



## Salt Spring Island Local Trust Committee Minutes of Regular Meeting

**Date:** Tuesday, August 9, 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:** David Marlor, Acting Director Local Planning Services – via Zoom  
Louisa Garbo, Acting Regional Planning Manager (RPM)  
Jason Youmans, Island Planner  
Phil Testemale, Planner 2 – via Zoom  
Rob Pingle, Recorder

**Others Present:** Gulf Islands Driftwood Reporter  
Rhonan Heitzman, Housing Action Program Task Force Chair  
Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director  
Approximately 69 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 9:31 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

Proposed Bylaw No. 530 – Accessory Dwelling Units was requested for addition as item 8.3.

**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 July 12, 2022 SSI LTC Regular Meeting

**By general consent**, the minutes of July 12, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted.

**3.1.2. Draft Minutes of the July 7, 2022 SSI LTC Special Meeting**

**By general consent**, the minutes of July 7, 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 - None**

**3.3.2. Agricultural Advisory Planning Commission - None**

**3.3.3. Ganges Village Area Planning Task Force - None**

**3.3.4. Housing Action Program Task Force**

**3.3.4.1. Draft Minutes of the July 7, 2022 Housing Action Program Task Force Meeting**

The minutes were received.

**3.4. Salt Spring Island Local Trust Committee Public Hearing Record - None**

**4. BUSINESS ARISING FROM MINUTES**

**4.1. Follow Up Action List dated July 2022**

The report was received.

The issue of public signage for rezoning and major developments was discussed.

**5. COMMUNITY INFORMATION MEETING – None**

**6. PUBLIC HEARING – None**

**7. REPORTS**

**7.1. Policy and Standing Resolutions List**

The report was received.

**7.2. Work Program Top Priorities Report dated July 2022**

The report was received.

**7.3. Projects List dated July 2022**

The report was received.

**7.4. Applications with Status Report dated July 2022**

The report was received.

There was discussion regarding an ALR application and the progress on an issued Development Permit.

**7.5. Expense Report - None**

**7.6. Islands Trust Conservancy Board Report - None**

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

The meeting recessed at 9:50 a.m.

Housing Action Program Task Force Chair Heitzman arrived at 9:55 a.m.

Acting RPM Garbo arrived at 10:00 a.m.

The meeting reconvened at 10:00 a.m.

**7.8. Housing Action Program Task Force - Chair's Update**

Chair Heitzman provided an update regarding the Task Force meeting schedule which will pause during the election period. He spoke to the update of the matrix and the report that is being planned by the Task Force. There was a request to hold one last meeting before the pause to allow for discussion and hopefully adopt the matrix report. He spoke to the challenge of sharing the work the Task Force has done due to the design of the Island Trust website. There was a request to remove the specific restriction of tiny homes from Proposed Bylaw No. 530.

Housing Action Program Task Force Chair Heitzman left the meeting at 10:16 a.m.

**8. LOCAL TRUST COMMITTEE PROJECTS**

**8.1. Budget Business Case for Salt Spring LTC Projects**

Acting RPM Garbo presented the staff report dated August 9, 2022 concerning the Budget Business Cases for Salt Spring LTC Projects.

There was discussion regarding inclusion of a review of the Land Use Bylaw, the assurance that First Nations are included in these processes, and the small size of the budget requested.

**SS-2022-119**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee amend the Business Case for the major amendment to the Salt Spring Island Local Trust Committee Official Community Plan shown in Appendix 1 of the staff report dated August 9, 2022 by increasing the projected budget by \$100,000 to include technical analysis and collaboration, and include the review of the Salt Spring Island Local Trust Committee Land Use Bylaw in the title of the project.

**CARRIED**

**SS-2022-120**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee endorse the Business Case for the major amendment to the Salt Spring Island Local Trust Committee Official Community Plan and Land Use Bylaw shown in Appendix 1 of the staff report dated August 9, 2022 as amended and forward it to the Islands Trust Financial Planning Committee for consideration of inclusion in the 2023-2024 Islands Trust budget.

**CARRIED**

**SS-2022-121**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee endorse the Business Case for the Ganges (Shiya’hwt/SYOW T) Village Area Plan shown in Appendix 2 of the staff report dated August 9, 2022 and forward it to the Islands Trust Financial Planning Committee for consideration of inclusion in the 2023-2024 Islands Trust budget.

**CARRIED**

**SS-2022-122**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee request the Executive Committee follow up with the Minister of Municipal Affairs on his expressed interests for the Ganges (Shiya’hwt/SYOW T) Village Area Plan as a pilot for cooperative planning with First Nations.

**CARRIED**

**SS-2022-123**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee request staff to report back on options to facilitate the development of a new protocol agreement or a memo of understanding between the Local Trust Committee and the Capital Regional District to facilitate improved cooperation on local and regional planning issues.

**CARRIED**

**8.2. SSIWPA Special Property Tax Requisition Business Case**

Planner Youmans presented the staff report dated August 9, 2022 regarding the SSIWPA special property tax requisition business case.

There was discussion regarding the strategic planning that SSIWPA is engaged in.

**SS-2022-124**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee endorse the SSIWPA special property tax requisition business case attached to the staff report of July 27, 2022 and forward it to Islands Trust Financial Planning Committee for inclusion in the draft 2023/24 Islands Trust budget.

**CARRIED**

**8.3. Proposed Bylaw No. 530 – Accessory Dwelling Units**

There was discussion regarding the ability to cap the number of units created per year.

Acting Director Local Planning Services Marlor joined the meeting at 11:14 a.m.

It was noted that including a cap could impact the bylaw adoption process as it would be considered a significant change.

**9. CLOSED MEETING**

**9.1. Motion to Close the Meeting**

**SS-2022-125**

At 11:17 a.m., **it was MOVED and SECONDED**, that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90 (1)

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that staff be invited to remain.

**9.2. Motion to Open the Meeting**

**SS-2022-126**

At 11:36 a.m., **it was MOVED and SECONDED**, that the Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter.

The meeting recessed for a lunch break at 11:37 a.m.

CRD Director Holman joined the meeting at 11:55 a.m.

The meeting reconvened at 12:00 p.m.

**9.3. Rise and Report**

That the Salt Spring Island Local Trust Committee request the Executive Committee to create an open letter for public distribution in relation to Mr. Clark's request regarding the Innovation, Science and Economic Development Canada decision on the Channel Ridge radio communication tower application.

## 10. TRUSTEE REPORTS

Trustee Patrick presented the following report:

- Spoke to the last update of the Salt Spring Island Official Community Plan and the links between the natural and human environments.
- Spoke to the discussion of doughnut economics.
- Spoke to the previous reports that support the Proposed Bylaw No. 530.
- Spoke to the other regions that are using similar tools as included in the Proposed Bylaw No. 530.

Trustee Grove presented the following report:

- Spoke to his discussions with the public regarding Proposed Bylaw No. 530 – Accessory Dwelling Units, The Vortex applications, as well as the Channel Ridge communication tower.

## 11. CHAIR'S REPORT

Chair Luckham presented the following report:

- Spoke to the next phase of the Policy Statement amendment work he is participating in with a new draft to be presented.
- Spoke to preparations for the 2023 budget, the next Trust Council meeting in September and the upcoming election.
- Spoke to the hiring of the new Director of Local Planning Services Stefan Cermak.

## 12. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- Spoke to the Bylaw for the Local Community Commission for Salt Spring Island.
- Spoke to the Capital Regional Hospital District's further funding of the Lady Minto Emergency Room expansion.
- Spoke to the grant received from CleanBC for support of the composting facility being established at the Farmland Trust property in Burgoyne.
- Spoke to the number of electric vehicles owned by Salt Spring Island residents and the work to have Level 2 charging stations within the CRD and especially on the island.
- Spoke to the consideration of the Fulford Water District for the inclusion of The Vortex development.
- Spoke to the Dragonfly Affordable Housing project's work with the CRD to create a water district to supply water to the project.
- Spoke to the Speculation and Vacancy Tax and the lack of inclusion of Salt Spring Island within it.
- Spoke to the Short-Term Vacation Rental licence issue and the need for it to be aligned with the Salt Spring Official Community Plan as well as the need for the Province to decide who has the authority to issue them.

## 13. CORRESPONDENCE

### 13.1. P. Faurot to LTC - Dated July 4, 2022 - Concerning Rogers/CREST Cell Tower on Channel Ridge

The correspondence item was received.

**13.2. L. Steiner et al to LTC - Dated July 6, 2022 - Concerning ISED Letter to SS LTC dated May 17, 2022**

The correspondence item was received.

**13.3. O. McOuat to LTC - Dated July 8, 2022 - Concerning Rogers Cell Tower in Channel Ridge**

The correspondence item was received.

**13.4. J. and Dr. D. Schuldhaus to LTC - Dated July 14, 2022 - Concerning Rogers Cell Tower in Channel Ridge**

The correspondence item was received.

**13.5. P. Luckham, Chair of the Salt Spring Island Local Trust Committee to M. Krenz, Rogers Communications Inc., Dated July 20, 2022 – Concerning Wireless Telecommunication Site at Channel Ridge**

The correspondence item was received.

**13.6. K. Baillie, Development Manager, BC Housing, Dated July 25, 2022 - Concerning Temporary Housing at 154 Kings Lane**

The correspondence item was received.

**14. DELEGATIONS**

**14.1. M. Leichter on behalf of F. Atorp - Concerning Water Pollution**

Spoke to the presentation submitted and that the changes proposed by the applicant for the meeting today does not reduce the issues raised.

**14.2. A. Parkinson - "The Vortex"**

Spoke to her credentials and the presentation submitted.

**14.3. K. Maser on behalf of Nature SaltSpring - "The Vortex"**

Spoke to the presentation submitted by Nature SaltSpring member Peter B. McAllister.

**14.4. B. Gooch on behalf of E. Poole - "The Vortex"**

Spoke to the presentation submitted.

## 15. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:58 p.m.

A member of the public expressed concern about The Vortex proposal on behalf of Transition Salt Spring noting the misalignment of the Land Use Bylaw with the Official Community Plan and the lack of reflection of the Islands Trust climate emergency declaration within these documents.

A member of the public expressed concern about the Rogers Tower at Channel Ridge.

A member of the public expressed concern about The Vortex proposal.

A member of the public encouraged local governments to advocate for changes to the Residential Tenancy Act to improve protections for landlords as a way to address the affordable housing issue.

Nine members of the public expressed concern about The Vortex proposal.

A member of the public expressed their concerns about The Vortex proposal and concerns shared with them from two other members of the public.

Two members of the public expressed concern about the Rogers Tower development at Channel Ridge.

A member of the public expressed concern about The Vortex proposal.

CRD Director Holman left the meeting at 1:40 p.m.

Planner Testemale joined the meeting at 1:40 p.m.

The meeting recessed at 1:54 p.m. and reconvened at 1:59 p.m.

## 16. APPLICATIONS AND REFERRALS

### **16.1. SS-DVP-2021.24 - J. Verville, Kirsten Reite Architecture - 2661 and 2621 Fulford-Ganges Road, SSI (The Vortex)**

This item was addressed under item 16.2.1.

### **16.2. SS-DP-2018.14 - J. Verville, Kirsten Reite Architecture - 2661 and 2621 Fulford-Ganges Road, SSI (The Vortex)**

This item was addressed under item 16.2.1.

#### **16.2.1. SS-DP-2018.14 & SS-DVP-2021.24 - J. Verville, Kirsten Reite Architecture - 2661 and 2621 Fulford-Ganges Road, SSI (The Vortex)**

Planner Youmans presented the staff reports dated August 9, 2022.



**SS-2022-129**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee amend proposed Development Variance Permit SS-DVP-2021.24 to remove clause 3.3, clause 4, Schedule No. 3 and Schedule No. 4, make consequential numbering alterations to affect this change, and issue the permit as amended (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

Planner Youmans continued the presentation of the staff reports dated August 9, 2022.

Applicant D. Fullbrook provided a presentation on the proposed development.

The item was deferred to later in the meeting to allow Planner Youmans to craft amendments to the Development Permit.

The meeting recessed at 3:56 p.m. and reconvened at 4:42 p.m.

Director Marlor informed Trustees and staff that the Development Permit can be set by the Salt Spring Island Local Trust Committee for longer than two years.

There was discussion about the applicant providing an irrevocable letter of credit to address the security deposits requested in the permit. There was discussion about how to delay the receipt of the security deposit.

**SS-2022-131**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee replace Section 3.4.2.1 of proposed Development Permit SS-DP-2018.14 as follows:

- Before issuance of any building permits pursuant to this project the applicant must provide an irrevocable letter of credit or a security deposit to the Islands Trust in the amount of \$442,500 (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-132**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee amend Section 3.9 of proposed Development Permit SS-DP-2018.14 as follows:

- By amending clause 3.9.1 to replace “on pages 3 and 5 of Schedule No. 8” with “in Schedule No. 8.”; and
- By inserting new clause 3.9.2:

A qualified professional must develop, and provide to Islands Trust staff, prior to system operation commencing, a metering and monitoring plan that enables on-going evaluation of the sewage disposal system performance and receiving environment condition. It should address:

  - A baseline assessment of the receiving environment undertaken prior to development commencing;
  - Daily discharge flow from the system;
  - Treatment system performance measuring effluent quality objectives;
  - Environmental performance of its receiving environment in accordance with performance standards in Schedule No. 8; and
- By inserting new clause 3.9.3:

A qualified professional must meter and monitor the sewage disposal system in accordance with the plan approved in 3.9.2 above, and provide Islands Trust with a report on system performance relative to the objectives identified in Schedule No. 8. This report must be provided annually for the first five years once the system is brought into service, and be available in perpetuity at Islands Trust’s request throughout the lifetime of the development. Monitoring requirements may be adjusted to reflect the results of the on-going evaluation. Adjustments in the monitoring program must be described in the annual report; and
- By renumbering existing clause 3.9.2 to become 3.9.4; and
- By inserting new clause 3.9.5:

Upon completion of detailed sewage system design as described in Schedule No. 8, the owner will submit to Islands Trust, at the owner’s cost; and
- By inserting new clause 3.9.5.1:

Confirmation from a qualified hydrogeologist that upon system operation, including any relief and interception drainage, pre- and post-development groundwater flows to Fulford and Soule Creeks will remain constant (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-133**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee amend proposed Development Permit SS-DP-2018.14 as follows:

- by adding clause 3.13 Development Permit Term:

If the development described in this development permit is not commenced within three years of the issuance of the permit this permit automatically lapses (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-134**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee amend proposed Development Permit SS-DP-2018.14 as follows:

- by adding new clause 3.11.5.1  
Before issuance of any building permits pursuant to this project the applicant must provide an irrevocable letter of credit or a security deposit in the amount of \$5,000 to undertake emergency stream protection works in the vicinity of Soule Creek to be held and deployed in accordance with permit clause 3.11.5; and
- by adding new clause 3.10.4.1  
Before issuance of any building permits pursuant to this project the applicant must provide an irrevocable letter of credit or a security deposit in the amount of \$5,000 to undertake emergency stream protection works in the vicinity of Fulford Creek to be held and deployed in accordance with permit clause 3.10.4; and
- by renumbering so accordingly (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-135**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee issue Development Permit SS-DP-2018.14 as amended upon satisfaction of the following conditions:

- 1) That the sewage disposal system site plan in Schedule No. 8 be replaced with the sewage system disposal system site plan shown in Appendix No. 1 of the staff report dated August 8, 2022;
- 2) That despite all references otherwise within the schedules to Development Permit SS-DP-2018.14, the sewage disposal field at 2661 Fulford Ganges Road will be sited in accordance with Appendix 1 of the staff report dated August 8, 2022;
- 3) That prior to permit issuance, and within 60 days of this resolution, the applicant must submit for Salt Spring Local Trust Committee approval, a revised landscaping plan consistent with Sections E.2.4 and E.2.8 of Development Permit Area 2 to replace Schedule No. 4 in Development Permit SS-DP-2018.14 and reflecting the relocated sewage disposal field (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-136**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee encourages the proponent to consider establishing a local advisory group to provide local knowledge on environmental issues related to the design, construction and operation of the project (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-137**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee recognizes the proponent's commitment to maintaining an ongoing working relationship with the Tsawout First Nation in regard to further development related approvals, design, construction and operation (reference to the July 27, 2022 letter from Casey Dick-Wyatt, Lands Manager, Tsawout First Nation) (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**SS-2022-138**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee request staff work with Capital Regional District staff and the Fulford Water Service Commission to identify community planning opportunities that could be linked to any potential future expansion of the Fulford Water Local Service Area and report back to the Salt Spring Local Trust Committee (2661 and 2621 Fulford-Ganges Road).

**CARRIED**

**16.3. SS-DP-2022.4 - M. Sawchuk - 234 Tripp Road, SSI**

This item was advanced for discussion before items 16.1 and 16.2

Planner Testemale presented a staff report dated August 9, 2022.

Applicant M. Sawchuk spoke in concurrence with the recommendation by staff.

**SS-2022-127**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee approves issuance of Development Permit SS-DP-2022.4 (234 Tripp Road).

**CARRIED**

**SS-2022-128**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee add a review of impacts of future lake levels of St Mary's lake to the Land Use Bylaw projects list (234 Tripp Road).

**CARRIED**

Planner Testemale left the meeting at 1:54 p.m.

**16.4. SS-RZ-2021.3 - T. Chapman - 361 Sunset Drive, SSI**

This item was deferred by the Salt Spring Island Local Trust Committee to a future date at the request of the applicant before the start of the meeting.

**16.5. SS-TUP-2022.2 - Islands Trust - 1 - 500 Lower Ganges Road, SSI**

Acting RPM Garbo presented a staff report dated August 9, 2022.

**SS-2022-130**

**It was MOVED and SECONDED,**

That the Salt Spring Island Local Trust Committee approve issuance of Temporary Use Permit (TUP) SS-TUP-2022.2 (1 – 500 Lower Ganges Road).

**CARRIED**

**17. OTHER BUSINESS – None**

**18. UPCOMING MEETINGS**

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on Tuesday, September 6, 2022 at the Community Gospel Chapel, 147 Vesuvius Bay Road, Salt Spring Island.

The public hearing for Proposed Bylaw No. 526 (Farmworker Housing) is scheduled for 11 a.m. on Thursday, August 18, 2022 at the Harbour House Hotel (Crofton Room), 121 Upper Ganges Road, Salt Spring Island.

The public hearing for Proposed Bylaw No. 530 (Accessory Dwelling Units) is scheduled for 4 p.m. on Thursday, August 18, 2022 at the Harbour House Hotel (Crofton Room), 121 Upper Ganges Road, Salt Spring Island.

Please see the meeting calendar on the Islands Trust website at [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca) for current meeting information and location.

**19. ADJOURNMENT**

**By general consent** the meeting adjourned at 5:31 p.m.

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Peter Luckham, Chair

**CERTIFIED CORRECT:**

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Rob Pingle, Recorder