

ADOPTED
MINUTES of the SALT SPRING ISLAND
LOCAL TRUST COMMITTEE REGULAR BUSINESS MEETING
Thursday, May 17, 2012 - 9:30 AM
Lions 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)
David Marlor, Local Planning Services Director
Justine Starke, Island Planner
Stefan Cermak, Planner 2
Miles Drew, Bylaw Enforcement Manager
Wayne McIntyre, Capital Regional District (CRD) Director
Kathryn Luttin, Recorder
Approximately 7 members of the public – a.m.
Approximately 19 members of the public – p.m.

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. She welcomed everyone, introduced herself, the Trustees and staff and explained the meeting procedures. She acknowledged that the Local Trust Committee (LTC) is meeting in the traditional territory of the Coast Salish People.

2. APPROVAL OF AGENDA

The agenda was adopted by general consent with the following changes and additions: supplemental to Item 5.2 – Land Use Bylaw – Secondary Suites – correspondence from Mike Larmour to the Salt Spring Island LTC dated May 11, 2012, and from Ron Hawkins to the Trustees dated May 14, 2012; supplemental to Item 12.1 – SS-RZ-2011.4 – 154-164 Kings Lane - correspondence from Donald McLennan, Chair of the Salt Spring Island Transportation Commission, to the Trustees dated May 14, 2012; supplemental to Items 12.2 & 12.3 – SS-SUB-2002.7 & SS-SUB-2005.29 - water reports - staff memorandum dated May 16, 2012; new Item 15.1 – New Business – North Pender Proposed Bylaw No. 191 – To Permit a Geothermal Heat Exchange System in the Water 1 Zone.

3. MINUTES AND RESOLUTIONS WITHOUT MEETING

3.1 Draft Minutes of the SSI LTC Regular Business Meeting of April 26, 2012

The following corrections were made to the draft minutes: Items 5.3 and 5.4 - remove the words “as a member of the public”.

The minutes were adopted as amended by general consent.

3.2 Draft Minutes of the SSI LTC Special Business Meeting of March 31, 2012

The minutes were adopted as presented by general consent.

3.3 Draft Minutes of the SSI LTC Special Business Meeting of April 4, 2012

The minutes were adopted as presented by general consent.

3.4 Section 26 Resolution-Without-Meeting Log Report – None

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-Up Action List

The Follow-Up Action List (FUAL) was discussed. Planner Cermak will write to John Wilcox to indicate that a response to his letter is in progress. Trustee Grams indicated that on page 5 of the FUAL, the proposal to reorder tables 2 and 3 of the work program per staff report of April 18, 2012 should be marked as “On Going” instead of “Done.”

4.2 Top Priorities

The Top Priorities were discussed.

By consent, the Salt Spring Island Local Trust Committee directs RPM Hartley to present options on audio recording of meetings (versus video recording) that the public can access.

5. LOCAL TRUST COMMITTEE PROJECTS

5.1 Riparian Areas Regulation Mapping Update

Planner Cermak reviewed the staff report dated May 9, 2012.

SSI-97-12

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to prepare a draft Terms of Reference and budget for a peer review of the pilot stream mapping within St. Mary Lake Watershed and Cusheon Lake Watershed conducted by the Islands Stream and Salmon Enhancement Society and to report back to the Salt Spring Island Local Trust Committee. **CARRIED**

5.2 Land Use Bylaw Update – Secondary Suites

Island Planner Starke reviewed the staff report dated May 8, 2012. Updated Copies of the Option 1 and 2 maps were provided to the LTC and to the public.

It was noted that there are no known stresses on the infrastructure for Pilot Area 1.

By general consent, Recommendation 2 on page 5 of the staff report was amended as follows: third bullet, remove “or has authorized a property manager to act on the owner’s behalf”; eighth bullet, replace with “Maximum floor area: a maximum of 90 m²”; add “A secondary suite must not have a separate title either under the Land Title Act or the Strata Property Act”; add informational note: “Use for Bed & Breakfasts is permitted”.

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to draft a bylaw that permits secondary suites based on Pilot Area 1, and an amended Recommendation 2 (as discussed May 17, 2012), with the understanding that it is the first phase of a four phase plan to consider further regulations to allow secondary suites on Salt Spring Island. **CARRIED**

6. RECESS

The Chair called for a recess at 11:29 a.m. The meeting reconvened at 12:00 noon.

Chair Malcolmson welcomed the members of the public and thanked them for coming. She introduced the Trustees and staff and reviewed the video recording practices. The Chair thanked CRD Director McIntyre for joining the meeting.

7. TRUSTEE REPORTS

Trustee Grove reported attending a Ferry Commission meeting and a Cusheon Lake Stewardship Committee meeting. He also spoke about phosphorus and lake water quality.

Trustee Grams reported that he met with Ian Clement, Sebastian Moffatt and planning staff concerning the Advisory Committee Terms of Reference Review. He attended the first meeting for the joint CRD/Islands Trust sewage event, as well as a meeting with CRD Director McIntyre to discuss forming a working group of all regulatory bodies with an interest in potable water. He attended a Trust Programs Committee meeting in Ladysmith and a Local Planning Committee meeting in Victoria, as well as meeting with constituents on Salt Spring Island.

8. CHAIR'S REPORT

Chair Malcolmson spoke of amendments to the Coastal Ferry Act. She also spoke of the Islands Trust Community Stewardship Awards current nominations and previous winners.

9. CRD DIRECTOR'S REPORT

CRD Director McIntyre reported working with the Trustees on water and sewer issues. He spoke of last week's CRD board meeting, Velo Village, and the Gas Tax Fund. He noted that the CRD website will soon have information on a small water systems working group. He spoke of the Annual General Meeting for Capital Region Emergency Service Telecommunications (CREST) and provided CREST brochures at the door.

10. DELEGATIONS

10.1 Dr. Varzeliotis – Five Censorable Minutes

Dr. Varzeliotis spoke about: the process of addressing the Islands Trust; an ideas bank; video recording and censorship. He provided a written submission.

11. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:37 p.m. She explained the guidelines prior to Item 10.1.

Some members of the public expressed concerns about: secondary suites and water; rainwater catchment; and Harmonized Sales Tax (HST) rebates.

The Chair called for a recess at 1:08 p.m. The meeting reconvened at 1:12 p.m.

12. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

12.1 **SS-RZ-2011.4 – M. Wilson – 154-164 Kings Lane**

Planner Cermak reviewed the staff report dated May 7, 2012. The applicant was present. It was noted that on page 6, the first sentence under Staff Comments should read, "The Salt Spring Island Local Trust Committee has given First Reading to Proposed Bylaw No. 456."

SSI Transportation Commission Chair Donald McLennan spoke during the discussion about his correspondence.

The Chair called for a recess at 1:59 p.m. The meeting reconvened at 2:06 p.m.

SSI-99-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives Second Reading to Proposed Bylaw No. 456, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012" (Wilson, 154-164 Kings Lane, SS-RZ-2011.4). **CARRIED**

SSI-100-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee instructs staff to schedule a Public Hearing for Proposed Bylaw No. 456, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012" (Wilson, 154-164 Kings Lane, SS-RZ-2011.4). **CARRIED**

SSI-101-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to provide advice on the Salt Spring Island Transportation Commission's recommendation on bus storage, including the applicant's views, before the Public Hearing. **CARRIED**

SSI-102-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to schedule a Special Meeting to hold a Community Information Meeting for Proposed Bylaw No. 456 in advance of the Public Hearing. **CARRIED**

12.2 **SS-SUB-2002.7 – J.E. Anderson & Assoc. – Juniper Place**

RPM Hartley reviewed the staff report dated May 8, 2012. The applicants' representatives were present and submitted new correspondence to staff.

SSI-103-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee accepts from the registered owner of the land on Salt Spring Island legally described as Lot 26, Sections 1 and 2, Range 1 East, North Salt Spring Island Cowichan District, Plan VIP80776 a water control covenant under section 219 of the Land Title Act (David Wallace, SS-SUB-2002.7, Juniper Place). **CARRIED (Trustee Grams opposed)**

SSI-104-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee designates Peter Grove to sign the covenant (David Wallace, SS-SUB-2002.7, Juniper Place). **CARRIED**

12.3 SS-SUB-2005.29 – Norisa Holdings Ltd. & Parks, O'Connor & Parks Investments Ltd. – Juniper Place

RPM Hartley reviewed the staff report dated May 8, 2012. The applicants' representatives were present.

SSI-105-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee accept from the registered owner of the land on Salt Spring Island legally described as West 1/2 of District Lot 26, North Salt Spring Island, Cowichan District and the East 1/2 of District Lot 27, North Salt Spring Island, Cowichan District a water control covenant under section 219 of the Land Title Act (David Wallace, SS-SUB-2005.29, Trustees Trail). **CARRIED (Trustee Grams opposed)**

SSI-106-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee accept from the registered owner of the land on Salt Spring Island legally described as West 1/2 of District Lot 26, North Salt Spring Island, Cowichan District and the East 1/2 of District Lot 27, North Salt Spring Island, Cowichan District a statutory right of way for emergency access under section 219 of the Land Title Act (David Wallace, SS-SUB-2005.29, Trustees Trail). **CARRIED**

SSI-107-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee designates Peter Grove to sign the covenants (David Wallace, SS-SUB-2005.29, Trustees Trail). **CARRIED**

12.4 SS-RZ-2008.3 – Landworks Consultants Inc. (Slegg Lumber) – 201-225 Beddis Road

RPM Hartley reviewed the staff memorandum dated May 8, 2012.

SSI-108-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to schedule a Special Meeting to hold a Community Information Meeting for Proposed Bylaws 457, 458 and 459 (Slegg Lumber) from 4:00 PM to 6:00 PM on Wednesday, May 30, 2012, at the Hart Bradley Memorial Hall (Lions Hall), 103 Bonnet Avenue, Ganges. **CARRIED**

13. CORRESPONDENCE – None

14. REPORTS

14.1 Applications with Status Report

The report was reviewed.

14.2 2012 Work Program

By general consent, the Work Program discussion was deferred until the next regular business meeting. For the next regular business meeting, Trustee Grams will provide an update on the CRD/Islands Trust joint sewage event and a draft document on the potable water working group.

14.3 Bylaw Enforcement

BEC Drew reviewed the staff report dated May 9, 2012.

By general consent, the Salt Spring Island Local Trust Committee directs staff to prepare a technical explanation of Local Trust Committee authority in relation to the Salt Spring Island Rod & Gun Club for public information use.

14.4 Salt Spring Island Expense Report Final to Year-end – March 31, 2012

The report was received.

15. NEW BUSINESS

15.1 North Pender Proposed Bylaw No. 191 – To Permit a Geothermal Heat Exchange System in the Water 1 Zone

Island Planner Starke reviewed the staff memorandum dated May 14, 2012.

SSI-109-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to respond to the North Pender Island Local Trust Area Bylaw Referral Form for Proposed Bylaw 191 indicating that “interests are unaffected by bylaw.”
CARRIED

The Chair called for a recess at 3:34 p.m. The meeting reconvened at 3:40 p.m.

16. CLOSED MEETING RESOLUTION

SSI-110-12 At 3:40 p.m., it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee closes this meeting to the public subject to Section 90(1)(i) of the Community Charter regarding the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and Section 90(1)(g) regarding litigation or potential litigation, and that staff are invited to remain.
CARRIED

17. OPEN MEETING RESOLUTION

SSI-111-12 At 4:00 p.m., it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee re-opens this meeting to the public subject to Section 89 of the Community Charter.
CARRIED

18. RISE AND REPORT

It was reported that Todd Erickson’s email to the Trustees will be replied to by BEC Drew and copied to the Trustees.

19. UPCOMING MEETINGS

19.1 Next regular business meeting of the Local Trust Committee is scheduled for 9:30 a.m. on Thursday, June 7, 2012 at the Lion's Club, Hart Bradley Hall, 103 Bonnet Ave, Salt Spring Island.

20. ADJOURNMENT

There being no further business, the meeting adjourned at 4:02 p.m.

Sheila Malcolmson, Chair

Kathryn Luttin, Recorder