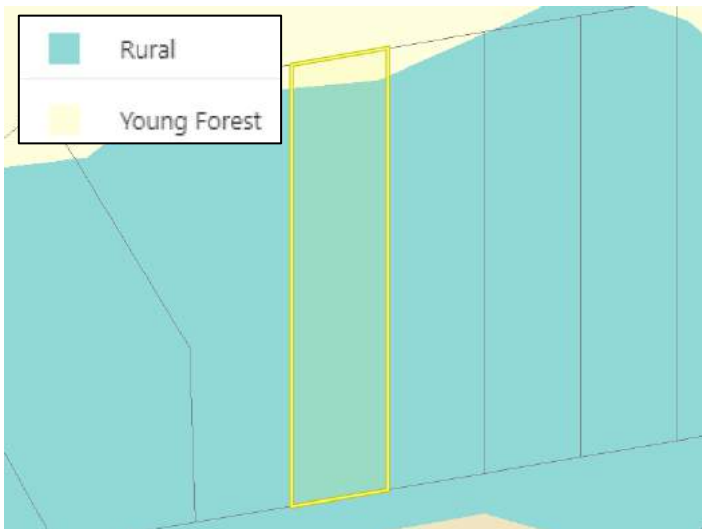
HISTORICAL ACTIVITY

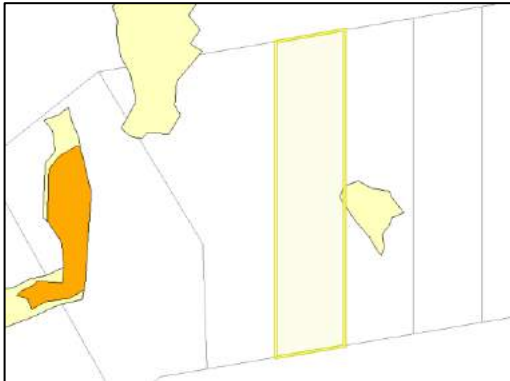
File No.	Purpose
SS-BP-2020.105	Concurrent Building Permit Review

POLICY/REGULATORY

Official Community Plan Designations	Rural Neighbourhoods (RL)
Land Use Bylaw	Rural (R)
Other Regulations	None
Water Service Area	None
Title Charges	190706G: Right of Way (BC Hydro) 318847G: Right of Way (BC Hydro)
Bylaw Enforcement	SS-BE-2018.21 – Short-Term Vacation Rental SS-BE-2021.53 – Short-Term Vacation Rental

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy does not have an interest in any properties within 100 metres of the property subject of this application.
Regional Conservation Strategy	<p>The subject property is primarily within the MEDIUM relative value area for important natural areas in the Salt Spring Island Local Trust Area.</p> 
Species at Risk	<p>SAR (Public) Species: None Currently Mapped SAR (Public) Ecological Community: Grand Fir / Dull Oregon-grape</p>
Sensitive Ecosystems	<p>SEI: None Currently Mapped Heron Rookery/Raptor Nest/Sea Bird Colony: None Currently Mapped RAR Watercourse: None Currently Mapped ITEM: Rural</p>  <p><i>Islands Trust Ecosystem Mapping (ITEM)</i></p> <p>Islands Trust Protected Areas mapping indicates no protected areas surrounding or in close proximity to subject property.</p>

Hazard Areas	<p>Low Risk Steep Slopes are mapped on the property.</p> <p>Yellow = Low Risk Orange = Moderate Red = High</p> 
Archaeological Sites/Potential	<p>Remote Access to Archaeological Data (RAAD) mapping indicates the subject property has areas of archaeological potential.</p> <p>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.</p>
Climate Change Adaptation and Mitigation	The subject property ranges in elevation from approximately 12 metres to 19 metres above sea level.
Shoreline Classification	<i>Not Applicable</i>
Shoreline Data in TAPIS	<i>Not Applicable</i>

PHOTOS



Subject Property Fronting on Menhinick Drive



Exterior (Rear) of Garage Accessory Building



Exterior of Garage Accessory Building (71.8m²)



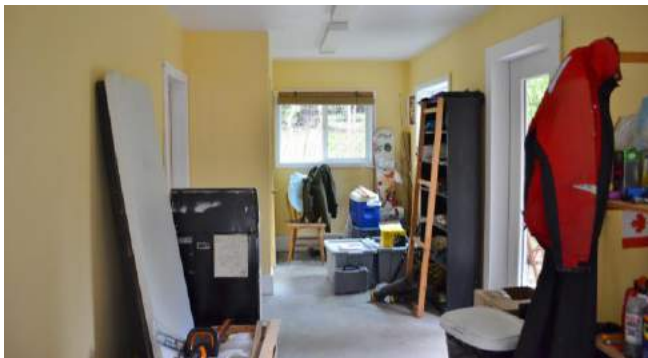
Exterior of Garage Accessory Building



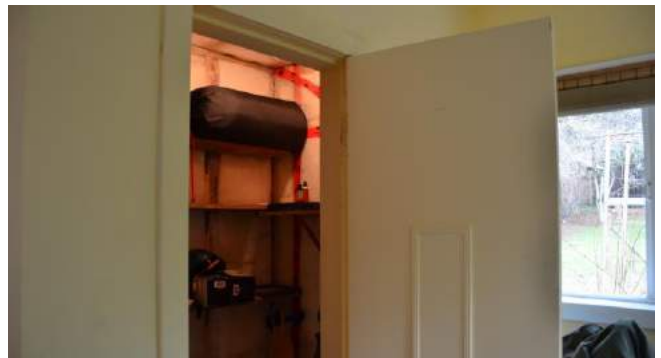
Garage Accessory Building Stairway



Upstairs Rooms of Garage Accessory Building (Plywood over Previous Open Ceiling)



Room in Garage Accessory Building



Closet in Garage Accessory Building



Interior of Garage Space (with Steel Beam and Previous Open Ceiling)




26.85m² Accessory Building at Rear of Property (previously utilized as a Short-Term Vacation Rental)



Shed Accessory Building on Subject Property



Single-Family Dwelling on Subject Property



Owner: Karen Pedersen

A building permit for a garage was issued for the above address on Nov 09, 2010.

Garage:

The submitted garage floor plan showed a 14' x 8' open space between the ground floor and loft storage space above, giving a total floor area of 661 sq' or 61.5 sqm (see attached 150 Menhinick Submitted Loft Plan.pdf). The purpose of the opening and exposed steel "I" beam was for hoisting motors and other heavy objects.

Not realizing that it would contravene the total allowable floor area, and believing the open space in the loft floor to be a safety hazard, I closed it over recently (see attached photo of opening in floor).

This increased the total floor area to 773 or 71.8 square meters (1.8m over the allowable floor area for accessory buildings).

Following the LUB 1.1 Definition of "floor area":

As the garage has 2x6 wall framing, this would make the lower level 21' x 25' (525 sq').

The closed-over loft floor is now 248 sq' where the ceiling height is 1.8m or higher.

The total garage floor space is now 773 sq ft or 71.8 sq m.

I am asking for a Development Variance Permit to allow the extra 1.8 sq m resulting from closing in the opening in the loft floor.

Attachments:

150 Menhinick Dr Land Title Dec 04, 2020


150 Menhinick Garage Site Plan

150 Menhinick Submitted Loft Plan

Plan 12316

Opening in loft floor.jpg

Karen Pedersen



PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2020.16

TO: K. PEDERSEN

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 003-629-261
LEGAL DESCRIPTION: Lot 2, Section 54, South Salt Spring Island, Cowichan District, Plan 12316
2. This Permit is authorized in accordance with the following plans attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:

Plan No. 1	Garage Building Plans, dated December 12, 2020
Plan No. 2	Subject Property Site Plan, dated December 12, 2020
Plan No. 3	Garage Site Plan, dated June 26, 2021, by Jordan Elliot Litke, BCLS 905
3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:

3.12 ACCESSORY BUILDINGS AND STRUCTURES

- 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.

The above subsection is varied to permit four separate rooms in the building labeled "garage workshop" in accordance with Plan No. 1 forming part of and attached to this permit.

- 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*.

The above article is varied to permit a total *floor area* of 100 square metres for all accessory buildings in accordance with Plan No. 2 forming part of and attached to this permit.

4.3 SETBACKS FROM LOT LINES AND ACCESS EASEMENTS

- 4.3.1 Unless otherwise specified, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:

- (3) Setback from interior side lot line: 3.0 m

The above subsection is varied to reduce the setback for an existing accessory building (garage) from an interior side lot line from 3.0 m to 2.8 m in accordance with Plan No. 3 forming part of and attached to this permit.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2020.16

4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District.
6. 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.

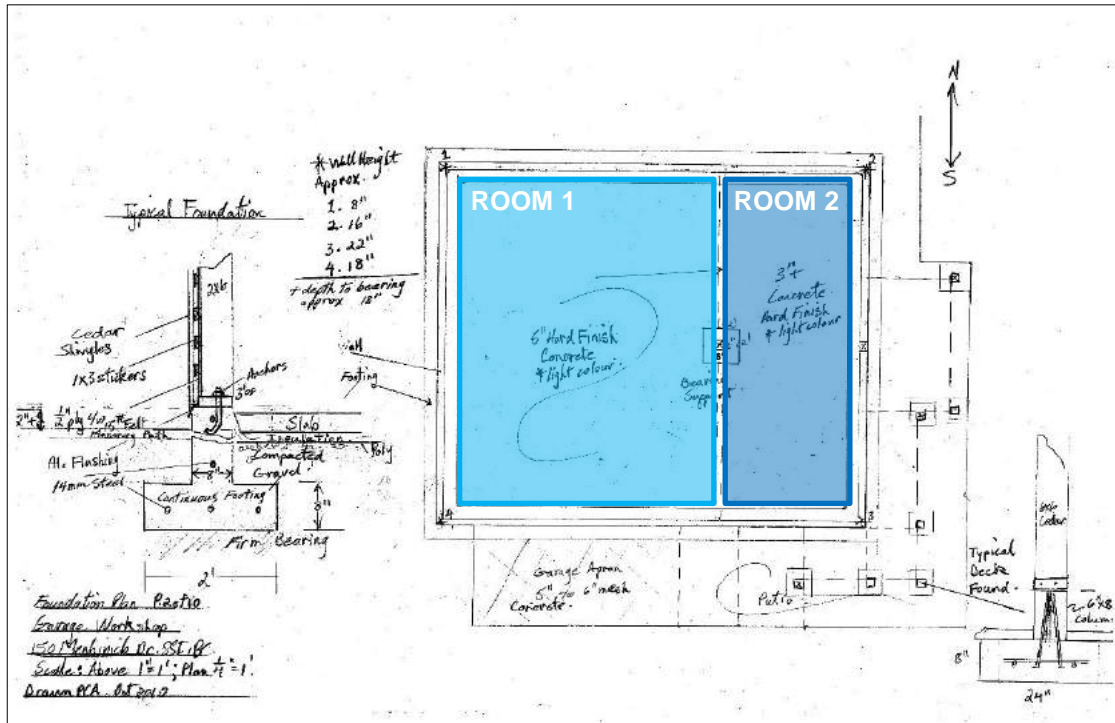
PROPOSED



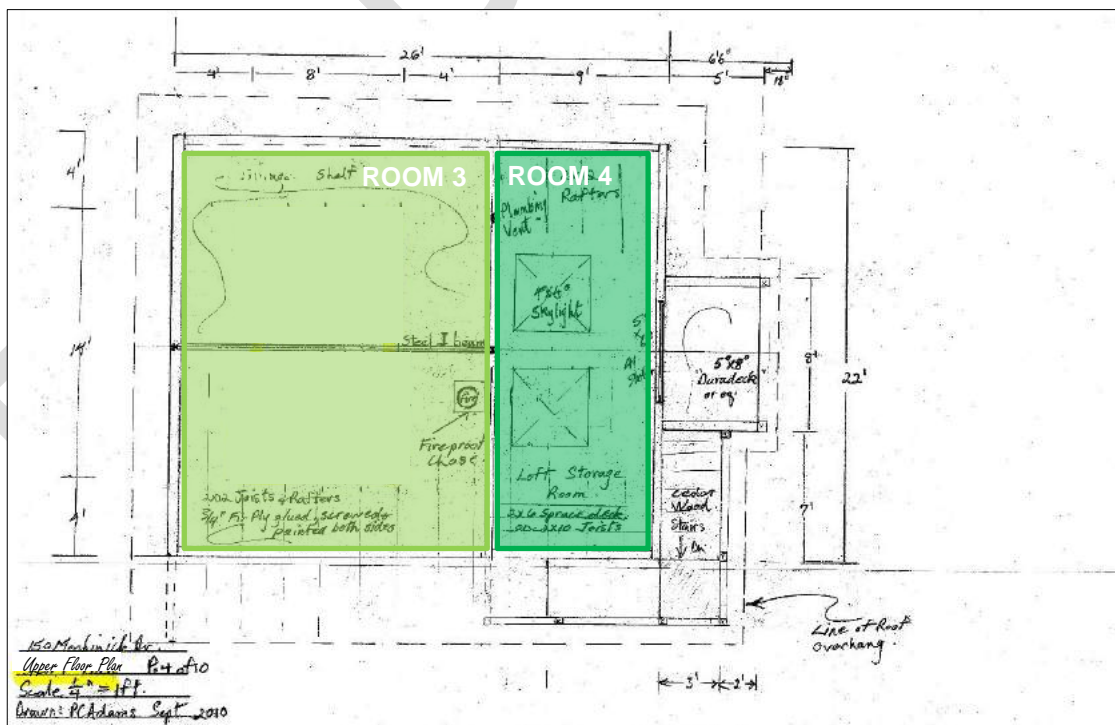
SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2020.16

PLAN NO. 1: Garage Building Plans

LOWER LEVEL FLOOR PLAN:



UPPER LEVEL FLOOR PLAN:

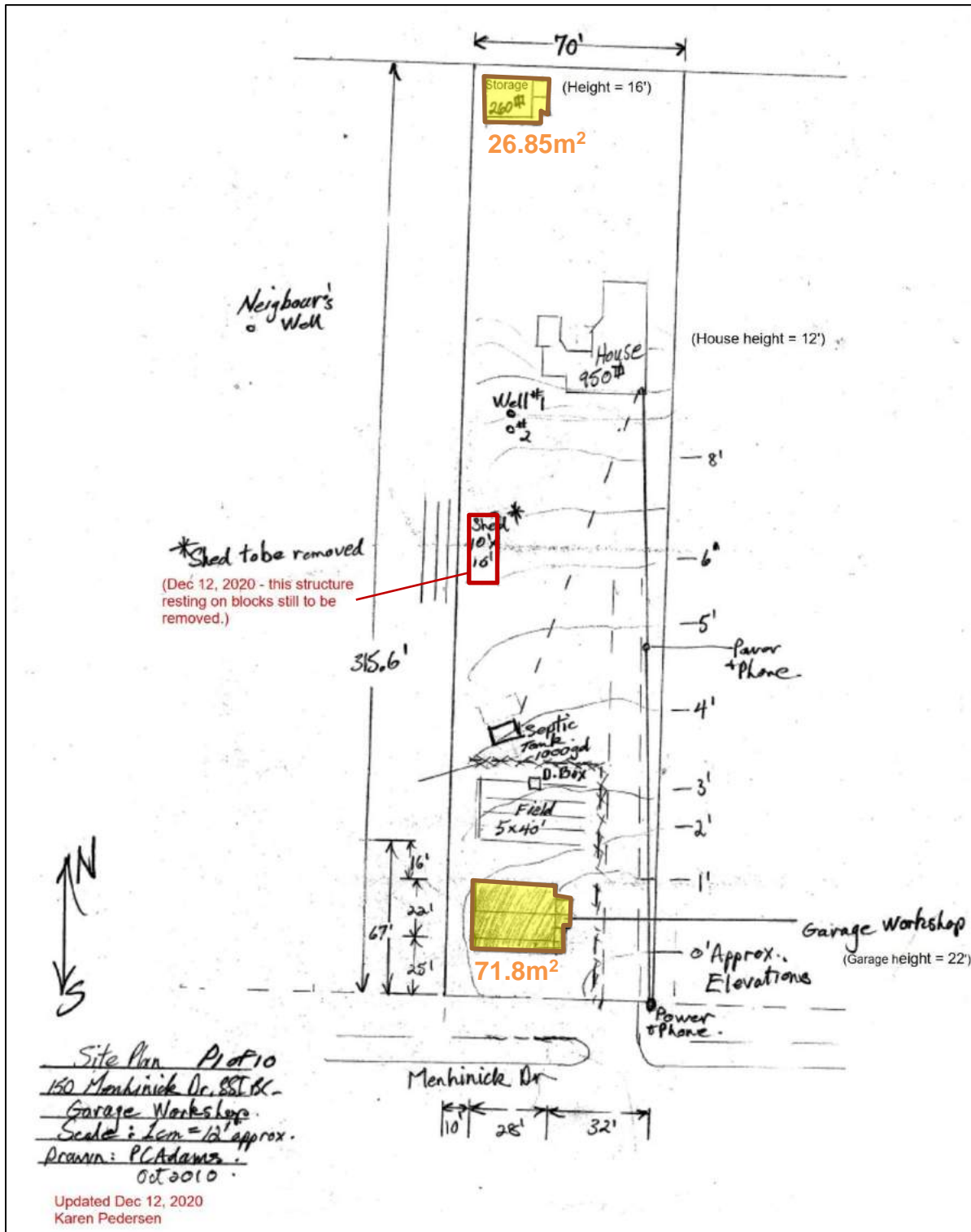


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2020.16

PLAN NO. 2: Subject Property Site Plan

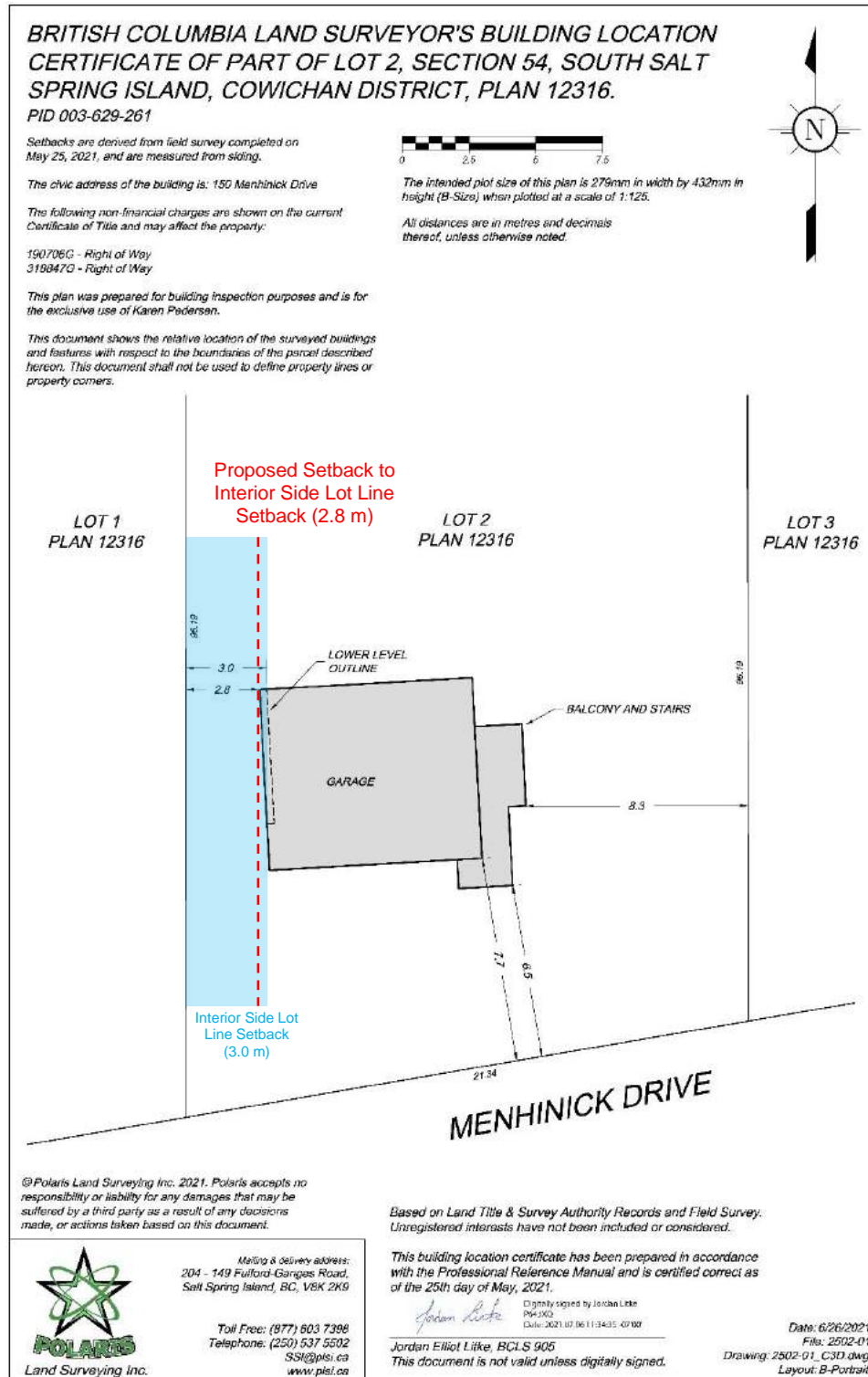


PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2020.16

PLAN NO. 3: Garage Site Plan



File No.: SS-DVP-2021.3
(Cross Ref. No. SS-CL-2020.1)

DATE OF MEETING: August 31, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Development Variance Permit to Vary the Setback to the Natural Boundary of the Sea for a Proposed Walkway Structure and to Permit 5 Mooring Floats, One Float Exceeding 12 Metres in Length (28.65 Metres) for a Group Strata Moorage Dock
Applicant: M.C. Wright and Associates Ltd.
Location: North Secretary Island (Common Strata Property), BC (PID: STR-021-146)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.3 (North Secretary Island).

REPORT SUMMARY

This Development Variance Permit (DVP) application seeks to vary [Capital Regional District Bylaw No. 103](#) (CRD 103) to permit the siting of a proposed walkway structure to the natural boundary of the sea and to permit five (5) mooring floats, one float having a length of 28.65m for a group strata moorage dock. Staff recommend issuance of the DVP (Appendix No. 1).

BACKGROUND

This report follows a staff report to the April 27, 2021 meeting of the Salt Spring Island Local Trust Committee (SS LTC) where the following resolution was passed:

SS-2021-77

It was **MOVED** and **SECONDED**,

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

CARRIED

SS-2021-78

It was **MOVED** and **SECONDED**,

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

CARRIED

SS-2021-79

It was **MOVED** and **SECONDED**,

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

CARRIED

The preliminary staff report including site context, photos and OCP policies and objectives, and all relevant correspondence, can be found on the [Salt Spring Island Current Applications webpage](#).

ANALYSIS

Issues and Opportunities

Covenant to Restrict Foreshore Uses, Buildings & Structures

At the SS LTC meeting of April 27, 2021, The SS LTC requested “staff to draft a Restrictive Use Covenant to prohibit the construction of docks on residential lots and include provision for a suitable marine spill containment kit”. Following the meeting, staff drafted a covenant, which subsequently underwent legal review as part of a cost recovery agreement with the applicant. Legal counsel has noted that as the covenant seeks to prohibit docks in the foreshore, a rezoning would be the recommended method by which the Islands Trust could achieve the desired outcome. A covenant could prohibit structures on the on land portion of a lot (such as a dock ramp) but not a dock itself. Staff note the SS LTC could not require a rezoning (bylaw amendment) application as condition of approval of a Development Variance Permit.

Crown Lands Authorization Referral Process

At the SS LTC meeting of April 27, 2021, The SS LTC requested “staff to inquire about First Nation concerns regarding the Crown referral process”. Staff corresponded with Crown Land Authorizations who advised one First Nation with interests in North Secretary Island (known as *Shumutsun* in Hul’qumi’num) opposed all private moorages and shared concerns regarding cumulative environmental effects of the proposed dock. It was noted that in response to these concerns, the design and material of the proposed group strata moorage dock was adjusted to mitigate environmental impacts. Crown Lands Authorization staff advised another First Nation will be attending a visit to North Secretary Island at the end of August and will provide comments, if any, following the visit.

Rationale for Recommendation

In the absence of an Official Community Plan, staff have extracted related directive policies from the Islands Trust Policy Statement and Salt Spring Island Official Community Plan No. 434, which are not guiding policies but may provide context to the SS LTC in their deliberations. Development of group moorages (joint use of private docks) are encouraged. The proposed location was chosen to mitigate impact on eel grass and the results of the Archaeological Impact Assessment notes the proposed development will be occurring outside the boundaries of archaeological site DfRv-55. As North Secretary Island consists of 14 small and clustered strata lots, as the proposed dock will be a group moorage facility, and as the covenant would not achieve the desired outcome of prohibiting docks on the foreshore, staff recommend that the LTC approve issuance of SS-DVP-2021.3, without conditions (Appendix No. 1).

ALTERNATIVES

The Local Trust Committee may consider the following alternatives to the staff recommendation:

1. Deny the application

The LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of Development Variance Permit SS-DVP-2021.3 for the following reasons: [list reasons] (North Secretary Island).

NEXT STEPS

If the recommended resolution is adopted, the DVP will be issued without conditions.

Submitted By:	Kristine Mayes, Planner 1	August 12, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 19, 2021

APPENDICES

1. Proposed Development Variance Permit

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.3

TO: North Secretary Island Strata Corporation

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: STR-021-146
LEGAL DESCRIPTION: *None* (North Secretary Island)
2. This Permit is authorized in accordance with the following schedules attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:
Plan No. 1 Site Plan, dated January 12, 2021, by M.C. Wright and Associates Ltd.
3. Capital Regional District Bylaw No. 103, cited as "*Zoning By-Law, Planning Area No. 4, 1972*" is varied as follows:
6.8 SETBACKS - RESIDENTIAL
6.8(3) No building or structure shall be located within 30 metres of the natural boundary of the sea, lake, stream or any other natural watercourse.

The above subsection is varied to reduce the setback from the natural boundary of the sea from 30.0 m to 0.0 m for the siting of a proposed walkway structure in accordance with Plan No. 1 forming part of and attached to this permit.

17.2 EXTENT, FLOATS AND WHARVES
17.2(2) The maximum length and width of mooring floats shall not exceed 12 metres (40) feet and 3.6 metres (12 feet) respectively, and only one mooring float shall be permitted per fixed pier.

The above subsection is varied to permit five (5) mooring floats, one float having a length of 28.65 m in accordance with Plan No. 1 forming part of and attached to this permit.
4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Capital Regional District Bylaw No. 103, 1972" and to obtain other approvals necessary for completion of the proposed development, including approval from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Crown Lands) and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch).
6. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.3

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

DEPUTY SECRETARY, ISLANDS TRUST

DATE OF ISSUANCE

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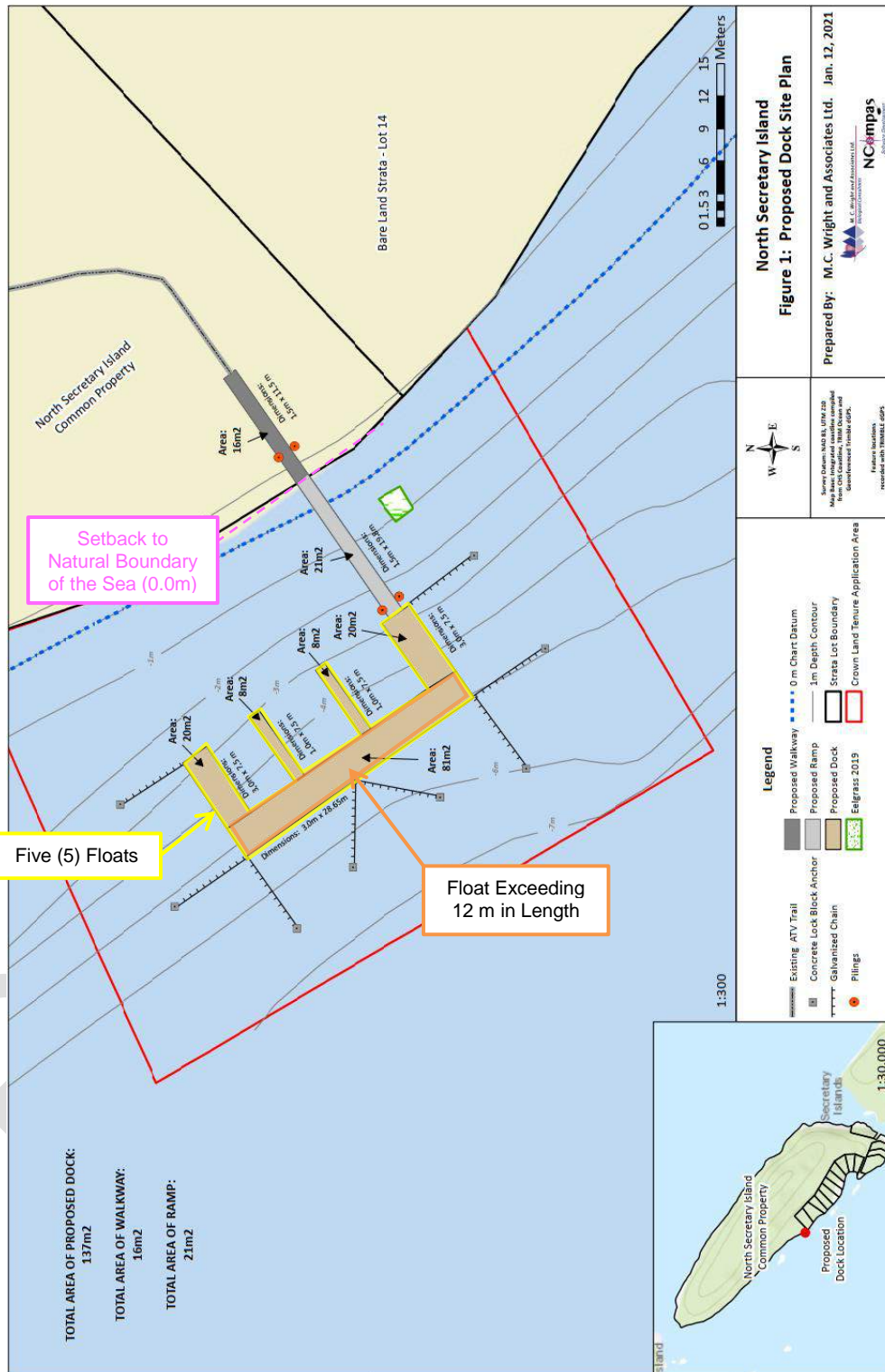
PROPOSED

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.3

PLAN NO. 1: Site Plan



DATE OF MEETING: August 31, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Development Variance Permit to Vary the Setback (and Eaves Projecting into a Setback) for a Proposed Accessory Building to a Front Lot Line and an Interior Side Lot Line
Applicant: G. Welsh
Location: 150 Drake Road, Salt Spring Island, BC (PID: 028-052-838)

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.4 (150 Drake Road).

REPORT SUMMARY

This Development Variance Permit (DVP) application seeks to vary the [Salt Spring Island Land Use Bylaw No. 355](#) (LUB) to permit the siting of a garage (to replace an unlawfully built and sited garage destroyed by a fire) to the front lot and interior side lot lines. Staff recommend issuance the DVP as the request is not contrary to or at variance with the [Salt Spring Island Official Community Plan No. 434](#) (OCP) policies and objectives, as the requests are relatively minor in nature.

BACKGROUND

This report follows a staff report to the April 27, 2021 meeting of the Salt Spring Island Local Trust Committee (SS LTC) where the following resolution was passed:

SS-2021-80

It was **MOVED** and **SECONDED**,

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

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

CARRIED

The preliminary staff report including site context, photos and OCP policies and objectives, and all relevant correspondence, can be found on the [Salt Spring Island Current Applications webpage](#).

ANALYSIS

Issues and Opportunities

Parking Considerations

The subject property requires four automobile parking spaces on the property based on the current uses – two for the single-family dwelling and two for the bed and breakfast home-based business. The parking spaces servicing the lot are presently sited within the Ministry of Transportation and Infrastructure (MoTI) highway right of way

which contravenes subsection 7.3.1 (“all required off-street parking spaces must be located on the lot on which the use, building or structure being served is located”) and subsection 3.13.4 of the LUB. At the April 27, 2021 SS LTC meeting, the SS LTC requested the applicant provide a site plan to demonstrate available parking on the subject property in accordance with Part 7 and Subsection 3.13.4 of the LUB. The applicant has supplied a site plan prepared by a BC land surveyor (Appendix No. 1) with a proposed drive aisle and four parking spaces. Staff note the proposed parking area does not meet Subsection 3.13.4 “...parking spaces for home-based businesses must be located on the lot where the home-based business is located, be visually buffered from neighbouring properties and the road, and be located at least 3 m from any side lot line and 7.6 m from the rear lot line and the front lot line”. The siting of the dwelling would make a 7.6-metre setback from the front lot line difficult to achieve for all parking spaces dedicated to the home-based business. As such, staff have included a new condition in the proposed permit to relax the setback for parking spaces used for home-based businesses to the front lot line from 7.6-metres to 5.2-metres. Staff do not recommend relaxing the 3.0-metre setback to the interior side lot line for the parking spaces adjacent to a neighbouring property as this setback should provide visual buffering for the parking area. Notwithstanding, the sloping grade in this area exposes a portion of the basement and encompasses a pathway leading to the bedrooms used to accommodate guests for the bed and breakfast home-based businesses which would make installation of the proposed parking spaces in this area unlikely (Figure No. 1 & 2). Staff note the parking contraventions would be addressed by Bylaw Compliance and Enforcement (BC&E) separately from the DVP and have been noted in the active BC&E file (SS-BE-2021.50).



Figure 1: Parking for Subject Property/B&B HBB on MoTI Right of Way

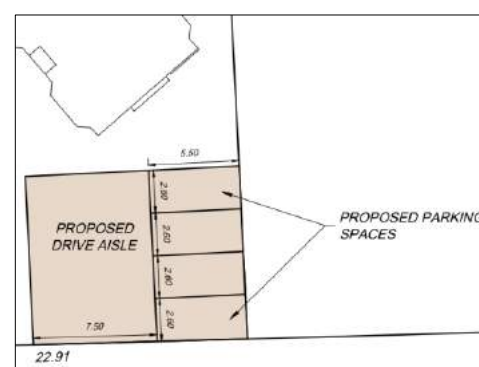


Figure 2: Proposed Parking Spaces

Capital Regional District Parkland & Building Inspection

At the April 27, 2021 SS LTC meeting, the SS LTC requested the applicant provide a site plan indicating the present location of all structures within the neighbouring park land (including but not limited to the shed, trailer and fencing observed during the site visit). Upon receipt of the requested site plan by a BC land surveyor, a copy of the site plan was forwarded to the Capital Regional District (CRD) Parks and Recreation department. CRD Bylaw Enforcement staff visited the subject property and placed a contravention notice in June 2021, subsequently speaking with the property owner in respect to the encroachment. Staff corresponded with CRD staff in July 2021 regarding the status of the encroachment – CRD staff noted the property owner has request a timeline of September to address remediation. Staff note the encroachment of structures within parkland is within the jurisdiction of the CRD. Additionally, the applicant should be aware of the [comments](#) from the CRD Building Inspection Manager (dated April 26, 2021) prior to submitting a Preliminary Plan Review to the Islands Trust – especially in consideration of fire protective measures as the previous garage was destroyed by fire.

Rationale for Recommendation

Following receipt of a surveyed site plan and discussions with CRD staff, staff recommend that the SS LTC approve issuance of SS-DVP-2020.16 (Appendix No. 2). Staff note the parking contraventions would be addressed by BC&E, and the parkland encroachment would be addressed by the CRD.

ALTERNATIVES

The Local Trust Committee may consider the following alternatives to the staff recommendation:

1. Deny the application

The LTC may deny the application. Staff advise that the implication of this alternative is that the file would be closed and Bylaw Compliance and Enforcement advised of the outcome. The applicant may also choose to make an application to the Board of Variance. If this alternative is selected, the SS LTC should state the reasons for denial. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee deny issuance of Development Variance Permit SS-DVP-2021.4 for the following reasons: [list reasons] (150 Drake Road).

NEXT STEPS

If the recommended resolution is adopted, the DVP will be issued.

Submitted By:	Kristine Mayes, Planner 1	August 9, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 18, 2021

APPENDICES

1. BC Land Surveyor Site Plan dated June 16, 2021
2. Proposed Development Variance Permit

SITE PLAN OF FENCE ENCROACHING ONTO MOUAT PARK (LOT A, PLAN VIP63458)

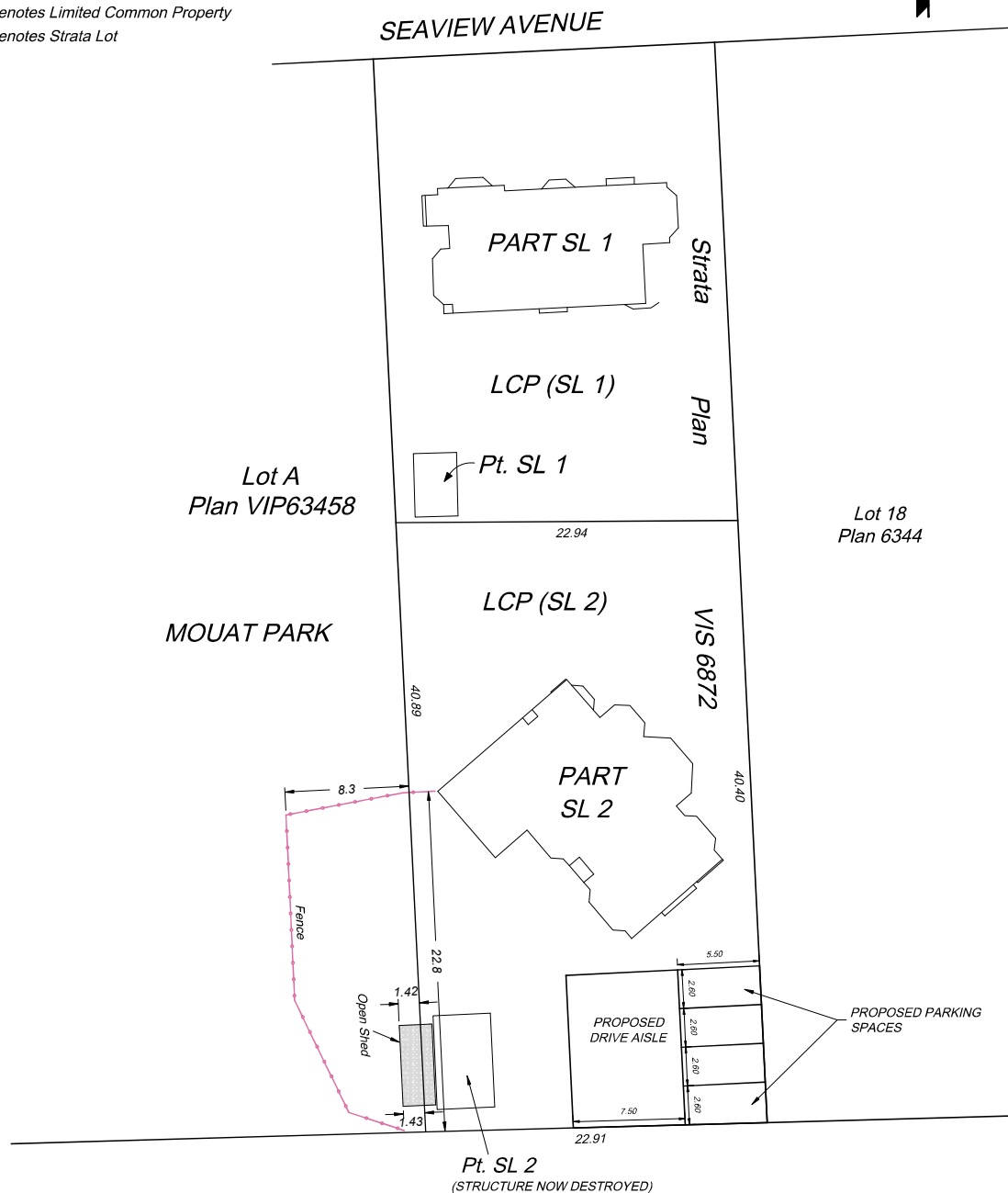


The intended plot size of this plan is 279mm in width by 432mm in height (B-Size) when plotted at a scale of 1:300.

All distances are in metres and decimals thereof, unless otherwise noted.

LEGEND

LCP denotes Limited Common Property
SL denotes Strata Lot



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DRAKE ROAD



Land Surveying Inc.

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Salt Spring Island, BC, V8K 2K9

Toll Free: (877) 603 7398
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SSI@plsi.ca
www.plsi.ca

Date: 2021-06-16
File: 1580-02
Drawing: 1580-02_C3D.dwg
Layout: B-Portrait

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.4

TO: H. FOX

1. This Development Variance Permit (the "Permit") applies to the land described below:
PID: 028-052-838
LEGAL DESCRIPTION: Strata Lot 2 Section 1 Range 3 East North Salt Spring Island Cowichan District Strata Plan VIS6872 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 in accordance with the following schedules attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust:

Plan No. 1	Site Plan, dated September 23, 2009, by Brian G. Wolfe-Milner, BCLS
Plan No. 2	Elevation Plan, dated January 2, 2021, by Greg Welsh Design
3. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "*Salt Spring Island Land Use Bylaw, 1999*" is varied as follows:

3.13 HOME-BASED BUSINESSES

- 3.13.4 There must be no exterior indication of the existence of the *home-based business*, either by stored materials, parking, displays, lighting or by any other variation from the customary *residential* character of the *lot, dwelling unit, seasonal cottage* or *accessory building*, with the exception of *signs* permitted by this Bylaw. *Parking spaces* for *home-based businesses* must be located on the *lot* where the *home-based business* is located, be visually buffered from neighbouring properties and the road, and be located at least 3 m from any *side lot line* and 7.6 m from the *rear lot line* and the *front lot line*. Vehicle storage must comply with Section 3.10 of this Bylaw.

The above subsection is varied to reduce the setback for *parking spaces* for a *home-based business* to a *front lot line* from 7.6 m to 5.2 m.

4.3 SETBACKS FROM LOT LINES AND ACCESS EASEMENTS

- 4.3.1 Unless otherwise specified, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:

- | | |
|--|-------|
| (1) Setback from <i>front lot line</i> : | 7.5 m |
| (3) Setback from <i>interior side lot line</i> : | 3.0 m |

The above articles are varied to reduce the setback for a proposed accessory building within a *front lot line* from 7.5 m to 1.48 m and an *interior side lot line* from 3.0 m to 0.84 m in accordance with Plan No. 1 forming part of and attached to this permit.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.4

4.7 MEASUREMENTS OF SETBACKS FOR BUILDINGS AND STRUCTURES

4.7.2 The following features may project into a required setback area for *lot line* setbacks only:

- (2) steps, eaves, sunlight control projections, canopies, balconies, decks and porches, provided they do not project more than 1.3 m into the required setback area for a *front, rear or exterior side lot line*, or more than 0.6 m into the required setback area for an *interior side lot line*.

The above article is varied to reduce the setback for the projection of the eaves of a proposed *accessory building* within a *front lot line* from 1.3 m to 1.03 m and an *interior side lot line* from 0.6 m to 0.38 m in accordance with Plan No. 2 forming part of and attached to this permit.

4. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Salt Spring Island Land Use Bylaw No. 355, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval from the Capital Regional District and Ministry of Transportation and Infrastructure.
6. 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

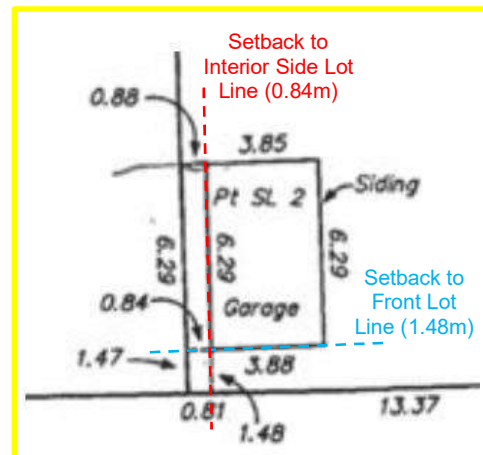
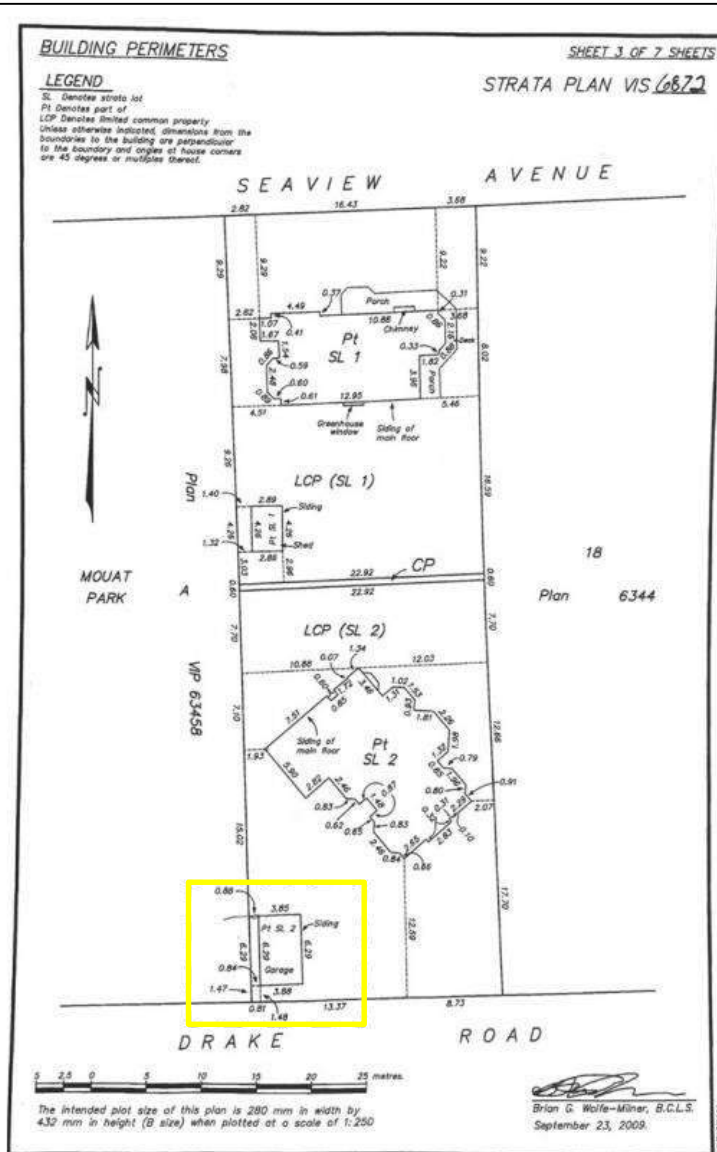
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 20____, THIS PERMIT AUTOMATICALLY LAPSES.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.4

PLAN NO. 1: Site Plan



1
A0.1
Survey

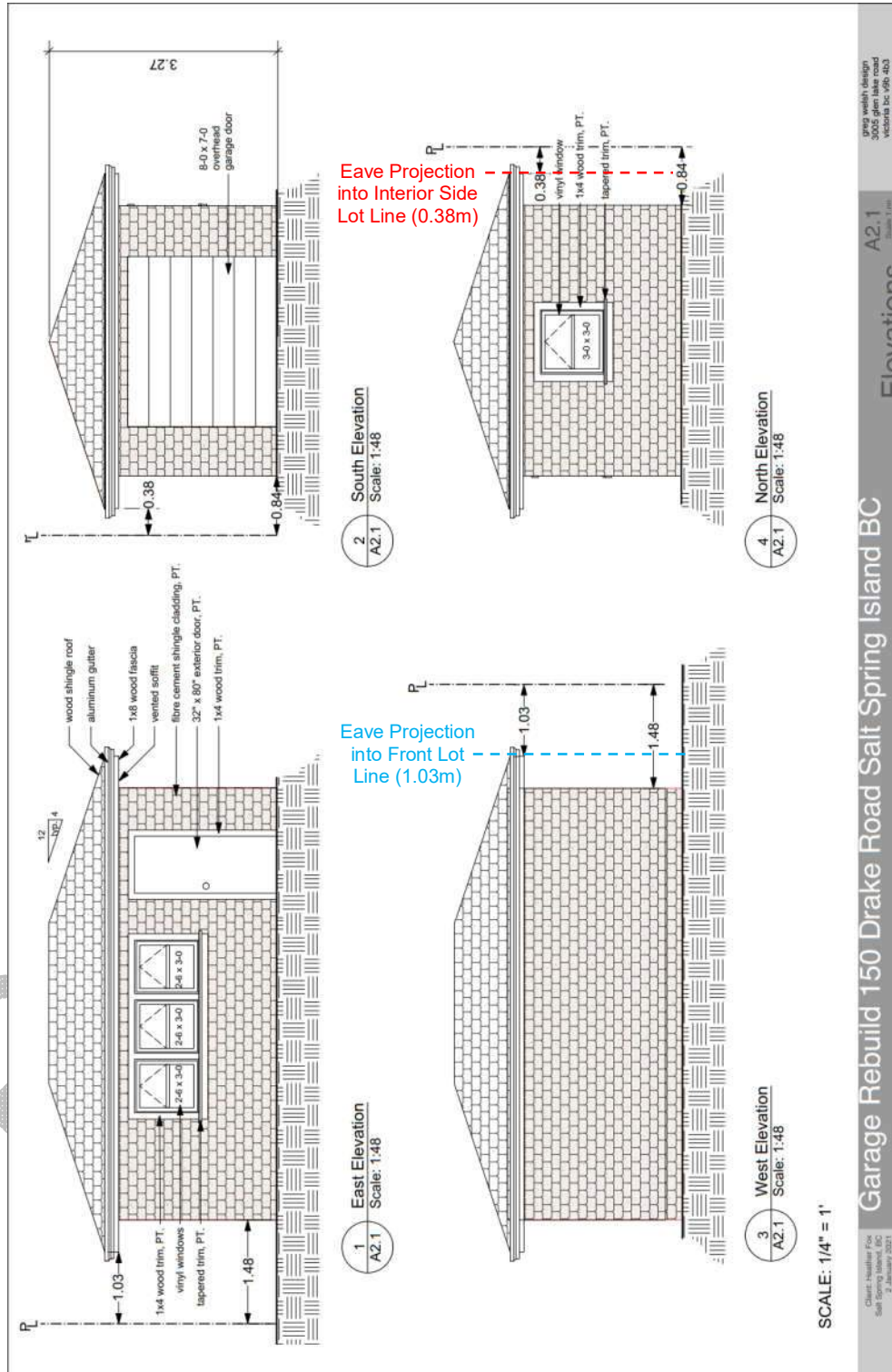
2
A0.1
Survey Inset

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT SS-DVP-2021.4

PLAN NO. 2: Elevation Plan



DATE OF MEETING: August 31, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Geordie Gordon, Planner 2, Salt Spring Island Team
Kristine Mayes, Planner 1, Salt Spring Island Team
COPY: Louisa Garbo, Island Planner, Salt Spring Island Team (Housing Action Program Manager)
Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Changes to Residential Permissions in the Agricultural Land Reserve

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee refer the Staff Report dated August 31, 2021, regarding changes to residential permissions in the Agricultural Land Reserve to the Agricultural Advisory Planning Commission and Salt Spring Island Agricultural Alliance for consideration at the Salt Spring Island Local Trust Committee Special Business Meeting of November 18, 2021.

PURPOSE

This report provides options for the Salt Spring Island Local Trust Committee (SS LTC) to amend bylaws in advance of forthcoming Agricultural Land Commission (ALC) changes to residential permissions within the within the Agricultural Land Reserve (ALR). This report also considers ways that some goals of the Housing Action Program, such as diversity of housing types, may be partially addressed through updated ALR housing flexibility.

BACKGROUND

On July 12, 2021, the Ministry of Agriculture [announced](#) changes to the residential permissions in the *Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019 (ALR Use Regulation)*. The changes come into force and effect on December 31, 2021 and will increase options for housing flexibility within the ALR. At their special meeting of July 15 2021 to discuss agricultural priorities with the Agricultural Advisory Planning Commission (AAPC) and Salt Spring Island Agricultural Alliance (SSIAA), the Salt Spring Island Local Trust Committee (SS LTC) passed the following resolution:

SS-2021-140

It was **MOVED** and **SECONDED**,

That the Salt Spring Island Local Trust Committee directs staff to prepare a report on options to amend bylaws to accommodate the Agricultural Land Commission July 12, 2021 announcement on residential flexibility in consideration of the 2020 Salt Spring Island Area Farm Plan Renewal.

CARRIED

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The Islands Trust Policy Statement (ITPS) contains principles and policies for the SS LTC to consider when amending the LUB. The following policies have been identified as being especially pertinent:

- 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

- 5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

Staff Note: Agricultural zones already permit an additional dwelling.

If the SS LTC resolves to direct staff to draft a bylaw, staff will assess compliance with the ITPS Directives Only Checklist.

Official Community Plan:

Lands within the ALR are generally designated Agriculture (A) and Watershed-Agriculture (WA) in the [Salt Spring Island Official Community Plan No. 434](#) (OCP). Objectives for this designation are “to incorporate the spirit and intent of the provincial Agricultural Land Commission Act, the Agricultural Land Reserve Use, Subdivision And Procedure Regulation, and the Farm Practices Protection (“Right to Farm”) Act into local land use policies and bylaws” and “to accommodate a level and type of residential use on agricultural land that reflects the business needs of farm operations and is consistent with objectives for island population”. See Appendix No. 1 for a full review of relevant OCP policies.

Land Use Bylaw:

This staff report primarily considers the following LUB regulations within agricultural zones:

9.1.1 Permitted Uses of Land, Buildings and Structures

	A1	A2
Principal Uses, Buildings and Structures		
<i>Single-family dwellings</i>	♦	♦
Accessory Uses		
One additional <i>dwelling unit</i> provided that it:		
a) is a <i>mobile home</i> for immediate family consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or		
b) is a <i>secondary suite</i> that is consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or	♦	♦
c) is a <i>farmworkers’ dwelling unit</i> that has been specifically approved through a Non-Farm Use application to the Agricultural Land Commission.		
<i>Information Note:</i> General Order #1622/83 of the B.C. Land Reserve Commission permits one additional dwelling unit in the form of a temporary mobile home to house family members or farm help, with specific conditions. Policy #043/98 of the B.C. Land Reserve Commission permits one secondary suite as part of the main dwelling unit provided it meets specific conditions. Where the construction of a permanent detached farm worker’s dwelling unit is proposed, this bylaw requires that an application be made to the B.C. Land Reserve Commission, through the Salt Spring Island Local Trust Committee. The need for additional farm workers to be housed on the property in a permanent detached second dwelling unit will be evaluated in the context of criteria developed by the Ministry of Agriculture and Food and the B.C. Land Reserve Commission.		
<i>Home-based business use</i> subject to Section 3.13	♦	♦
<i>Commercial guest accommodation</i> in a <i>campground</i> accessory to a <i>commercial farm business</i> , subject to Schedule “F”, provided that no more than 10 per cent of <i>campsites</i> are designed to accommodate self-contained recreational vehicles.	♦	
<i>Information Note:</i> In the ALR, this use must also be applied for and approved in writing by the B.C. Land Reserve Commission.		
<i>Seasonal cottages</i> subject to Section 3.14	♦	
<i>Information Note:</i> A seasonal cottage is considered a “non-farm use” by the B.C. Land Reserve Commission. Permission to construct a seasonal cottage must also be applied for and approved in writing by the Commission.		

9.1.2 Size, Siting and Density of Permitted Uses, Buildings and Structures

	A1	A2
Number of Units and Site Areas		
Maximum number of <i>campsites</i> per ha in a <i>campground</i> on any lot	15	N/A
Maximum number of <i>campsites</i> in a <i>campground</i> or on any lot	50	N/A

Agricultural Land Commission:

On July 12, 2021, [Order in Council No. 438](#) amended the *ALR Use Regulation*, to allow for additional residences, with certain restrictions, to be constructed on land within the ALR. The changes are to be effective December 31, 2021. The intent behind these changes was outlined in a [policy paper](#) from the Ministry of Agriculture in January 2020. In response to previous changes to the ALR regulations, the Ministry of Agriculture heard a consistent message from the provincial farming community that greater residential flexibility within the ALR is required.

As a result, changes to the *ALR Use Regulation* include permission for pre-existing residential structures built before February 22, 2019, manufactured homes built between July 4, 2019 and December 31, 2021, with changes coming into effect on December 30, 2021 as follows:

- (a) at the time that construction begins, the parcel has located on it only one residence, whether or not a secondary suite is located in the residence as permitted under section 31
- (b) neither residence will be attached to, nor be part of, the other residence;
- (c) one of the following applies to the residences, as constructed:
 - (i) if the parcel is 40 ha or less, there will be
 - (A) one residence, the total floor area of which is 500 m² or less, and
 - (B) one residence, the total floor area of which is 90 m² or less;
 - (ii) if the parcel is more than 40 ha, there will be
 - (A) one residence, the total floor area of which is any size permitted under the Act, and
 - (B) one residence, the total floor area of which is 186 m² or less

Once these changes come into effect, the above noted additional dwellings will only require approval (via bylaw) by local governments or First Nations; approval by the ALC will not be required. Applicants will still be required to submit a notice of intent to the ALC for soil/fill use for an additional residence. Local governments may continue to be more restrictive in their permissions for additional housing than the forthcoming changes to the *ALC Use Regulation* allow.

Issues and Opportunities

Salt Spring Island Area Farm Plan Renewal (2020)

The SSIAA published the [Salt Spring Island Area Farm Plan Renewal 2020-2030](#) (SSI AFPR) in March 2020. The intent of the 2020 plan is to build on previous plans “...to further advance agricultural activities on SSI through to 2030”. The 2020 plan contains goals, strategies, recommendations, and actions to undertake to achieve this objective. A detailed implementation plan is proposed to be forthcoming.

One of the strategies contained within the SSI AFPR is to “Advocate for new and improved regulations that enable farming on SSI”. Recommendations for implementing this strategy include increasing the availability of farm worker housing. The SSI AFPR notes that there is limited data on the needs associated with farm worker housing – a recommended action is to include this as a specific subset in the Capital Regional District (CRD) Housing Needs Assessment reports (see below section). The SSI AFPR also recommends that a survey be undertaken of all farms and farmworkers to help determine this housing need.

Other actions recommended in the SSI AFPR are more restrictive than the amended residential ALR permissions. Additionally, the SSI AFPR makes recommendations for all farms, whether within the ALR or not. Staff consider residential changes for farms outside the ALR designation would require significant further analysis to determine policy impacts, given the widespread permissions for agriculture across zones. As the two issues (housing on farms in the ALR and housing on farms outside the ALR) are grouped together, the SSI AFPR recommends:

Recommended Action	Planner Comments
<ul style="list-style-type: none">Investigate Temporary Use Permits as an avenue for farmworker housing outside the ALR.	Outside the scope of current ALC changes (see “Farms outside the Agricultural Land Reserve” below).
<ul style="list-style-type: none">Make standard provisions for farmworker housing within the OCP/LUB regardless of zoning; encourage ALC to review SSI provisions for farmworker housing in the ALR on SSI and provide their feedback.	ALC changes address provision of farmworker housing within ALR – no application to ALC needed as of December 31, 2021. Farmworker housing outside ALR would likely require further staff analysis.

<ul style="list-style-type: none"> • Provide consistency in the OCP/LUB so that farmworker housing and farm business provisions apply to all zones where agriculture is a permitted use. 	<p>The impacts of this type of change would need to be further considered – agriculture is a permitted use in many zones across the island. The increase in density of housing could be significant.</p>
<ul style="list-style-type: none"> • Require use of an annual Statutory Declaration and/or other mechanisms (Housing Agreement, Covenant) to ensure that both year-round and seasonal farmworker housing is used only for farmworkers. 	<p>Staff have used Statutory Declarations for use of farm buildings, and note their relatively weak legal enforceability. Covenants are a more useful regulatory tool, though require legal professionals and staff time to administer and enforce. This provision is more restrictive than the ALC permissions, which do not require any demonstration that the additional dwelling is to be in support of farming.</p>
<ul style="list-style-type: none"> • Explore an ‘eco village’ designation on a “home plate” portion of a property with a farm business to enable families that co-own a farm to live and work on their property if it is outside the ALR. 	<p>The OCP contains policies that encourage affordable eco-village development, see B.2.2.2.18. Implementation of this policy may require further refining of OCP policies to achieve aims of SSI AFPR.</p>
<ul style="list-style-type: none"> • Reduce the environmental impact of farmworker housing through design by requiring rainwater catchment systems and encouraging the use of composting toilets and greywater systems 	<p>Recent requirement of potable rainwater systems for full-time rental cottages exceeding 56 square metres has been identified by some applicants as a financial barrier to construction. Other provisions such as the use of composting toilets would require approval from other agencies (e.g. CRD and VIHA).</p>

Mechanisms to Ensure Compliance

The 2020 AFPR indicates a desire to have additional dwellings permitted on agriculture land only as farmworker housing and proposes that some sort of legal mechanism be used to ensure that the dwelling unit is used in accordance with a specific set of requirements. Legal tools available to the Islands Trust, in addition to zoning restrictions, are covenants, housing agreements, and statutory declarations. If the SS LTC’s intention with proposed changes to ALC regulation is to limit additional housing to farmworkers dwellings the SS LTC could direct staff to draft a bylaw accordingly. Farmworker dwelling units are defined in the LUB as:

“dwelling unit, farmworker’s” means a dwelling unit that is accessory to a commercial farm business on a lot and is used for the residential accommodation of a farmworker permanently employed full-time in that farm business.

The implications of such direction may set up a “chicken or the egg” scenario whereby nascent farming operations require farmworker housing to facilitate farm classification, but would be unable to obtain permission for the housing from the Islands Trust without the designation.

Other options that might present greater flexibility but limited enforcement ability include covenants and statutory declarations. Staff currently utilize statutory declarations for farm buildings where a property is not classified as a farm. Statutory declarations are useful in ensuring a property owner is aware of how a building is to be used, but have limited legal enforceability. If a statutory declaration is used, Bylaw Compliance and Enforcement would likely proceed as it normally does if a land use complaint is registered.

Covenants typically have a much greater legal enforceability than a statutory declaration. Covenants would require legal costs to be borne by the applicant to develop and register a covenant on title. These administrative costs may serve as a barrier to development. Additionally, ensuring compliance with the covenant would likely require an annual report and review, increasing the administrative burden on staff. Staff have not assessed whether the capacity to enforce the covenant exists – given the number of properties in the ALR to which the proposed changes may apply, the number of covenants needing to be developed would likely be significant.

Should the SS LTC wish to further explore legal mechanisms to ensure compliance, staff recommend the SS LTC seek a legal opinion on various legislative options.

Housing Needs Assessment (2020)

In November 2020, the Capital Regional District (CRD) released a [Housing Needs Assessment](#) (HNA) for Salt Spring Island. The HNA was based primarily on 2016 census data but suggested that Salt Spring Island could experience a more rapid population growth in the future, up from 10% 2006-2016, driven by growth of the senior population.

The conclusions of the HNA indicate that approximately 300 housing units are required to make up the existing housing deficit, with approximately 300 also needed 2020-2025 to address future demand.

As noted by the SSIAA, the 2020 HNA does not specifically reflect the housing situation on agricultural lands – the number of units required is a total count. The HNA report notes that housing issues create difficulties in recruiting workers across economic sectors, which would also affect agricultural production.

Should the SS LTC wish to obtain more specific data on farming and housing, the SS LTC could request that the CRD look at adding more specificity in future HNAs. Staff note that because the SSI AFPR considers agricultural land outside the ALR, that at least some of the housing need would have been captured in the 2020 HNA.

LUB Section 9.1 – Agricultural Zones

Subsection 9.1.1 sets out the permitted uses of land, buildings and structures in the Agricultural Zones. The LUB currently permits:

- a single-family dwelling;
- one additional dwelling (provided it is a mobile home for immediate family, secondary suite or farmworkers' dwelling unit (via application to the ALC));
- home-based businesses; and
- commercial guest accommodation in a campground (A1 zone only (via application to the ALC), subject to Schedule F); and/or a seasonal cottage (A1 zone only (via application to the ALC), subject to Section 3.14).

In consideration of the forthcoming changes to residential permissions in the ALR, the SSI AFPR, and discussion at July 15, 2021 Special SS LTC Meeting, staff have provided possible draft bylaw amendments to Subsection 9.1.1 (accessory uses: additional dwelling & commercial guest accommodation sections) and Subsection 9.1.2 (number of units and site areas) below:

Current LUB

Possible Draft Bylaw Amendment

		A1	A2
<p>One additional <i>dwelling unit</i> provided that it:</p> <p>a) is a <i>mobile home</i> for immediate family consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or</p> <p>b) is a <i>secondary suite</i> that is consistent with Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, or</p> <p>c) is a <i>farmworkers' dwelling unit</i> that has been specifically approved through a Non-Farm Use application to the Agricultural Land Commission.</p> <p>(See Information Note in "Land Use Bylaw" Section above)</p>	<p>One additional <i>dwelling unit</i>, provided that the existing <i>single-family dwelling</i> is 500 square metres in <i>floor area</i> or less and is consistent with Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, that is:</p> <p>a) a pre-existing <i>dwelling unit</i> constructed before February 22, 2019, or</p> <p>b) a <i>mobile home</i> constructed between July 4, 2019 and December 31, 2021, or</p> <p>c) a <i>farmworkers' dwelling unit</i> not exceeding 90 square metres in <i>floor area</i> on agricultural land classified as a farm under the <u>Assessment Act</u>, or</p> <p>d) a <i>full-time rental cottage</i> subject to Section 3.15, or</p> <p>e) a <i>secondary suite</i> subject to Section 3.16, or</p> <p>f) on a <i>lot</i> greater than 40 hectares in area, a <i>dwelling unit</i> not exceeding 186 square metres in <i>floor area</i>.</p> <p>Information Note: For lots 40 hectares or less in area where the <i>single-family dwelling</i> exceeds 500 square metres in <i>floor area</i>, permission to construct an additional dwelling unit for farm use must be applied for and approved in writing by the Agricultural Land Commission.</p>	♦	♦
<p>Commercial guest accommodation in a campground accessory to a commercial farm business, subject to Schedule "F", provided that no more than 10 per cent of <i>campsites</i> are designed to accommodate self-contained recreational vehicles.</p> <p>(See Information Note in "Land Use Bylaw" Section above)</p>	<p>Commercial guest accommodation in a campground on agricultural land classified as a farm under the <u>Assessment Act</u>, subject to Schedule "F".</p>	♦	
<p>Seasonal cottages subject to Section 3.14</p> <p>(See Information Note in "Land Use Bylaw" Section above)</p>	<p>(Delete)</p>	♦	

Current LUB / Possible Draft Bylaw Amendment:

	A1	A2
Number of Units and Site Areas		
Maximum number of <i>campsites</i> per ha in a <i>campground</i> on any lot	45 10	N/A
Maximum number of <i>campsites</i> in a <i>campground</i> or on any lot		
Maximum number of bedrooms used in a <i>bed and breakfast home-based business</i> and <i>campsites</i> on any lot	50 10	N/A

The possible amendments to the “additional dwelling unit section” reflect the forthcoming changes to residential uses within the *ALR Use Regulation* with an emphasis on providing farmworker housing or long-term rental housing. A draft bylaw could also provide an opportunity to amend the campground regulations under Subsection 9.1.1 and 9.1.2 as they are no longer in line with the *ALR Use Regulation*, which only permits a maximum of 10 sleeping units for agri-tourism accommodation (including campsites or areas for sleeping, e.g. cabins).

The LUB currently allows seasonal cottages in all A1 zoned properties over 1.2 hectares. The information note specifies this use requires permission from the ALC via a non-farm use application. Once the expanded residential permissions come into effect, permission from the ALC to construct a cottage will no longer be required. Therefore, absent any immediate changes to the LUB, by December 31, 2021, property owners will be able to apply to construct seasonal cottages on A1 zoned properties without ALC approval – staff note several inquiries have been received in respect to constructing seasonal cottages following changes to the *ALR Use Regulation*. Staff propose removal of “seasonal cottages” as a permitted use, in consideration of the desires of the agricultural community for dedicated long-term housing for farmworkers – which is not in line with the definition of seasonal cottage use. It should also be noted the *ALR Use Regulation* limits the use of ‘cabins’ (and other agri-tourism accommodations) to ALR properties with farm land classification. LUB Subsection 3.14.3 does not permit a seasonal cottage to “be constructed or occupied on any lot occupied by two or more other dwelling units”, and staff consider the long term use of a second dwelling to be more in line with ALC regulations and the intentions of the agricultural community.

Farms outside the Agricultural Land Reserve

At the July 15, 2021 Special SS LTC Meeting, a question was raised in respect to increasing farmworker housing on non-ALR agricultural properties (Appendix No. 1). According to Islands Trust and BC Assessment data, there are 187 lots on Salt Spring Island outside the ALR with farm land classification per the *Assessment Act* (Table No. 1), 81% of which are in the Rural (R) zone. Options for farm worker housing on non-ALR properties – if permitted on the lot – is limited to a full-time rental cottage, secondary suite, non-compliant long-term use of seasonal cottages (enforcement deferred per [SS LTC Standing Resolution](#) SS-2021-109), or additional dwellings in accordance with LUB Section 3.17. Staff note 30 non-ALR properties with farm land classification are within the R(f) zone which permits a full-time rental cottage. In land use designations where the SS LTC may issue TUPs, a TUP could be applied for to allow temporary dwelling units (not requiring a building permit, such as long-term occupancy of recreational vehicles or tiny homes on wheels). Staff note there are currently no guidelines for staff to assess the merits of such applications (only OCP policies and objectives) as proposed Bylaw No. 471 (TUPs for Residential Use) is still under consideration by the SS LTC.

Zone	No. of Lots
Agriculture (Not in ALR)	2
Comprehensive Development	2
Forestry	1
General Employment/Rural	1
Residential	3
Rural	152
Rural Uplands	11
Rural Watershed	15
	187

Table 1: Farm Status on Non-ALR Properties

Zone	Lots >20-ha
Agriculture (Not in ALR)	
Comprehensive Development	
Forestry	1
General Employment/Rural	
Residential	
Rural	18
Rural Uplands	3
Rural Watershed	2
	24

Table 2: Farm Status Properties Exceeding 20-ha

Zone	P.SUB/POT
Agriculture (Not in ALR)	
Comprehensive Development	1
Forestry	1
General Employment/Rural	
Residential	2
Rural	47
Rural Uplands	1
Rural Watershed	3
	55

Table 3: Possible Subdivision Potential Farm Status Properties (based on min. average area of lots only)

LUB Section 3.17 – Dwellings on Large Farms:

Staff note increased density in non-ALR lands may be addressed through the [Housing Action Program](#). Notwithstanding, in consideration of the comments made members of the AAPC and SSIAA during the July 15, 2021 Special SS LTC Meeting (Appendix No. 2), the SS LTC could consider amending LUB Section 3.17 to – in part – to increase density without subdividing on large farms.

Section 3.17 presently states “despite other provisions of this bylaw, where a lot is 20 ha or more in area and is classified as a farm under the Assessment Act, a total of three dwelling units are permitted provided that two of the dwelling units are to accommodate people deriving their livelihood from the farm business on that lot”. Of the 187 properties outside the ALR that have farm status, 24 exceed 20 hectares (Table No. 2). Staff have provided a possible amendment to this regulation, which could permit the construction and occupancy of dwellings of a specific floor area corresponding to subdivision potential of a lot (which could benefit approximately 55 of the 187 above properties with farm classification (Table No. 3) subject to a review of relevant regulations):

3.17 DWELLINGS ON LARGE LOTS

- 3.17.1 Despite other provisions of this bylaw, where *agriculture* is a permitted *principal use* on a *lot* not in an *Agricultural zone* and complies with Section 3.5 and the Subdivision and Servicing Requirements, additional *dwelling units* not exceeding 186 square meters corresponding to the *subdivision* potential of a *lot* may be constructed and occupied where a lot is classified as a farm under the *Assessment Act* if the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act prohibiting further *subdivision* of the *lot*.

Should the SS LTC wish to consider amending LUB Section 3.17, an alternate resolution has been provided to direct staff to prepare a report to explore issues and opportunities in respect to such a proposed change separately from changes to residential permissions in the ALR.

OPTIONS

Staff have provided the SS LTC with the following options on how to proceed with this report: simply receive for information, direct staff to draft bylaw amendments, direct staff to report back on amendments to LUB Section 3.17, or request more information.

The SS LTC should note that projects list is presently fully allocated thus the bylaw options presented here are intended to be succinct and serve the specific purpose of increasing potential farm worker housing and hence partially address a select group of housing needs as per the principles and purpose of the Housing Action Program. Staff also note that there is some urgency in updating the LUB as once the ALC changes come into effect, there may be unanticipated consequences of expanded permissions that the current version of the bylaw does not address, such as seasonal cottages.

1. Receive for information

The SS LTC may receive this memorandum for information. Staff advise that the implication of this option is that the current “additional dwelling” regulations would remain in force. A mobile home up to 90 square metres could be constructed but could only be used for immediate family as well as a secondary suite and seasonal cottage. A farm workers’ dwelling unit could not be constructed without specific approval from the ALC through a Non-Farm Use application, which would no longer be required after December 31, 2021, thus creating a potential barrier to approval. Applicants would no longer be able to apply to the ALC for a Non-Farm Use as it would not be required by the ALC, but would therefore not be able to meet the letter of the regulatory requirements of the LUB as written.

2. Direct staff to draft a bylaw to concur with the *ALR Use Regulation*, which will increase options for housing flexibility within the ALR

The SS LTC may direct staff to draft a bylaw to amend LUB Section 9.1 (permitted uses in Agriculture zones). Staff advise that the implication of this option is increased ability for agricultural zoned lands to utilize the additional dwellings in accordance with changes to residential permissions to the ALR Use Regulation as well as the opportunity to consider recommendations of the SSI AFPR. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee direct staff to draft amendments to Section 9.1 of the Salt Spring Island Land Use Bylaw No. 355 to concur with Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019 which will increase options for housing flexibility within the ALR and to limit the maximum number of sleeping units for agri-tourism accommodation to 10.

3. Direct staff to report back on amendments to LUB Section 3.17 (Dwellings on Large Farms)

The SS LTC may also, or separately, direct staff to prepare a report to explore amendments to LUB Section 3.17. Staff advise that the implication of this option is exploring a potential bylaw amendment to increase the ability for non-agricultural zoned lands with farm classification to utilize subdivision potential for farmworker or long-term housing in consideration of recommendations of the SSI AFPR. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee direct staff to prepare a report on options to amend Section 3.17 of Salt Spring Island Land Use Bylaw No. 355 to utilize subdivision potential for farmworker or long-term housing.

4. Request further information

The SS LTC may request further information prior to making a decision. Staff advise that the implications of this option is a delay in implementing bylaw amendments. If selecting this alternative, the SS LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee direct staff to report back on [item]...

NEXT STEPS

The SS LTC may receive this memorandum or direct staff to draft a bylaw, prepare additional reports or request further information.

Submitted By:	Geordie Gordon, Planner 2 & Kristine Mayes, Planner 1	August 12, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 18, 2021

APPENDICES

1. OCP Policies
2. Extract of Minutes from the July 15, 2021 SS LTC Special Meeting

ATTACHMENT 1 – POLICIES

OFFICIAL COMMUNITY PLAN NO. 434

OCP Objective/Policy	Complies	Planner Comments
Policy A.5.1.8 To integrate the spirit and intent of federal and provincial environmental legislation and the <i>Agricultural Land Commission Act</i> and the <i>Farm Practices Protection ("Right to Farm") Act</i> into local environmental policies and bylaws.	yes	A draft bylaw could propose amendments incorporating the intent of provincial legislation.
Objective B.2.1.1.1 To support a mix of housing types in appropriate locations without compromising protection of the natural environment.	yes	A draft bylaw could propose dwellings limited by floor area – existing LUB regulations set out setbacks to features such as water bodies.
Objective B.2.1.1.2 To develop zoning that allows many different types of housing and accommodates a diverse population.	yes	A draft bylaw could offer greater residential flexibility.
Objective B.2.1.1.3 To acknowledge that a framework that limits growth may restrict housing choices as supply is limited; to respond to the challenge of fostering socioeconomic diversity within such a framework.	yes	The flexibility offered is capped at a maximum floor area.
Policy B.2.1.2.1 Zoning changes should be avoided if they would likely result in a larger island population than is expected under the development potential zoned in 2008. Exceptions to this policy are to be few and minor and only to achieve <i>affordable housing</i> and other objectives of this Plan.	maybe	One additional dwelling is already permitted in Agricultural zones – a draft bylaw could propose amendments to subsection 9.1.1 of the LUB. Analysis has not been done to determine the impact these changes might have on the island population.
<p>Policy B.2.2.2.16 Seasonal cottages should continue to be allowed wherever they are allowed by current zoning. The Local Trust Committee may also consider amending the Land Use Bylaw to allow the use of seasonal cottages as full time affordable rental housing units in certain areas. In order to encourage housing for families, the Land Use Bylaw may be amended to permit cottages with a maximum floor area of 90 m² on lots 2 hectares or larger in area, while retaining the existing floor area limits on cottages on lots between 1.2 hectares and 2 hectares in area.</p> <p>Any amendment to zoning to allow cottages to be used as full time residences should address the following criteria:</p> <ol style="list-style-type: none"> Full time residence of cottages should only be allowed in areas with an adequate supply of potable water. Full time residence of cottages should not be allowed in areas that are community water system supply watersheds or in community well capture zones. New construction of cottages for full time residence should be not allowed in areas containing sensitive ecosystems or areas that are hazardous for development. The use of cottages will not be for short-term rental in accordance with the Land Use Bylaw. <i>Building</i> safety and waste disposal issues are addressed through compliance with the B.C. Building Code and applicable health standards. The Local Trust Committee will consider the use of housing agreements and other measures to ensure that cottages are affordable and to address occupancy. The Local Trust Committee will work with the Capital Regional Housing Corporation on the administration of housing agreements in order to implement this policy. The Local Trust Committee should coordinate implementation of zoning changes with Capital Regional District Building Inspection and the Vancouver Island Health Authority. The Local Trust Committee may also consider limits on the location of cottages to minimize dependency on private automobiles. The Local Trust Committee will make zoning changes incrementally and monitor changes in order to have the effect of limiting the overall number of full-time units on the island. The Local Trust Committee will consider an annual registration system in order to remain informed about the number and location of occupied cottages. 	yes	<p>A draft bylaw could propose to permit a 'full-time rental cottage' as one of the possible additional dwelling units on an agricultural zoned property.</p> <ol style="list-style-type: none"> As a requirement of Building Permit, the CRD would require proof of water. Agricultural zoned properties may be located within community water system supply watersheds / community well capture zones. LUB regulations and Development Permits areas may address siting in respect to sensitive ecosystems/hazards. The definition of full-time rental cottages specifies use is pursuant to a residential tenancy agreement. The construction of full-time rental cottages is subject to a building permit. No housing agreements/measures proposed. No housing agreements proposed. A draft bylaw could be referred to the CRD & VIHA (Island Health). The draft bylaw proposes the amendment for Agricultural zoned properties, which may increase dependency on private vehicles. One additional dwelling is already permitted in Agricultural zones Can be tracked through preliminary plan review process.

<p>Policy B.3.1.2.5 Campgrounds are permitted by zoning in some Agriculture-zoned locations. The Local Trust Committee should consider rezoning applications from property owners wishing to develop small, low impact campgrounds on larger properties in the following Designations:</p> <ul style="list-style-type: none"> Rural Neighbourhoods Agriculture (subject to approval of the Agricultural Land Commission) Forestry Uplands <p>Applications for such a zoning change should demonstrate an adequate water supply, appropriate sewage disposal capability, and a site plan that would be uncrowded and well buffered by natural vegetation from neighbouring properties. If the Local Trust Committee considers such rezoning applications, preference should be given to those where services can be easily reached by walking, bicycle or public transit. Rezoning applications for the development of campgrounds meant primarily for large Recreational Vehicles should not be considered.</p>	yes	Campgrounds are already permitted in Agricultural zones – a draft bylaw could propose amendments in line with the ALR Use Regulation and will still be subject to Schedule “F”.
<p>Objective B.6.1.1 To recognize and retain traditional resource-based livelihoods such as agriculture, forestry and fishing. To maintain and protect their land bases, support <i>sustainable</i> management practices and to develop zoning that accommodates supportive land uses. To resist pressures to manage agriculture, forestry and fishing for reasons that are primarily aesthetic.</p>	yes	A draft bylaw could propose amendments incorporating ALC changes to residential permissions.
<p>Objective B.6.2.1.1 To support farming as a social, cultural and economic priority, and an ecologically responsible land use on Salt Spring Island.</p>	yes	A draft bylaw could propose amendments incorporating ALC changes to residential permissions.
<p>Objective B.6.2.1.2 To maintain and protect the long term potential for farming and agro-forestry on Salt Spring Island; to preserve <i>agricultural land</i> and necessary water supplies.</p>	maybe	A draft bylaw could propose amendments incorporating ALC changes to residential permissions. One additional dwelling is already permitted in Agricultural zones. Additional development may take small amounts of land out of agricultural production, but only as consistent with ALC permissions.
<p>Objective B.6.2.1.3 To incorporate the spirit and intent of the provincial <i>Agricultural Land Commission Act</i>, the <i>Agricultural Land Reserve Use, Subdivision And Procedure Regulation</i>, and the <i>Farm Practices Protection ("Right to Farm") Act</i> into local land use policies and bylaws.</p>	yes	A draft bylaw could propose amendments incorporating the intent of provincial legislation.
<p>Objective B.6.2.1.4 To limit the non-farm use of <i>agricultural land</i>.</p>	yes	A draft bylaw could propose dwellings limited by floor area.
<p>Objective B.6.2.1.5 To accommodate a level and type of residential use on <i>agricultural land</i> that reflects the business needs of farm operations and is consistent with objectives for island population.</p>	yes	A draft bylaw could propose amendments incorporating ALC changes to residential permissions.
<p>Objective B.6.2.1.6 To reduce the potential for conflicts between agricultural areas and those areas that have been identified for higher density settlement.</p>	yes	Agricultural land is distributed across the island, potential conflict may be minimal. Some agricultural land is located in close proximity to areas designated for higher density (e.g. Ganges)
<p>Objective B.6.2.1.7 To encourage the creation and implementation of environmental farm plans.</p>	yes	A draft bylaw could propose to implement recommendations from the SSI AFPR. The proposed changes may offer greater flexibility than that called for in the SSI AFPR.
<p>Objective B.6.2.1.8 To ensure that sufficient water supplies remain available for agricultural purposes.</p>	yes	One additional dwelling is already permitted in Agricultural zones.
<p>Objective B.6.2.1.9 To recognize agriculture’s contribution to the island’s social, economic and environmental nature and appeal, and to retain and build on the island’s agricultural base, especially organic.</p>	yes	Proposed changes would offer options to farmers to house workers and expand/more easily maintain agricultural capacity.
<p>Policy B.6.2.2.1 The Local Trust Committee should maintain an Agricultural Advisory Committee to:</p> <ol style="list-style-type: none"> provide community advice about bylaw changes, applications for rezoning or subdivision, and applications to the Agricultural Land Commission. help in developing and interpreting local policies about farming. identify other ways that the Local Trust Committee can encourage and support farming in the community. 	yes	A draft bylaw could be referred to the AAPC.

Policy B.6.2.2.2 To The Local Trust Committee will work with the local farming community, the Ministry of Agriculture and Lands, and the Agricultural Land Commission to develop common policies to the benefit of farming on Salt Spring Island and to support implementation of the Area Farm Plan.	yes	A draft bylaw could propose to implement some recommendations from the SSIAA, MoA, incorporates changes to residential permissions, and proposes to implement some recommendations from the SSI AFPR. Referral to agricultural bodies is recommended.
Policy B.6.2.2.4 Zoning within the Agriculture and Watershed-Agriculture Designations will continue to allow the land uses, structures and densities allowed by existing zoning and subdivision bylaws. Where existing zoning allows <i>general employment</i> and commercial uses, these will remain as permitted uses unless the property owner applies for a zoning change.	yes	One additional dwelling is already permitted in Agricultural zones.
Policy B.6.2.2.5 Farming activities and necessary structures should continue to be allowed by zoning in other Designations on all properties where they are currently allowed.	yes	A draft bylaw could propose additional dwellings on farmland outside of the ALR.
Policy B.6.2.2.8 On the advice of the Agricultural Advisory Committee, the Local Trust Committee should continue to support local farming by: <ul style="list-style-type: none"> a. addressing the need for additional housing on agricultural land. b. permitting appropriate farm uses as defined by the Agricultural Land Reserve Act and Regulations. c. recognizing the traditional uses of the property owned by the Salt Spring Island Farmer's Institute on Rainbow Road. d. allowing for the processing and warehousing of island farm products on the Institute's property. e. supporting zoning that would allow various forms of community farming activities. f. supporting the development of farmers' markets. g. considering changes to the Land Use Bylaw, based on the objectives of the Area Farm Plan and in consultation with the Agricultural Land Commission and the Ministry of Agriculture and Lands, to permit additional dwellings for farm workers. h. considering changes to the Land Use Bylaw to further support agri-tourism. i. supporting efforts to ensure a viable local livestock industry. j. updating agricultural information, monitoring changes in the agricultural sector and helping to identify unused or available farmland. 	yes	<ul style="list-style-type: none"> a. A draft bylaw could propose amendments incorporating ALC changes to residential permissions. b. N/A c. N/A d. N/A e. Additional housing options may increase community farming activities. f. N/A g. A draft bylaw could propose amendments incorporating the intent of provincial legislation. h. A draft bylaw could propose amendments incorporating the intent of provincial legislation in respect to agri-tourism. i. N/A j. N/A
Policy B.6.2.2.22 The Local Trust Committee will consider impacts on local food security when making land use decisions.	yes	Comments from AAPC will likely provide comment on this impact.
B.6.2.2.23 The farming community of Salt Spring Island is recognized and encouraged in its ongoing efforts in support of local agriculture.	yes	
B.6.2.2.25 The B.C. Assessment Authority is urged to carefully consider its impact on local farming. It is encouraged to develop policies and procedures that recognize the unique challenges faced by the local farming community. The Local Trust Committee will develop and recommend specific policies in consultation with local farmers through the Agricultural Advisory Committee.	N/A	
B.6.2.2.32 The Local Trust Committee will encourage and support efforts by others to promote and sustain local food security.	yes	
B.6.2.2.32 The Local Trust Committee will support the implementation of the Area Farm Plan by the Salt Spring Island Agricultural Alliance.	yes	A draft bylaw could propose to implement some recommendations from the SSI AFPR. Further consultation with the SSIAA is recommended.
Objective C.3.2.1.5 To ensure that zoning changes within the boundaries of water systems do not result in such a level of demand on island water sources that agricultural activities cannot obtain water.	yes	One additional dwelling is already permitted in Agricultural zones.
Objective C.3.2.2.11 When the Local Trust Committee receives applications for zoning changes within a water system's boundaries, and the zoning change would increase the demand for water, the Committee will consider the impacts on agriculture, as further outlined in Section B.6.2.	yes	One additional dwelling is already permitted in Agricultural zones.

3.4 ALC Information Update, dated July 12, 2021

The ALC Information Update was received.

In discussion the following comments were noted:

- Concern was expressed about the relationship between the Islands Trust and the ALC with these new rules in place and RPM Cermak discussed the implications.
- A concern was addressed about the increased ability for farm worker housing to limit the amount of farm land available.
- The Area Farm Plan was discussed as a document that will help provide local guidance to the implementation of these new rules.
- A question was raised about increasing farmworker housing on non-Agricultural Land Reserve (ALR) land.
- A question was raised if a framework was possible for Islands Trust to limit expansion of housing on Agricultural Land Reserve (ALR) land unless farming was present.
- A question was raised about filing a notice of intent about soil movement in development of a residential property. Ministry staff noted that this was to ensure agricultural land was keep as undisturbed as possible; Salt Spring Island Local Trust Area Soil Removal and Deposit Regulation Bylaw No. 418 was noted as a similar local regulation.

SS-2021-140

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to prepare a report on options to amend bylaws to accommodate the Agricultural Land Commission July 12, 2021 announcement on residential flexibility in consideration of the 2020 Salt Spring Island Area Farm Plan Renewal.

CARRIED

DRAFT

File No.: 3445-10 Galiano Island
Proposed Bylaw No. 280

DATE OF MEETING: August 31, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Geordie Gordon
Local Planning Services
COPY: Stefan Cermak, Regional Planning Manager
SUBJECT: Bylaw Referral from Galiano Island Local Trust Committee

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request staff to respond to the referral from the Galiano Island Local Trust Committee for Bylaw No. 280 indicating that the Salt Spring Island Local Trust Committee's interests are unaffected.

REPORT SUMMARY

The Salt Spring Island Local Trust Committee has been referred Galiano Island Local Trust Area Bylaw No. 280 for comment. The purpose of the proposed bylaw is to amend the zoning for a 4.05 hectare Community Housing 1 (CH1) – zoned property to allow an increase in density from 1 dwelling to 20. The proposed bylaw specifies floor area limits for housing types and accessory buildings. The proposed bylaw also specifies one hundred percent residential rental tenure for the subject property and adds the definition of residential rental tenure to the Galiano Land Use Bylaw No. No. 127, 1999.

ANALYSIS

Staff have reviewed the proposed bylaw amendment and associated [Staff Report](#), and consider the interests of the Salt Spring Island Local Trust Committee to be unaffected.

Submitted By:	Geordie Gordon, Planner 2	August 10, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	August 13, 2021

ATTACHMENTS

1. A1 - 3445-10 – Galiano Island Bylaw Referral Forms



Islands Trust

BYLAW REFERRAL FORM

Island: Galiano Island Local Trust Area Bylaw No.: 280 Date: July 19, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Galiano Affordable Living Initiative (GALI)

PURPOSE OF BYLAW:

The application would amend the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) by rezoning the subject property to increase the density per lot from 1 dwelling to 20 dwellings and to enable the development to occur within its proposed layout and multi-unit/building design.

Background information including staff reports are available on the Galiano Island applications webpage (GALI): <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

GENERAL LOCATION:

409 Porlier Pass Rd, Galiano Island

LEGAL DESCRIPTION:

Lot 1 District Lot 3 Galiano Island Cowichan District Plan 29196

SIZE OF PROPERTY AFFECTED:

4.05 hectares

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Community Housing

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

BSmith

(Signature)

Name:

Brad Smith

Title:

Island Planner

Contact Info

Tel: 250-405-5194

Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Forests, Lands & Natural Resource Operations –
Water Licensing Branch
Ministry of Attorney General and Minister responsible for
Housing
Ministry of Transportation and Infrastructure

Non-Agency Referrals

BC Hydro and Power Authority
Telus
Galiano Trails Society
BC Housing

Regional Agencies

CRD, Planning and Protective Services, Building Inspection
CRD, Planning and Protective Services, Regional Housing
CRD, Galiano Island Parks and Recreation Commission
Island Health
Galiano Island Fire Rescue – South Department

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Thetis Island Local Trust Committee
Gambier Island Local Trust Committee

First Nations

Stz'uminus First Nation
Lake Cowichan First Nation
Halalt First Nation
Lyackson First Nation
Penelakut Tribe
Semiahmoo First Nation
Pauquachin First Nation
Tsartlip First Nation
Tseycum First Nation
Cowichan Tribes
Tsawwassen First Nation
Tsawout First Nation
Musqueam Indian Band
WSANEC Leadership Council

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Galiano Island Local Trust Area
(Island)

(Signature)

(Date)

280
(Bylaw Number)

(Name and Title)

(Agency)

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 280

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2021”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999,” is amended as follows:

2.1. Section 8.6 – Community Housing 1 Zone (CH1), Subsection 8.6.2 is amended by deleting “one dwelling is” and replacing it with “twenty dwellings are” such that it reads “Twenty dwellings are permitted on each lot.”

2.2. Section 8.6 – Community Housing 1 Zone (CH1), Subsection 8.6.3 is amended by deleting the Subsection in its entirety and replacing with a new Subsection 8.6.3 and four new Articles such that it reads

“8.6.3 Maximum floor area of a dwelling must not exceed

8.6.3.1	34 square metres for a studio unit
8.6.3.2	67 square metres for a 1 bedroom unit
8.6.3.3	96 square metres for a 2 bedroom unit
8.6.3.4	115 square metres for a 3 bedroom unit”

2.3. Section 8.6 – Community Housing 1 Zone (CH1) subsection 8.6.4 is amended by deleting “One accessory building not exceeding a floor area of 10 square metres is permitted in respect of each permitted dwelling” and replacing it with “Lot coverage must not exceed 8.65 % for any lot.”

2.4. Section 8.6 – Community Housing 1 Zone (CH1), Subsection 8.6.5 is amended by deleting “Two communal accessory buildings not exceeding a total combined floor area of 278 square metres.” and replacing it with “One communal accessory building not exceeding a floor area of 70 square meters.”

2.5. Section 8.6 – Community Housing 1 Zone (CH1), Subsection 8.6.7 (Minimum Setbacks) is amended by:

- (i) deleting Article 8.6.7.1 in its entirety
- (ii) renumbering subsequent Subsection 8.6.7 Articles accordingly
- (iii) Deleting “other” from Article 8.6.7.2 such that it reads “at least 7.5 metres from any lot line.”

2.6. Section 8.6 – Community Housing 1 Zone (CH1), Subsection 8.6.9 (Average Lot Size) is amended by deleting “0.19 hectares” and replacing it with “4 hectares” such that it reads “No subdivision may be approved unless the lots created by subdivision have an average area of at least 4 hectares.”

2.7. Section 8.6 – Community Housing 1 Zone (CH1), amended by inserting a new Subsection 8.6.10 as follows:

“Form of Tenure

8.6.10 100% of the dwelling units in the Community Housing 1 zone shall be limited to residential rental tenure.”

2.8. Section 17.1 is amended by adding the following definition:

“residential rental tenure” means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

Islands 2050:

The Future of the Trust Area

Policy Statement Amendment Project

Draft New Islands Trust Policy Statement

Project Overview and
Key Amendments

Information Session for
Referral Agencies
July 28, 2021



Acknowledgment

*We respectfully and
humbly acknowledge...*

The Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəwáθən məsteyəx^w, Scia'new, səlilwətaʔt, SEMYOME, shíshálh, Sḵwəxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SḶÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıx^w, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhkwu/ʔop qaymıx^w, and x^wməθk^wəyəm.

*...these lands and waters
have been home to
Indigenous Peoples since
time immemorial*

*...we honour the rich
history, stewardship
and cultural heritage
of this place*

Information Session: Referral Agencies

Draft New Policy Statement Bylaw No. 183



Presentation Overview

Part 1

- Overview of Islands Trust
- The Islands Trust Policy Statement
- Islands 2050 – The Future of the Trust Area
- Project Timeline
- Referrals Process
- **Part 1 – Q&A**

Part 2

- Trust Council's Amendment Priorities
- Key Amendment Highlights
- Where to Find More Info
- **Part 2 – Q&A**

Islands Trust

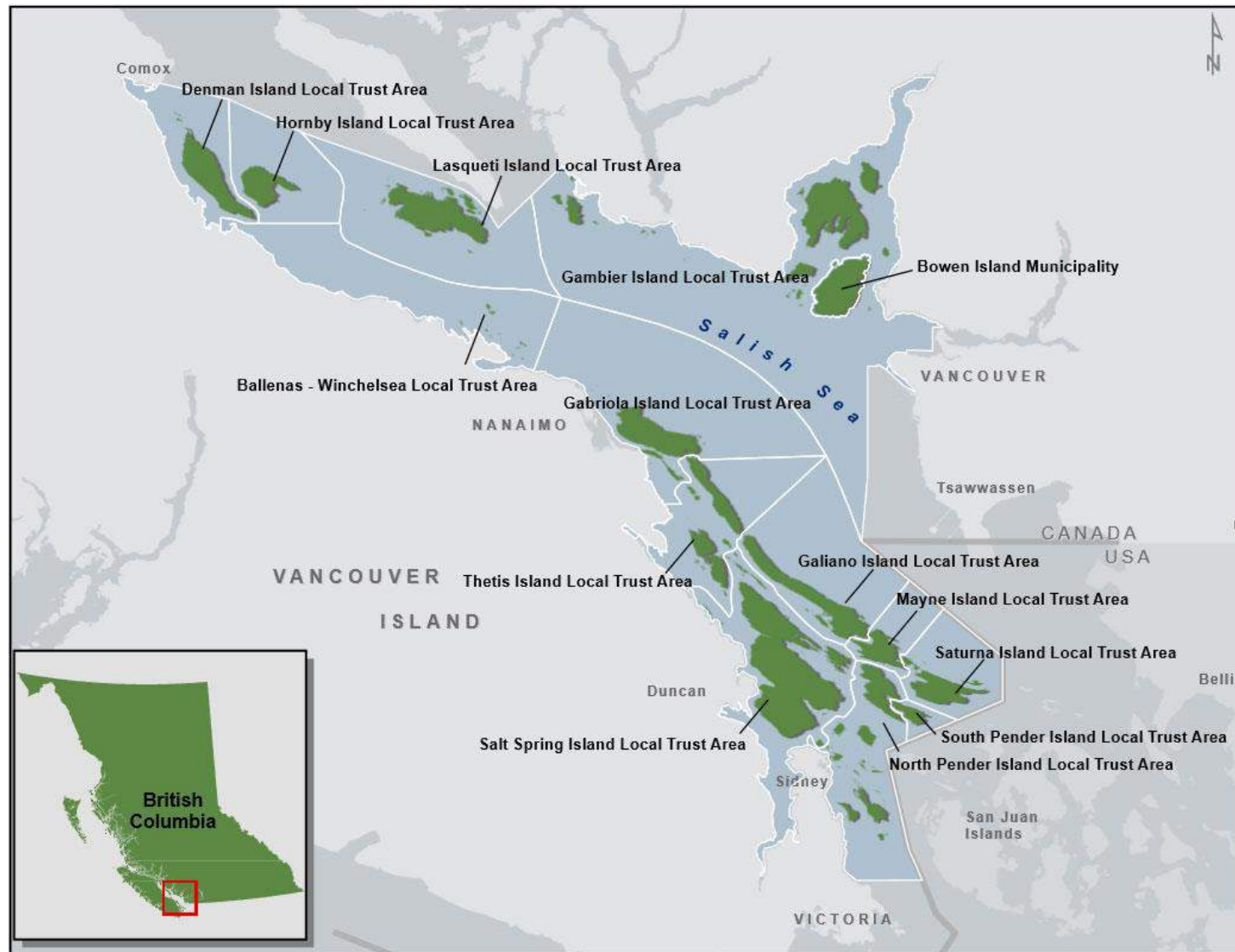
A Unique Mandate to Preserve & Protect

Islands Trust is a special purpose government mandated to **preserve and protect** over 450 islands and surrounding waters in the Salish Sea.

- Conservation-Oriented Land Use Planning
- First Nations Engagement
- Public Engagement
- Inter-Agency Cooperation and Advocacy
- Stewardship Education

Collaboration
with
**Islands Trust
Conservancy**

Islands Trust Area



Policy Statement

A Regional Vision to Preserve and Protect

Islands Trust Act

Islands Trust Object:

“to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”



Policy Statement

a general statement of the policies of Trust Council to carry out the Islands Trust Object

1994...

...2021

Islands 2050

The Future of the Trust Area

[view this video online](#)



Project Timeline



Recent Updates :

- Trust Council received draft new Policy Statement on July 8
- Trust Council called for further engagement and referrals prior to First Reading (est. Dec 2021 / Mar 2022)
- Note: First Nations and Public Engagement Update Reports are available on the Islands 2050 webpage

Referrals Process



Request to Referral Agencies:

- Review the entire new draft Policy Statement to identify areas that affect your agency's interests
- Consult the Islands 2050 webpage for more detailed project information
- Email islands2050@islandstrust.bc.ca if you have any questions or would like to arrange to speak with one of our staff advisors
- Send us your completed **Bylaw Referral Form** by October 22, 2021

Response Options

BYLAW REFERRAL FORM RESPONSE SUMMARY

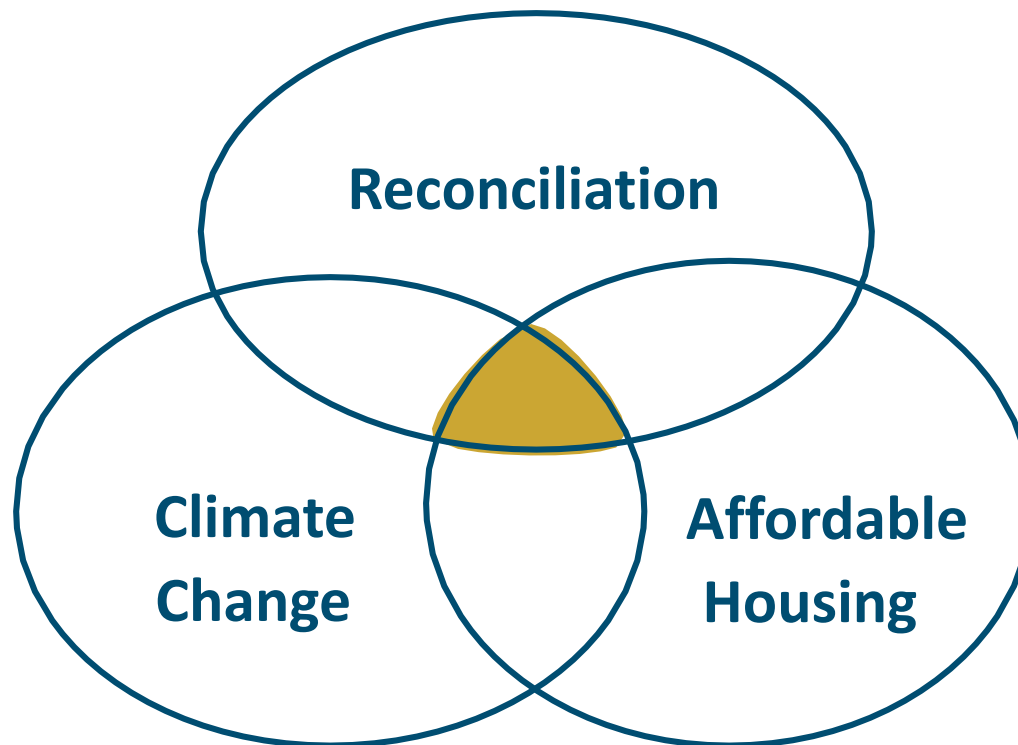
- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Questions?

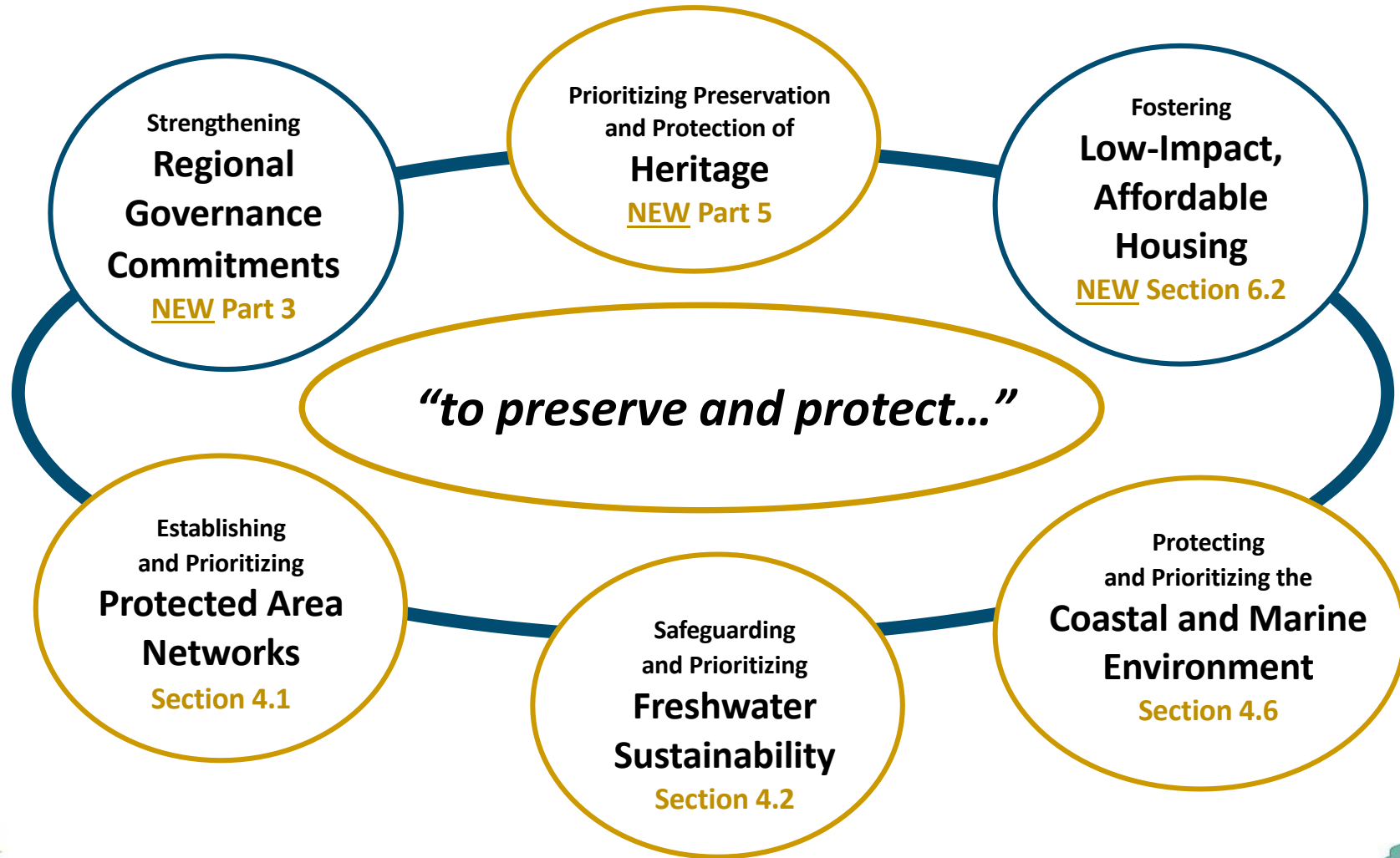


Amendment Priorities

Trust Council identified **three strategic priorities** for Policy Statement amendments this term:



Amendment Highlights



Reconciliation

Amendment Highlights



- Acknowledgment of First Nations' relationships with the islands and waters and commitment to seek meaningful engagement
- Removal of offensive language
- Policies related to Indigenous cultural heritage, culturally significant species, and Indigenous Ways of Knowing
- Enhanced protection of coastal and marine environment, Indigenous food security, and shoreline archaeological sites
- Commitment to be guided by reconciliation principles:
 - Truth & Reconciliation Commission Calls to Action
 - United Nations Declaration on the Rights of Indigenous Peoples
 - *Declaration on the Rights of Indigenous Peoples Act*
 - Missing & Murdered Indigenous Women and Girls Calls for Justice

Climate Change

Amendment Highlights



- Enhanced multidisciplinary knowledge base for decision-making
- The Three 'R's of Resilience: Relational, Restorative, Regenerative
- Climate vulnerability assessments, precautionary principle, nature-based solutions, and adaptive management
- Enhanced focus on establishing protected area networks
- Protection of natural areas for carbon sequestration
- Bolder protective policies around freshwater sustainability and coastal and marine protection, including prohibitions of:
 - new private docks (except boat-access only properties)
 - new desalination plants
 - new seawalls or hard shoreline armouring
- Low-impact sustainable development directives
- Support for sustainable transportation networks

Affordable Housing

Amendment Highlights

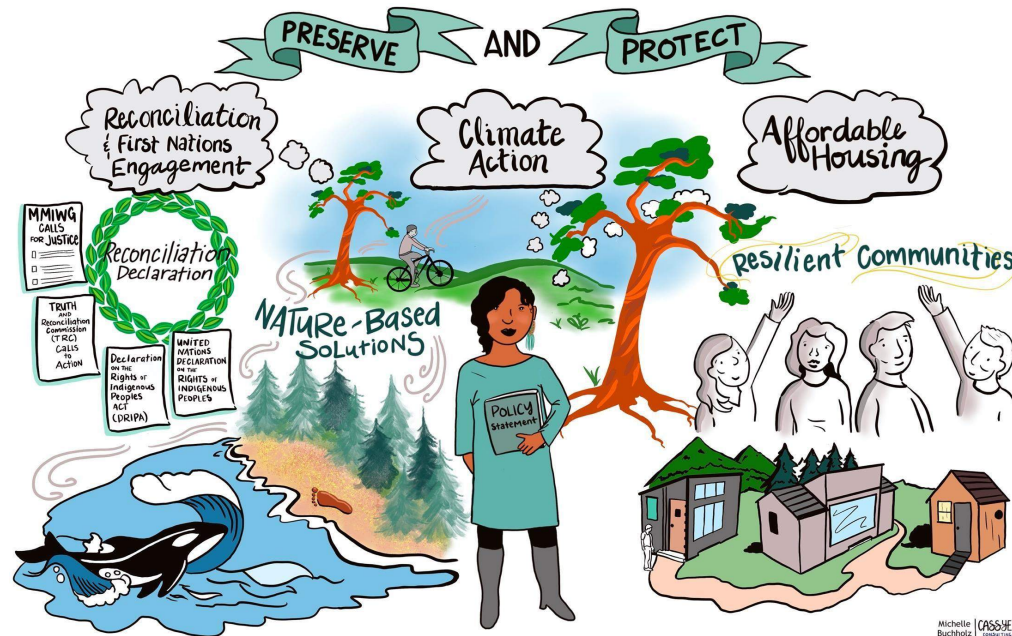


- Commitment to foster a strategic, multijurisdictional, equitable, and integrated approach to address housing needs
- Directives to identify appropriate locations where density increases could support affordable housing without compromising other goals
- Directives to assess and, where necessary, regulate impacts of short-term rentals on housing availability and affordability
- Directives to identify appropriate floor area and lot coverage limits for residential development
- Commitment to inter-agency coordination and advocacy to foster safe, secure, and affordable housing for Trust Area communities and Indigenous Peoples, in alignment with the Islands Trust Object

More Information

Find detailed project information at:
islandstrust.bc.ca/islands2050

Contact us with any questions
or arrange to speak with a staff advisor:
islands2050@islandstrust.bc.ca
reconciliation@islandstrust.bc.ca
Tel: 250-405-5151



Questions?





Islands Trust

Islands Trust Council **DRAFT Bylaw No. 183**
ISLANDS TRUST POLICY STATEMENT BYLAW, 2021

ISLANDS TRUST POLICY STATEMENT

Updated – July 15, 2021

(Engagement Draft - Colour-Coded Version)

Sections highlighted in blue: primarily reconciliation related amendments

Sections highlighted in green: primarily climate change related amendments

Sections highlighted in pink: primarily housing related amendments

Sections highlighted in yellow: general edits for clarity, accuracy, or brevity

References highlighted in (blue parentheses) at the end of each policy refer to the corresponding policy in the 2003 consolidated version of the Policy Statement or indicate (new) policies.

A clean version of this draft (without colour coding) is available on the Islands 2050 webpage at: <https://islandstrust.bc.ca/programs/islands-2050/>.

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PART 1 - INTRODUCTION

1.1 ACKNOWLEDGMENT (new)

Islands Trust Council acknowledges that the Islands Trust Area is located within the treaty and territorial lands and waters of the BOKEĆEN, K'ómoks, Lək'wəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, sə́lílwətaʔt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SṐÁUTW, Stz'uminus, łaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhkwu/ʔop qaymıxʷ, and xʷməθkʷəy̓əm (collectively referred to hereinafter as 'First Nations').

Islands Trust Council acknowledges that the lands and waters encompassing the Trust Area are subject to the treaty and territorial rights of First Nations. The Trust Area has been home to Indigenous Peoples since time immemorial and their relationship to these lands and waters continues to this day. Islands Trust Council honours the rich history and cultural heritage within the region and has stated its commitment to reconciliation and meaningful engagement with First Nations in the Trust Area.

1.2 ESTABLISHMENT OF THE ISLANDS TRUST

To understand the Islands Trust governance model, it is helpful to understand its origins. In the 1960s, as the urban centres of Vancouver, Nanaimo, and Victoria were experiencing rapid population growth, the Gulf Islands in British Columbia began facing unprecedented pressure for residential development. Gulf Island residents, whose islands were under the jurisdiction of regional districts at the time, began expressing widespread concern that the area's highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary 10-acre minimum lot size freeze on the subdivision of land until island communities could adopt plans and regulations to control growth.

In 1972, an all-party provincial Select Standing Committee on Municipal Affairs was established to investigate the unique problems facing the Trust Area. In its 1973 report¹ to the Legislative Assembly of British Columbia, the Committee concluded that development pressures arising from the area's proximity to major urban centres were damaging the very features that made the region so attractive to residents and visitors. The Committee recommended the formation of an 'Islands Trust' to assume the primary responsibility for coordinated governance of the region.

In response to the Committee's recommendations, the Government of British Columbia enacted the *Islands Trust Act*² in 1974. The Act established Islands Trust as a trust with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly.

In the years following the establishment of Islands Trust, pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by sixty per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the *Islands Trust Act* during this period, giving Islands Trust community planning and land use authority comparable to that of a regional district under the *Local Government Act*. From 1974 to 1977, local trust committees vetted regional district bylaws for compliance with the Islands Trust Object. In 1977, in response to concerns about administrative inefficiencies, the *Islands Trust Act* was amended to transfer land use regulation from regional districts to local trust committees. Aware of the urgent need for plans to guide decisions on growth management and land use, Trust Area communities developed official community plans. Nonetheless, pressure for residential development continued, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Islands Trust Area, this time focusing on public opinion of Islands Trust and its role. The results showed overwhelming public support for both Islands Trust and the Islands Trust Object, and suggested ways in which the Trust and its legislation could be strengthened. In response, an amended *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the amended Act, Islands Trust retained its original authority and its dual responsibility to residents of both the Trust Area and British Columbians more broadly. The new legislation also amended the structure of Islands Trust and greatly broadened its functions and responsibilities. One of the most notable changes was the assignment of a regional-level planning function to Islands Trust Council.

¹ British Columbia, [Official Report of Debates of the Legislative Assembly \(Hansard\)](#), 30th Parl, 3rd Sess, p 255 (25 September 1973).

² British Columbia, [Islands Trust Act](#), RSBC 1996, c 239.

1.3 PRESENT CONTEXT

Many of the challenges that the Islands Trust Area was facing in 1974 remain pressing today, and are further complicated by new social, economic, and environmental dynamics.

In 2019, Trust Council adopted a Reconciliation Declaration acknowledging that First Nations have resided in the lands and waters that encompass the Trust Area since time immemorial and honouring the rich history and cultural heritage of this special region. Trust Council acknowledges that it has a duty to seek meaningful engagement with First Nations in the Trust Area and strives to be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Commission's Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.

Trust Council also adopted a Climate Emergency Declaration in 2019, committing to urgent and equitable climate action across the region. The health and integrity of ecosystems, communities, and the built environment are increasingly compromised by the adverse impacts of climate change such as rising sea levels, ocean acidification, storm surge flooding, windstorms, droughts, wildfires, and invasive species. Biodiversity - the diversity within species, between species, and of ecosystems - is declining at an alarming rate, leading to species extinctions locally and across the globe. In order to effectively preserve and protect the unique amenities and environment of the Trust Area in this context, it will be critical to identify, monitor, mitigate, and adapt to the ripple effects of climate change on both ecosystems and communities. In this context, Trust Council will benefit from being guided by the best available science, social science, local knowledge, and Indigenous ways of knowing. In the face of uncertainties around the rate and scale of climate impacts, it will also be important to foster more precautionary and adaptive approaches to decision-making, safeguarding future generations as best as possible.

Research by the Islands Trust Conservancy on the conversion of natural areas for human use highlights that some islands in the Trust Area are reaching or surpassing accepted thresholds for ecosystem health³. A widely accepted threshold for the region is approximately 30-40% of converted area for any given habitat. As land conversion begins to go above this threshold, the number of species in a given habitat can be expected to decline far more rapidly. A 2021 report on *The State of the Salish Sea*⁴ describes the Salish Sea bioregion as being under relentless pressure from an accelerating convergence of global and local environmental stressors and the cumulative impacts of 150 years of development. It chronicles how ecosystem decline has outpaced protection and restoration efforts, and how population growth and urbanization have led to detrimental changes to the landscape and seascape, including habitat fragmentation, shoreline armoring, conversion of vegetated areas to impervious surfaces, and profound changes in watershed and wetland hydrology. The report calls for strategic, multijurisdictional policy approaches, informed by multiple ways of knowing and grounded in an understanding of the complex relationships between people and place:

"...Now is the time to shift thought and policy paradigms from treating the environment as a resource to instead build systems of relationships and responsiveness that are based in science and incorporate the interconnected system of humans and environments."

³ Islands Trust (2019). *State of the Islands Indicator Project: Final Report*

⁴ Sobocinski, K.L. (2021). *State of the Salish Sea*. G. Broadhurst and N.J.K. Baloy (Contributing Eds.). Salish Sea Institute, Western Washington University.

Many islands in the Trust Area are also facing a lack of safe, secure, and affordable housing that is threatening the long-term sustainability and resilience of Trust Area communities. The gap between those who can, and those who cannot, afford a home is growing rapidly amidst a backdrop of skyrocketing real estate values, loss of rental stock, prevalence of not-permitted, unsafe, and unhealthy housing with no permanency or security for families, and growing rates of homelessness. Without affordable, safe, secure, and diverse housing options, seniors are finding it difficult to age in place and an increasing percentage of island workers must commute from off-island locations. First Nations community members continue to be alienated from their homelands and opportunities to live on the islands due to the forced removal and genocide they experienced and continue to experience to this day. As Trust Council endeavours to support community needs for affordable housing within the confines of its jurisdictional mandate, it acknowledges the need for place-based, multigenerational, and integrated solutions to sustainability that address equity, diversity, and inclusion in meaningful ways, while respecting the natural limitations and adaptive capacities of island ecosystems.

In this complex policy landscape, the Policy Statement plays a vital role in articulating Trust Council's strategic policy priorities, principles, and approaches, centred firmly in the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area, not only for this generation, but also for many generations to come, including First Nations who wish to come home or have access to traditional uses.

1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* sets out the special-purpose mandate for Islands Trust, referenced in the legislation as its “object”:

“The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.” (*Islands Trust Act*)

The following sections provide a fuller explanation of key phrases in the Islands Trust Object.

“... to preserve and protect the Trust Area...”

The Islands Trust Area is a scenic archipelago of 13 major islands, over 450 smaller islands and islets, and surrounding waters in the Salish Sea. The area of jurisdiction is established by Schedule A of the *Islands Trust Act*. The region is home to more than 26,000 residents and is the homeland of more than 28,000 Coast Salish Peoples.

The mandate to ‘preserve and protect’ aims to ensure the continued existence, either at current or enhanced levels, of the unique amenities and environment of the Trust Area. This involves first identifying the unique amenities and environment in each local planning area and then instituting measures for their preservation and protection. Appropriate developments can thus be guided to areas which are most suitable, with minimal impact to the unique amenities and environment of the area. Official community plan and bylaw provisions such as setbacks and parcel size can be used as site specific protection measures where development is permitted.

“...and its unique amenities and environment...”

The Trust Area is valued and unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

Located within the Coastal Douglas-fir and Coastal Western Hemlock biogeoclimatic zones, the Trust Area is home to an exceptionally high biodiversity of rare and culturally significant species, including over 100 federally-listed and over 300 provincially-listed species at risk. These ecosystems are classified as ‘sensitive’ because of their rarity and vulnerability to disturbances such as human impacts and climate change. The Trust Area also plays an important role in provincial and national efforts to reduce greenhouse gas emissions by capturing and storing carbon in natural areas such as forests, soils, mycelium networks, wetlands, and eelgrass meadows.

Islands are places of last refuge and first (local) extinction. Existing at the interface of land and sea, they provide transition habitats that support high terrestrial and marine biodiversity. At the same time, islands need extra care due to a number of unique vulnerabilities they hold as small, closed systems, surrounded by water. Unlike larger islands or the mainland, islands in the Trust Area have significant water supply constraints, due to small watersheds, shallow soils, a heavy reliance on groundwater, and a high vulnerability to the impacts of a changing climate, such as drought and saltwater intrusion. Species habitat and migration corridors on these islands are also constrained by the natural boundaries of shorelines and are impacted by the proportion and configuration of land converted for human use. In addition, coastal and marine ecosystems, resident communities, and First Nations’ archaeological sites and shoreline harvesting are all highly vulnerable to the climate change impacts associated with sea level rise and ocean acidification.

The Trust Area is also valued and unique because it is located within the treaty and territorial lands and waters of the Coast Salish Peoples. First Nations have called these lands and waters home since time immemorial and their relationship with this place continues to this day as stewards and caretakers for seven generations to come. First Nations in the Trust Area have creation stories that describe the spiritual and geophysical formation of the islands in the Salish Sea. Their history, stewardship, and knowledge of the region is reflected through oral history, language, place names, cultivated features of the landscape, Indigenous law, and protocols. Indigenous descriptions of the interrelationships between the landscape and all beings provide important context to the understanding of this special place. In this context, Indigenous cultural heritage is recognized as a unique amenity in the Trust Area and includes, but is not limited to: cultural and spiritual sites; ancestral loved ones' burial cairns and resting places; artifacts; petroglyphs; pictographs; place names; culturally significant species; medicinal plants; and traditional harvesting areas.

Trust Area islands are also home to vibrant communities that aspire to live sustainably and in respectful relationship with these lands and waters. Trust Council understands its preserve and protect mandate is strengthened by healthy and inclusive communities that are dependent on sustainable, energy efficient, and appropriately located housing, transportation, and infrastructure. Trust Area communities strongly value the rich natural beauty and biodiversity of the islands, the silence, quietude and tranquility of rural island landscapes and dark night skies, and the abundant opportunities for nature connection that the islands afford. These opportunities are not only to be enjoyed by residents, but also by British Columbians and visitors to the region, who all play important roles in helping to preserve and protect the Trust Area. Effective stewardship of the Trust Area relies on a collective community commitment to foster lower ecological footprints by reducing greenhouse gas emissions, striving to find new paths to conserve finite natural resources, and seeking nature-based solutions to climate change.

“...for the benefit of the residents of the Trust Area and of British Columbia generally ...”

Islands Trust is responsible to the present and future resident communities of the Trust Area and British Columbia, as well as to First Nations who have resided in the area since time immemorial. Resident communities include a diverse mix of year-round residents, part-time residents, absentee land owners, and First Nations who were forcibly removed from their homelands through colonization. The benefits to British Columbians include the preservation and protection of one of the most ecologically sensitive and biodiverse regions in the country, the safeguarding of natural carbon sinks to sequester greenhouse gas emissions, and opportunities for nature connection in close proximity to major urban centres.

“... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia ...”

First Nations, and a number of municipalities, regional districts, improvement districts, other persons and organizations, and provincial agencies have responsibilities and interests related to the preservation and protection of the Trust Area. Trust Council recognizes that it does not have the jurisdictional powers to fulfill its mandate independently and must obtain the assistance of other jurisdictions. To achieve its object, Islands Trust must be an educator, coordinator, collaborator, and initiator, guiding individuals, communities, organizations, and other government agencies to uphold and support the Islands Trust Object. While Trust Council can provide the necessary leadership, responsibility for the preservation and protection of the Trust Area rests with many, including Trust Area residents, communities, other government agencies, organizations, and the Province. Trust Council further recognizes that meaningful engagement and cooperation with First Nations is critical to the preservation and protection of the region, to Trust Council's reconciliation commitments, and to the implementation of the provincial *Declaration on the Rights of Indigenous Peoples Act*.

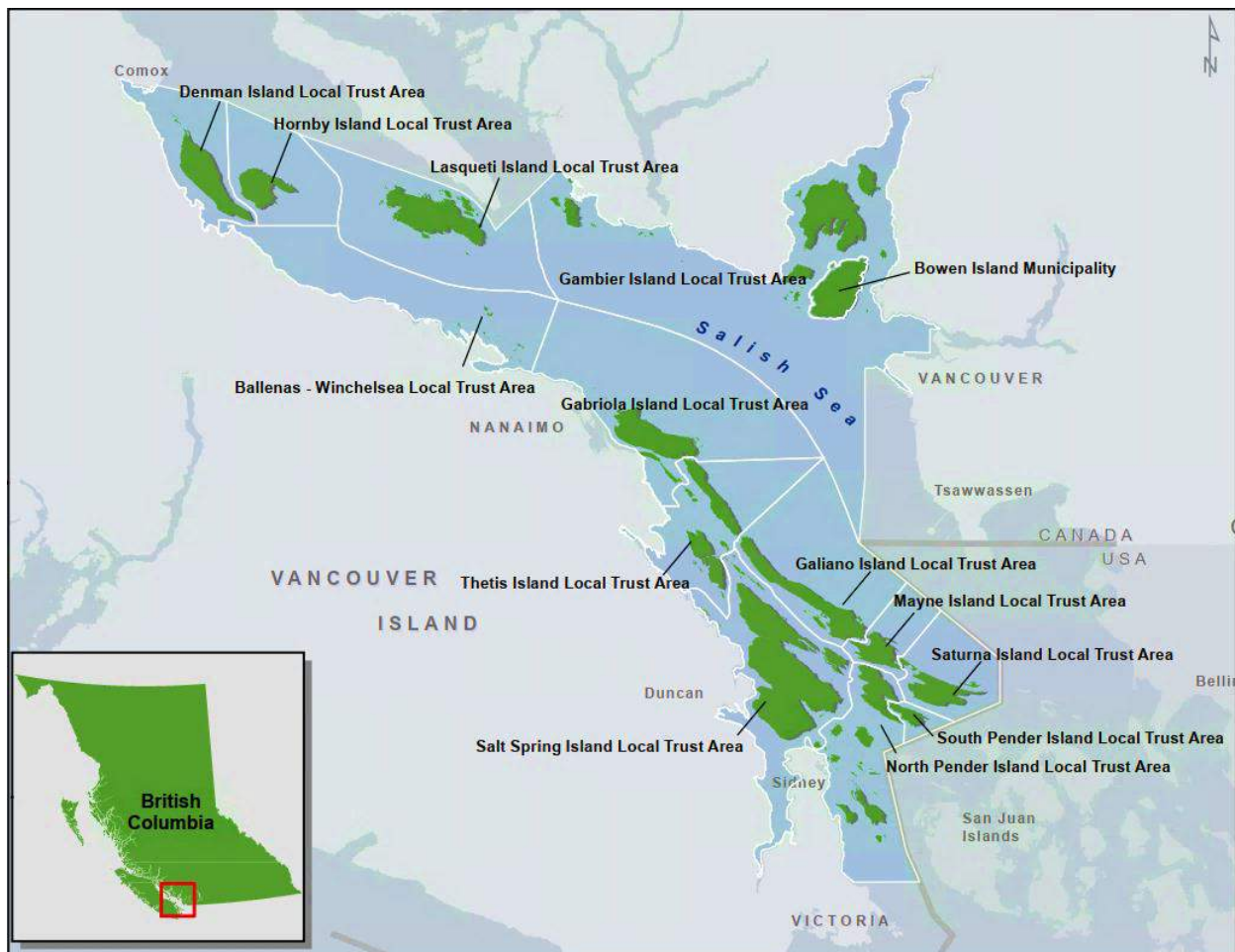
1.5 LOCATION OF THE ISLANDS TRUST AREA

The Islands Trust Area is an archipelago of 13 major islands and more than 450 smaller islands and surrounding waters in the Salish Sea, situated between the mainland of British Columbia and southern Vancouver Island. The specific boundaries of the Trust Area are noted in Schedule A of the *Islands Trust Act*.

The 13 major islands include:

- Bowen Island
- Denman Island
- Gabriola Island
- Galiano Island
- Gambier Island
- Hornby Island
- Lasqueti Island
- Mayne Island
- North Pender Island
- Salt Spring Island
- Saturna Island
- South Pender Island
- Thetis Island

(new map)



PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Section 15 of the *Islands Trust Act* stipulates that Trust Council must, by bylaw, adopt a Trust Policy Statement that applies to the Trust Area. The purpose of the Policy Statement is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area.

The Policy Statement aims to establish a vision for the future of the Trust Area that reflects the values and interests of the environment, residents, First Nations, and British Columbians, for this generation and for generations to come. It provides a framework for Trust Council to assume a leadership role in 'place protection planning' in the Trust Area, which entails preserving and protecting the unique amenities and environment of the Trust Area through a combination of:

- conservation-oriented land use planning and regulation;
- engagement with First Nations;
- inter-agency coordination and advocacy;
- public / community engagement; and
- stewardship education.

As the Trust's overarching policy document, the Policy Statement guides the formulation of Trust-wide strategic plans, official community plans and regulatory bylaws, protocol agreements and other cooperative arrangements with First Nations, inter-agency coordination and advocacy, thematic action plans and strategies, as well as public engagement and education initiatives.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

2.2 ROLES AND RESPONSIBILITIES

Islands Trust Council cannot effectively implement the Policy Statement without the support of First Nations and a wide range of partners. The original 1974 vision was that the Trust would be a "fully representative co-coordinating body", whose task it was to bring together each group, agency, or government partner to act in the best interests of the islands and residents, with due regard for the broader and Province-wide interest. Assistance, cooperation, and collaboration are required from local trust committees, island municipalities, the Islands Trust Conservancy Board, First Nations and their associations and organizations, the provincial government, other government agencies, non-governmental organizations, communities, property owners, residents and visitors. In the spirit of the *Islands Trust Act*, it is expected that all corporate entities of the Trust will coordinate and advocate to other agencies on matters involving potential conflict between the legislated Islands Trust Object and the legislated mandates of other agencies.

Role of the Minister of Municipal Affairs

The Minister of Municipal Affairs of the Government of British Columbia (or the designated provincial minister responsible for municipal affairs) approves the Policy Statement bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust Council approves a bylaw that has been submitted to them. The Minister and Ministry staff can also facilitate communication between the Islands Trust and other government agencies on policy matters.

Role of Islands Trust Council

The *Islands Trust Act* assigns to Islands Trust Council the responsibility for development, adoption, amendment, and implementation of the Policy Statement. Recognizing the varying roles and responsibilities of other parties to help fulfill the Islands Trust Object, Trust Council has included three types of policies in the Policy Statement:

a) Commitments of Trust Council

These policies reflect Trust Council's high-level regional commitments, positions, priorities, and approaches related to the Islands Trust Object and its implementation. They help clarify Trust Council's regional governance approach and offer interpretive context to guide decision-making.

b) Directive Policies for Local Trust Committees and Island Municipalities

These policies direct local trust committees and island municipalities to include certain types of policies and approaches in their official community plans and bylaws, unless explicit reasons are given to justify not doing so. Directive policies generally commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws..." These policies generally strive for a harmonized regional approach while also leaving flexibility for more detailed, locally-appropriate implementation tools and strategies.

c) Coordination Policies for Trust Council

These policies reflect Trust Council's role in coordinating, advocating, and engaging with a host of other parties (including government agencies, non-governmental organizations, property owners, residents and visitors) regarding decisions or actions they can undertake in support of the Policy Statement and the Islands Trust Object. In some cases, these can form the basis of protocol agreements between the Trust and other agencies. Sections 8 and 9 of the *Islands Trust Act* stipulate that Trust Council may enter into coordination agreements and make recommendations to other parties for the purpose of carrying out the Islands Trust Object. Section 8 also stipulates that Trust Council may make recommendations to the Lieutenant Governor in Council respecting the determination, implementation, and carrying out of policies for the preservation and protection of the Trust Area and its unique amenities and environment.

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. Trust Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.

Role of Executive Committee

Part 3 of the *Islands Trust Act* stipulates that the Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" the Policy Statement. If there is no official community plan in place for an island municipality, Executive Committee is required to review all bylaws of the municipality and no bylaw that is contrary to the Policy Statement can be approved. Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Trust Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws, but generally does not stipulate the specific policies, planning tools, or regulations to be used because the social and environmental characteristics of islands vary. Official community plans must contain policies relating to

Trust Council's directives or must explicitly state the reasons and justifications for not doing so. Each local trust committee works with its island community to develop policies and regulations to fulfill the Islands Trust Object and Policy Statement in ways that are suitable to local needs and conditions.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires an island municipality to address a particular matter, the official community plan must contain policies that implement Trust Council's directive or must explicitly state the reasons and justifications for not doing so.

Role of the Islands Trust Conservancy Board

The *Islands Trust Act* assigns the Islands Trust Object to the Islands Trust Conservancy Board, as well as to Trust Council, local trust committees and island municipalities. Although the Islands Trust Conservancy Board does not take direction from Trust Council, it plays an essential role in helping to support the Policy Statement objectives and the fulfillment of place protection planning in the Trust Area through science-based conservation planning, engagement with First Nations, identification and protection of core conservation areas, as well as education and communication initiatives. To support the Islands Trust Object, the Islands Trust Conservancy Board also plays a key role in accepting voluntary donations of property and covenants and purchasing lands. Close collaboration and policy alignment between Islands Trust and Islands Trust Conservancy is critical to carrying out the Islands Trust Object.

Role of First Nations

First Nations play an integral role in governance and cooperative decision-making in the Trust Area. Trust Council acknowledges the treaty and territorial rights and title of First Nations in the Trust Area and is committed to aligning Islands Trust policies and processes with the *Declaration on the Rights of Indigenous Peoples Act*. Trust Council is further committed to ensuring that it seeks meaningful engagement with First Nations now and into the future. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans provide frameworks for effective communication, information sharing, and cooperative decision-making.

Role of Other Government and Non-Governmental Organizations

Other government agencies and non-governmental organizations play an important role in contributing to the preservation and protection of the unique amenities and environment of the Trust Area through cooperative actions based on the Policy Statement and the Islands Trust Object. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans support the sustainability of the Trust Area and fulfillment of the Islands Trust Object.

Role of Property Owners, Residents, Visitors and Communities

The assistance and cooperation of property owners, residents, visitors, and communities is vital to the preservation and protection of the unique amenities and environment of the Trust Area and to the implementation of the Policy Statement in each local planning area. Individuals have many opportunities to participate in local planning decisions and to work with other members of their communities to support the Islands Trust Object. The Trust can also equip communities and individuals with education and tools to help support the preserve and protect mandate and specific policies contained in the Policy Statement.

2.3 IMPLEMENTATION AND AMENDMENT POLICIES

Trust Council's Policies 1.2.1 (Policy Statement Amendment Policy) and 1.3.1 (Policy Statement Implementation Policy) guide the implementation and amendments of the Policy Statement. These are separate policies approved by Trust Council and do not require a legislative approval process.

The Policy Statement bylaw may be amended by Trust Council with the approval of the minister responsible for municipal affairs. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by Executive Committee and brought forward for the consideration of Trust Council. Trust Council may, from time to time, initiate a review of the entire Policy Statement.

Trust Council's Policy Statement Implementation Policy establishes policies and procedures for statutory bylaw referrals and other implementation strategies and decision support tools that assist Executive Committee, local trust committees, island municipalities, Islands Trust planning staff, and other relevant parties to ensure that bylaws are consistent with the Islands Trust Policy Statement.

PART 3: REGIONAL GOVERNANCE (new)

GOAL: To establish regional governance approaches that uphold the Islands Trust Object

CONTEXT:

The Governance Challenge: The Islands Trust Area today faces converging challenges and compounding vulnerabilities. Trust Council must contend with intense development pressures, increasing climate change impacts, one of the highest densities of species at risk in Canada, freshwater scarcity, changing demographics, and a widespread lack of affordable housing. While populations, numbers of visitors, and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Trust Area's natural systems remain limited and are increasingly compromised by climate change and the cumulative effects of human activity. Potential for conflict exists: conflict between the unending pressures for development and intensified use, and the duty to preserve and protect the unique amenities and environment of this special place. To keep everything in the Trust Area exactly as it is today would be impossible. Changes will occur. Nonetheless, if the Trust Area's unique amenities and environment are to be preserved and protected for current and future generations, priorities must be defined and management strategies established.

Establishing Priorities and Limitations: Advancing the Islands Trust Object is the preeminent duty of Trust Council, its committees, and all locally elected trustees in the Trust Area. This unique statutory mandate prioritizes the preservation and protection of the unique amenities and environment of the Trust Area. Acknowledging the need to shift towards less human-centric and less settler-centric planning paradigms, Trust Council commits to place priority on preserving and protecting the integrity of the environment and Indigenous cultural heritage in the Trust Area. This entails, first and foremost, the identification and safeguarding of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. To these ends, Trust Council should be guided by detailed, area-based understandings of the Trust Area and its unique amenities and environment, that are informed by multiple ways of knowing, including the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. Furthermore, the uncertainties around the rate and scale of climate change are mandating more precautionary approaches to stewardship of the Trust Area. The **Precautionary Principle** states that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental damage to habitats or species when there is a threat of serious or irreversible environmental degradation. Having established these clear understandings, priorities, and approaches, community needs can then be addressed sustainably, equitably, and within the natural limitations of these special islands, for the benefit of current and future generations.

Regional and Localized Approaches: Underpinning the Islands Trust regional governance approach is a strong acknowledgment that a degree of local autonomy supports effective governance in the Trust Area. Each island within the Trust Area has unique characteristics and has developed in its own unique way over the years. While the preeminent duty of all locally elected officials is to uphold the Islands Trust Object and regional mandate in all aspects of local planning and decision-making, they are to do so in a way that is sensitive and suitable to local circumstances, and guided by open, consultative public participation.

3.1 Regional Governance Policies

Commitments of Trust Council

- 3.1.1 The primary responsibility of Trust Council is to provide leadership for the preservation and protection of the **unique amenities and environment** of the Trust Area. (Guiding Principle #1)
- 3.1.2 Trust Council commits to place priority on preserving and protecting the integrity of the environment **and Indigenous cultural heritage** in all decision-making. (Guiding Principle #2)
- 3.1.3 It is Trust Council's policy that, to achieve the Islands Trust Object, the rate and scale of growth and development in the Trust Area must be carefully managed and requires limitation. (Guiding Principle #4)
- 3.1.4 It is Trust Council's policy that **decision-making should be guided by the Precautionary Principle, and the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing.** (Guiding Principle #3)
- 3.1.5 **Trust Council commits to seek close collaboration and policy alignment with the Islands Trust Conservancy Board, acknowledging the interconnected roles each entity plays in regional conservation planning and in carrying out the Islands Trust Object.** (new)
- 3.1.6 **Trust Council commits to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations' treaty and territorial lands and waters, and will be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Commission's Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the Declaration on the Rights of Indigenous Peoples Act, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.** (new)
- 3.1.7 **Trust Council commits to take a leadership role in coordinating with, and advocating to, other government agencies and non-governmental organizations, and making recommendations to the provincial government, for the purpose of carrying out the Islands Trust Object.** (new)
- 3.1.8 Trust Council commits to seek open, consultative public participation, acknowledging its importance to effective decision-making in the Trust Area. (Guiding Principle #5)
- 3.1.9 It is Trust Council's policy that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the Islands Trust Object. (5.8.3)
- 3.1.10 It is Trust Council's policy that island municipalities shall, in all of their actions, have regard for the Islands Trust Policy Statement and the Islands Trust Object. (5.8.4)
- 3.1.11 Trust Council commits to implement a plan for the advancement of the Policy Statement as part of its annual budget process, and to direct Executive Committee to report on progress achieved in fulfilling the goals defined in the Policy Statement. (Guiding Principle #6)

Directive Policies for Local Trust Committees and Island Municipalities

- 3.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, place priority on the integrity of the environment and Indigenous cultural heritage in all decision-making and limit the rate and scale of growth and development in their planning area. (new, based on Guiding Principles #1 and #4)
- 3.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ground decision-making in the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new, based on Guiding Principle #3)
- 3.1.14 Local trust committees and island municipalities shall, in the development and implementation of official community plans and regulatory bylaws, provide opportunities for public engagement and collaboration. (5.8.2)
- 3.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, seek meaningful engagement with First Nations and strive to align decision-making with the principles of the *Declaration on the Rights of Indigenous Peoples Act* that fall within their jurisdiction. (new)

PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

GOAL: To Preserve, Protect, **Restore,** and **Sustainably Steward** Trust Area Ecosystems

CONTEXT:

Environmental Integrity: The Islands Trust Area contains the most biodiverse and endangered ecosystems in British Columbia and a number of species that are of high cultural significance to First Nations. These ecosystems are treasured for their intrinsic value and also for the many supports they provide to human well-being. An **ecosystem** is understood as a dynamic system of living species interacting with their non-living environment. Some ecosystems rely on a delicate mix of species and conditions that are easily affected by human activities and environmental disturbances. These ecosystems are termed 'sensitive' and are prevalent in the Trust Area. An ecosystem has '**environmental integrity**' when its dominant characteristics, natural composition, structure, function, and processes occur within their natural ranges of variation and can withstand and recover from most disruptions imposed by human activity or environmental dynamics such as climate change. In the Trust Area, the establishment of networks of protected areas and unfragmented forest reserves that are large enough to contain and sustain native Trust Area species is essential to environmental integrity.

Restoration: In the face of the global climate and biodiversity crises, it has never been more critical to preserve and protect ecosystems in the Trust Area. In addition, there is now an imperative to restore these fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural areas, as well as the impacts of a changing climate. **Ecosystem restoration** is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Restoration can happen in many ways, such as active reforestation or wetland remediation, or by simply removing pressures so that nature can recover and adapt on its own.

Adaptive Management: The specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope. Adaptive management approaches offer pathways to minimize uncertainty and maximize policy effectiveness. These are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments.

Nature-Based Solutions: In seeking integrated solutions that address the impacts of climate change on both ecosystems and communities, nature-based solutions offer opportunities for multiple co-benefits. Nature-based solutions are actions to protect, sustainably manage, and restore ecosystems that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits.

Sustainable Stewardship: As humans modify the Trust Area, ecosystems are subject to various pressures. With sustainable, regenerative use, ecosystems will be more healthy and resilient and better able to support human well-being in a variety of ways. **Sustainability**, in this context, is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. **Stewardship**, in this context, refers to the responsible use and protection of natural systems, through conservation and sustainable use.

4.1 Environmental Integrity Policies

Commitments of Trust Council

- 4.1.1 It is Trust Council's policy that proactive land use planning is essential to the preservation and protection of Trust Area ecosystems. (3.1.1 first bullet)
- 4.1.2 It is Trust Council's policy that protection must be given to the natural processes, habitats, and species of the Trust Area, including those of old forests, Coastal Douglas-fir forests, Coastal Western Hemlock forests, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp forests, eelgrass meadows, and spawning areas. (3.1.1 second bullet)
- 4.1.3 Trust Council commits to establish and sustain a network of protected areas throughout the Trust Area, in collaboration with the Islands Trust Conservancy Board, acknowledging that unfragmented connectivity is necessary to preserve ecosystems in sufficient size and distribution to sustain their environmental integrity. (3.1.2)
- 4.1.4 Trust Council shall strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, and Trust Area species and their habitats, informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (3.1.1 third bullet)
- 4.1.5 Trust Council shall strive to identify and monitor the impacts of climate change on ecosystems through climate vulnerability assessments and shall utilize adaptive management processes and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, establish, and maintain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area. (3.1.4)
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, and in collaboration with the Islands Trust Conservancy Board, identify, preserve, protect, and support the restoration of the following elements in their planning area, utilizing the best available quantitative and qualitative data, inclusive of Indigenous ways of knowing and community input: (3.1.3)
- sensitive ecosystems (cliff, freshwater, herbaceous, old and mature forest, riparian, wetland, and woodland ecosystems)
 - contiguous, unfragmented forests and associated ecosystems
 - freshwater networks and groundwater recharge areas
 - eelgrass meadows, kelp forests, and forage fish spawning areas
 - species and ecosystems at risk
 - Indigenous cultivation and harvesting areas such as clam gardens, camas meadows, and other areas as identified by First Nations

- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, regulate land use and development to **reduce emissions to air, land, and water**. (3.1.5)
- 4.1.9 **Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce climate vulnerability and support climate adaptation measures for ecosystems within their planning area.** (new)

Coordination Policies for Trust Council

- 4.1.10 **Trust Council shall, in collaboration with the Islands Trust Conservancy Board, seek the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing regarding ecosystem preservation, protection, restoration, and sustainable stewardship in the Trust Area through respectful, culturally-sensitive and collaborative approaches with First Nations, Indigenous Knowledge Holders, the Province, other government agencies, non-governmental organizations, and communities.** (new)
- 4.1.11 Trust Council shall coordinate with, and advocate to, other government agencies to foster actions, programs, and incentives that: (3.1.9)
- place priority on the integrity of the environment in the Trust Area
 - protect the diversity of native species and habitats in the Trust Area; and
 - prevent pollution of the air, land, **freshwater networks**, and marine waters of the Trust Area
- 4.1.12 Trust Council shall coordinate with, and advocate to, other government agencies to:
- regulate and monitor the harvesting of fish, wildlife, and vegetation in the Trust Area so as to protect **terrestrial and aquatic species** populations and habitats (4.3.1)
 - consult with **First Nations**, local trust committees, island municipalities, and Trust Area communities prior to decisions regarding regulation of hunting or harvesting of wildlife or vegetation in the Trust Area (4.3.1)
 - **consult with First Nations to preserve First Nations' traditional harvesting areas;** and (new)
 - to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life, and to establish public shellfish reserves in the Trust Area. (4.3.2)
- 4.1.13 Trust Council shall advocate to the provincial government to enforce standards for the control of emissions polluting the **air, lands, and waters** of the Trust Area. (3.1.10)
- 4.1.14 Trust Council shall, **in cooperation with First Nations and the Islands Trust Conservancy Board**, advocate to **other government agencies**, non-governmental organizations, Crown corporations, municipalities, regional districts, non-governmental organizations, property owners, **residents, and visitors** to protect **natural areas** in the Trust Area through education, stewardship tools, acquisitions, conservation covenants and careful management. (3.1.11)

4.2 Freshwater Stewardship Policies

Commitments of Trust Council

- 4.2.1 Trust Council commits to take a precautionary approach to the sustainable stewardship of watershed ecosystems, freshwater networks, and groundwater recharge areas in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.2.2 It is Trust Council's policy that: (3.3.1)
- the watershed ecosystems, freshwater networks, and groundwater recharge areas of the Trust Area should be identified, protected, and where possible, restored or rehabilitated; and
 - the wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled, or degraded.
- 4.2.3 It is Trust Council's policy that freshwater use in the Trust Area should not impede the inherent rights of First Nations to access freshwater streams for cultural and spiritual purposes.
- 4.2.4 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in their supply of freshwater.⁵ (4.4.1)
- 4.2.5 It is Trust Council's policy that new desalination plants should not be permitted in the Trust Area due to their high energy demands and adverse impacts to coastal and marine ecosystems. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to prevent further loss or degradation of watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species in their planning area. (3.3.2)
- 4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure: (4.4.2)
- that neither the density nor intensity of land use is increased in groundwater regions⁶ where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable;
 - that existing, anticipated, and seasonal water demand and supply projections are considered and allowed for;
- and shall strive to ensure: (4.4.2, 4.4.1)
- that freshwater quality is maintained; and
 - that islands are self-sufficient in their supply of freshwater⁵.
- 4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that freshwater use is not to the detriment of in-stream uses such as: fish and fish habitat uses; Indigenous cultural and spiritual use; aesthetic and recreational uses; and, the maintenance of water quality in lakes, streams, and wetlands. (4.4.3)
- 4.2.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new desalination plants in the Trust Area. (new)

⁵ ...with the sole exception of Piers Island which is supplied by the Capital Regional District water system.

⁶ Groundwater regions are delineated water management areas that provide a useful basis for assessing area-specific water quality and quantity characteristics for planning purposes.

Coordination Policies for Trust Council

- 4.2.10 Trust Council shall coordinate with, and advocate to, the provincial government, regional districts, improvement districts, and other agencies to enact legislation protecting freshwater sustainability, watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species at risk in the Trust Area, in accordance with the Islands Trust Object. (4.4.6)
- 4.2.11 Trust Council shall coordinate with, and advocate to, the provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands in the Trust Area. (4.4.5)
- 4.2.12 Trust Council shall encourage, educate, and advocate to government agencies and non-governmental organizations, property owners, residents, and visitors to adopt water conservation practices in the Trust Area, including through the use of innovative technologies such as rainwater harvesting, above-ground water cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices. (4.4.4, 4.4.7)
- 4.2.13 Trust Council shall, in collaboration with Islands Trust Conservancy, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect watershed ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.3.3)

4.3 Forest Stewardship Policies

Commitments of Trust Council

- 4.3.1 Trust Council commits to take a precautionary approach to the stewardship of forest ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.3.2 It is Trust Council's policy that:
- forest ecosystems in the Trust Area should be protected; (3.2.1)
 - the remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock zones, and their associated ecosystems, should be preserved and protected; (3.2.1)
 - forest cover is a representative characteristic of the Trust Area and should be maintained; and (4.2.4)
 - the aesthetic value of forest land should be protected. (4.2.5)
- 4.3.3 It is Trust Council's policy that forest harvesting in the Trust Area should be limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, replacing 4.2.1 - 4.2.2)
- 4.3.4 It is Trust Council's policy that management plans related to sustainable forest harvesting in the Trust Area should include appropriate monitoring and evaluation mechanisms to uphold the long-term environmental integrity of forest ecosystems, and should preserve and protect the inherent rights of First Nations to harvest forest resources for cultural purposes. (4.2.3 + new)
- 4.3.5 It is Trust Council's policy that the clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the environmental integrity of the Trust Area by protecting unfragmented forest ecosystems, on a scale of forest stands and landscapes, from the potentially adverse impacts of growth, development and land use. (3.2.2, 4.2.6)
- 4.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, retain large land holdings and parcel sizes to enable sustainable forest harvesting practices and direct the location of roads and utility corridors to minimize the fragmentation of forests. (4.2.7)
- 4.3.8 Local Trust Committees and Island Municipalities shall, in their Official Community Plans and regulatory bylaws, designate protected forest ecosystem reserves where the preservation of native biodiversity and corridors is especially critical and where there should be no extraction. (4.2.8)

Coordination Policies for Trust Council

- 4.3.9 Trust Council shall coordinate with, and advocate to, the provincial government to grant Islands Trust the necessary jurisdictional authority to preserve and protect forest ecosystems, including:
- legislation to prohibit clear-cutting and logging of old-growth in the Trust Area; and
 - authority to regulate tree cutting in the Trust Area. (new)
- 4.3.10 Trust Council shall coordinate with, and advocate to, the provincial government to adopt legislation establishing sustainable forest harvesting practices that protect environmental integrity on a scale of forest stands and landscapes by preserving, protection, and restoring: (4.2.11)
- the diversity of forest structure and composition;
 - the physical, chemical, and biotic diversity of soils;
 - natural aquatic and wetland ecosystems;
 - the full range of natural habitats in the forest landscape, including old-growth; and
 - connectivity of forest habitats sufficient for different life stages and dispersal needs of native species.
- 4.3.11 Trust Council shall coordinate with, and advocate to, the provincial government to:
- implement engagement mechanisms that ensure the full and meaningful participation of First Nations and Trust Area communities in decisions concerning the use of forest lands; (4.2.9)
 - provide education and extension programs to promote sustainable forest harvesting and the protection of forest ecosystems; (4.2.10)
 - adopt statutes and guidelines to reduce invasive non-native species in forest ecosystems; (4.2.12)
 - designate forest ecosystem reserves where no extraction shall take place in order to promote the preservation of native biodiversity; (4.2.13)
 - require that applicants identify the protective actions needed to maintain sustainable forest land use and environmental integrity, prior to approval of tree cutting plans; and (4.2.14)
 - implement property tax incentives for the practice of sustainable forest harvesting. (4.2.15)
- 4.3.12 Trust Council shall coordinate with, and advocate to, the Province, when developing specific forest tenures, to assign to Trust Council or to the Islands Trust Conservancy Board, the holding of areas not to be harvested. (4.2.16)
- 4.3.13 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect forest ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.2.3)

4.4. Agricultural Land Stewardship Policies

Commitments of Trust Council

- 4.4.1 Trust Council commits to take a precautionary approach to the stewardship of agricultural lands in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.4.2 It is Trust Council's policy that agricultural activity in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, 4.1.2, 4.1.3)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and preserve appropriate areas for agricultural land to support small-scale, sustainable, regenerative agriculture, while carefully considering downstream impacts, wildlife habitat, and adjacent properties. (4.1.3, 4.1.4, 4.1.6)
- 4.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and construction of roads and utility corridors to minimize fragmentation of agricultural lands. (4.1.7 simplified)
- 4.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, encourage sustainable farming and consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land. (4.1.5, 4.1.8)

Coordination Policies for Trust Council

- 4.4.6 Trust Council shall coordinate with, and advocate to, the provincial government to ensure:
- that where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land; (4.1.10)
 - that farming in the Agricultural Land Reserve in the Trust Area does not adversely impact Indigenous food security and traditional harvesting practices, cultural heritage, or the environmental integrity of protected area networks in the Trust Area; (new)
 - that legislation, guidelines, and incentives are established to support local farmers in adopting the highest standards of environmental protection of ecosystems, wildlife habitats, and native species diversity, in accordance with the Islands Trust Object; (new)
 - that support is given to small-scale sustainable farmers to reduce greenhouse gas emissions emanating from agriculture and adapt to climate variability in the Trust Area; (new)
 - that a separate farm class to provide property tax incentives be retained; (4.1.12)
 - that the threshold for farm income necessary for farm class status is appropriate to the small scale of sustainable agriculture within the Trust Area; and (4.1.12)
 - that the total land area subject to the farm class may include land that is left uncultivated to protect environmental integrity. (4.1.12)

4.5 Soil and Mineral Stewardship Policies

Commitments of Trust Council

- 4.5.1 It is Trust Council's policy that the preservation and protection of healthy and productive soils is integral to the environmental integrity, food security, and carbon capture and storage capacity of the Trust Area. (new)
- 4.5.2 It is Trust Council's policy that there should be no extraction of peat, metals, minerals, or petroleum resources in the Trust Area. (4.6.1)
- 4.5.3 It is Trust Council's policy that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area. (4.6.2)
- 4.5.4 It is Trust Council's policy that there should be no removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.5.5 Local trust committees and island municipalities shall, in their regulatory bylaws related to soil removal and deposit, include policies that foster the preservation, protection, and restoration of productive soils in the Trust Area. (4.6.3)
- 4.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

4.6 Coastal and Marine Stewardship Policies

Commitments of Trust Council

- 4.6.1 Trust Council commits to take a precautionary approach to the stewardship of coastal and marine ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.6.2 It is Trust Council's policy that coastal and marine food harvesting and aquaculture in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new/4.5.1)
- 4.6.3 It is Trust Council's policy that development, activity, buildings, or structures should not result in a loss of marine or coastal habitat, restrict public access to, from or along the marine shoreline, or interfere with natural coastal processes. (4.5.3, 4.5.4)
- 4.6.4 It is Trust Council's policy that development should be directed to sites away from: (4.5.5)
- areas of environmental sensitivity, including eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands;
 - areas of naturally occurring stocks of clams or oysters; and
 - First Nations' traditional harvesting areas, middens, and other archaeologically significant resources.
- 4.6.5 It is Trust Council's policy that aquaculture should be directed to sites away from: (4.5.6)
- areas of recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses; and
 - areas where an aquaculture operation would conflict with marine or freshwater protection
 - areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
- 4.6.6 It is Trust Council's policy that aquaculture related development, activity, buildings, or structures should not result in site alteration including, but not limited to, substrate modification or the use of metal pipes or plates. (4.5.7)
- 4.6.7 It is Trust Council's policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area:
- finfish farms should not be permitted; (4.5.2)
 - artificial reefs should not be developed, except where they provide significant environmental benefit;⁷ (3.4.3)
 - ocean dumping should not be permitted; (new)
 - seawalls and other hard shoreline armouring should not be developed; (new)
 - moorage and anchorage sites in eelgrass meadows should not be permitted; (new)
 - new private docks should be limited to boat access only properties; (new)
 - freighter anchorage sites in the Trust Area should be eliminated; and (new)
 - oil tankers should not be permitted to transit through Trust Area waters. (new)

⁷ Interpretive Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Directive Policies for Local Trust Committees and Island Municipalities

- 4.6.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations for marine dependent land uses and means to prevent further loss or degradation of coastal and marine ecosystems in their planning area. (3.4.4, 4.5.8)
- 4.6.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies that preserve, protect, and support the restoration of eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (new)
- 4.6.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location of buildings and structures such that they do not: (4.5.5, 4.5.10)
- adversely impact sensitive coastal and marine ecosystems, naturally occurring stocks of shellfish, eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, coastal wetlands, middens, or archaeological sites;
 - interfere with natural coastal processes;
 - restrict First Nations' access to traditional coastal and marine harvesting sites;
 - restrict public access to, from, or along the marine shoreline
- 4.6.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and operation of commercial aquaculture tenures away from:
- areas of cultural, spiritual, archaeological, or recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses, anchorages or moorages. (new, based on 4.5.6)
- 4.6.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location, size, and nature of marinas such that they do not compromise the environmental integrity of the coastal and marine environment, Indigenous cultural heritage, or community character in their planning area. (4.5.9)
- 4.6.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boathouses, boardwalks, and causeways. (4.5.11)
- 4.6.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new private docks except where properties are boat-access only. (new)
- 4.6.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly. (new)
- 4.6.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the use of seawalls and other hard shoreline armouring in the Trust Area and include policies that foster soft shoreline protection. (new)

Coordination Policies for Trust Council

4.6.17 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- establish a network of protected coastal and marine areas and implement statutes and guidelines for sustainable coastal zone management (3.4.2)
- adopt legislation establishing sustainable aquaculture practices that protect environmental integrity and First Nations rights to traditional shellfish harvesting in the Salish Sea; (new)
- develop existing and new programs such as “harvest refugia”, which protect and enhance the populations of native marine species of the Trust Area; (3.4.6)
- research the impacts of the introduction of new marine species into the coastal and marine waters of the Trust Area before such species are introduced; (3.4.7)
- prohibit finfish farms in the marine waters of the Trust Area; (4.5.2)
- prohibit the development of artificial reefs in the Trust Area except where they provide significant environmental benefit. (3.4.3)

4.6.18 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- develop legislation to regulate sewage discharge from shoreline areas and boats; and (3.4.8)
- support the removal of abandoned and derelict vessels, plastics, ghost fishing gear, and other marine debris from the coastal and marine waters of the Trust Area; (new)
- eliminate and prohibit the use of commercial freighter anchorage sites in the Trust Area, acknowledging the multiple adverse impacts this practice incurs on the sensitive coastal and marine ecosystems, environmental integrity, and carbon capture and storage potential in the Trust Area; and (new)
- prohibit oil tankers from transiting through the coastal and marine waters of the Trust Area. (new)
- develop effective oil spill prevention, preparedness, and geographic response plans for the Trust Area, acknowledging the unique risks and vulnerabilities of the Salish Sea. (new)

PART 5: HERITAGE PRESERVATION AND PROTECTION (new)

GOAL: To Preserve and Protect Natural, Cultural, and Community Heritage in the Trust Area

CONTEXT:

The Islands Trust Area is a place of exceptional cultural heritage and has been home to the BOKEĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXET, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səliłwətaʔt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SṠÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalhkwxu/ʔop qaymıxʷ, and xʷməθkʷəy̓əm Peoples since time immemorial. The relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.

Heritage Preservation: Trust Council recognizes heritage as a 'unique amenity' of the Trust Area that is to be preserved and protected under the Islands Trust Object. In this context, heritage includes places, objects, knowledge, artistic expressions, or events that are of historical, cultural, aesthetic, educational, or scientific significance. In the Trust Area, heritage preservation includes the Indigenous cultural heritage of First Nations who have called these lands and waters home since time immemorial, in addition to the extraordinary natural landscapes and community heritage buildings on each island.

Indigenous Cultural Heritage: Indigenous cultural heritage in the Trust Area includes, but is not limited to, areas utilized and occupied by Indigenous Peoples such as village sites, cultural and spiritual areas, known and unknown archaeological areas, objects and artifacts, culturally modified trees, cultivation areas, harvesting areas on land and marine foreshores, fish weirs and clam gardens, medicinal plants and culturally significant species and landmarks. Indigenous cultural heritage also includes ancestral loved ones' resting places, trees used for burial boxes, cairns, caves used for cultural purposes, petroglyphs and pictographs, and place names. First Nations have an inherent right to identify their own cultural heritage, interpret its meaning, and safeguard its value. This inherent right exists outside of the colonial frameworks that have traditionally regulated and defined heritage.

Community Heritage:

Community heritage in the Trust Area can include buildings, settlement areas, places, objects, artistic expressions, or events identified by the community as having heritage character or heritage value to the community, to be protected for future generations.

Natural Heritage:

Natural heritage in the Trust Area is understood to include natural features, geological and physiographical formations, and delineated natural areas which are of outstanding universal value from an aesthetic, conservation, or scientific perspective.

5.1 Heritage Preservation and Protection Policies

Commitments of Trust Council

- 5.1.1 It is Trust Council's policy that the preservation, protection, and restoration of natural, cultural, and community heritage in the Trust Area is essential to the Islands Trust Object and must be guided by meaningful, respectful, and culturally sensitive engagement with First Nations. (5.6.1)
- 5.1.2 It is Trust Council's policy that local and regional planning decisions should not incur adverse impacts to the natural heritage, Indigenous cultural heritage, or community heritage in the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of natural heritage sites in their planning area. (new)
- 5.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of Indigenous cultural heritage in their planning area in cooperation with First Nations and other government agencies. (5.6.3)
- 5.1.5 Local trust committees and island municipalities shall, in their Official Community Plans and regulatory bylaws, identify, preserve, protect, and support the restoration of local community heritage in their planning area. (5.6.2)

Coordination Policies for Trust Council

- 5.1.6 Trust Council shall engage with First Nations, First Nation organizations and societies, Indigenous Knowledge Holders, other government agencies, non-governmental organizations, and Trust Area communities to seek the best available archaeological inventory data, Indigenous Knowledge, and cultural knowledge regarding natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.7 Trust Council shall engage with, and advocate to, other government agencies, non-governmental organizations, property owners, residents, and visitors with educational materials and tools to help preserve and protect natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.8 Trust Council shall encourage other government agencies, non-governmental organizations, property owners and residents to protect natural, cultural, and community heritage in the Trust Area through tax incentive programs, voluntary donations, acquisitions, conservation covenants and careful management. (new)

PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

GOAL: To Foster Sustainable and Resilient Communities in the Trust Area

CONTEXT:

Sustainability and Resilience: Sustainable and resilient communities can be understood to be communities that are able to meet their own needs and adapt to new environmental, social, and economic pressures without compromising the integrity of the environment or the ability of future generations to meet their own needs. Resilience, in this context, refers to the capacity of communities to continue to function in the face of external stressors such as climate change, while also learning to adapt, reorganize and evolve into new modes of sustainability. With responsible stewardship and sustainable, regenerative use, ecosystems will be better able to support Trust Area communities in a myriad of ways, including through the provision of clean drinking water, natural processes of carbon capture and storage, nature-based mitigation of climate impacts to the built environment, the safeguarding of local and Indigenous food security and harvesting, as well as the many health benefits of nature connection.

Rural Island Planning: Islands within the Trust Area are rural and contrast markedly with surrounding urban areas, as do their respective resident communities. Traditional land use planning approaches are often ill-suited or insufficient in addressing the unique strengths, vulnerabilities, and water supply constraints of island ecosystems, or the higher standards of preservation and protection mandated by the Islands Trust Object. In the face of accelerating climate and biodiversity crises, business as usual is no longer viable. Trust Area communities play a critical role in the stewardship of the islands and must collectively and equitably work towards place-based, multigenerational, and integrated solutions to sustainability. This involves collective commitments to reduce greenhouse gas emissions, foster new low-carbon ways of living, reduce individual and community ecological footprints, and support those most vulnerable to adapt to the impacts of climate change. Trust Council also recognizes that new development models must be established to transition to more compact, energy efficient, and appropriately situated development that is carefully planned and managed to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage, now and into the future.

Affordable Housing: The Trust Area is facing an acute shortage of diverse and affordable housing options needed to support the long-term sustainability and resilience of Trust Area communities. The Canada Housing and Mortgage Corporation considers housing to be 'affordable' when it costs less than 30% of before-tax household income. Housing is not affordable when it costs so much that individuals and families have trouble paying for other necessities such as food, health and transportation. For renters, shelter costs include rent and any payments for electricity, fuel, water and other municipal services. For owners, shelter costs include mortgage payments (principal and interest), property taxes, and any condominium fees, along with payments for electricity, fuel, water and other municipal services. In the Trust Area, factors such as rising real estate prices and building costs, an increase in short-term rentals paired with a growing lack of long-term rentals, changing demographics, and increasing numbers of people wanting to move to the islands, are all significantly affecting the availability, affordability, and suitability of housing options across the Trust Area. An increasing percentage of island workers are thus forced to commute from off-island locations. Seniors are finding it challenging to age in place. Socio-economic disparities are widening. In this context, Trust Council acknowledges the need for multijurisdictional and integrated approaches to address these community housing needs in a manner that is appropriate to the Trust Area and its unique amenities and environment.

6.1 Rural Island Planning Policies

Commitments of Trust Council

- 6.1.1 It is Trust Council's policy that the rural characteristics of islands in the Trust Area, including the scenic value of rural landscapes, opportunities for nature connection, and low levels of noise and light pollution, are unique amenities that are to be preserved and protected in accordance with the Islands Trust Object. (5.1.1-5.1.3)
- 6.1.2 It is Trust Council's policy that all development in the Trust Area, of any scale or for any purpose, should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)
- 6.1.3 It is Trust Council's policy that growth, development, and economic opportunities in the Trust Area should be small scale, sustainable, climate resilient, compatible with community character, and in alignment with the Islands Trust Object. (5.2.1, 5.7.1)
- 6.1.4 Trust Council shall strive to identify, monitor, and address the impacts of climate change on Trust Area communities through climate vulnerability assessments, adaptive management approaches, and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 6.1.5 It is Trust Council's policy that recreational activities, trails, and active transportation networks in the Trust Area should be small scale, appropriately located, and sustainable, and should safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.5.1)
- 6.1.6 It is Trust Council's policy that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to, and should not be located in, the Trust Area. (5.5.2)
- 6.1.7 It is Trust Council's policy that there should be public access, on each major island in the Trust Area, to beaches and areas of recreational significance, while not compromising Indigenous cultural heritage or First Nations access to coastal and marine harvesting areas, or the environmental integrity of terrestrial and aquatic ecosystems. (5.5.5)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that growth and development, of any scale or for any purpose, is compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)
- 6.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the protection of tree cover, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area. (5.1.3, 5.2.2)
- 6.1.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies related to the aesthetic, environmental, and social impacts of development. (5.2.3)

- 6.1.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources, and community character. (5.2.4)
- 6.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.2.5)
- 6.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards. (5.2.6)
- 6.1.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations, types, and safe public access to:
- recreational facilities;
 - bicycle, pedestrian, and equestrian trail systems; and
 - community marinas, boat launches, docks, and anchorages that are small scale, sustainable, and that do not compromise the integrity of protected areas, terrestrial and aquatic ecosystems, Indigenous cultural heritage, or Indigenous access to coastal and marine harvesting areas. (5.5.4-5.5.7)
- 6.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit destination gaming facilities such as casinos and commercial bingo halls. (5.5.3)
- 6.1.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing economic opportunities that are compatible with sustainability and protection of community character. (5.7.2)
- 6.1.17 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing their community's long-term needs for educational, institutional, community, and health-related facilities and services, as well as cultural and recreational facilities and services. (5.8.6)
- 6.1.18 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce the climate vulnerability of communities, including nature-based solutions and actions that prioritize:
- protection of the carbon capture and storage capacity of natural areas;
 - low-carbon housing, buildings, transportation, and agriculture;
 - preservation, protection, and restoration of biodiversity;
 - freshwater sustainability;
 - soft shoreline and foreshore protections; and
 - wildfire risk mitigation (new)

Coordination Policies for Trust Council

- 6.1.19 Trust Council shall coordinate with, and advocate to, regional districts, improvement districts, and provincial and federal government agencies to adapt their policies and support systems to safeguard the rural island character, sustainability, and resilience of Trust Area communities, in accordance with the Islands Trust Object. (new)
- 6.1.20 Trust Council shall coordinate with, and advocate to, government agencies, non-governmental organizations, communities, property owners, residents, and visitors to help develop and adopt climate mitigation and adaptation strategies, action plans, and measures that are appropriate to the unique strengths and vulnerabilities of rural islands in the Trust Area. (new)
- 6.1.21 Trust Council shall advocate to provincial government agencies to work with local communities through public consultation processes to evaluate and modify road construction and road system proposals to encompass the environmental, economic, and social values of the community. (5.3.9)
- 6.1.22 Trust Council shall advocate to property owners, residents, and visitors to reduce the burning of wood and fossil fuels by adopting sustainable alternative technologies. (5.1.4)
- 6.1.23 Trust Council shall advocate to government agencies, non-governmental agencies, property owners, residents, and visitors to use renewable sources of energy within the Trust Area. (5.8.8)

6.2 Housing Policies

Commitments of Trust Council

- 6.2.1 It is Trust Council's policy that all housing in the Trust Area should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area.
- 6.2.2 It is Trust Council's policy that community sustainability and resilience are supported by the availability of diverse and affordable housing that cater to a range of age groups and income levels. (5.8.6)
- 6.2.3 Trust Council commits to foster a strategic, multijurisdictional, equitable, and integrated approach to addressing the diverse housing needs of Trust Area communities, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing.

Directive Policies for Local Trust Committees and Island Municipalities

- 6.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to address housing needs in their planning area by identifying appropriate locations where density increases could support safe, secure, and affordable housing, while safeguarding protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. (new)
- 6.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure, and affordable housing in their planning area and, where necessary, regulate and limit the number of short-term rentals accordingly. (new)
- 6.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate floor area and lot coverage limits for residential development in their planning area, in order to effectively minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage. (new)

Coordination Policies for Trust Council

- 6.2.7 Trust Council shall coordinate with, and advocate to, other government agencies, non-governmental organizations, and Trust Area communities, to foster safe, secure, and affordable housing in the Trust Area, in alignment within the Islands Trust Object, and respectful of the integrity of the environment and Indigenous cultural heritage in the Trust Area. (new)
- 6.2.8 Trust Council shall advocate to other government agencies, non-governmental organizations, and property owners to foster safe, secure, and affordable housing for Indigenous Peoples in the Trust Area, in alignment with the Islands Trust Object and respectful of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)

6.3 Transportation Policies

Commitments of Trust Council

- 6.3.1 It is Trust Council's policy that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions, support electric vehicles and electric bicycles, and promote health and well-being. (new)
- 6.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel⁸. (5.3.2)
- 6.3.3 It is Trust Council's policy that local trust committees and island municipalities should be consulted and involved in decision-making related to the provision of transportation and ferry services, utilities, or facilities that may affect the sustainability and resilience of communities in their planning areas. (5.3.1)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, foster the establishment of appropriately situated public and active transportation networks, including but not limited to bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use and support a transition to electric vehicle and electric bicycles. (5.3.7)
- 6.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that road location, design, construction, and systems do not adversely impact the integrity of protected area networks, contiguous forests, watershed ecosystems, freshwater networks, groundwater recharge areas, agricultural lands, coastal and marine areas, or Indigenous cultural heritage in the Trust Area. (5.3.5)
- 6.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, develop a classification system of rural roadways, including scenic or heritage road designations, in recognition of the Islands Trust Object. (5.3.4)
- 6.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate areas for the landing of emergency helicopters. (5.3.6)

Coordination Policies for Trust Council

- 6.3.8 Trust Council shall advocate to provincial and federal agencies to ensure safe shipment of materials that are hazardous to the environment. (5.3.8)
- 6.3.9 Trust Council shall advocate to provincial government agencies to work together with local communities through public consultation processes to evaluate and modify road construction, road system proposals, and active transportation networks to address the environmental, economic, and social values of communities in the Trust Area. (5.3.9)
- 6.3.10 Trust Council shall advocate to provincial government agencies in support of the electrification of ferries in the Trust Area. (new)

⁸ ...with the sole exception of the existing bridge between North and South Pender Islands

6.4 Waste Disposal Policies

Commitments of Trust Council

- 6.4.1 It is Trust Council's policy that it is acceptable for waste originating in the Trust Area to be safely disposed of within the Trust Area. (5.4.1)
- 6.4.2 It is Trust Council's policy that:
- neither hazardous nor industrial waste should be disposed of in the Trust Area;
 - local recycling operations should be established; and
 - local programs for chipping of wood waste and disposal of hazardous wastes should be established. (5.4.2)
- 6.4.3 It is Trust Council's policy that there should be minimal burning of solid waste in the Trust Area. (5.4.3)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify acceptable locations for the disposal of solid waste. (5.4.4)

Coordination Policies for Trust Council

- 6.4.5 Trust Council shall coordinate with, and advocate to, government agencies, corporations, property owners, and residents to contribute to the reduction of greenhouse gas emissions by reducing waste, and to use innovative technologies and safe alternatives for disposal of sewage effluent. (5.4.5)



ISLANDS 2050 BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: July 22, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 90 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 25 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island Municipality. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement furthers the mandate of the Islands Trust, in cooperation with the Province and other agencies. Please note that the Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs before Trust Council can adopt this bylaw.

There are many draft amendments to the Policy Statement in different locations throughout the document that may affect your agency. We would encourage you to review the [Project Overview Briefing](#) along with other resources available on the [Islands 2050 webpage](#).

On Wednesday, July 28, 2021, from 1:00 p.m. to 3:00 p.m., Islands Trust will be hosting a Zoom webinar to provide information to referral agencies on the draft Policy Statement Bylaw and an opportunity for questions and answers.

Please register in advance for this Zoom webinar: <https://islandstrust.zoom.us/j/nyXptbv6RWugCwftiQyJmA>

After registering, you will receive a confirmation email containing information about joining the webinar.

If you are unable to attend on this day, the session will be recorded and posted to the [Islands 2050 webpage](#) on the Islands Trust website.

Please return the response form by **Tuesday, October 22, 2021** to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the Draft New Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: David Marlor

Title: Director, Local Planning Services

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

First Nations

Cowichan Tribes
SXIMELEŁ (Esquimalt) Nation
Halalt First Nation
Homalco First Nation
K'ómoks (Comox) First Nation
Klahoose First Nation
Lake Cowichan First Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
xʷməθkʷəy̓əm Musqueam Indian Band
BOKEĆEN (Pauquachin) First Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
Semiahmoo First Nation
Shíshálh (Sechelt) Nation
Snaw-naw-as (Nanoose) First Nation
Snuneymuxw (Nanaimo) First Nation
Lekwungen (Songhees) Nation
Skwxwú7mesh (Squamish) Nation
Stz'uminus First Nation
Tla'amin (Sliammon) First Nation
T'Sou-ke (Sooke) Nation
WJOŁEŁP (Tsartlip) First Nation
S7ÁUTW (Tsawout) First Nation
Tsawwassen First Nation
Tsleil-Waututh/ Səlílwətaʔ/Selilwitulh (Burrard Inlet) Nation
WŚIKEM (Tseycum) First Nation
We Wai Kai (Cape Mudge) First Nation
Wei Wai Kum (Campbell River) First Nation

Treaty Groups

Nanwakolas Council
Hul'qumi'num Treaty Group
Laich-kwil-tach Treaty Society
Naut'sa mawt Tribal Council
Te'Mexw Treaty Association

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture
Ministry of Energy, Mines and Petroleum Resources
Ministry of Environment and Climate Change Strategy
Ministry of Environment and Climate Change Strategy (BC Parks and Conservation Officer Service Division)
Ministry of Environment and Climate Change Strategy (Climate Action Secretariat)
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
Ministry of Transportation and Infrastructure on Vancouver Island and South Coast

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Islands Trust Area (Islands 2050)

(Island)

(Signature)

(Date)

TC 183

(Bylaw Number)

(Title)

(Agency)