

**ADOPTED**  
**MINUTES of the SALT SPRING ISLAND**  
**LOCAL TRUST COMMITTEE REGULAR BUSINESS MEETING**  
**Thursday, June 7, 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)  
Miles Drew, Bylaw Enforcement Manager  
Justine Starke, Island Planner  
Stefan Cermak, Planner 2  
Bev Suderman, Contract Planner  
Wayne McIntyre, Capital Regional District (CRD) Director  
Kathryn Luttin, Recorder  
Approximately 4 members of the public – a.m.  
Approximately 26 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 9:33 a.m. She welcomed everyone, introduced herself, the Trustees and staff and explained the meeting procedures.

**2. APPROVAL OF AGENDA**

The agenda was adopted by general consent with the following changes and additions: late Item 6.3 – Draft Minutes of the May 30, 2012 SSI LTC Special Business Meeting; supplemental to Item 8.1 – Advisory Committee Terms of Reference Review – Salt Spring Island Advisory Committee Memberships – Staff Report; supplemental to Item 15.4 – SS-RZ-2011.3 – 440 Rainbow Road – correspondence from Richard Kerr, Advisory Planning Commission, to Trustee Grove dated June 6, 2012.

**3. CLOSED MEETING RESOLUTION**

SSI-112-12 At 9:35 a.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)(f) of the Community Charter regarding law enforcement and Section 90(1)(i) regarding the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and that staff are invited to remain. **CARRIED**

**4. OPEN MEETING RESOLUTION**

SSI-113-12 At 9:57 a.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**

The Chair called for a recess at 9:57 a.m. The meeting reconvened at 10:05 a.m.

## 5. **RISE AND REPORT**

The Chair welcomed everyone and introduced herself, the Trustees and staff. A legal opinion from Young Anderson dated May 23, 2012 regarding broadcasting council meetings was received.

SSI-114-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee releases the legal opinion from Young Anderson dated May 23, 2012 regarding the broadcasting of Local Trust Committee meetings, noting that the advice confirms the verbal legal opinion on the same topic that had been provided to the public earlier.  
**CARRIED**

By general consent, the Salt Spring Island Local Trust Committee directs staff to add the resolution to the legal opinion when it is posted online.

SSI-115-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee requests staff to add to the standard Terms of Reference for Meeting Recording a mechanism whereby the recording contractor is able to publish a letter or statement by way of contradiction or explanation regarding the allegedly defamatory content, as required by the *Libel and Slander Act*.  
**CARRIED**

## 6. **MINUTES AND RESOLUTIONS WITHOUT MEETING**

### 6.1 **Draft Minutes of the May 17, 2012 SSI LTC Regular Business Meeting**

The minutes were adopted as presented by general consent.

### 6.2 **Draft Minutes of the May 24, 2012 Advisory Planning Commission Meeting**

The minutes were received for information.

### 6.3 **Draft Minutes of the May 30, 2012 SSI LTC Special Business Meeting**

The minutes were adopted as presented by general consent.

## 7. **BUSINESS ARISING FROM MINUTES**

### 7.1 **Follow-Up Action List**

The Follow-Up Action List was reviewed.

Under the April 26, 2012 actions, it was noted that Trustee Grams has submitted his proposal to reorder tables 2 and 3 of the work program per staff report of April 18, 2012; under the May 17, 2012 actions, it was noted that a letter to John Wilcox has been discussed with him.

By general consent, the Salt Spring Island Local Trust Committee directs staff to bring a work program proposal that includes the Trustees' prioritization to the next agenda.

Under the May 17, 2012 actions, regarding the SSI Rod and Gun Club, Bylaw Enforcement Manager Drew will submit an amended copy of the public information letter to be placed on the next regular business meeting agenda; under that same section, it was noted that the action concerning T. Erickson's email to the Trustees is now complete.

## **8. LOCAL TRUST COMMITTEE PROJECTS**

### **8.1 Advisory Committee Terms of Reference Review**

Island Planner Starke reviewed the staff memorandum dated May 23, 2012. The Local Trust Committee expressed appreciation to Mr. Clement for his volunteerism on the Advisory Planning Commission research project. Trustees will also individually meet with staff regarding a proposed innovation options workshop as mentioned in the memorandum.

RPM Hartley reviewed the staff report dated June 6, 2012.

SSI-116-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee extends the terms of Advisory Committee members on a month to month basis as the terms come to completion in 2012, pending adoption of either new Advisory Committee bylaws or policies concerning Advisory Committee terms of reference as currently under review. **CARRIED**

## **9. CORRESPONDENCE**

### **9.1 J. Tucker – Wagon Wheels for SSI – May 22, 2012**

By general consent, the Salt Spring Island Local Trust Committee directs staff to respond to J. Tucker's letter.

The Chair called for a recess at 10:59 a.m. The meeting reconvened at 11:04 a.m. Items 16.3 and 16.4 were addressed at this time.

The Chair called for a recess at 11:22 a.m. The meeting reconvened at 12:01 p.m.

Chair Malcolmson welcomed the members of the public and thanked them for coming. She introduced the Trustees and staff and thanked CRD Director Wayne McIntyre for joining the meeting. She acknowledged that the Local Trust Committee is meeting in the traditional territory of the Coast Salish People. The Chair explained that there can be no further public input for Proposed Bylaws 457, 458 and 459 for Slegg Lumber (SS-RZ-2008.3, 201-225 Beddis Road) and Proposed Bylaw no. 456 for the Kings Lane Medical Clinic (SS-RZ-2011.4, 154-164 Kings Lane) after the close of the Public Hearings that occurred on May 30 and June 5, 2012.

## **10. TRUSTEE REPORTS**

Trustee Grove reported that he attended the May 24th Advisory Planning Commission meeting on Salt Spring Island and the May 28<sup>th</sup> Financial Planning Committee meeting in Victoria. He reported meeting with Dr. Dave Witty, Vice-President of Vancouver Island University, and Nancy Hamilton, Continuing Education Manager, to discuss continuing education on Salt Spring Island and a centre for coastal and island studies in the Pacific Northwest. He indicated that he will be meeting with high school Principal Judy Raddysh regarding use of the school for continuing education. He reported calling the Deputy Minister for an update on the request for a governance study for Salt Spring, but has not yet received a response.

Trustee Grams reported that he represented Salt Spring at the CRD Forum of Councils in Victoria. He also attended two Public Hearings, the Chamber of Commerce Annual General Meeting, and a CBC radio interview regarding secondary suites legislation. He

indicated that his main focus is working on the proposed potable water and sewage events. He continues to meet with constituents to hear their concerns.

## **11. CHAIR'S REPORT**

Chair Malcolmson reported that the legal opinion regarding video editing is now available to the public. She spoke of attendance at an oil spill response session and of the June 12 to 14 Trust Council meeting on North Pender Island. She mentioned that commissioners from San Juan County will also be in attendance at Trust Council.

## **12. CRD DIRECTOR'S REPORT**

CRD Director McIntyre reported on the CRD 2012 strategic plan, including the topics of infrastructure, transportation and affordable housing. He spoke of the affordable housing partnership between the CRD and School District 64. He indicated that he attended a St Mary Lake Stewardship Committee meeting and a Union of British Columbia Municipalities Small Water Systems Working Group meeting. He also spoke about BC Transit's upcoming visit to Salt Spring Island, the Velo Village conference, and the Economic Development Commission's request for proposals.

The Chair reviewed the video recording practices and indicated that Trustee Grams is audio recording for his own information. She explained the guidelines for the Delegations and Town Hall items.

## **13. DELEGATIONS**

### **13.1 Dr. Varzeliotis - Follow Follow Ups**

Dr. Varzeliotis spoke about the implementation of decisions made by the Local Trust Committee, legal advice, and the Riparian Areas Regulation. He provided an additional written submission.

### **13.2 J. Quesnel – Rezoning Application SS-RZ-2011.3 - 440 Rainbow Road**

Mr. Quesnel spoke about his application and requested drafting of a bylaw in order to move forward.

## **14. TOWN HALL**

Chair Malcolmson opened the Town Hall at 12:49 p.m.

Some members of the public expressed their interest in: mapping of water systems; the report from the Official Community Plan task force for Ganges village; the Salt Spring Island Metal Recycling rezoning application (SS-RZ-2011.3); and industrial zoning on Rainbow Road.

The Chair called for a recess at 1:07 p.m. The meeting reconvened at 1:12 p.m.

## **15. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

### **15.1 SS-RZ-2008.3 – Landworks Consultants Inc. – 201-225 Beddis Road**

Contract Planner Suderman reviewed the staff report dated May 16, 2012. The applicant was present. She reviewed the referral responses and the issues raised at the Public Hearing.

- SSI-117-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives Third Reading to Proposed Bylaw No. 457, cited as "Salt Spring Island Official Community Plan, 2008, Amendment No. 1, 2012" (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-118-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends Proposed Bylaw No. 458 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2012," by inserting additional wording as follows: "(4) The following use is not permitted: (a) Abattoir" (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-119-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends Proposed Bylaw No. 458 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2012," by deleting clause 1(3)(d) Composting Facility as a permitted use and adding it as an accessory use as follows: "Zone Variation – In1(b): (5) The following accessory use is permitted: (a) Composting Facility" (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-120-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives Third Reading to Proposed Bylaw No. 458, as amended, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2012" (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-121-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends Proposed Bylaw No. 459, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2012," such that a condition is added as item (5)(c) to the Zone Variation – In1(c) as follows: "(5)(c) Despite setback provisions in Subsection 9.7.2(1) of the In1 zone, when the lot is abutting a lot in the Agricultural Land Reserve a 15 m building setback is required" (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-122-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives Third Reading to Proposed Bylaw No. 459, as amended, cited as "Salt Spring Island Land use Bylaw, 1999, Amendment No. 3, 2012" (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-123-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to forward Proposed Bylaws No. 457, No. 458 and No. 459 to the Islands Trust Executive Committee for consideration of approval (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**
- SSI-124-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to forward Proposed Bylaw 457, cited as "Salt Spring Island Official Community Plan, 2008, Amendment No. 1, 2012," to the Ministry of Community, Sport & Cultural Development for approval (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island).  
**CARRIED**

SSI-125-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee rescinds Resolution # SSI-085-12, dated April 5, 2012, with respect to conditions of zoning (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island). **CARRIED**

It was noted that conditions have all been met except where a modified building setback covenant is recommended by staff.

SSI-126-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee requires a covenant, as a condition of zoning, that addresses the following purposes: (a) No vegetation removal, land clearing or other disturbance within 7.5 m of the top of bank or any portion of the land lying to the east of the top of bank of Mowhinna Creek, or within 10 m of the high water mark of the drainage ditch on the west side of the property, with the exception of invasive plant species management; (b) The owner to maintain, plant and manage vegetation within 8 m of the southern lot line of the land; (c) Effective management of silt, concrete, leachate or other deleterious substances to prevent water contamination; (d) Compliance at owner's cost and indemnification of the Trust Committee from damages or liability as a result of breach (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island). **CARRIED**

**15.2 SS-RZ-2008.3 – Landworks Consultants Inc. – 201-225 Beddis Road**  
RPM Hartley reviewed the staff report dated May 28, 2012.

SSI-127-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee accepts the proposed covenant to be registered on Lot 2, Section 18, Range 4 East, North Salt Spring Island, Plan 2289 (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island). **CARRIED**

SSI-128-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee designates any member to sign the proposed covenant (SS-RZ-2008.3 – Landworks Consultants Ltd. – Beddis Developments – 201-225 Beddis Road, Salt Spring Island). **CARRIED**

**15.3 SS-RZ-2011.4 – M. Wilson – 154-164 Kings Lane**  
Planner Cermak reviewed the staff report dated May 24, 2012.

SSI-129-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amends Proposed Bylaw No. 456, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012," by inserting additional wording as follows: under "Zone Variation – CF1(d)," insert "The following regulations apply: (a) A vegetation screen not less than 7.5 meters must be provided and maintained between the subject property and lands within the Agricultural Land Reserve unless within a BC Hydro right-of-way" (SS-RZ-2011.4 – M. Wilson - 154-164 Kings Lane). **CARRIED**

SSI-130-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives Third Reading to Proposed Bylaw No. 456, as amended, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2012" (SS-RZ-2011.4 – M. Wilson - 154-164 Kings Lane). **CARRIED**

SSI-131-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee directs staff to forward Proposed Bylaw No. 456, cited as "Salt Spring Island Land Use

Bylaw, 1999, Amendment No. 1, 2012,” to the Executive Committee (SS-RZ-2011.4 – Wilson - 154-164 Kings Lane). **CARRIED**

**15.4 SS-RZ-2011.3 – J. Quesnel – 440 Rainbow Road**

Planner Cermak reviewed the staff report dated May 30, 2012 and draft acoustic report submitted by the applicant. He circulated correspondence from Advisory Planning Commission member Richard Kerr, dated June 6, 2012.

The applicant was present and spoke in support of his application. He presented a scrapbook outlining the history of Salt Spring Metal Recycling.

SSI-132-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee requests that staff provide a scope of work report for implementation of Industrial Task Force recommendations as a work program priority. **CARRIED**

It was noted that the application will be held in abeyance until the Local Trust Committee can consider the scope of work report.

The Chair called for a recess at 2:29 p.m. The meeting reconvened at 2:38 p.m.

**16. REPORTS**

**16.1 Application Summary Report**

The report was discussed.

**16.2 Applications with Status Report**

The report was received for information.

**16.3 Work Program Top Priorities Report**

SSI-133-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee removes “Community Engagement” as a top priority. **CARRIED**

SSI-134-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee advances “Official Community Plan Review – Watershed Management” as a top priority with the first actions being the proposed potable water working group and the proposed sewage event as detailed in the email proposal dated May 31, 2012 from RPM Hartley to Trustee Grams and introduced as Item 16.4 of the June 7, 2012 agenda package. **CARRIED**

SSI-135-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee designates Trustee Grams as the Trust Committee liaison with the proposed potable water working group and sewage event. **CARRIED**

By general consent, the Salt Spring Island Local Trust Committee directs staff to remove “Video Recording Pilot and Evaluation” from the top priorities and insert “Industrial Task Force recommendation implementation.”

**16.4 Local Trust Committee Work Program**

Trustee Grams reviewed the email report from RPM Hartley dated May 31, 2012. It was noted that this report was written by Trustee Grams.

**16.5 Video Recording Interim Update**

RPM Hartley reviewed the staff report dated May 30, 2012.

SSI-136-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee requests staff to prepare a draft Terms of Reference and budget for audio recording of Local Trust Committee general business meetings and report back to the Local Trust Committee. **CARRIED**

SSI-137-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approves payment of expense to video record the general business meetings of the Local Trust Committee to be held in July with funds to come from the 2012-13 Local Expense Budget. **CARRIED**

With regard to the Young Anderson legal opinion, dated May 23, 2012, regarding broadcasting council meetings which was introduced during Item 5 – Rise and Report, the following motion was introduced:

SSI-138-12 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee instructs staff to restore the uncensored version of the video recording of February 23, 2012 and append appropriate disclaimers with regard to defamatory statements. **CARRIED**

**16.6 Salt Spring Island Expense Report**

The report was received for information.

**17. NEW BUSINESS – none**

**18. UPCOMING MEETINGS**

**18.1** Next regular business meeting of the Local Trust Committee is scheduled for 9:30 a.m. on Thursday, July 5, 2012 at the Lion's Club, Hart Bradley Hall, 103 Bonnet Ave, Salt Spring Island.

**19. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:09 p.m.

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Sheila Malcolmson, Chair

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Kathryn Luttin, Recorder