

**ADOPTED**  
**MINUTES of the SALT SPRING ISLAND**  
**LOCAL TRUST COMMITTEE REGULAR BUSINESS MEETING**  
**Thursday, March 21, 2013 - 9:30 AM**  
**Lions Club, Hart Bradley Hall - 103 Bonnet Avenue**

**Members Present:**

Sheila Malcolmson, Chair  
George Grams, Local Trustee  
Peter Grove, Local Trustee

**Staff Present:**

Leah Hartley, Regional Planning Manager (RPM)  
Justine Starke, Island Planner  
Stefan Cermak, Planner 2  
Caitlin Brownrigg, Planner 1  
Chris Larson, Planner 1  
Kathryn Luttin, Recorder

**Others Present:**

Approximately 6 members of the public – a.m.  
Approximately 60 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 introduced herself, the Trustees and staff, and explained the meeting procedures. She acknowledged that the Local Trust Committee is meeting in the traditional territory of the Coast Salish People.

**2. APPROVAL OF AGENDA**

The following changes and additions to the agenda were presented for consideration:

- Item 3.2 – Draft Minutes of the October 12, 2012 SSI LTC Special Business Meeting (St. Mary's Lake Watershed Working Group);
- Item 5.3 – Secondary Suites Proposed Bylaw No. 461 – Policy Statement Checklist;
- Item 12.4 – SS-RZ-2011.3 – J. Quesnel – 440 Rainbow Road – Staff Report and Additional Correspondence Received to March 19, 2013;
- Item 13.2 – Correspondence – S. Cermak, Planner II, Islands Trust to Dr. Varzeliotis;
- Item 14.1 – Additional communications arising from this meeting – For Consideration

**By general consent** the agenda was approved, as amended.

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

#### **3.1 Draft Minutes of the February 26, 2013 SSI LTC Regular Business Meeting**

By general consent the Salt Spring Island Local Trust Committee Regular Business Meeting minutes of February 26, 2013 were adopted as presented.

#### **3.2 Draft Minutes of the October 12, 2012 SSI LTC Special Business Meeting – (Watershed Working Group)**

By general consent the Salt Spring Island Local Trust Committee Special Business Meeting minutes of October 12, 2012 were adopted as presented.

#### **3.3 Draft Minutes of the February 25, 2013 SSI LTC Special Business Meeting – (Community Information Meeting - Draft Bylaw No. 461)**

By general consent the Salt Spring Island Local Trust Committee Special Business Meeting minutes of February 25, 2013 were adopted as presented.

#### **3.4 Draft Minutes of the February 28, 2013 Industrial Advisory Planning Commission Meeting**

The minutes were received for information.

#### **3.5 Draft Minutes of the March 7, 2013 Agriculture Advisory Committee Meeting**

The minutes were received for information.

#### **3.6 Notes of the March 7, 2013 Meeting between N. Morie and Islands Trust staff**

The notes were received for information.

#### **3.7 Resolution Without Meeting Log Report**

The report was received for information.

### **4. BUSINESS ARISING FROM MINUTES**

#### **4.1 Follow-Up Action List**

The list was reviewed.

### **5. LOCAL TRUST COMMITTEE PROJECTS**

#### **5.1 Salt Spring Island Community Engagement Pilot**

RPM Hartley reviewed the staff memorandum dated February 25, 2013 regarding the Community Engagement Pilot from March 2011 to present. The memorandum was received for information.

## 5.2 Monitoring of Covenant Requirements, Lot 30 North SSI, Cowichan District

RPM Hartley reviewed the staff report dated March 11, 2013 regarding the monitoring of covenant requirements at 151 Mt Erskine Drive.

After discussion, the following resolution was introduced:

SSI-062-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee authorize an expenditure of up to \$400 from the Local Trust Committee Expense Account (account 65240) to contract for services to monitor the terms of conservation covenant ET112692 respecting Lot 30, North Salt Spring Island, Cowichan District for the year 2013. **CARRIED**

## 5.3 Proposed Bylaw No. 461 – Secondary Suites – For Consideration of 3rd Reading

Island Planner Starke reviewed the staff report dated March 11, 2013 regarding the post-Public Hearing report for Proposed Bylaw 461 (secondary suites).

After discussion, the following resolutions were introduced:

SSI-063-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Proposed Bylaw No. 461, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2012”, by revising Subsection 3.15.2 as follows: “3.15.2 - A dwelling unit is permitted to contain a secondary suite provided that: (1) the dwelling unit or the secondary suite is occupied by the owner of the dwelling; or (2) the dwelling unit or the secondary suite is occupied by a person other than the owner who has responsibility for managing the property, including dealing with complaints of neighbours arising from the occupancy of the property.” **CARRIED**

SSI-064-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Third Reading to Proposed Bylaw No. 461 (Secondary Suites), cited as Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2012, as revised. **CARRIED**

SSI-065-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee Proposed Bylaw 461, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2012,” be forwarded to the Secretary of the Islands Trust for consideration of approval by the Executive Committee. **CARRIED**

## 5.4 Advisory Planning Commission Review – Draft Bylaw No. 467 – For Consideration of Draft Bylaw

Island Planner Starke reviewed the staff report dated March 12, 2013 regarding Draft Bylaw 467 for the Advisory Planning Commission Review.

It was noted that in the draft bylaw, there should not be any yellow highlighting.

After discussion, the following resolution was introduced:

SSI-066-13 It was **MOVED** and **SECONDED** that Draft Bylaw 467 be amended so that each of points 2.2.1, 2.2.2, 2.2.3 and 2.2.4 include the word “approximately” at the beginning of the sentence. **CARRIED**

Chair Malcolmson called for a recess at 11:03 a.m. The meeting reconvened at 11:10 a.m.

The following resolutions were made after Item 12.4:

SSI-067-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Draft Bylaw 467, cited as “Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013” as follows:  
1) by rephrasing Section 3.2.1(e) to read “record a member’s declaration of conflict of interest or potential conflict of interest, once a member has declared it;” and  
2) by rephrasing Section 7.4 to read “A recommendation of the APC shall be in the form of resolutions, and recorded by the minutes, provided that where requested by any member all dissenting opinions are also recorded.” **CARRIED**

SSI-068-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give First Reading to Draft Bylaw 467 cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013," as revised. **CARRIED**

SSI-069-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Second Reading to Proposed Bylaw 467 cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013." **CARRIED**

SSI-070-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Third Reading to Proposed Bylaw 467 cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013." **CARRIED**

SSI-071-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee Proposed Bylaw 467 cited as "Salt Spring Island Local Trust Committee Advisory Planning Commission Bylaw, 2013" be forwarded to the Secretary of the Islands Trust for consideration of approval by the Executive Committee of Islands Trust. **CARRIED**

SSI-072-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request staff to report back with the following revisions to the Advisory Planning Commission “Draft Terms of Reference,” dated March 21, 2013:

1. To add a section to clarify that after the end of a two year term, members can apply to be reappointed by the Local Trust Committee to the Advisory Planning Commission;
2. Amend no. 2 to include an example resolution and change the wording to clarify that the chairperson shall refrain from “moving” a resolution of the Advisory Planning Commission;
3. Amend no. 8 to clarify that training sessions for Advisory Planning Commission members will be offered by Islands Trust;
4. Amend no. 10 to clarify that a member with a potential conflict of interest shall remove themselves from the meeting;
5. Amend no. 11 to clarify that the Advisory Planning Commission may “only” request technical information from other agencies through Islands Trust staff;

6. Add a section which specifies elections of the Advisory Planning Commission chair are to be done by secret ballot. **CARRIED**

## **5.5 Watershed Management – Trust Council Delegation Bylaw**

Island Planner Starke reviewed the staff report dated March 14, 2013 regarding a coordinated schedule of work for exploring a bylaw that delegates Trust Council powers to the Local Trust Committee.

SSI-073-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee invite the St Mary Lake Watershed Working Group to review and comment on the document “Schedule to Coordinate Development of a Draft Trust Council Bylaw to Delegate Powers to the Salt Spring Island Local Trust Committee”, dated March 14, 2013. **CARRIED**

SSI-074-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request staff to use, as a guideline, the steps identified for the period March to June 12, 2013 in the document “Schedule to Coordinate Development of a Draft Trust Council Bylaw to Delegate Powers to the Salt Spring Island Local Trust Committee”, dated March 14, 2013 and that staff be requested to provide regular updates as the process develops and recommend schedule amendments if necessary. **CARRIED**

## **6. REPORTS**

### **6.1 Work Program Top Priorities Report**

The report was reviewed.

It was noted that staff advice will be sought when discussing the Work Program regarding increased resourcing for Industrial Advisory Planning Commission work.

### **6.2 Projects List**

The list was reviewed.

### **6.3 Expense Report – Posted to February 28, 2013**

The report was reviewed.

### **6.4 Applications with Status Report**

The report was reviewed.

### **6.5 Year-End Development Application Summary Report**

RPM Hartley reviewed the staff memorandum dated March 11, 2013 regarding the applications summary.

Chair Malcolmson called for a recess at 11:23 a.m. The meeting reconvened at 11:58 a.m. At that time, she welcomed the members of the public and thanked them for coming. She introduced the Trustees and staff and reviewed the audio recording practices.

## 7. TRUSTEE REPORTS

Trustee Grove reported the following: he was unable to attend the Trust Council meeting on Thetis Island; he has been working with staff regarding rezoning application SS-RZ-2011.3 (J. Quesnel, 440 Rainbow Road); he attended the following: an Industrial Advisory Planning Commission meeting; a Salt Spring Island Community Economic Development Commission round table on tourism; a Watershed Working Group meeting; a Fire Department meeting.

Trustee Grams reported that he met with: the North Salt Spring Waterworks District (NSSWD) and the Capital Regional District regarding St Mary Lake; the Fire Chief and a Fire Trustee regarding the new fire hall; residents; a NSSWD Trustee; Kate Emmings from the Islands Trust Fund. He reported that he attended the following: an Industrial Advisory Planning Commission meeting; Queen Elizabeth II Diamond Jubilee Medal presentation to Fire Chief Tom Bremner; a Salt Spring Island Governance Study Committee meeting; the Trust Council meeting on Thetis Island; and a St. Mary's Lake Watershed Working Group meeting.

## 8. CHAIR'S REPORT

Chair Malcolmson reported that she attended a conference in the San Juan Islands regarding ocean management issues and the Trust Council meeting on Thetis Island. She reported that she met with the Minister of Transportation and Infrastructure and three Members of the Legislative Assembly from the New Democratic Party.

## 9. CRD DIRECTOR'S REPORT – none

## 10. DELEGATIONS

Chair Malcolmson reviewed the guidelines for the Delegations and Town Hall.

### 10.1 **N. Fraser – Agricultural Land Reserve Exclusion**

Ms. Fraser spoke about her application for exclusion from the Agricultural Land Reserve (SS-ALR-2011.1, 240 Atkins Road). She provided a letter addressed to the Local Trust Committee from Mike and Noella Fraser, dated March 21, 2013.

SSI-075-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to draft a letter for approval by two Salt Spring Island Local Trust Committee members to the Agricultural Land Commission which supports a one year extension for Agricultural Land Commission reconsideration of Agricultural Land Commission file number 52670 (SS-ALR-2011.1, Noella Fraser, 240 Atkins Road), as new information about the total potential for industrial land development on Salt Spring Island shall be forthcoming. **CARRIED**

### 10.2 **Dr. Varzeliotis - Rasputin Phenomena**

Dr. Varzeliotis spoke about Booth Canal. He provided a written submission titled "Tom's Town Hall Placard: A delegation supplement – March 21, 2013."

## 11. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:29 p.m. Members of the public expressed their views on: the meeting times of Local Trust Committee; Agricultural Land Reserve exclusion application SS-ALR-2011.1 (N. Fraser, 240 Atkins Road); rezoning application SS-RZ-2011.3 (J. Quesnel, 440 Rainbow Road); and commercial and industrial zoning on Salt Spring Island.

The following written submissions were provided regarding rezoning application SS-RZ-2011.3 (J. Quesnel, 440 Rainbow Road): a letter to the Local Trust Committee, staff, and community of Salt Spring Island; and a letter to the Trustees from Alex Lyons.

Chair Malcolmson called for a recess at 1:09 p.m. The meeting reconvened at 1:15 p.m.

## 12. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

### 12.1 **SS-DVP-2013.1 – C. Kelley - 131 Corbett Road**

Planner Larson reviewed the staff report dated March 8, 2013 regarding an application to vary a rear lot line setback from 7.5 metres to 7.07 metres.

The applicant was present and spoke to the application.

Further to discussion, the following resolution was introduced:

SSI-076-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve issuance of proposed Development Variance Permit SS-DVP-2013.1 to Caffyn Kelly for Lot 1, Section 3, Range 3 East, North Salt Spring Island, Cowichan District Plan VIP75147 (131 Corbett Road). **CARRIED**

### 12.2 **SS-DP-2012.7 – Island Marine Construction - 120 Maxham Road**

Planner Larson reviewed the staff report dated March 12, 2013 regarding an application in a Shoreline Development Permit Area including a rear lot line setback.

The applicant was present and spoke to the application.

Further to discussion, the following motion was introduced:

SSI-077-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer Development Permit application SS-DP-2012.7 for Lot 6, Section 39, South Salt Spring Island, Cowichan District, Plan 36388 (Peri Mehling and Iain Bruce, 120 Maxham Road) to the Advisory Planning Commission for review and comment.

An amendment to the main motion was introduced as follows:

SSI-078-13 It was **MOVED** and **SECONDED** that the motion be amended by adding the words "Environmental Advisory Committee and the" before the words "Advisory Planning Commission". **CARRIED**

The question on the following motion, as amended, was then called:

That the Salt Spring Island Local Trust Committee refer Development Permit application SS-DP-2012.7 for Lot 6, Section 39, South Salt Spring Island, Cowichan District, Plan 36388 (Peri Mehling and Iain Bruce, 120 Maxham Road) to the Environmental Advisory Committee and the Advisory Planning Commission for review and comment.

**CARRIED**

### **12.3 SS-RZ-2012.4 - Salt Spring Island Conservancy – 265 Blackburn Road**

Planner Brownrigg reviewed the staff report dated March 10, 2013 regarding an application to rezone a property to an Agriculture 2 zone variant and to discharge a land use contract currently registered on title.

The applicant was present and spoke to the application.

Further discussion, the following resolutions were introduced:

SSI-079-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Second Reading to Proposed Bylaw No. 465, cited as “Salt Spring Island Local Trust Committee Land Use Contract Authorization By-Law No. 12,1978 (Blackburn Farm Society), Amendment Bylaw No. 1, 2013.” **CARRIED**

SSI-080-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give Second Reading to Proposed Bylaw No. 466, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2013”. **CARRIED**

SSI-081-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule a Public Hearing for Proposed Bylaws 465 and 466 (SSI Conservancy, 265 Blackburn Road, SS-RZ-2012.4). **CARRIED**

SSI-082-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule a special business community information meeting prior to the Public Hearing for Proposed Bylaws 465 and 466 (SSI Conservancy, 265 Blackburn Road, SS-RZ-2012.4). **CARRIED**

### **12.4 SS-RZ-2011.3 - J. Quesnel - 440 Rainbow Road – For consideration of Draft Bylaw**

Planner Cermak reviewed the staff report dated March 18, 2013 regarding the rezoning application for Salt Spring Island Metal Recycling.

The applicant was present and spoke to this application.

Further to discussion, the following resolution was introduced:

SSI-083-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee proceed no further with application SS-RZ-2011.3 (J. Quesnel - 440 Rainbow Road). **CARRIED**  
**(Trustee Grams opposed)**

Chair Malcolmson called for a recess at 2:31 p.m. The meeting reconvened at 2:45 p.m.



13. **CORRESPONDENCE**

13.1 **Dr. Varzeliotis to Trust Council – March 4, 2013**

The correspondence was received.

13.2 **S. Cermak, Planner II – Islands Trust to Dr. Varzeliotis – March 5, 2013**

The correspondence was received.

14. **NEW BUSINESS**

14.1 **Communications arising from this meeting**

RPM Hartley introduced the topic of communications to support news and media release reporting to the public.

Further to discussion the following motion was introduced.

SSI-084-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request the assistance of Trust Area Services in communications relative to the Salt Spring Metal Recycling decision, as may be needed. **CARRIED**

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. on Thursday, April 11, 2013 at the Lion's Club, Hart Bradley Hall, 103 Bonnet Ave., Salt Spring Island.

16. **ADJOURNMENT**

**By general consent** the meeting adjourned at 3:20 p.m.

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Sheila Malcolmson, Chair

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Kathryn Luttin, Recorder