

ADOPTED
MINUTES of the SALT SPRING ISLAND
LOCAL TRUST COMMITTEE REGULAR MEETING
Friday, September 6, 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)
David Marlor, Director of Local Planning Services (by telephone)
Justine Starke, Island Planner
Stefan Cermak, Planner 2
Caitlin Brownrigg, Planner 1
Kelly Gesner, Contract Planner
Kathryn Luttin, Recorder

Media and Others Present:

Wayne McIntyre, Capital Regional District (CRD) Director
Gulf Islands Driftwood Reporter
Approximately 11 members of the public – a.m.
Approximately 20 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 Malcolmson called the meeting to order at 9:30 a.m. She introduced herself, the Trustees and staff. 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 were made to the agenda:

- supplemental to Item 4.2 – Local Trust Committee Work Program Quarterly Report – Staff Report;
- add Item 5.1 – Report from Salt Spring Island Watershed Protection Authority;
- Supplemental to Item 8.2 – Correspondences concerning SS-SUB-2009.5 – 555 Blackburn Road – J. Sprague, dated September 2, 2013, and Water Preservation Society, dated September 4, 2013;
- add Item 15 – Closed Meeting Resolution;
- add Item 16 – Rise and Report;

By general consent the agenda was approved, as amended.

3. MINUTES AND RESOLUTIONS WITHOUT MEETING

3.1 Resolutions-Without-Meeting – none.

4. LOCAL TRUST COMMITTEE PROJECTS

4.1 Implementation of the Riparian Areas Regulation

Planner Cermak reviewed the staff report dated August 29, 2013 regarding feedback received from the community engagement of the Riparian Areas Regulation implementation approaches, tools, and stream mapping results.

SSI-184-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Appendix 3 of the Riparian Areas Regulation staff report dated Aug 29, 2013 to include the Ministry of Forestry, Lands and Natural Resource Operations, the Agricultural Land Commission, the Capital Regional District Water Utilities and the Capital Regional District Salt Spring Island Parks and Recreation. **CARRIED**

SSI-185-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to ensure early consultation is given to First Nations and the agencies as listed in the amended Appendix 3 of the Riparian Areas Regulation staff report dated August 29, 2013. **CARRIED**

SSI-186-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to plan a Community Information Meeting regarding bylaw options to implementing the Riparian Areas Regulation. **CARRIED**

Chair Malcolmson called for a recess at 10:30 am. The meeting reconvened at 10:38 a.m.

4.2 Local Trust Committee Work Program Quarterly Report

RPM Hartley reviewed the staff reported dated September 4, 2013.

4.3 Secondary Suites Implementation

Island Planner Starke reviewed the staff report dated August 27, 2013 regarding an update on the implementation program for secondary suites.

SSI-187-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend Part G of the "Salt Spring Island Official Community Plan Bylaw No. 434, 2008," in order to incorporate draft guidelines that would allow a Temporary Use Permit to be used for a residential use, as presented in the staff report dated August 27, 2013. **CARRIED**

SSI-188-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to bring for consideration an updated project charter that reflects the changes proposed in the staff report dated August 27, 2013. **CARRIED**

SSI-189-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to ensure early consultation on secondary suites implementation is given to First Nations and the agencies as listed in Appendix 3 of the August 27, 2013 staff report. **CARRIED**

SSI-190-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to forward the staff report dated August 27, 2013 to the Advisory Planning Commission for input into the draft guidelines for residential temporary use permits. **CARRIED**

It was noted that Trustees asked staff to consult with the Community, referral agencies and the Advisory Planning Commission about the possibility of using a Temporary Use Permit to permit a secondary suite in an accessory building such as a garage or barn on a temporary basis.

5. NEW BUSINESS

5.1 Report from Salt Spring Island Watershed Protection Authority

Trustee Grams provided a verbal report on the Salt Spring Island Watershed Protection Authority (SSIWPA).

SSI-191-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee consider by Resolution-Without-Meeting an amended project charter that identifies \$8,000 of the watershed management budget to be used for coordination of the Salt Spring Island Watershed Protection Authority. **CARRIED**

6. REPORTS

6.1 Work Program Top Priorities Report

The report was reviewed.

6.2 Projects List

The list was reviewed.

6.3 Applications with Status Report

The report was reviewed.

6.4 Expense Report - To August 31, 2013

The report was reviewed.

6.5 Application Summary Report

The report was reviewed.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-Up Action List

The list was reviewed.

8. CORRESPONDENCE

8.1 Rural Affordable Housing Project of the Denman Community Land Trust Association

The correspondence was received.

It was noted that Trustee Grams will respond to the writer to express thanks and to indicate that the Local Trust Committee may consider the information again in a future agenda following consideration by the Denman Island Local Trust Committee.

8.2 Correspondences concerning SS-SUB-2009.4 – 555 Blackburn Road – J. Sprague, dated September 2, 2013, and Water Preservation Society, dated September 4, 2013

The correspondences were received during the review of Item 14.1.

Chair Malcolmson called for a recess at 11:32 a.m. The meeting reconvened at 12:00 noon. 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.

9. TRUSTEE REPORTS

Trustee Grams reported attending meetings with the following: Industrial Advisory Planning Commission; Salt Spring Island Governance Study Committee; teleconference with Islands Trust Chief Administrative Officer Linda Adams regarding St Mary Lake and the Salt Spring Island Watershed Protection Authority. He reported on the following from the recent Salt Spring Island Watershed Protection Authority meeting: the Terms of Reference for both the Steering Committee and the Technical Advisory Committee; the call for nominations for the Technical Advisory Committee; cooperation between the CRD and Ministry of Environment; the phosphorus budget update; and the creation of a coordinator position.

Trustee Grove extended condolences to Agricultural Advisory Planning Commission Chair Byron on the family's recent loss. He reported that he attended meetings with the following: an Industrial Advisory Planning Commission; a Salt Spring Island Governance Study Committee meeting; He noted the Annual Salt Spring Pride Parade.

10. CHAIR'S REPORT

Chair Malcolmson reported on the upcoming Trust Council meeting on Lasqueti Island. She noted the following regarding the upcoming Union of British Columbia Municipalities convention: the Islands Trust Council initiatives regarding derelict vessels; four meetings with provincial ministers; and a meeting with Regional Directors and Members of the Legislative Assembly regarding economic sustainability models.

11. CRD DIRECTOR'S REPORT

CRD Director McIntyre spoke about: an Electoral Area Services Committee meeting; the request for program expansion of the CRD to allow for greater access to funding; the Supreme Court decision regarding CRD Noise bylaw No. 3384; recent activities of the

Union of British Columbia Municipalities Small Water Systems Working Group; budget reviews with several CRD commissions; and affordable housing projects.

12. DELEGATIONS

Chair Malcolmson went over guidelines for Delegations and the Town Hall, and reviewed the audio recording practices.

12.1 Mr. Wayne Hewitt concerning subdivision application SS-SUB-2009.4 - 555 Blackburn Road

Mr. Hewitt spoke about the subdivision application for 555 Blackburn Road and about agricultural use in the Rural Watershed 1 (RW1) zone.

He provided a written submission titled; "Concerns about the proposed 3 lot subdivision of Lot 5, 555 Blackburn Road located in the Cusheon Lake Watershed".

12.2 Mr. John Quesnel concerning the Industrial Needs Assessment and his property at 440 Rainbow Rd.

Mr. Quesnel spoke about his business, Salt Spring Island Metal Recycling, a proposed Temporary Use Permit application and about industrial zoning in his area.

13. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:40 p.m. Members of the public expressed their views on: the development permit application for Kings Lane Medical Clinic (SS-DP-2013.2); the Rural Watershed 1 (RW1) zone definition; the subdivision application for 555 Blackburn Road (SS-SUB-2009.4); the rezoning application for 147 Swanson Road (SS-RZ-2012.2); and the rezoning application for Ashya Road (SS-RZ-2013.3).

The following written submissions were provided:

- Doreen Hewitt - entitled "Problems with chart 9.10 on page 103 in Bylaw 355";
- Ron Hawkins – entitled "119-150 Ashya Road Development Proposal" – dated September 6, 2013;
- Dr. Varzeliotis – entitled "Tom's Town Hall Placard" – dated September 6, 2013.

Chair Malcolmson called for a recess at 1:16 p.m. The meeting reconvened at 1:25 p.m.

14. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

14.1 SS-SUB-2009.4 – Wolfe-Milner Land Surveying Inc. - 555 Blackburn Road - Frontage Exemption and Covenant

RPM Hartley reviewed the staff report dated August 29, 2013 regarding a road frontage waiver and consideration of a covenant.

The landowner was present and was invited to speak.

The correspondences from Item 8.2 were received at this time and questions of land use bylaw interpretation and development permit area provisions were noted.

SSI-192-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve the waiver of the 10% minimum frontage requirement under Section 5.3 of Salt Spring Island Land Use Bylaw No. 355 and Section 944 of the *Local Government Act* for proposed Lots A and C of Lot 5, District Lot 1, North Salt Spring Island, Cowichan District, Plan VIP 73548 (SS-SUB-2009.4, 555 Blackburn Road, Glenfallsdivide Farms Ltd.), upon receipt of a letter of undertaking to register the easements at time of subdivision, in order that access to the building sites and across the proposed properties is assured with no further crossings of watercourses. **CARRIED**

SSI-193-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to research and report back to the Local Trust Committee on matters related to land use bylaw interpretation and development permit exemption as raised in consideration of subdivision SS-SUB-2009.4. **CARRIED**

SSI-194-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to forward to the approving officer the correspondence relating to subdivision SS-SUB-2009.4 (555 Blackburn Road, Glenfallsdivide Farms Ltd.) and the Official Community Plan objectives relating to this correspondence. **CARRIED**

Chair Malcolmson called for a recess at 2:22 p.m. The meeting reconvened at 2:30 p.m.

14.2 SS-DP-2013.2 – Polaris Land Surveying – 154 Kings Lane - Development Permit to allow construction of two buildings

Contract Planner Gesner reviewed the staff report dated August 27, 2013 regarding the proposal to construct two buildings for professional offices and associated medical retail space.

The applicant was present and was invited to speak. He provided a written submission entitled: "Screening, Landscaping and referral committees".

SSI-195-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer the application for Development Permit SS-DP-2013.2 (154 Kings Lane, Polaris Land Surveying) to the Advisory Planning Commission. **CARRIED**

SSI-196-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to obtain from the applicant a cost estimate by a qualified landscape professional on the proposed landscaping so that the Local Trust Committee may consider taking security for the completion of landscaping in association with the issuance of a development permit. **CARRIED**

14.3 SS-DP-2013.3 – J. Andreae - 521 Mansell Road – Development Permit in conjunction with subdivision referral SS-SUB-2012.4 -

Contract Planner Gesner reviewed the staff report dated August 28, 2013 regarding the application for Development Permit Area 3 – Shoreline and for a waiver of road frontage.

The applicant was not present.

SSI-197-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve the waiver of the 10% minimum frontage requirement under Section 5.3 of Salt Spring Island Land Use Bylaw No. 355 and Section 944 of the *Local Government Act* for

proposed Lot A of The North and West Portions of Section 5, Range 5 East, North Salt Spring Island, Cowichan District, containing 70 acres more or less, as shown red on Plan deposited under DD 20959, for Janet Andreae (SS-SUB-2012.4, 521 Mansell Road). **CARRIED**

SSI-198-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve issuance of a Development Permit in the form attached for The North and West Portions of Section 5, Range 5 East, North Salt Spring Island, Cowichan District, containing 70 acres more or less, as shown red on Plan deposited under DD 20959, for Janet Andreae (SS-DP-2013.3, 521 Mansell Road). **CARRIED**

14.4 SS-RZ-2013.6 – Island Marine Construction Services – Fulford Landing – Rezoning Shoreline

Contract Planner Gesner reviewed the staff report dated August 26, 2013 regarding the application to amend the Official Community Plan and Land Use Bylaw for portions of the water in Fulford Harbour.

The applicant was present and was invited to speak.

SSI-199-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to initiate early consultation with BC Ferry Corporation, the Capital Regional District and First Nations through referral of application SS-RZ-2013.6, for amendments to the Official Community Plan Bylaw No. 434 and Land Use Bylaw No. 355 to re-designate a portion of the water area adjacent to Lot 1, Section 15, Ranges 1 and 2, South Salt Spring Island, Cowichan District, Plan 12248 (2850 Fulford-Ganges Road, Kelly Keen) from Marine Other (MO) to Shoreline Development (SD) and to rezone relevant areas from Shoreline 3 (S3) and Shoreline 6 (S6) to Shoreline 2 (S2), prior to drafting the bylaws. **CARRIED**

SSI-200-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare bylaws amending the Official Community Plan Bylaw No. 434 for a water area adjacent to Lot 1, Section 15, Ranges 1 and 2, South Salt Spring Island, Cowichan District, Plan 12248 (2850 Fulford-Ganges Road) designated Marine Other (MO) to Shoreline Development (SD) and Land Use Bylaw No. 355 for areas zoned Shoreline 3 (S3) and Shoreline 6 (S6) to Shoreline 2 (S2) (SS-RZ-2013.6, Kelly Keen). **CARRIED**

SSI-201-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-RZ-2013.6 (2850 Fulford-Ganges Road, Kelly Keen) to the Salt Spring Island Advisory Planning Commission for review and comment. **CARRIED**

14.5 SS-RZ-2012.3 - R.S. & B. Aust – 1415 & 1429 Fulford-Ganges Road – Rezoning and Official Community Plan Amendment

Planner Brownrigg reviewed the staff report dated August 16, 2013 regarding the proposal to amend the Land Use Bylaw and change the Official Community Plan designation in order to increase the range of uses and density.

The applicant was present and was invited to speak.

SSI-202-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refer application SS-RZ-2012.3 to the Advisory Planning Commission, First Nations stakeholders, and Vancouver Island Health Authority for comment (Aust, 1415 and 1429 Fulford-Ganges Road). **CARRIED**

SSI-203-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request the applicant for SS-RZ-2012.3 hold a community information meeting (Aust, 1415 and 1429 Fulford-Ganges Road). **CARRIED**

SSI-204-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to work with the applicant to prepare a draft conservation covenant for Strata Lot C (SS-RZ-2012.3, Aust, 1415 and 1429 Fulford-Ganges Road). **CARRIED**

SSI-205-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request that the applicant (SS-RZ-2012.3, Aust, 1415 and 1429 Fulford-Ganges Road) submit the following reports: a) report from septic engineer ensuring adequate septic capacity for increase in density and intensity of use; b) updated report confirming adequate supply of water; c) draft of conservation covenant protecting Ford Creek including baseline biologist report. **CARRIED**

SSI-206-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend Salt Spring Island Official Community Plan No. 434 to re-designate Strata Lots A and B, Section 78, South Salt Spring Island, Cowichan District, Strata Plan VIS6760 from Rural Neighbourhoods to Industrial and Commercial Services in order to permit the range of uses permitted by Industrial zoning. **CARRIED**

SSI-207-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone Strata Lots A and B, Section 78, South Salt Spring Island, Cowichan District, Strata Plan VIS6760 from In2 to In2(b) in order to permit increased density and range of uses and to rezone Strata Lot C to Rural. **CARRIED**

14.6 SS-RZ-2012.2 – S. Bull - 147 Swanson Road – Rezoning to Multi-Family

Contract Planner Gesner reviewed the staff report dated August 28, 2013 regarding the proposal to rezone the subject property from its current Residential 6 (R6) zone to a multi-family zone in order to permit five affordable housing units.

The applicant was not present.

SSI-208-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to report back on this application at the October 3, 2013 meeting with a recommendation (Bull, SS-RZ-2012.2, 147 Swanson Road). **CARRIED**

Chair Malcolmson called for a recess at 3:20 p.m. The meeting reconvened at 3:28 p.m.

15. CLOSED MEETING

15.1 Motion to Close the Meeting

SSI-209-13 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)(g) concerning litigation or potential litigation affecting the Islands Trust; and section 90(1)(i) for the receipt of legal advice; and that staff be invited to remain. **CARRIED**

The Salt Spring Island Local Trust Committee closed the meeting at 3:28 p.m. and reconvened in open meeting at the Islands Trust office at 1-500 Lower Ganges Road at 5:09 p.m. to vacate Hart Bradley Hall due to a subsequent booking.

16. RISE AND REPORT

16.1 Salt Spring Island Metal Recycling – J. Quesnel - 440 Rainbow Road

SSI-210-13 It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee will be prepared to accept an application from John Quesnel before March 20, 2014 for a Temporary Use Permit for an industrial operation at his present location which excludes metal crushing and/or similar noise generating activities subject to his immediate compliance with a cease and desist order. **CARRIED**

It was noted that staff were asked to convey to Mr. Quesnel the wording of the resolution and to follow up in more detail in the following week.

17. UPCOMING MEETINGS

The next regular business meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on Thursday, October 3, 2013 at the Lion's Club, Hart Bradley Hall, 103 Bonnet Ave., Salt Spring Island.

18. ADJOURNMENT

By general consent the meeting adjourned at 5:17 p.m.

Sheila Malcolmson, Chair

CERTIFIED CORRECT:

Kathryn Luttin, Recorder