

ADOPTED
MINUTES of the SALT SPRING ISLAND
LOCAL TRUST COMMITTEE REGULAR MEETING
Thursday, October 24, 2013 - 9:30 AM
Lions Club, Hart Bradley Hall - 103 Bonnet Avenue, Salt Spring Island

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
Kelly Gesner, Contract Planner
Kathryn Luttin, Recorder

Media and Others Present:

Gulf Islands Driftwood Reporter
Wayne McIntyre, Capital Regional District (CRD) Director
Approximately 7 members of the public – a.m.
Approximately 29 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 amendments were made to the agenda:

- supplemental to Item 14.3 – Draft Covenant – E. Booth – Concerning SS-RZ-2013.3 – 119-150 Ashya Road;
- supplemental to Item 14.7 – Correspondence dated October 21, 2013 – M. Wilson – Concerning SS-DP-2013.2 – 154 Kings Lane;
- supplemental to Item 14.7 – Correspondence dated October 23, 2013 – K. Campbell, Salt Spring Parks & Recreation to B. Taylor, Polaris Land Surveying Inc.;
- remove Item 8.2 – Correspondence from F. Sims et al – 291 Long Harbour Road.

By general consent the agenda was approved, as amended.

3. MINUTES AND RESOLUTIONS WITHOUT MEETING

3.1 Draft Minutes of the October 3, 2013 SSI LTC Regular Meeting

By general consent the Salt Spring Island Local Trust Committee Regular Meeting minutes of October 3, 2013 were adopted, as presented.

3.2 Draft Minutes of the September 20, 2013 SSI LTC Special Meeting

By **general consent** the Salt Spring Island Local Trust Committee Special Meeting minutes of September 20, 2013 were adopted, as presented.

3.3 APC Draft Minutes – as available

No minutes were available.

3.4 IAPC Adopted Minutes of September 05, 2013

The minutes were received for information.

3.5 IAPC Adopted Minutes of September 16, 2013

The minutes were received for information.

3.6 IAPC Adopted Minutes of September 26, 2013

The minutes were received for information.

3.7 Resolutions-Without-Meeting

The report was received.

4. LOCAL TRUST COMMITTEE PROJECTS

4.1 Riparian Areas Regulation Interim Report

Planner Cermak reviewed the staff report dated October 10, 2013 regarding a draft scope of work for a third party review of the stream mapping within all Riparian Areas Regulation Designated Watersheds based on specific property owner feedback.

Further to discussion, the following resolutions were introduced:

SSI-234-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve the general terms of the third party review of the Riparian Areas Regulation stream mapping on Salt Spring Island as presented in the staff report dated October 10, 2013. **CARRIED**

SSI-235-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a Riparian Areas Regulation stream mapping service contract for issuance pending receipt of feedback from mapping the 19 remaining Riparian Areas Regulation Designated Watersheds and pending allocation of budget. **CARRIED**

4.2 Secondary Suites Implementation – OCP Amendment Draft Bylaw

Island Planner Starke reviewed the staff report dated October 16, 2013 regarding draft amendments to the Official Community Plan which would allow a Temporary Use Permit (TUP) to be used for a residential use.

Further to discussion, the following resolutions were introduced:

SSI-236-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 471, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013". **CARRIED**

SSI-237-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee consider and endorse the Trust Policy Statement Directives Only Checklist attached as Appendix 3 of the staff report dated October 16, 2013. **CARRIED**

SSI-238-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule a Community Information Meeting to take place before the end of November, 2013 (Bylaw No. 471). **CARRIED**

SSI-239-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request staff to review the fees bylaw and in particular the application fee for a Temporary Use Permit in order to make small housing applications more affordable. **CARRIED**

It was noted that staff recommendations are requested for a) removing "accessory" from section G.1.2.5 and b) adding "small" to section G.1.2.6.

5. NEW BUSINESS

5.1 Islands Trust Council Strategic Plan for LTC Input

RPM Hartley reviewed the staff briefing dated October 3, 2013 regarding Local Trust Committee input to Islands Trust Council Strategic Plan.

The following was noted during discussion:

- it was requested that the briefing return on a future agenda;
- consensus was reached on retaining quality management work;
- staff advice was requested on the extent of Piers Island climate change work that may be needed.

5.2 Galiano Island Local Trust Committee Proposed Bylaw No. 241

Island Planner Starke reviewed the staff report dated October 16, 2013 regarding proposed Bylaw No. 241 – a bylaw to amend two subject areas within the Galiano Land Use Bylaw.

It was noted that the first paragraph of the staff report should read "two (2) subject areas" instead of "three (3) subject areas".

Further to discussion, the following resolution was introduced:

SSI-240-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to respond to the Galiano Island Local Trust Area Bylaw Referral Form for Proposed Bylaw No. 241, indicating that “interests are unaffected by bylaw.”

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

It was noted that the report is not up to date, and will be discussed at next meeting.

6.4 LTC Work Program Update

RPM Hartley provided a verbal update.

SSI-241-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to bring forward a proposed re-allocation of staff resources and revision to project charter schedules that will provide for equivalent services to applications and to community planning projects within the Salt Spring Region.

CARRIED

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-Up Action List

The list was reviewed.

It was noted that the first item is to be marked done.

8. CORRESPONDENCE

8.1 Letter to UBCM dated October 9, 2013 regarding Regional C2C Forum Program Application

The correspondence was received.

Chair Malcolmson called for a recess at 11:20 a.m. The meeting reconvened at 12:00 p.m. At that time, she welcomed the members of the public and thanked them for coming. She introduced the Trustees, staff, and CRD Director Wayne McIntyre and reviewed the audio recording practices.

9. TRUSTEE REPORTS

Trustee Grove reported that he attended the following: two meetings of the Salt Spring Island Governance Study Committee; Salt Spring Forum’s event with Michael Edmonds,

Oxford University, regarding water issues; and the Channel Ridge Properties Annual General Meeting. He noted the upcoming forums next week regarding the Salt Spring Island Governance Study, the Fire Hall referendum, and the Chamber of Commerce Business Awards. He mentioned his involvement with the Islands Trust Finance Committee in formulating next year's budget.

Trustee Grams reported that he attended the following: two meetings of the Salt Spring Island Governance Study Committee; a meeting of the Salt Spring Island Watershed Protection Authority; a meeting of the Salt Spring Island Advisory Planning Commission; and several meetings with constituents. He noted the following: the Salt Spring Island Governance Study surveys and upcoming forums; the appointment of Dr. Shannon Cowan as coordinator of the Salt Spring Island Watershed Protection Authority; the public meeting of the Salt Spring Island Watershed Protection Authority to be scheduled before the end of November; and the Fire Hall referendum.

10. CHAIR'S REPORT

Chair Malcolmson reported that she met with Jordan Sturdy, the new Member of Legislative Assembly and Parliamentary Secretary to the Minister of Transportation and Infrastructure regarding ferry fares. She spoke about her involvement with advocating for decreased ferry fares.

11. CRD DIRECTOR'S REPORT

CRD Director McIntyre spoke about: a review session with Salt Spring Island Foundation regarding community projects; issues concerning access to rural-oriented grant programs; funding for Lady Minto Hospital; a mail-in ballot system for elections; potential improvements for the Salt Spring Island transit system; the Salt Spring Island Cycling Master Plan; the Chamber of Commerce Business Awards; the review session regarding the Salt Spring Island Community Economic Development Plan; the new Duck Creek trail upgrades; the meeting with the Salt Spring Island Community Economic Development Commission, RPM Hartley and Island Planner Starke regarding the Ganges Village plan; the Channel Ridge Development Properties Annual General Meeting; the new coordinator for the Salt Spring Island Watershed Protection Authority; the upcoming review session on economic development with seven gulf islands in the Islands Trust area.

12. DELEGATIONS

Chair Malcolmson reviewed the guidelines for delegations, the Town Hall, and audio recording practices.

12.1 Dr. Varzeliotis

Dr. Varzeliotis spoke about censorship of his written delegation material. He provided written submissions dated October 24, 2013 titled "Censoring The Censorship" and "Requesting Agenda Correction - the October 24 LTC Meeting".

13. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:21 p.m. Members of the public expressed the following:

- lack of support for rezoning application SS-RZ-2012.2 (147 Swanson Road);
- concerns regarding Development Permit SS-DP-2013.5 (1611 Musgrave Road);

- support for Development Permit SS-DP-2013.2 (154 Kings Lane);
- concerns regarding lack of bylaw enforcement;
- lack of support for a Temporary Use Permit for 440 Rainbow Road (Salt Spring Island Metal Recycling).

The following submissions were received: a written submission from Jan Slakov, dated October 24, 2013; photos and an audio recording regarding Salt Spring Island Metal Recycling.

Chair Malcolmson called for a recess at 1:27 p.m. The meeting reconvened at 1:35 p.m.

14. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

14.1 SS-RZ-2013.8 – Javiera Lara-Faure, 221 Quarry Drive

Planner Brownrigg reviewed the staff report dated October 15, 2013 regarding the proposal to amend the Land Use Bylaw to permit further subdivision of the subject property to support a proposed family farming operation.

The applicant was present and was invited to speak.

Further to discussion, the following resolutions were introduced:

SSI-242-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee proceed no further with application SS-RZ-2013.8 (Lara-Faure, 221 Quarry Drive). **CARRIED**

SSI-243-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to partially refund the application fee for SS-RZ-2013.8 (Lara-Faure, 221 Quarry Drive) per Islands Trust Fees Bylaw No. 428. **CARRIED**

14.2 SS-RZ-2013.1 – MacAlpine, 1351 Mountain Road

Planner Brownrigg reviewed the staff report dated October 15, 2013 regarding the proposal to rezone the shoreline portion of the subject property in order to permit an existing breakwater and oversize dock float.

The applicant was present and was invited to speak.

Further to discussion, the following resolutions were introduced:

SSI-244-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone a portion of the foreshore adjacent to upland Lot 5, Sections 33 and 37, South Salt Spring Island, Cowichan District, Plan 1812 from S6 to S6(b) in order to permit one floating breakwater and one dock with an oversized float (SS-RZ-2013.1, 1351 Mountain Road, MacAlpine). **CARRIED**

SSI-245-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a draft covenant for Lot 5, Sections 33 and 37, South Salt Spring Island, Cowichan District, Plan 1812 in order to limit the number of docks and floating breakwater to one (SS-RZ-2013.1, 1351 Mountain Road, MacAlpine). **CARRIED**

14.3 SS-RZ-2013.3 – Eric Booth, 119-150 Ashya Road

Planner Brownrigg reviewed the staff report dated October 16, 2013 regarding the proposal to amend the Official Community Plan designation and zoning on the subject properties in order to permit affordable housing units.

The applicant was present and was invited to speak.

Further to discussion, the following resolutions were introduced:

SSI-246-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Official Community Plan No. 434 to redesignate Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778 from Forestry and Agriculture to Rural Neighborhoods in order to permit increased residential density for affordable housing (SS-RZ-2013.3, 119-150 Ashya Road, Booth). **CARRIED**

SSI-247-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone Strata Lots 1-9, section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778 from Forestry 1(a) to Rural (n) in order to permit additional residential density on the subject properties for affordable housing (SS-RZ-2013.3, 119-150 Ashya Road, Booth). **CARRIED**

SSI-248-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to enter into a cost recovery agreement with the applicant of application SS-RZ-2013.3 pursuant to Trust Council policy and the Salt Spring Island planning application fees bylaw to request Islands Trust legal counsel review of the draft covenant submitted October 10, 2013 (119-150 Ashya Road, Booth). **CARRIED**

SSI-249-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to, pending an approved cost recovery agreement, administer a legal services request for review of the draft covenant submitted October 10, 2013 regarding SS-RZ-2013.3 (119-150 Ashya Road, Booth). **CARRIED**

Chair Malcolmson called for a recess at 2:47 p.m. The meeting reconvened at 2:55 p.m.

14.4 SS-RZ-2013.7 – Salt Spring Ventures, Park Drive – Rezoning to include affordable multi-family units

Contract Planner Gesner reviewed the staff report dated October 16, 2013 regarding the proposal to amend the Official Community Plan (OCP) and the Land Use Bylaw (LUB) in order to permit an additional 50 units of affordable multi-family dwellings as well as a relaxation of the height restriction to allow for a height of 11 metres or three storeys.

The applicant was present and was invited to speak.

Further to discussion, the following resolution was introduced:

SSI-250-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct that this application proceed no further until such time as the applicant submits a revised application more in conformance with Official Community Plan guidelines. (SS-RZ-2013.7, Park Drive, Salt Spring Ventures Inc.). **CARRIED**

14.5 SS-DP-2013.5 – Polaris Land Surveying, 1611 Musgrave Road

Planner Brownrigg reviewed the staff report dated October 15, 2013 regarding a Development Permit related to subdivision application SS-SUB-2006.12 which will create new lots in an area that has several significant wetlands.

The applicant's representative was present and was invited to speak.

Further to discussion, the following resolution was introduced:

SSI-251-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2013.5 for The Southeast 1/4 of Section 44, The South 1/2 of the Southwest 1/4 of Section 43, The Remainder of the Southeast 1/4 of Section 43 and the Northeast 1/4 of Section 37, All of South Salt Spring Island, Cowichan District (Anna's Drive, Musgrave Road, Mt Tuam Road, Polaris Land Surveying). **CARRIED**

14.6 SS-SUB-2006.12 – Frontage Waiver – Brent Taylor, 344 Anna's Drive and 1611 Musgrave Road

Planner Brownrigg reviewed the staff report dated October 16, 2013 regarding the proposal to waive Section 944 of the *Local Government Act* that mandates that 10% of the perimeter of all lots that front on a road.

The applicant's representative was present and was invited to speak.

Further to discussion, the following resolution was introduced:

SSI-252-13

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 strata lots 4, 10, 11, 17, 18, 23, 24, 25, 26, and 27 of the Southeast 1/4 of Section 44, The South 1/2 of the Southwest 1/4 of Section 43, The Remainder of the Southeast 1/4 of Section 43 and the Northeast 1/4 of Section 37, All of South Salt Spring Island, Cowichan District (SS-SUB-2006.12, Anna's Drive, Musgrave Road, Mt Tuam Road, Polaris Land Surveying). **CARRIED**

Chair Malcolmson called for a recess at 3:55 p.m. The meeting reconvened at 4:00 p.m.

14.7 SS-DP-2013.2 – Polaris Land Surveying, 154-164 Kings Lane – Development Permit to allow construction of two buildings

Contract Planner Gesner reviewed the staff report dated October 16, 2013 regarding the proposal to construct two buildings for professional offices and associated medical retail space.

The applicant's representative was present and was invited to speak.

Further to discussion, the following resolution was introduced:

SSI-253-13

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee approve Development Permit SS-DP-2013.2 (154-164 Kings Lane, Polaris Land Surveying). **CARRIED**

It was noted that a Resolution-Without-Meeting may be required should further details be necessary to issue the permit.

15. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on Thursday, November 14, 2013 at the Lions Club, Hart Bradley Hall, 103 Bonnet Avenue, Salt Spring Island.

16. ADJOURNMENT

By general consent the meeting adjourned at 4:27 p.m.

Sheila Malcolmson, Chair

CERTIFIED CORRECT:

Kathryn Luttin, Recorder