



Salt Spring Island Local Trust Committee Minutes of Regular Meeting

Date: Thursday, October 5, 2017
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, A/Island Planner
Seth Wright, A/Planner 2
Rob Milne, Island Planner
Susan Palmer, Consultant Planner
Miles Drew, Bylaw Enforcement Manager (BEM)
Sarah Shugar, Recorder

Media and Others Present: Capital Regional District Salt Spring Electoral Area Director
Wayne McIntyre
Gulf Islands Driftwood Reporter
Approximately 7 members of the public - a.m.
Approximately 47 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 9:30 a.m. He introduced himself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory and expressed his gratitude.

2. APPROVAL OF AGENDA

By general consent the agenda was adopted.

3. PREVIOUS MEETINGS

3.1 Draft Minutes of the Salt Spring Island Local Trust Committee

3.1.1 Draft Minutes of the August 10, 2017 SSI LTC Regular Meeting

By general consent, the Salt Spring Island Local Trust Committee Minutes of August 10, 2017 were adopted.

3.2 Resolutions Without Meeting Report

The report was received.

3.3 Draft Minutes of the Advisory Planning Commissions

3.3.1 Draft Minutes of the September 21, 2017 Advisory Planning Commission Meeting

The minutes were received.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-Up Action List

The report was received.

5. COMMUNITY INFORMATION MEETING - None

6. PUBLIC HEARING - None

7. REPORTS

7.1 Policy and Standing Resolutions List

The report was received.

7.2 Work Program Top Priorities Report

7.2.1 Report Dated September 2017

Planner Youmans presented a verbal update regarding the Ganges Harbourwalk project. The report was received.

7.2.2 3rd Quarter Report

RPM Cermak presented a memorandum dated September 26, 2017 regarding an update on the 2017/18 Work Program.

7.3 Projects List

The report was received.

7.4 Applications with Status Report

7.4.1 Report dated September 2017

The report was received.

7.4.2 3rd Quarter Report

RPM Cermak presented a memorandum dated September 25, 2017 regarding an application tracking 3rd quarter summary report.

7.5 Expense Report

The reports for July and August 2017 were received.

7.6 Trust Fund Board Report - None

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Proposed Bylaws No. 488-489-490 - Industrial Lands

Planner Milne presented a staff report dated August 30, 2017 regarding the Salt Spring Island Industrial Lands Project.

SS-2017-128

It was MOVED and SECONDED,

that Bylaw No. 489, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2016” be amended as follows: a. By amending section 2.1 by: i. Amending item 2.1 (xli) by deleting the text “General Employment 2 – (GE2)” and replacing it with the text “General Employment 2 (c) – GE2 (c)”. ii. Amending item 2.1 (xlii) by deleting the text “General Employment 2 – (GE2)” and replacing it with the text “General Employment 2(c) – GE2 (c)”. iii. Amending item 2.1 (xliv) by deleting the text “to split zoned Rural – (R) and General Employment 2 – (GE2), as shown on Plan No. 11” and replacing it with the text “to split zoned Rural – (R) and General Employment 2(b) – (GE2 (b)), as shown on Plan No. 11”, and amending Map No. 11 accordingly. b. By amending section 9.7.5, “Exceptions in Particular Locations” by: i. inserting a new zone variation “Zone Variation – GE2 (c)” below “Zone Variation – GE2 (b), which reads as follows: “In addition to the permitted principal uses permitted in the GE2 zone the following uses are also permitted: a) Outdoor storage of commercially licensed trucks or bulk fuel products for use on Salt Spring Island. b) Processing and sorting of construction aggregates for use on Salt Spring Island. (c) Vehicle and other metal dismantling and recycling.

CARRIED

Resolution SS-2017-129 was rescinded at the SSI LTC Regular Meeting of September 27, 2018 through Resolution SS-2018-218.

SS-2017-129

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 488, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2016”, be read a second time.

CARRIED

Resolution SS-2017-130 was rescinded at the SSI LTC Regular Meeting of August 16, 2018 through Resolution SS-2018-158.

SS-2017-130

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 489, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2016”, be read a second time as amended.

CARRIED

Resolution SS-2017-131 was rescinded at the SSI LTC Regular Meeting of August 16, 2018 through Resolution SS-2018-174.

SS-2017-131

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 490, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2016”, be read a second time.

CARRIED

SS-2017-132

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to prepare a public hearing for Bylaws No. 488, 489 and 490, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2016”, “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2016” and “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2016”, respectively, and that the public hearing be scheduled as soon as possible.

CARRIED

The meeting recessed at 10:08 a.m. and reconvened at 10:10 a.m.

8.2 Proposed Bylaws No. 487 and 496 - Rural Watershed

Planner Youmans presented a staff report dated September 27, 2017 regarding Agriculture in Rural Watershed Zones.

SS-2017-133

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to provide advice on the merits of amending Official Community Plan Article B.6.2.2.6 to “The Local Trust Committee will not make changes to local bylaws to prohibit or restrict farming in the Agricultural Land Reserve or that are obstacles to the creation of facilities that would improve local food security.”

CARRIED

SS-2017-134

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee defer further consideration of Bylaws 487 and 496 until such time as staff can report back with an analysis of the 2017 Salt Spring Island Agricultural Land Use Inventory and its implications for the LTC’s Rural Watershed Uses project.

CARRIED

9. CORRESPONDENCE

9.1 O. McOuat to the SSI LTC and Trust Council - Dated September 15, 2017 - Concerning Local Authority and Microcell Placement

The correspondence was received.

9.2 Minister Selina Robinson, Ministry of Municipal Affairs and Housing to the Local Trust Committee - Dated September 21, 2017 - Concerning the Governance Review Process

The correspondence was received.

10. CLOSED MEETING

10.1 Motion to Close the Meeting

SS-2017-135

At 10:33 a.m. it was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee close this meeting to the public subject to Community Charter Part 4, Division 3 Section 90(1)(f) law enforcement, if the Local Trust Committee considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment and that staff be invited to remain.

CARRIED

10.2 Motion to Open the Meeting

SS-2017-136

At 11:05 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.

10.3 Rise and Report

The Salt Spring Island Local Trust Committee direct Bylaw Enforcement Staff to provide a report to amend Standing Resolution “SS-2016-16 – Bylaw Enforcement of Unlawful Suites and Dwellings” regarding enforcement of multiple unlawful dwellings on a lot.

The meeting recessed at 11:07 a.m. and reconvened at 12 noon.

11. TRUSTEE REPORTS

Trustee Grove spoke of the Salt Spring Island incorporation referendum process and noted that the community has identified a need for improved coordination and communication between the agencies that serve Salt Spring Island. He requested that CRD Director McIntyre host quarterly Town Hall meetings. He also expressed condolences to the family and friends of Connor Elwell.

Trustee Grams reported that he attended meetings with the following: the Mayne Island Local Trust Committee (LTC); the Saturna Island LTC, the North Pender Island LTC; Trust Council on Denman Island; the Salt Spring Island Watershed Protection Authority; and the president of the Meadowbrook Seniors Residence regarding a proposed seniors' housing development on Kings Lane. He also attended the Union of BC Municipalities Convention held in Vancouver in September and reported that he sent a letter to Honourable Selina Robinson, Minister of Municipal Affairs and Housing regarding the

referendum result and requested that the Province consider potential legislative changes through a modification of the rural unincorporated governance model. Trustee Grams mentioned that the past Liberal Government limited the terms of reference for the Salt Spring Island Incorporation Study to compare the current governance model to a municipal governance model and expressed support for the current New Democratic Party to consider a third option. Trustee Grams expressed condolences to the Bill Simpson family.

12. CHAIR'S REPORT

Chair Luckham spoke to the result of the incorporation referendum and expressed support for working with the Province to address governance issues. He presented the following highlights from the Union of BC Municipalities Convention recently held in Vancouver: a meeting with the Ministry of Environment including issues on shoreline protection; a meeting with the Ministry of Transportation and Infrastructure regarding BC Ferries, roads and bridges; an endorsed Islands Trust motion regarding rigid foam and plastic pollution in the marine environment; a meeting with Premier John Horgan; Honourable Selina Robinson, Minister of Municipal Affairs and Housing; Honourable Rob Fleming, Minister of Education; and Honourable Carole James, Minister of Finance; a resolution regarding a funding commitment for the Martin Mars Water Bomber aircraft was defeated; debate regarding the legalization of marijuana; support for affordable housing; and a commitment from the Province to address the opioid crisis in BC. He also attended Trust Council meetings from September 12-14, 2017 on Denman Island.

13. CRD DIRECTOR'S REPORT

CRD Director McIntyre acknowledged Trustees' Grams and Grove for working collaboratively over the past six years on the incorporation referendum and read a statement from Honourable Selina Robinson, Minister of Municipal Affairs and Housing regarding the referendum results. He attended meetings with the following: Salt Spring Island Community Services regarding the proposed Salt Spring Commons affordable housing project; Meadowbrook Seniors Residence regarding a proposed affordable housing project on Kings Lane; the Capital Regional Housing Corporation regarding regional funding for affordable housing; and the CRD Emergency Services Program. He reported a third well was drilled at the proposed CRD Drake Road affordable housing site and advised that water remains insufficient for the project. He attended a meeting in Sidney regarding the Tour des Isles program and announced that the CRD has approved funding for a trial passenger only ferry route. He presented highlights from the Union of BC Municipalities Convention held in Vancouver in September: a breakfast meeting hosted by the Islands Trust; an Electric Vehicle trade show program; a session with Honourable Selina Robinson regarding governance and affordable housing issues; and a session regarding flooding and impacts of sea level rise.

14. DELEGATIONS - None

15. TOWN HALL AND QUESTIONS

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

A member of the public provided a written submission entitled "Trustnsformation Fascination" dated October 5, 2017.

A member of the public expressed concern regarding the terms “General Employment” and “Creative Industry” in the proposed Salt Spring Island Industrial Lands project and expressed concern regarding geographical information regarding the project.

A member of the public encouraged the LTC to proceed with adoption of proposed Bylaws No. 487 and 496 regarding agriculture in rural watersheds and expressed support for addressing updates to the Official Community Plan (OCP) individually and not as a full OCP review.

Members of the public expressed concerns regarding application SS-RZ-2017.4 (132 Corbett Road) and presented a written submission on behalf of the Cottonwood Close Strata entitled “Cottonwood Close Strata Corporation VIS 3729” dated October 5, 2017 and another submission entitled “Croftonbrook rezoning applications” dated October 5, 2017.

A member of the public expressed support for the proposed Salt Spring Commons project (application SS-BL-506, Bishop’s Walk) and expressed support for affordable housing on Salt Spring Island.

A member of the public spoke to local governance following the incorporation referendum and acknowledged the transparency and accessibility of information from Islands Trust staff. The member of the public also expressed support for expediting the process to legalize seasonal cottages for year round housing and asked the LTC to consider waiving the Temporary Use Permit (TUP) fee to increase affordable housing stock on Salt Spring Island.

16. APPLICATIONS AND REFERRALS

16.1 SS-SUB-2016.1 - B. Taylor, Polaris Land Surveying - 288 Long Harbour Road, SSI

Planner Wright presented a staff report dated September 26, 2017 regarding the consideration of frontage exemption and a water treatment covenant for a 2 lot conventional subdivision.

Applicant Roger Cooper spoke to the application.

SS-2017-137

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to register a covenant under section 219 of the Land Title Act from the registered owners of 288 Long Harbour Road, attached as Appendix 2 to this Staff Report, and designate any member of the Local Trust Committee to sign the covenant (SS-SUB-2016.1).

CARRIED

SS-2017-138

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee exempt proposed Remainder Lot C of subdivision SS-SUB-2016.1 from the 10% frontage requirements of section 512 of the Local Government Act and section 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355.

CARRIED

16.2 SS-BL-506 - Housing Agreement Bylaw - Bishop's Walk, Lot 3 Charlesworth Road, SSI

Planner Wright presented a staff report dated September 27, 2017 regarding a housing agreement for the provision of 24 units of affordable housing.

Rob Grant and Elizabeth FitzZaland, representatives of the applicant, spoke to the application.

SS-2017-139

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 506, cited as "Salt Spring Island Housing Agreement Bylaw No. 506, 2017," be read a first time.

CARRIED

SS-2017-140

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 506, cited as "Salt Spring Island Housing Agreement Bylaw No. 506, 2017."

CARRIED

16.3 SS-SUB-2016.4 - S. Carroll, Core Group Consultants - 114 Cranberry Road, SSI

Planner Wright presented a staff report dated September 25, 2017 regarding consideration of a restrictive use covenant, frontage exemption, and cash in lieu of parkland dedication for an 8 lot bare land strata subdivision. Planner Wright presented the following amendment to the covenant attached as Appendix 2 to the Staff Report: to replace "D. The North Salt Spring Waterworks District has provided written confirmation that it can provide 550 imperial gallons (2500 Litres) per lot per day for a single family dwelling on each lot, but for no additional suites or cottages" with "D. The North Salt Spring Waterworks District has provided written confirmation that the existing 1½ inch water service connection can be used to supply only one single family dwelling on each of the eight lots created by the subdivision at 114 Cranberry Road, but not to supply any additional suites or cottages."

Applicant Sean Carroll was present.

SS-2017-141

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request staff to register a covenant under section 219 of the Land Title Act from the registered owners of 114 Cranberry Road, attached as Appendix 2 to this Staff Report as amended, and designate any member of the Local Trust Committee to sign the covenant (SS-SUB-2016.4, 114 Cranberry Road).

CARRIED

SS-2017-142

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee exempt proposed Strata Lots 1, 3, 4, 5, and 6 of subdivision SS-SUB-2016.4 from the 10% frontage requirements of section 512 of the Local Government Act and section 5.3.1 of the Salt Spring Island Land Use Bylaw No. 355.

CARRIED

SS-2017-143

It was MOVED and SECONDED,

that the Salt Spring Local Trust Committee accept the amount of twenty-five thousand, one hundred fifty dollars (\$25,150) as cash in lieu of park land, to satisfy the park land dedication conditions of subdivision SS-SUB-2016.4, subject to receipt of monies by the Capital Regional District within 12 months of this resolution.

CARRIED

16.4 Covenant EM028206 - J. & A. Millerd - 334 Upper Ganges Road, SSI

RPM Cermak presented a staff report dated September 27, 2017 regarding a request for release of a covenant.

Applicant Anne Millerd was present.

SS-2017-144

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee discharge covenant EM028206 and EM028207 from Lot 7, Section 5, Range 3 East, North Salt Spring Island, Cowichan District, Plan 7987 (334 Upper Ganges Road).

CARRIED

The meeting recessed at 1:42 p.m. and reconvened at 1:49 p.m.

16.5 SS-RZ-2017.2 - F.A. and T.F. Dos Santos - 221 Drake Road, SSI

Planner Milne presented a staff report dated August 10, 2017 regarding the Dragonfly Commons Affordable Housing application.

Applicant Fernando Dos Santos spoke to the application.

SS-2017-145

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee has reviewed the Directives Only Policy Checklist and determined that proposed Draft Bylaw Nos. 504 and 505 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SS-2017-146

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 504, cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 4, 2017”, be read a first time.

CARRIED

SS-2017-147

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Bylaw No. 505, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017”, be read a first time.

CARRIED

SS-2017-148

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee directs staff to refer Bylaw Nos. 504 and 505 per Attachment 4 of the Staff Report dated August 10, 2017.

CARRIED

16.6 SS-RZ-2017.7 - Irving Pitcher & Architects Ltd. - 121 Upper Ganges Road, SSI

Planner Youmans presented a staff report dated October 5, 2017 regarding a rezoning application to permit additional commercial guest accommodation units at the Harbour House Hotel.

Applicant Robert Irving spoke to the application.

SS-2017-149

It was MOVED and SECONDED,

that Salt Spring Island Local Trust Committee Bylaw No. 508, cited as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 6, 2017,” be read a first time.

CARRIED

SS-2017-150

It was MOVED and SECONDED,

that Bylaw No. 508 be referred to the agencies, organizations, and First Nations listed in Appendix 9 of the staff report dated October 5, 2017, and to the Salt Spring Island Advisory Planning Commission and Agricultural Advisory Planning Commission, and to the BC Archaeology Branch of the Ministry of Forests, Lands and Natural Resource Operations for review and comment.

CARRIED

SS-2017-151

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request the applicant to consider voluntary provision of a community amenity in support of their rezoning application.

CARRIED

SS-2017-152

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request the applicant to demonstrate compliance with the disability and bicycle parking requirements in Land Use Bylaw No. 355 prior to bylaw adoption.

CARRIED

16.7 SS-RZ-2013.6 - D. McKerrell, Island Marine Construction Services Ltd. - 2850 Fulford-Ganges Road, SSI

Planner Youmans presented a staff report dated September 28, 2017 regarding an OCP and Land Use Bylaw Amendment for a Marina Expansion.

Applicant David McKerrell was present.

SS-2017-153

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to schedule a Community Information Session and Public Hearing concerning Bylaw Nos. 474 and 475 (SS-RZ-2013.6 - 2850 Fulford-Ganges Road)

CARRIED

16.8 SS-RZ-2017.4 – J. Gauthier, J.G. Consulting Services Ltd. – 132 Corbett Road

Planning Consultant Susan Palmer presented a staff report dated September 26, 2017 regarding a rezoning application for 34 affordable housing units and office use. A document regarding well testing for well #50145 dated September 6, 2017 was submitted for information.

Applicant Janice Gauthier and Kisae Petersen, Island Women Against Violence (IWAV) Director of Housing spoke to the application.

SS-2017-154

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Draft Bylaw No. 507 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2017" be read a first time.

CARRIED

SS-2017-155

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee Proposed Bylaw No. 507 cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 5, 2017" be referred to agencies and First Nations as listed in Attachment 2 of the staff report dated October 5, 2017 for review and comment.

CARRIED

SS-2017-156

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee request that the applicant: a. pursue acquisition of an access easement with a neighbouring property in order to secure direct legal access to the hospital lands; b. initiate discussion with Lady Minto Hospital, Vancouver Island Health Authority regarding emergency access through the hospital lands; and c. report back to the Local Trust Committee with their findings.

CARRIED

SS-2017-157

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee direct staff to report back regarding the findings of an investigation of the approval process for water supply and water quantity requirements for multi-unit residential developments.

CARRIED

16.9 SS-DVP-2017.9 - R. Carlson - 220 Monteith Road, SSI

RPM Cermak presented a staff report dated September 22, 2017 regarding an application to vary a front lot line setback.

SS-2017-158

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee approve issuance of Development Variance Permit SS-DVP-2017.9.

CARRIED

17. OTHER BUSINESS - None

18. UPCOMING MEETINGS

The next regular meeting of the Salt Spring Island Local Trust Committee is scheduled for 9:30 a.m. on November 2, 2017 at the Hart Bradley Hall (Lions Club), 103 Bonnet Avenue, Salt Spring Island.

19. ADJOURNMENT

By general consent the meeting adjourned at 3:03 p.m.

Peter Luckham, Chair

Certified Correct:

Sarah Shugar, Recorder