



**SALT SPRING ISLAND  
LOCAL TRUST COMMITTEE  
AGENDA**

**BUSINESS MEETING  
Thursday, November 3, 2011 - 10:30 am  
Lion's Club, Hart Bradley Hall - 103 Bonnet Avenue**

**LATE ITEMS, ADDITIONS**

**CORRECTIONS:**

- 14.5
  - SS-ALR-2011.3 – 135 Brinkworthy – Salt Spring Island Fire Protection District
    - Applicant Name on the agenda should read “Salt Spring Island Fire Protection District, Board of Trustees” not “Landworks Consultants”

**AMENDMENTS/ADDITIONS  
TO ITEMS:**

- 14.3
  - SS-RZ-2011.3 – 440 Rainbow Road – J. Quesnel
    - Correspondence - Dennis & Heather Howard – Received Oct 28, 2011
    - Correspondence - Pallot Way Residents – October 31, 2011
- 15.1
  - Official Community Plan Update – Riparian Areas Regulation Options for Implementation and Next Steps – *Staff Report*
- 15.4
  - Land Use Bylaw Progress Report – Secondary Suites – Appendix 1 - *Option 3 Map*
- 15.8
  - Communications Pilot – *Staff Report*

**NEW ITEM:**

- North Pender Local Trust Area Bylaw Referral



Oct. 20, 2011,



To the Islands' Trust:

We have become aware that the Trust Committee has suggested that Mr. Quesnel should get together with his neighbors and have a meeting to discuss his application for rezoning. We would like to inform the Trust that we have no interest in yet another meeting for this purpose. We feel it would be unproductive and should be out of the question. Mr. Quesnel has been (on more than one occasion) rude, threatening and verbally abusive to us. Our neighborhood has had numerous meeting to talk over, think over, look at and give feedback on this subject. We as neighbors voiced our feelings (at a Trust Meeting) as a group; we have not changed our minds and are of the same opinion as before if not more adamant on this subject. The fact that the application has been moved from coming under one heading to another and the wording of what it is classified as is just political word play or more to the point - smoke and mirrors.

***This is a small lot family orientated subdivision and neighborhood, commercial/ industrial activities in this small area is totally inappropriate and invasive to the daily lives of the surrounding properties.***

Mr. Quesnel has more that demonstrated in the time since the Trust refused his temporary permit that, the reasons given at the time by the neighbors for the objections and the desition by the trust to refuse the permit, were appropriate and right.

The fact that we are again expected to take time of work and loose yet another days pay to turn up a yet another Trust Meeting to repeat and rehash the same things is unreasonable to us.

The time frame consumed and the monetary cost to both the neighbors and the Trust has become unreasonable.

We as a neighborhood of taxpayers have been more than patient with the Trust and the process. It is now time to move on, have this business cease all activity of this kind, clean up the contamination on the property, and put this to rest.

Sincerely,



Dennis and Heather Howard



1<sup>st</sup> November 2011

Re: SS-RZ-2011.3 - 440 Rainbow Road - J. Quesnel - Rezoning to permit metal recycling and affordable housing - Staff Report

We write in connection with the above matter...in particular regarding the recently submitted consultants' report which accompanies Mr J. Quesnel's re-zoning application.

While we concur wholeheartedly with Mr. Cermac's most recent planning analysis submitted for the LTC meeting on November 3<sup>rd</sup> 2011, we believe certain aspects of the consultants' report require further consideration and emphasis.

**In Section 1** that deals with the **"Purpose of the Report"** we read that

"The value afforded to the island by this operation needs to be considered. Specific reference is required for the need to have an island based metal recycling (collection and transfer) business of the size and scope provided by the proponent in light of efficiency and sustainability."

However, nowhere does the report address Saltspring Island's *need* for yet another metal recycling operation. We believe this is a crucial question that has simply been ignored.

As neighbours we have never disagreed that Quesnel's idea was worthwhile, but consistently argued that it was absolutely in the wrong place. However, despite Mr Quesnel's assertion that 'the end justifies the means', we ask that the following facts are taken into account.

Saltspring Island already has several metal recycling facilities. Within one mile of the proposed Rainbow Road site, there are three drop off points for metal. Firstly, the CRD depot will accept metal. Secondly, Laurie Hedger's transfer operation near Ganges Village market allows free drop off of metal for recycling, Thirdly, there is a free drop off facility at Murakami's garage at the bottom of Rainbow Road which accepts vehicles. Furthermore, it is understood that part of this site will shortly be used as the HQ for a free, island car pick-up/drop off operation. So in our estimation the argument that one more metal recycling operation is needed within one mile of Ganges does not stand up to scrutiny.

What is more, Quesnel's operation advertises that it will gladly bring scrap from other Gulf Islands to Saltspring. Is this sensible? Would it not make more sense to take it direct to large properly-zoned, crushing/sorting facilities on Vancouver Island?

**Section 2.3 under “Site Context”** reinforces exactly what we as residents have pointed out since the re-zoning application was lodged...indeed, since the temporary use permit was applied for in early 2007--- namely that by granting Industrial 4 zoning, in a residential area, the potential for further loss of amenity, is frightening.

“...While the proponents’ operation is of a relatively benign nature compared to heavy industrial use, the introduction of In 4 zoning as it is currently defined would see the opportunity for future owners to operate more intensive businesses than those of Salt Spring Metal Recycling.”

In the same section we read that:

“*Anecdotal reports* limit noise during times that the excavator is in use to around 65 dB. Readings were taken on the south side of Rainbow Road opposite the community mailbox.” (our emphasis)

Sixty-Five decibels 65dB is a noise level which approximates normal human conversation of two people three to five feet apart! So the figure cited in the report is obviously nonsense and its inclusion is shoddy and misleading research. The report gives no information of the anecdotal source and as such should be ignored. However the Oct 6<sup>th</sup> meeting of the LTC which delayed action and asked for the consultant’s report, Mr Quesnel told the meeting that he had measured the dB level “with his phone”. Our collective experiences of noise levels do not bear out the ‘quiet conversation’ claims, and we would be happy to deliver you a copy of some audio recordings we have taken which fully demonstrate the level of noise we have put up with.

**In the “Assessment and Discussion” Section** of the report there are some glaringly ill-researched facts. They have already been adequately addressed by Mr Cermac, but bear repeating. The consultant’s claim that Quesnel’s operation fits well within the LTC guidelines for solid waste transfer operations was based on an observation that the Quesnel site,

“...is located in an area of low or very low density residential use (less than One house per 2 hectares.”

Around the site in question, we would point out that other than two parcels of agricultural land, there are some twenty residences situated on lots under 2 hectares. The majority are under one hectare and six are less than one third of a hectare. How the consultants arrived at their statement has to be questioned, and we would hope that the LTC will take the opportunity to do so.

**In section 5.4, under the title of “Community Engagement”** the consultants appear to be putting the cart before the horse.

“The key amenity (quality of life) issues may be addressed in the future **as zoning is only the necessary precursor to obtaining a transfer facility licence.** (emphasis added)

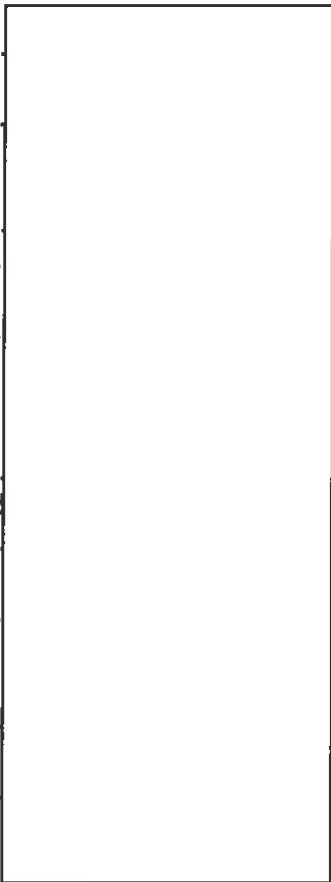
. Because we as neighbours have refused to meet yet again with Mr. Quesnel to discuss "quality of life issues", it appears the consultants suggest that the rezoning be granted immediately and neighbors' concerns can be discussed down the road. This is not acceptable. In fact it is outrageous. As we have pointed out many times in the past, we have found Mr Quesnel very difficult to take at his word and question his sincerity in this matter.

Quite frankly we find this consultants' report to be nothing more than a further smokescreen that adds precisely nothing to the debate.

Yours sincerely,

Pallot Way and Area Residents

Steve Jarman and  
Marryanne Benwood ..  
Ruth Kirby and  
Brian Wilson.....  
Meron Moroz,  
and family.....  
Sonia Langer.....  
Marryanna Gabriel.....  
Kirsty Oliveira and  
Gus Oliveira.....  
Heather Howard and  
Dennis Howard.....  
Hazel Gardner and  
Andrew Gardner.....  
Kristen Shoolbraid and  
Murray Shoolbraid.....  
Wendy Goddard and  
Phil Goddard.....  
Andrew Gibson.....  
Maria Horback and  
Gary Anderson.....  
Ethel, John, Chris, and  
Nolan Magnus ..  
Val Perkins and  
Roger Charron.....  
Rainbow Road Farm Produce





**Date:** November 3, 2011

**File No.:** 38.2(a)

**To:** Salt Spring Island Local Trust Committee

**From:** Stefan Cermak, Planner 2, Salt Spring Island Planning Team

**Re: Official Community Plan Update – Riparian Areas Regulations Options for Implementation and Next Steps**

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## THE PROPOSAL

The purpose of this report is to provide the Local Trust Committee with options and recommendations for stream mapping considerations on Salt Spring Island.

## BACKGROUND

In 2006 Trust Council adopted a resolution directing staff to prepare development permit area provisions to implement the Riparian Areas Regulation (RAR). The implementation of RAR development permit areas in the Trust Area had been delayed since 2006. Principally, the delay was attributable to issues with identifying watercourses that are subject to the RAR and in accurately mapping those watercourses.

The approach taken to date in identifying the RAR streams has been to create watershed mapping and, in coordination with the Ministry of Environment, identify 26 RAR designated watersheds. The current state of watercourse mapping is insufficient to determine the exact locations of all the watercourses or their attributes within these 26 watersheds. These watercourses have not been GPS'd or definitively proven as to the extent of fish habitat.

Other islands within the Islands Trust generally have significantly less RAR designated watersheds, in the range of 4-6. The lower number of RAR identified watersheds has allowed other LTCs such as Mayne and North Pender to hire firms to conduct accurate watercourse identification within the RAR identified watersheds so that their DPAs can accurately reflect each watercourse and their attributes. This has provided them with a level of accuracy and ease of implementation Salt Spring Island will not attain without significant expenditure. Regardless, many people within the community have asked for stream mapping. As a result, on July 7, 2011, the Salt Spring Island Local Trust Committee directed staff to research and present stream mapping options and costs.

### Stream Mapping Options and Costs

Stream mapping options:

**TRIM** Terrain Resource Information Systems (TRIM) is provided to local governments by the Province. It is common for rural communities to use this baseline information for planning purposes. Using TRIM would maintain the status quo for mapping accuracy.

**SHIM** Sensitive Habitat Inventory and Mapping (SHIM) is a standard for the collection and mapping of reliable, high quality, current, and spatially accurate information about local freshwater habitats, watercourses, and associated riparian communities in urban and rural watersheds. SHIM methodology can be modified to exclude various processes depending on level of detail desired.

**LiDar** Light Detection and Ranging is an airborne remote sensing technology that use light, often via pulses from lasers, to measure the distance to, or other properties of a target. Properties include vegetation composition and topography. Islands Trust mapping technicians are currently evaluating available LiDar data for Salt Spring Island.

A brief comparison of mapping options and costs:

	Purpose	Scale	Application	Benefits	Weaknesses	Cost
TRIM	Remote sensed information provided by Province for regional planning	1:20,00 which means that a 100m section on paper is 0.5 cm	Regional and rural planning involving freshwater	Free Easy available	Scale too small to identify sensitive habitats; increasing inaccuracy for small streams , tree covered streams, and ravines	None
SHIM	Identify sensitive habitats and resources within local communities; Integrate property boundaries, land parcels, and road networks with locations of sensitive resources to facilitate official community plans and	1:5,000 which means that a 25m section on paper is 0.5 cm (standard scale for municipal base mapping)	Integrates new map information with existing TRIM and municipal planning maps; Provide baseline information regarding fish distribution and limiting factors to watershed based fish protection; contributes to understanding	Detailed information useful for various applications; Builds on local experts data already available; Methodology based on BC groundup approach to issues such as RAR on SSI	Time Cost	~\$5,000/WS

	Purpose	Scale	Application	Benefits	Weaknesses	Cost
	development permit applications		runoff			
Modified SHIM	SHIM with less details	1:5,000	Same as above; has been used elsewhere within IT	Cheaper than full SHIM; can be made RAR specific	Time Cost Less applications	~\$1,800 - \$5,000 / WS
LiDar	A remote sensing method for evaluating topography and vegetative characteristics	1-5 m resolution on open ground; confidence interval in vegetated areas is still low	Digital elevation and vegetation composition	can be used to develop models of flow and accumulation (therefore a more robust watershed management or hydrology approach); Islands Trust may have access to LiDar data	Historically limited by vegetation cover; Requires technical skills to use and interpret; requires groundtruthing. Time spent on refining new methodology	Initial costs: none.
Ditch Mapping	Map ditches relevant to RAR	1:5,000	Ditch mapping	Addresses public concerns regarding ditches; increases certainty	Limited application	<\$1,500 / WS

## DISCUSSION

TRIM data has been the standard data source for stream identification on Salt Spring Island. TRIM has been supplemented by local experts mapping known and potential fish streams using tools and methodologies available over 15 years ago. Since then, SHIM has become a mapping standard which combines GPS technical skills with biological expertise.

Complete SHIM mapping provides invaluable data for policy makers but is cost prohibitive. The current estimate is \$5,000 / watershed ( $\$5,000 \times 26 = \$130,000$ ) although it is expected there would be cost savings from contracting a group to do the complete project. Due to the high cost, a modified SHIM approach is often sought, as has been the case for recent mapping on other Southern Gulf Islands implementing RAR. The same company that performed the mapping on the other Southern Gulf Islands has provided a quote (dated February 18, 2011) for approximately \$45,000. This is the same amount requested for the next fiscal budget for possible mapping.

The Ministry of Forests, Lands, and Natural Resource Operations recommended “ditch mapping” as a solution to community concerns. Ditch mapping has been done in a few other communities to relieve

property owner concerns specifically about ditches. Because of the easy access to ditches the cost would be expected to be significantly lower than SHIM or modified SHIM mapping. However, ditch mapping would need to be combined with TRIM stream data otherwise applicable ditches would be mapped using the SHIM methodology.

K. Olaf Niemann, a professor in the department of geography at the University of Victoria, has been kind enough to share with the Islands Trust a set of high density LiDAR (Light Detection and Ranging) ground elevation points, with an average distance between points of 1 metre. To put this in perspective, the LiDAR data that was collected for the northern Gulf Islands two years ago has average density of 3.7 metres. Using a LiDAR derived DEM (Digital Elevation Model), with high accuracy and high resolution, offers the potential of greatly improving the quality of hydrological features extracted from DEMs. These features may not meet the RAR accuracy requirements (1-5 metre), but they may prove to be valuable during the project planning process. With LiDAR derived channels land owner contact lists will be far more accurate. Data collection planning will benefit, from the identification of potential tributary and ditches which may be RAR applicable, to those that are not (e.g. maximum slope gradient).

Regardless of methodology, it will be necessary that there be wording in the OCP acknowledging the fact that all watercourses may not be exactly as indicated on the mapping. Islands Trust staff visit properties when an application is pending on the property and can help resolve stream location conflicts.

## **CURRENT POLICY**

### Trust Council Strategic Plan:

The current Trust Council Strategic Plan includes “Implementation of Riparian Area Regulations” as the first focus area.

### Trust Policy Statement:

3.3.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

### Salt Spring Official Community Plan:

The OCP contains general policies with respect to protection of aquatic habitats and Development Permit Area 4 – Lakes, Streams and Wetlands – which recognizes the importance of protecting lakes, wetlands and streams which provide natural fish and wildlife habitat and also supply drinking water. The OCP also contains a reference map entitled “Potential and Existing Freshwater Fish Habitat” (Map 12) which indicates fish habitat and is of particular reference to RAR implementation.

## **STAFF COMMENTS**

Stream mapping options appear limited to either maintaining the status quo using RAR designated watersheds and TRIM streams or mapping streams using a SHIM approach. LiDar methodologies add great value to overall watershed planning but may not be as useful in strictly identifying RAR applicable streams at appropriate level of resolution. Ditch mapping does not address stream mapping, rather it could be used to supplement current data at a low cost while addressing community concerns about the issue of ditches in particular.

In regards to cost, obtaining accurate mapping costs via consulting other jurisdictions proved to be time consuming and ineffective. Staff also worried that obtaining quotes from mapping firms may exclude them from bidding for a contract therefore it was resisted. Regardless, an estimate for a modified SHIM approach was submitted and consequently a request for mapping funds in the next fiscal budget has been requested.

The Director of the LPS has identified up to \$12,000 may be available from the technical services fund if the LTC wishes to begin on mapping from its local expense budget. The trustees may wish to discuss dedicating funds from its local expense budget to facilitate starting of the mapping in the current fiscal.

**NEXT STEPS**

The Salt Spring Local Trust Committee should discuss the various options presented and decide on mapping options for RAR. Once an option has been agreed to it will then be possible for staff to further progress the RAR Work Program.

**RECOMMENDATION**

That the Salt Spring Island Local Trust Committee dedicate and release up to \$4,000 of the 2011/12 Local Expense Budget to support stream mapping.

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**Prepared and Submitted by:**

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Stefan Cermak, Planner 2

Date

**Concurred by:**

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Leah Hartley, Regional Planning Manager

Date



# Option 3 - Salt Spring Island Pilot Area for Secondary Suites

**For Discussion Purposes**

November 1, 2011

Item 15.4  
Late Addition, Appendix 1  
Option 3

## Option 3

Excludes Commercial, Industrial, Commercial Accommodation Multi-family and Community Facility zones

Excludes non-residential properties

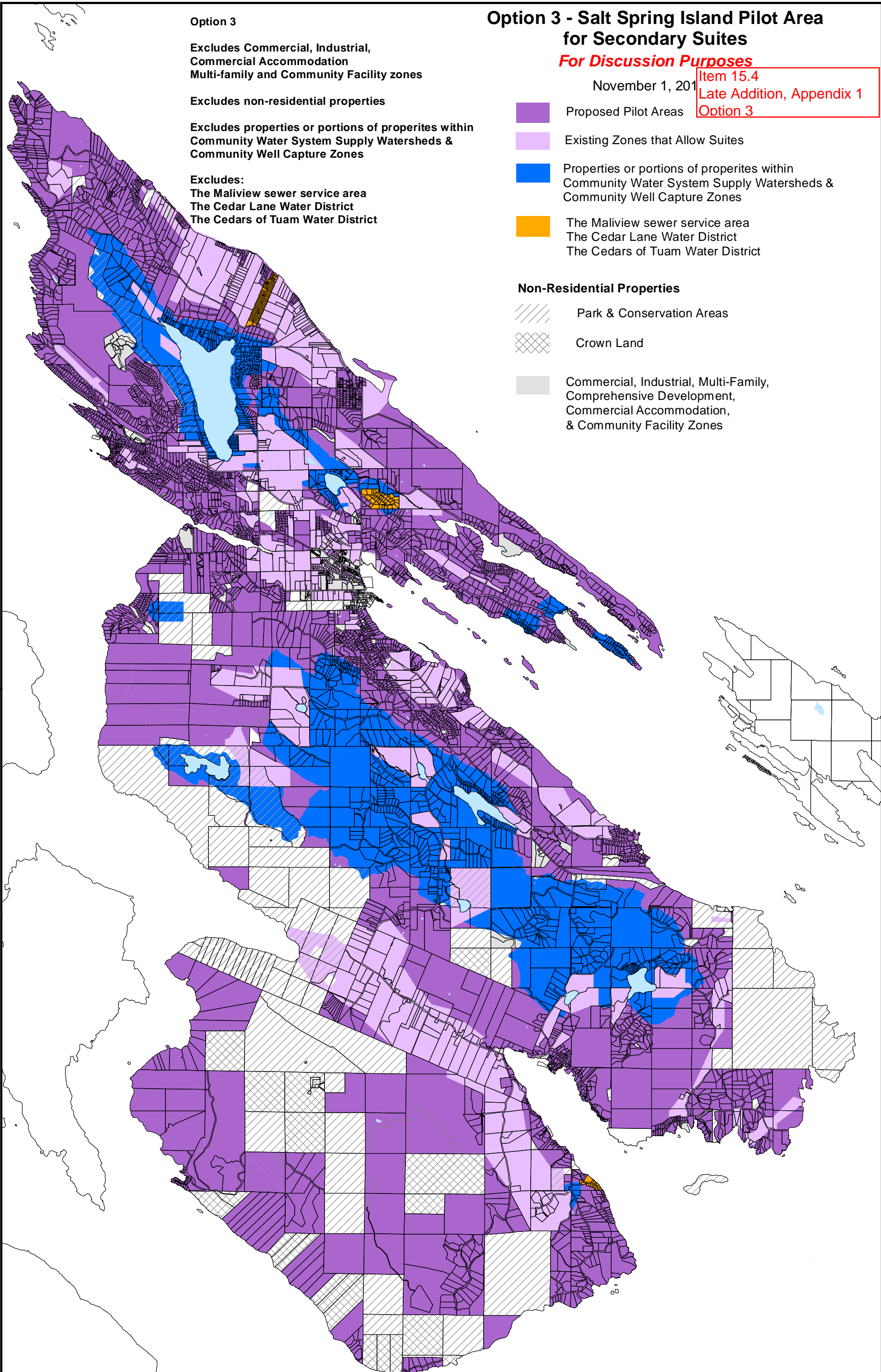
Excludes properties or portions of properties within Community Water System Supply Watersheds & Community Well Capture Zones

Excludes:  
The Maliview sewer service area  
The Cedar Lane Water District  
The Cedars of Tuam Water District

- Proposed Pilot Areas
- Existing Zones that Allow Suites
- Properties or portions of properties within Community Water System Supply Watersheds & Community Well Capture Zones
- The Maliview sewer service area  
The Cedar Lane Water District  
The Cedars of Tuam Water District

### Non-Residential Properties

- Park & Conservation Areas
- Crown Land
- Commercial, Industrial, Multi-Family, Comprehensive Development, Commercial Accommodation, & Community Facility Zones







In order to overcome these deficiencies, the LTC may favour an approach that engages citizens on a broad range of topics before attempting to focus on key issues or to set priorities for a new term of office. If considered as a pilot program, there are many opportunities to approach Salt Spring community engagement in an innovative manner, testing new techniques and evaluating outcomes before changing existing procedures.

Alternatively, being that Salt Spring will have two new local trustees, it may be that the LTC will want to receive advice from a professional experienced in various engagement strategies before launching a pilot program.

Staff are recommending that the newly elected trustees be invited to provide input on this matter before decisions are made concerning a pilot community engagement program. Traditionally, the first meeting of a new Local Trust Committee is scheduled in January of the new year, providing limited time to complete a community engagement pilot before fiscal year end. Program funds are not automatically transferred at end of March from one year end to another. Thus it may be that the new LTC will want to provide direction to an engagement program through a Resolution without Meeting.

### **RECOMMENDATIONS:**

That the Salt Spring Island Local Trust Committee direct staff to prepare a community engagement proposal following dialogue with newly elected trustees and to bring forward the proposal in December, through Resolution without Meeting if needed.

Respectfully Submitted

Leah Hartley  
Regional Planning Manager  
November 2, 2011

**Date:** November 1, 2011 **File No.** North Pender LTA  
Bylaws 187 and 189

**To:** Salt Spring Island Local Trust Committee

**From:** Justine Starke, Island Planner, Local Planning Services

**Re:** North Pender Island Local Trust Area Land Use Bylaw and OCP update for Sidney Island (Bylaws 187 and 189).

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### **BACKGROUND**

The Salt Spring Island Local Trust Committee has received a referral from the North Pender Island Local Trust Committee for an update to the North Pender Associated Islands' Land Use Bylaw and Official Community Plan for Sidney Island. Sidney Island is a private island composed of 111 strata lots and controlled by a strata corporation, with the exception of the portion held by parks Canada for Sidney Spit.

### **PURPOSE**

The purpose of Bylaw 187 is to amend the North Pender Associated Islands Land Use Bylaw as it pertains to Sidney Island only. The substantive amendments of Bylaw 187 include: permitting a storage building on a lot without a residence (with restrictions), allowing a second care-taker residence on common property, restricting the maximum floor area of a dwelling, restricting the storage of recreation vehicles, and recognizing the heritage orchard and covenant areas as "conservation zone." The bylaw would also update the permitted density since subdivision has been completed, and update numerous cross references throughout the bylaw.

The purpose of bylaw 189 is to amend the North Pender Associated Islands Official Community Plan by introducing two new Development Permit areas that would be applicable to Sidney Island only: one related to geotechnical hazard areas, and one addressing development along the shoreline. The temporary use permit section is also updated to reflect recent changes to the *Local Government Act*.

### **STAFF COMMENTS**

Staff have reviewed the proposed bylaw amendments and consider the interests of the Salt Spring Island Local Trust Committee to be unaffected by the proposal.

### **RECOMMENDATION**

That the Salt Spring Island Local Trust Committee direct staff to respond to the North Pender Island Local Trust Area Bylaw Referral Form for Bylaws 187 and 189 indicating that "interests are unaffected by bylaw."

Respectfully submitted,

Justine Starke  
Island Planner, Salt Spring Island  
Islands Trust

