



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Thursday, November 16, 2023

Location: SD64 Learning Hub
122 Rainbow 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)
Louisa Garbo, Island Planner (Zoom)
Anthony Fotino, Island Planner (Zoom)
Chris Buchan, Planner 2 (Zoom)
Charly Caproff, Planner 1 (Zoom)
Rob Pingle, Legislative Clerk
Sarah Shugar, Recorder

Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director
Earl Rook, Capital Regional District (CRD) Salt Spring Island Local Community Commission (LCC) Chair
Approximately 13 members of the public

These minutes follow the order of the agenda although the sequence may have varied. The electronic meeting was live streamed and recorded.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following item was presented for inclusion in the agenda:

15.3 BC Legislative Assembly Bill 44 – Housing Statutes Amendment Act, 2023

By general consent, the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Chair Peterson opened the town hall at 9:34 a.m.

Member of the Housing Action Program Task Force Yvonne Saunders expressed disappointment that the Housing Action Program Task Force recommendations have not been acted upon and requested the LTC to make decisions on housing to help the housing situation on Salt Spring Island.

4. DELEGATIONS - None

5. TRUSTEE REPORTS

Trustee Patrick presented the following report:

- Trustee Patrick spoke to her work on housing initiatives over the years including the Community Economic Sustainability Commission and as SSILTC Trustee. Bylaw 530 was initiated as a recommendation of the Housing Action Program Task Force to allow secondary suites and accessory dwelling units (ADU's). The LTC asked staff to provide options for limiting the number of ADU's and the only method for limiting numbers presented as an option to date is map based. Many property owners want to be landlords and have positive experiences sharing their property;
- The Regional Planning Committee endorsed a housing toolkit including new mapping techniques to identify where additional housing should be located;
- Working with the Rural Island Economic Partnership Housing Group on rural island housing programs. No islands within the Trust Area are not experiencing housing issues;
- Trustee Patrick has been following the progress of BC Legislative Assembly Bill 44 – Housing Statutes Amendment Act, 2023 and raising awareness regarding the impacts of Islands Trust being exempted from section 481.3;
- Trustee Patrick spoke to Adam Olsen's speech in the legislature regarding Bill 44 and noted the following quote "We are getting exactly the results of the system that we created and nurtured";
- Attended the Salt Spring Island Abattoir birthday celebration.

6. CHAIR'S REPORT

Chair Peterson presented the following report:

- Attended a Trust Programs Committee meeting regarding the Draft Trust Policy Statement and the Wildfire Prevention and mitigation Stewardship Program;
- Attended a Financial Planning Committee meeting regarding 2024/25 draft budget;
- The Governance Committee is making progress on the recommendations in the 2022 Great Northern Management Consultants Islands Trust Governance Review Report;
- The next Trust Council meeting will be held in December 5 to 7, 2023 in Victoria;
- Attended an evening Town Hall meeting on November 15, 2023 at the Salt Spring Island Golf Course and noted Bill 44 was a topic of concern at the meeting;
- The BC Legislative Assembly gave first reading to Bill 35 – Short-Term Rental Accommodations Act on October 16, 2023 and noted LTC's will have the option to opt into the Provincial residents requirement for Short-Term Rental Accommodations.

7. CRD DIRECTOR'S REPORT

CRD Director Holman presented the following report:

- The Lady Minto Hospital Foundation is proceeding with renovations at the Seabreeze that will include 17 units for healthcare workers;
- The CRD will request inclusion in the BC Housing Secondary Suite Incentive Program and MLA Olsen has expressed support for SSI to be included as well;
- The Province has introduced mandatory Province-wide registry for STVR's as part of Bill 35 – Short-Term Rental Accommodations Act and hired staff to monitor and enforce the regulations. The CRD will request Salt Spring Island to be included in the owner occupation provision of Bill 35;
- CRD staff will present a Rural Housing Strategy at the next CRD Board meeting and consider a dedicated coordinator position and CRD secondary suite incentives program. CRD Staff will present on Rural Housing Strategy at the November 23, 2023 Local Community Commission (LCC) meeting including pre-development funds options for housing projects;
- The CRD will initiate an alternate approval process for an 85 million dollar Regional Housing First Borrowing Bylaw for affordable housing. The CRD has met with the Province requesting BC Housing to match the 85 million on a 2:1 basis;
- Gulf Islands Seniors Residence Association (GISRA) will apply for a BC Housing Grant Program for the Kings Lane property;
- The CRD Drake Road property has been leased to BC Housing for a 60-year term and is committed to 28-unit supported housing development. Director Holman requested BC Housing to consider an encampment on the Drake Road property although BC Housing does not support encampments. Director Holman has asked local NGO's to consider managing an encampment;
- The Southern Gulf Island Tourism Partnership receives a 2% "hotel tax" and is supporting a Housing Now Program that matches available housing with people seeking housing. Director Holman is in discussions with the Housing Now Program and the LCC to see what the program will look like on Salt Spring Island;
- The LCC has identified employee housing as the number one housing priority;
- The LCC has proposed an alternate approval process for the Rainbow Road Indoor Pool repair project;
- The LCC has proposed an alternate approval process for a dewatering facility for liquid waste;
- A Salt Spring Island Food Summit will be held on November 26, 2023;
- The CRD Board approved a motion to request a staff report on the merits of joining a class action suit against 5 major oil companies to address the economic impacts of climate change;
- The CRD draft 2024 budget increase is approximately 9.6% and the main drivers of the tax increase are staff wages and salaries (4-5%), deficits from the COVID pandemic including parks and recreation and transit budgets and operating the Salt Spring Island Middle School (Salt Spring Island Multi Space) building.

CRD Local Community Commission (LCC) Chair Rook presented the following report:

- Acknowledged members of the public for their support for housing and noted the LCC is monitoring housing issues including Bill 44 and Short-term vacation rental regulations;
- The LCC expressed support for Salt Spring Island to be included in the Speculation and Vacancy Tax;
- CRD housing will present at the November 23, 2023 LCC meeting and encouraged everyone to attend;
- The CRD Draft 2024 budget increase will be considered at the November 23, 2023 LCC meeting. A goal of the LCC is to sustain existing services and members of the public are encouraged to provide input at the meeting;

- LCC Commissioners hold office hours on Wednesdays 8:30 a.m. to 4:30 p.m. at the CRD office at 108 – 121 McPhillips Avenue.

8. PREVIOUS MEETINGS

8.1 Draft Minutes of the Salt Spring Island Local Trust Committee

8.1.1 Draft Minutes of the October 12, 2023 SSI LTC Regular Meeting

By general consent, the minutes of October 12, 2023 Salt Spring Island Local Trust Committee Regular meeting were adopted.

8.2 Resolutions Without Meeting Report - None

9. CORRESPONDENCE

9.1 M. Chandler to LTC - Dated 7 Oct 2023 - Regarding Rainwater Catchment Advocacy

The correspondence item was received.

9.2 C. Schmah to LTC - Dated 10 Oct 2023 - Regarding Saltspring Island Botanimed Inc. Cultivation Licensing

The correspondence item was received.

9.3 V. Watkins to LTC - Dated 12 Oct 2023 - Regarding Long-Term Rentals

The correspondence item was received.

9.4 Chair Peterson to CRD Parks and Recreation Manager - Dated 23 Oct 2023 – Regarding Ganges Harbourwalk

The correspondence item was received.

9.5 Chair Peterson to Gulf Islands Seniors Residence Association - Dated 24 Oct 2023 - Regarding BC Housing Community Housing Program

The correspondence item was received.

9.6 Chair Peterson to Salt Spring Island Fire Protection District - Dated 24 October 2023 Regarding Committee liaison to District

The correspondence item was received.

9.7 Chair Peterson to Minister Conroy - Dated 30 October 2023 - Regarding Speculation and Vacancy Tax

By general consent, the Salt Spring Island Local Trust Committee requested staff to draft an email correcting the error in the letter to replace “Minister of Housing” with “Minister of Finance”.

The correspondence item was received.

9.8 A. Walter to LTC - Dated 6 Nov 2023 - Regarding Salt Spring Cannabis Cultivation Licensing

The correspondence item was received.

10. BUSINESS ARISING FROM MINUTES

10.1 Follow-Up Action List dated November 2023

The report was received.

11. COMMUNITY INFORMATION MEETING- None

12. PUBLIC HEARING – None

The meeting recessed at 11:35 a.m. for a lunch break and reconvened at 12:10 p.m.

13. APPLICATIONS AND REFERRALS

13.1 SS-ALR-2023.2 - J. Litke - 710 Cranberry Road, SSI

Planner Caproff presented a staff report dated November 16, 2023 regarding an Agricultural Land Reserve (ALR) Application for Non-Farm Use and Subdivision.

A Trustee expressed support to ask the Agricultural Advisory Planning Commission (AAPC) to comment on whether it is good practice to protect farmland to be inclusive of split zoned areas surrounding the ALR portion of a property.

SS-2023-132

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee refer application SS-ALR-2023.2 (710 Cranberry Road) to the Agricultural Advisory Planning Committee (AAPC) for comment on the application generally as well as specifically on the following aspects:

- a. The potential changes to existing drainage patterns with the creation of two bare land strata lots adjacent to ALR land on the property;
- b. The proposed common road access (“Common Property Access Route”) on ALR land for two bare land strata lots on non-ALR land; and
- c. Whether the Salt Spring Local Trust Committee should support the subdivision and non-farm use application.

CARRIED

13.2 SS-DVP-2023.15 - R. Margetts - 351 Mountain Park Drive, SSI

Planner Caproff presented a staff report dated November 16, 2023 regarding a development variance permit application to increase the maximum accessory building floor area to legalize an existing accessory building, reduce the minimum setback from the interior side lot line to legalize an existing accessory structure and reduce the minimum setback from the natural boundary of the sea to legalize an existing accessory structure.

Applicant Richard Margetts spoke to the application.

SS-2023-133

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve application SS-DVP-2023.15 (351 Mountain Park Drive).

CARRIED

13.3 SS-DVP-2023.17 - T. Rissling - 2915 Fulford-Ganges Road, SSI

Planner Caproff presented a staff report dated November 16, 2023 regarding a development variance permit application to vary the minimum distance of an accessory building from another building on a lot.

SS-2023-134

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of SS-DVP-2023.17 (2915 Fulford-Ganges Road).

CARRIED

13.4 SS-DVP-2023.9 - D. Miller - 2101 Fulford-Ganges Road, SSI

Planner Buchan presented a staff report dated November 16, 2023 regarding a development variance permit application for a frontage waiver and request for two variances to address the final subdivision approval conditions.

SS-2023-135

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve development variance permit SS-DVP-2023.9 (2101 Fulford-Ganges Road).

CARRIED

SS-2023-136

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee, with reference to Section 512(2) of the Local Government Act, approve the frontage relief from the required 10 percent to 3.74% percent for proposed Strata Lot 1 and 7.66% for proposed Strata Lot 2 as shown on the plan of subdivision in Attachment 3 of the report from Planner Buchan dated November 16, 2023 (2101 Fulford-Ganges Road).

CARRIED

13.5 SS-DP-2023.9 - M. Ogilvie - Lot 2 Jackson Ave, SSI

Planner Buchan presented a staff report dated November 16, 2023 regarding a Development Permit application for the removal of vegetation within the setback area in Development Permit Area 1 (DPA1) - Island Villages.

SS-2023-137

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2023.9 (Lot 2 – Jackson Avenue).

CARRIED

Trustee Harris OPPOSED

13.6 SS-TUP-2023.1 - J. Halan-Harris - 130 Blackburn Road, SSI

Planner Buchan presented a staff report dated November 16, 2023 regarding a temporary use permit for a dog kennel business including staff accommodation and a proposed campground.

SS-2023-138

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee deny issuance of Temporary Use Permit SS-TUP-2023.1 (130 Blackburn Road) and direct staff to close application SS-TUP-2023.1 for the following reasons:

- a. The Salt Spring Island Official Community Plan Bylaw No. 434 does not list the Watershed and Islet Residential designation as eligible for Temporary Use Permit Issuance;
- b. The Watershed policy under Section B.8 Salt Spring Island Official Community Plan Bylaw No. 434 restricts any further development than what is permitted by current zoning; and
- c. There are a number of appropriately zoned properties located on Salt Spring Island that are suitable for the proposed kennel use.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Official Community Plan and Ganges Village Planning

Planner Garbo presented a staff report dated November 16, 2023 regarding a roadmap for three major projects: Data collection/analysis, geospatial mapping, and complete community growth modeling; the OCP/LUB process; and Ganges (Shiya’hwt/SYOWT) Village Area Plan.

In discussion the following items were noted:

- Request staff to make modifications to the scope to have a phased approach and add regular check-ins with the LTC prior to the public engagement process;
- Identify easy wins during the process;

- The UBCM Complete Communities Grant would fund the data collection/analysis, geospatial mapping, and complete community growth modeling project.

SS-2023-139

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee accept the roadmap for the three major projects identified in this staff report.

CARRIED

SS-2023-140

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to proceed with the Request for Proposal process to carry out the tasks and the equity-centred public engagement program through a phased approach to the Scope of Services that includes the identified partners and add a deliverable confirming the scope prior to public engagement for LTC approval.

CARRIED

14.2 Proposed Bylaw 530 - Accessory Dwelling Units

RPM Hutton presented a staff report dated November 16, 2023 regarding proposed Bylaw No. 530 "Accessory Dwelling Units".

In discussion the following items were noted:

- There was a suggestion to consider the current version of Bylaw 530 as Bylaw 530 "lite";
- There was a suggestion to develop a spot zoning pilot program that would allow property owners to apply to be added to the Bylaw 530 map;
- The LTC has the right to waive public hearings for applications that are in alignment with the Salt Spring Island Official Community Plan.

SS-2023-141

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to prepare a new bylaw number replicating Bylaw 530 as presented in the staff report dated November 16, 2023.

CARRIED

SS-2023-142

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to look into whether Bylaw readings could be held at a Special Meeting or by Resolution Without Meeting.

CARRIED

SS-2023-143

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to develop a spot zoning pilot program for Accessory Dwelling Units considering criteria, fees and potential to waive Public Hearings.

CARRIED

15. NEW BUSINESS

15.1 Housing Agreement Bylaw No. 447

Planner Fotino presented a staff report dated November 16, 2023 regarding a request to discharge a housing agreement for a 10-unit affordable housing unit development.

A representatives of the applicant Chris Freeman, Van City and William Roberts spoke to the application to discharge the 2010 Housing Agreement for 584 Rainbow Road. It was noted the property is being marketed for affordable housing projects and the BC Supreme Court will oversee the sale.

SS-2023-144

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee discharge the notice of housing agreement from the property at 584 Rainbow Road, (PID 015-854-698) with legal description as Lot A, Section 2, Range 1 East, North Salt Spring Island, Cowichan District, Plan 49990.

CARRIED

15.2 Dust and Bones screening

Chair Peterson presented an email dated October 11, 2023 regarding screening of the Dust and Bones movie. It was noted the movie screening was organized in 2020 and did not proceed due to the COVID- 19 pandemic and the movie is available online.

15.3 BC Legislative Assembly Bill 44 – Housing Statutes Amendment Act, 2023

SS-2023-145

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request the Chair of the Salt Spring Local Trust Committee to send a letter to the Minister of Housing and the Premier's office requesting that Salt Spring Island Local Trust Area be included in Bill 44 as if it were a Municipality with a population of greater than 10,000, marked with high importance and urgent, no later than November 21, 2023.

CARRIED

16. REPORTS

16.1 Policy and Standing Resolutions List

The report was received.

16.2 Future Projects Report dated November 2023

The report was received.

16.3 Active Projects Report dated November 2023

The report was received.

16.4 Applications with Status Report dated November 2023

The report was received.

16.5 Expense Report - None

16.6 Islands Trust Conservancy Board Report – None

17. CLOSED MEETING

17.1 Motion to Close the Meeting

SS-2023-146

At 10:31 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): (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and (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 that staff be invited to remain.

CARRIED

17.2 Motion to Open the Meeting

SS-2023-147

At 11:32 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.

CARRIED

17.3 Rise and Report - None

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on December 14, 2023 at 9:30 a.m. at the SD64 Learning Hub, 122 Rainbow Road. 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 2:37 p.m.

Timothy Peterson, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder