



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

- Date:** Tuesday, December 17, 2019
- Location:** Harbour House Hotel
121 Upper Ganges Road, Salt Spring Island, BC
- 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
Claire Negrin, Island Planner
Geordie Gordon, Planner 1
Kristine Mayes, Planner 1
Karol Kudyba, Bylaw Compliance and Enforcement Officer (BCEO)
William Shulba, Senior Freshwater Specialist
Sarah Shugar, Recorder
- Media and Others Present:** Gary Holman, Capital Regional District (CRD) Salt Spring Island Electoral Area Director
Gulf Islands Driftwood Reporter
Approximately 11 members of the public - a.m.
Approximately 54 members of the public - p.m.

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 9:34 a.m. He introduced himself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory.

2. APPROVAL OF AGENDA

The following additional item was presented for consideration:

- 9.1.1 Poverty Reduction Strategy Grant

By general consent the agenda was adopted as amended.

The meeting recessed at 9:37 a.m. for the Community Information Meeting.

3. COMMUNITY INFORMATION MEETING

3.1 Proposed Bylaw No. 518 - Regulation of Cannabis Production

The meeting reconvened at 10:20 a.m.

4. PREVIOUS MEETINGS

4.1 Draft Minutes of the Salt Spring Island Local Trust Committee

4.1.1 Draft Minutes of the November 26, 2019 SSI LTC Regular Meeting

SS-2019-270

It was MOVED and SECONDED,

that the draft minutes of the November 26, 2019 SSI LTC regular meeting be amended as follows: 3.1.1 Draft Minutes of the October 29, 2019 SSI LTC Regular Meeting be amended as follows: *Amend item 5 in resolution SS-2019-194 as follows: Replace “Undertake an amendment of the OCP to incorporate policies within the identified policy gap areas” with “Undertake amendments in incremental steps”.*

CARRIED

4.2 Resolutions Without Meeting Report – None

4.3 Draft Minutes of the Advisory Planning Commissions

4.3.1 Draft Minutes of the November 14, 2019 Advisory Planning Commission Minutes

The minutes were received for information.

The Trustees expressed appreciation to the members of the Advisory Planning Commission.

5. PREVIOUS MEETINGS BUSINESS ARISING FROM MINUTES

5.1 Follow-Up Action List

The report was received.

SS-2019-271

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee remove item 1 dated August 16, 2018 from the Follow Up Action List.

CARRIED

6. PUBLIC HEARING – None

7. REPORTS

7.1 Policy and Standing Resolutions List

The report was received.

7.2 Work Program Top Priorities Report

The report was received.

SS-2019-272

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to work with Trustee Patrick to establish a Salt Spring Housing Working Group to advise the Local Trust Committee on matters related to the development and implementation of a Salt Spring housing planning project and to provide advice and recommendations on policy and regulations to address housing needs across the housing continuum.

CARRIED

SS-2019-273

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee remove “Update the OCP through incremental steps in consideration of the strategic priorities” from the Top Priorities List and add “Protection of Coastal Douglas-fir and Associated Ecosystems” to the Top Priorities List.

CARRIED

The Trustees acknowledged the significant work that the community groups are working towards concerning affordable housing, the Climate Action Plan and the Area Farm Plan.

7.3 Projects List

The report was received.

7.4 Applications with Status Report

The report was received.

7.5 Expense Report

The report was received.

7.6 Islands Trust Conservancy Board Report – None

7.7 Salt Spring Island Watershed Protection Alliance (SSIWPA) Coordinator's Report

The report was received.

8. LOCAL TRUST COMMITTEE PROJECTS – None

9. OTHER BUSINESS

9.1 New Business

9.1.1 Poverty Reduction Strategy Grant

Trustee Patrick reported Gabriola Island Local Trust Committee is proceeding with an application for a Union of British Columbia Municipalities (UBCM) grant for a Poverty Reduction Strategy.

SS-2019-274

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee express an interest in supporting the Gabriola Local Trust Committee in their pursuit of a Union of British Columbia Municipalities grant for a Poverty Reduction Strategy.

CARRIED

9.2 Standing Resolutions to Refer Items to the Agricultural Advisory Planning Commission

RPM Cermak presented a staff report dated November 29, 2019 regarding a standing resolution to refer items to the Agricultural Advisory Planning Commission.

SS-2019-275

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee refer Agricultural Land Commission applications directly to the Agricultural Advisory Planning Commission, prior to consideration by the Salt Spring Island Local Trust Committee when:

- a) Applications demonstrate either that local farming or the greater community would benefit and conditions of Official Community Plan policy B.6.2.2.16 apply, or
- b) Applications are for public recreation use and are consistent with the Official Community Plan.

CARRIED

9.3 Bring Forward - Deferred Action on Resolution SS-2019-232

This item was dealt with under item 7.2.

10. CORRESPONDENCE

10.1 Regional Planning Manager Stefan Cermak to Transitions Salt Spring Society, Dated November 21, 2019 - Concerning Salt Spring Island Climate Plan Update

The correspondence was received.

10.2 Trustee Laura Patrick to Salt Spring Island Foundation, Dated November 23, 2019 - Concerning Support for Wagon Wheel Housing Society's Application for a Laundromat and Soap Exchange

The correspondence was received.

10.3 B. Young to LTC, Dated November 24, 2019 - Concerning Community Composting Facility

The correspondence was received.

10.4 D. Campbell to LTC et al, Dated November 24, 2019 - Concerning Artificial Turf Field at Gulf Islands Secondary School and Microplastics

The correspondence was received.

10.5 T. Beck on behalf of Salt Spring Island Agricultural Alliance, Dated November 24, 2019 - Concerning Community Composting Facility

The correspondence was received.

10.6 G.B. Brochu-Ingram to LTC, Dated November 25, 2019 - Concerning Community Composting Facility

The correspondence was received.

10.7 A. Haigh to LTC, Dated November 25, 2019 - Concerning Community Composting Facility

The correspondence was received.

10.8 R. Waldick to LTC, Dated November 25, 2019 - Concerning Community Composting Facility

The correspondence was received.

10.9 K. Barton to LTC, Dated November 26, 2019 - Concerning Community Composting Facility

The correspondence was received.

11. CLOSED MEETING

11.1 Motion to Close the Meeting

SS-2019-276

At 11:26 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.

CARRIED

11.2 Motion to Open the Meeting

SS-2019-277

At 11:40 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

11.3 Rise and Report – None

The meeting recessed for lunch at 11:42 a.m. and reconvened at 12:00 p.m.

12. TRUSTEE REPORTS

Trustee Patrick reported she attended meetings with the following: Gulf Islands Secondary School students regarding climate action and forest ecosystem protection and the South Pender Island Local Trust Committee. She also attended the Climate Action Plan launch event on November 30, 2019; the Islands 2050: The Future of the Trust Area community consultation events at the Rainbow Road Indoor Pool and a Town Hall meeting hosted by MLA Adam Olsen on December 5, 2019. Trustee Patrick reported Salt Spring Solutions and the Salt Spring Housing Council presented a delegation concerning affordable housing at the December 2019 Trust Council meeting.

Trustee Grove reported he attended meetings with the following: CRD Director Holman concerning the Ganges Harbourwalk; the Salt Spring Island Advisory Planning Commission and the Salt Spring Island Agricultural Advisory Planning Commission. Trustee Grove attended Trust Council meetings and the Islands 2050: The Future of the Trust Area community consultation events at the Rainbow Road Indoor Pool.

13. CHAIR'S REPORT

Chair Luckham reported he is scheduled to attend an Oceans Protection Plan Dialogue Forum on January 10, 2020 concerning marine related issues including vessel anchorages. Chair Luckham reported the following highlights from the December 2019 Trust Council meetings: Trust Council Strategic Plan and the draft 2020/2021 budget and noted the Islands Trust is seeking public feedback regarding the draft 2020/2021 budget.

14. CRD DIRECTOR'S REPORT

Capital Regional District (CRD) Electoral Area Director Holman reported the following:

- The taxation request for the establishment of a Salt Spring Island Community Safety Service through an Alternate Approval Process (AAP) was not successful and CRD Director Holman will continue to advocate for agency collaboration to address service gaps. The administration costs of the AAP for the establishment of a Salt Spring Island Community Safety Service were approximately \$3,000.
- The CRD is initiating an Alternate Approval Process to increase funding for an additional \$10 million for the Regional Housing First Program. The tax requisition increase must be approved by 11 of the 16 local governments that make up the Capital Regional District.
- The Ministry of Forests, Lands, Natural Resource Operations and Rural Development is expected to make a decision regarding the renewal of the Ganges Marina lease and the right

- of way application for the Ganges Harbourwalk.
- Richard Kerr has resigned as Alternate CRD Director and Mary Richardson has been appointed as the Alternate CRD Director.
 - Director Holman will provide a report to the next issue of the Driftwood Newspaper.

15. DELEGATIONS – None

16. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:22 p.m.

A member of the public expressed concerns regarding Proposed Bylaw No. 518 (Regulation of Cannabis Production) including staff resources, administration costs and the need to research safeguards that are already in place concerning cannabis production. The member of the public expressed support for housing and climate action to be top priorities.

A member of the public expressed concerns regarding application SS-RZ-2018.3 (377 Seymour Heights Road) including environmental impacts and spoke to an email that was submitted to the Trustees.

A member of the public submitted documents entitled “Juniper Cottage” and expressed concerns regarding SS-TUP-2019.3 (262 Roland Road) including the affordable housing crisis, the impacts to the neighbourhood, removing rental housing for use by tourists, and the precedent to allow hotels in residential neighbourhoods. The member of the public also expressed support for regulation of float homes in Burgoyne Bay and other areas around Salt Spring Island.

A member of the public expressed concerns regarding SS-TUP-2019.3 (262 Roland Road) including impacts to the rural community and shortage of rental housing, road safety, absentee owners, water availability and requested the Local Trust Committee to put a moratorium on Temporary Use Permits (TUPs) for short term vacation rentals (STVRs), continue to enforce bylaws regarding STVRs and draft management plan that engages the community in full consultation. The member of the public submitted a document entitled “Islands Trust Town Hall dated December 17, 2019 - TUP- STVR.”

A member of the public expressed concerns regarding SS-TUP-2019.3 (262 Roland Road) including the future use of the property. The member of the public also expressed concerns regarding the Official Community Plan (OCP) update project, and suggested that it is a piecemeal approach, and requested the Local Trust Committee direct staff to conduct a survey for all Salt Spring Island residents to have the opportunity to provide input.

A member of the public expressed concerns regarding SS-TUP-2019.3 (262 Roland Road) including impacts to neighbours, road safety, and the shortage of rental housing for members of the community.

A member of the public expressed concerns regarding Proposed Bylaw No. 518 (Regulation of Cannabis Production) including the impacts of overregulating cannabis production and invited the Local Trust Committee and staff to tour a local cannabis production facility.

A member of the public expressed support regarding float homes in Ganges Harbour and requested the Local Trust Committee to look into whether a zone could be established to permit float homes.

A member of the public expressed concerns regarding poverty bashing comments on social media and that the elected officials did not address the comments.

Trustee Patrick reported Trustees do not always respond on social media platforms. Trustee Patrick has contacted MLA Adam Olsen regarding the social medial discussions and MLA Olsen is planning to schedule a meeting in January 2020.

A member of the public expressed concerns regarding availability of affordable housing, the lack of worker housing and development pressure on Salt Spring Island.

17. APPLICATIONS AND REFERRALS

17.1 SS-DP-2019.4 - J. Smith, Gulf Islands Seniors' Residence Association - 154 Kings Lane, SSI

Planner Negrin presented a staff report dated December 9, 2019 regarding a development permit application for a proposed 48 suite seniors' independent living facility at 154 Kings Lane.

SS-2019-278

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to refer Development Permit Application SS-DP-2019.4 (154 Kings Lane) to the Salt Spring Island Advisory Planning Commission for comment, and that the staff report be brought forward to the next Local Trust Committee direct meeting.

CARRIED

The meeting recessed at 12:55 p.m. and reconvened at 1:05 p.m.

17.2 SS-DVP-2018.17 - Kirsten Reite Architecture - 2661 and 2621 Fulford-Ganges Road, SSI

Planner Youmans presented a staff report dated December 10, 2019 regarding a Development Variance Permit application to vary setback from lots lines and water bodies.

Property owner David Fulbrook presented a Powerpoint presentation and a representative of the applicant, Kathleen Birney, spoke to the application.

SS-2019-279

It was MOVED and SECONDED,

that the staff report of December 17, 2019 for file SS-DVP-2018.17 be referred to First Nations for information, together with attendant archaeological information provided by the applicant.

CARRIED

SS-2019-280

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend Development Variance Permit SS-DVP-2018.17 by including a new article 4.1 that reads: “a qualified professional must meter and monitor the sewage disposal system and provide Islands Trust with a report on the performance of the system relative to the objectives identified in Schedule No. 4. This report must be provided annually for the first five years once the system is brought into service”.

CARRIED

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2018.17 as amended, conditional upon the applicant obtaining and submitting an easement over 2621 Fulford-Ganges Road in favour of 2661 Fulford-Ganges Road, to allow placement, operation and maintenance of the sewage disposal field and associated relief drains.

SS-2019-281

It was MOVED and SECONDED,

to amend the motion by removing the following: “conditional upon the applicant obtaining and submitting an easement over 2621 Fulford-Ganges Road in favour of 2661 Fulford-Ganges Road, to allow placement, operation and maintenance of the sewage disposal field and associated relief drains”.

CARRIED

SS-2019-282

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2018.17, as amended (2661 and 2621 Fulford-Ganges Road).

CARRIED

17.3 SS-TUP-2018.3 - M. (Mackie) Forsyth and G. Forsyth - 170 Jones Road, SSI

Planner Youmans presented a staff report dated December 10, 2019 regarding a Temporary Use Permit application to allow for aggregate processing, as well as storage and sale of aggregate and landscape materials.

Applicant Michelle Forsyth and property owner Grant Forsyth spoke to the application.

SS-2019-283

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request the applicant to apply for an Agricultural Land Commission non-farm use application for existing/proposed uses outside of the Ministry of Energy and Mines permit area within one month of the date of this resolution.

CARRIED

17.4 SS-RZ-2017.3 - J. Colligan and R. Kelln - 2188 North End Road, SSI

Planner Gordon presented a staff report dated December 5, 2019 regarding a rezoning application to permit a second dwelling unit as an affordable rental dwelling unit.

Applicants Jaime Colligan and Robyn Kelln spoke to the application.

SS-2019-284

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw, 1999 to rezone Lot 3, Section 7, Range 1, North Salt Spring Island, Cowichan District, Plan 34166 from Rural to a new Rural zone variant in order to permit a second dwelling unit for affordable housing.

CARRIED

SS-2019-285

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant provide a report from a Professional Engineer or Professional Geoscientist with relevant experience containing the following:

1. A new pump test conducted confirming adequate supply of potable water with a minimum duration of 12 hours. The pump test should have automatic water level readings during pumping and recovery using a data logger. At least one neighbouring well should be monitored during the entirety of the pump test, including during the recovery period.
2. A qualified professional should confirm that the well head meets the Groundwater Protection Regulation, including that it is appropriately sealed from surface water intrusion, that surface water drains away from the well head, and that the well is not vulnerable to contamination.

CARRIED

SS-2019-286

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to enter into a cost recovery agreement with J. Colligan and R. Kelln for Islands Trust legal review of a Housing agreement and Land Title Act Section 219 covenant providing the following requirements:

1. Provision of affordable housing in the dwelling unit at a rate of \$1150 per month plus increases in accordance with the Consumer Price Index for Greater Victoria;
2. Installation and continued use of Environmental Protection Agency WaterSense® certified plumbing fixtures, including bathroom faucet, showerhead, and toilet; and
3. Installation and continued use of EnergyStar® certified appliances, including washer, dryer, dishwasher, refrigerator.
4. Discharge the existing covenant restricting use of the second dwelling.

CARRIED

SS-2019-287

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee discharge covenant EF117631 from Lot 3 Section 7 Range 1 North Salt Spring Island Cowichan District Plan 34166.

CARRIED

The meeting recessed at 2:58 p.m. and reconvened at 3:05 p.m.

17.5 SS-TUP-2019.3 - J. Maiorino - 262 Roland Road, SSI

RPM Cermak presented a staff report dated December 6, 2019 regarding a Temporary Use Permit to allow for a Short-Term Vacation Rental (STVR).

Applicants John Maiorino & Petra Kuret spoke to the application.

SS-2019-288

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee deny application SS-TUP-2019.3 (262 Roland Road).

CARRIED

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled on January 21, 2020 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

19. ADJOURNMENT

By general consent the meeting adjourned at 3:15 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder