



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

- Date:** Tuesday, February 15, 2022
- Location:** Electronic Meeting and
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)
Louisa Garbo, Island Planner
Jason Youmans, Island Planner
Geordie Gordon, Planner 2
Kristine Mayes, Planner 1
Rob Pingle, Planning Team Assistant
Sarah Shugar, Recorder
- Others Present:** Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral
Area Director
Approximately 35 members of the public

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following additional item was presented for consideration:

17.2.1 Ganges Village Planning

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 January 18, 2022 SSI LTC Regular Meeting

By general consent, the minutes of January 18, 2022 Salt Spring Island Local Trust Committee Regular meeting were adopted.

3.2 Resolutions Without Meeting Report dated February 2022

The report was received.

3.3 Draft Minutes of the Advisory Planning Commissions – None

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

4. BUSINESS ARISING FROM MINUTES

4.1 Follow Up Action List dated February 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.

SS-2022-014

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

That the Salt Spring Island Local Trust Committee request staff to review the Policy and Standing Resolutions List for resolutions related to the Provincial Emergency order and report back on options.

DEFEATED

RPM Cermak reported the Standing Resolutions related to the Provincial Emergency Order have expired and are no longer included in the Standing Resolutions report.

7.2 Work Program Top Priorities Report dated February 2022

The report was received.

7.3 Projects List dated February 2022

The report was received.

7.4 Applications with Status Report dated February 2022

The report was received.

7.5 Expense Report dated December 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

Trustee Patrick reported SSIWPA received an update regarding the Watershed Governance Coordination Situation Analysis at the regular meeting on January 28, 2022.

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

7.9 Housing Action Program Task Force - Chair's Update

Housing Action Program Task Force Heitzmann presented a statement on behalf of the Housing Action Program Task Force entitled "HAPTF Chair report to LTC Feb. 15, 2022 Re: Communications". He reported the Task Force is taking environmental concerns very seriously and considering the islands carrying capacity as well as balancing the need to provide planning for a healthy and diverse demographic that preserves the rural island character of our community.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Water Sustainability

Planner Youmans presented a staff report dated February 4, 2022 regarding a special property tax requisition for Salt Spring Island Local Trust Committee to continue funding the coordination of watershed protection and planning initiatives through the Salt Spring Island Watershed Protection Alliance (SSIWPA).

SS-2022-015

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee endorse the attached Request for Decision and authorize staff to forward it for consideration to Islands Trust Council.

CARRIED

8.2 Housing Action Program

Planner Garbo presented a staff report dated February 3, 2022 regarding Housing Action Program proposed measures including a proposed tiny homes village pilot project, a report on Accessory Dwelling Unit/Secondary Suite Draft Bylaw No. 528, and a proposed amendment to Standing Resolution No. SS-2021-109.

SS-2022-016

It was MOVED and SECONDED,

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.

CARRIED

Trustee Grove requested the minutes include that he supports adding the word “existing” although he does not support the words “in perpetuity” in the motion.

SS-2022-017

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee amend standing resolution SS-2021-109 to state - 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.

SS-2022-018

It was MOVED and SECONDED,

That the motion be amended as follows: remove “in perpetuity”.

DEFEATED

Chair Luckham called the question on the motion.

SS-2022-017

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee amend standing resolution SS-2021-109 to state - 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.

CARRIED
Trustee Grove OPPOSED

Trustee Patrick presented a statement regarding Draft Bylaw No. 528 and it was noted Trustee Patrick would circulate the statement to Trustees. There was discussion regarding mechanisms to set a limit on the additional dwellings that would be allowed as a result of draft Bylaw No. 528. There was discussion regarding amending the bylaw further prior to first reading.

SS-2022-019

It was MOVED and SECONDED,

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, 199, 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.

CARRIED

Planner Garbo reported there was a plan to hire a student planner to assist with the Housing Action Program public engagement plan although this option is no longer available. Staff recommend reallocation of unspent funds to hire a consultant to facilitate the Housing Action Program public engagement plan.

The meeting moved to the closed meeting at this time. See items 9.1 and 9.2.

SS-2022-020

It was MOVED and SECONDED,

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.

CARRIED

The meeting returned to item 8.3 at 3:20 p.m.

8.3 Draft Bylaw No. 526 - Changes to Residential Permissions in the Agricultural Land Reserve & Bylaw Amendment Options for Dwellings on Large Farms

Planner Mayes and Planner Gordon presented a staff report dated February 1, 2022 regarding draft Bylaw No. 526 – changes to residential permissions in the Agricultural Land Reserve and bylaw amendment options for dwellings on large farms.

SS-2022-021

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 526, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 3, 2021”, be read a first time.

CARRIED

SS-2022-022

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff refer Proposed Bylaw No. 526 to agencies, organizations and First Nations, as identified in this staff report dated February 15, 2022.

CARRIED

9. CLOSED MEETING

9.1 Motion to Close the Meeting

SS-2022-23

At 11:34 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):

- 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;
- 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.

CARRIED

9.2 Motion to Open the Meeting

SS-2022-24

At 11:47 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

9.3 Rise and Report

The Salt Spring Island Local Trust Committee made no appointments to the Ganges Village Planning Task Force at this time and will reconsider the make up of the Task Force and appointments will be made at a later date.

The minutes of the January 18, 2022 Salt Spring Island Local Trust Committee In-Camera meeting were adopted.

The meeting recessed for a lunch break at 11:48 a.m. and reconvened at 12:00 p.m.

10. TRUSTEE REPORTS

Trustee Grove presented the following report:

- Expressed appreciation to CRD Director Holman for his efforts on housing issues;
- Spoke to the documentary film, “Jane Goodall: The Hope”;
- Expressed support for working together.

Trustee Patrick presented the following report:

- Spoke to housing the diverse population the community needs to survive and thrive and shared responsibility to solve housing issues;
- Spoke to the Accessory Dwelling Units/Secondary Suite Draft Bylaw No. 528. The intent is to cast a wide net across the island to find islanders that are willing to house islanders;
- Spoke to the Ganges Village Area Plan as an important planning project that will be accomplished by leaning into the “in cooperation with” part of the Islands Trust mandate;
- Attended Local Trust Committee meetings on North Pender Island and South Pender Island;
- Attended a Salt Spring Island Watershed Protection Alliance (SSIWPA) meeting regarding the Watershed Governance Coordination Situation Analysis. The consultant presented a number of options regarding Watershed Governance Coordination;
- Attended a Salt Spring Island Transportation Commission meeting regarding the Ganges Hill upgrading project;
- Attended a Salt Spring Island Economic Sustainability Commission meeting regarding housing issues;
- A Rural Island Economic Partnerships Discussion regarding the value of art to rural island communities;
- Attended a Financial Planning Committee meeting;
- Attended an Executive Committee meeting;
- Attended a Regional Planning Committee meeting regarding a Request for the Province to help form an entity to help fund housing projects and solutions on the islands.

11. CHAIR'S REPORT

Chair Luckham presented the following report:

- Expressed appreciation to all those who participated in the public survey regarding the 2022/23 draft budget;
- Attended several meetings in preparation for the next Trust Council to be held March 8 to 10, 2022;
- Attended Local Trust Committee meetings for Ballenas-Winchelsea and Lasqueti Island;
- Attended a Southern Gulf Islands Forum meeting;
- Attended a Vancouver Island Climate Change Leadership Committee meeting.

12. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- Spoke to recent progress regarding affordable housing projects;
- Spoke to recent developments regarding the Warming Space Collective and reported the CRD would need a non-profit agency to manage a facility such as a warming centre;
- The CRD Board received a staff report regarding options for a business license program for short-term vacation rentals and noted the estimated cost of implementing a local business licence program would be up to \$200,000 per year;
- Director Holman has requested CRD staff to provide a report regarding the BC Speculation and Vacancy Tax to identify mechanisms to promote the use of existing housing stock for long-term housing;
- Director Holman will meet with MLA Olsen and Honourable Rob Flemming Minister of Transportation and Infrastructure regarding transportation issues including the Vesuvius and Fulford ferry routes, emergency road repairs, and proactive maintenance of roads;
- The Southern Gulf Islands were excluded from the South Island Transportation Strategy.

13. CORRESPONDENCE

13.1 D. Courtney to LTC et al - Dated January 17, 2022 - Concerning 2 Ferry Service for Vesuvius Bay to Crofton - The Fix for Route Six

SS-2022-25

It was MOVED and SECONDED,

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.

CARRIED

13.2 D. Courtney to LTC et al - Dated January 18, 2022 - Concerning Two Way Road Access at BCF Terminals

13.3 K. Marr, President, Windsor Plywood to LTC - Dated January 18, 2022 - Concerning Ganges Village Area Planning Task Force and business location

- 13.4 J. Harkema, Assistant Manager, Windsor Plywood to LTC - Dated January 18, 2022 - Concerning Ganges Village Planning Task Force Meeting Minutes
- 13.5 S. Moffatt, Ganges Village Planning Task Force Member to J. Harkema, Assistant Manager, Windsor Plywood, cc. LTC et al - Dated January 27, 2022 - Concerning Windsor Plywood rebuilding options
- 13.6 K. Marr, President, Windsor Plywood to S. Moffatt, Ganges Village Area Planning Task Force Member, cc: LTC et al - Dated January 28, 2022 - Concerning Windsor Plywood rebuilding options
- 13.7 E. FitzZaland to LTC - Dated January 18, 2022 - Concerning Draft Accessory Dwelling Bylaw
- 13.8 E. FitzZaland to LTC - Dated January 20, 2022 - Concerning Draft Accessory Dwelling Bylaw
- 13.9 M. McSwiney, Communications Branch, BC Housing to LTC - Dated January 20, 2022 - Concerning Supportive housing for Salt Spring Island
- 13.10 J. McClean to LTC and Islands Trust staff - Dated January 21, 2022 - Concerning GISRA rental rates
- 13.11 A. Beddoes, Beddoes Litigation, to The Honourable Josie Osborne, Minister of Municipal Affairs, cc. LTC - Dated January 28, 2022 - Concerning the Proposed Telecommunications Tower in Channel Ridge
- 13.12 F. Carlin to LTC - Dated January 30, 2022 - Concerning resignation from the Advisory Planning Commission
- 13.13 J. Speirs to LTC, and Trustee Patrick response - Dated February 2, 2022 - Concerning Live aboard vessels and harbour contamination

The correspondence items were received.

14. DELEGATIONS

14.1 M. Leichter - Concerning "the Vortex"

Dennis Lucarelli presented on behalf of Maxine Leichter, and expressed concerns regarding the Vortex application. A delegation letter was presented in the agenda package entitled "Delegation to be presented to LTC on February 15, 2022".

14.2 D. Rapport - Concerning Development and Climate Change for Proposed Development Projects

David Rapport presented concerns regarding the Vortex application and a delegation letter was presented in the agenda package entitled "Delegation to SSI LTC Meeting of February 15, 2022 Presentation Topic: Implications of Climate Change for Proposed Development Projects on Salt Spring Island".

14.3 K. Reimer, Island Stream and Salmon Enhancement Society - Concerning "the Vortex"

David Astill expressed opposition regarding the proposed Vortex Development on behalf of the Island Stream and Salmon Enhancement Society. A delegation letter was presented in the agenda package entitled "Island Stream and Salmon Enhancement Society delegation to the SSI LTC- February 15, 2022".

15. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:53 p.m.

A member of the public expressed concerns regarding the proposed Vortex development and requested the Local Trust Committee to consider alternative options for the property including an estuary conservation site.

A member of the public expressed support regarding the proposed Vortex development including benefits for a community gathering place and the community need for commercial accommodations.

A member of the public expressed concerns regarding the proposed Vortex development including cumulative effects on the estuary environment and asked whether the Local Trust Committee has determined if the applicant has adequately addressed concerns.

A member of the public expressed concerns regarding the proposed Vortex Development including impacts to affordable housing.

A member of the public expressed support for an estuary restoration project in Fulford Harbour including Fulford Creek and Soule Creek and asked whether the Vortex applicant would consider revising the application to become a restoration site.

A member of the public spoke to declining population of freshwater mussels in Fulford Creek, specifically the Western Pearlshell mussel species.

16. APPLICATIONS AND REFERRALS

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

Planner Youmans presented a staff report dated January 31, 2022 regarding a development variance permit application to authorize reductions of setbacks from lot lines, water bodies, and the natural boundary of the sea.

Property owner David Fullbrook and representatives of the applicant Julie Verville, Lehna Malmkvist, Ian Ralston, Jennifer Kaye and Ian Sander spoke to the application. The project website was presented.

SS-2022-26

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee refer applications SS-DVP-2021.24 and SS-DP-2018.14 to First Nations with treaty and territorial interests on Salt Spring Island with a request to comment on the proposed permits (2621 and 2661 Fulford Ganges Road).

CARRIED

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

A staff report dated February 3, 2022 regarding a development permit application to construct 17 commercial guest accommodation units, a restaurant, and accessory facilities at the former site of the Fulford Inn at 2621 and 2661 Fulford-Ganges Road was included in the agenda package. The item was not dealt with due to the decision to refer applications SS-DVP-2021.24 and SS-DP-2018.14 to First Nations in item 16.1.

16.3 SS-LCB-2021.2 - B. Webster - 529 Fulford-Ganges Road, SSI

Planner Gordon presented a staff report dated February 1, 2022 regarding a referral from the Liquor and Cannabis Regulation Branch to transition the establishment at 529 Fulford Ganges Road (Ciderworks) from a Temporary Expanded Service Area to a permanent Lounge endorsement and outdoor patio space.

Applicant Brian Webster spoke to the application.

SS-2022-27

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to send a response to the Liquor and Cannabis Regulation Branch regarding the lounge license and outdoor patio applications for 529 Fulford Ganges Road (Ciderworks) that states:

- a. The potential impact of noise on the community in the immediate vicinity of the establishment would be minimal;
- b. The impact on the community if the application is approved would be negligible;
- c. The lounge and patio is a permitted use within the Agricultural Land Reserve;
- d. The Local Trust Committee recommends the application be approved.

CARRIED

SS-2022-28

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to include a record of community consultation with the response to the Liquor and Cannabis Regulation Branch regarding the Ciderworks application (529 Fulford Ganges Road).

CARRIED

16.4 SS-RZ-2021.1 - D. Rivers - 114 Swanson Road, SSI

Planner Gordon presented a staff report dated February 3, 2022 regarding a rezoning application update to permit an increase in residential density to 18 units.

Representative of the applicant Leigh Large requested that the application be tabled.

SS-2022-29

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee defer application SS-RZ-2021.1 to a future meeting (114 Swanson Road).

CARRIED

16.5 SS-DVP-2021.18 - V. Warrior - 82 McKenzie Crescent, Piers Island

Planner Mayes presented a staff report dated February 3, 2022 regarding a development variance permit application to vary the setback to the natural boundary of the sea for an existing retaining wall structure.

Applicant Velvet Warrior spoke to the application.

SS-2022-30

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.18 (82 McKenzie Crescent, Piers Island).

CARRIED

16.6 SS-RZ-2020.1 - D. MacAlpine - 1351 Mountain Road, SSI

Planner Mayes presented a staff report dated February 1, 2022 regarding proposed Bylaw No. 525 for consideration of second reading to make lawful an oversized boathouse and to establish a 15-metre setback from the natural boundary of the sea.

Applicant Doug MacAlpine spoke to the application.

SS-2022-31

It was MOVED and SECONDED,

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 read a second time (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-32

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. 525, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021” is not contrary to or at variance with the Islands Trust Policy Statement (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-33

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw No. 525, cited as “Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 2, 2021” (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

SS-2022-34

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant send the Archaeological Overview Assessment to the Tsawout First Nation (SS-RZ-2020.1, 1351 Mountain Road).

CARRIED

17. OTHER BUSINESS

17.1 New Business

17.1.1 Draft Bylaw No. 527 - Fees Bylaw

RPM Cermak presented a staff report dated January 14, 2022 regarding draft Fees Bylaw No. 527.

SS-2022-35

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee Bylaw No. 527, cited as “Salt Spring Island Local Trust Committee Fees Bylaw, 2021”, be given first, second and third reading.

CARRIED

SS-2022-36

It was MOVED and SECONDED,

That the Salt Spring Island Local Committee Bylaw No. 527, cited as “Salt Spring Island Local Trust Committee Fees Bylaw, 2021”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

SS-2022-37

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee add “Public access to lake and marine shorelines, and local agricultural processing and local agricultural processing excluding cannabis as an eligible community amenity in Section H.3.2 of the Salt Spring Island Official Community Plan” to the Projects List.

CARRIED

17.2 Old Business

17.2.1 Ganges Village Planning

Trustee Patrick spoke to representation on the Ganges Village Planning Task Force.

SS-2022-38

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to determine the representative make up of the Ganges Village Planning Task Force to be representative of stakeholder groups, the local business community and residents.

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on March 22, 2022. 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 3:45 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder