

ADOPTED
MINUTES of the SALT SPRING ISLAND
LOCAL TRUST COMMITTEE REGULAR BUSINESS MEETING
Thursday, March 15, 2012 – 9:30 AM
Lion’s Club, Hart Bradley Hall - 103 Bonnet Avenue

PRESENT

Sheila Malcolmson, Chair
George Grams, Local Trustee
Peter Grove, Local Trustee
Leah Hartley, Regional Planning Manager (RPM)
Miles Drew, Bylaw Enforcement Coordinator (BEC)
Justine Starke, Island Planner
Stefan Cermak, Planner 2
Caitlin Brownrigg, Planner 1
Mary Hughes, Recorder
Wayne McIntyre, Capital Regional District (CRD) Director

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

1. CALL TO ORDER

Chair Malcolmson called the meeting to order at 9:30 a.m. There were no members of the public present. The videographer engaged by the Local Trust Committee was recording the meeting. The Chair introduced the Local Trust Committee and staff and explained the meeting procedures.

2. APPROVAL OF AGENDA

The agenda was adopted by general consent with the following changes; new Item 4.6 – Draft minutes of the Advisory Planning Commission Meeting of March 8, 2012; Supplemental to Item 11.1 - SS-TUP-2011.2 - Staff Memorandum dated March 13, 2012; Supplemental to Item 11.6 SS-DP-2011.6 - Correspondence – Applicant E. Booth – March 9, 2012.

3. LOCAL TRUST COMMITTEE PROJECTS

3.1 Work Program Evaluation

RPM Hartley spoke to the staff report dated March 15, 2012. She advised that two of the current top priorities, being video recording of the regular business meetings and the land use bylaw update on secondary suites, are well underway. The Local Trust Committee reviewed and discussed the 25 items on the prioritization chart and determined low, medium or high priority designations. They added item # 26, “Official Community Plan Review – “Subdivision for a Relative” to the list. At the end of the discussion, there were eight items marked “high”. The next work program report will include the results of this exercise along with information regarding scope of work and resources available.

SSI-047-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to further develop the Local Trust Committee work program comprised of the projects contained in this report and added in the discussion today. **CARRIED**

3.2 LUB (Land Use Bylaw) Update – Secondary Suites Enforcement Advice

Bylaw Enforcement Officer Drew spoke to the staff report dated February 29, 2012. Discussion included; the complexity of the proposed pilot and non-pilot areas; the effects on watersheds; affordable housing needs; registration, enforcement and other agency implementation issues as well as the timing and content of a draft bylaw and its desired outcome.

SSI-048-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request Bylaw Enforcement staff to draft enforcement plans and policies designed to ensure that recommendations one and two and options one and two regarding secondary suites, should they result in amendments to Land Use Bylaw No. 355, deliver their intended results. **CARRIED**

3.3 LUB (Land Use Bylaw) Update - Secondary Suites, Community Meetings

Island Planner Starke reported that two public meetings have been scheduled: for Saturday March 31, 2012 from 2:00 p.m. - 4:30 p.m. at the Gulf Islands Secondary School; and on Wednesday, April 4, 2012 from 6:00 p.m. – 8:30 p.m. at the Fulford Hall Seniors Centre. She advised that participants are asked to RSVP so that staff can estimate attendance. Information packages are available. The meetings will include; a 45 minute information session from the Local Trust Committee and staff, facilitated by Island Planner Starke; a question and answer session facilitated by Planner Cermak; small group break-out sessions; and a report back from those small groups.

The meeting recessed at 11:40 a.m. and reconvened at 12:00 Noon.

Chair Malcolmson welcomed the members of the public and thanked them for coming. She introduced the Local Trust Committee and staff and reviewed the video recording practices. There were 8 members of the public present.

4. MINUTES AND RESOLUTIONS WITHOUT MEETING

4.1 Draft Minutes of the SSI LTC Business Meeting of February 23, 2012

The following corrections were made to the draft minutes: delete the second reference to Eva Olynyk in the list of attendees and describe her as “Alternate Student Trustee”; Item 7 – Trustees Report - second paragraph, line 3, replace “Islands Trust policy review” with “Islands Trust Financial Planning Committee”; Item 9 – Chair’s Report - 5th line – after “budget proposals are available online” add “for public comment”; 6th line correct “She” to “she”; final sentence replace with “She further advised that the federal gas tax grant is allocated to the planning innovations area, and is not money that would be reallocated to another local government’s infrastructure budget if the gas tax offer is not accepted by Trust Council.”; Item 11.1 replace “Trustees” with “Local Trust Committee”; Item 16.1, 2nd paragraph, final sentence; replace “this item” in the last sentence with “the question of procurement policies”.

The minutes were adopted as amended by general consent.

4.2 Draft Minutes of the Agriculture Advisory Committee (AAC) Meeting of February 9, 2012

The minutes were received for information. The Trustees will seek clarification from AAC Chair Byron on the resolution under Item 4 - Other Business, or suggest the AAC to amend their minutes to provide some background to the resolution.

4.3 Draft Minutes of the Advisory Planning Commission Meeting of February 16, 2012

The minutes were received for information.

4.4 Draft Minutes of the Advisory Environment Committee Meeting of February 16, 2012

The minutes were received for information.

4.5 Section 26 Resolutions-Without-Meeting Log Report – None

4.6 Draft Minutes of the Advisory Planning Commission Meeting of March 8, 2012

The minutes were received for information.

5. TRUSTEES' REPORT

Trustee Grove reported on the Trustees' meeting with Honorable Minister Ida Chong regarding a governance study and of cautious optimism that this will proceed. He participated in a Ground Water Workshop and took part in a CFSI-FM radio program, and advised that the Islands Trust Council rejected the proposed Islands Trust Policy Review and approved the 2012-13 fiscal budget with 0% increase in property tax.

Trustee Grams expressed his appreciation for all who contributed to the Salt Spring Island public meeting on the proposed Islands Trust Policy Review. He thanked CRD Director McIntyre for his help with the meeting preparations with Minister Chong and advised that he hopes to see the governance review get underway this year.

6. STUDENT TRUSTEE'S REPORT - None

7. CHAIR'S REPORT

Chair Malcolmson thanked the Driftwood for covering the previous week's Islands Trust Council meetings, and acknowledged the Salt Spring Trustees for carrying forward their work on the governance study while clarifying it is not within the purview of the LTC so will not be a topic on LTC meeting agendas.

On the subject of the March 2012 Trust Council meetings; she acknowledged that some members of the public felt that the Policy Statement review was not relevant and that recent discussions have shown that its function needs to be better understood. She reported on a successful Trust Council resolution regarding introduced cycling infrastructure and is involved in sessions on oil spill response scenarios. She also advised that constituent requests to advocate for a ban on tanker traffic in the Salish Sea will be debated at the June 2012 Islands Trust Council meeting.

8. **CRD DIRECTOR'S REPORT**

CRD Director McIntyre spoke about the budgeting process at the Capital Regional District. He also met with Minister Chong as a separate delegation from the Salt Spring Trustees. He advised that he sits on the Union of BC Municipalities Small Water Systems Working Group which will benefit Salt Spring's small water agencies. He outlined other areas of concerns and thanked the Chair for the opportunity to provide a report to the community.

9. **DELEGATIONS**

9.1 **Dr. A. Varzeliotis**

Dr. Varzeliotis spoke against the editing of the February 23, 2012 SSI Local Trust Committee Regular Business Meeting video tape. He provided a paper copy of a revised presentation to the Local Trust Committee.

10. **TOWN HALL**

The Applicant for dormant rezoning application SS-RZ-2006.6 (114 Jackson Avenue) spoke to the application and supported the staff recommendation to close the file.

11. **APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

- 11.1 **SS-TUP-2011.2 – Roger and Barbara Aust – Star Barks - 1429 Fulford-Ganges Road**
Island Planner Starke presented a staff report dated March 8, 2012 and supplemental memorandum dated March 13, 2012 which spoke to the Advisory Planning Commission (APC) recommendations. The Trustees thanked the APC members for their advice and noted that it is appropriate to recirculate the draft Temporary Use Permit to the neighbours since it now proposes a change in the term of the permit from 60 days to three years.

SSI-049-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee defer consideration of issuance of Temporary Use Permit SS-TUP-2011.2 (Star Barks) and direct staff to recirculate the notification that includes a draft permit that would be valid for three years. **CARRIED**

- 11.2 **SS-LCB-2012.1 – SS Marina Ltd. – 124 Upper Ganges Road**
Planner Brownrigg spoke to the staff report dated March 8, 2012, regarding this application to change the liquor primary license for Moby's Pub. Applicant Robert Steinbach indicated that the application was required after meeting with the Liquor Control Board and identification of building design issues which include separation of the family dining area.

SSI-050-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule SS-LCB-2012.1 (Robert Steinbach, 124 Upper Ganges Road) for further deliberation on April 5, 2012, following notification in the Driftwood that public input is sought on this application to amend the liquor primary licence at Moby's Pub. **CARRIED**

SSI-051-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to refer this preliminary staff report to the Salt Spring Island detachment of the RCMP in order to invite comment on application SS-LCB-2012.1 for Moby's Pub (Robert Steinbach, 124 Upper Ganges Road). **CARRIED**

11.3 SS-SUB-2011.8 – Polaris Land Surveying – 195 Belvedere Drive

Planner Brownrigg spoke to the staff report dated March 8, 2012 regarding entering into a conservation covenant with the Islands Trust Fund and the Salt Spring Island Conservancy. Speaking for the Salt Spring Island Conservancy, Robin Annschild noted that the thirteen hectare site under consideration will in due course connect to a larger protected area of significance for its biodiversity.

SSI-052-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee accept the proposed conservation covenant to be registered on the severed lands subject to the inclusion of a baseline report in the covenant that is acceptable to the Islands Trust Fund (Salt Spring Conservancy, SS-SUB2011.8 - 195 Belvedere Road). **CARRIED**

SSI-053-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee designate any member of the Local Trust Committee to sign the conservation covenant (Salt Spring Conservancy, SS-SUB-2011.8 - 195 Belvedere Road). **CARRIED**

11.4 SS-SUB-2011.8 – Polaris Land Surveying – 195 Belvedere Drive

Planner Brownrigg presented a staff report dated March 8, 2012, regarding an exemption from the 10% lot frontage provisions of Section 994 of the Local Government Act.

SSI-054-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee exempt the proposed conservation lot of Strata Lot 15, Section 38, 42 and 43 South Salt Spring Island Cowichan District, Strata Plan VIS5021, from the minimum lot frontage requirements of Section 5.3 of Land Use Bylaw No. 355 and Section 944 of the Local Government Act for Jordan Litke (SS-SUB-2011.8 - 195 Belvedere Road). **CARRIED**

11.5 SS-SUB-2007.8 Wolfe Milner Land Surveying – 144 Andrew Place

Planner Brownrigg presented a staff report dated March 8, 2012, regarding an exemption from the 10% lot frontage provisions of Section 994 of the Local Government Act. The applicant Robert Potter commented that two other properties on Andrew Place have previously received these waivers.

11.6 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee exempt proposed lot and remainder lot of Lot 4, Section 73, South Salt Spring Island, Cowichan District, Plan 26849, from the 10% minimum lot frontage requirements of Section 5.3 of the Land Use Bylaw No. 355 and Section 944 of the local Government Act. **CARRIED**

SSI-055-12

SS-DP-2011.6 – SS Ventures Inc. – Park Drive

Planner Cermak spoke to the staff report dated February 28, 2012 regarding the proposed Development Permit amendment for Park Drive Garden Homes. He advised that the most significant amendment is to add a basement level to all four buildings. The existing Development Permit expires May 13, 2012 if a building permit is not issued. Applicant Eric Booth made a presentation to the Local Trust Committee.

Discussion ensued about outstanding conditions of the development permit.

The Trustees asked staff to provide information on the CRD's usual practice regarding the issuance of building permits. It was noted that the recommendations of the Advisory Design Panel (from their November 17, 2011 minutes) were not supported by the Local Trust Committee.

SSI-056-12

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee defer consideration of SS-DP-2011.6 (SS Ventures Inc. – Park Drive) pending receipt of amendments to the relevant professional engineering drainage reports that include the proposed changes as shown in the Draft Development Permit SS-DP-2011.6.

CARRIED

12. BUSINESS ARISING FROM MINUTES

12.1 Top Priorities Report

RPM Hartley advised that the pilot project to video tape the Local Trust Committee meetings concludes at the end of March and a report is expected in April. The Trustees advised that if editing is required it should be noted with the video information.

12.2 Follow-Up Action List

The Trustees agreed by general consent that the Local Trust Committee direction of March 3, 2011 concerning Development Permit Area 6 is fulfilled for now and that this item may be removed from the Follow-Up Action List (FUAL).

The Trustees requested that the subject of Procurement Policies be added to the FUAL. Trustee Grove requested a regular update on the Riparian Areas Regulation mapping project.

During the FUAL review, it was acknowledged that several items from the February 2012 meetings are now complete (as noted at this meeting) and may be archived.

The meeting recessed at 2:45 p.m. and reconvened at 3:00 p.m.

13. REPORTS

13.1 Applications with Status Report

The Local Trust Committee was advised that the applicant for rezoning application SS-RZ-2011.3 (440 Rainbow Road) received an Acoustic Engineer's report. The Local Trust Committee requested a copy of the report when it becomes available.

13.2 Salt Spring Island Expense Report

The Local Trust Committee received the expense report posted to February 23, 2012.

SSI-057-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve payment of the expense to videotape the April 5th & 26th meetings of the Local Trust Committee, the funds to come from the Local Expense Budget for 2012-2013.
CARRIED

13.3 Dormant Application Staff Report

Planner Brownrigg spoke to the staff report dated March 8 2012 regarding dormant applications. She advised that letters were sent to applicants in December 2011 asking them if they intended to proceed with their application.

SSI-058-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct planning staff to proceed with closing application files SS-RZ-2006.6 and SS-RZ-2006.7.
CARRIED

SSI-059-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee further direct staff to report back in the summer of 2012 to address whether application files SS-RZ-2003.5, SS-SUB-2004.17, and SS-SUB-2006.12 remain dormant. **CARRIED**

13.4 Dormant Bylaws Staff Report

Planner Brownrigg spoke to a staff report dated March 8 2012 regarding dormant bylaws and advised that no action is needed on Bylaw No. 453.

SSI-060-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee intends to take action to defeat redundant bylaws as a housekeeping matter.
CARRIED

The following resolutions were not seconded and were thus defeated.

SSI-061-12 It was **MOVED** that the Salt Spring Island Local Trust Committee adopt proposed Bylaw No. 310 cited as "Zoning Bylaw, Salt Spring Island, 1985, Amendment Bylaw No. 4, 1993."
DEFEATED

SSI-062-12 It was **MOVED** that the Salt Spring Island Local Trust Committee adopt proposed Bylaw No. 376 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2002".
DEFEATED

SSI-063-12 It was **MOVED** that the Salt Spring Island Local Trust Committee give Third Reading to proposed Bylaw No. 389 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2003".
DEFEATED

SSI-064-12 It was **MOVED** that the Salt Spring Island Local Trust Committee give Second Reading to proposed Bylaw No. 393 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2004".
DEFEATED

SSI-065-12 It was **MOVED** that the Salt Spring Island Local Trust Committee give Second Reading to proposed Bylaw No. 400 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2004".
DEFEATED

SSI-066-12 It was **MOVED** that the Salt Spring Island Local Trust Committee give Second Reading to proposed Bylaw No. 416 cited as "Salt Spring Island Official Community Plan Bylaw, 1997, Amendment No. 1, 2006".
DEFEATED

SSI-067-12 It was **MOVED** that the Salt Spring Island Local Trust Committee give Second Reading to proposed Bylaw No. 417 cited as "Salt Spring Island Official Land Use Bylaw, 1999, Amendment No. 2, 2006". **DEFEATED**

SSI-068-12 It was **MOVED** that the Salt Spring Island Local Trust Committee give Second Reading to proposed Bylaw No. 449 cited as "Salt Spring Island Official Community Plan Bylaw, No. 434, 2008, Amendment No. 1, 2011". **DEFEATED**

14. CORRESPONDENCE

14.1 SSI Chamber of Commerce – Letter dated Feb. 6, 2012 - Industrial Land & Ganges Master Plan- Received

Trustee Grams will respond to this letter acknowledging the proposals in light of the work program priorities.

14.2 Lisa Gordon, Director, Trust Area Services, Islands Trust Fund – Letter dated Feb. 28, 2012 – First Nations Strategy - Received

The Trustees agreed that RPM Hartley would respond to this letter expressing interest in a community to community forum.

15. UPCOMING MEETINGS

15.1 The next regular business meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m., Thursday, April 5, 2012 at Lion's Club, Hart Bradley Hall, 103 Bonnet Avenue, Salt Spring Island.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 3:40 p.m.

Sheila Malcolmson, Chair

Mary Hughes, Recorder