



Title:

Working Group Terms of Reference: (APC, EAC and NGO's) For the Environmental Development Permit Areas Review

Project Purpose:

The purpose of the project is to review some of the environmental development permit areas found in the SSI OCP.

Scope of Project:

The following development permit areas will be reviewed for consideration of revisions to both the spatial maps and textual guidelines:

DPA6: Steep Slopes/Soils Erosion Mapping

DPA4: Riparian Areas Regulation

DPA4: St. Mary's and Cusheon Lakes Watershed Management Plans.

Subject to the project timeline all environmental development permit areas will be reviewed/considered for consistency in application and exemptions. A Sensitive Ecosystem Mapping (SEM) development permit area may be considered subject to the availability of the final map products. Numerous questions need to be addressed to complete the SEM component within the project timeline. Some planner time will be committed to researching the North Pender experience i.e. how was SEM implemented, identify the percentage of the affected land base, quantify the number of development permit applications that resulted from the implementation, were OCP policy targets established for ecosystem preservation, were connecting ecosystem corridors created etc.? Upon receipt of the final map products and after the identified research has been completed the LTC will then consider the opportunities to include SEM in the development permit area review/update.

Staff will endeavour to coordinate the public consultation timeframes between the development permit review project and the land use bylaw review project.

Timeline:

Approximately seven months are allocated to complete the development permit area review. About 6 working months remain after excluding summer vacation and Christmas vacation. Based on past work experience less than 50% of the planner's time will be available to work on this project. January 2011 is the target date to have draft development permit areas (OCP) amendments ready for first reading.

Budget:

Up to \$13,000 for out of pocket expenses including advertising and legal review, specialist consultant, or other expenses included has been allocated.

3.0 Agency and Interest Group Participation:

3.1 Agencies:

In addition to the formal referral process required for all OCP amendments, agencies will be invited to participate in the formative consultation process. Agencies may include the Vancouver Island Health Authority (re: private sewage disposal setbacks), the Ministry of Environment (RAR and setbacks from the natural boundary of water bodies), and the CRD Building Inspection staff.

3.2 Advisory Groups:

Staff proposes to use the Environmental Advisory Committee and the Advisory Planning Commission, prior to first reading, to assist in the discussion about accuracy, workable guidelines, public

consultation, and general problem solving. The advisory groups can serve as a sounding board for public acceptance of draft amendments.

3.3 Interest Groups:

Identified interest groups include the Water Council, Water Districts, Water Preservation Society, Salt Spring Land Conservancy, the Salmon Enhancement Society, St. Mary Lake Stewardship, and Beddis and Cusheon Area Residents Association (BACARA). Other interest groups may include local surveyors, development community, biologists, and engineers (including geotechnical professionals). A combined consultation process may be considered, possibly in combination with the advisory committees.

4.0 Public Notice and Community Participation:

4.1 Community Information Meetings:

Staff considers that the nature of the considered amendments, particularly RAR and the steep slope development permit areas, will require a community consultation process in addition to the required public hearing. Individual (specific to each type of development permit area) community information meetings are considered necessary and will be scheduled.

4.2 Legislatively Required Public Hearing:

The distribution of the bylaw amendment after first reading and a community information meeting prior to the required public hearing is planned.

5.0 Project Team

5.1 Planner Responsible: Mark Brodrick, Island Planner
Contributors: Leah Hartley, Regional Planning Manager
 Sue Palmer, Planner 2
 Uli Temmel, CRD Building Inspection
 Daryl Janyk, CRD Building Inspection

5.2 Legal Counsel:

Proposed amendments may necessitate a review by Islands Trust legal counsel prior to proceeding to first reading. Specific attention will be paid to the “grandfathering” of new development permit guidelines to applications that are in-progress.

6.0 Work Program and Project Schedule:

	Work Program:	Targeted Completion Date:
1.	Review IT Policy Statement and SSI OCP for policy direction	June 2010
2.	Review related documents e.g. watershed management plans, RAR, steep slopes final report, green bylaws	May - June
3.	Review North Pender and other coastal communities products/experience	June
4.	Meet with Working Group to provide overview, seek input, discuss public consultation	May - June
5.	Communicate mapping needs to Victoria GIS staff	June
6.	Develop public communication/consultation strategy	June - July
7.	Focussed public participation/communication/education	June - November
8.	Planning analysis of options	August
9.	Staff report to LTC on options/approaches. LTC direction on public communication/education	August - September
10.	Feedback report to LTC	November
11.	Prepare bylaw amendment for first reading	December 2010
12.	Report to LTC recommending first reading	January 6, 2011
13.	Circulate proposed bylaw to agencies and interest groups and make available to the community	January 2011
14.	Amend bylaw as may be required based on feedback received	February - March 2011
15.	Schedule Public Hearing	February - March 2011

16.	Hold Public Hearing	April 2011
17.	Second and third readings	April 2011
18.	Approval by Executive Committee of Islands Trust	April – May 2011
19.	To Minister	May 2011
20.	Adoption	June 2011

7.0 Working Dynamics (Rules of Engagement):

LTC Draft Minutes from June 3 LTC meeting:

1. REPORTS

1.1 Work Program Reports

- 1.1.1 Environmental Development Permit Areas Review
 Island Planner Brodrick spoke to his report.
 Planners questioned the proposed date of the first meeting and indicated that they expected flexibility in the process. This is a major priority and more planner time is required. They asked that St. Mary Lake Stewardship be added to 3.3. Interest Groups.
 Planner Brodrick explained his process of community consultation and the trustees indicated that they wished to attend those meetings. The project may not be exclusive to DPAs 4 and 6. It was suggested that in order to address sensitive ecosystem mapping, consultants, possibly funded through OCP funds, be used and that the Planner should be able to focus his efforts on this project.

SSI-72-10

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee receives the Work Program dated May 19, 2010 and endorses it in general terms.
CARRIED.

SSI-73-10

It was **MOVED** and **SECONDED** that the Salt Spring Island Local Trust Committee refers the environmental development permit area review/update to the Advisory Planning Commission and the Environment Advisory Committee; and that the Salt Spring Island Local Trust Committee authorizes the Advisory Planning Commission and the Environment Advisory Committee to meet as necessary; and that the Salt Spring Island Local Trust Committee directs the Advisory Planning Commission and the Environment Advisory Committee not to receive delegations or hold community information meetings except as authorized by the Salt Spring Island Local Trust Committee.
CARRIED.

Please note that the working group's meetings are open to the public.

Communication Management:

- Working Group communications through the Chairs (including the Community Interest Groups).
- Other Agency contact through Islands Trust staff
- Contacts:
 - Communications Chair: _____, phone #, email
 - Identify alternate
 - Technical Chair: _____, phone #, email
 - Identify alternate
 - Islands Trust: Mark Brodrick: Island Planner: 250-538-5602: mbrodrick@islandstrust.bc.ca
 Claire Olivier: Planning Secretary: 250-538-5600: colivier@islandstrust.bc.ca
- Discuss mandates and interaction of participating community interest groups

Roles:

The working group will be divided into two sub-groups with different focuses. There is an overlap and there is a need for cross communication between the two subgroups. The project focus is: steep slopes and soil stability, riparian area regulation, and the implementation of the St Mary and Cusheon Watershed Management Plans.

Focus 1:

A communications strategy is needed to address public perception, involvement, communications, and education. The APC will assume the leadership role. Members from the community interest groups may choose to participate. The communication strategy is very important and needs to be developed immediately. It is thought that this sub-group can critically review the draft development permit guidelines.

Focus 2:

The EAC will focus their attention on the technical and scientific research, analysis, and selection of preferred options. The EAC and staff will assume the leadership role in determining the appropriate content and writing the development permit guidelines. Members from the community interest groups may choose to participate.

Handouts:

Review material.

Topics for Further Discussion:

- Initial thoughts re: public perception, involvement, communications, and education (focussed public education/consultation in October)
- Guest Speakers TBA:
 - North Pender Trustee re NP experience adopting EDPAs and the importance of early public education;
 - CRD Building Inspections re: geotechnical reports;
 - Real Estate re: challenges and experiences with DPAs; and
 - Kate Emmings re: sensitive ecosystem mapping
- Other Agency Involvement: CRD Building Inspection, MOE, VIHA
- DPAs: Preserve and protect subject to guidelines, but does not preclude development
- Land Use Bylaw and Development Permit Areas interaction/overlap discussion
 - Development permit areas in OCP or LUB
 - Lot Coverage
 - Impermeable Surfaces
- How to delineate DPA boundaries i.e. by cadastral, polygon, watershed, ecosystem?

Q & A:

Homework Assignments:

- Review all handout material
- Start on steep slopes because most advanced
- RAR (Watershed Management Plans)