



Salt Spring Island Local Trust Committee Minutes of a Regular Meeting

Date: Thursday, January 14, 2016
Location: Lions Club, Hart Bradley Memorial Hall
103 Bonnet Avenue, Salt Spring Island, BC

Members Present: Peter Luckham, Chair
Peter Grove, Local Trustee
George Grams, Local Trustee

Staff Present: Stefan Cermak, Regional Planning Manager (RPM)
Jason Youmans, Planner 2
Seth Wright, Acting Planner 2
Shelley Miller, Planner 1
Claire Olivier, Legislative Clerk
Miles Drew, Bylaw Enforcement Manager (BEM)
Sarah Shugar, Recorder

Media and Others Present: Wayne McIntyre, Capital Regional District (CRD) Director
Gulf Islands Driftwood Reporter
Approximately 17 members of the public - a.m.
Approximately 10 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 Luckham called the meeting to order at 9:31 a.m. He introduced himself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following supplemental items to the agenda were presented for consideration:

- 7.1 4014 - Watershed Management – *Report Deferred to Next Meeting*
- 7.2 4020 - Ganges Village Area Plan – Boardwalk – *Draft News Release Removed*
- 16.1.1 M. Leichter - Dated January 12, 2016 - Concerning Bylaw Enforcement Update

The following addition to the agenda was presented for consideration:

- 8.2 D. & R. Magnusson – Dated January 10, 2016 – Concerning Quebec Beach (SS-DVP-2015.5)

By general consent the agenda was adopted as amended.

Trustee Grove declared a conflict of interest with item 3.1.1 and left the meeting at 9:32 a.m.

3. PUBLIC HEARING

3.1 Recess for Public Hearing

The meeting recessed at 9:34 a.m.

3.1.1 Bylaw No. 485 - Salt Spring Island Sailing Club - 150 Douglas Road

3.2 Recall to Order

The meeting reconvened at 9:48 a.m.

4. PREVIOUS MEETINGS

4.1 Draft Minutes of the Salt Spring Island Local Trust Committee

4.1.1 Draft Minutes of the December 17, 2015 SSI LTC Regular Meeting

By general consent, the Salt Spring Island Local Trust Committee Minutes of December 17, 2015 were adopted.

4.2 Resolutions Without Meeting Report – None

4.3 Draft Minutes of the Advisory Planning Commissions – None

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-Up Action List

The report was received.

6. REPORTS

6.1 Policy & Standing Resolutions

6.1.1 Standing Resolutions - Follow Up

RPM Cermak presented a staff report dated January 7, 2016 regarding the Salt Spring Island Policy & Standing Resolutions List.

SS-2016-01

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee amend resolution SSI-164-07 as follows to include a new Clause No. 3: “that the Salt Spring Island Local Trust Committee direct staff to concentrate its bylaw enforcement efforts with respect to short-term vacation rentals on those properties where there is no permanent resident on site”.

CARRIED

SS-2016-02

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee rescind the following resolutions: SS-217-04 - concerning genetically engineered crops; SSI-202-09 - concerning conservation covenants; SSI-155-10 - concerning bylaw enforcement on short-term vacation rentals.

CARRIED

SS-2016-03

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee accept the proposed Policy and Standing Resolutions List as amended.

CARRIED

Chair Luckham called a recess at 10:00 a.m. The meeting reconvened at 10:01 a.m.

Trustee Grove returned to the meeting at 10:01 a.m.

6.2 Work Program Top Priorities Report

The report was received.

6.3 Projects List

The report was received.

6.4 Applications with Status Report

The report was received.

6.5 Expense Report

The report was received.

6.6 Trust Fund Board Report – None

7. LOCAL TRUST COMMITTEE PROJECTS

7.1 4014 - Watershed Management

This item was deferred to the next meeting.

7.2 4020 - Ganges Village Area Plan - Boardwalk

RPM Cermak presented a verbal update regarding community engagement for the Ganges Boardwalk project.

SS-2016-04

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to organize two special meetings for the purpose of community engagement for the Ganges Boardwalk project on January 27, 2016 from 4:30 p.m. to 7:00 p.m. and January 30, 2016 from 1:00 p.m. to 5:00 p.m. at Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

CARRIED

8. CORRESPONDENCE

8.1 N. & V. Williams - Dated December 30, 2015 - Concerning the Salt Spring Island Rod & Gun Club

The correspondence was received.

8.2 D. & R. Magnusson - Dated January 10, 2016 - Concerning Quebec Beach (SS-DVP-2015.5)

The correspondence was received.

Chair Luckham called a recess at 10:52 a.m. The meeting reconvened at 11:02 a.m.

Chair Luckham called a recess at 11:52 a.m. The meeting reconvened at 12:06 p.m.

9. TRUSTEE REPORTS

Trustee Grams reported that he attended meetings with the following: Executive Committee; the new Islands Trust Chief Administrative Officer (CAO), Russ Hotsenpiller; and with Regional Planning Manager (RPM) Cermak and two potential applicants. He also attended a Salt Spring Island Watershed Protection Authority (SSIWPA) Technical Working Group event to welcome new members.

Trustee Grove reported that he attended meetings with the following: the Chair of the Salt Spring Island Transportation Commission (SSITC) regarding the Ganges Boardwalk project and noted a subsequent meeting which he was not able to attend with Saanich-Gulf Islands Member of Parliament Elizabeth May regarding support for the Ganges Boardwalk project and the Canada 150 Grant; with members of the community regarding provision of water for affordable housing projects; and with members of the community regarding the proposed Brinkworthy recreational playing fields. Additionally, he spoke to the need for more seniors housing on Salt Spring Island. Trustee Grove noted the Salt Spring Island Incorporation Committee has asked the Ministry of Community, Sport, and Cultural Development to extend their timeline to allow for the completion of a Road Condition Assessment.

10. CHAIR'S REPORT

Chair Luckham noted letters regarding issues affecting the Islands Trust area including anchorages in the Salish Sea and marine safety have been sent to the Minister of Transport, the Honourable Marc Garneau and the Minister of Infrastructure and Communities, the Honourable Amarjeet Sohi. He welcomed new Islands Trust Chief

Administrative Officer (CAO) Russ Hotsenpiller to the organization. He expressed best wishes for the New Year and thanked staff for their work and support in 2015. Chair Luckham also noted the next Trust Council meeting is scheduled to be held March 22 to 24, 2016 on Hornby Island.

11. CRD DIRECTOR'S REPORT

Capital Regional District (CRD) Director McIntyre reported that he attended meetings with the following: the new CRD Board Chair Barbara Desjardins; the CRD Chief Administrative Officer and CRD General Manager, Integrated Water Services, regarding the Burgoyne Bay Liquid Waste Facility; the Ganges Sewer Local Services Committee; with community members regarding Regional Kitchen Scraps Strategy; with community members regarding community radio; a Community Town Hall regarding Emergency Services; the Royal Canadian Mounted Police (RCMP) regarding their annual review; and the Department of Fisheries and Oceans (DFO) regarding Ganges Harbour. He reported the following highlights from the January 13, 2016 CRD Board Meeting: the appointment of an Electoral Area Ombudsperson; the appointment of D. Hewitt to the Beddis Water Services Commission; the appointment of P. Macdonald to the Community Economic Development Commission (CEDC); and approval of a \$650,000 grant for the Trans Canada Trail project. Additionally, CRD Director McIntyre reported he was appointed to the following committees: the Electoral Area Services Committee; the Governance Committee; the Environmental Services Committee; the Transportation Select Committee; the Transportation Authority; the Emergency Services Telecommunications Authority; the Emergency Management Committee; the Ferry Advisory Committee; the Greater Victoria Coalition to End Homelessness; the Regional Housing Trust Fund and the Parcel Tax Review Panel.

12. DELEGATIONS - None

13. TOWN HALL AND QUESTIONS

Chair Luckham opened the Town Hall at 12:26 p.m.

One member of the public expressed support for an exchange of information between the public and panel at the Ganges Boardwalk Community Engagement meetings as well as the inclusion of the projected cost of the Ganges Boardwalk.

One member of the public spoke to practices concerning delegations and provided a written submission dated January 14, 2016 entitled "Tom's Town Hall Placard".

14. APPLICATIONS AND REFERRALS

14.1 SS-DVP-2015.7 - Wilco Construction Ltd. - 243 Park Drive

Planner Miller presented a staff report dated December 15, 2015 regarding a Development Variance Permit application for the siting of a carport within the setback of a front lot line.

Applicant Ian Wilson was present and spoke to the application.

SS-2016-05

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2015.7 for Strata Lot 2 Section 2 Range 3 East North Salt Spring Island Cowichan District Strata Plan VIS4109 (243 Park Drive).

CARRIED

14.2 SS-DVP-2015.8 - R. Langevin - 152 Trincomali Place

Planner Miller presented a staff report dated December 21, 2015 regarding a Development Variance Permit application for a seasonal cottage over a garage.

Applicant Robert Langevin and Neil Maskell were present and spoke to the application.

SS-2016-06

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2015.8 for Strata Lot 2 Section 11 Range 2 East North Salt Spring Island Cowichan District Strata Plan VIS6306 conditional upon receipt of a signed affidavit (152 Trincomali Place).

CARRIED

14.3 SS-SUB-2015.3 - E. Booth - 380 Long Harbour Road

Planner Wright presented a staff report dated January 6, 2016 regarding an exemption from a 10% minimum lot frontage requirement for a proposed 2 lot fee simple subdivision.

SS-2016-07

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee exempt proposed remainder Lot of Lot B, Section 3, Range 5 East, North Salt Spring Island, Cowichan District, Plan 30586 (SS-SUB-2015.3, 480 Long Harbour Road) from the 10% minimum lot frontage requirements of Section 5.3 of Salt Spring Island Land Use Bylaw No. 355 and Section 512 of the Local Government Act.

CARRIED

14.4 SS-RZ-2015.2 - Salt Spring Squash Club - 805 Lower Ganges Road

Planner Wright presented a staff report dated January 7, 2016 regarding a proposal to amend the Land Use Bylaw PR3(a) zone to allow a Squash Court facility.

Randy Cunningham, a representative of the property owner, was present and spoke to the application.

SS-2016-08

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee reviewed the Directives Only Policies and determines that Bylaw No. 486, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2015", is not contrary to or at variance with the Islands Trust Policy Statement (SS-RZ-2015.2, 805 Lower Ganges Road).

CARRIED

SS-2016-09

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 486, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2015", be read a second time (SS-RZ-2015.2, 805 Lower Ganges Road).

CARRIED

SS-2016-10

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to prepare a public hearing for Bylaw No. 486, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2015", (SS-RZ-2015.2, 805 Lower Ganges Road).

CARRIED

14.5 SS-RZ-2014.2 - SS-BL-483 - Salt Spring Island Agricultural Alliance - 1449 Fulford-Ganges Road

Planner Youmans presented a staff report dated January 4, 2016 regarding a proposal to amend the Land Use Bylaw zone from In2 to a new In2 variant to permit an abattoir.

Applicant Anne Macey was present.

SS-2016-11

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee reviewed the Directives Only Policies and determines that Bylaw No. 483 is not contrary to or at variance with the Islands Trust Policy Statement (SS-RZ-2014.2, 1449 Fulford-Ganges Road).

CARRIED

SS-2016-12

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 483, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 1, 2015", be read a third time and forwarded to the Executive Committee for consideration of approval (SS-RZ-2014.2, 1449 Fulford-Ganges Road).

CARRIED

SS-2016-13

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to obtain written confirmation from the Capital Regional District Building Inspection department that occupancy permits for the abattoir's buildings and structures have been secured prior to the adoption of Bylaw No. 483 (SS-RZ-2014.2, 1449 Fulford-Ganges Road).

CARRIED

14.6 SS-DP-2015.9 - Salt Spring Island Agricultural Alliance - 1449 Fulford-Ganges Road

Planner Youmans presented a staff report dated January 4, 2016 regarding an abattoir facility in Development Permit Area 2.

Applicant Anne Macey was present.

SS-2016-14

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Permit SS-DP-2015.9 conditional upon adoption of Bylaw No. 483 (1449 Fulford-Ganges Road).

CARRIED

Trustee Grove declared conflict of interest with item 14.7 and left the meeting at 1:13 p.m.

14.7 SS-RZ-2015.1 - SS-BL-485 - Salt Spring Island Sailing Club - 150 Douglas Road

Planner Youmans presented a staff report dated January 6, 2016 regarding a rezoning application to amend the Land Use Bylaw from R9 to a R9 variant to permit a private boat club house and parking lot for private boat club.

Applicant Eric van Soeren was present and spoke to the application.

SS-2016-15

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 485, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2015", be read a third time and forwarded to the Executive Committee for consideration of approval.

CARRIED

Trustee Grove returned to the meeting at 1:28 p.m.

15. CLOSED MEETING – None

16. OTHER BUSINESS

16.1 Bylaw Enforcement Update

BEM Drew presented a staff report dated January 5, 2016 regarding enforcement of unauthorized dwellings.

SS-2016-16

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee affirms its previous direction to delay enforcement on unlawful suites in single family dwellings and illegal use of seasonal cottages until it has made a final decision on Proposed Bylaw No. 471 and directs staff to commence enforcement on all other unlawful dwellings in accordance with the following enforcement policy:

- a. Staff should put the highest priority on unlawful dwellings complaints concerning areas deemed to be environmentally sensitive such as, within potable water watersheds or unlawful dwellings which have serious health and safety issues, such as failing septic systems, over-taxed sewage treatment facilities, or unlawful dwellings which are unsafe;
- b. Islands Trust Bylaw Enforcement Officers, when speaking to property owners with unlawful dwellings, should initially adopt a coaching technique with a view to helping the owners legalize their unlawful dwelling if possible. People will be directed to Islands Trust planners or to the Capital Regional District Building Inspection and Capital Regional District Water and Sewage Commissions, who can explain the mechanisms for compliance. Tenants will also be directed to local agencies which can help find new housing if needed;
- c. Islands Trust Bylaw Enforcement Officers should place a priority on enforcement of unlawful dwellings which are also of concern to other agencies to ensure that all related issues are dealt with at the same time;
- d. Recommendations to the Salt Spring Island Local Trust Committee for legal action to close an unlawful dwelling should only be made if it will have the active support and participation of other agencies, such as building inspection, health authorities or water and sewage treatment providers.

CARRIED

SS-2016-17

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee rescind all previous resolutions about enforcement policy related to unlawful dwellings.

CARRIED

16.1.1 M. Leichter - Dated January 12, 2016 - Concerning Bylaw Enforcement Update

The correspondence was received.

16.2 New Business

16.2.1 Thetis Island Local Trust Committee - Bylaw No. 96 and 97

RPM Cermak presented memorandum dated December 24, 2015 regarding Bylaw Referral No. 96 and 97 from the Thetis Island Local Trust Committee.

SS-2016-18

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to respond to the referral from the Thetis Island Local Trust Committee for Bylaws No. 96 and 97 indicating that interests are unaffected.

CARRIED

17. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on February 11, 2016 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

18. ADJOURNMENT

By general consent the meeting was adjourned at 1:30 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Sarah Shugar, Recorder