



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

**Date:** Thursday, May 16, 2024

**Location:** Meaden Hall  
120 Blain Road, Salt Spring Island

**Members Present:** Timothy Peterson, Chair  
Jamie Harris, Local Trustee  
Laura Patrick, Local Trustee

**Staff Present:** Chris Hutton, Regional Planning Manager (RPM)  
Chris Buchan, Island Planner  
Jason Youmans, Island Planner  
Bruce Belcher, Planner 1  
Rob Pingle, Legislative Clerk  
Warren Dingman, Bylaw Compliance and Enforcement Manager  
Lisa Millard, Recorder

**Others Present:** There were approximately 15 members of the public in attendance.

### 1. CALL TO ORDER

*"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."*

Chair Peterson called the meeting to order at 9:30 am. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

**By general consent** the agenda was adopted.

### 3. TOWN HALL AND QUESTIONS

A member of the public requested the following:

- That the minutes identify which Trustee has made specific comments so that the public knows who made the statement;
- That environmental data be collected for the Official Community Plan review; and
- That Sustainable Salt Spring be added to the community groups that are going to be contacted for input into the Official Community Plan review as previously requested in a letter sent to staff.

The Chair replied that the purpose of the minutes is to capture decisions and the input that drives those decisions, that minutes do not necessarily identify individuals but do capture if the

speaker is a member of the public, a trustee, or staff, and that video transcripts of the meetings are posted on the website if one wishes to identify speakers.

The President of the Salt Spring Accommodation Group made the following comments regarding short term vacation rentals:

- Tourism is a vital economic driver for Salt Spring Island and it supports local businesses while generating revenue and employment;
- In 2023 tourism accommodations attracted nearly 50,000 overnight visitors;
- The tax collected by the accommodation providers was approximately \$450,000 (four hundred and fifty thousand dollars), of which \$225,000 (two hundred and twenty five thousand dollars) goes toward affordable housing;
- Seasonal businesses contribute to the local economy with money spent on dining, activities, and in local businesses;
- There is confusion about short term rentals and mixed messages for residents seeking to responsibly and lawfully operate them;
- It is time to recognize short term vacation rentals and regulate them in a constructive way that is complementary to the limited inventory of commercial accommodation units;
- This approach mitigates new development and accommodates visitors by utilizing existing infrastructure;
- The recently enacted BC legislation presents an all or nothing approach and there should be middle ground based on principle residency while limiting speculative home buying and its impact on housing prices; and
- The Salt Spring Accommodation Group calls on the Local Trust Committee to take the following actions: convene local stakeholder's round tables to develop short term rental regulations that incorporate best practices, collect relevant data to inform decision making, investigate a local short term rental licensing mechanism, collaborate with online platforms for data sharing and automated compliance mechanisms, and draft bylaw amendments to define and regulate local short term vacation rentals.

A member of the public stated the following:

- In November, 2023 he received a notice of bylaw infraction;
- He operates a legal bed and breakfast in a secondary seasonal cottage on his 5 (five) acre property;
- He was informed by bylaw enforcement that the infraction related to the square footage of the rental unit and that it was also not certain if they were serving breakfast;
- He did not hear anything back from bylaw enforcement until February, 2024 at which time he received six months worth of fines;
- He has requested the file go to adjudication and has yet to hear back on that request;
- In April, 2024 he corresponded with the bylaw enforcement office regarding a bylaw compliance agreement and he noted that he would look at one but has not received anything to date; and
- He feels he is being unfairly targeted, that he does serve breakfast, that he has not been told what he is not complying with, and that he is being deprived of due process of adjudication.

A Trustee requested that the speaker forward the emails for their information

#### **4. DELEGATIONS - NONE**

#### **5. TRUSTEE REPORTS**

Trustee Harris reported that the Governance Committee met recently and noted the following:

- The Governance Committee was formed to address the governance review which suggested that Island Trust was in need of restructuring;
- He is the vice-chair of the Governance Committee;
- Canadians are afforded the right to democratic representation under the Canadian constitution and he feels that the Islands Trust has an undemocratic representation factor built into its structure;
- If Islands Trust were to use a weighted voting model then the Salt Spring and Gabriola Island Local Trust Committees would control the entirety of Island Trust;
- The big decisions regarding policy and spending of tax dollars are made at Trust Council meetings and Salt Spring Island contributes a large share of said tax revenue but does not have corresponding voting power;
- Salt Spring Island needs to be released from Islands Trust by the Province;
- The only way to achieve positive democratic forward movement for the community is to incorporate as a municipality without the inclusion of Islands Trust;
- The Trustee Code of Conduct issue was addressed at the meeting and explained as being about staff feeling safe; and
- He feels he is being targeted as a Trustee and noted that if he has made anyone feel unsafe that is not his goal.

Trustee Patrick reported the following:

- She congratulated Doreen and Wayne Hewitt, recipients of the BC Community Award;
- She participated in the Association of Vancouver Island Coastal Communities convention and attended several meetings;
- BC Ferries held a meeting announcing a new approach for the Ferry Advisory Committees which will, in part, increase the public engagement component;
- She attended a Cortez Community Housing Group forum on water quality and quantity and noted that this month the group will be discussing cooperative housing projects;
- She attended a Ministry of Transportation and Infrastructure meeting which focussed on improved communication;
- She attended a meeting with the Capital Regional District which concentrated on marine issues;
- She attended a Coastal Douglas Fir wildfire workshop; and
- She attended CAO Hiring Committee, Governance Committee, and Regional Planning Committee meetings.

#### **6. CHAIR'S REPORT**

Chair Peterson reported the following:

- The Lyackson First Nation and the Cowichan Tribes signed an incremental treaty agreement with the Province that will, in part, see a 312 (three hundred and twelve) hectare parcel of land on Vancouver Island transferred to the Nations;
- He attended the Coastal Douglas Fir wildfire workshop which highlighted the importance to reduce wildfire risk;

- He is participating in the CAO Hiring Committee and it is likely that an interim CAO will be appointed while the selection process continues;
- Islands Trust will be holding a committee of the whole meeting to give consideration to the draft policy statement;
- He attended a Capital Regional District meeting which focused on the overlapping jurisdiction related to marine issues such as the regulation of mooring buoys; and
- The Governance Committee continues to work with a corporate planning group on updating the corporate processes at Islands Trust.

**7. CRD DIRECTOR'S REPORT - NONE**

**8. PREVIOUS MEETINGS**

**8.1 Draft Minutes of the Salt Spring Island Local Trust Committee**

**8.1.1 Draft Minutes of the April 11, 2024 Salt Spring Island Local Trust Committee**

The following amendments to the minutes were presented for consideration:

On page 2 of the minutes, page 6 of the agenda, seventh bullet should state Trustee Patrick "Attended a meeting with a representative of the Salt Spring Accommodation group".

**By general consent**, the minutes of the April 11, 2024 Salt Spring Island Local Trust Committee Regular Meeting be adopted as amended.

**8.2 Resolutions Without Meeting Report**

The report was received.

**8.3 Draft Minutes of the Advisory Planning Commissions - None**

**8.4 Local Trust Committee Public Hearing Record - None**

**9. CORRESPONDENCE**

**9.1 D. Rapport and L. Maffi to LTC w/ L. Patrick reply - Dated 10 April 2024 - Regarding First Nation consultation and Proposed Bylaw No. 537**

Received for information.

**9.2 Supreme Court of British Columbia - Dated 29 April 2024 - Regarding Canna Northwest Enterprise Inc. v. Salt Spring Island Local Trust Committee**

Received for information.

**9.3 21st Annual Community Award Recipients**

**SS-2024-047**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee request the Chair to write a letter of congratulations to Doreen and Wayne Hewitt for being recipients of the Community Award.

**CARRIED**

**10. BUSINESS ARISING FROM MINUTES**

**10.1 Follow-Up Action List**

It was noted that a response to the letter from the Minister of Housing was not complete yet.

**10.2 Salt Spring Island Local Trust Committee Special Meeting Schedule**

Staff summarized the memorandum.

**SS-2024-048**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee request staff to schedule an in person Special Meeting at 3pm on Monday June 17, 2024 at the Legion Meaden Hall, 120 Blain Road, Salt Spring Island.

**CARRIED**

**11. COMMUNITY INFORMATION MEETING - NONE**

**12. PUBLIC HEARING – NONE**

Item 17 Motion to Close the Meeting (SS-2024-049) was moved up on the agenda to follow Item 12.

The regular meeting was recessed at 10:23 a.m., and reconvened at 12:00 p.m.

**13. APPLICATIONS AND REFERRALS**

**13.1 SS-TUP-2024.1 - M. Ogilvie - Lot 2 Jackson Ave**

A Planner summarized the application for a Temporary Use Permit (TUP) for the operation of one food truck and two retail/office spaces which are to be located within a retrofitted shipping container and operated within the Ganges Village Area

The Applicant was present, spoke to the application, and requested that a three year TUP be issued.

Discussion ensued and a Planner clarified that the Local Trust Committee can issue a three year permit.

**SS-2024-050**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee approve issuance of Temporary Use Permit SS-TUP-2024.1 (Jackson Avenue) for a duration of three years.

**CARRIED**

**13.2 SS-DVP-2023.20 - C. Bowden - 261 Fulford-Ganges Road, SSI**

The Planner summarized the staff report and stated that the Development Variance Permit (DVP) relates to the siting of an existing carport structure and two proposed additional carports. It as noted that the property is owned by the federal government and rented by the Salt Spring Search and Rescue Society.

The applicant was present, spoke to the application, and indicated that the purpose of the structures is to protect their equipment investments, and that the structures will be temporary and can be removed at the end of the lease term

The Trustees had no questions for the applicant.

**SS-2024-051**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit application SS-DVP-2023.20 (Bowden)

**CARRIED**

**13.3 SS-SUB-2023.3 - P. Frisch - 784 Vesuvius Bay Road, SSI**

The Planner summarized the staff report and highlighted that one of the proposed subdivision lots requires a waiver on the lot frontage requirement. It was clarified that the lot achieves the minimum frontage requirement of 10 (ten) metres but does not meet the requirement of 10% (ten percent) of total lot size be frontage.

The applicant was present and spoke to the application.

The Trustees had no questions for the applicant.

**SS-2024-052**

**It was MOVED AND SECONDED**

that the Salt Spring Island Local Trust Committee exempt Lot A of proposed subdivision (SS-SUB-2023.3, 784 Vesuvius Bay Road) from the 10% minimum frontage requirement under Section 5.3.1 of Salt Spring Island Land Use Bylaw No. 355 and Section 512 of the Local Government Act.

**CARRIED**

**13.4 SS-RZ-2022.1 - M. Gelb - 1172 Musgrave Road**

The Planner summarized the staff report and stated that the application proposed amendments to the Land Use Bylaw to vary zoning to allow for four dwellings and one seasonal cottage on the subject property, and that the Local Trust Committee consider the application in relation to the Islands Trust Policy Statement checklist.

The applicant was present and spoke to the application.

Discussion ensued and Trustees commented as follows:

- There is concern that not applicable has been checked on the Trust Policy Statement checklist in the forest section which speaks to maintaining large blocks of forestry land;
- There is concern that not applicable has been checked in the transportation section when the road usage will be changed;
- The addition of four primary dwellings can be considered the equivalent of a subdivision;

- There is density being added to an area that is outside of the fire service zone; and
- There is disagreement on the not applicable designation and these areas of concern should be evaluated.

A Planner clarified that not applicable was checked in the forestry section because there is no change in use and that the application was referred to the Ministry of Transportation and Infrastructure who responded that there were no concerns with the application.

Further discussion ensued and the same points were repeated.

#### **SS-2024-053**

##### **It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 536, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2023” (SS-RZ-2022.1, Section 50 Musgrave Road) is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

Trustee Patrick opposed

### **13.5 SS-RZ-2024.1 - BC Ferry Corporation - Vesuvius Bay Ferry Terminal, SSI**

The Planner summarized the staff report and stated that the application is to rezone the Vesuvius Bay ferry terminal and upland parking area to accommodate renovations and a terminal expansion.

The applicant was present and provided a short presentation on the terminal expansion plans which will be completed in phases.

Discussion ensued and the Trustees noted that this application is in the preliminary stages and that a public engagement process will follow.

#### **SS-2024-054**

##### **It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee request staff to notify and seek input from all local First Nations, the Capital Regional District, the Ministry of Transportation and Infrastructure and other applicable agencies, regarding proposed amendments to the Salt Spring Island Official Community Plan Bylaw No. 434, 2008 and Salt Spring Island Land Use Bylaw No. 355, 1999 for this application.

**CARRIED**

**SS-2024-055**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee request that staff prepare a draft bylaw to amend the Salt Spring Island Official Community Plan Bylaw No. 355, 2008, to amend the land use designations for Lot 2, Section 9, Range 2 West And Section 10, Range 3 West, North Salt Spring Island, Cowichan District Plan 43894 District Lot 600, Cowichan District (Pin: 532290) And District Lot 2040 Cowichan District Plan VIP75388 from Residential Neighbourhoods (RN) to Shoreline Development (SD).

**CARRIED**

**SS-2024-056**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee request that staff prepare a draft bylaw to amend the Salt Spring Island Land Use Bylaw No. 355, 1999, to rezone Lot 2, Section 9, Range 2 West And Section 10, Range 3 West, North Salt Spring Island, Cowichan District Plan 43894 District Lot 600, Cowichan District (PIN: 532290) And District Lot 2040 Cowichan District Plan VIP75388 from Residential 8 (R8) to Shoreline 3 (S3).

**CARRIED**

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 Official Community Plan - Land Use Bylaw Update Project**

The Planner summarized the report and highlighted the following:

- The Advisory Planning Commission (APC) draft terms of reference had been updated based on direction given at the April, 2024 Local Trust Committee meeting;
- The community engagement strategy has been updated;
- The First Nations engagement process will begin shortly; and
- A graphic designer has been contracted to develop some project branding.

In follow up to questions asked by the Local Trust Committee at the April, 2024 Local Trust Committee meeting the Planner stated the following:

- The APC members, not the Local Trust Committee, appoint the Chair of the APC;
- The APC Bylaw states that a local trustee, regional district director, or officer or employee of Islands Trust are not eligible to be an APC member;
- The information that goes to the APC for their review should be vetted by the Local Trust Committee; and
- The Local Trust Committee can determine the criteria that is used to appoint APC members.

Discussion ensued and a Trustee noted their reluctance to referring Official Community Plan work to the unelected body that makes up an Advisory Planning Commission.

**SS-2024-057**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee endorse the OCP-LUB Update Project Advisory Planning Commission Terms of Reference attached as Appendix 1.

**CARRIED**

Trustee Harris opposed

The Planner stated that a grant had been received from the provincial government to undertake a complete community assessment which will focus on the themes of housing, transportation, daily needs and infrastructure. He introduced the consultants hired to work on the community engagement process.

Discussion ensued and Trustees noted it was important to stage engagement events at various times of the day and week as many community members are particularly busy in the summer months.

**SS-2024-058**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee endorse the Complete Communities Assessment Community Engagement and Communications Plan attached as Appendix 2.

**CARRIED**

**15. NEW BUSINESS**

**15.1 Mayne Island Local Trust Committee Draft Bylaw No. 193 Referral**

**SS-2024-059**

**It was MOVED and SECONDED**

that the Salt Spring Island Local Trust Committee interests are unaffected by the Mayne Island Local Trust Committee Draft Bylaw No. 193.

**CARRIED**

**16. REPORTS**

**16.1 Policy and Standing Resolutions List**

The report was received.

**16.2 Future Projects Report**

The report was received.

**16.3 Active Projects List**

The report was received.

**16.4 Applications with Status Report**

The report was received.

**16.5 Expense Report**

The report was received.

**16.6 Islands Trust Conservancy Board Report**

The report was received.

**17. CLOSED MEETING**

**17.1 Motion to Close the Meeting**

**SS-2024-049**

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

that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Section 90

(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

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

**CARRIED**

**17.2 Rise and Report**

Chair Peterson rose and reported that Anne Gunn, Stanley Shapiro, and Tim Hiltz were appointed to the Advisory Planning Commission, and that Bejay Mills was appointed to the Agricultural Advisory Planning Commission.

**18. UPCOMING MEETINGS**

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on June 6, 2024 at the Legion Meaden Hall, 120 Blain Road, Salt Spring Island.

**19. ADJOURNMENT**

**By general consent** the meeting adjourned at 1:50 p.m.

---

Timothy Peterson, Chair

Certified Correct:

---

Lisa Millard, Recorder