



Salt Spring Island Local Trust Committee

Regular Meeting Agenda

Date: Tuesday, May 17, 2022
Time: 9:30 a.m.
Location: Community Gospel Chapel
147 Vesuvius Bay Road, Salt Spring Island, BC

	Pages
1. CALL TO ORDER	9:30 AM - 9:30 AM
2. APPROVAL OF AGENDA	
3. PREVIOUS MEETINGS	9:30 AM - 9:35 AM
3.1. Draft Minutes of the Salt Spring Island Local Trust Committee	
3.1.1. <u>Draft Minutes of the April 19, 2022 SS LTC Regular Meeting</u>	6
For Adoption	
3.2. Resolutions Without Meeting Report	16
Report dated May 2022	
3.3. Advisory Planning Commission	
3.3.1. <u>Advisory Planning Commission</u>	
3.3.1.1. <u>Meeting Notes of the April 7, 2022 Advisory Planning Commission Meeting</u>	17
For Information	
3.3.2. <u>Agricultural Advisory Planning Commission - None</u>	
3.3.3. <u>Ganges Village Planning Task Force</u>	
3.3.3.1. <u>Draft Minutes of the April 21, 2022 Ganges Village Planning Task Force Meeting</u>	18
For Information	
3.3.4. <u>Housing Action Program Task Force</u>	
3.3.4.1. <u>Minutes of the April 7, 2022 Housing Action Program Task Force Meeting</u>	21
For Information	
3.3.4.2. <u>Draft Minutes of the April 20, 2022 Housing Action Program Task Force Meeting</u>	25
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		28
	Report dated May 2022		
5.	COMMUNITY INFORMATION MEETING - None		
6.	PUBLIC HEARING - None		
7.	REPORTS	9:40 AM - 10:10 AM	
7.1.	Policy and Standing Resolutions List		41
	For Information		
7.2.	Work Program Top Priorities Report		52
	Report dated May 2022		
7.3.	Projects List		55
	Report dated May 2022		
7.4.	Applications with Status Report		58
	Report dated May 2022		
7.5.	Expense Report - None		
7.6.	Islands Trust Conservancy Board Report		79
	Report dated March 2022		
7.7.	Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report - None		
7.8.	Ganges Village Planning Task Force - Chair's Update	10:00 AM - 10:05 AM	
	Verbal Report		
7.9.	Housing Action Program Task Force - Chair's Update	10:05 AM - 10:10 AM	
	Verbal Report		
8.	LOCAL TRUST COMMITTEE PROJECTS	10:10 AM - 10:40 AM	
8.1.	Housing Action Program		81
	Concerning the public engagement process - Staff Report		

8.2. Water Sustainability

83

Proof of Water at Time of Subdivision - Staff Report

9. OTHER BUSINESS

9.1. New Business

10:40 AM - 10:50 AM

**9.1.1. Galiano Island Local Trust Committee Referral of Proposed Bylaw
Nos. 231 & 232**

130

Staff Report

10. CLOSED MEETING

10:50 AM - 11:20 AM

10.1. 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)

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and,
- (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.

10.2. 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.

10.3. Rise and Report

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

11. TRUSTEE REPORTS

12:00 PM - 12:10 PM

Verbal Report

12. CHAIR'S REPORT

12:10 PM - 12:15 PM

Verbal Report

13. CRD DIRECTOR'S REPORT

12:15 PM - 12:20 PM

Verbal Report

12:20 PM - 12:25 PM

14. CORRESPONDENCE

Please visit the Applications and Projects pages on the Islands Trust website for recent public submissions.

For Applications, go to: <http://www.islandstrust.bc.ca/SSIapplications>

For Projects, go to: <http://www.islandstrust.bc.ca/SSIprojects>

14.1. M. Welman to LTC and staff - Dated April 8, 2022 - Concerning Advisory Planning Commission Resignation 142

For Consideration

14.2. SS LTC to the Honourable R. Fleming, Minister of Transportation and Infrastructure et al. - Dated March 23, 2022 - Concerning Ferry Terminal Road Congestion; Salish Sea Trail Network and; South Island Transportation Strategy 144

For Information

15. DELEGATIONS 12:25 PM - 12:30 PM

15.1. M. Krenz, ROGERS - Concerning ROGERS Telecommunication Tower Proposal W2716 Channel Ridge, SSI - DEFERRED TO THE JUNE 14, 2022 SS LTC MEETING

16. TOWN HALL AND QUESTIONS 12:30 PM - 12:45 PM

Reminder, the Public Hearing for:

- Proposed Bylaw No. 525 (1351 Mountain Road) closed on March 22, 2022.

Per Meeting Procedure Bylaw No. 529, 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.

17. APPLICATIONS AND REFERRALS 12:45 PM - 1:30 PM

17.1. SS-DP-2022.2 - K. Fergusson - Lot 7, Meyer Road, SSI 146

Development Permit for DPA 7 - Staff Report

17.2. SS-RZ-2020.1 - Proposed Bylaw No. 525 - 1351 Mountain Road, SSI 183

For Consideration of Final Adoption (Rezoning from R to R(p) to permit an oversized boathouse) - Staff Report

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on June 14, 2022 at the Community Gospel Chapel, 147 Vesuvius Bay

Road, Salt Spring Island.

19. ADJOURNMENT



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, April 19, 2022

Location: Community Gospel Chapel
147 Vesuvius Bay Road, Salt Spring Island

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

Staff Present: Stefan Cermak, Regional Planning Manager (RPM)
Jason Youmans, Island Planner
Louisa Garbo, Island Planner
Geordie Gordon, Planner 2
Kristine Mayes, Planner 1 (Via Zoom)
Rob Pingle, Recorder

Others Present: Jennifer Fix, Ahne Studio (Via Zoom)
Lucas Ozols-Mongeau, Ahne Studio (Via Zoom)
Approximately 24 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 9:32 a.m. and welcomed everyone to a meeting of the Salt Spring Island Local Trust Committee. He introduced himself, the Trustees and staff and humbly stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory.

2. APPROVAL OF AGENDA

By general consent, the agenda was adopted as amended.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the March 22, 2022 SSI LTC Regular Meeting

By general consent, the minutes of March 22, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted.

3.1.2 Draft Minutes of the March 15, 2022 SSI LTC Special Meeting

By general consent, the minutes of March 15, 2022 Salt Spring Island Local Trust Committee Special meeting were adopted.

3.2 Resolutions Without Meeting Report - None

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Advisory Planning Commission

3.3.1.1 Minutes of the March 3, 2022 Advisory Planning Commission Meeting

The minutes were received.

3.3.1 Agricultural Advisory Planning Commission

3.3.1.1 Minutes of the March 3, 2022 Agricultural Advisory Planning Commission Meeting

The minutes were received.

3.3.2 Ganges Village Area Planning Task Force

3.3.2.1 Draft Minutes of the March 17, 2022 Ganges Village Area Planning Task Force Meeting

The minutes were received.

3.3.3 Housing Action Program Task Force

3.3.3.1 Minutes of the March 3, 2022 Housing Action Program Task Force Meeting

The minutes were received.

3.3.3.2 Draft Minutes from the March 16, 2022 Housing Action Program Task Force Meeting

The minutes were received.

3.4 Salt Spring Island Local Trust Committee Public Hearing Record

3.4.1 Proposed Bylaw No. 525 – 1351 Mountain Road, SSI

The report was received.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow Up Action List dated April 2022

The report was received.

5. COMMUNITY INFORMATION MEETING - None

6. PUBLIC HEARING – None

7. REPORTS

7.1 Policy and Standing Resolutions List

The report was received.

7.2 Work Program Top Priorities Report dated April 2022

The report was received.

7.3 Projects List dated April 2022

The report was received.

7.4 Applications with Status Report dated April 2022

The report was received.

7.5 Expense Report dated February 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 - None

7.8 Ganges Village Area Planning Task Force - Chair's Update - None

Acting Chair McLean provided a report reflecting on the weekend workshop with Task Force during the last weekend of March.

7.9 Housing Action Program Task Force - Chair's Update

Chair Heitzman provided a written report that was read by Trustee Grove.

8. LOCAL TRUST COMMITTEE PROJECTS – None

8.1. Ganges (Shiya'hwt/Syowt) Village Planning - Public engagement plan summary by Ahne Studio

Planner Garbo introduced Ahne Studio consultant Jennifer Fix who presented the public engagement plan summary with her associate Lucas Ozols-Mongeau.

8.2. Housing Action Program - Draft Bylaw No. 530 - Accessory Dwelling Units - Staff Report

Planner Garbo presented the staff report dated April 19, 2022.

SS-2022-069

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee Bylaw No. 530 on Accessory Dwelling Units, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2022," be read a first time.

CARRIED

SS-2022-070

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee requests staff to send Bylaw No. 530 to external agencies, groups, and First Nations for referral.

CARRIED

8.3. Water Sustainability - SSIWPA Situation Analysis and Options Identification/SSIWPA budget/First Nations Engagement - Staff Report

Planner Youmans presented a staff report dated April 19, 2022.

SS-2022-061

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee receive the Situation Analysis and Options Identification Report included as Appendix 1 in the staff report of April 19, 2022 and refer the report to Ministry of Forests Lands and Natural Resources, North Salt Spring Water Works and the Capital Regional District for comment and consideration of regional options.

CARRIED

SS-2022-062

It was MOVED and SECONDED,

That SS LTC continue to fund the SSIWPA coordinator up to \$60,000 for fiscal 2022/23, and authorize spending up to \$11,660 from unspent special property tax requisition funds from previous fiscal years to cover SSIWPA's meeting, events, and communications costs.

CARRIED

The meeting recessed at 10:35 and reconvened at 10:41

8.4. Protection of the Coastal Douglas-fir and Associated Ecosystems - Project Charter - Staff Report

Planner Youmans presented a staff report dated April 19, 2022.

SS-2022-063

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to review the Protection of the Coastal Douglas-fir Zone and Associated Ecosystems Project Charter v2 and project work plan shown in Appendix 1 of the staff report dated April 19, 2022 with the Capital Regional District and Salt Spring Island Fire Rescue staff.

CARRIED

The meeting recessed for a lunch break at 11:34 a.m. and reconvened at 12:03 p.m.

9. TRUSTEE REPORTS

Trustee Grove presented the following report:

- Acknowledged the departure of RPM Stefan Cermak.
- Spoke to the inter-district meeting with the CRD.
- Spoke to the upcoming North Salt Spring Waterworks District election.
- Spoke to the concern regarding the persistence of COVID-19.

Trustee Patrick presented the following report:

- Also acknowledged the departure of RPM Cermak.
- Referred to the Lady Minto Messenger and the indication that workers are losing housing due to prevalence of Short-Term Vacation Rentals.
- Spoke to the workshops she attended regarding improving housing.
- Spoke to the work by the LTC to improve housing opportunities with new bylaws.
- Spoke to business licences required to address this that could be implemented by the CRD.
- Mentioned how the Association of Vancouver Island and Coastal Communities indicated to reframe the conversation to who do we need in our community.
- Suggested that the island could be a great place to pilot a tiny home project with the support of the Province.
- Spoke to the relationship building with First Nations that she is participating in.

10. CHAIR'S REPORT

Chair Luckham presented the following report:

- Attended the Association of Vancouver Island and Coastal Communities meeting and heard similar issues that are experienced here are also in the communities represented at that meeting
- Participated in a meeting regarding the port optimization to address ships at anchorage in the trust area
- Spoke with Rogers regarding the tower proposed for Channel Ridge and the need to provide more public engagement.

11. CRD DIRECTOR'S REPORT - None

12. CORRESPONDENCE

12.1. Electoral Boundaries Commission to LTC - Dated March 3, 2022 - Re: Greetings from the BC Electoral Boundaries Commission

The correspondence item was received.

12.2. A. Beddoes, Beddoes Litigation to LTC, with Chair Luckham reply - Dated March 11, 2022 - Concerning Proposed Telecommunications Tower in Channel Ridge Estates on SSI

The correspondence item was received.

12.3. P. Luckham, Chair, Salt Spring Island Local Trust Committee to Infrastructure Canada Active Transportation Fund - Dated March 23, 2022 - Concerning Island Pathways and Salish Sea Trail Network

The correspondence item was received.

12.4. P. Luckham, Chair, Salt Spring Island Local Trust Committee to Cypress Land Services & Rogers Communications - Dated April 6, 2022 - Concerning ResPost-Concurrence for ROGERS Telecommunication Tower Proposal W2716 (Channel Ridge, Salt Spring Island)

The correspondence item was received.

13. DELEGATIONS - None

14. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:20 p.m.

A member of the public expressed concerns regarding the lack of the number of units that will be introduced and the lack of clear language on water sources in the housing report and the need to ensure a focus on Short Term Vacation Rental enforcement.

A member of the public expressed support for application SS-DVP-2022.3 and suggested that the applicant provides a well cared for property that doesn't impact the environment or community.

A member of the public expressed support for application SS-DVP-2022.3 and suggested that their work with the applicant has shown care and concern for the environment and community. They suggested there is a need for the variances applied for to ensure the island is accessible to local employees.

A member of the public spoke to the application they have in process with the committee and their eagerness to provide more to the community through it.

A member of the public spoke to the accountability of staff and the need for more direct action by trustees in the application process. Spoke to statements by Trust staff regarding the requirement for the community to address bylaw changes.

15. APPLICATIONS AND REFERRALS

15.1 SS-DVP-2022.3 - D. Howard - 116 Collins Road, SSI

Planner Gordon presented a staff report dated April 16, 2022.

Applicant Dori Howard submitted a document regarding the application, spoke to the application and commented on her experience of the bylaw compliance and enforcement regarding her property.

SS-2022-064

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.3, as presented in Appendix 4 of the staff report dated April 19, 2022 (116 Collins Rd).

CARRIED

The meeting recessed at 1:28 and reconvened at 1:30

15.2 SS-DP-2022.1 - S. Mulherin - 319 Upper Ganges Road, SSI

Planner Gordon presented a staff report dated April 19, 2022.

Applicant Stephen Mulherin spoke to the application.

SS-2022-065

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2022.1 (319 Upper Ganges Rd) as presented in Appendix 5 of the staff report dated April 19, 2022.

CARRIED

15.3 SS-DP-2022.3 - J. Gunn-Allard - 266 Little Mountain Road, SSI

Planner Gordon presented a staff report dated April 19, 2022.

Applicant Joan Gunn-Allard was present.

SS-2022-066

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2022.3 (266 Little Mountain Road).

CARRIED

15.4 SS-DVP-2022.6 - A. Wynne-Edwards - 14 McKenzie Crescent, Piers Island

Planner Mayes presented a staff report dated April 19, 2022.

Applicant Alexander Wynne-Edwards spoke to the application.

SS-2022-067

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.6 (14 McKenzie Crescent - Piers Island).

CARRIED

15.5 SS-DVP-2022.9 - L. Wolf - 123 Deer Park Road, SSI

Planner Mayes presented a staff report dated April 19, 2022.

Applicant Lucas Wolf and property owner Rob Newmarch spoke to the application.

SS-2022-068

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.9 as shown in Appendix No. 5 of the staff report dated April 19, 2022 (123 Deer Park Road).

CARRIED

15.6 SS-DVP-2022.5 - R. McDiarmid - 1521 Beddis Road, SSI - DEFERRED TO THE MAY 17, 2022 SS LTC MEETING

16. OTHER BUSINESS

16.1. New Business

16.1.1. Covenant Discharge for 231 Meadow Drive (SS-ALR-2021.1)

Planner Gordon presented a staff report dated April 19, 2022.

SS-2022-071

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee authorize, at the owners' cost, release of restrictive covenant CA6008958 from legal LOT 7, SECTION 42, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 49877 and designate any member of the Local Trust Committee to sign the release documents.

CARRIED

16.1.2. Salt Spring Island Annual Report

RPM Cermak presented a staff report dated April 19, 2022.

SS-2022-072

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee endorse the following text as amended for inclusion in the 2021-2022 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs:

“The Salt Spring Island Local Trust Committee (SS LTC) held 11 regular business meetings in the 2021/22 fiscal year, four special meetings, one community information meeting, and one Public Hearing. The SS LTC also continued coordinating the Salt Spring Island Watershed Protection Alliance, which had five steering committee meetings, at least four subcommittee meetings and engaged in various community events.

Work for this period focused on advancing the SS LTC strategic priorities. Initiatives included ensuring freshwater sustainability, protecting the Coastal Douglas-fir and associated ecosystem, increasing meaningful consultation and cooperation with citizens, agencies, and First Nations, and advancing village planning. Housing continues to be a significant challenge for Salt Spring.

Key projects included advancing a Ganges Village Local Area Plan and a Housing Action Plan, securing funding to study fire ecology in protected watersheds, providing clarity regarding the content of professional reports required to demonstrate proof of water at the time of subdivision, completing phase 1 of a Watershed Strategic Plan (a situational analysis) and funding a Weston Lake Water Availability Study.

From April 1, 2021, to March 31, 2022, the SS LTC received and considered new applications for one bylaw amendment, 13 development permits, and 26 development variance permits. During the same time, staff reviewed 181 building permit referrals, three liquor and cannabis board referrals, two crown lease referrals, four subdivision referrals, and one soil deposit permit.

During this fiscal period, the SS LTC proactively responded to the housing crisis and issues related to the COVID-19 pandemic. The SS LTC amended standing resolutions during the public health emergency and about deferred enforcement for all unlawful dwellings except those with specific health and safety concerns.”

CARRIED

The meeting recessed for a break at 2:55 and reconvened at 2:57 p.m.

16.1.3. Notice to Local Government - Silver Shadow Taxi Ltd.

The notice was received for information.

16.1.4. Mayne Island Local Trust Committee Referral of Proposed Bylaws No. 184, 186, 187, and 189

SS-2022-073

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to respond to the referrals from the Mayne Island Local Trust Committee for Bylaws No. 184, 186, 187 and 189, indicating that the Salt Spring Island Local Trust Committee's interests are unaffected.

CARRIED

17. CLOSED MEETING - None

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on May 17, 2022.

Chair Luckham expressed his

Please see the meeting calendar on the Islands Trust website at www.islandstrust.bc.ca for current meeting information and location.

19. ADJOURNMENT

By general consent the meeting adjourned at 3:01 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Resolutions Without Meetings Log

Salt Spring Island

Resolution Number	Action	Date
2022-005	Carried	19-Apr-2022
That the Salt Spring Island Local Trust Committee endorse staff entering into a cost recovery agreement with the applicant for legal review and assistance amending Bylaw No. 447 and Covenant FB372657 (584 Rainbow Road).		



Salt Spring Island Advisory Planning Commission

Meeting Notes

Date of Meeting: Thursday, April 7, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Mairi Welman, Vice Chair
Jean Brouard, Commissioner
Leigh Large, Commissioner

Regrets: Stanley Shapiro, Commissioner
Nancy Krieg, Commissioner
Neil Morie, Commissioner
Gordon Brent Brochu-Ingram, Ex-officio AAPC Commissioner

Absent: Jeff Thompson, Chair
Ron Cooke, Commissioner

Staff Present: Geordie Gordon, Planner 2
Jennifer Baddeley, Recorder

Others Present: Laura Patrick, Local Trustee

At 1:20 p.m. it was determined quorum was not met and the meeting did not proceed.

The next meeting of the Commission is scheduled for Thursday May 5, 2022 from 1:00 p.m. – 3:00 p.m. at the Baptist Church Lower Hall, 520 Lower Ganges Road.



Ganges Village Area Planning Task Force Meeting Minutes

Date: Thursday, April 21, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Jenny McClean, Acting Chair
David Dunnison
John Gauld
Bob MacKie
Jennifer Maksymetz
Francine Carlin
Martin Ogilvie
Robert Steinbach

Resignations: Sebastian Moffatt
Kathy Ramsey

Staff Present: Louisa Garbo, Island Planner
Geordie Gordon, Planner 2
Rob Pingle, Recorder

Others Present: Laura Patrick, Local Trustee
Peter Grove, Local Trustee
Bryce Chapman, Housing Task Force Member
Yvonne Saunders, Housing Task Force Member
Daniel Wood, Housing Task Force Member

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

Chair McClean called the meeting to order at 10:04 a.m. and acknowledged the meeting is being held in Coast Salish First Nations treaty and traditional territory.

1. AGENDA

By general consent, the agenda was adopted.

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Draft Minutes for March 17, 2022

DRAFT

1

It was MOVED and SECONDED,

That the minutes of the March 17, 2022 Ganges Village Area Task Force meeting were adopted.

CARRIED

3. HOUSING ACTION PROGRAM TASK FORCE COLLABORATION SESSION

In discussion the following items were noted:

- There is a need for landlords.
- Allowing every lot on the island to have the ability to include an in-house suite, second dwelling or tiny home to a maximum of 900 square feet with the requirement for proof of water and septic capacity to address that need.
- This should be permitted in every zone of the island.
- The use of suites as Short Term Vacation Rentals and the ability for the Housing Task Force to suggest further deterrents to it.
- Septic disposal is an issue but can be address with new technology.
- The ability to build three to four story apartments in Ganges.
- The ability of general employment zones to allow for housing.
- The water moratorium limits the ability to add residential above commercial in Ganges.
- The capacity of our roads and power grid may be insufficient for this growth.
- A housing needs assessment should provide guidance on the type of dwellings needed.
- To allow Accessory Dwelling Units every zone now will be hard to revise as retracting development rights creates a legal quandary.
- The impact on the culture of the village requires further investigation.
- The possibility to use reclaimed water from the Ganges Sewer System or desalination as ways to densify Ganges.
- Water storage systems can allow for densification.
- The Trust Council motion regarding the workforce housing issue.
- There was a roundtable discussion on the vision of the village, which included the creation of a vibrant core with active businesses, public spaces, co-op housing including for seniors, walkability, less parking, redirection of traffic out of the core, more connectivity between businesses in Ganges, improved signage for businesses, finding a purpose for the village is needed, the creation of work/live spaces, a focus on tourism for economic growth
- Continued conversation between the two task forces by members attending each task force.

Member MacKie left the meeting at 11:28 a.m.

4. OTHER BUSINESS

4.1 Ganges Village Planning Task Force Resolutions

The resolutions were received for information.

4.2 Monthly updates to LTC through Chair

Acting Chair McLean spoke to her participation at the LTC meeting on April 19, 2022. Noting that positive information was shared during the Ahne presentation on the public engagement for Ganges Gatherers

4.3 Adoption of Revised 2022 Meeting Calendar

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force accept the revised 2022 meeting calendar.

CARRIED

4.4 Election of Chair and Vice Chair

It was suggested that rather than having a fixed chair there is a rotating chair who develops a theme for each meeting and leads the discussion.

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force request staff to explore the ability to have a rotating chair within the Terms of Reference and Local Government Act.

CARRIED

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force extend the meeting by fifteen minutes.

CARRIED

There was discussion regarding the participation of the Transportation Commission at a future meeting. There was a suggestion that the creation of a work plan should be the focus.

It was MOVED and SECONDED,

That the Ganges Village Area Planning Task Force defer the meeting with the Transportation Commission.

CARRIED

5. ADJOURNMENT

The meeting adjourned at 12:13 p.m.

Jenny McClean, Acting Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Salt Spring Island Housing Action Program Task Force Minutes of a Regular Meeting

Date of Meeting: Thursday, April 7, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Rhonan Heitzmann, Chair
Maïkan Bordeleau
Bryce Chapman
Nejmah Guermoudi
Frejya Skye
Daniel Wood

Regrets: Kerrie Proulx, Vice Chair
Yvonne Saunders
Stanley Shapiro
Jessica Terezakis

Absent: None

Staff Present: Louisa Garbo, Island Planner
Rob Pingle, Recorder

Others Present: Laura Patrick, Local Trustee

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

The meeting was called to order at 10:03 a.m. Chair Heitzmann welcomed the task force members and humbly stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory.

1. AGENDA

It was suggest to add Letter to Hon. Selina Robinson Minister of Finance to other business.

By general consent, the agenda was adopted as amended.

2. MINUTES OF PREVIOUS MEETINGS

2.1 Draft Minutes of the March 3, 2022 Meeting

By general consent, the minutes of the March 3, 2022 Housing Action Program Task Force meeting were adopted.

ADOPTED

1

2.2 Draft Minutes of the March 16, 2022 Meeting

It was noted that 3.3 bullet point 4 should be altered to say “There was a question regarding whether social enterprise and mixed income are within the Islands Trust mandate.”

By general consent, the minutes of the March 3, 2022 Housing Action Program Task Force meeting were adopted.

3. ADMINISTRATIVE UPDATE

3.1 Housing Action Program Task Force Resolutions – For Information

The Housing Action Program Task Force Resolutions document was received.

There was discussion regarding the updating of the spreadsheet. It was explained that updates are made as minutes are adopted.

3.2 Strategic Priority Matrix Discussion

There was discussion about the timeline to create a document to share with the public. Staff spoke to the public engagement process to ensure there is good dialog between all parties. Members spoke about finalizing the matrix at the next meeting.

3.3 Collaboration with Ganges Village Task Force in April

Members are invited to attend the next meeting of the Ganges Village Task Force on April 21 at 10am. An invitation will be sent to members later today.

There was discussion regarding the ability to suggest three story buildings are manageable with the current capacity of the local fire and water districts. Staff suggested that the members could craft questions to present to the Technical Working Groups to learn more about these issues.

4. OTHER BUSINESS

4.1. Report on Tiny Homes

Member Bordeleau presented a document regarding tiny homes. He spoke to his experience in building tiny homes and the networking he is doing to make this style of housing legalized. Tiny home is defined as under 500 sq. ft. with slab blocks or trailer as foundation. Power, water and waste implications were considered. The scope of the report included tiny homes as an accessory building on a property or in a village format. The work by staff on the tiny home pilot project was noted as very encouraging. Items of note are building code, land use, water use, waste disposal and power sources. It was noted that a tiny home village pilot project would benefit by being situated on public

land. The building code requirements were discussed as being a barrier with aspects being over engineered for the size of the dwelling. The Home Owner Protection Act was discussed regarding the difference between a home and a recreational vehicle as the current standards differ. The CSA standard was discussed for recreational vehicles.

In discussion the following points were raised:

- The need to differentiate between a tiny home village and a single tiny home on a property.
- The current framework for a tiny home village pilot project approved by the Local Trust Committee has had inquiries with positive comments by the proponents.
- The benefits of the current framework for a proponent is that staff resources will be dedicated to progress applications as quickly as possible and research funding possibilities.
- The definition of tiny home which seems to be on wheels and micro home which seems to have a foundation and public perception of the two.
- Schedule E for Residential 3 zoned land of the Land Use Bylaw was seen as a possibility to allow for tiny homes.
- Financing for tiny homes and insurance is believed to be available.
- Cost to rent a pad and services for a tiny home are currently believed to be \$300-\$750 per month on Salt Spring.
- It was suggested that three to four tiny homes per acre is required for a return on investment.
- Insurance issues were raised for the viability of tiny home projects.

4.2. Eco-village zoning

Due to time constraints this item was not discussed.

4.3. Updates to LTC through Chair's monthly reporting

Due to time constraints this item was not discussed.

4.4. Letter to Hon. Selina Robinson Minister of Finance

Member Wood spoke to email correspondence between himself and a staff person within the Ministry of Finance about including Salt Spring in the speculation and vacancy tax. It was suggested that a letter could be written by the Task Force requesting inclusion in the tax. Staff suggested that this type of letter should be sent by the Local Trust Committee.

It was MOVED and SECONDED,

That the Housing Action Program Task Force recommend to the Salt Spring Island Local Trust Committee that a letter be drafted to Hon. Selina Robinson Minister of Finance to include Salt Spring in the speculation and vacancy tax.

CARRIED

5. ADJOURNMENT

The meeting was adjourned at 12:02 p.m.

Rhonan Heitzmann, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Salt Spring Island Housing Action Program Task Force Minutes of a Regular Meeting

Date of Meeting: Wednesday, April 20, 2022

Location: Baptist Church, Lower Level Meeting Room
520 Lower Ganges Road, Salt Spring Island

Members Present: Rhonan Heitzmann, Chair
Yvonne Saunders
Stanley Shapiro
Jessica Terezakis
Bryce Chapman
Frejya Skye
Maïkan Bordeleau
Daniel Wood

Regrets: Kerrie Proulx, Vice Chair
Nejmah Guermoudi

Absent: None

Staff Present: Rob Pingle, Recorder

Others Present: Laura Patrick, Local Trustee

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

The meeting was called to order at 5:02 p.m. Chair Heitzmann welcomed the Task Force members and humbly stated gratitude to live and work in Coast Salish First Nations treaty and traditional territory.

1. AGENDA

It was suggested that Draft Bylaw No. 530 - Accessory Dwelling Units - Staff Report Discussion be added to the agenda as item 4.2.

By general consent, the agenda was adopted as amended.

2. MINUTES OF PREVIOUS MEETINGS

2.1 Draft Minutes of the April 7, 2022 Meeting

By general consent, the minutes of the April 7, 2022 Housing Action Program Task Force meeting were adopted.

DRAFT

1

Member Bordeleau arrived at 5:08 p.m.

3. ADMINISTRATIVE UPDATE - NONE

4. OTHER BUSINESS

4.1. Matrix Review

There was discussion about the purpose of the matrix.

In discussion the following points were raised:

- It will identify land use change tools that should be implemented by the LTC.
- It could result in an omnibus bylaw update that could address all the needs identified by the Task Force.
- The committee needs to create items that can be shared with the public to present these changes.
- A timeline for completion was suggested as the end of June.
- The highlighting of the parts in the Official Community Plan (OCP) that support the Task Force goals is needed.

4.2. Draft Bylaw No. 530 - Accessory Dwelling Units (ADU) - Staff Report Discussion

In discussion the following points were raised:

- It is believed that a registry is too difficult to implement.
- Trustee Patrick noted it was given first reading and that she is encouraging a wide referral process.
- Anywhere a seasonal cottage is allowed an ADU should be allowed.
- The Development Variance permitting for 116 Collins Road was regarded as the need for a kitchen in a workshop.
- The building code process requires a permit to allow a dwelling in an accessory building.
- The idea of preserve and protect was noted as an encouragement to densify the Ganges core.
- The size of the lot allowed to include this development was noted as needing to be less than 1.2 ha.
- That a quota should be used in this process to remove potential for development over a certain carrying capacity.
- The need for a housing authority.
- The difference between an ADU requiring more than 1.2 ha and a secondary suite being allowed on smaller lots.
- The distance between wells and septic systems was identified as the need to have 1.2 ha lot size with two dwellings on it.
- The requirements for building inspection to address septic system sizes.
- The Juan De Fuca Land Use Bylaw language on Detached Accessory Suites should be used here.

- The promotion of ADUs preserves more land because it increases density and is therefore closer to the preserve and protect mandate.
- Consideration of who is needed in our community and develop regulations around those needs.
- The introduction of a rezoning model that ensures a rezoning is successful if conditions are met such as conservation of land.
- Amenity trading is dangerous and should be strictly regulated.
- The creation of villages that are compact and turning more land into public use.
- The concept of terraced cottages was raised as a positive for these areas.
- The home plate concept was suggested as a way to avoid a few large lots subdivided from a larger parcel so smaller lots are created and a large protected lot is maintained.
- The consideration of the Conservation Subdivision idea explored on Pender Island.
- The consideration of Mayne Island Flexible Housing Project which has received first reading.

5. ADJOURNMENT

The meeting was adjourned at 7:01 p.m.

Rhonan Heitzmann, Chair

CERTIFIED CORRECT:

Rob Pingle, Recorder



Follow Up Action Report

Salt Spring Island

14-Dec-2021

Activity	Responsibility	Dates	Status
1 OTHER BUSINESS - DRAFT BYLAW NO. 529 MEETING PROCEDURE BYLAW That the Salt Spring Island Local Trust Committee request staff to review Section 29 Order and Decorum of Bylaw No 529 for amendments to include discriminatory remarks and inclusion and respectful conduct language.	Daniela Murphy		In Progress

18-Jan-2022

Activity	Responsibility	Dates	Status
1 OTHER BUSINESS Gulf Islands Senior Residence Association - Housing Agreement Schedule "A" That the Salt Spring Island Local Trust Committee request staff and Trustee Patrick to meet with the Gulf Islands Senior Residence Association to define regular reporting to the LTC on the Gulf Islands Senior Residence Association Housing Agreements.	Geordie Gordon		In Progress

15-Feb-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
1 Housing Action Program That the Salt Spring Island Local Trust Committee request staff to proceed with research on funding and the referral process on the Tiny Homes Village Pilot Project.	Louisa Garbo		In Progress
2 Housing Action Program - Bylaw No. 528 That the Salt Spring Island Local Trust Committee request staff to amend Salt Spring Island Local Trust Committee Draft Bylaw No. 528, cited as 'Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2021' as follows: - Remove the definition of density; - Add a new definition of suites in combination with accessory building; - Permitting both kinds of suites in all zones except for islets; and - Explore appropriate conditions and restrictions to phase in and manage impacts.	Daniela Murphy Louisa Garbo		In Progress



Follow Up Action Report

Salt Spring Island

15-Feb-2022

Activity	Responsibility	Dates	Status
3 Housing Action Program That the Salt Spring Island Local Trust Committee supports the reallocation of unspent funds within the approved Housing Action Program budget to seek consulting service to facilitate the public engagement program.	Louisa Garbo		In Progress
4 Correspondence - D. Courtney to LTC et al - Dated January 17, 2022 - Concerning 2 Ferry Service for Vesuvius Bay to Crofton - The Fix for Route Six That the Salt Spring Island Local Trust Committee advocate to the Ministry of Transportation and Infrastructure to update the South Island Transportation Strategy by including the Southern Gulf Islands within the study region.	Jason Youmans Jennifer Baddeley		Completed

22-Mar-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

22-Mar-2022

Activity	Responsibility	Dates	Status
1 Dormant Applications That the Salt Spring Island Local Trust Committee direct staff to close application files SS-RZ-2021.2, SS-DP-2021.5 and SS-DVP-2021.4 and provide a 6-month extension for file SS-RZ-2013.7.	Kristine Mayes Rob Pingle		In Progress
2 Expansion of SS LTC Sector Meetings That the Salt Spring Island Local Trust Committee request staff to schedule a Special Meeting with the Local Trust Committee and the building, construction and trades sector at a mutually convenient time.	Rob Pingle		In Progress
3 J. Roe to LTC, with Trustee Grove reply - Dated February 5, and 20, 2022 - Concerning Fulford clean-up and more destruction That the Salt Spring Island Local Trust Committee request staff to prepare a letter from the Chair to the Ministry Forests, Land, Natural Resource Operations advocating for the proper disposal of replaced docks.	Jason Youmans Jennifer Baddeley		In Progress



Follow Up Action Report

Salt Spring Island

22-Mar-2022

Activity	Responsibility	Dates	Status
4 M. Kellow to LTC, with Trustee Patrick reply - Dated February 9, 2022 - Concerning BC Ferries That the Salt Spring Island Local Trust Committee request staff to organize a meeting between the Local Trust Committee and other stakeholders with the Minister of Transportation and Infrastructure as set out in Section C - Consultative Process in the "Letter of Agreement between the Ministry of Transportation and Infrastructure and the Islands Trust", dated October 20, 1992, to discuss solutions for the roadway congestion at the Fulford and Vesuvius ferry terminals and to discuss the completion of the Salish Sea Trail Network on Salt Spring Island.	Jason Youmans		Completed
5 SS-DVP-2022.1 - D. Corcoran - Clamshell Islet That the Salt Spring Island Local Trust Committee refer application SS-DVP-2022.1 to First Nations who may have interest and request Senior Inter Governmental Policy Advisor for insights and advice (Clamshell Islet).	Daniela Murphy Geordie Gordon		In Progress

Follow Up Action Report

Salt Spring Island

22-Mar-2022

Activity	Responsibility	Dates	Status
6 SS-DVP-2022.2 - C. Fevang - 105 McKenzie Crescent, Piers Island That Salt Spring Island Local Trust Committee request that the applicant submit to the Islands Trust a shoreline stabilization report completed by a geotechnical engineer/landscape architect/coastal geologist or biologist identifying the feasibility of a soft shore design for the subject property (SS-DVP-2022.2, 105 McKenzie Crescent - Piers Island).	Kristine Mayes		In Progress
7 Communications Tower (SS-CELLA-2020.1) That Salt Spring Island Local Trust Committee rescind the Statement of Concurrence (SS-CELLA-2020.1) for the proposed Rogers tower siting in Channel Ridge and reconsider siting any antenna system using the newly adopted siting protocol.	Kristine Mayes		In Progress

19-Apr-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
1 PREVIOUS MEETINGS By general consent, the minutes of March 22, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted. By general consent, the minutes of March 15, 2022 Salt Spring Island Local Trust Committee Special meeting were adopted.	Jennifer Baddeley Rob Pingle		In Progress
2 Housing Action Program - Draft Bylaw No. 530 - Accessory Dwelling Units That the Salt Spring Island Local Trust Committee Bylaw No. 530 on Accessory Dwelling Units, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2022," be read a first time. That the Salt Spring Island Local Trust Committee requests staff to send Bylaw No. 530 to external agencies, groups, and First Nations for referral.	Daniela Murphy Louisa Garbo		In Progress
3 SS-DVP-2022.3 - D. Howard - 116 Collins Road, SSI That the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2022.3, as presented in Appendix 4 of the staff report dated April 19, 2022 (116 Collins Rd).	Daniela Murphy Geordie Gordon		Completed



Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
4 Water Sustainability - SSIWPA Situation Analysis and Options Identification/SSIWPA budget/First Nations Engagement That the Salt Spring Island Local Trust Committee receive the Situation Analysis and Options Identification Report included as Appendix 1 in the staff report of April 19, 2022 and refer the report to Ministry of Forests Lands and Natural Resources, North Salt Spring Water Works and the Capital Regional District for comment and consideration of regional options. That SS LTC continue to fund the SSIWPA coordinator up to \$60,000 for fiscal 2022/23, and authorize spending up to \$11,660 from unspent special property tax requisition funds from previous fiscal years to cover SSIWPA's meeting, events, and communications costs.	Jason Youmans		Completed
5 Protection of the Coastal Douglas-fir and Associated Ecosystems - Project Charter That the Salt Spring Island Local Trust Committee request staff to review the Protection of the Coastal Douglas-fir Zone and Associated Ecosystems Project Charter v2 and project work plan shown in Appendix 1 of the staff report dated April 19, 2022 with the Capital Regional District and Salt Spring Island Fire Rescue staff.	Jason Youmans		In Progress



Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
6 SS-DP-2022.1 - S. Mulherin - 319 Upper Ganges Road, SSI That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2022.1 (319 Upper Ganges Rd) as presented in Appendix 5 of the staff report dated April 19, 2022.	Daniela Murphy Geordie Gordon		Completed
7 SS-DP-2022.3 - J. Gunn-Allard - 266 Little Mountain Road, SSI That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2022.3 (266 Little Mountain Road).	Daniela Murphy Geordie Gordon		Completed
8 SS-DVP-2022.6 - A. Wynne-Edwards - 14 McKenzie Crescent, Piers Island That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.6 (14 McKenzie Crescent - Piers Island).	Daniela Murphy Rob Pingle		Completed
9 SS-DVP-2022.9 - L. Wolf - 123 Deer Park Road, SSI That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2022.9 as shown in Appendix No. 5 of the staff report dated April 19, 2022 (123 Deer Park Road).	Daniela Murphy Rob Pingle		Completed

Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
10 Covenant Discharge for 231 Meadow Drive (SS-ALR-2021.1) That the Salt Spring Island Local Trust Committee authorize, at the owners' cost, release of restrictive covenant CA6008958 from legal LOT 7, SECTION 42, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 49877 and designate any member of the Local Trust Committee to sign the release documents.	Daniela Murphy Geordie Gordon		In Progress

Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
11 Salt Spring Island Annual Report That the Salt Spring Island Local Trust Committee endorse the following text as amended for inclusion in the 2021-2022 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs: "The Salt Spring Island Local Trust Committee (SS LTC) held 11 regular business meetings in the 2021/22 fiscal year, four special meetings, one community information meeting, and one Public Hearing. The SS LTC also continued coordinating the Salt Spring Island Watershed Protection Alliance, which had five steering committee meetings, at least four subcommittee meetings and engaged in various community events. Work for this period focused on advancing the SS LTC strategic priorities. Initiatives included ensuring freshwater sustainability, protecting the Coastal Douglas-fir and associated ecosystem, increasing meaningful consultation and cooperation with citizens, agencies, and First Nations, and advancing village planning. Housing continues to be a significant challenge for Salt Spring. Key projects included advancing a Ganges Village Local Area Plan and a	Louisa Garbo		In Progress

Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
Housing Action Plan, securing funding to study fire ecology in protected watersheds, providing clarity regarding the content of professional reports required to demonstrate proof of water at the time of subdivision, completing phase 1 of a Watershed Strategic Plan (a situational analysis) and funding a Weston Lake Water Availability Study. From April 1, 2021, to March 31, 2022, the SS LTC received and considered new applications for one bylaw amendment, 13 development permits, and 26 development variance permits. During the same time, staff reviewed 181 building permit referrals, three liquor and cannabis board referrals, two crown lease referrals, four subdivision referrals, and one soil deposit permit. During this fiscal period, the SS LTC proactively responded to the housing crisis and issues related to the COVID-19 pandemic. The SS LTC amended standing resolutions during the public health emergency and about deferred enforcement for all unlawful dwellings except those with specific health and safety concerns."			

Follow Up Action Report

Salt Spring Island

19-Apr-2022

Activity	Responsibility	Dates	Status
12 Mayne Island Local Trust Committee Referral of Proposed Bylaws No. 184, 186, 187, and 189 That the Salt Spring Island Local Trust Committee request staff to respond to the referrals from the Mayne Island Local Trust Committee for Bylaws No. 184, 186, 187 and 189, indicating that the Salt Spring Island Local Trust Committee's interests are unaffected.	Daniela Murphy Louisa Garbo		Completed



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2010-02-04	SSI-11-10	Bylaw Enforcement Reports	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee directs staff to provide quarterly in-camera and public reports on on-going and current bylaw enforcement investigations and actions in the Salt Spring Local Trust Area. <u>CARRIED</u>
2013-01-10	SSI-09-13	North Salt Spring Waterworks District Reporting	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee request the North Salt Spring Waterworks District to report back to the Local Trust Committee every two years from the date of adoption of Proposed Bylaw 461 on: a) changes in water demand by the North Salt Spring Waterworks District customers with new secondary suites within the pilot area; b) total withdrawal from its system in relation to its licensed capacity; c) impacts on the Maxwell Lake, St. Mary Lake, and the district's water supply in general that can be attributed to the introduction of secondary suites within the pilot area. <u>CARRIED</u> *Bylaw 461 was adopted May 2, 2013



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2016-06-02	SS-2016-114	Grantville Neighbourhood lawful non-conforming sewage disposal field repair or replacement	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): That the Salt Spring Island Local Trust Committee direct staff to administer and enforce Bylaw 484 according to the following policies: 1. Where a sewage disposal field or septage pit is lawfully non-conforming with respect to Bylaw 484, and pursuant to Local Government Act Section 529, the Salt Spring Island Local Trust Committee considers that the following actions do not constitute maintenance, alteration, or extension, and therefore require a development variance permit application to the Salt Spring Island Local Trust Committee: a) Removal and replacement of the dispersal system in its entirety. 2. Where a sewage disposal field or septage pit is lawfully non-conforming with respect to Bylaw 484, and where a health hazard exists as defined under the B.C. Public Health Act, an Authorized Person may carry out immediate, temporary repairs of the system that result in a further contravention to Bylaw 484 than that existing at the time the repair or alteration was started to prevent or contain the hazard. Permanent repairs or alterations that result in a further contravention of Bylaw 484 than that existing at the time the repair or alteration was started, or 1(a) above, should be supervised by a Professional and will require a development variance permit application to the Salt Spring Island Local Trust Committee following resolution of the emergency. 3. “Authorized Person” and “Professional” have the same meaning as in the Sewerage System Regulation. <u>CARRIED</u>



Islands Trust

SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2017-03-02	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
2018-08-16	SS-2018-177	Cannabis Regulation	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: • 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: ○ 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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2018-12-06	SS-2018-278	Cannabis – Processing of Notice to Local Authorities	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. <u>CARRIED</u>
2019-04-30	SS-2019-88	Families as Stakeholders	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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2019-08-27	SS-2019-153	STVR	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: 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: 1. They are advertised on the Internet, newspapers or other media; 2. More that 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 that 30-day periods; 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; 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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2019-11-26	SS-2019-253	Reconciliation	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: 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: 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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2019-12-17	SS-2019-275	Referral of Items to the Agricultural Advisory Planning Commission	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: 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, or b) Applications are for public recreation use and are consistent with the Official Community Plan. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2020-04-28	SS-2020-045	Policy Options for Bylaw Enforcement Compliance on Unlawful Uses	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: 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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2021-06-29 Amended 2021-11-09 Amended 2022-02-15	SS-2021-109 SS-2021-214 SS-2022-017	Unlawful Dwellings	It was MOVED and SECONDED, that the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force's recommendation to amend standing resolution SS-2021-109 to state that enforcement activities will be deferred for all existing unlawful dwellings being used for residential purposes until there are safe, secure appropriate housing options that are affordable for all demographics and household types in perpetuity, 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, g. that the Salt Spring Island Local Trust Committee may give direction to resume enforcement activities on any property that poses risk to the health and safety of the neighbouring residents and the residents on the property in question. <u>CARRIED</u>
2021-06-29	SS-2021-111	Bylaw Enforcement Policy on Portable Sawmills	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. <u>CARRIED</u>



SALT SPRING ISLAND LOCAL TRUST COMMITTEE POLICY & STANDING RESOLUTIONS LIST

Date	Resolution Number	Topic	Resolution
2021-11-09	SS-2021-213	Residential Use in Commercial Accommodations	It was MOVED and SECONDED, That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force’s recommendation to defer enforcement of residential use in commercial accommodations, such as cabins, hotels, guest houses, and motels that provide long-term (more than 30 days) residency in order to offer an interim solution to the housing needs on Salt Spring Island. <u>CARRIED</u>
2021-12-14	SS-2021-237	First Nations Consultation for Proposed Antenna Systems	It was MOVED and SECONDED, That the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to First Nations consultation in accordance with the “Strategy for Antenna Systems” in the Local Trust Area: a. The proponent will consult with the Local Trust Area representative during the pre-consultation phase to determine proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential and obtain a list of First Nations rights and title holders; b. The proponent is recommended to undertake consultation during the pre-consultation phase with the Islands Trust and a First Nations cultural knowledge holder for the siting of the proposed antenna system as it relates to cultural and sacred sites; c. The proponent will obtain and provide a BC Archaeological Information request response from the BC Archaeology Branch to confirm proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential including permit requirements under the Heritage Conservation Act; d. The proponent will obtain and provide an Archeological Impact Assessment for antenna systems proposed to be sited on or within 100 metres of a known archaeological site or cultural/sacred site identified by a First Nations cultural knowledge holder; and e. The proponent will provide written notice – including, if applicable, the Archeological Impact Assessment – sent by regular mail or hand delivered to all First Nations rights and title holders identified during the pre-consultation phase <u>CARRIED</u>



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.

April 2022: Draft Weston Lake Study being reviewed by staff; Contract issued for phase 2 of Watershed Strategic Plan; staff seeking LTC direction on reduced SSIWPA budget.

Nov. 19, 2021: kick off meeting with Econics for phase 1 of Watershed Strategic Plan: a Situational Analysis

July 15, 2021: Signed MOU submitted to CRD for Weston Lake Study. RFP posted (Nov. 2021)

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)*

Oct. 5, 2021 - SSLTC endorse 2022/23 business case that includes: First Nations engagement, funds for a density bonus zoning appraisal report, a fire ecology analysis and workshop, and education and communication materials.

Responsible

Jason Youmans

Dates

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



Top Priorities Report

Salt Spring Island

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.

3. *Ganges (Shiya'hwt/Syowt) Village Planning*

March 26 & 27, 2022-AHNE facilitates workshop with GVTF. Final Report of all engagement activities anticipated for April or May LTC meeting.

Nov. 9, 2021 - Ahne Studio finalizes engagement plan with SS LTC and task force. Ahne and staff begin numerous engagement activities including: survey, ideas fair, walk shops, stakeholder virtual events, school engagement, pop up engagement and community design charrette.

Task Force Meetings ongoing.

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.

Responsible

Louisa Garbo

Dates

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

4. *Housing Action Program*

Feb. 3, 2022 - report to SS LTC includes secondary suites draft bylaw, advancing tiny homes pilot project, consideration of OCP amendments-LTC request amendments to focus on accessory dwelling units

Responsible

Louisa Garbo

Dates

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

Top Priorities Report

Salt Spring Island

Nov. 18, 2021 - SS LTC meet with members of agricultural community - request staff to amend Bylaw 527 (housing in the ALC and large farming properties) and send out to referrals

Nov. 9, 2021 - SSLTC pass numerous resolutions including: deferring enforcement for unpermitted residential use in specific circumstances, requesting RPC to consider expediting affordable housing applications, request potential bylaw amendments to permit accessory dwelling units (including secondary suites).

April 27, 2021-12 persons appointed to Housing Task Force. Task Force Meetings ongoing.

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.



Projects Report

Salt Spring Island

1. *OCP Amendments*

Responsible

Date Received

06-Oct-2020

- 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)
- Add a map of the Salish Sea Trail (Oct. 2021)
- Add public access to lake and marine shorelines as an eligible community amenity in Section H.3.2 of the Salt Spring Island Official Community Plan (Feb. 2022)

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-2021.4	Moonshine Mama's Kitchens Ltd.	27-Aug-2021	Non-Farm Use - 2143 Fulford-Ganges Road

Planner: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File transferred to Planner Gordon.

Status Date: 16-Feb-2022

Applicant advised application has changed - recommended to speak to ALC whether application required

Status Date: 04-Feb-2022

Dormant application notice sent

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2021.5	Young, Kimberly	06-Oct-2021	Non-Farm Use - 181 Beddis Road

Planner: Geordie Gordon

Planning Status

Status Date: 29-Mar-2022

Forwarded to ALC

Status Date: 22-Mar-2022

Supported by LTC, forwarded to ALC

Status Date: 03-Feb-2022

Considered by AAPC - Support recommended.



Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SS-ALR-2021.6	Fraser, Noella	30-Nov-2021	Non-Farm Use - 240 Atkins Road

Planner: Geordie Gordon

Planning Status

Status Date: 22-Mar-2022

Supported by LTC, forwarded to ALC

Status Date: 03-Feb-2022

Considered by AAPC - Support recommended.

Status Date: 18-Jan-2022

SS LTC referral to AAPC

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2018.14	Kirsten Reite Architecture	18-Sep-2018	Proposed development of 17 commercial accommodation units, 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: 04-May-2022

Staff are in correspondence with First Nations re. site visit

Status Date: 03-Mar-2022

APC consideration of DP application

Status Date: 01-Mar-2022

First Nations referrals made.



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: 11-Mar-2022

Applicant indicates need to delay application until at least May SS LTC meeting.

Status Date: 01-Mar-2022

Applicant indicates that further information has been received from MoTI - not provided to staff yet.

Status Date: 24-Jan-2022

Applicant advises that work with MoTI is on-going

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.10	Nagel, Uta	14-Sep-2021	Carport and Shed within DPA 4, 6 & 7 - 770 Beaver Point Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 04-Apr-2022

Email regarding next steps for application to move forward

Status Date: 30-Nov-2021

Phone call regarding next steps for application to move forward



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.14	Salt Spring Island Farmland Trust Society	21-Dec-2021	Amendment to SS-DP-2011.5 & SS-DP-2015.2 - 189 Beddis Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 08-Feb-2022

Follow-up email to applicant re. application status

Status Date: 01-Feb-2022

Site Visit

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

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 01-Feb-2022

Follow-up email to applicant re. application status

Status Date: 09-Dec-2021

DVP for retaining wall opened



Applications

Development Permit

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: Rob Pingle

Planning Status

Status Date: 05-Apr-2022

Refund Memo sent to finance

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 14-Dec-2021

Verbal update to LTC - DP dependent on RZ proceeding. Viable water source required for RZ.

File Number	Applicant Name	Date Received	Purpose
SS-DP-2021.8	Aurora Professional Group INC	12-Jul-2021	Development within DPA6 - DP/DVP regarding disposal field and setback to natural boundary of the sea - 371 Isabella Point Road

Planner: Geordie Gordon

Planning Status

Status Date: 20-Sep-2021

See associated SS-DVP-2021.13

Status Date: 18-Aug-2021

Email to applicant

Status Date: 10-Aug-2021

Planner Gordon assigned to file - SS-DP-2021.8



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.2	Fergusson, Kelly	05-Feb-2022	DPA7 - utility trench and driveway across stream - Lot 7 Meyer Road, SSI

Planner: Phil Testemale

Planning Status

Status Date: 25-Apr-2022

File reassigned to Planner Phil Testemale

Status Date: 29-Mar-2022

Follow up regarding status of Assessment Report

Status Date: 10-Mar-2022

Site Visit

File Number	Applicant Name	Date Received	Purpose
SS-DP-2022.4	Sawchuck, Michael	17-Mar-2022	SFD in DPA4 - 243 Tripp Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 28-Apr-2022

File reassigned to Planner Gordon.

Status Date: 28-Mar-2022

Planner Mayes assigned to file - SS-DP-2022.4



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.13	Aurora Professional Group INC	12-Jul-2021	Development within DPA6 - DP/DVP regarding disposal field and setback to natural boundary of the sea - 371 Isabella Point Road

Planner: Georgie Gordon

Planning Status

Status Date: 09-Nov-2021

Update regarding timing of additional information requested by planner

Status Date: 15-Sep-2021

Email correspondence with applicant, applicant indicates DP/DVP will be updated to cover existing retaining wall. Application on hold pending amendment.

Status Date: 09-Sep-2021

Site Visit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.17	Nagel, Uta	13-Sep-2021	Carport and Shed within the setback - 770 Beaver Point Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 04-Apr-2022

Email regarding next steps for application to move forward

Status Date: 30-Nov-2021

Phone call regarding next steps for application to move forward



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.22	UCG	09-Dec-2021	Setback Variance for Brewery and Retaining Wall - 270 Furness Road

Planner: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans.

Status Date: 13-Dec-2021

File forwarded to planner for review - SS-DVP-2021.22

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.23	Shalbah, Sina	13-Dec-2021	Variance for structure setback to a water body - 150 Margolin Drive

Planner: Phil Testemale

Planning Status

Status Date: 25-Apr-2022

File reassigned to Planner Phil Testemale.

Status Date: 21-Mar-2022

Awaiting QEP report in support of variance application

Status Date: 16-Feb-2022

Requested photos and additional information from applicant



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2021.24	Kirsten Reite Architecture	20-Dec-2021	Follows on expiry of pervious permit SS-DVP-2018.17. Proposed variance to permit: The siting of sewage system tanks, sewage disposal fields, commercial guest accommodation units; and a sub-electrical room. - 2621 & 2661 Fulford-Ganges Road, SSI

Planner: Jason Youmans

Planning Status

Status Date: 10-Mar-2022

See file SS-DP-2018.14 for updates as both files are moving in parallel.

Status Date: 23-Dec-2021

Planner Youmans assigned to the file - SS-DVP-2021.24

Status Date: 12-Dec-2021

Applicant advised that DVP-SS-2018.17 would expire January 4, 2022 if work not substantially started.

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: Stephen Baugh

Planning Status

Status Date: 25-Apr-2022

File reassigned to Planner Stephen Baugh.

Status Date: 01-Sep-2021

Revised site plan required

Status Date: 18-Jun-2021

Site Visit



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.1	Aurora Professional Group INC Planner: Geordie Gordon	06-Jan-2022	Variance regarding disposal field and setback to natural boundary of the sea - Clam Shell Island
Planning Status			
Status Date: 07-Jan-2022 File assigned to Planner Gordon - SS-DVP-2022.1			
File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.10	Girard, Jordan Planner: Geordie Gordon	28-Feb-2022	Front lot line variance to build SFD - 322 Collins Road, SSI
Planning Status			
Status Date: 02-Mar-2022 Planner Gordon assigned to file - SS-DVP-2022.10			
File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.11	Edgar, Peter Planner: Stephen Baugh	17-Mar-2022	Lot Line Variance - 227 Roland Road, SSI
Planning Status			
Status Date: 25-Apr-2022 File reassigned to Planner Stephen Baugh			
Status Date: 01-Apr-2022 Emailed applicant - re. site visit, arch info & MoTI setback permit			
Status Date: 28-Mar-2022 Planner Mayes assigned to file - SS-DVP-2022.11			



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.12	Polaris Land Surveying	02-May-2022	Variances to allow a boundary adjustment - 744 Lower Ganges Road, SSI

Planner: Rob Pingle

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.2	Fevang, Carol	10-Jan-2022	Variance to construct waterfront retaining wall - 105 McKenzie Cres - Piers Island

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon.

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting

Status Date: 19-Jan-2022

File assigned to Planner Mayes - SS-DVP-2022.2

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.5	McDiarmid, Robert	25-Jan-2022	Variance to rear setback to construct carport - 1521 Beddis Rd, SSI

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon.

Status Date: 04-Apr-2022

Report deferred to 17MAY2022 SSILTC meeting

Status Date: 18-Mar-2022

Meeting following site visit with applicant



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SS-DVP-2022.8	Massender, Ian	22-Feb-2022	Variance for minimum average lot area and siting of building within rear lot line setback - 244 Rainbow Road, SSI

Planner: Phil Testemale

Planning Status

Status Date: 27-Apr-2022

Applicant requesting surveyor update subdivision plan to add farm building with setback distance to new rear property line.

Status Date: 27-Apr-2022

June 14 agenda for consideration.

Status Date: 25-Apr-2022

File reassigned to Planner Phil Testemale

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
SS-LCB-2021.3	Mobys Pub	07-Dec-2021	Permanent License for Patio Space - 126 Upper Ganges Road, SSI

Planner: Geordie Gordon

Planning Status

Status Date: 21-Dec-2021

File assigned to Planner Gordon - SS-LCB-2021.3



Rezoning

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: Georgie Gordon

Planning Status

Status Date: 29-Apr-2022

Meeting with applicant and W. Shulba. Applicant indicates water system management/ownership work is on-going.

Status Date: 16-Dec-2021

MoTI updates referral response - road upgrade request removed

Status Date: 14-Dec-2021

Verbal update to LTC - applicant still to provide requested information (e.g. water management plan) to LTC

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: 04-Jan-2022

Bylaw referral sent out

Status Date: 14-Dec-2021

LTC gives first reading and refers bylaw

Status Date: 01-Nov-2021

Applicant provides new pump test report



Applications

Rezoning

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: Geordie Gordon

Planning Status

Status Date: 01-Feb-2022

Planner phone call with applicant - rainwater collection system work is on-going, to be finalized within 2-3 months.

Status Date: 24-Jan-2022

Applicant indicates report work is on-going

Status Date: 21-Jan-2022

Staff request file update

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: Jason Youmans

Planning Status

Status Date: 04-May-2022

To be considered for adoption at May 17 LTC meeting

Status Date: 25-Apr-2022

File reassigned to Jason Youmans

Status Date: 10-Mar-2022

Report to 22MAR2022 SSILTC meeting



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: Geordie Gordon

Planning Status

Status Date: 15-Feb-2022

Report to SS LTC. Applicant requests deferral to future meeting

Status Date: 01-Sep-2021

Email to applicant on steps to take to amend zoning application. Re-review would be required.

Status Date: 07-Jun-2021

CRD indicates sewer capacity request must come from applicant

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: Rob Pingle

Planning Status

Status Date: 05-Apr-2022

Refund memo sent to finance

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 18-Jan-2022

Planner requests progress update from 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 - 361 Sunset Drive

Planner: Georgie Gordon

Planning Status

Status Date: 22-Oct-2021

Planner response to applicant questions on density in Channel Ridge

Status Date: 24-Aug-2021

Site Visit

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	Deposit approximately 180 m3 of rock - 001-032-402 - Piers Island

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon

Status Date: 04-Apr-2022

QP report received from applicant

Status Date: 14-Oct-2021

BCA advises no HCA permit required



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: Jason Youmans

Planning Status

Status Date: 25-Apr-2022

File reassigned to Jason Youmans

Status Date: 04-Feb-2022

Dormant application notice sent

Status Date: 29-Apr-2021

Advised applicant of additional reports required by CRD

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: 11-Feb-2022

MoTI has accepted the Storm Water Management Plan

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



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: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Geordie Gordon

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

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: Geordie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Geordie Gordon

Status Date: 30-Apr-2021

PLR received from MoTI

Status Date: 18-Feb-2021

Referral Response sent to MoTI



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 - 744 LOWER GANGES RD
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 25-Apr-2022 File reassigned to Geordie Gordon			
<u>Status Date:</u> 08-Jun-2021 PLR recieved from MoTI			
<u>Status Date:</u> 23-Feb-2021 Referral Response sent to MoTI			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.3	Shalbaf, Sina	31-Mar-2021	2 lot subdivision 150 Margolin Drive
Planner: Geordie Gordon			
Planning Status			
<u>Status Date:</u> 25-Apr-2022 File reassigned to Geordie Gordon			
<u>Status Date:</u> 10-Jun-2021 PLR received from MoTI			
<u>Status Date:</u> 28-May-2021 Site Visit			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.4	Massender, Ian (Matthew) Planner: Geordie Gordon	27-Aug-2021	Boundary Adjustment - 244 Rainbow Road
Planning Status			
Status Date: 25-Apr-2022 File reassigned to Geordie Gordon			
Status Date: 23-Nov-2021 Septic report received			
Status Date: 18-Nov-2021 PLRS received from MoTI			
File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.5	Polaris Land Surveying Inc Planner: Geordie Gordon	16-Sep-2021	Boundary adjustment - 1201/1231 Beaver Point Road
Planning Status			
Status Date: 25-Apr-2022 File reassigned to Geordie Gordon			
Status Date: 10-Dec-2021 Revised site plan required to complete referral response			
Status Date: 16-Sep-2021 Planner Mayes assigned to the file - SS-SUB-2021.5			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.6	MiCo Properties	17-Nov-2021	Two Lot Subdivision - 1281 Fulford-Ganges Road

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon

Status Date: 14-Dec-2021

Revised site plan required to complete referral response

Status Date: 19-Nov-2021

File assigned to Planner Mayes - SS-SUB-2021.6

File Number	Applicant Name	Date Received	Purpose
SS-SUB-2021.7	Juengst, Patricia	13-Dec-2021	2 Lot Subdivision - 007-521-031

Planner: Georgie Gordon

Planning Status

Status Date: 25-Apr-2022

File reassigned to Georgie Gordon

Status Date: 15-Dec-2021

Referral Response sent to MoTI

Status Date: 14-Dec-2021

Planner Mayes assigned to file - SS-SUB-2021.7



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

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY MARCH 15TH, 2022 BOARD SPECIAL MEETING (OPEN PORTION)

*NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit
<https://islandstrust.bc.ca/whats-happening/meetings-and-events/>*

1. ORGANIZATION UPDATES/TEAM

- The Islands Trust Conservancy (ITC) continues to have a vacancy for one Ministerial appointment to the ITC Board. There has been no news from the Crown Agencies and Board Resourcing Office regarding posting of the position.
- ITC Board is preparing to add a 0.6 FTE Fund Development Specialist and a summer Co-op Student to the team in the Spring/Summer, as per the approved 2022/23 Islands Trust Budget.
- ITC Board received verbal updates from the ITC Chair and Vice Chair about the Islands Trust Governance Review the final 2022/23 Islands Trust Budget and the Policy Statement Review Process.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Five-Year Plan concludes at the end of 2022 and ITC Board considered steps for developing the next Plan. A Project Charter was approved that included allocation of staff time and funding for First Nations engagement. The ITC Five-Year Plan is a requirement under the *Islands Trust Act* and is reviewed and approved by the Minister of Municipal Affairs.
- ITC Board requested that Executive Committee forward the correspondence received at Trust Council (item 17.2) about Coastal Douglas-fir to the delegate David Dunnison regarding his presentation to Trust Council dated March 8, 2022 entitled, "Islands Trust Biodiversity".
- Chair Stamford updated the Board regarding a presentation that she and Trustee Smith provided at the pan-Canadian Parks and Protected Areas Research e-Summit in February 2022.
- ITC Board directed staff to review Policy 1.7 Donations and Fundraising Policy to clarify the process of allocation of large undesignated donations

3. COVENANT AND PROPERTY ACQUISITIONS

- ITC Board authorized the Chair to sign a covenant over the whole of Brooks Point Regional Park (South Pender Island) in favour of Islands Trust Conservancy and Habitat Acquisition Trust.
- The Public Acquisitions and Covenants reports were accepted by the ITC Board.



ISLANDS TRUST CONSERVANCY

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

4. COVENANT AND PROPERTY MANAGEMENT

- ITC Board approved a Climate Change Research proposal from UBC Conservation Decisions Lab for up to ten years in the McFadden Creek Nature Sanctuary (Salt Spring Island) and S'ul-hween X'pey (Elder Cedar) Nature Reserve (Gabriola Island)
- ITC Board accepted an addendum to the ITC NAPTEP Covenant Monitoring Report 2021 to reflect the monitoring of Owl's Call NAPTEP Covenant (Salt Spring Island).
- ITC Board endorsed moving forward with the Operational Planning Phase of the Sidney Island Ecological Restoration Project, followed by the implementation of the Forest Restoration Strategy and the Fallow Deer Removal.
- ITC Board received an update regarding research and restoration work occurring in partnership with Capilano University in ITC Nature Reserves on Gambier Island.

5. COMMUNICATIONS AND OUTREACH

- ITC Board receive information on the March 16, 2022 Species at Risk workshop; highlighting registration is currently at 93 attendees, including a great diversity of participants.
- ITC Board was informed that the ITC Rack card has been update and is available for communications purposes. Trustees who wish to receive copies are requested to get in touch with the ITC Administrative Assistant.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- ITC Board received a donation of \$100,000 from the "Bloom Canadian Alter Ego Trust 2020" and allocated the donation to the Opportunity Fund, earmarking up to \$50,000 for projects on Salt Spring Island to reflect the conservation interests of the donor.
- ITC Board discussed a letter from island conservancies regarding the Islands Trust Policy Statement that was submitted to Trust Council. The ITC Manager advised this document was provided to Trust Council as part of their Policy Statement review process.

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/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **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)



DATE OF MEETING: May 17, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Louisa Garbo, Acting Regional Planning Manager, Salt Spring Island Team

COPY: David Marlor, Director of Local Planning Services

SUBJECT: Housing Action Program and other general updates

RECOMMENDATION:

That the Salt Spring Island Local Trust Committee (SS LTC) request staff to amend the Housing Action Program Project Charter to reduce the scope to reflect the available budget, and report back with a revised scope for consideration.

BACKGROUND

Housing Action Program Public Engagement

Earlier this year, SS LTC supported staff in seeking unbiased, neutral third-party professional consulting services to provide skilled facilitation and innovative approaches to deliver a public engagement program. A Request for Proposal (RFP) was issued on April 12, 2022, with a closing time of May 17, 2022, based on the assumption that there will be sufficient funds to seek consulting services. The project budget also relies on the ability to share resources with the Ganges Village Area Plan. The two projects share similar process timelines, consultation with the same First Nations with territorial interests, and the same agencies, stakeholders, and community groups engaged in the process. In March of 2021, SS LTC requested staff to find efficiency in the best possible manner during the planning process due to the interrelatedness of the two projects, as indicated in the resolution below.

SS-2021-031

That the Salt Spring Island Local Trust Committee direct staff to seek opportunities for collaboration and efficiencies between the Housing Action Program Task Force and the Ganges Village Planning Task Force.

In its regular business meeting in March 2022, Trust Council made budget amendment that impacted the projects' budget for both Ganges Village Area Plan and the Housing Action Program, as indicated in the resolution below. Staff is seeking direction from SSILTC on how best to proceed with the public engagement program for the Housing Action Program.

TC-2022-020

That \$32,000 be restored to the Coastal Douglas-fir Salt Spring Island Project and \$32,000 be removed from the Ganges Village Project.

OPTIONS

1. Conduct the public engagement process in-house and cancel the RFP (which is closing on May 17, 2022).
The option of conducting the public engagement process in-house will be the amount of time required, likely to be substantially longer, and the process to be less robust due to the limited staff capacity and resources.
2. Reduce the scope of the Housing Action Program project, including the public engagement program.

This option will require further analysis on the potential impacts on the overall project as a result of the reduction in scope; an amendment to the project charter will also be required.

3. Reduce the CDF project's scope and transfer the funding, or portion of the funding, to the Housing Action Program to keep the program going as planned.

This option will impact the CDF project with the loss of the \$17,000 earmarked to hire a wildfire ecologist and host a workshop, both in support of Transition Salt Spring's ongoing work in the Maxwell Creek Watershed which itself is funded through a \$100,000 Environment and Climate Change Canada grant. A revised project work plan to reflect the amended budget will also be necessary.

Submitted By:	Louisa Garbo, Acting Regional Planning Manager	May 3, 2022
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File No.: 6500-20 – Water
Sustainability

DATE OF MEETING: May 17, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Jason Youmans, Island Planner
Salt Spring Island Team
SUBJECT: Proof of Sustainable Water in Subdivision Applications

RECOMMENDATION

1. That Salt Spring Island Local Trust Committee Bylaw No. 432, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2022,” be read a first time.
2. That the Salt Spring Island Local Trust Committee request staff to refer Bylaw No. 432 to the agencies, and First Nations shown in Appendix 9 for comment and the firms and individuals shown in Appendix 10 for their information.
3. That the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 432, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2022,” is not contrary to or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

The purpose of this report is to provide the Salt Spring Island Local Trust Committee with a bylaw to amend Section 5.5 of the Salt Spring Island Land Use Bylaw concerning the provision of potable water at time of subdivision. The proposed bylaw will better protect groundwater and groundwater users when land is subdivided and ensure that applicants are provided clear expectations about the potable water information they must provide as part of a subdivision application.

This report recommends that the proposed bylaw be given first reading and referred to agencies and First Nations for review and comment, and practicing professionals for their information and optional comment.

The proposed bylaw amendments apply only at time of subdivision application to ensure a sustainable potable water supply for newly created lots. The bylaw amendments do not impact consideration of building permit or other permitting processes once subdivision is complete.

BACKGROUND

The LTC previously considered this project at its meeting of [May 26, 2020](#). At that time the LTC passed the following resolutions:

SS-2020-071

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend the project charter “Proof of Sustainable Water – Subdivision version 1” attached as Appendix 1 to the staff report of May 26, 2020 as follows: modify the second bullet in the In Scope Section to say “in cooperation with the SSIWPA Technical Working Group and Provincial agencies in bylaw development” and remove “SSIWPA Technical Working Group” from the third bullet in the In Scope Section.

CARRIED

SS-2020-072

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to draft a bylaw to strengthen groundwater protection during the subdivision approval process in consideration of the project charter.

CARRIED

The project charter, amended per resolution SS-2020-071 above, is included in this staff report as Appendix 4.

This issue was introduced by staff and discussed at a meeting of the SSIWPA Technical Working Group on June 26, 2020. Minutes of that meeting are attached as Appendix 5.

SSIWPA TWG and staff met again at a special meeting on July 14, 2020. Minutes of that special meeting are attached as Appendix 6.

Preliminary drafts of this bylaw were sent to water protection staff at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development in November 2020, November 2021 and again in March 2022. Ministry staff provided extensive comments on all three drafts.

A preliminary draft of this bylaw was provided to Island Health and the Ministry of Transportation and Infrastructure Subdivision Approving Officer. Both provided comments and questions.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff have reviewed the proposed bylaw against the Islands Trust Policy Statement Directives Only Checklist and find that it is consistent with the Policy Statement.

The ITPS Directives Only Checklist is attached as Appendix 7 for the LTC’s consideration

Official Community Plan:

The proposed bylaw is consistent with OCP policies concerning potable water quantity and supply which are attached as Appendix 8.

Land Use Bylaw:

This project amends the land use bylaw regulations related to proving potable water at time of subdivision. These are attached as Appendix 3.

Issues and Opportunities

Proposed Bylaw Changes

Line-by-line discussion of the changes proposed under Bylaw No. 525 are included in the explanatory document attached as Appendix 2 to this staff report.

In general, the proposed changes will have the following outcomes:

- Greater clarity with respect to proof of potable water documentation that subdivision applicants must provide;
- Clear requirements and expectations for professional hydrogeologists to follow;
- Increases the per-dwelling-unit water volume required to harmonize with Section 22(8) of the [Water Sustainability Act](#);
- Eliminates requirement to demonstrate specific potable water volumes for commercial/industrial uses; defers to [Water Sustainability Act](#) licensing requirements for non-domestic uses.

SSIWPA Technical Working Group Cooperation

Initial conversation with SSIWPA TWG yielded a desire on the part of TWG representatives for SS LTC to explore the development of area-based groundwater protection regulation or policy. However, pursuit of an area-based approach would require significant scientific study of the Island's groundwater characteristics, which was beyond the scope of this project with its intent to make technical improvements to existing regulations in the land use bylaw to provide greater clarity for all parties involved in the subdivision process. Area-based water use regulation or policy would be more appropriately addressed through a groundwater protection development permit area.

SSIWPA TWG provided a range of comments and questions on drafts of the proposed bylaw which were considered, and some of which were addressed, by staff in revisions to the bylaw.

Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) Cooperation

Staff have made significant amendments to the proposed bylaw following FLNRORD review across three drafts. On the whole staff have accepted as many of that changes proposed by FLNRORD as possible without compromising the intent of this regulatory exercise – namely to move beyond the professional reliance model of the current bylaw and toward a more prescriptive approach.

Terminology in the proposed Bylaw No. 432 aligns with definitions in the [Water Sustainability Act](#).

FLNRORD may highlight remaining areas of question or concern in response to formal referral of the bylaw.

Impact on Land Owners

The requirement to undertake a minimum 12-hour pumping may add to the cost of subdivision approval. However, substantial costs are already incurred during the subdivision process in pursuit of the profit that ultimately results from the sale of subdivided land.

Land owners undertaking boundary adjustments between existing serviced lots will no longer have to provide proof of water.

Land owners that cannot, or do not wish to, comply with the terms of draft Bylaw No. 432 can seek a development variance permit from the SS LTC.

Consultation

The proposed bylaw amendments are largely a technical exercise to bring the land use bylaw into alignment with the [Water Sustainability Act](#), [Groundwater Protection Regulation](#), [Professional Governance Act](#) and associated guidelines established by the Province. Bylaw amendments have been developed by Islands Trust Senior Freshwater Specialist and planning staff with initial guidance provided by SSIWPA TWG and three drafts of proposed amendments reviewed by staff from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD).

Staff will make a formal referral of the draft bylaw to public agencies and qualified professionals for comment upon LTC direction.

As the subdividability of land on Salt Spring is of interest to only a small proportion of land owners (presumably those whose land has subdivision potential), the proposed amendments will require minimal public consultation. Staff recommend one community information session in a question-and-answer format to be held following agency, First Nations, and professional referrals and subsequent amendments to the bylaw that may arise from those referrals.

Staff will develop a FAQ document to accompany the proposed bylaw amendments for distribution both during, and after, the bylaw adoption process to inform land owners and professionals of the changes.

This bylaw amendment will be drafted to be consistent with the official community plan, thus staff will likely recommend that the LTC waive the holding of a public hearing as per section 464 (2) of the [Local Government Act](#). If a public hearing is waived, notice must still be given as per section 467 of the [Local Government Act](#).

Correspondence may be sent to ssiinfo@islandstrust.bc.ca.

No correspondence regarding this file has been received at the time of preparing this report other than the preliminary informal referrals to SSIWPA TWG and the above-noted provincial agencies.

Protocols

Islands Trust role in the MOTI subdivision approvals process is captured in a letter of understanding between the two organizations. It is available [here](#).

Proof of water is specifically addressed in the following clause:

- iv. Where proof of potable water is required by bylaw, the information will be provided to Islands Trust staff by the applicant. Trust staff will advise the Provincial Approving Officer of bylaw compliance based on the information provided. If proof of potable water is not required by bylaw, the criteria for potable water will be set by the Provincial Approving Officer. The applicant will supply the information to the Ministry of Transportation and Highways District staff who will forward that information to the Provincial Approving Officer for assessment.

Agencies

See Appendix 9 for a list of all agencies and organizations to whom staff recommend bylaw referral.

First Nations

See Appendix 9 for a list of First Nations with territorial and treaty rights and title in the Salt Spring Island Local Trust Area to whom staff recommend bylaw referral.

Rationale for Recommendation

Development of proposed Bylaw No. 432 began with a review of subdivision servicing requirements from rural communities across British Columbia and beyond. Bylaw development has been a collaborative effort between Islands Trust planning staff and Islands Trust senior freshwater specialist with substantial input from Ministry of Forests, Lands, Natural Resource Operations and Rural Development staff, as well as review and comment by the Salt Spring Island Watershed Protection Alliance Technical Working Group (TWG).

Staff are confident that Bylaw No. 432 will help to protect groundwater resources for human and ecosystem use as new residential lots are established through the subdivision approvals process, and help ensure future owners of those lots maintain a sustainable supply of potable water for the duration of residential use.

Proposed Bylaw No. 432 is consistent with the Islands Trust Policy Statement.

ALTERNATIVES

1. Request further information

SS LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are that it may take time to report back with the requested information. If selecting this alternative, the LTC should describe the specific information needed. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee request staff to provide the following information:

- *[Insert info type here . . .]*

2. Amend the bylaw

SS LTC may identify aspects of draft Bylaw no. 432 that it wishes to amend. If this is the case, SS LTC can amend the bylaw before first reading and referral. If this alternative is selected, the LTC should specify its proposed amendments. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee amend Salt Spring Island Local Trust Committee Bylaw No. 432, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2022," as follows:

- *By [insert amendment here . . .]*

And

That Salt Spring Island Local Trust Committee Bylaw No. 432, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2022," be read a first time as amended.

NEXT STEPS

If SS LTC accepts staff's recommendations staff will refer draft Bylaw No. 432 to the agencies, First Nations and individuals identified in Appendix 9 of this staff report.

Submitted By:	Jason Youmans, Island Planner	May 4, 2022
Concurrence:	Louisa Garbo, A/Regional Planning Manager	May 5, 2022

ATTACHMENTS

1. Draft Bylaw No. 532
2. Explanatory Document – Bylaw No. 532
3. Current Section 5.5 Subdivision Servicing Regulations
4. Project Charter – Proof of Water: Subdivision v1.1
5. Minutes – SSIWPA TWG – June 26, 2020 (Excerpt)
6. Minutes – SSIWPA TWG – July 14, 2020
7. ITPS Directives Only Checklist
8. OCP Policies concerning potable water servicing
9. Recommended First Nation and agency referral recipients
10. Recommended practicing professional referral recipients

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 532

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2022”.

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

2.1 By adding the following definitions under Section 1.1 – Definitions:

- | | |
|-------------------------|---|
| “aquifer” | means a geological formation, a group of geological formations, or a part of one or more geological formations, that is capable of storing, transmitting and yielding groundwater. |
| “pumping test” | means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a <i>hydrogeologist</i> , and that is consistent with the British Columbia Guide to Conducting Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on <i>aquifer</i> characteristics. |
| “groundwater” | means water naturally occurring below the surface of the ground. |
| “Hydrogeologist” | means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the <i>Professional Governance Act</i> , Engineers and Geoscientists Regulation. |
| “stream” | means a natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or a natural source of water supply, including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water, including ice, but does not include an aquifer. |

2.2 By amending the following definitions under Section 1.1 – Definitions:

“community water system” means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a society, or a water supplier.

“potable” means water provided by a domestic water system that meets the standards prescribed by regulation including Health Canada Guidelines for Canadian Drinking Water Quality, and is safe to drink and fit for domestic purposes without further treatment.

“water body” means the sea or a *stream*; whether containing fish or not; and includes seasonal streams; and includes any surface drainage work or catchment pond that is a man-made replacement or diversion of a natural *water body*.

Information Note: *Dug ponds that do not replace or divert a natural water body are not included in the above definition.*

2.3 By deleting Schedule H – Potable Water Quality Standards

2.4 By replacing Section 5.5 as follows:

5.5 POTABLE WATER

5.5.1 Each *lot* in a proposed *subdivision* must be supplied with *potable water* in accordance with the *service* requirements specified in Part 9 of this Bylaw.

5.5.2 Each *lot* in a proposed *subdivision* must be supplied with sufficient *potable water* to supply the uses permitted on the *lot* by this Bylaw according to the standards set out in Table 1.

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day)
<i>Per lot (including one dwelling unit)</i>	2000
<i>Each additional dwelling unit</i>	2000

Information Note: *If more than one dwelling unit is connected to the same source of water, the water system may be subject to the Drinking Water Protection Act, the Water Utility Act or other regulations pertaining to water supply systems.*

Information Note: *Water obtained from a stream, or non-domestic groundwater use requires a licence under the Water Sustainability Act.*

5.5.3 Where *potable water* is to be supplied by a *community water system*, the *community water system* must provide written confirmation that it is able to supply *potable water* for the *uses* specified in Table 1 to each *lot*.

- 5.5.4 Where *potable* water is to be supplied from a *stream*, the applicant for *subdivision* must provide proof of authorization (water licence) indicating the total volume of water granted to the licence holder confirming that it is able to supply *potable* water for the volume specified in Table 1 to each *lot*.
- 5.5.5 Where a lot proposed to be subdivided contains a non-domestic use that requires a licence under the *Water Sustainability Act*, the applicant must provide proof of authorization (water licence) indicating the total volume of water granted to the licence holder confirming that it is able to supply water for the non-domestic use, as well as *potable* water for the volume specified in Table 1 to each *lot*.
- 5.5.6 Where *potable* water for domestic use is to be supplied by a drilled well, and in the absence of a water licence, a *pumping test* shall be carried out on each well in a proposed subdivision by:
- pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
 - withdrawing the total daily required volume specified in Table 1 over a maximum period of 24 hours; and
 - monitoring groundwater levels continuously during the *pumping test* and during the recovery period.
- 5.5.7 Where *potable* water is to be supplied by a drilled well in accordance with Subsection 5.5.6, a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- 5.5.8 New drilled wells used for the purposes of subdivision application must not be located within 50 metres of the natural boundary of the sea.
- 5.5.9 Where *potable* water is to be supplied by a drilled well in accordance with Subsection 5.5.6., the applicant for subdivision must provide written certification under seal of a *hydrogeologist* that:
- Each well has been constructed in accordance with the *Groundwater Protection Regulation*;
 - Each well has been constructed in accordance with Subsections 5.5.7 and 5.5.8;
 - Each well has sufficient available groundwater to provide the daily required volume of *potable* water for each lot in accordance with Table 1; and
 - Includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.
- 5.5.10 If the daily required volume of *potable* water cannot be supplied in accordance with Subsections 5.5.2 or if the certification referred to in Article 5.5.9(c) cannot be made, the applicant must grant a covenant under the *Land Title Act* to the Salt Spring Island Local Trust Committee that restricts the development of the subdivision to the uses for which there is a sufficient volume of water.
- 5.5.11 Where the *potable* water supply is provided through a drilled well or water licence, a *hydrogeologist* must also provide:
- Results of a water quality analysis, completed by an accredited laboratory;

- b. A plan of the proposed *subdivision* indicating the location where each water sample was taken;
 - c. 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.
 - d. Confirmation, based on the accredited laboratory water quality analysis, that the proposed water supply source is *potable*, or can be made *potable*, with a treatment system; and
 - e. Confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that the drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents;
- 5.5.12 If the water to be supplied is not *potable*, but can be made *potable* with a treatment system, the applicant must grant a covenant under the *Land Title Act* to the Salt Spring Island Local Trust Committee that requires on-going treatment of the water to *potable* water standards.
- 5.5.13 For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.
- 5.5.14 For the purposes of subdivision, alternative *potable* water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of *potable* water.
- 5.5.15 The requirements of Section 5.5 shall not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all proposed lots in the subdivision are currently serviced by existing wells, community water system connection or water licence.
- 2.5 By amending Schedule F – Campground Layout and Facility Regulations, Section 7 as follows:
- 7. The owner of a *campground* must provide proof of authorization (water licence) or written confirmation from a community water system indicating the total volume of potable water granted to supply the *campground* use in the amounts prescribed below:
- 2.6 By deleting Schedule F – Campground Layout and Facility Regulations, Section 8, in its entirety.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS _____ DAY OF _____ 20_____

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20_____

READ A THIRD TIME THIS _____ DAY OF _____ 20_____

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

ADOPTED THIS _____ DAY OF _____ 20_____

Chair

Secretary

DRAFT

May 2, 2022

Water Sustainability Project: Proof of Water – Subdivision**EXPLANATION OF PROPOSED CHANGES****PROJECT PURPOSE**

The purpose of this project is to amend the Salt Spring Island Land Use Bylaw to better protect freshwater resources and groundwater users by improving the quality of proof of water information provided by subdivision applicants.

Staff have determined that groundwater information furnished by subdivision applicants is not always consistent with established guidelines from the Province, Engineers and Geoscientists of BC, and associated agencies. This has led to conflicting interpretations of the land use bylaw between staff, applicants and their consulting engineers. Staff believe that greater clarity around required information will minimize conflict.

Additionally, the Salt Spring Island Watershed Protection Alliance (SSIWPA) has identified “Proof of Water” as a priority project to enhance water sustainability on the Island.

SUMMARY OF PROPOSED CHANGES

Staff summarize the major proposed changes to the potable water requirements at time of subdivision under the Salt Spring Island Land Use Bylaw as follows:

- Greater clarity with respect to proof of potable water documentation that subdivision applicants must provide;
- Clear requirements and expectations for professional hydrogeologists to follow;
- Increases the per-dwelling-unit water volume required to harmonize with the Water Sustainability Act;
- Eliminates requirement to demonstrate specific potable water volumes for commercial/industrial uses; defers to Water Sustainability Act licensing requirements

See end of document for current subdivision servicing regulations.

DISCUSSION OF PROPOSED CHANGES

Each of the changes proposed through this bylaw amendment project are described and discussed below.

New Definitions***Aquifer***

“aquifer” means a geological formation, a group of geological formations, or a part of one or more geological formations, that is capable of storing, transmitting and yielding groundwater.

Staff Comment: This definition comes straight from the Water Sustainability Act and is relevant to the new proposed definition of “pumping test.”

Pumping Test

“pumping test” means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a *hydrogeologist*, and that is consistent with the British Columbia Guide to Conducting Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on *aquifer* characteristics.

Staff Comment: Staff recommend defining pumping test to ensure that subdivision applicants provide pumping tests, as such term is understood in Government of British Columbia guidance documents, rather than other forms of well investigation, such as historical yields reported in well logs or short term well-yield tests. Pumping tests are carried out over a longer duration than other forms of well testing, are under direct supervision of a professional hydrogeologist, and provide more reliable estimation of a well’s long-term capacity.

Groundwater

“groundwater” means water naturally occurring below the surface of the ground.

Staff Comment: This definition comes straight from the Water Sustainability Act.

Hydrogeologist

“Hydrogeologist” means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the *Professional Governance Act*, Engineers and Geoscientists Regulation.

Staff Comment: Staff recommend the addition of a definition of a hydrogeologist to ensure that oversight and analysis of pumping tests for the purpose of subdivision is undertaken only by qualified professionals.

Stream

“stream” means (a) a natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or (b) a natural source of water supply, including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water, including ice, but does not include an aquifer.

Staff Comment: Staff have replaced the word “surface water source” with the word “stream,” as this is the term used in the British Columbia *Water Sustainability Act*. Making stream a defined term in the Land Use Bylaw will mean that all instances of the use of stream will take on the new defined meaning.

Amended Definitions

Community Water System

“community water system” means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a society, or a water supplier.

Staff Comment: Staff have added the words “society” and “water supplier” to the current list of potential piped water purveyors in an effort to capture all possible piped water configurations.

Potable

“potable” means water provided by a domestic water system that meets the standards prescribed by regulation including Health Canada Guidelines for Canadian Drinking Water Quality, and is safe to drink and fit for domestic purposes without further treatment.

Staff Comment: Staff have amended the Land Use Bylaw definition of “potable” by removing reference to “Schedule H” of the Land Use Bylaw. This effectively removes Salt Spring-specific standards of what constitutes potable water. It is staff’s understanding that local water standards were originally included in the subdivision regulations to capture aesthetic qualities beyond those identified by Health Canada. Staff are today satisfied that reliance on the federal standard is sufficient to ensure that drinking water on Salt Spring Island will be safe to drink provided the Section 5 regulations are adhered to.

Deletions

Schedule H – Potable Water Quality Standards

Staff Comment: As noted above under the definition of potable water, staff propose removing the current Island-specific water quality parameters.

5.5 POTABLE WATER

5.5.1 Each lot in a proposed subdivision must be supplied with potable water in accordance with the service requirements specified in Part 9 of this Bylaw.

Staff Comment: This provision remains the same as in current land use bylaw.

5.5.2 Each lot in a proposed subdivision must be supplied with sufficient potable water to supply the uses permitted on the lot by this Bylaw according to the standards set out in Table 1.

TABLE 1	
POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day)
<i>Per lot (including one dwelling unit)</i>	2000

Each additional dwelling unit	2000
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Information Note: If more than one dwelling unit is connected to the same source of water, the water system may be subject to the Drinking Water Protection Act, British Columbia Ministry of Health regulations of water supply systems, and may be subject to the Water Utility Act.

Information Note: Non-domestic uses serviced by groundwater or a stream may require a licence under the Water Sustainability Act.

Staff Comment: The revised Section 5.5.2 and revised Table 1 represent a significant departure from the current land use bylaw. Currently, Table 1 provides a list of several different use types and demands that staff then add together to arrive at anticipated water demand for a given property if all permitted uses are exercised simultaneously. Instead, staff propose aligning water requirements with Section 8 of the *Water Sustainability Act* which states:

- (8) Despite subsections (1) to (6), a person to whom section 6 (4) [*use of water — excluded groundwater users*] applies is deemed to have rights that have precedence under those subsections, as if the deemed rights were granted under an authorization that
- (a) sets out as the date of precedence the date of first use of the water, and
 - (b) authorizes the use of the greater of
 - (i) 2 000 litres of water per day for each private dwelling on a parcel, or
 - (ii) the amount of water the engineer is satisfied the person has been using for domestic purposes.

The reasons for this proposal are as follows:

First, local water regulations and policy should be generally consistent with the *Water Sustainability Act*. Therefore, staff recommend that Islands Trust align its potable requirement for residential uses to that of the 2,000 litre-per-day deemed right under the WSA.

Second, using groundwater or surface water for non-domestic uses of a property now requires an industrial water licence under the *Water Sustainability Act*. Staff recommend allowing the applicant of a non-residential use to apply for a new industrial water license under the WSA regime at a volume that is needed to fulfil water demand of the use taking place on a property.

2,000 litres per day is an increase of 400 litres per day from 1,600 litres per day per dwelling unit that the Land Use Bylaw currently requires.

While commercial and general employment-zoned land will no longer have to prove a specific volume requirement for those uses, they will have to prove a minimum 2,000 litres per day.

Important aspects to consider in the proposed water use requirements are as follows:

- Secondary suites and seasonal cottages are dwelling units as such term is defined in the Land Use Bylaw. Therefore, properties that permit such uses would be required to demonstrate 2,000 litres per day for each of those uses where permitted;
- Subdivision of land that permits multi-family dwelling units would be required to demonstrate 2,000 litres per day per permitted dwelling unit.

Please note, these requirements apply only at the time of subdivision. These are not volumes that must be proven out at time of building permit.

5.5.3 Where *potable* water is to be supplied by a *community water system*, the *community water system* must provide written confirmation that it is able to supply *potable* water for the *uses* specified in Table 1 to each *lot*.

Staff Comment: Current bylaw requires community water system to confirm how much water it can provide. However, it is assumed that community water systems supply water using an established anticipated volume per residential lot. As such, it seems logical that Islands Trust simply ask whether they can service the lot, not whether they can supply a specified volume.

5.5.4 Where *potable* water is to be supplied from a *stream*, the applicant for *subdivision* must provide proof of authorization (water licence) indicating the total volume of water granted to the licence holder confirming that it is able to supply *potable* water for the volume specified in Table 1 to each *lot*.

Staff Comment: This is generally consistent with the current Land Use Bylaw language although “stream” replaces “surface water source.”

5.5.5 Where a lot proposed to be subdivided contains a non-domestic use that requires a licence under the *Water Sustainability Act*, the applicant must provide proof of authorization (water licence) indicating the total volume of water granted to the licence holder confirming that it is able to supply water for the non-domestic use, as well as *potable* water for the volume specified in Table 1 to each *lot*.

Staff Comment: This new clause will enable staff to leverage the subdivision process to compel commercial/general employment water users to seek the required non-domestic water license required by the *Water Sustainability Act* prior to subdivision approval, thereby helping fulfil the objectives of the *Act*.

5.5.6 Where *potable* water for domestic use is to be supplied by a drilled well, and in the absence of a water licence, a *pumping test* shall be carried out on each well in a proposed subdivision by:

- a. pumping groundwater, at a constant rate, for a minimum period of 12 hours; and**
- b. withdrawing the total daily required volume specified in Table 1 over a maximum period of 24 hours; and**
- c. monitoring groundwater levels continuously during the *pumping test* and during the recovery period.**

Staff Comment: This clause is new, and provides a level of prescription not present in the current land use bylaw. These requirements are consistent with professional expectations under current provincial

guidance documents and align with the ethical requirements of the *Engineers and Geoscientists Act* and the *Professional Governance Act*. The pumping test parameters described here have been recommended by Islands Trust Senior Freshwater Specialist for the following reasons:

- a. With few exceptions, pumping tests by professional hydrogeologists for 2 to 3 lot subdivisions historically were 12 hours or greater;
- b. The well must provide the daily demand within a reasonable time; and
- c. Well recovery should be continuously monitored.

Professional hydrogeologists can undertake pumping tests for longer than 12 hours where professional best practices would warrant it. This bylaw, however, establishes a baseline for pumping test duration.

5.5.7 Where *potable* water is to be supplied by a drilled well in accordance with Subsection 5.5.6, a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.

Staff Comment: This clause is new. Installation of this infrastructure will allow easy access for future well monitoring by land owners.

5.5.8 New drilled wells used for the purposes of subdivision application must not be located within 50 metres of the natural boundary of the sea.

Staff Comment: Wells in close proximity to the natural boundary of the sea are at greater risk of saltwater intrusion. Land owners can apply for a variance permit if required. Note that this will not affect existing lots.

5.5.9 Where *potable* water is to be supplied by a drilled well in accordance with Subsection 5.5.6., the applicant for subdivision must provide written certification under seal of a *hydrogeologist* that:

- a. Each well has been constructed in accordance with the *Groundwater Protection Regulation*;
- b. Each well has been constructed in accordance with Subsections 5.5.7 and 5.5.8;
- c. Each well has sufficient available groundwater to provide the daily required volume of *potable* water for each lot in accordance with Table 1; and
- d. Includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

Staff Comment: This clause is a combination of current clauses 5.5.5 and 5.5.7 except it enumerates more clearly the specific certifications that must be included in the hydrogeologist's report.

5.5.10 If the daily required volume of *potable* water cannot be supplied in accordance with Subsections 5.5.2 or if the certification referred to in Article 5.5.9(c) cannot be made, the applicant must grant a covenant under the *Land Title Act* to the Salt Spring Island Local Trust Committee that restricts the development of the subdivision to the uses for which there is a sufficient volume of water.

Staff Comment: This clause is generally consistent with current clause 5.5.6 in the Land Use Bylaw. The primary difference being that the amended Table 1 of water volume requirements means that that

applicant can no longer shave off a variety of uses via covenant (bed-and-breakfast bedrooms for example). Instead, the only uses that can be restricted via covenant are the additional dwelling units (secondary suite, seasonal cottage) that may otherwise be permitted. Non-domestic uses would require a water licence from the Province under the Water Sustainability Act.

5.5.11 Where the *potable* water supply is provided through a drilled well or water licence, a *hydrogeologist* must also provide:

- a. Results of a water quality analysis, completed by an accredited laboratory;
- b. A plan of the proposed *subdivision* indicating the location where each water sample was taken;
- c. 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;
- d. Confirmation, based on the accredited laboratory water quality analysis, that the proposed water supply source is *potable*, or can be made *potable*, with a treatment system; and
- e. Confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that the drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents.

Staff Comment: This clause is new, but generally consistent with current clause 5.5.8 of the Land Use Bylaw. It simply enumerates the requirements more clearly. It does add, however, a requirement that the hydrogeologist must confirm that drilled wells are not at risk of saltwater intrusion based on analysis of chloride concentrations.

5.5.12 If the water to be supplied is not *potable*, but can be made *potable* with a treatment system, the applicant must grant a covenant under the *Land Title Act* to the Salt Spring Island Local Trust Committee that requires on-going treatment of the water to *potable* water standards.

Staff Comment: This clause is new, but simply breaks out a component of current clause 5.5.8 into its own clause.

5.5.13 For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.

Staff Comment: This clause is new. Wells suffering from, or at risk of, saline intrusion should not be used to service new subdivisions as they risk contamination of the greater aquifer and impacts to existing users and ecosystems. It is unlawful under the Water Sustainability Act to operate a well that causes, or is likely to cause, the intrusion of saline groundwater into an aquifer or stream.

5.5.14 For the purposes of subdivision, alternative *potable* water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of *potable* water.

Staff Comment: This clause is new and based on the following rationale:

- The long-term viability of shallow dug wells under the influence of climate change is difficult to establish;

- Rainwater is too inconsistent a source under the influence of climate change on which to increase lot density; and
- Desalination on a lot-by-lot scale is potentially environmentally problematic.

Applicants who wish to use one of these sources of water in support of a subdivision application can apply for a variance permit.

5.5.15 The requirements of Section 5.5 shall not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all proposed lots in the subdivision are currently serviced by existing wells, community water system connection or valid water licence.

Staff Comment: This clause is new, and predicated on a desire to reduce the regulatory burden on boundary adjustment applicants. Where lot lines are being redrawn and no new lots or dwelling unit opportunities being created as a result, staff recommend that applicants are not required to provide water documentation as such would have been required at time of original subdivision. Applicants must, however, provide appropriate water documentation if any of the lots in the proposed boundary adjustment are not currently serviced with potable water.

.....

Amend [Schedule F](#) – Campground Layout and Facility Regulations – as follows:

Amend [Schedule F](#), Section 7 as follows:

7. The owner of a *campground* must provide proof of authorization (water licence) or written confirmation from a community water system indicating the total volume of potable water granted to supply the *campground* use in the amounts prescribed below:

Delete [Schedule F](#), Section 8 in its entirety.

Staff Comment: These amendments simply ensure that campgrounds are operating per the non-domestic water license requirements of the *Water Sustainability Act*.

These water requirements are unrelated to subdivision, but staff felt it useful to clean them up while the bylaw was being amended.

.....

5.5 POTABLE WATER

- 5.5.1 Each *lot* in a proposed *subdivision* must be supplied with *potable* water in accordance with the *service* levels specified in Part 9 of this Bylaw.

- 5.5.2 Each *lot* in a proposed *subdivision* must be supplied with sufficient water to supply all *uses, buildings and structures* permitted on the *lot* by this Bylaw according to the standards set out in Table 1. Where more than one *use* is permitted on a *lot*, the amount of water to be supplied is the sum of the amounts required for each permitted *use*, calculated separately.

BL 492 (12/16)

Information Note: If more than one dwelling unit is connected to the same source of water, the water system is subject to Vancouver Island Health Authority regulations of water supply systems, the Drinking Water Protection Act, and may be subject to the Water Utility Act.

- 5.5.3 Where water is to be supplied by a *community water system*, the *community water system* must provide written confirmation of the amount of water it is able to supply to each *lot*.

- 5.5.4 Where water is to be supplied from a surface *water body*, the applicant for *subdivision* must provide proof of a water license issued after November 30, 1994, that permits the withdrawal of the required amount of water.

Information Note: The provincial Water Management Branch completed a study of surface water availability in November of 1994. Water licenses issued before this time may not be a reliable indication that water is actually available in the necessary quantity.

- 5.5.5 Where water is to be supplied by groundwater, the applicant for *subdivision* must provide written certification under seal of an *engineer* with experience in groundwater hydrology that there is sufficient available groundwater to provide the required amount of *potable* water on a continuous basis, and that the extraction from the groundwater table of that amount of water is not reasonably expected to adversely affect the quantity or quality of water obtainable from any existing well or surface water that is used as a source of *potable* water.

BL461 (05/13)

BL489 (07/20)

TABLE 1 POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (litres per day per lot)
<i>Dwelling unit</i>	1600
<i>Secondary Suite</i>	1200
<i>Seasonal cottage</i>	680
<i>Bed and breakfast home-based business</i>	225/bedroom
<i>Commercial or General Employment use</i>	900
<i>Community hall or church</i>	1590
<i>School</i>	50/classroom
<i>Commercial guest accommodation units</i>	450/unit
<i>Campground</i>	225/campsite

- 5.5.6 If the required amount of water cannot be supplied or if the certification, water license or confirmation referred to in Subsections 5.5.3, 5.5.4 or 5.5.5 cannot be made, the *Approving Officer* may nonetheless approve the *subdivision* if the applicant grants a covenant under the Land Title Act to the Salt Spring Island Local Trust Committee that restricts the development of the *subdivision* to the *buildings, structures* and *uses* for which the required amount of water can be supplied, licensed or certified under Subsections 5.5.3, 5.5.4 or 5.5.5.
- 5.5.7 For the purposes of the certification referred to in Subsection 5.5.5, the *engineer* must supply supporting documentation of a pump test conducted by the *engineer* which must indicate that the test was of sufficient duration to establish the long term reliability of the water supply in accordance with generally acceptable hydrological *engineering* practices.
- 5.5.8 Where the water supply is provided through a groundwater well or through a private surface water license, an *engineer* must also provide a water quality analysis that demonstrates that the surface water or the groundwater from each proposed water supply source or well is *potable* or can be made *potable* with a treatment system that is customarily used in a *single-family dwelling*. The certificate must include a plan of the proposed *subdivision* 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. If the water to be supplied is not *potable*, but can be made *potable* with a treatment system that is customarily used in a *single-family dwelling*, then the *Approving Officer* may nonetheless approve the *subdivision* if the applicant grants a covenant under the Land Title Act to the Salt Spring Island Local Trust Committee that requires on-going treatment of the water to ensure that it is *potable* before it is used as drinking water.

Water Sustainability Project: Land Use Management for Watershed Protection

Proof of Water – Subdivision: Project Charter v1.1

Salt Spring Island Local Trust Committee

Date: May 19, 2020

Purpose: *The purpose of this project is to amend the Salt Spring Island Land Use Bylaw to better protect groundwater resources and groundwater users by improving the quality of groundwater information provided by subdivision applicants.*

Background: *Staff have determined that groundwater information furnished by subdivision applicants is not always consistent with the Province's Guidelines for Conducting Pumping Tests. This has led to conflict between staff, applicants and their consulting engineers. Staff believe that greater clarity around required information will minimize conflict. Additionally, the Salt Spring Island Watershed Protection Alliance (SSIWPA) has identified "Proof of Water" as a priority project to enhance water sustainability on the Island.*

Objectives

- Consistency between Land Use Bylaw and Government of British Columbia Guidelines for Conducting Pumping Tests
- Clear deliverables for applicants
- Reduced staff/applicant conflict

In Scope

- Land Use Bylaw amendments
- Cooperation with SSIWPA Technical Working Group and provincial agencies in bylaw development
- Agency and professional referrals
- 1 Community Information Session
- Development of supplementary communications materials

Out of Scope

- Non-water-related bylaw amendments
- Extensive community engagement

Workplan Overview

Deliverable/Milestone	Date
Project Charter endorsement, direction to draft bylaw in cooperation with SSIWPA TWG and provincial agencies	May 26, 2020
Draft bylaw for LTC review, first reading + First Nations, agency, and professional referral	July 28, 2020
Bylaw amendment, second reading, Community Information Meeting	October 6, 2020
Third reading, executive committee referral	November 10, 2020
Bylaw adoption	December 15, 2020

Project Team

Jason Youmans	Project Manager
William Shulba	Technical Advisor
Kristine Mayes	Project Assistant
Daniela Murphy	Legislative Clerk
RPM Approval: Stefan Cermak Date: May 19, 2020	LTC Endorsement: Resolution #: SS-2020-072 Date: May 26, 2020

Budget

Budget Sources: LTC Project Budget		
Fiscal	Item	Cost
20/21	Community Information Session	\$0-500
20/21	Bylaw Notification (waive public hearing)	\$1,000
	Total	\$1,500

PROJECT CHARTER WORK PLAN OVERVIEW			
Meeting	Deliverable/Milestone	Target Date	Cost
May 26, 2020	Project Charter endorsement, direction to draft bylaw		\$0
	Review background materials, Coordinate with SSIWPA Technical Working Group, FLNRORD and MOE staff, draft bylaw	July 15, 2020	\$0
July 28, 2020	LTC review bylaw, first reading + agency, professional and First Nations referrals		\$0
	Develop bylaw amendments based on First Nations, agency, and professional recommendations	September 20, 2020	
October 6, 2020	Bylaw amendment, second reading		
	Mid-stream communications materials (why is the LTC doing this? what does it mean?)	October 20, 2020	\$0
	Community Information Session (targeted to stakeholders, although general public can join)	October 20, 2020	\$0 if online, \$500 if in-person
November 10, 2020	Bylaw amendment, third reading, executive committee referral (waive public hearing)		\$1,000
December 15, 2020	Bylaw adoption		
	Post-adoption communications materials (what happens now?)	December 15, 2020	\$0
TOTAL			\$1,500



- A number of people who understand the system recommend that we go with the maximum rather than the extremes. Error bounds can be vastly misinterpreted by public domain.
- Staff needs to define the framework instead of sharing the full report.
- “A first iteration of a conceptual framework for management of groundwater on the Gulf Islands.”
- Educate that this is not a one-off but a first phase of more thorough work. There is no silver bullet.

By general consent, the TWG agreed to provide a memo back to SSIWPA Steering Committee outlining the TWG review of the Southern Gulf Islands Groundwater Recharge and Availability Mapping.

ACTION: Chair Millson and Member Shulba will develop the memo outlining the TWG review of the Southern Gulf Islands Groundwater Recharge and Availability Mapping for the next SSIWPA Steering Committee meeting.

4.4 Proof of Water At the Time of Subdivision

The issue of pump test length for a proposed change to regulation in the LUB:

- Is it a good idea to provide LTC regulations
- Should we be noting the guidelines from the Province in our Land Use Bylaw for proof of water at time of subdivision?
- Should a 2-Lot subdivision require less pumping time?
 - 72 hours pump test cost is likely prohibitive for a 2-Lot subdivision
 - Costs could be lowered if the local well-driller professional works with a hydrogeologist off-site (ie. send data)
 - A step-wise process could be part of the LUB regulation for 2-Lot subdivision
- Should a aquifer qualities be included?
- Should seasonality restrictions be included in the LUB?
- Professionals have provided pushback to the Islands Trust regulations. The provincial regulations are not in question, but the local regulations are currently not sufficient.

The following points were noted in the discussion:

- peak maximum demand for domestics should be required



- well efficiency and boundary conditions are more important than seasonality
- some might be comfortable with a 12 hour test on a 2-lot subdivision

Wording that could be included in LUB:

"Pump test length must conform to the requirements in the Ministry of Forests, Lands, Natural Resource Operations and Rural Development" (refer to Thompson-Nicola example).

Clarification was provided on types of water supply evidence that is required.

- Rezoning – Increase of density (Unfettered discretion by LTC based on Staff's recommendation or not). The Ministry of Transportation and Infrastructure requirements for "aquifer-scale" sustainability is more applicable.
- Subdivision – A deemed right to subdivide and proof of sustainable water supply lies more within jurisdiction of Islands Trust local planning guidelines. MOTI not involved as much.
- Agreed that following longer provincial pump test requirements is absolutely important.
- Not looking at occupancy vs. the agreed occupancy of Single Family Dwelling or dwelling size.

Intended outcome:

"The Technical Working Group recommends that amendments to the SS LUB regulations for proof of water at the time of subdivision could consider the following:"

By general consent, the SSIWPA-TWG agreed to have a special 2-hour meeting in July to discern the recommended technical requirements for amendments to the SS LUB regulations for proof of water at the time of subdivision.

ACTION: TWG members will review the powerpoint materials provided by Islands Trust planning staff, along with section 5.5 of the [Salt Spring Island Land Use Bylaw No. 355](#) in preparation for the next meeting on the topic of proof of water at the time of subdivision.

ACTION: Coordinator will circulate the powerpoint description of the three types of subdivision with parameters for proof of water, as well as boundary adjustment example presented in this meeting by Planner Mayes to TWG members for their consideration.

4.5 Weston Lake Water Availability Study



Minutes of the
Salt Spring Island Watershed Protection Alliance (SSIWPA)
TECHNICAL WORKING GROUP (TWG) SPECIAL MEETING

Date of Meeting: July 14 2020 3:00 – 5:00 pm
Location: via Zoom web conferencing

Members Present: Dale Green, Capital Regional District Senior Environmental Officer
John Millson, Chair
William Shulba, PGeo, Islands Trust Senior Freshwater Specialist
Ian Peace, Member at-large
Tanya Schulz, Member at-large
Ian deBie, Member at-large
Sylvia Barroso, FLNRORD Hydrogeologist, SSIWPA Ex Officio Member

Regrets: Robin Annschild, Member at-large
Jos Lussenburg, Member at-large
Hugh Greenwood, Guest (GeoScientist)

Staff Present: Shannon Cowan, Coordinator, Recorder (via web conferencing)
Jason Youmans, Islands Trust Planner 1

The special meeting agenda was, informally, the continued discussion of important features in developing a Proof of Water at Time of Subdivision draft bylaw.

The meeting was called to order at 3:00 pm.

The notes to follow are beginning 3:38pm when Shannon joined the meeting.

The entire meeting from the beginning was recorded – there is an audio file available by request.

The following summary of a special meeting of the SSIWPA-TWG held June 26, 2020 were provided to meeting participants via email sent July 13, 2020 by Chair Millson:

- A tailored bylaw(s) around “SSI Proof of Water (at time of subdivision)” is necessary/required.



- Pump testing is a prerequisite for adequate SSI proof of water at all sites; yield tests are [sometimes] not sufficient for proof of water [groundwater, at time of subdivision].
- Other locations have similar (more rigorous) by-laws in place.
- A complete "water plan" may be the best approach to articulating a proposal and achieving sign-off for execution.
- Any bylaws may need to be "scale dependant" (i.e. anticipated changes might be small, incremental; or significant).
- The current professional reliance model may not support SSI proof of water needs, though professional governance act (due 2020/21) may help here?

The following points were noted from a discussion about Land Use Bylaw Proof of Water at Time of Subdivision requirements and potential requirements on Salt Spring Island:

Comments about volume specifications and lot/zoning types:

- It was observed that the Land Use Bylaw (LUB) daily requirement is 1600L/d for single-family dwelling (SFD).
- There was a suggestion to use the Thompson-Nicola subdivision servicing regulations as a model
- There was a suggestion that establishing different proof of water requirements for different categories/scales of subdivisions may be most feasible. Suggestions for how to group those categories included:
 - Zones with similar permitted uses
 - Zones with similar minimum lot sizes (Eg. Forestry/Agriculture 8 ha minimum, Rural Upland 4 ha minimum, Rural 0.6 ha minimum but need 4 ha to subdivide)
 - Most zones that permit residential dwellings are all permitted the same set of uses, except Rural Watershed zones where no cottages are permitted.
 - Area-based regulations based on different groundwater characteristics
- There was a discussion about whether wells should have to demonstrate they can meet "peak demand"
 - There was a suggestion that demonstrating "continuous supply" may be inappropriate
 - Is 0.4 USG/min well appropriate? Not at peak demand time.
- It was noted that use-driven volumes beyond 2,000L/d seems inappropriate for groundwater wells for domestic use, since it is inconsistent with provincial deemed right of 2,000L/d.



- Water for domestic purposes is currently excluded from requirements for a non-domestic groundwater license.
- There was discussion about size of subdivision. Should proof of water should be required for very small subdivisions? i.e. one into two lots
- There was discussion about the need for a development permit area (DPA) for water-challenged areas
 - There was general support for this idea.
- There was an observation that establishing high minimum water quantities requirements might have the unintended consequence of steering people away from a conservation ethic.
- There was a suggestion that a single family dwelling (SFD) on a two lot subdivision should have lower requirements for proof of water than a major subdivision with a major well with a higher volume ask.
- IT staff clarified this project is not about rezoning or other water/use changes to domestic property use as currently laid out – it is only about proof of water at time of subdivision.

Well Pump Test Type Comments:

- There was a discussion that the purpose of the project began as discussion about whether to define pumping tests in the land use bylaw and the following was noted:
 - Such a bylaw could develop a minimum requirement for a small pump test.
 - Such a bylaw could better distribute risk so it rests on the bylaw developer instead of the consultant.
 - It was observed that 72 hour pump test in bedrock wells is the Provincial guidance. It was suggested that this is too much for an average two-lot subdivision.
 - Pumping rate can be really affected by reaching negative head boundary at the “late hour” of 60+ hours into the test that is not seen earlier on.
 - What monitoring/reporting elements should be included?
 - What is appropriate pump test duration: 24 hours?
 - It was observed that 12 hours is common now. With unmanned recovery.
 - There was a suggestion to keeps consultant fees low. A field labourer could email data to a supervisory consultant who emails the local government with the results to “Certify” them but require less/no field cost for the consultant’s time.



- It was observed that well yield over 4 hours is not a proof of water – it would be better to monitor for a year.
- There was discussion about whether we have sufficient information to identify “water stressed areas”?
 - RDN has something in place (Area-based management?)
 - Suggestion that IT develop something similar asap
- There was discussion about whether to push pause on developing a subdivision proof of water bylaw until the different groundwater regions are more characterized for their level of stress? In which case different aquifer understanding could trigger enhanced requirements.
 - There was no general support for this idea; it is more reasonable to continue such work in tandem
- It was observed that area-based regulation or saltwater intrusion risk could trigger enhanced requirements.
 - It was observed that aquifer vulnerability mapping was used for TUP application on N Pender (successfully) There was discussion about what information could drive area-based regulation. Suggestions included: Aquifer Vulnerability – is a risk of contamination/water quality, not quantity
 - Saltwater Intrusion
 - Recharge Mapping
 - Water Balance
- A desire was expressed for a composite map that combines risk to groundwater resources/ water resources.
 - It was observed that such a map would become law (included in the OCP bylaw) so evidence underpinning any map must be sound and vetted and very well reviewed.
- A seasonality of pumping tests discussion included the following observations:
 - If trying to assess impacts on surface water, a winter test is not ideal.
 - In real rainy season, the results are not as useful.
 - The risk of doing the work in the winter is also inserting variables.
 - Best case scenario would be either spring or fall pump tests

Provincial vs. Local aspects of Proof of Water at Time of Subdivision:

- There was a suggestion that subdivisions should not compromise ALR land or their viability to be farmed.
- There was a suggestion that there should be a unified message or consistent requirements across jurisdictions (provincial licensing and Islands Trust for eg.)



- There was a discussion about whether non-residential subdivision applicants should have to demonstrate provincial groundwater licenses as part of subdivision application process, locally?
 - Or maybe submission of application for water license could be a requirement rather than the license itself.
- The Alberta government increases their proof of water data requirements when the volume ask goes up to the next level

John Millson, Chair

CERTIFIED CORRECT:

Shannon Cowan, Recorder

Appendix attached

The appendix includes points that were retrieved by the Coordinator from the Zoom webconferencing audio file from the meeting portion prior to her minute-taking.

Links discussed

http://a100.gov.bc.ca/appsdata/acat/documents/r50847/TechAssess_1473197338159_3194880156.pdf

https://www.rdn.bc.ca/sites/default/files/2019-07/policy_b1-21_groundwater_assessment_requirements_for_rezoning_un-serviced_land_and_for_development_permits.pdf

<https://www.rdn.bc.ca/cms/wpattachments/wpID2245atID4644.pdf>

This is an example of groundwater authorization requirements from Alberta:

<https://open.alberta.ca/dataset/d399d059-d8b6-4c46-9ff2-ef39f359943a/resource/2f385374-2521-4252-8e46-4b51e61c1e41/download/5612701-2013-alberta-environment-guide-groundwater-authorization.pdf>

- See Appendix 4, table in above reference.



Appendix to SSIWPA Technical Working Group Special Meeting Minutes 2020-07-14

Prior to Coordinator Cowan joining the call, from the Zoom webconferencing audio file, the following points were made on the discussion of development of a revision to the Land Use Bylaw for Proof of Water at Time of Subdivision in the SSI Local Trust Area:

- There was a suggestion to use RDN example as a starting point
- Provincial staff indicated that the Regional District of Nanaimo (RDN) subdivision bylaw has general guidelines and a checklist.
 - It refers to provincial guidelines.
 - If there is no change to existing use on the lot then a desktop study (not hydrogeological assessment) will suffice.
 - In certain areas where there is low water availability, there are enhanced requirements for proof of water at the time of subdivision.
 - In a subdivision does each well need to be proven? Provincial advice says, yes – each new resulting lot is not reliant on the existing lot. However, if there is no increase in water use on the existing lot, maybe it does not need to be pump tested, but a pump test would be required on the new lot that is created by subdivision.
 - Other potable water sources as alternatives to drilled groundwater well or municipal treated water connection: rainwater collection, storage and treatment; a dug Groundwater Well.
- It was noted by IT Freshwater Specialist that all of Black Creek is dug wells because of the Quadra Sands geological formation
- Planning staff suggested one approach to bylaw development was to use a Thompson-Nicola Regional District's subdivision servicing regulations as a basis for development of the SSI bylaw:
 - Very thorough, as prescriptive as found in province related to this issue
 - Pull from Provincial Guidelines and incorporating them into regulations
 - LUB Section 4.5 states dug wells are not ideal but can get a variance and engineer's report to address the areas the bylaw requires of a groundwater source for proof of water at time of subdivision



- IT staff indicated that certain islands in Islands Trust have not been delegated any authority to determine proof of water at time of subdivision. MOTI in those cases takes full responsibility.
- Provincial staff reiterated that asking any applicants to undertake what is above and beyond the provincial guidelines should have evidence-based rationale behind it, with references.



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20

File Name: Water Sustainability

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	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.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	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.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	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.
N/A	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.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

C.3 POTABLE WATER QUANTITY AND SUPPLY OBJECTIVES AND POLICIES

Background Note: The objectives and policies in this Section pertain to water quantity only. Objectives and Policies about water quality are in Part A.

C.3.1.1 GENERAL OBJECTIVE

- C.3.1.1.1 To apply the precautionary principle in ensuring that the density and intensity of land use is not increased in areas which are known to have concerns with the supply of potable water.
- C.3.1.1.2 To acknowledge that the surface water supply sources on the island are finite and remain under Provincial control and that more effective use, management and sharing of the resource should be encouraged to support present commitments and future desired land use decisions.

C.3.1.2 GENERAL POLICIES

- C.3.1.2.1 The Local Trust Committee will continue to support and participate in the Salt Spring Island Water Council.

C.3.2 Community Water Systems

Background Note: Map 6 shows the boundaries of the island's community water systems and their water sources.

C.3.2.1 OBJECTIVES

- C.3.2.1.1 To ensure that the potential water demand of development within community water systems does not exceed the licensed capacity, or the amount of water that can be safely withdrawn from each system's water source.
- C.3.2.1.2 To reduce, delay or avoid the impacts of withdrawing additional water from surface water bodies.
- C.3.2.1.3 To ensure that zoning changes in the North Salt Spring Waterworks District do not result in such a level of development that water cannot be supplied to needed public facilities or would not be available for firefighting purposes. In particular, to ensure that water remains available for hospital and school expansion, and *affordable housing*.
- C.3.2.1.4 To encourage a variety of *conservation* methods in all community water systems
- 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.

**TABLE 1 - North Salt Spring Waterworks District
Supply and Demand - 2008**

	Licence Peak Day Limit (Million Imperial gallons/day)	Estimated Annual Limit (Million Imperial gallons/year)
Current Water Licences		
Lake Maxwell	0.500	91¹
St Mary Lake	0.943	172¹
Total	1.443	263¹
Current Demand²		175
Build-Out Demand³		277
Surplus (Deficit) at maximum build-out		(14)

Source: North Salt Spring Waterworks District (2008)

Notes:

1. All NSSWD licences have peak day limits, but only the most recent licences have annual limits. A 2.0:1 peak day to average day ratio appears appropriate based on the past 5 years usage adjusted for meter wear and estimated losses from watermain leaks. With current peak day licenses totalling 1.443 mgd and a 2:1 peak/avg day ratio, the calculated annual licence limit would be 263 MGY.
2. Current demand is based on very dry summer years (like 2003), the total of customer meters plus a 5% allowance for customer meter wear, plus a 15% allowance for losses from watermain leaks.
3. Build-out demand is based on the June 30, 2006 Islands Trust Staff Report build-out projection for development within NSSWD geographic boundaries permitted with current zoning. The demand estimate is on the same basis as current demand.

Note: Within the North Salt Spring Waterworks District (NSSWD), the amount of development expected under existing zoning is likely to require all of the water available under the NSSWD's current water licences. There is no assurance at this time that NSSWD could obtain additional water licenses. Also, NSSWD completed a supply-demand study in January 2007 and concluded that with current climate St Mary Lake drawdown may be excessive during future major droughts if all licensees were withdrawing water at their current licence limits. Climate change is expected to result in increasing irrigation demand and may result in declining water supply. Service extensions from NSSWD and Capital Regional District waterworks may increasingly be needed for supply replacement for north-island areas with failing or polluted groundwater supplies. The Capital Regional District is now conducting a study of the NSSWD water supply situation. Therefore, until such time as adequate water supply is assured, the target for zoning changes within the NSSWD's boundaries will be to achieve no net increase in water demand. Zoning proposals within the NSSWD's boundaries which would lead to an increase in water demand may be considered, if they also propose other sources of water, conservation strategies, or other zoning changes that would offset any predicted increase in water demand.

**TABLE 2 – Salt Spring Island Water Systems (excluding NSSWD)
Current Connections and Remaining Supply Capacity**

Community Water System	Water Source	Current Demand (MGY)	Build-Out Demand (MGY)	Peak Day Licence (Gal)	Annual Licence (MGY)
Beddis (CRD/NSSWD)	St Mary Lake	7.8	10	62,000	10*
Cedar Lane (CRD/NSSWD)	Wells	1.1	1.3		
Cedars of Tuam (CRD)	Wells	0.5	0.5		
Erskine Heights (NSSWD)	Wells	0.7	5		
Fernwood/North Beach (CRD)	St Mary Lake			75,000	22.8 (13.7)**
Fulford Harbour (CRD/NSSWD)	Lake Weston	9.6	12***	70,000	12.8*
Harbour View	Wells	0.5	0.5		
Highland (CRD)	St Mary Lake			114,000	27.7 (20.8)**
Maracaibo Estates	Wells	2.2	3.6		
Mount Belcher	Wells	1.5	1.9		
Reginald Hill	Wells				
Scott Point (NSSWD)	Wells	1.5	1.6		
Swan Point	Wells				

Notes: MGY – million Imperial gallons per year

* No annual licence limit – limit as shown is an estimate based on the peak day limit and an estimated peak day/average day ratio of 2.0

** Amount in brackets is estimated annual licence limit if the actual maximum day/average day ratio is 2.0 – the peak day limit will be reached at this ratio at this annual volume

*** Build-out demand includes Fulford School

NSSWD operates Beddis, Cedar Lane, Erskine Heights, Fulford Harbour, and Scott Point

C.3.2.2 POLICIES

- C.3.2.2.1 When the Local Trust Committee receives rezoning applications for land inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will be asked if water could be supplied to the proposed new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or under-developed properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to suggest other water supplies so that the application could be considered. Examples are rainwater catchment, groundwater use or a water *conservation* program.

The Local Trust Committee could make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or *affordable housing* projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.

- C.3.2.2.2 In addition to policy C.3.2.2.1, the Local Trust Committee should not make zoning changes within the North Salt Spring Waterworks District that could mean that water will not be available (under the District's existing license) for the following projects (in order of priority):
- essential services such as hospitals and schools needed within the district to serve the island's projected population.
 - special needs and *affordable housing* needed by the community.

The Local Trust Committee could make an exception to this policy so that one of the above projects could proceed before another of higher priority. However, it must be satisfied that the District will receive a sufficiently larger water license in time to serve the higher priority project when it is needed.

- C.3.2.2.3 Within the Fulford Waterworks District, the Committee should not make zoning changes that would mean that water would not be available for *affordable housing* for seniors, in addition to the district's existing customers and development already allowed by zoning.

- C.3.2.2.4 The Local Trust Committee will support applications by community water systems to increase their water withdrawal levels to serve the development anticipated by this Plan, provided water *conservation* programs are in place, the environmental impacts are addressed and the new licence would enhance the ability of lakeside farms to obtain irrigation supplies.

- C.3.2.2.5 The Local Trust Committee will continue to cooperate with community water system operators to ensure water supply issues are considered before zoning changes are made. The Committee should also continue to assist in the development of better estimates of projected water demands and supply potential. The Committee could consider zoning changes that would limit land uses with a high water demand. The Committee particularly recognizes that this Plan could critically affect the North Salt Spring Waterworks District's ability to meet future needs and will cooperate with the District to address this issue.

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- C.3.2.2.6 The Local Trust Committee will continue to encourage water *conservation* through guidelines for xeriscape landscaping of commercial, *general employment* and multi-family developments in island villages.

- C.3.2.2.7 The Local Trust Committee will continue to obtain advice about local water supply topics from advisory bodies and water districts.

- C.3.2.2.8 The Local Trust Committee will consult, assist and cooperate with water districts in supply and demand management by providing data and supporting efforts to coordinate activities.
- C.3.2.2.9 The Local Trust Committee will continue to provide information to the public about water supply limits and about ways of conserving water.
- C.3.2.2.10 The Local Trust Committee will not support the dedication of water bodies as water supply reservoirs.
- 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.

Others are encouraged to help achieve the objectives of this Section as follows:

- C.3.2.2.12 The Local Trust Committee encourages water improvement districts, private water purveyors and the Capital Regional District to collaborate on strategic planning and management of drinking water resources, including water *conservation* and watershed protection, in a manner that supports the land use objectives of this Plan.
- C.3.2.2.13 Because new development will likely be located within the North Salt Spring Waterworks District's boundaries in the future and will need an affordable water supply, the District is encouraged not to consider expansion of its service area.
- C.3.2.2.14 The Capital Regional District is encouraged to continue its development of sewage treatment methods that could create a supply of recirculated water for non-potable use and to include water *conservation* requirements in the *building* code.
- C.3.2.2.15 All developments and public institutions located within waterworks districts are encouraged to conserve water and to avoid using potable water to maintain ornamental landscapes that are not drought-resistant. The use of rainwater catchment systems or recirculated water is particularly encouraged to reduce demand.
- C.3.2.2.16 The NSSWD is encouraged to prepare and implement a long range community water supply plan.



HIGH HILL PUMP HOUSE AND ROAD photo: M. Levy

C.3.3 Private Surface Water and Groundwater Supplies

C.3.3.1 OBJECTIVES

- C.3.3.1.1 To avoid zoning changes that result in the depletion of existing wells or springs or water bodies used as water supplies.
- C.3.3.1.2 To preserve known groundwater recharge areas.

C.3.3.2 POLICIES

- C.3.3.2.1 To protect groundwater recharge areas, zones in the upland areas of the island will continue to allow only a low density of development. The Local Trust Committee may consider undertaking or supporting further analysis of groundwater recharge areas on the island, including the creation of a groundwater *conservation* strategy. The transfer of development potential to other parts of the island will be encouraged.
- C.3.3.2.2 When considering rezoning applications, the Local Trust Committee should consider the impacts of the proposed new use on existing wells, springs, or other water supplies. If the proposed use is expected to need more water than the uses already allowed on the property, then the Committee should ask for evidence that wells or other water supplies in the neighbourhood would not be depleted. The Committee should also consider whether water use would affect agricultural activities or deplete any springs necessary to maintain fish habitat. Should a zoning change be proposed where groundwater supplies are not adequate, the applicant could be encouraged to find other means of supplying water. Rainwater catchment or a water *conservation* program could be considered.
- C.3.3.2.3 The Local Trust Committee should continue to require proof of adequate potable water supply for each new lot created by subdivision.
- C.3.3.2.4 The Local Trust Committee could establish an advisory group to provide advice regarding local groundwater topics.
- C.3.3.2.5 The Local Trust Committee should not support rezoning applications that depend on the import of water from off the island.
- C.3.3.2.6 The Local Trust Committee should consider working with other agencies and stakeholders to develop a groundwater *conservation* strategy for Salt Spring Island. The strategy would combine educational efforts with the creation of demand management measures.

Others are encouraged to help achieve the objectives of this Section as follows:

- C.3.3.2.7 The Ministry of Environment – Water Management Division is strongly urged to develop a groundwater licensing program for individual wells that would protect existing wells from depletion.
- C.3.3.2.8 All users that rely on groundwater are encouraged to conserve water.



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Appendix 9 7-9144
t.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: _____ Date: _____

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within ____ days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

PURPOSE OF BYLAW:

GENERAL LOCATION:

LEGAL DESCRIPTION:

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

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: _____

Title: _____

This referral has been sent to the following agencies:

Federal Agencies

Canadian Coast Guard
Canadian Wildlife Services
Fisheries & Oceans, Canada - Pacific Region
Indian & Northern Affairs Canada
Transport Canada Programs
Industry Canada

First Nations

Cowichan Tribes
Halalt First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Semiahmoo First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
Ts'uubaa-Asatx (Lake Cowichan) First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Building Inspection
CRD – SSI Director
CRD – SSI Transportation Commission
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – Ganges Sewer Commission
CRD – SSI Liquid Waste Disposal Local Service Commission
CRD- SGI Small Craft Harbours Commission
Vancouver Island Health Authority
Islands Trust Bylaw Enforcement and Compliance
Islands Trust – Islands Trust Conservancy
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
BC Ferry Services Inc.
Ministry of Municipal Affairs
Ministry of Energy
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural
Development (define branch, if applicable)
Ministry of Jobs, Tourism & Skills
Front Counter BC

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
School District No. 64
SSI Chamber of Commerce
SSI Fire-Rescue
SSI Harbour Authority
Island Pathways
SSI Salmon Enhancement Society

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

Please note: items in BLUE are mandatory in each bylaw referral.

Items in GREEN are in relation to OCP policy B.4.4.2.4:

The Local Trust Committee will continue to ask emergency response organizations to comment on emergency access and safety issues when the Committee is considering rezoning applications and applications for development permits or subdivision.

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

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

XXX
(Bylaw Number)

(Title)

(Agency)

Bylaw No. 432 – Recommended Informal Referral Recipients

Hydrogeologists

Western Water Associates
Hydro Geo Logic
Waterline Resources
Hy-Geo
Elanco
Golder Associates
GW Solutions
H2O Environmental
Lowen Hydrogeology
UVic Prof - Tom Gleeson
SFU Prof - Diana Allen
Streamline plumbing

Well Drillers and Pump Installers

Streamline plumbing
Brad Lockett
Drillwell

Non-Provincial Government

Engineers and Geoscientists of BC
RDN: DWWP Coordinator
CVRD DWWP Environment Manager

Surveyors

Polaris Land Surveying
Wey Mayenberg Land Surveying

File No.: 3900-04-04 Galiano Island
Proposed Bylaws No. 231 and
232

DATE OF MEETING: May 17, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Georgie Gordon, Acting Island Planner
Salt Spring Island Team
COPY: Louisa Garbo, Acting 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 referrals from the Galiano Island Local Trust Committee for Bylaws No. 231 and 232, 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 Bylaws No. 231 and 232. The purpose of the proposed bylaws are as follows:

Bylaw No.	Purpose
231	Amendments to Galiano Island Official Community Plan Bylaw No. 108, 1995 – re-designate portions of District Lots 68, 72 and all of DL 87 parcels from a Forestry designation Nature Protection and District Lot 64 from a Rural designation to Nature Protection.
232	Amendments to Galiano Island Land Use Bylaw No. 127, 1999 - rezone portions of District Lots 68, 72 and all of DL 87 parcels from Forest 1 (F1) to Nature Protection and District Lot 64 from Rural 2 (R2) zoning to Nature Protection.

ANALYSIS

Staff have reviewed the proposed bylaw amendment and associated [Staff Reports](#), and consider the interests of the Salt Spring Island Local Trust Committee to be unaffected.

Submitted By:	Georgie Gordon, Acting Island Planner	April 27, 2022
---------------	---------------------------------------	----------------

Concurrence:	Louisa Garbo, Acting Regional Planning Manager	May 5, 2022
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ATTACHMENTS

1. Galiano Island Bylaw 231 and 232 Referral Forms



Islands Trust

BYLAW REFERRAL FORM

Appendix 1
Suite 200, 6221 Fort Street
Victoria, B.C. V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Galiano Island Local Trust Area Bylaw No.: 231/232 Date: April 22, 2022

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 Island Local Trust Committee Project

PURPOSE OF BYLAW:

Proposed amendments to the Galiano Island Official Community Plan Bylaw No. 108 (OCP) and Land Use Bylaw No. 127 (LUB) to re-designate and rezone portions of District Lots 68, 72 and all of DL 87 parcels from a Forestry designation and Forest 1 (F1) to zoning to Nature Protection and District Lot 64 from a Rural designation and Rural 2 (R2) zoning to Nature Protection.

Professional reports and staff reports are available on the Galiano Island webpage:

<https://islandstrust.bc.ca/island-planning/galiano/projects/>

GENERAL LOCATION:

Galiano Island Local Trust Area

LEGAL DESCRIPTION:

Portions of District Lots (DLs) 68, 72 and all of DLs 64 and 87

SIZE OF PROPERTY AFFECTED:

N/A – multiple parcels

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural and Forestry

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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: 778-679-5185
Email: bsmith@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Agency Referrals

Ministry of Environment – BC Parks and MOE Lands Acquisition
Ministry of Indigenous Relations and Reconciliation

Non-Agency Referrals

Galiano Island Parks and Recreation Commission
Galiano Island Trails Society

Regional Agencies

Capital Regional District – Regional Parks and Community
Services

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Local Trust Committee
Thetis Island Local Trust Area

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Musqueam Indian Band
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
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)

231/232

(Bylaw Number)

(Name and Title)

(Agency)

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 231

A BYLAW TO AMEND THE GALIANO ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

The Galiano Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011.”

2. SCHEDULES

Galiano Island Official Community Plan Bylaw No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

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 4TH DAY OF APRIL , 2022.

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__.

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS
DAY OF , 20__.

ADOPTED THIS DAY OF , 20__.

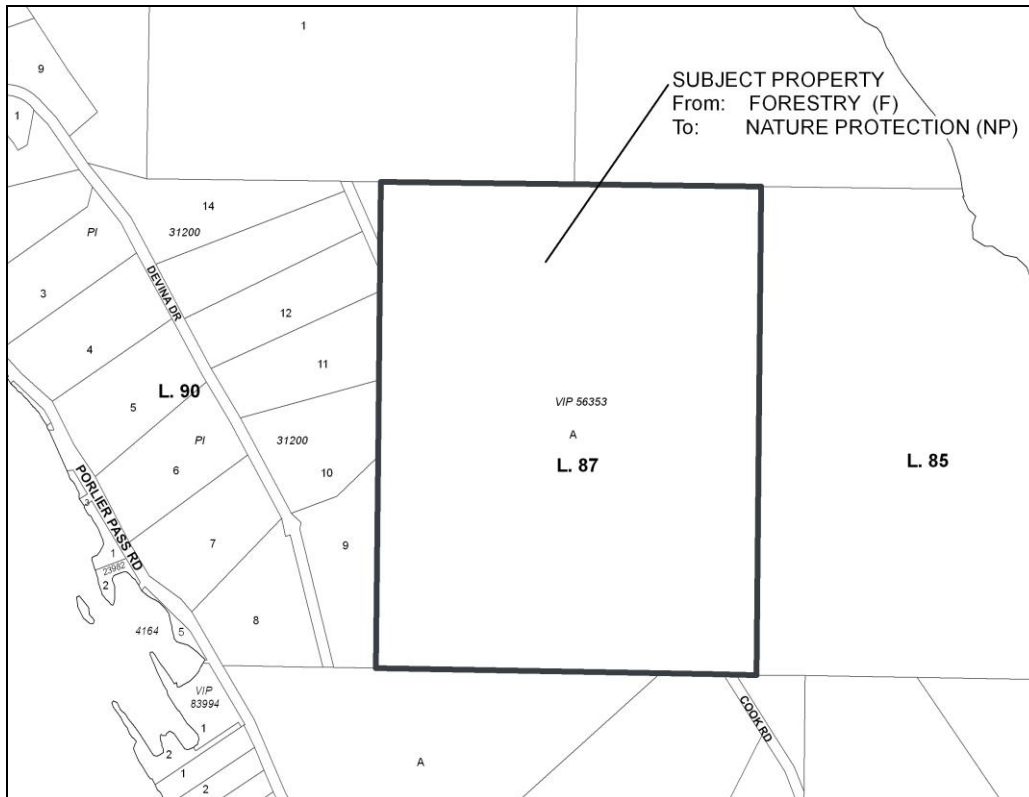
CHAIR

SECRETARY

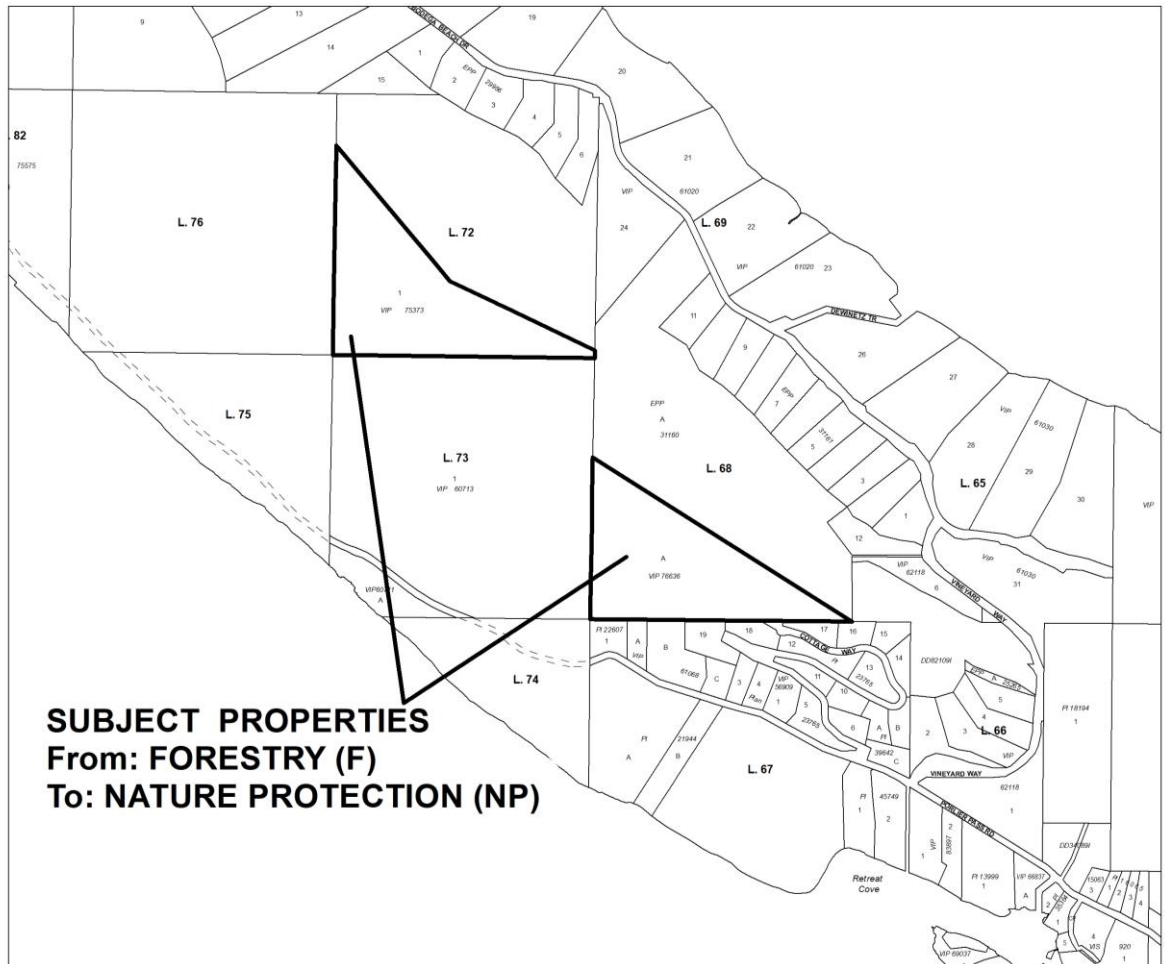
**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 231
SCHEDULE 1**

Schedule B (Land Use Designation) is amended by changing the land use designations on the lands legally described as follows:

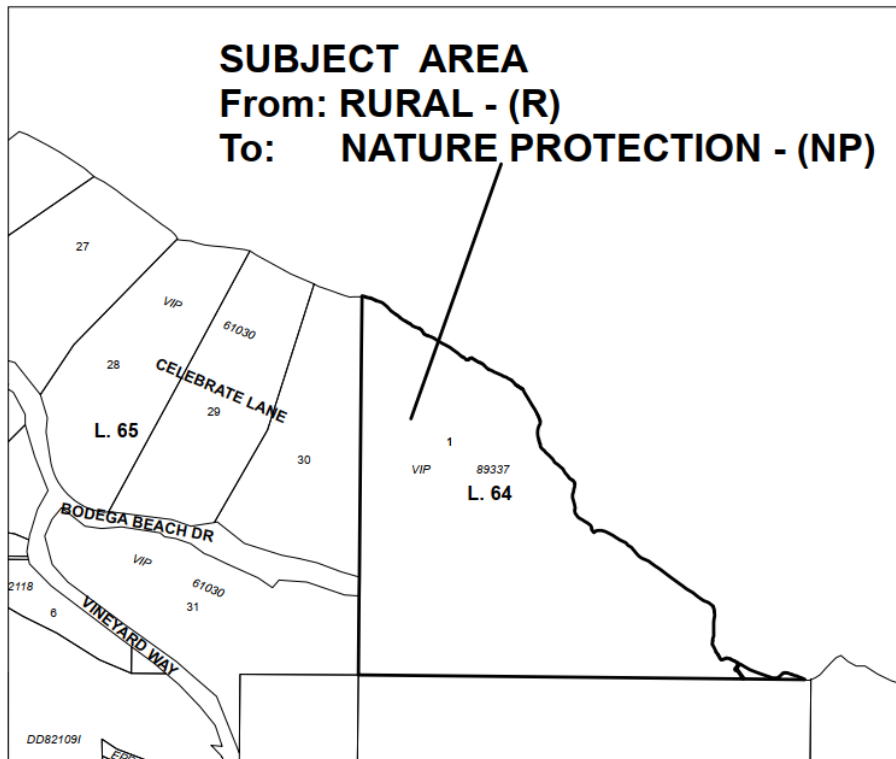
1. Lot A, Plan VIP56353, District Lot 87, Galiano Island, Cowichan District, except part in Plan VIP61539 from the Forestry (F) Land Use Designation to the Nature Protection (NP) Land Use Designation, in accordance with the map below.



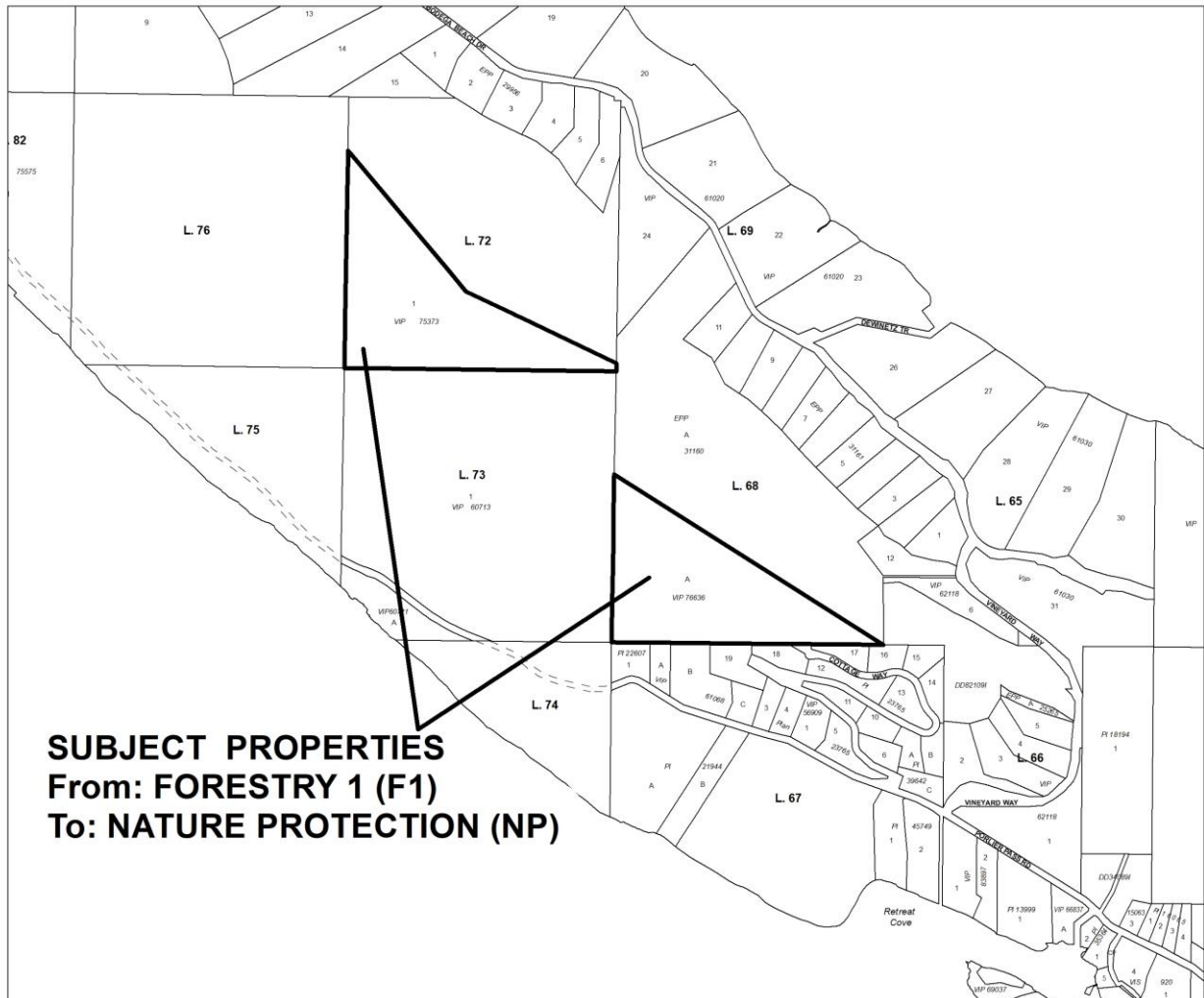
2. Lot A, Plan VIP76636, District Lot 68, Galiano Island, Cowichan District; and Lot 1, Plan VIP75373, District Lot 72, Galiano Island, Cowichan District from the Forestry (F) Land Use Designation to the Nature Protection (NP) Land Use Designation in accordance with the map below.



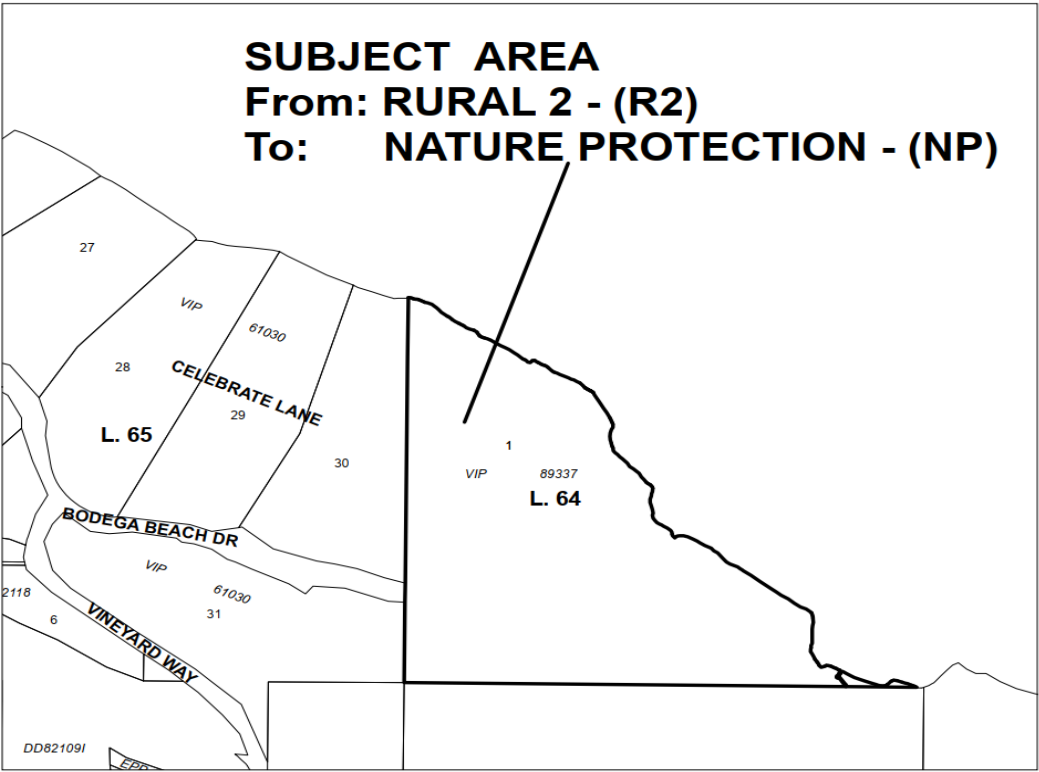
3. Lot 1 District Lot 64 Galiano Island Cowichan District Plan VIP89337 from the Rural (R) Land Use Designation to the Nature Protection (NP) Land Use Designation in accordance with the map below.



- 2.2 Lot A, Plan VIP76636, District Lot 68, Galiano Island, Cowichan District; and Lot 1, Plan VIP75373, District Lot 72, Galiano Island, Cowichan District from the Forest 1 (F1) zone to the Nature Protection (NP) zone, in accordance with the map below.



2.3 Lot 1 District Lot 64 Galiano Island Cowichan District Plan VIP89337 from the Rural 2 (R2) zone to the Nature Protection (NP) zone in accordance with the map below.



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	4 TH	DAY OF	APRIL	, 2022.
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

From: Mairi Welman <[REDACTED]>
Sent: Friday, April 8, 2022 11:07 AM
To: Rob Pingle <rpingle@islandstrust.bc.ca>; Laura Patrick <lpatrick@islandstrust.bc.ca>; Peter Grove <pgrove@islandstrust.bc.ca>
Cc: Russ Hotsenpiller <rhotsenpiller@islandstrust.bc.ca>
Subject: APC resignation

Hello Rob;
I'm writing today to submit my resignation from the APC.

I do not find the commission to be effectively contributing to Islands Trust decision-making, and will be focussing my scant volunteer hours where the impact equals the effort.

I'm truly disheartened by the lack of preparation and professional courtesy shown to each other and to the staff by the commission members.

Yesterday three of us showed up for the meeting only to find out after waiting around for over 15 minutes that no one else was coming. And, as Vice Chair, I was not made aware by our Chair that he was not attending, so that I could prepare to step up and lead the discussion.

Most APC meetings that do proceed barely have more than quorum, and I have noted that several members more often than not preface their input by saying that they did not "have time" to read the agenda before the meeting, and then proceed to have an opinion to share with the commission anyway. That said, the agenda packages are often biblical in proportion, and do not provide any context for which aspects of a draft bylaw the commission members should focus on in order to provide the most appropriate public input to the LTC. As a result, these members, who are all quite elderly men, are not reading the materials and simply winging it at the meetings. They come from a background of entitlement that has always told them their opinion carries weight, whether it is informed by fact or not.

The end result is that the APC, unfortunately, has become a box to be ticked. I realize it's not your job to fix this problem, Rob, so I'm copying our two Trustees here.

Peter and Laura, this is yet another example of the moribund and dysfunctional processes at the Trust which are resulting in rapid erosion of public confidence and declining staff morale. It's more than time to shake things up and step into the 21st century. You could start with making sure:

- that advisory groups have an equitable age distribution (this may require active recruitment!)
- that they meet online (not in person, which is not only inconvenient but contrary to the Trust's own climate goals around reducing transportation emissions)
- that the meetings should be held at a time when people with young families or who run businesses or farms are available (yes, staff or contractors will have to attend after hours)
- that there is gender equity and diversity amongst the membership (again, active recruitment)
- that when the LTC refers an item you specify which aspects you want input on

- and that you ensure that the groups are provided with a briefing package that is more focussed and efficient than simply forwarding every report ever written on the topic

If I can be of assistance in helping you develop more appropriate public engagement mechanisms and practices I'd be more than happy to assist.

Sincerely,
Mairi Welman

I am humbly thankful to live and work in the ancestral and unceded traditional territory of the Hul'qumi'num and SENĆOŦEN speaking peoples. Salt Spring Island is part of the land claim of the Hul'qumi'num First Nations, a collective of Cowichan and Chemainus peoples.



1 - 500 Lower Ganges Road Salt Spring Island BC V8K 2N8
Telephone **250.537.9144**
Toll Free via Enquiry BC in Vancouver 604.660-2421. Elsewhere in BC **1.800.663.7867**
Email ssiinfo@islandstrust.bc.ca
Web www.islandstrust.bc.ca

March 23, 2022

File: 08-3070-10

via email: Minister.Transportation@gov.bc.ca

The Honourable Rob Fleming
Minister of Transportation and Infrastructure
PO Box 9055 Stn Prov Govt
Victoria, BC, V8W-9E2

Dear Minister Fleming,

Re: 1) Ferry Terminal Road Congestion; 2) Salish Sea Trail Network and; 3) South Island Transportation Strategy

On behalf of the Salt Spring Island Local Trust Committee (SS LTC), I am writing to request a meeting between yourself, our local trust committee, and other interested parties to discuss three important issues of concern to Salt Spring Island residents.

The first matter of concern is traffic congestion at the Fulford and Vesuvius Bay ferry terminals. As the population, servicing needs, and tourism popularity of Salt Spring Island has grown, so too has road congestion associated with these ferry terminals. For some time now travel demand has outstripped the capacity of BC Ferries' vehicle holding lots, resulting in cars holding on public roadways. With public roadways congested, cars and public transit are blocked from accessing the terminals to drop off or pick up passengers. Many cars are forced to drive in the wrong lane, increasing the risk of head-on collisions, and causing further congestion impacts. Parking in the vicinity of ferry terminals is insufficient resulting in cars parked haphazardly throughout nearby neighbourhoods. These problems impact not only driver and pedestrian safety, but also the quality of life of area residents. While SS LTC understands that resolution to these issues lies in part with the vessel selection and terminal redevelopment plans of BC Ferries, they are also intimately linked to community planning. The SS LTC and interested parties value the opportunity to explore some interim solutions with you.

The second matter concerns work toward completion of the Salt Spring Island segment of the Salish Sea Trail Network. As you may know, significant community effort is being devoted to investigating, advocating, and planning for the development of safe, accessible, active transportation infrastructure to connect the Fulford and Vesuvius Bay ferry terminals. While local enthusiasm for this project is high, the reality is that its eventual completion will likely require a significant financial and staff commitment from your ministry. SS LTC and interested parties would appreciate the chance to discuss how firm ministry support for this important project can be secured.

.../2

The third topic is the South Island Transportation Strategy. Salt Spring and the other Southern Gulf Islands were not included within the study area. The SS LTC is asking that this strategy be updated with an expanded study area. For example, Salt Spring Island played a vital role in connecting the Duncan area to southern Vancouver Island during the November 2021 atmospheric river events and resulting road wash outs. At its February 15, 2022 meeting the SS LTC resolved to advocate to the Ministry of Transportation and Infrastructure (MOTI) for inclusion in the South Island strategy.

Salt Spring Island Local Trust Committee is requesting this meeting under Part C of the [1992 Letter of Agreement between MOTI and Islands Trust](#) which states in part that "Special meetings may be called by either the Islands Trust or the Ministry of Transportation and Highways, as specific issues arise."

Salt Spring Island Local Trust Committee understands that there are considerable demands on you and your staff. However, these are urgent issues for Salt Spring Island, and with the busy summer season ahead of us, a meeting as soon as possible would be appreciated.

The Salt Spring Island Local Trust Committee looks forward to working with MOTI, BC Ferries, the Capital Regional District, and all interested and affected parties to resolve the foregoing issues in ways that benefit the local community and the residents of British Columbia generally, as is the object of the Islands Trust.

Yours sincerely,



Peter Luckham
Chair, Salt Spring Island Local Trust Committee

cc: The Honourable Nathan Cullen, MLA, Minister of Municipal Affairs
Adam Olsen, MLA, Saanich North and the Islands
Gary Holman, CRD Area Director, Salt Spring Island
Mark Collins, CEO, British Columbia Ferry Services Inc.
Salt Spring Island Local Trust Committee
Islands Trust Executive Committee
Islands Trust website

DATE OF MEETING: May 17, 2022
TO: Salt Spring Island Local Trust Committee
FROM: Phil Testemale, Planner 2
Southern Team
SUBJECT: Development Permit Application
Applicant: Kelly Fergusson
Location: Lot 7, Plan VIP51663 - Meyer Road

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee approves issuance of Development Permit SS-DP-2022.2 (Fergusson).

REPORT SUMMARY

This report is to consider a Development Permit (DP) application.

The purpose of the DP is for measures to protect a sensitive riparian and aquatic ecosystem for the proposed installation of a driveway and culvert, a buried utility conduit, and drainage works within **Development Permit Area 7 – Riparian Areas (DPA)**. The proposed development is within the McLemnan Creek and its tributaries that are provincial *Riparian Areas Protection Regulations (RAPR)* designated water courses designated within the DPA.

BACKGROUND

The DP application has been made in order to obtain a required DP in advance of initiating development on the property located near the terminus of Meyer Road (Figure 1).

The 2.04 ha subject property is a well treed, northeast facing parcel that slopes gently from the southwest to its lowest elevation in the northeast corner of the lot. The lot is within the McLemnan Creek watershed and the creek and its tributaries were mapped in 2014 as part of the Riparian Area Regulation Mapping Project and designated as part of DPA 7. An upper tributary ('Reach 3') of the creek transects the top corner of the property flowing from west to east as shown on Figure 2. A headwater ditch ('Reach 1') flows from the northwest adjacent to Meyer Road before converging with Reach 3 at the northeast corner of the lot before continuing downstream adjacent to the road ('Reach 2').

Attachment 1 'Site Context' provides additional information on the subject property, including mapping and photographs.

Referencing Figure 2, the scope of proposed development within the DPA is as follows:

- Construction of a gravel driveway with a cleared width of 8 metres including the installation of a culvert at the crossing of 'Reach 2' of the water course. The driveway is for access to a future dwelling on the property that is not part of this application.
- The installation of electrical and water service lines to be buried in a trench ('Underground Utility Conveyance') that will originate at a utility/pump house, cross 'Reach 3' of the watercourse and extend upslope and to the south to the proposed dwelling site.
- The installation of a drainage ditch for stormwater management adjacent to the driveway, partially in the DPA.

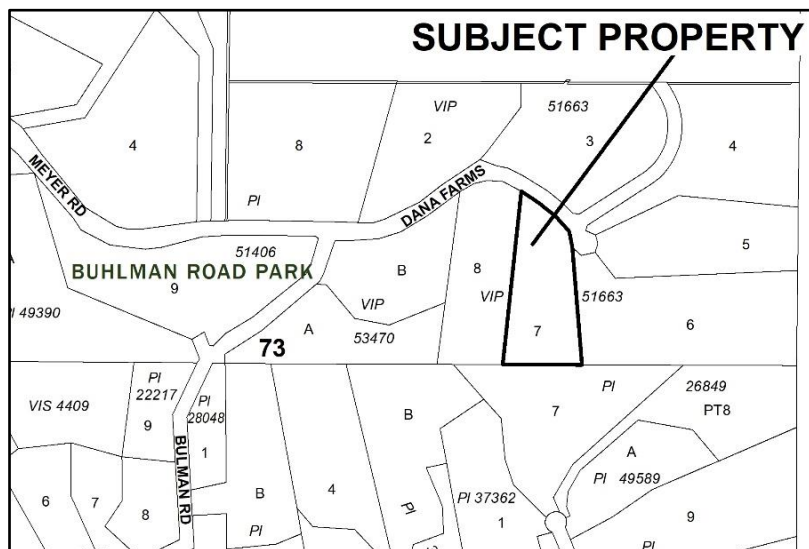
The construction of a new pumphouse, installation of a utility pole, and 'cross culverts' on the upper portion of the driveway are outside of the DPA but included in the RAPR Assessment Report ('RAPR Report' – next).

As the DPA is designated on the property, the applicants are required to comply with the DPA guidelines as well as provincial *RAPR*. Accordingly, the applicants hired Dave Gooding, P.Eng. of Gooding Hydrology, who submitted the required RAPR Report to the provincial Ministry of Lands, Water and Resource Stewardship (LWRS).¹ Approval confirming RAPR methodology has been met was provided on April 19, 2022. The final RAPR report is Schedule 2 of the draft DP (Attachment 3 to this report), and is discussed further in 'Issues and Opportunities' (below).

The applicant has also provided written confirmation of notice under Section 39 of the *Water Sustainability Act* (for 'changes in and about a stream'), and an access permit from the Ministry of Transportation and Infrastructure.

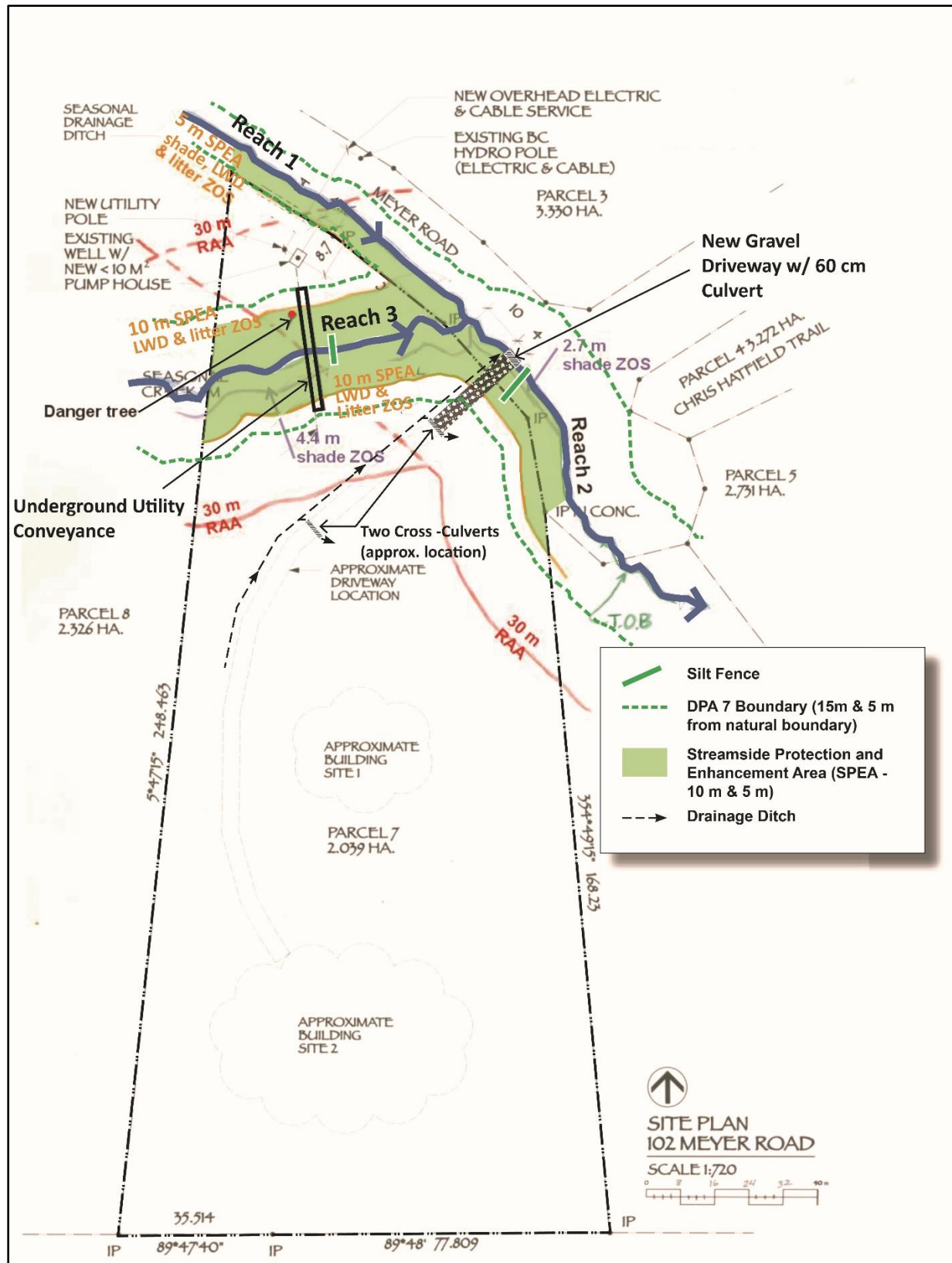
A site visit by staff was conducted on March 15, 2022.

Figure 1 – Subject Property



¹ Formerly Ministry of Forest, Lands and Natural Resources Operations and Rural Development (FLNRORD)

Figure 2 – Site Plan



ANALYSIS

Islands Trust Policy Statement

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to this application and are addressed through DPA - 7:

- 3.1.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.*
- 3.1.4 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.*
- 3.3.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands, and riparian zones to protect aquatic wildlife.*

This application is compliant with the ITPS.

Official Community Plan:

The subject property is designated as **U – Upland** in the Salt Spring Island Land Use Official Community Plan 434, 2008.

The DPA is designated 15 metres from natural boundary (high water mark) of the watercourse (Reaches 2 and 3) and 5 metres from the ditch (Reach 1).

The overall objectives of the DPA 7 are as follows:

E.7.3.1 To protect the biological diversity and habitat values of riparian and aquatic ecosystems.

E.7.3.2 To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation.

E.7.3.3 To minimize adverse impacts of land use practices on fish habitat, which includes plant habitats in riparian areas.

Attachment 2 provides a review of DPA guidelines, and staff considers that the proposed development and proposed DP permit as drafted are consistent with all guidelines.

Land Use Bylaw:

The property is zoned as **Rural Upland 3 (RU3)** in the Salt Spring Island Land Use Bylaw No. 355.

Issues and Opportunities

RAPR Report

The approved RAPR Report completes the required assessment for the Riparian Assessment Area (RAA) set at 30 metres from the natural boundary of the water courses. As above, that exceeds the DPA designations indicated above, and includes the proposed pumphouse and utility pole. The RAPR Report establishes zones of sensitivity (ZOS) based on riparian functions: Leaf Litter; Inputs of Large Woody Debris; and, Shading to control water temperature. The Streamside Protection and Enhancement Area (SPEA) was assigned at 10 metres

perpendicular from the high water mark of the Reach 3 and 2 (watercourse) and 5m for the ditch with measures for protection and enhancement of these areas.

The RAPR Report indicates that all reaches are seasonal and dry during the summer and early fall, and are unlikely to support trout even during high flow periods. Notwithstanding, a riparian value through contributing nutrients to downstream fish habitats is established. (pp. 3-4)

All recommendations and measures in the RAPR have been incorporated in to the proposed DP. Further conditions have been added based on the specifics of the proposal and previous similar applications. Adherence to the conditions of the DP and monitoring will mitigate impacts from the proposed development to the riparian areas within the SPEA.

Consultation

There is no public or agency consultation regularly associated with a DP application. In addition, there is no statutory notification required.

First Nations

With respect to the potential for archaeological material to be found on the property during the proposed development, Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the DP application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas staff will forward the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act compliance have provided the Islands Trust directly to the applicants.

Rationale for Recommendation

In summary, the recommendation on page 1 is supported as:

- the objectives and specific guidelines of the DPA have been met;
- all relevant recommendations of a RAPR assessment report have been incorporated into the conditions of the proposed DP; and,
- implementing and monitoring conditions in the draft DP will ensure the protection of the sensitive riparian and aquatic ecosystem.

ALTERNATIVES

1. Determine that the DPA guidelines are not being met

The LTC may determine that the application as presented does not meet one or more guidelines of DPA-7. If this is the case, the LTC may request that the applicant amend the proposal to more closely align with DPA guidelines. The LTC should indicate which guidelines are not being met and the reasons for this. Recommended wording for the resolution is as follows:

That the Salt Spring Island Local Trust Committee has determined that application SS-DP-2022.2 as presented on May 17, 2022 does not meet guideline(s) _____ for the following reasons:

_____.

2. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

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

Submitted By:	Phil Testemale, Planner 2	Select Date.
Concurrence:	[Managing Staff Name, Credentials Title]	Select Date.

ATTACHMENTS

1. Site Context
2. DPA Guidelines
3. Proposed Development Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 7, Section 73, South Salt Spring Island, Cowichan District, Plan VIP51663
PID	017-046-386
Civic Address	Lot 7, Meyer Road

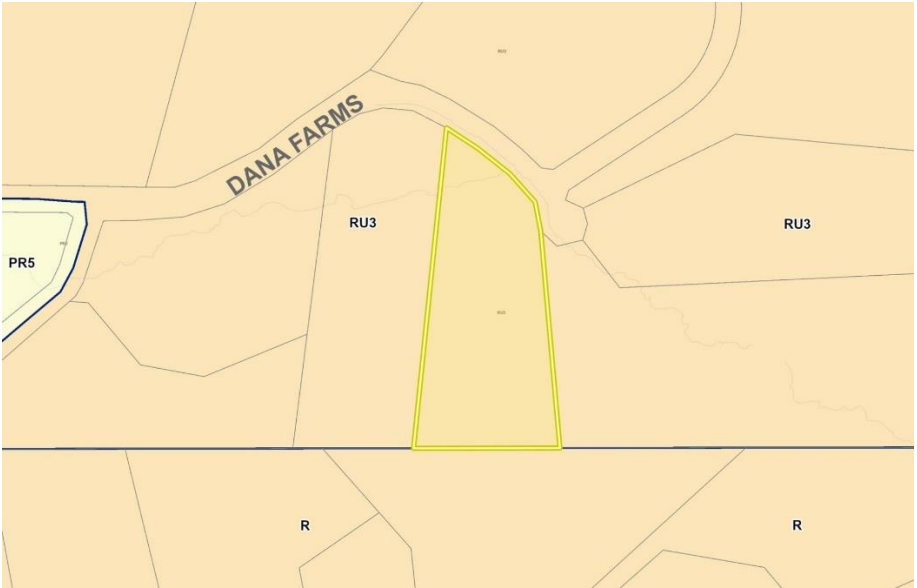
LAND USE

Current Land Use	Vacant Rural Upland:  <i>Orthophoto</i>
Surrounding Land Use	Rural Upland and Rural (South)

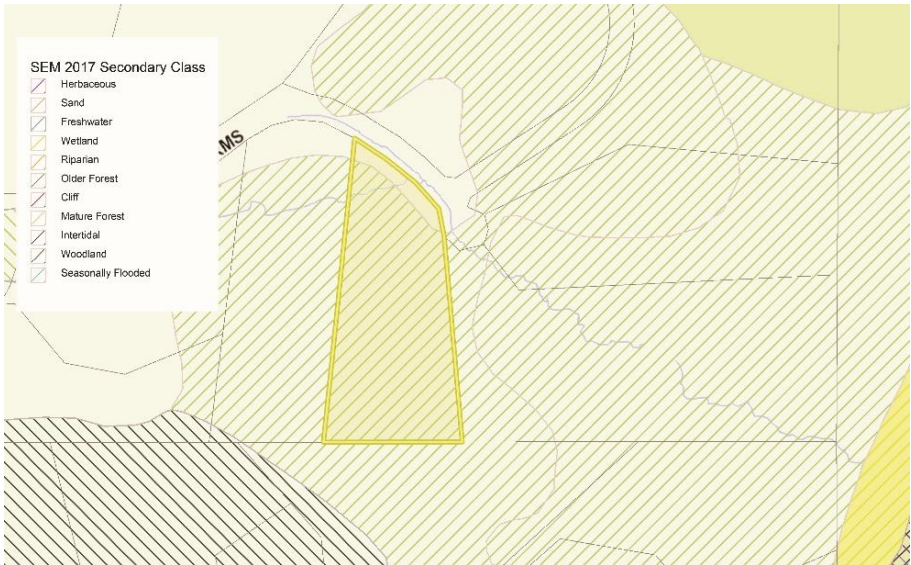
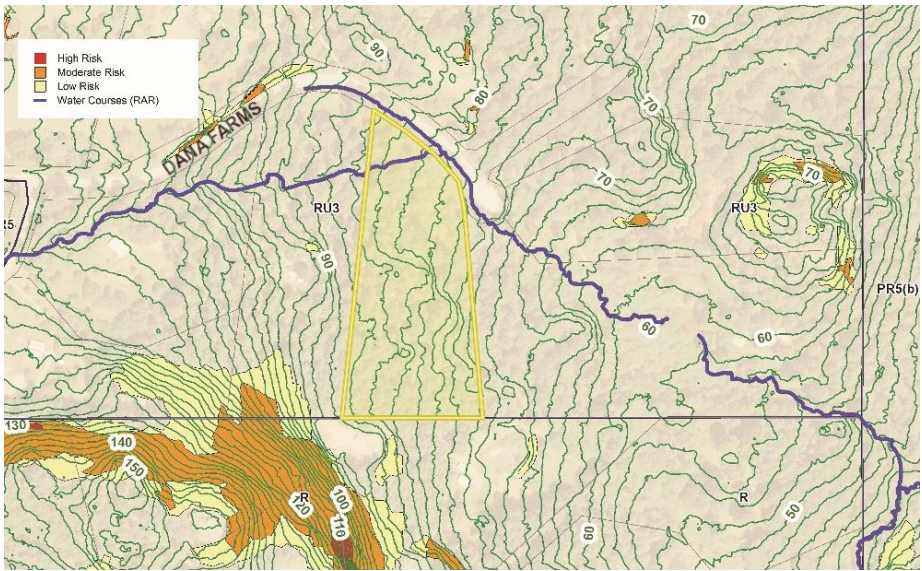
HISTORICAL ACTIVITY

File No.	Purpose
SS-DVP-2022.7	Closed/Refund (not required)

POLICY/REGULATORY

Official Community Plan Designations	The property is designated as U – Upland in the Salt Spring Island Land Use Official Community Plan 434, 2008 (above) Development Permit Area 7 – Riparian Areas is designated on the subject property (Subject of Application):  <i>Development Permit Areas Mapping</i>
Land Use Bylaw	The property is zoned as Rural Upland 3 (RU3) in the Salt Spring Island Land Use Bylaw No. 355.  <i>Zoning Map</i>
Other Regulations	<i>Riparian Areas Protection Regulation and Water Sustainability Act</i>
Covenants	Statutory Building Scheme ED134628 - N/A to applicant.
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	There are no Conservancy covenants or properties in the direct area; therefore no referral has been made to the Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Conservancy Regional Conservation Strategy.
Species at Risk	Dun Skipper vestris subspecies (butterfly). Information to applicant by copy of this report: http://www.sccp.ca/species-habitat/dun-skipper
Sensitive Ecosystems	Secondary/Mature Forest:  <i>Sensitive Ecosystem Mapping (LPS)</i>
Hazard Areas	 <i>Steep Slope Hazard Mapping</i>
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites, nor areas of high archaeological potential on the property or within 100 metres. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all

	work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Impacts from the proposed development will have minor impacts on GHG Emissions. The subject property ranges in elevation from approximately 72 metres to 88 metres above sea level.

PHOTOS



Upper drainage ditch (Reach 1 -View southeast along Meyer Rd.)



Lower Watercourse (Reach 2 -View northwest along Meyer Rd.)



Confluence of all reaches (View southwest into property)



View upstream of lower portion of Reach 3 watercourse

PHOTOS (CONT'D)



*Approximate location of utility conveyance crossing
(View north)*



View toward Meyer Rd. of approxiimate driveway and culvert crossing

ATTACHMENT 2 –DEVELOPMENT PERMIT AREA GUIDELINES

DEVELOPMENT PERMIT AREA 7 – RIPARIAN AREAS

Guideline	Complies	Comments
E.7.6.1 The property owner shall be required, in addition to any other application requirements enacted or imposed by the Local Trust Committee, to provide at their expense an assessment report from a Qualified Environmental Professional which has been submitted per the <i>Riparian Areas Regulation</i> .	YES	Staff Comments: The applicant has submitted a RAPR Assessment Report. The report has been submitted to the Ministry of Lands, Water and Resource Stewardship (LWRS) per the <i>Riparian Areas Protection Regulation</i> (RAPR - Assessment #7371A)
E.7.6.2 The Local Trust Committee may impose permit conditions based on the assessment report including: a. Require specified natural features or areas to be preserved, protected, restored or enhanced in accordance with the permit. b. Require natural water courses to be dedicated. c. Require works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features of the environment. d. Require protection measures, including that vegetation or trees be planted or retained in order to: i. preserve, protect, restore or enhance fish habitat or riparian areas; ii. control drainage, or; iii. control erosion or protect banks.	YES	Staff Comments: a QEP has submitted a RAPR Assessment report which has been approved by LWRS. Permit requirements have been included in the permit in accordance with the RAPR Assessment report.
E.7.6.3 The Local Trust Committee shall require a security for developments clearing greater than 280m ² (3,012-ft ²) of land within the Development Permit Area. Security shall be returned upon confirmation by a Qualified Environmental Professional that assessment report conditions have been satisfactorily addressed.	YES	Staff Comments: No security is required as the proposed development does not clear greater than 280m ² within the Development Permit Area
E.7.6.4 Security shall be provided to secure satisfactory completion of habitat protection works, restoration measures, or other works for the streams and streamside habitat (the “required works”). The security shall be 150% of the estimated value of the required works as determined by the Local Trust Committee.	YES	Staff Comments: No security is required in accordance with guideline E.7.6.3
E.7.6.5 The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area identified by the Qualified Environmental Professional and the property owner should be required to follow any measures identified by the Qualified Environmental Professional for protecting the Streamside Protection and Enhancement Area over the long term and these measures should be included as conditions of the development permit. The width of the Streamside Protection and Enhancement Area may be less than the width of the Development Permit Area.	YES	Staff Comments: a QEP has submitted a RAPR Assessment report which has been approved by LWRS. Permit requirements have been included in the permit in accordance with the RAPR Assessment report.

E.7.6.6 Where a Qualified Environmental Professional or other professional's report describes an area within the Development Permit Area as suitable for development, that is, where the Streamside Protection and Enhancement Area is less than the width of the Development Permit Area, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a Qualified Environmental Professional or other professional at the property owner's expense should be required during construction and development phases, as specified in a development permit.	YES	Staff Comments: a QEP has submitted a RAPR Assessment report which has been approved by LWRS. Permit requirements have been included in the permit in accordance with the RAPR Assessment report.
E.7.6.7 If the nature of the proposed project within the Development Permit Area changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the property owner to have the professional update the assessment at the property owner's expense and development permit conditions may be amended accordingly.	YES	Staff Comments: as of a March 15, 2022 site visit to the subject property, site conditions remain the same as the RAPR Assessment report and no development has occurred on the subject property.



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

TO: Kelly Fergusson

1. This Development Permit (the "Permit") applies to the land described below:
PID: 017-046-386
LEGAL DESCRIPTION: Lot 7, Section 73, South Salt Spring Island, Cowichan District, Plan VIP51663
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 - Extracted from p. 11 of Riparian Area Protection Regulation (RAPR) Report and enhanced.
Schedule No.1	Riparian Areas Protection Regulation Assessment Report, dated December 29, 2021 by David Gooding, P. Eng.
3. Development within Development Permit Area (DPA) 7, as described and illustrated in Plan No. 1 and in the site plan on page 11 of the aforementioned RAPR Report is permitted in accordance with the following conditions:
 - 3.1 **General**
 - 3.1.1 No other development including land alteration other than the underground utility conveyance, culvert and gravel driveway is permitted in the Streamside Protection and Enhancement Area (SPEA) as shown on Plan No.1.
 - 3.2 **Danger Trees**
 - 3.2.1 The 'Danger Tree' (dead tree) identified on Plan No. 1 shall be felled away from the proposed trench and left in the SPEA.
 - 3.2.2 The monitoring QEP shall ensure that the required number of replacements seedlings for the danger tree are planted, protected from foraging with exclusion fencing and maintained consistent with standards provided by the Ministry of Lands, Water and Resource Stewardship.
 - 3.3 **Windthrow**
 - 3.3.1 The clearing of young alders required for the driveway construction is permitted.
 - 3.3.2 Care shall be taken in selecting alignment of the utility trench on the east side of the 'Reach 3' SPEA as shown on the Plan No. 1 in order to minimize impacts to root systems of the cedar from the SPEA to the driveway.
 - 3.4 **Protection of Trees and/or Vegetation**

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

- 3.4.1 After clearing of the young alders/maples in the driveway area, a 2 metre buffer zone from any leave tree shall be staked and temporary fencing erected before any excavation or construction in order to protect roots from damage by machinery incursion, excavation or other damage.

3.5 Sediment and Erosion Control

- 3.5.1 Silt fences for sediment control shall be installed as shown on Plan No. 1 and shall be made of water permeable filter fabric properly installed with the bottom of the fabric buried and weighted.
- 3.5.2 The fence below the underground utility trench shall extend 2 metres on either side of the channel, and the fence below the driveway culvert should extend 6 metres to the south of the channel.
- 3.5.3 Hay bale filters shall be placed across the channel 0.5 metres upstream of both silt fences.
- 3.5.4 The driveway shall be constructed of gravel and exposed earth on either side of the driveway surface shall be revegetated as per Section 3.7 of this permit.

3.6 Drainage and Storm Water Management

- 3.6.1 A drainage ditch to intercept shallow groundwater and direct it downslope to the stream shall be installed on the upslope (west) side of the proposed driveway extending 100 metres from Meyer Road as shown on Plan No.1.
- 3.6.2 Two (2) cross culverts with ditch blocks shall be installed at approximately 25 and 60 metres above Meyer Road as shown on Plan No.1 to intercept ditch flow redirect ditch flow and release it onto the slope on the east side of the driveway.

3.7 Revegetation

- 3.7.1 All exposed earth the driveway corridor shall be grass seeded with native grasses and covered with straw erosion matting for 15 metres uphill of the culvert immediately after construction. Planting of disturbed soil with native grasses shall be performed as soon as possible after the land alteration.
- 3.7.2 All native plants and shrubs removed from the SPEA for the permitted development shall be set aside carefully and utilized to revegetate the SPEA after burying the utility lines, and the channel reconstructed with appropriate native materials.



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

3.8 Timing

- 3.8.1 Land alteration and construction shall not be undertaken during periods of prolonged wet, windy and rainy weather.
- 3.8.2 Installation of the culvert and driveway construction is permitted during a drier period of winter/spring with careful sediment control.
- 3.8.3 Trenching of the power & water lines across the SPEA and channel of Reach 3 (RS) as shown on Plan No.1 shall be undertaken only when the stream is dry in the summer months.

3.9 Environmental Monitoring

- 3.9.1 Prior to construction and installation of the access culvert a Qualified Environmental Professional (QEP) monitor shall be retained. All pre-construction measures herein, including Tree Protection and placement of Sediment and Erosion Control, shall be confirmed in place by the environmental monitor prior to any land alteration, tree removal or soil disturbance.
- 3.9.2 The monitoring QEP shall provide specific on-site instructions to the excavator operator to provide instructions on careful removal and salvage of native plants and shrubs and replanting as the utility trench is filled.
- 3.9.3 The monitoring QEP shall submit written confirmation to Islands Trust within thirty (30) days of the permitted construction and land alteration being completed confirming that the development has occurred in compliance with all conditions in this permit as issued and all recommendations contained in the RAPR Report which is attached to and forms part of this permit.

- 4. Development and revegetation authorized by this permit is to be concluded within 2 years of the issuance of the permit.
- 5. This Permit is authorized in accordance with the Plan in Schedule No. 1 attached to and forming part of this permit as signed and dated by the Deputy Secretary of Islands Trust and requires a final sign-off in the form of a report by a Qualified Environmental Professional to provide confirmation that permit conditions have been met.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

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.
7. This is not a Building Permit, nor does it remove any obligation on the Permittee to obtain all other approvals necessary for the lawful completion of the proposed development.
8. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any schedules, plans and specifications attached to this Permit, which shall form a part thereof.

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

DEPUTY SECRETARY, ISLANDS TRUST

DATE OF ISSUANCE

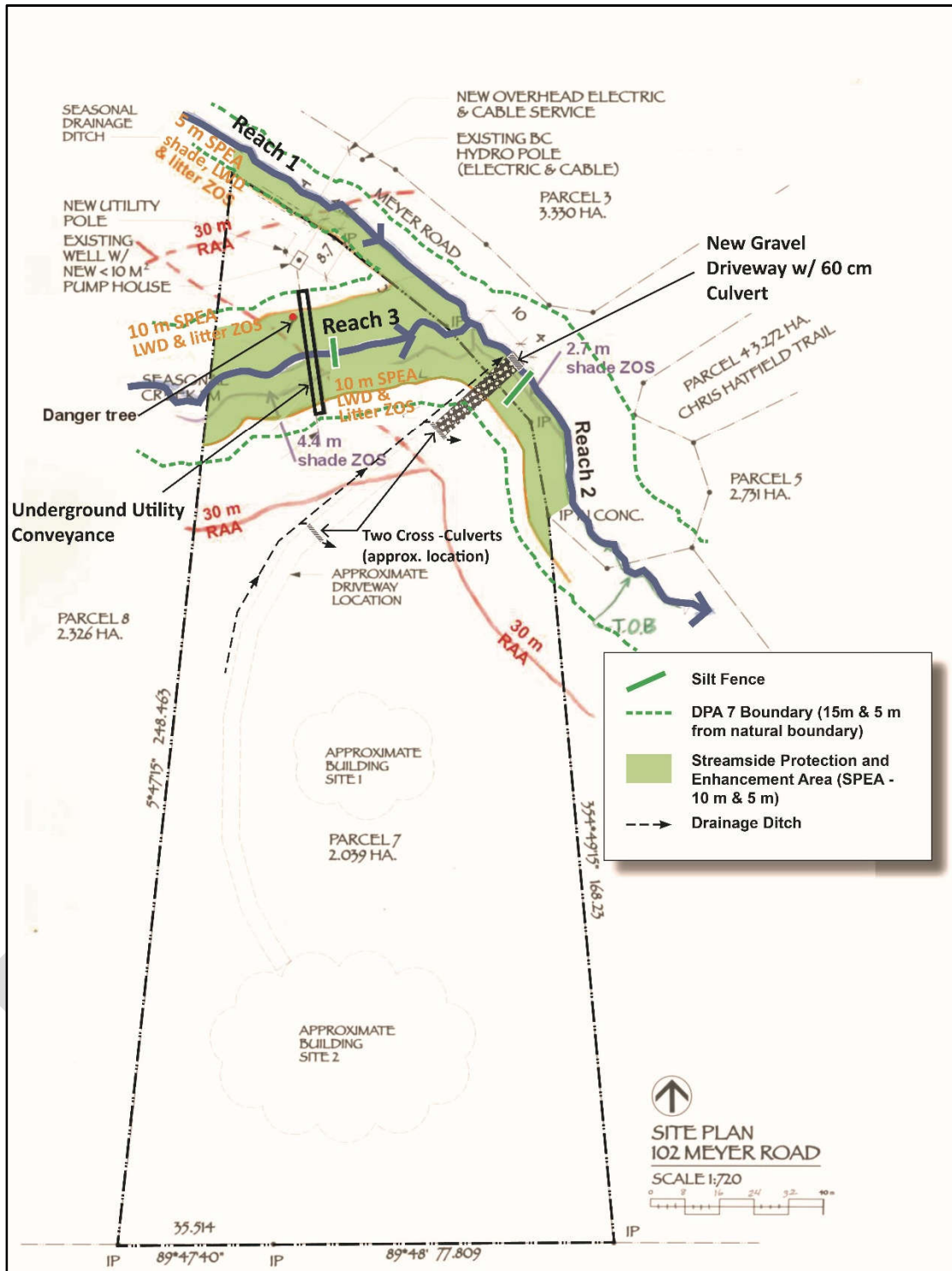
**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 20____,
THIS PERMIT AUTOMATICALLY LAPSES.**

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

PLAN NO. 1 Site Plan





PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

SCHEDULE NO. 1

Riparian Areas Protection Regulation: Assessment Report

FORM 1									
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report									
Riparian Areas Protection Regulation: Assessment Report									
Please refer to submission instructions and assessment report guidelines when completing this report.									
Date 2021-12-29									
I. Primary QEP Information									
First Name	David			Middle Name	Douglas				
Last Name	Gooding								
Designation	P.Eng.			Company	Gooding Hydrology				
Registration #	22102			Email	dgooding@saltspring.com				
Address	681 Rainbow Rd								
City	Saltspring Island			Postal/Zip	V8K 2M6		Phone #	250 538-1869	
Prov/state	BC			Country	Canada				
II. Secondary QEP Information (use Form 2 for other QEPs)									
First Name				Middle Name					
Last Name									
Designation				Company					
Registration #				Email					
Address									
City				Postal/Zip			Phone #		
Prov/state				Country					
III. Developer Information									
First Name	Kelly			Middle Name					
Last Name	Fergusson								
Company									
Phone #				Email					
Address									
City	Saltspring Island			Postal/Zip					
Prov/state	BC			Country	Canada				
IV. Development Information									
Development Type	Construction: single family residential								
Area of Development (ha)	0.25			Riparian Length (m)	183				
Lot Area (ha)	2.04			Nature of Development	new				
Proposed Start Date	2022-05-01			Proposed End Date	2022-08-30				
V. Location of Proposed Development									
Street Address (or nearest town)	102 Meyer Road								
Local Government	Islands Trust (CRD)			City	Ganges				
Stream Name	McLennan Creek								
Legal Description (PID)	017 046 386			Region	1				
Stream/River Type	Ditch & stream			DFO Area	South Coast				
Watershed Code	Not found								
Latitude	48	47	31.4	Longitude	123	24	14.9		
Completion of Database Information includes the Form 2 for the Additional QEPs, if needed. Insert that form immediately after this page.									
Form 1									
Page 1 of 18									

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Table of Contents for Assessment Report

	Page Number
1. Description of Fisheries Resources Values	3.4
2. Results of Riparian Assessment (SPEA width)	5-10
3. Site Plan	11
4. Measures to Protect and Maintain the SPEA (detailed methodology only).	
1. Danger Trees.....	12
2. Windthrow.....	12
3. Slope Stability.....	12
4. Protection of Trees.....	12
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7. Floodplain.....	13
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6. Photos	15-17
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PROPOSED



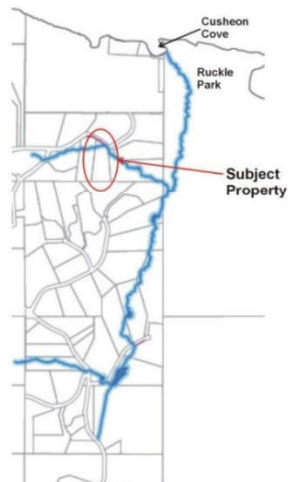
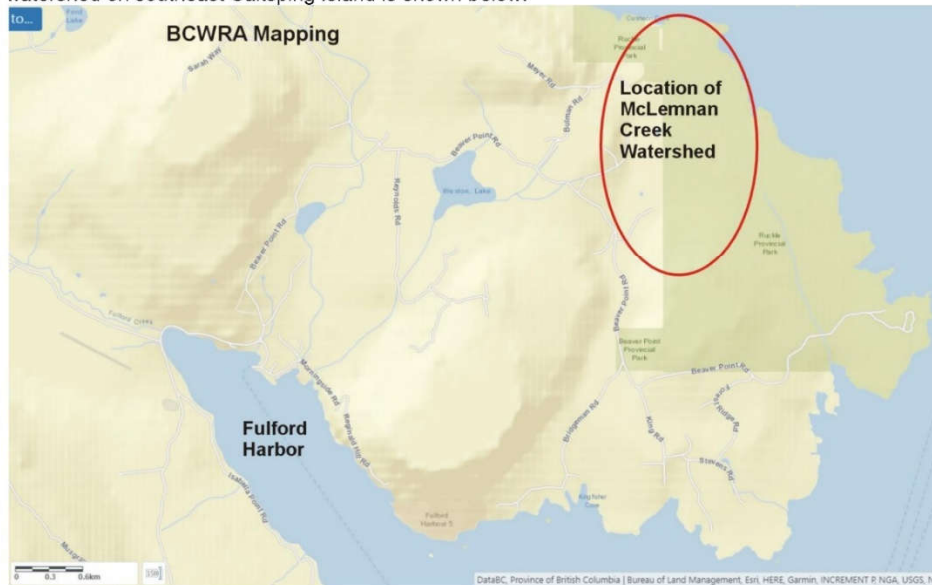
SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

McLemnan Creek is not found in the gazetted streams listing in FIDQ database. There was no information found on the FISS database for McLemnan Creek. The stream mapping in the BC Water Resource Atlas does not show McLemnan Creek as existing. The location of the McLemnan Creek watershed on southeast Saltsping Island is shown below.



The stream was assessed during the 2014 SSI Riparian Area Regulation Mapping Project done by Mainstream Biological Consulting. Islands Trust stream mapping based on that assessment is shown to the left. A three meter falls was found in the lower reaches of the creek, which prevents upstream migration. There are ponds in the middle reaches which may have been stocked with cutthroat trout (K Reimer, RPBio, pers com). The proposed development is on the upper reaches of one of the tributaries to McLemnan Creek.

A headwater ditch runs along the northwest property line to join with the stream tributary coming out of the forest across the northeast corner of the property, then the stream runs in the ditch along the north east boundary of the property. All of the reaches, ditch and stream, are seasonal flow and dry during the summer and early fall.

The stream and upper ditch will contribute to downstream flows in McLemnan Creek, bringing nutrients to downstream fish habitats.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

It is very unlikely trout reside in these stream reaches even during high flow periods, but invertebrates may be washed downstream from reach 3 and 2.

Reach 1, the upper ditch above the confluence, only flows during and just after rainfall events during the wet season. The riparian area on the property side alongside this upper road ditch is largely a young alder maple stand, with patches of older coniferous at each end of the reach. This same type of vegetation, young deciduous with ferns under them, comprises the SPEA on the property side of the lower ditch/stream below the confluence.

Reach 3, the stream above the confluence, which runs across the north end of the lot, has a riparian area with more mature trees. Trees are mostly cedar, a few fir, and a few older over-mature alder, one of which is the noted danger tree. Around 30 m of the south side of the upper reach 3 appears to have been cleared at some past time to deepen the channel, probably to lower the water table on the property to the west. There are thick salal bushes and ferns all around this reach,

Activities proposed are:

- construction of a driveway into the homesite, with installation of a culvert in the ditch/stream reach R2. The driveway construction will require the clearing of an approximately 8 m strip through the young alder/maple of the SPEA.

- installation of a single power pole near the well located in the northwest corner of the property. The electrical and water lines will then be buried between the well house and the residential building site, across the Reach 3 SPEA and channel as shown on the site plan. Installation of the culvert and driveway construction may be done during a drier period of this winter/spring with careful sediment control, however the trenching of the power & water lines across the SPEA and channel of R3 will be done when the stream is dry in the summer. The ferns and salal and other SPEA shrub vegetation will be set carefully to the side and utilized to revegetate the SPEA after burying the utility lines, and the channel reconstructed with appropriate materials.

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

2. Results of Detailed Riparian Assessment

Refer to Section 3 of Technical Manual

Date: 2021-09-30

Description of Water bodies involved (number, type)

McLennan Creek and ditch

Stream	1
Wetland	
Lake	
Ditch	1
Number of reaches	3
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)	Gradient (%)
starting point	.7
upstream	.7
	.6
	.75
	.8
downstream	.75
	.7
	.7
	.8
	.8
	.9
Total: minus high /low	6.7
mean	0.74
R/P	C/P
S/P	
Channel Type	

I, David D Gooding PEng (name of qualified environmental professional), hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Kelly Fergusson (name of developer);
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Site Potential Vegetation Type (SPVT)

Yes	No
SPVT Polygons	X
Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes	
I, <u>David D Gooding PEng</u> (name of qualified environmental professional), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (name of developer); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.	
Polygon No: 1	Method employed if other than TR
LC SH TR	
SPVT Type	X
Polygon No:	Method employed if other than TR
LC SH TR	
SPVT Type	

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SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Polygon No:		Method employed if other than TR	
SPVT Type			

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	5				
Litter fall and insect drop ZOS (m)	5				
Shade ZOS (m) max	5	South bank	Yes	X	No
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)			Road ditch with no significant headwaters and seasonal flow	
Ditch Fish Bearing	Yes	X	No	If non-fish bearing insert no fish bearing status report	
SPEA maximum	5	(For ditch use table3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table3-7)			

I, David D Gooding PEng (*name of qualified environmental professional*), hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Kelly Fergusson (*name of developer*);

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

This is the most upstream ditch along the south side of Meyer Rd, with the headwaters of the ditch approximately 120 m west up Meyer Rd from its confluence with the upper stream (reach 3). Classified as a ditch by joint FLNRO & Islands Trust mapping.

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1
Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Reach #

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)
starting point	.8	8
upstream	.8	8
	.7	8
	.8	8
downstream	.75	8
	.8	8
	.8	8
	1	8
	.8	8
	1	8
	.8	8
Total: minus high /low	8.05	88
mean	0.89	8
	R/P	C/P
Channel Type		S/P
		X

I, David D Gooding PEng (*name of qualified environmental professional*), hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Kelly Fergusson (*name of developer*);

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons		X

Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, David D Gooding PEng (*name of qualified environmental professional*), hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

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g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Polygon No:

LC SH TR

SPVT Type

Method employed if other than TR

Polygon No:

LC SH TR

SPVT Type

Method employed if other than TR

Polygon No:

LC SH TR

SPVT Type

Method employed if other than TR

Zone of Sensitivity (ZOS) and resultant SPEA

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	10				
Litter fall and insect drop ZOS (m)	10				
Shade ZOS (m) max	2.7	South bank	Yes	X	No
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				
Ditch Fish Bearing	Yes	No	If non-fish bearing insert no fish bearing status report		
SPEA maximum	10	(For ditch use table3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table3-7)			

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)					
Litter fall and insect drop ZOS (m)					
Shade ZOS (m) max		South bank	Yes		No
SPEA maximum		(For ditch use table3-7)			

I, David D Gooding PEng (*name of qualified environmental professional*), hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Kelly Fergusson (*name of developer*);

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

This is the roadside ditch of Meyer Rd below the ditch's confluence with the tributary of McLennan which is reach 3 assessed below. Classified as a stream by joint FLNRO & Islands Trust mapping.

Reach # 3

PROPOSED



SALT SPRING ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT SS-DP-2022.2

FORM 1

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point	1.3	5	I, <u>David D Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.
upstream	3.5	5	
	2.7	5	
	1.8	5	
	1	5	
downstream	1.5	5	
	1.1	5	
	1	5	
	1.5	5	
	1.2	5	
	1.1	5	
Total: minus high /low	13.2	55	
mean	1.46	5	
	R/P	C/P	
Channel Type		X	

Site Potential Vegetation Type (SPVT)

Yes		No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>David D Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i> ; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	TR
			X
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	TR
Polygon No:			Method employed if other than TR
SPVT Type			

Zone of Sensitivity (ZOS) and resultant SPEA

Segment	1N	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons
No:		
LWD, Bank and Channel Stability ZOS (m)	10	
Litter fall and insect drop	10	

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ZOS (m)							
Shade ZOS (m) max	na	South bank	Yes		No	X	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report		
SPEA maximum	10	(For ditch use table3-7)					
Segment No:	1S	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	4.4	South bank	Yes	X	No		
SPEA maximum	10	(For ditch use table3-7)					
Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)							
Litter fall and insect drop ZOS (m)							
Shade ZOS (m) max		South bank	Yes		No		
SPEA maximum		(For ditch use table3-7)					
I, <u>David D Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: i) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; j) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and l) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.							
Comments This is the only reach of the drainage system with a semi-natural morphology, although it appears as if the upper portion has been excavated deeper at some time in the past to lower the water table around it.							

Section 3. Site Plan

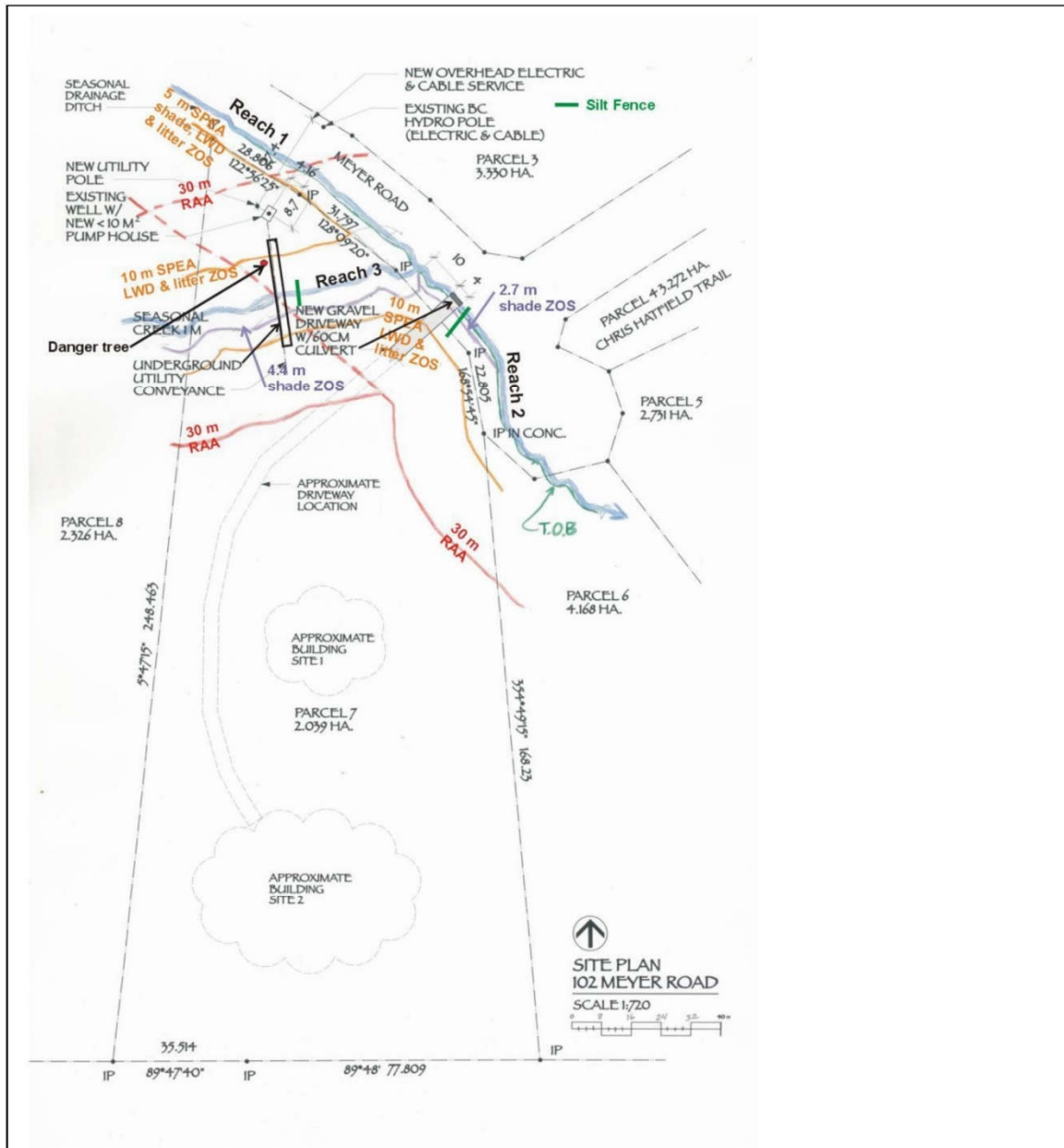
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Section 4. Measures to Protect and Maintain the SPEA

1. Danger Trees	The dead over-mature alder danger tree shown on the site plan is only around 2 m off of the least damaging, tree free direct path of the utility trench across the SPEA. Root damage from trenching will further weaken the tree. This tree is a hazard from rotting limbs or the whole tree fall during trenching, possibly onto the proposed pump house. This tree should be felled away from the trench before construction and left in the SPEA.
I, <u>Dave Gooding PEng</u> (name of qualified environmental professional), hereby certify that: m) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; n) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (name of developer); o) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
2. Windthrow	There should be no significant increase in windthrow potential to trees within any of the SPEAs caused by the clearing of the young alders required for the driveway. Care should be taken in selecting alignment of the utility trench on the east side of the R3 SPEA to minimize impacts to root systems of the cedar from the SPEA to the driveway.
I, <u>Dave Gooding PEng</u> (name of qualified environmental professional), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (name of developer); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
3. Slope Stability	There are no slope stability concerns around any of the SPEAs.
I, <u>Dave Gooding PEng</u> (name of qualified environmental professional), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (name of developer); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
4. Protection of Trees	After clearing for the driveway ROW through the young alders, a 2 m buffer zone excluding machinery and excavation should be staked by the leave trees to protect the roots.
I, <u>Dave Gooding PEng</u> (name of qualified environmental professional), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (name of developer); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
5. Encroachment	Development for the house and yard is well away from the SPEAs. Foot traffic through the SPEAs will be minimal, with thick salal discouraging walking through the SPEA of the stream reach R3. No additional protection is needed.

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I, <u>Dave Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
6. Sediment and Erosion Control	Sediment control measures are required for both the installation of the underground utility line and the driveway and stream culvert. The silt fences shown on the site plan should be of water permeable filter fabric properly installed with the bottom of the fabric buried and weighted. The fence below the underground utility trench should extend 2 m on either side of the channel. The fence below the driveway culvert should extend 6 m to the south of the channel. A hay bale filter should be placed across the channel at each location 0.5 m upstream of the silt fence. The driveway should be gravelled and the bare earth of the ROW grass seeded and covered with straw erosion matting for 15 m uphill of the culvert immediately after construction.
I, <u>Dave Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
7. Stormwater Management	For the first approximately 100 m the proposed driveway climbs across the slope from Meyer Rd. Stormwater drainage of this part of the driveway will require a ditch on the upslope (west) side of the driveway. This ditch will intercept shallow groundwater and direct it downslope to the stream/ditch. The intercepted groundwater, which will increase during rainfall events, should be returned to groundwater by use of at least two cross culverts to redirect ditch flow and release it onto the slope on the east side of the driveway. It is recommended that a culvert be installed, with a ditch block to redirect flow through the culvert, at around 25 m and 60 m above Meyer Rd.
I, <u>Dave Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
8. Floodplain Concerns (highly mobile channel)	There are no floodplain concerns.
I, <u>Dave Gooding PEng</u> (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the <i>Riparian Areas Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Kelly Fergusson</u> (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	

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Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

An environmental monitor will be retained prior to any earth works beginning for the driveway or utility line, to check that sediment control measures are in place and properly installed. The monitor will be consulted on the location for the cross culverts on the driveway. When the driveway construction is complete the monitor will be contacted to check that the lower 15 m is gravelled and the straw erosion mat on any bare soil of the Row around the driveway through the SPEA is in place.

Prior to excavation for the underground utility lines, the monitor will be consulted on alignment of the excavation in and near the SPEA, will check silt control measures are in place, and ensure the excavator operator has instructions on careful salvage of shrubs and ferns excavated and their replanting as the trench is filled.

Monitor will be contacted when the areas disturbed in the SPEA have been revegetated, with grass and ferns in the driveway ROW and shrubs and ferns over the buried utility line, to inspect and prepare a post development report.

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Section 6. Photos

Photo 1: Bottom end of ditch R1 lower left ditch/stream R2 running to upper right, with confluence of stream R3 coming in from lower right



Photo 2: R2 ditch/stream SPEA bdy orange tags center right from inside R3 stream SPEA, showing R2 SPEA where culvert and driveway are planned



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Photo 3: Looking upstream along lower portion of R3 stream



Photo 4: Looking upstream along upper portion of R3 stream. Note that some of the riparian area has been cleared and the stream appears to have been previously ditched.



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Photo 5: Looking south along the path the water and power line are to be buried, from inside the west R3 SPEA near the danger tree, stream crosses lower center,.



Photo 6: Looking north along the utility corridor through the R3 stream SPEA at the danger tree just inside the SPEA and near the planned utility line trench



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Section 7. Professional Opinion

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date

1. I/We David D Gooding P.Eng.

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Kelly Fergusson (name of developer), which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☐ the site of the proposed development is subject to undue hardship, (if applicable, indicate N/A otherwise) and
- b) ☒ the proposed development will meet the **riparian protection standard** if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.]



File No.: SS-RZ-2020.1

X-Ref: SS-DP-2020.8 & SS-BE-2019.71

DATE OF MEETING: May 2, 2022

TO: Salt Spring Island Local Trust Committee

FROM: Jason Youmans, Island Planner
Salt Spring Island Team

SUBJECT: Rezoning (Bylaw Amendment) from Rural (R) to Rural (R) Variant
Applicant: D. & L. MacAlpine
Location: 1351 Mountain Road, Salt Spring Island, BC (PID: 004-053-761)

RECOMMENDATION

1. That Salt Spring Island Local Trust Committee Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021", be adopted (SS-RZ-2020.1, 1351 Mountain Road).

REPORT SUMMARY

This report recommends adoption of Bylaw No. 525 which amends the land use bylaw to make lawful an existing oversized boathouse and to establish a 15-metre setback from the natural boundary of the sea.

BACKGROUND

At its meeting of March 22, 2022, the Salt Spring Island Local Trust Committee (SSI LTC) gave third reading to Bylaw No. 525 and requested that it be forwarded to Islands Trust Executive Committee for approval.

Islands Trust Executive Committee met on April 13, 2022. At that meeting it passed the following resolution:

EC-2022-052

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 525, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021" in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

ANALYSIS

Refer to staff reports of [June 29, 2021](#), [November 9, 2021](#), and [February 15, 2022](#) for analysis.

Issues and Opportunities

Refer to staff reports of [June 29, 2021](#), [November 9, 2021](#), and [February 15, 2022](#) for discussion of issues and opportunities.

Consultation

Statutory Requirements

All statutory requirements have been met. See staff report of [March 22, 2022](#) for details.

A public hearing on Bylaw No. 525 was held on the morning of March 22, 2022. No members of the public spoke regarding the proposed bylaw. The public hearing record is attached as Appendix 2.

Correspondence related to this application is available in the [current applications](#) section of the Islands Trust website for this file.

Rationale for Recommendation

Proposed Bylaw No. 525 seeks to create a Rural zone variant on the subject property as follows:

- establishes a new Rural zone variant – R(p) – which permits a maximum of one boathouse not exceeding 60 square metres on all lands in this zone; and
- establishes a 15 metre setback to the natural boundary of the sea.

In giving third reading to Bylaw No. 525 at its meeting of March 22, 2022, SS LTC did not propose any conditions on the adoption of the bylaw. As the bylaw has now received Executive Committee approval, staff recommend that it be adopted.

NEXT STEPS

Should the SSI LTC adopt Bylaw No. 525, the applicant will be notified and the Land Use Bylaw updated.

Submitted by:	Jason Youmans, Island Planner	May 2, 2022
Concurred by:	Louisa Garbo, A/Regional Planning Manager	May 5, 2022

ATTACHMENTS

1. Proposed Bylaw No. 525
2. Public Hearing Record – Proposed Bylaw No. 525, March 22, 2022

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 525

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2021”.

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

2.1 By inserting in Subsection 9.2.4 – Exceptions in Particular Locations – the following new Rural Zone Variation (p) – R(p) after Zone Variation R(o):

“Zone Variation – R(p)

(22) Despite Section 1.1 – Definition of “Boathouse” – a maximum of one *boathouse* not exceeding 60 square metres shall be located within all lands zoned R(p).

(23) Despite Subsection 4.4.2, the setback from the *natural boundary* of the sea is 15 metres.

And by making consequential numbering alterations to effect this change.

2.2 By changing the zoning classification of Lot 5, of Sections 33 and 37, South Salt Spring Island, Cowichan District, Plan 1812 from Rural – (R) to Rural Zone Variation (p) – R(p), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” of Bylaw No. 355 as are required to effect this change.

READ A FIRST TIME THIS 9TH DAY OF NOVEMBER 2021

READ A SECOND TIME THIS 15TH DAY OF FEBRUARY 2022

PUBLIC HEARING HELD THIS 22ND DAY OF MARCH 2022

READ A THIRD TIME THIS 22ND DAY OF MARCH 2022

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

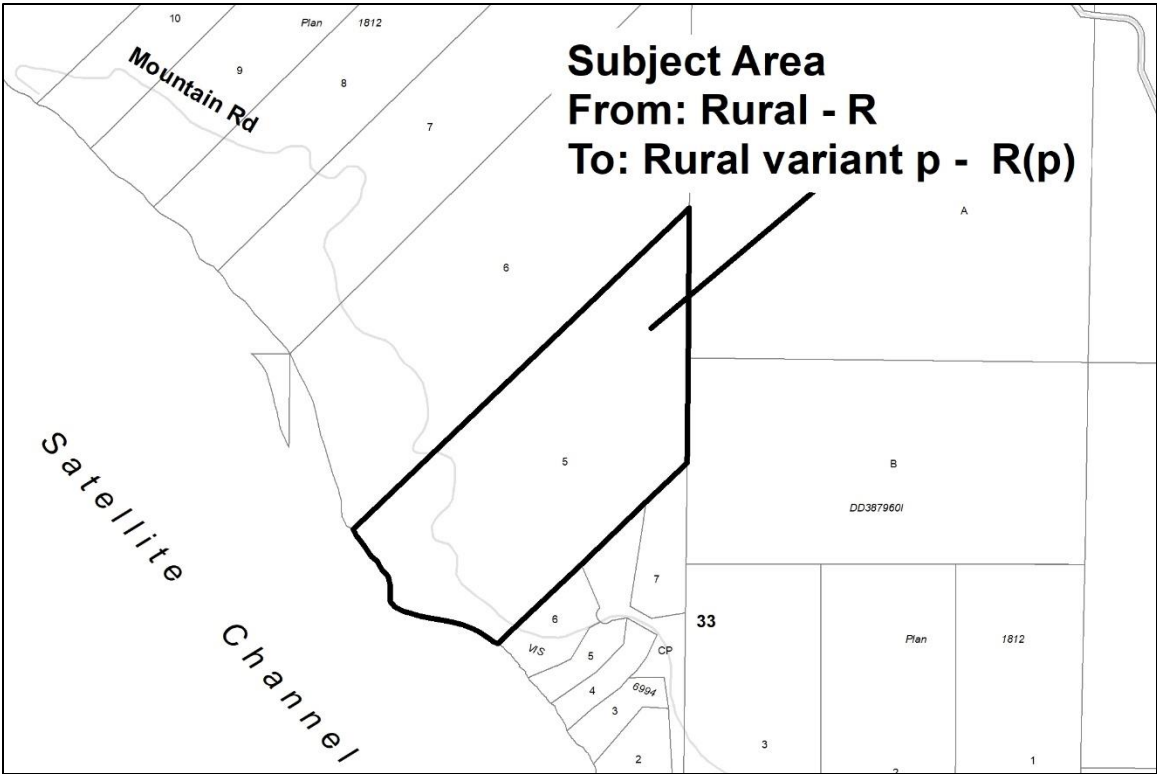
13TH DAY OF APRIL 2022

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

Plan No. 1





Salt Spring Island Local Trust Committee Public Hearing Record

REGARDING PROPOSED BYLAW NO. 525 - SS-RZ-2020.1 1351 MOUNTAIN ROAD, SALT SPRING ISLAND

Date: Tuesday, March 22, 2022

Location: Community Gospel Chapel
147 Vesuvius Bay Road, Salt Spring Island, BC

Members Present: Dan Rogers, Alternate Chair
Peter Grove, Local Trustee
Laura Patrick, Local Trustee

Staff Present: Stefan Cermak, Regional Planning Manager (RPM)
Geordie Gordon, Planner 2
Sarah Shugar, Recorder

Media and Others Present: Gulf Islands Driftwood Reporter
Approximately 5 members of the public

1. CALL TO ORDER

Alternate Chair Rogers convened the public hearing at 9:37 a.m. and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory.

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Alternate Chair Rogers introduced himself, the Trustees and staff. He then read the notice of Public Hearing in accordance with the Local Government Act and stated that oral and written submissions were equally acceptable as long as the submissions were given to the Trustees before the close of the Public Hearing. He also advised that public information binders are available for review and that no further submissions may be submitted to the Trustees after the close of the Public Hearing.

3. REVIEW OF PUBLIC HEARING NOTICE

Regional Planning Manager Cermak explained the notification methods used to advise the public. He reported referrals were sent to 16 agencies and 13 First Nations and a total of 10 referral responses

were received. All agency referral responses are available on the website and in the public hearing binders. One public submission has been received.

4. BYLAW NO. 525

Update of Changes to the Bylaw

Regional Planning Manager Cermak outlined the key points of proposed Bylaw No. 525. This bylaw proposes to amend the Salt Spring Island Land Use Bylaw to rezone the proposed property to make lawful an oversized boathouse and to establish a 15-metre setback to the natural boundary of the sea.

5. BYLAW NO. 525 – SUBMISSIONS

Alternate Chair Rogers asked if any members of the public would like to speak to proposed Bylaw No. 525, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021”.

There were no speakers and no additional written submissions.

Alternate Chair Rogers called a second time for any comments or submissions on the proposed bylaw.

Alternate Chair Rogers called for submissions a third and final time.

6. ADJOURNMENT

Alternate Chair Rogers declared the Public Hearing closed at 9:42 a.m.

I DECLARE THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF THE REPRESENTATIONS RESPECTING THE BYLAW THAT WERE MADE AT THE HEARING.

Sarah Shugar, Recorder