



Salt Spring Island Local Trust Committee Minutes of a Regular Meeting

Date: Thursday, October 16, 2014
Location: Lions Club, Hart Bradley Memorial Hall
103 Bonnet Avenue, Salt Spring Island, BC

Members Present: Sheila Malcolmson, Chair
George Grams, Local Trustee
Peter Grove, Local Trustee

Staff Present: Leah Hartley, Regional Planning Manager (RPM)
Stefan Cermak, Island Planner
Kristin Aasen, Planner 2
Jason Youmans, Planner 1
Miles Drew, Bylaw Enforcement Manager (BEM)
Thomas Loo, Bylaw Enforcement Officer (BEO)
Sarah Shugar, Recorder

Media and Others Present: Gulf Islands Driftwood Reporter
Approximately 2 members of the public – a.m.
Approximately 15 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 and acknowledged that the Local Trust Committee is meeting in the traditional territory of the Coast Salish people.

2. APPROVAL OF AGENDA

The following supplemental items were presented for consideration:

- 17.2.1 SS-RZ-2014.1 – Bylaw No. 479 – Resolution Amendment – 315 Upper Ganges Road, Merchants' Mews
- 17.3.1 SS-RZ-2003.5 – Housing Agreement Bylaw No. 469 – Supplemental Memorandum – 176 Norton Road

By general consent the agenda was adopted, as amended.

3. MINUTES AND RESOLUTIONS WITHOUT MEETING

3.1. Draft Minutes of the September 18, 2014 SSI LTC Regular Meeting

By general consent, the minutes of the September 18, 2014 Salt Spring Island Local Trust Committee Regular Meeting be adopted as presented.

4. LOCAL TRUST COMMITTEE PROJECTS

4.1. Ganges Boardwalk

Planner Aasen presented a staff report dated October 2, 2014 regarding Ganges Village Planning. She reported that the Draft Charter would be presented on November 6, 2014.

4.2. Bylaw No. 482 - Riparian Areas Regulation Prevost and Associated Islands

Planner Cermak presented a staff report dated October 8, 2014 regarding Riparian Areas Regulation on Prevost Island.

Further to discussion, the following resolutions were introduced.

SS-2014-187

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee advise the Executive Committee that it has reviewed the Policy Statement Directives Only Checklist and determined that Draft Bylaw No. 482 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SS-2014-188

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives first and second reading to Draft Bylaw 482 cited as "Zoning Bylaw, Planning Area No. 4, 1972, Amendment Bylaw No. 1, 2014."

CARRIED

SS-2014-189

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refers Proposed Bylaw 482 to: Chemainus First Nation, Cowichan Tribes, Halalt First Nation, Hul'qumi'num Treaty Group (for information only), Lake Cowichan First Nation, Lyackson First Nation, Malahat First Nation - Te'Mexw Treaty Association, Pauquachin First Nation, Penelakut Tribe, Tsartlip First Nation, Tsawout First Nation, Tsawwassen First Nation, Tseycum First Nation, Mayne Island Local Trust Committee, Galiano Island Local Trust Committee, North Pender Local Trust Committee, Parks Canada, Agricultural Land Commission and the Ministry of Forests, Land and Natural Resource Operations.

CARRIED

SS-2014-190

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to schedule a Public Hearing for Draft Bylaw 482 cited as "Zoning Bylaw, Planning Area No. 4, 1972, Amendment Bylaw No. 1, 2014."

CARRIED

4.3. Bylaw No. 480 - Riparian Areas Regulation Salt Spring Island

Planner Cermak presented a staff report dated October 7, 2014 regarding Riparian Areas Regulation on Salt Spring Island.

Further to discussion, the following resolutions were introduced.

SS-2014-191

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Proposed Bylaw 480 cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 2, 2014" as recommended in the Staff Report dated October 7, 2014.

CARRIED

SS-2014-192

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives second reading to Proposed Bylaw 480 as amended, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 2, 2014".

CARRIED

Trustees requested the Public Hearing for Proposed Bylaws 480 and 482 to be scheduled for November 4, 2014.

4.4. Salt Spring Island Watershed Protection Authority – 2015/16 Budget Request

Planner Cermak presented a staff report dated October 8, 2014 regarding the Salt Spring Island Watershed Protection Authority Budget Request.

Further to discussion, the following resolution was introduced.

SS-2014-193

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee request a special property tax requisition for up to \$107,000 from the Salt Spring Island Local Trust Area in the 2015/16 fiscal year, subject to Trust Council Policy 6.3.ii, in order to resource coordination of watershed management on Salt Spring Island, using the powers delegated to the Salt Spring Island Local Trust Committee by Trust Council Bylaw 154.

CARRIED

5. REPORTS

5.1. SS/Applications (General) Dormant Applications

RPM Hartley presented a staff report dated October 3, 2014 regarding dormant application SS-DP-2011.6 (SS-DP-2011.6, Park Drive).

Further to discussion, the following resolution was introduced.

SS-2014-194

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee rescind resolutions SSI-169-12 and SSI-170-12 (SS-DP-2011.6, Park Drive).

CARRIED

5.2. Work Program Top Priorities Report

The report was received.

5.3. Project List

The report was received.

5.4. Applications with Status Report

The report was received.

5.5. Expense Report - September 2014

The report was received.

6. BUSINESS ARISING FROM MINUTES

6.1. Follow-Up Action List

The report was received.

7. CORRESPONDENCE

7.1. Salt Spring Island Agricultural Alliance regarding the Industrial Advisory Planning Commission Draft Final Report - dated October 7, 2014

Planner Cermak reported that all feedback regarding the Industrial Advisory Planning Commission Draft Final Report will be reported to the Local Trust Committee in a staff report.

The correspondence was received.

8. CLOSED MEETING RESOLUTION

SS-2014-195

At 10:45 a.m. it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee closes this meeting to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(f) law enforcement, s. 90(1)(i) receipt of advice that is subject to solicitor-client privilege and s. 90(2)(b) consideration of information received and held in confidence relating to negotiations between Islands Trust and a third party and that staff be invited to remain.

CARRIED

9. OPEN MEETING RESOLUTION

SS-2014-196

At 11:50 a.m. It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee re-open this meeting to the public subject to Section 89 of the Community Charter.

CARRIED

10. RISE AND REPORT

10.1 Salt Spring Island Watershed Protection Authority

The Salt Spring Island Local Trust Committee confirm the endorsement of the Salt Spring Island Watershed Protection Authority (SSIWPA) actions to expand its scope of work to include water quantity and request from SSIWPA an outline of resources and a revised Terms of Reference to include water quantity.

Chair Malcolmson called a recess at 11:51 a.m. The meeting reconvened at 12:02 p.m. At that time, she welcomed the members of the public and thanked them for attending the meeting. She introduced the Trustees and staff and reviewed the audio recording practices.

11. 2014 ISLANDS TRUST COMMUNITY STEWARDSHIP AWARD

11.1. David Denning

Trustee Grams and Trustee Grove presented the 2014 Islands Trust Community Stewardship Award to David Denning for his work on Salt Spring Island educating about and protecting, enhancing, and restoring natural areas.

12. TRUSTEE REPORTS

Trustee Grams reported that he attended meetings with the following: the Salt Spring Island Watershed Protection Authority (SSIWPA); the SSIWPA Technical Advisory Committee; the Ashya Road Public Hearing; with Islands Trust Planning staff; with North Salt Spring Water District. He also attended the Salt Spring Hospice 30th Anniversary Tea Celebration.

Trustee Grove reported that he attended the Ashya Road Public Hearing and the Sip and Savour event hosted by the Chamber of Commerce.

13. CHAIR'S REPORT

Chair Malcolmson reported the following topics from the Union of BC Municipalities Convention: the weakening of the Agricultural Land Reserve; climate change and emissions policy; the economic impact of the BC Ferries service reductions and fare increases and the proposed new Provincial recycling policy. Islands Trust hosted a breakfast meeting for all of the elected officials in the Trust Area. She noted the Islands Trust Policy Statement including the no bridge policy was generated from local residents.

14. CRD DIRECTOR'S REPORT - None

15. DELEGATIONS

15.1. Presentation of SFU groundwater research on Salt Spring Island

John Borst introduced Hugh Greenwood to present the Simon Fraser University Groundwater Research for Salt Spring Island. Mr. Greenwood presented an overview of the research. Diana Allan will present the full research at the Salt Spring Island Water Council Society Meeting on January 27, 2014.

16. TOWN HALL

Chair Malcolmson opened the Town Hall at 12:48 p.m.

One member of the public spoke to the need for affordable housing and suggested that a regulatory body manage affordable housing to connect people to suitable housing.

One member of the public provided an update regarding Salt Spring Island Metal Recycling and expressed frustration with the inability to find an alternate location to operate the business.

One member of the public spoke to practices concerning delegations.

Chair Malcolmson called a recess at 1:00 p.m. The meeting reconvened at 1:10 p.m.

17. APPLICATIONS, BYLAWS, PERMITS AND REFERRALS

17.1. SS-SUB-2011.5 - Shepherd Holdings Ltd. - 820 Mount Maxwell Road

Planner Youmans presented a staff report dated October 3, 2014 regarding an exemption from the 10% lot frontage provisions of Section 944 of the Local Government Act and Section 5.3.1 of Salt Spring Island Land Use Bylaw No. 355.

Applicant Ron Stepaniuk was present and spoke to the application.

Further to discussion, the following resolution was introduced.

SS-2014-197

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee exempt Lot 3 of proposed subdivision of Lot 1, District Lots 14 and 15, North Salt Spring Island, Cowichan District, Plan 14508, Except That Part In Plans 22745 and 47167, from the 10% minimum lot frontage requirements of Section 5.3 of Salt Spring Island Land Use Bylaw No. 355 and Section 944 of the Local Government Act (SS-SUB-2011.5, 820 Mount Maxwell Road).

CARRIED

17.2. SS-RZ-2014.1 - Bylaw No. 479 - Strata Corporation VIS 4561 (Merchants' Mews) - 315 Upper Ganges Road

Planner Aasen presented a staff report dated October 9, 2014 regarding Merchants' Mews Rezoning – Bylaw 479 First Reading.

17.2.1. SS-RZ-2014.1 - Bylaw No. 479 - Resolution Amendment - 315 Upper Ganges Road (Merchants' Mews)

Planner Aasen presented a staff report dated October 14, 2014 regarding Merchants' Mews rezoning.

Applicant David Borrowman was present and spoke to Draft Bylaw 479.

Further to discussion, the following resolutions were introduced.

SS-2014-198

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee amend Clause (18) of Draft Bylaw 479 to read "Water consumption for any individual use is not to exceed 1000 litres per day" (SS-RZ-2014.1, 315 Upper Ganges Road).

CARRIED

SS-2014-199

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee Gives First Reading to Draft Bylaw No. 479 as amended, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2014" (SS-RZ-2014.1, 315 Upper Ganges Road).

CARRIED

SS-2014-200

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to refer Proposed Bylaw No. 479, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2014” to the Advisory Planning Commission and public agencies for comment (SS-RZ-2014.1, 315 Upper Ganges Road).

CARRIED

The Trustees requested clarification regarding whether indoor boat building is included in light industry use and whether a water meter requirement should be made a condition of bylaw approval.

17.3. SS-RZ-2003.5 – Housing Agreement Bylaw No. 469 – O’Connor Project Planning – 176 Norton Road

RPM Hartley presented a staff report dated October 3, 2014 regarding the Housing Agreement Bylaw 469 – Norton Road.

17.3.1. SS-RZ-2003.5 – Housing Agreement Bylaw No. 469 – Supplemental Memorandum – 176 Norton Road

RPM Hartley presented a memorandum dated October 14, 2014 regarding Housing Agreement Bylaw No. 469.

Further to discussion, the following resolution was introduced.

SS-2014-201

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee defer third reading of Bylaw 469 until responses to questions asked at Executive Committee are on hand and Direct Islands Trust lawyers to prepare wording with respect to Article 8 that would clarify the delegation of an Option to Purchase in event of default. (SS-RZ-2003.5, 176 Norton Road)

CARRIED

17.4. SS-RZ-2013.3 – Bylaws No. 476 & No. 477 – R.Kelln – 119-150 Ashya Road

Planner Cermak presented a staff report dated October 7, 2014 regarding an application to amend the Official Community Plan and Land Use Bylaw and circulated two items of correspondence received at the Public Hearing on October 15, 2014.

Applicant Robyn Kelln was present and spoke to the application.

Further to discussion, the following resolutions were introduced.

SS-2014-202

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee give third reading to Proposed Bylaw No. 476, cited as “Salt Spring Island Official Community Plan, 2008, Amendment No. 1, 2014” (SS-RZ- 2013.3, 119-150 Ashya Road), and forward it to the Executive Committee for consideration of approval.

CARRIED

Chair Malcolmson **OPPOSED**

SS-2014-203

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to forward Proposed Bylaw 476, cited as "Salt Spring Island Official Community Plan, 2008, Amendment No. 1, 2014" (SS-RZ- 2013.3, 119-150 Ashya Road) to the Ministry of Community, Sport and Cultural Development for approval.

CARRIED

SS-2014-204

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee gives third reading to Proposed Bylaw No. 477 as amended, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road), and forward it to the Executive Committee for consideration of approval.

CARRIED

Chair Malcolmson **OPPOSED**

SS-2014-205

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to advise the applicant that the following are conditions of approval for Proposed Bylaw No. 477 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road):

1. Installation of water meters for all dwelling units;
2. All secondary suites are included in the Local Trust Committee monitoring program;
3. Rainwater harvesting and grey water separation and treatment for irrigation or reuse is required.

CARRIED

18. NEW BUSINESS

18.1. Referral of Mayne Island Local Trust Committee Proposed Bylaws No. 161 & No. 162

Planner Cermak presented a memorandum dated October 7, 2014 regarding Bylaw referrals from Mayne Island Local Trust Committee.

SS-2014-206

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to respond to the referral from the Mayne Island Local Trust Committee for Bylaw 161 and 162 indicating that interests are unaffected.

CARRIED

18.2. Referral of Mayne Island Local Trust Committee Proposed Bylaws No. 163 & No. 164

Planner Cermak presented a memorandum dated October 7, 2014 regarding Bylaw referrals from Mayne Island Local Trust Committee.

SS-2014-207

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee direct staff to respond to the referral from the Mayne Island Local Trust Committee for Bylaw 163 and 164 indicating that interests are unaffected.

CARRIED

19. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on November 6, 2014 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

20. ADJOURNMENT

By general consent the meeting adjourned at 2:10 p.m.

Sheila Malcolmson, Chairperson

CERTIFIED CORRECT:

Sarah Shugar, Recorder