



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Tuesday, June 29, 2021

Location: Electronic Meeting
200-1627 Fort Street, Victoria

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
Warren Dingman, Bylaw Compliance and Enforcement Manager (BCEM)
Rob Pingle, Planning Team Assistant
Sarah Shugar, Recorder

Media and Others Present: Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director
Approximately 12 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 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.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the May 25, 2021 SSI LTC Regular Meeting

By general consent, the minutes of the May 25, 2021 Salt Spring Island Local Trust Committee meeting were adopted.

3.2 Resolutions Without Meeting Report - None

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Draft Minutes of the May 13, 2021 Agricultural Advisory Planning Commission Meeting

The minutes were received.

3.3.2 Draft Minutes of the May 20, 2021 Ganges Village Planning Task Force Meeting

The minutes were received.

3.3.3 Draft Minutes of the May 20, 2021 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 June 2021

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 June 2021

The report was received.

7.3 Projects List dated June 2021

The report was received.

7.4 Applications with Status Report dated June 2021

The report was received.

7.5 Expense Report - None

7.6 Islands Trust Conservancy Board Report dated May 2021

The report was received.

7.7 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report - None

8. LOCAL TRUST COMMITTEE PROJECTS - None

9. OTHER BUSINESS

9.1 New Business

9.1.1 New Bylaw Enforcement Policy on Unlawful Dwellings

Bylaw Compliance and Enforcement Manager Dingman presented a staff report dated June 16, 2021 to provide an update on compliance and enforcement files for unlawful dwellings and to provide recommendations for a new enforcement policy.

SS-2021-109

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee adopt the following enforcement policy: Enforcement activities will be deferred for all unlawful dwellings being used for residential purposes 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

that the Salt Spring Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities at any time.

CARRIED

SS-2021-110

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee rescind all previous resolutions about enforcement policy related to unlawful dwellings.

CARRIED

9.1.2. Bylaw Enforcement Response to P. Hannah's letter, concerning Bed & Breakfast Home Occupations

BCEM Dingman presented a letter dated June 16, 2021 concerning regulations for a bed and breakfast home occupation.

9.1.3 Bylaw Enforcement Policy on Portable Sawmills

BCEM Dingman presented a staff report dated June 16, 2021 regarding portable sawmills and policies for the use of portable sawmills.

SS-2021-111

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.

CARRIED

The meeting recessed for a break at 10:33 a.m. and reconvened at 10:43 a.m.

10. CLOSED MEETING

10.1 Motion to Close the Meeting

SS-2021-112

At 10:44 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;
- (g) litigation or potential litigation affecting the municipality; and that staff be invited to remain.

CARRIED

10.2 Motion to Open the Meeting

SS-2021-113

At 11:08 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

The meeting recessed for a lunch break at 11:08 a.m. and reconvened at 12:00 p.m.

10.3 Rise and Report

The Salt Spring Island Local Trust Committee appointed Jesse Brown to the vacant seat on the Ganges Village Planning Task Force.

11. TRUSTEE REPORTS

Trustee Patrick acknowledged the work of the Housing Action Program Task Force, the Ganges Village Area Planning Task Force and the Salt Spring Island Agricultural Alliance. She reported that she has had many recent conversations with islanders regarding First Nations reconciliation, housing needs, food security and sustainability. Trustee Patrick read the following statement on behalf of herself and Trustee Grove:

“We are concerned about the level of tension that has arisen in this community regarding the upcoming July 8, 2021 Trust Council meeting. At that meeting, consideration will be given for first reading of a bylaw that is introducing a draft of the Islands Trust Policy Statement, which is undergoing an update to address Reconciliation, climate change and affordable housing. Islands Trust staff have done what trustees asked them to do with the limited resources allocated to them and in COVID times, to provide an update to the Policy Statement. Criticism of staff is unwarranted. We have heard from some members of the public loud and clear that they have deep concerns and do not feel they were appropriately consulted. As well, people want to understand the implications of the proposed changes and how a federation level policy statement gets translated to the local level in the official community plan and land use bylaws. At this juncture, faith in the process is diminished and there is no way we can just put our heads down and forge ahead. At the July 8 Trust Council meeting, to restore faith in the process and in the Islands Trust, your locally elected Salt Spring Trustees will propose that the current process be paused with the receipt of the draft while Trust Council re-evaluates its public consultation plans. We believe an additional phase of consultation should be added to develop a draft Policy Statement that honours Trust Council’s Reconciliation Declaration and can be supported by island residents. This additional phase of consultation needs to be appropriately resourced to facilitate a deliberative dialogue at both the federation and local island level.”

Trustee Grove acknowledged the Windsor Plywood business for its resilience following the devastating fire. He reported there was a structure fire at the Mineral Springs Resort on June 28, 2021 and spoke to wildfire risk during the summer season. Trustee Grove attended Trust Council on June 8 to 10, 2021 and attended meetings with the Housing Action Program Task Force and the Ganges Village Area Planning Task Force.

12. CHAIR'S REPORT

Chair Luckham reported there is a Trust Council special meeting scheduled on July 8, 2021 to consider the Trust Policy Statement. Chair Luckham spoke to the wildfire risk during the summer months.

13. CRD DIRECTOR'S REPORT

Director Holman presented the following report:

- Salt Spring Island Fire Rescue attended the Windsor Plywood structure fire and the Mineral Springs Resort structure fire. He acknowledged the Windsor Plywood business for its resilience following the devastating fire.
- He expressed support for a new fire hall. The Salt Spring Island Fire Protection District (SSIFPD) has advised its intention to hold a referendum for a new fire hall in the Fall/Winter 2021. The CRD is in discussions with SSIFPD regarding co-locating an emergency operations centre in a new fire hall building.
- He expressed support for the proposed Rogers – CREST communications tower in Channel Ridge.
- The CRD has issued a request for proposals for a new 911-dispatch service.
- The Salt Spring Island Parks and Recreation Commission has recommended the CRD enter into a 5-year lease with School District 64 for use of the Salt Spring Island Middle School facility.
- The Salt Spring Island Parks and Recreation Commission has directed staff to look into acquisition of a 115-acre property on Mt. Maxwell.
- The CRD will consider a notice of motion to request staff to report on a business license program for the Southern Gulf Islands.

14. CORRESPONDENCE

Correspondence received concerning current applications and/or projects is posted to the LTC webpage.

14.1 R. Pettigrew to LTC et al - Dated June 4, 2021 - Concerning current state of Ganges Harbour

The correspondence item was received.

14.2 S. Summers to LTC - Dated June 8, 2021 - Concerning Burgoyne Bay

The correspondence item was received.

14.3 A. and C. Hickman to LTC, with Trustee Patrick reply - Dated June 12, 2021 - Concerning portable sawmills

The correspondence item was received.

14.4 J. Hewson to LTC - Dated June 14, 2021 - Concerning Eco-Glamping

The correspondence item was received.

15. DELEGATIONS

15.1 J. McClean, concerning the use of propane tanks on Salt Spring Island

J. McLean requested staff to provide a copy of a recent report regarding affordable housing covenants. She expressed concerns regarding a propane tank located at 121 Atkins Road including concerns related to safety and the location of the propane tank. J.

McLean read a statement from the Salt Spring Island Fire/Rescue regarding propane tank safety.

15.2 R. Kelln, concerning the covenant for 265 Furness Road, SSI

R. Kelln expressed concerns regarding recent correspondence related to bylaw enforcement concerning the covenant for 265 Furness Road.

16. TOWN HALL & QUESTIONS

Chair Luckham opened the Town Hall at 12:55 p.m.

A member of the public expressed concerns regarding application SS-DP-2020.8 (1351 Mountain Road) and requested the Local Trust Committee to defer consideration of the application. The member of the public expressed concerns regarding the proposed density increase.

17. APPLICATIONS AND REFERRALS

17.1 SS-RZ-2013.6 - Proposed Bylaw No. 474 & 475 - Island Marine Construction Services Ltd. - 2850 Fulford-Ganges Road, SSI

Planner Youmans presented a staff report dated June 17, 2021 regarding an application to amend the Salt Spring Island Official Community Plan and Land Use Bylaw to permit the expansion of an existing marina in Fulford Harbour.

Property owner Kelly Keen spoke to the application.

SS-2021-114

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee accept from the registered owner of the land legally described as Lot 1, Section 15, Ranges 1 and 2, South Salt Spring Island, Cowichan District, Plan 12248, the archaeological protection covenant attached as Appendix 1 to the staff report dated June 29, 2021 and assign any member of the Salt Spring Island Local Trust Committee to sign it (2850 Fulford-Ganges Road).

CARRIED

SS-2021-115

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 474, cited as "Salt Spring Island Official Community Plan Bylaw, 2008, Amendment No. 2, 2013" be adopted subject to confirmation of registration of the archaeological protection covenant attached as Appendix 1 to the staff report dated June 29, 2021 (2850 Fulford-Ganges Road).

CARRIED

SS-2021-116

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 475, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 6, 2013,” be adopted subject to confirmation of registration of the archaeological protection covenant attached as Appendix 1 to the staff report dated June 29, 2021 (2850 Fulford-Ganges Road).

CARRIED

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to advise First Nations that Bylaws No. 474 and 475 have been adopted upon confirmation of registration of the archaeological protection covenant.

SS-2021-117

It was MOVED and SECONDED,

That the motion be amended as follows: and that staff provide Trustees the opportunity to review the draft letter.

CARRIED

Chair Luckham called the question on the amended motion.

SS-2021-118

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to advise First Nations that Bylaws No. 474 and 475 have been adopted upon confirmation of registration of the archaeological protection covenant and that staff provide Trustees the opportunity to review the draft letter (2850 Fulford-Ganges Road).

CARRIED

SS-2021-119

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee rescind resolution SS-2016-118.

CARRIED

SS-2021-120

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee issue Development Permit SS-DP-2014.3 (2850 Fulford-Ganges Road).

CARRIED

17.2 SS-DVP-2021.6 and SS-DP-2020.10 - J. Litke, Polaris Surveying Ltd. - 445 Blackburn Road, SSI

Planner Gordon presented a staff report dated June 14, 2021 regarding a water treatment covenant, frontage exemption, subdivision regulation variance and a Development Permit in DPA 7 (Riparian Areas) required for subdivision.

Applicant Jordan Litke spoke to the application.

SS-2021-121

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2021.6 (445 Blackburn Road).

CARRIED

SS-2021-122

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2020.10, subject to receipt of a security in the amount of \$3,000 (445 Blackburn Road).

CARRIED

SS-2021-123

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee exempt proposed Lot A, proposed Lot B and proposed Remainder Southwest 1/4 Section 85 of The North West 1/4 Of Section 85, South Salt Spring Island, Cowichan District, subdivision SS-SUB-2020.1 (445 Blackburn Road) from the 10 per cent minimum lot frontage requirements of Section 512 of the Local Government Act and Subsection 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355.

CARRIED

SS-2021-124

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee accept, in principle, a covenant under Section 219 of the Land Title Act requiring treatment of water from the registered owner of The North West 1/4 Of Section 85, South Salt Spring Island, Cowichan District and designate any member of the Local Trust Committee to sign the covenant (SS-SUB-2020.1, 445 Blackburn Road), conditional upon receipt of a letter of undertaking to the satisfaction of staff.

CARRIED

The meeting recessed for a break at 1:46 p.m. and reconvened at 1:53 p.m.

17.3 SS-DP-2020.15 - T. Boekbinder - 106 Lower Ganges Road, SSI (El Loco Taco)

Planner Gordon presented a staff report dated June 14, 2021 regarding a Development Permit amendment for Development Permit Area 1 (Island Villages).

Property owner Debbie Holmberg spoke to the application.

SS-2021-125

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Local Trust Committee a pedestrian circulation plan, consistent with Official Community Plan policy E.1.4.5, that clearly delineates a pedestrian walkway on the entire perimeter of the subject property as per the resolutions of the Salt Spring Island Transportation Commission made at their May 31, 2021 meeting. The applicant shall consult with the Ministry of Transportation and Infrastructure if required in preparing the plan (106 Lower Ganges Road).

CARRIED

SS-2021-126

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request that the applicant submit to the Local Trust Committee a parking plan that includes clearly delineating the parking that presently occurs adjacent to the subject property and within the highway right-of-way on McPhillips Avenue as per the resolutions of the Salt Spring Island Transportation Commission made at their May 31, 2021 meeting (106 Lower Ganges Road).

CARRIED

SS-2021-127

It was MOVED and SECONDED,

That the Salt Spring Island request that the applicant review the proposal for Development Permit application SS-DP-2020.15 to ensure that the proposed amendment is consistent with Official Community Plan Policy E.1.6.20 to ensure areas of the property provide barrier free access for those with mobility issues (106 Lower Ganges Road).

CARRIED

17.4 SS-ALR-2021.1 - K. Tuttle - 231 Meadow Drive, SSI

Planner Gordon presented a staff report dated June 10, 2021 regarding a non-adhering residential use - additional residence for farm use in the Agricultural Land Reserve.

Applicant Kim Tuttle spoke to the application.

SS-2021-128

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to forward application SS-ALR-2021.1 to the Agricultural Land Commission with support for the following reason(s):

- a. The residential use has previously been approved by the Salt Spring Island Local Trust Committee and the Agricultural Land Commission;
- b. The application is a minor expansion of living area;
- c. The application supports the continued agricultural use of the subject property (231 Meadow Drive).

CARRIED

SS-2021-129

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to indicate in the response to the Agricultural Land Commission that the Local Trust Committee would be willing to continue to hold the existing covenant CA6008958 and amend the existing covenant to the Agricultural Land Commission's satisfaction if the current application is approved by the Agricultural Land Commission (231 Meadow Drive).

CARRIED

SS-2021-130

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee endorse staff entering into a Cost Recovery Agreement with the applicant for file SS-ALR-2021.1, pursuant to Trust Council policy and Salt Spring Island Local Trust Committee Bylaw No. 428, if required for Island Trust legal review of all covenants related to the subject application (231 Meadow Drive).

CARRIED

SS-2021-131

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff to forward the staff report dated June 10, 2021 and related motions to a future scheduled Agricultural Advisory Planning Committee meeting for information (SS-ALR-2021.1, 231 Meadow Drive).

CARRIED

17.5 SS-RZ-2020.2 - P. Hunt and M. Carr - 125 Churchill Road, SSI

Planner Mayes presented a staff report dated June 15, 2021 regarding a rezoning application from Residential 7 (R7) to a Commercial 4 Variant.

Applicant Meghan Carr spoke to the application.

SS-2021-132

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 523, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2021", be read a first time (SS-RZ-2020.2, 125 Churchill Road).

CARRIED

SS-2021-133

It was MOVED and SECONDED,

That Salt Spring Island Local Trust Committee Bylaw No. 524, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2021", be read a first time (SS-RZ-2020.2, 125 Churchill Road).

CARRIED

SS-2021-134

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee request staff refer Proposed Bylaws No. 523 and 524 to agencies, organizations and First Nations, as identified in this staff report dated June 15, 2021 (SS-RZ- 2020.2, 125 Churchill Road).

CARRIED

17.6 SS-DP-2020.8 - D. & L. MacAlpine - 1351 Mountain Road, SSI

Planner Mayes presented a staff report dated June 10, 2021 regarding construction of shoreline stabilization works, placement of fill and removal of trees with a trunk diameter greater than 20 centimetres within Development Permit Area 3 (shoreline).

Applicant Doug MacAlpine spoke to the application.

SS-2021-135

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2020.8 (1351 Mountain Road).

CARRIED

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

Planner Mayes presented a staff report dated June 15, 2021 regarding a rezoning application to make lawful an oversized boathouse and to permit a second dwelling.

Applicant Doug MacAlpine spoke to the application.

SS-2021-136

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee direct staff to draft a Rural zone variant for Lot 5, of Sections 33 and 37, South Salt Spring Island, Cowichan District, Plan 1812 (SS-RZ-2020.1, 1351 Mountain Road) that:

- a. makes lawful an existing 60 square metre boathouse;
- b. makes the setback for buildings and structures to the natural boundary of the sea 15 metres.

CARRIED

The meeting recessed for a break at 3:22 p.m. and reconvened at 3:35 p.m.

17.8 SS-DVP-2021.1 - L. & B. Travelbea - 377 Langs Road, SSI

Planner Mayes presented a staff report dated May 28, 2021 regarding a Development Variance Permit application to make lawful the siting of the replacement of a deck and stair structure to the natural boundary of a water body.

Applicant Laura Travelbea spoke to the application.

SS-2021-137

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS- DVP-2021.1 (377 Langs Road).

CARRIED

17.9 SS-DVP-2021.8 - E. Fischer (1161918 Ontario Inc.) - 1645 North Beach Road, SSI

Planner Mayes presented a staff report dated May 28, 2021 regarding a Development Variance Permit application to vary the setback for an existing single-family dwelling to a rear lot line and setback between buildings for an existing accessory building.

Applicant Errol Fischer spoke to the application.

SS-2021-138

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP- 2021.8 (1645 North Beach Road).

CARRIED

17.10 SS-ALR-2020.4 - D. Miller - 2101 Fulford-Ganges Road, SSI

Planner Mayes presented a staff report dated June 8, 2021 regarding a non-farm use and subdivision in the Agricultural Land Reserve.

Applicant Dennis Miller spoke to the application.

SS-2021-139

It was MOVED and SECONDED,

That the Salt Spring Island Local Trust Committee re-refer application SS-ALR-2020.4 to the Agricultural Advisory Planning Commission with the staff report dated June 8, 2021, a farm plan and a plan to reduce the road width (2101 Fulford-Ganges Road).

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on July 27, 2021 at 9:30 a.m. Check the website at www.islandstrust.bc.ca for details regarding upcoming meetings.

19. ADJOURNMENT

By general consent the meeting adjourned at 4:06 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder