

# Saturna Island Local Trust Committee

## Regular Meeting Agenda

**Date:** June 9, 2015  
**Time:** 12:30 pm  
**Location:** Saturna Recreation and Cultural Centre  
 104 Harris Road, Saturna Island, BC

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**Pages**

|       |                                                                                     |                    |         |
|-------|-------------------------------------------------------------------------------------|--------------------|---------|
| 1.    | CALL TO ORDER                                                                       | 12:30 PM - 1:45 PM |         |
| 2.    | APPROVAL OF AGENDA                                                                  |                    |         |
| 3.    | TOWN HALL AND QUESTIONS                                                             |                    |         |
| 4.    | COMMUNITY INFORMATION MEETING                                                       |                    |         |
| 4.1   | SA-RZ-2012.1 (Peretz/Nepenthe)                                                      |                    |         |
| 5.    | PUBLIC HEARING                                                                      | 1:45 PM - 2:00 PM  |         |
|       | none                                                                                |                    |         |
| 6.    | MINUTES                                                                             |                    |         |
| 6.1   | Local Trust Committee Minutes                                                       |                    |         |
| 6.1.1 | <u>Local Trust Committee Adopted Minutes Dated April 23, 2015 (for Information)</u> |                    | 4 - 12  |
| 6.1.2 | <u>Local Trust Committee Minutes Dated May 9, 2015 (for Adoption)</u>               |                    | 13 - 21 |
| 6.2   | Section 26 Resolutions-without-meeting Report Dated June, 2015                      |                    | 22 - 22 |
| 6.3   | Advisory Planning Commission Minutes                                                |                    |         |
|       | none                                                                                |                    |         |
| 7.    | BUSINESS ARISING FROM THE MINUTES                                                   |                    |         |
| 7.1   | Follow-up Action List Dated June, 2015                                              |                    | 23 - 24 |
| 8.    | DELEGATIONS                                                                         |                    |         |
|       | none                                                                                |                    |         |

## 9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

none

## 10. APPLICATIONS AND REFERRALS

2:00 PM - 3:00 PM

10.1 SA-TUP-2015.1 (Johnson) - Staff Report & Draft Permit 25 - 29

10.2 SA-RZ-2012.1 (Peretz/Nepenthe) - Staff Report 30 - 40

## 11. LOCAL TRUST COMMITTEE PROJECTS

3:00 PM - 3:45 PM

11.1 Community Profile - Discussion

## 12. REPORTS

### 12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report dated June, 2015 41 - 41

12.1.2 Projects List Report Dated June, 2015 42 - 42

12.2 Applications Report Dated June, 2015 (attached) 43 - 44

12.3 Trustee and Local Expense Report Dated March 2015 (attached) 45 - 45

12.4 Adopted Policies and Standing Resolutions (attached) 46 - 47

### 12.5 Local Trust Committee Webpage

The Saturna Island Local Trust Committee webpage can be found at:  
[www.islandstrust.bc.ca/saturna](http://www.islandstrust.bc.ca/saturna)

12.6 Chair's Report

12.7 Trustee Report

12.8 Trust Fund Board Report- May 2015 48 - 48

## 13. NEW BUSINESS

13.1 Input into Strategic Plan

13.2 Advisory Planning Commission (APC) Length of Term - Discussion

## 14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 8, 2015, at the Community Hall

## 15. TOWN HALL

**16. CLOSED MEETING (Distributed Under Separate Cover)**

none

**17. ADJOURNMENT**

3:45 PM - 3:45 PM



# ADOPTED

## Saturna Island Local Trust Committee Minutes of Regular Meeting

**Date:** April 23, 2015  
**Location:** Saturna Island Community Hall  
105 East Point Road, Saturna Island, BC

**Members Present:** George Grams, Chair  
Paul Brent, Local Trustee  
Lee Middleton, Local Trustee

**Staff Present:** Gary Richardson, Island Planner  
Beverly Lowsley, Recorder

**Public and Media Present:** There were 15 members of the public present

### 1. CALL TO ORDER

Chair Grams called the meeting to order at 12:30pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations and explained his role as Chair.

### 2. APPROVAL OF AGENDA

**By general consent** the agenda was approved as presented.

### 3. TOWN HALL AND QUESTIONS

**Al Sewell** has no objections to the subdivision application at Boot Cove but expressed concerns regarding ad hoc subdivision prior to public discussion of what is wanted for our community. Perhaps the bylaws need to be changed first, based on that input before moving ahead with new applications.

**Priscilla Ewbank** noted this is the second time we have looked at the Peretz application and would like to proceed slowly with community discussion and input, including involvement of the Advisory Planning Commission (APC) before spending time in regular meetings. She expressed appreciation of Bob Fitzgerald bringing his plan and asking for options.

**Janet Land** finds the Town Hall at the beginning delaying with issues that have not had discussion yet. Would like to have Community Information Meeting on both issues presented today.

Chair Grams applauds the process and democratic principles of community input which is already occurring.

**John Hutchinson** noted that the Peretz property issue is an oddity from the old days, prior to development of the Official Community Plan and an exception may have to be made as he is not sure if the bylaws would ever be able to deal with this.

**Morgan Yates** welcomed Chair Grams and thanked him for his assurances in his introductory remarks. In relation to both applications being put forward today he sees value real value to the community and to the island.

**Bill Douglass** questioned whether the strata title proposal supersedes the OCP which would make this discussion moot. Does this not take it out of our jurisdiction?

**Janet Land** noted that this meeting was not noted on the Scribbler calendar.

Chair Grams commented that this will be rectified in future.

**Priscilla Ewbank** noted that she was in error regarding the area covenant from Breezy Bay relating to the Old Point Farm issue from the February 17, 2015 meeting. She would appreciate having the agenda package in advance so it could be studied in advance prior to discussion and decision of complex issues. She would also like to have a general review of the development permits process.

Trustee Brent responded that the work plan priorities have not yet been finalized so this could be considered.

**Bettianne Hayward** expressed concern that communication of information relating to these meetings needs to be in as many formats as are available so all members will be aware and may plan to attend.

**Priscilla Ewbank** asked if the agenda packages could be made available in advance of the meeting to allow more thorough study of issues.

Chair Grams suggested that those wishing to receive the agenda package in advance might call the trustees and request a copy to be made available.

Trustee Brent encouraged members to consult the Islands Trust website as all information relating to scheduled meetings is posted for advance access.

#### **4. COMMUNITY INFORMATION MEETING**

None

#### **5. PUBLIC HEARING**

None

#### **6. MINUTES**

##### **6.1. Local Trust Committee Minutes Dated February 19, 2015**

For Information

##### **6.2. Local Trust Committee Special Meeting Minutes Dated March 21, 2015**

For information

**6.3. Section 26 Resolutions-without-meeting Report Dated April 2015**

For information

**6.4. Advisory Planning Commission Minutes**

None

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1. Follow-up Action List Dated April 2015**

All actions completed

**8. DELEGATIONS**

**8.1. R Fitzgerald Re: Campsite Proposal on Saturna Island**

Bob Fitzgerald presented background on his business, the proposal and the process based on identified need particularly in relation to needs of boaters who visit the island. Details of the plan: limited to upper lot; low impact; maximum of 10 camping sites; small building for laundry, shower and toilet. Planned restrictions: no trailers; no RV's; no tent trailers; no fires. Mr. Fitzgerald also gave examples of situations where individuals camp in non-designated areas, leaving garbage and in some instances creating potential fire hazards.

There was discussion regarding the following:

- Tent trailers would not permitted because of limited space;
- A possibility of planting shrubs to shield the view from the road and improve aesthetics;
- Layout adjusted to accommodate the impact on parking space and/or nursery area;
- Septic disposal issues being addressed with contractors for plans and estimates;
- Water use, there has been no official contact with the CRD yet;
- Proposed shower and laundry will be coin operated to limit water waste;
- Security issues in the area especially at night and considering options.

Several members commended Mr. Fitzgerald on the plan which follows nicely for discussions at the March local trust committee meeting.

Discussion and suggestions for further consideration: review of current camping bylaws including limits to number of campsites on property zoned as commercial; individual site size and demarcation; whether a contact person will be designated if issues arise at the campsite.

Planner Richardson indicated that since this is not yet a formal permit application he has not been involved at this point. Policies for Temporary Use Permits (TUP) do have recommended guidelines to give direction.

Discussion by the trustees addressed whether various policy applications relating to tent trailers and Short Term Vacation Rentals on private property might influence decisions in this situation.

Chair Grams pointed out that this is a preliminary introduction to an application which will have to be followed by a full application.

**9. CORRESPONDENCE**

*Correspondence received concerning current applications or projects is posted to the LTC webpage*

**10. APPLICATIONS AND REFERRALS**

**10.1. SA-RZ-2012.1 (Yardley/Peretz) Staff Report**

Planner Richardson noted that a CRD building permit was issued for the three residences on April 21, 1971. He briefly reviewed the previous process of the 2012 application, and then reviewed three options, identifying potential obstacles of each.

Applicant Alan Peretz spoke to the application. The property is currently family owned as a corporation, now requesting approval to create three individual strata lots. He also noted that the proposed size of the strata sites are larger than any other lots on Boot Cove Road. No benefit is intended except to allow for the lots to be passed on to future generations.

There was discussion amongst the LTC and staff regarding the following:

- Possible inferred increase in value of the property if approved;
- Use of the OCP as a guideline, not a straight jacket;
- Minimum lot size and issues relating to residential density;
- Covenant on common property across Boot Cove Road so cannot be developed.

Comments from the floor:

- Suggestion of mechanism such as development permit for dealing with specific circumstance such as this;
- Other options may exist, request an information meeting for broader community input;
- Does uniqueness of this specific situation make it unlikely to arise elsewhere on Saturna?

**SA-2015-010**

**It was Moved and Seconded that** the Saturna Island Local Trust Committee request staff to advise the applicant of SA-RZ-2012.1 (Yardley/Peretz) to pursue the option of obtaining subdivision density and to schedule a Community Information Meeting (CIM) for discussion of options.

**CARRIED**

## **10.2. Mayne Island Local Trust Committee Bylaws No. 161 & 162 Referral**

### **SA-2015-011**

**It was Moved and Seconded** that the Saturna Island Local Trust Committee interests are unaffected by Mayne Island Local Trust Committee bylaw No. 161 & 162.

**CARRIED**

## **11. LOCAL TRUST COMMITTEE PROJECTS**

### **11.1. Census Information - Staff Report**

Planner Richardson reviewed the staff report dated April 15, 2015 which listed census data available for Saturna.

Trustee Middleton described rationale for local research from previously identified sources using comprehensive data gathering processes.

Chair Grams recommended clarifying how the collection of that data will inform the OCP prior to collecting it.

Trustee Brent requested to put before the community what we do have now. He requested to see what other communities have collected for their community profiles. Planner Richardson will put examples on the website as well as bring them to the next meeting.

## **12. REPORTS**

### **12.1. Work Program Reports - for information**

#### **12.1.1. Top Priorities Report dated April 2015**

##### **SA-2015-011**

**It was Moved and Seconded** that the Saturna Island Local Trust Committee put as first priority, the Community Profile and as second priority, the Strategic Context for Saturna community.

**CARRIED**

#### **12.1.2. Projects List Report Dated April 2015**

##### **SA-2015-012**

**It was Moved and Seconded** that the Saturna Island Local Trust Committee take amendment bylaws 112, 113, 114 and 115 for information purposes only under consolidated draft bylaw Land Use Bylaw 178.

**CARRIED**

### **12.2. Applications Report Dated April 2015**

For Information

### **12.3. Trustee and Local Expense Report Dated March 2015**

For Information

### **12.4. Adopted Policies and Standing Resolutions**

Presented for Information

### **12.5. Local Trust Committee Webpage**

The Saturna Island Local Trust Committee webpage can be found at:  
[www.islandstrust.bc.ca/saturna](http://www.islandstrust.bc.ca/saturna)

### **12.6. Chair's Report**

Chair Grams as Chair of Salt Spring Island Watershed Protection Agency reported on issues affecting the quality of St Mary's Lake based on a ten month study of water quality. No further connections will be approved until a water quantity study is complete. Impact for OCP as at limit of current resources. Not a Local Trust Committee or Islands Trust issue.

Study on Salt Spring Island incorporation: committee meeting with provincial minister to discuss an incorporation study prior to considering a possible referendum.

Islands Trust Executive Committee meeting agreed to periodically hold their meetings in localities other than Victoria. Strategic plan process will be more involved and open than hitherto considered.

### **12.7. Trustee Report**

Trustee Brent has not attended any Islands Trust committee meetings. Both Trustees attended a roundtable at the end of March (CRD, Ministry of Transport, Islands Trust, mayor and council representative from Sidney) to discuss challenges of governance and inter-island connections (broadband, transportation). A second meeting dealt with strategic plan, vision statement relating to how we want our communities to look in the future.

Trustee Middleton noted discussion of strategic planning to align with the budgeting process. It was an important exercise for all stakeholders in the Islands Trust.

Chair Grams commented on an individual initiative by a number of trustees. Les Tour des Isles program in June offering free boat travel to other islands, a pilot project to show that one can get to the other islands and become familiar with our neighbour islands. Re-awaken connections and sharing between islands. CRD is helping support this program.

Invasive species point of information: Islands Trust has taken a role as lead agency in regard to invasive species, particularly as it relates to Daphne. This is also a National Parks issue in this area. Trustee Middleton will be attending the Parks Advisory Commission meeting on Saturna on April 24 and will forward relevant information for posting on the website.

Solar power development and demonstration projects may become significant factors for consideration as climate change policy and utilities advocacy policy may be under consideration for incorporation into the OCP.

A cautionary note was raised on the importance of balance between renewable technologies and environmental impact, for example wind turbines versus birds.

Chair Grams pointed out that lowering our ecological foot print is currently not part of the Islands Trust mandate.

**12.8. Trust Fund Board Report - April 2015**

For information

**12.9. Bylaw Enforcement**

**12.9.1. Trust Council Briefing and Statistics**

For information

Chair Grams noted that these briefings inform the public of enforcement activities while not breaching privacy.

**13. NEW BUSINESS**

**13.1. 2014-15 Annual Report - Saturna Island Local Trust Committee Section**

**SA-2015-013**

**It was Moved and Seconded that** the Saturna Island Local Trust Committee approves the attached text for inclusion in the 2014-2015 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

**CARRIED**

**13.2. Board of Variance (BOV) Expiring Memberships**

Process in the works. Will be a report at next meeting.

**13.3. Input to Strategic Plan**

Chair Grams described the process which will be involved at Trust Council.

Trustee Brent expanded that local trustees pushed back about following the previous process. Each local trust committee will be seeking community input for presentation in mid-June.

**SA-2015-014**

**It was Moved and Seconded by** the Saturna Island Local Trust Committee that **the** Islands Trust Strategic Plan includes, as a priority, lowering our ecological footprint.

**CARRIED**

**SA-2015-015**

**It was Moved and Seconded** by the Saturna Island Local Trust Committee that the Islands Trust Strategic Plan includes:

- Acknowledgement of the potential of Salt Spring Island's incorporation and need to plan for adaptation in advance, and that;
- Provides for independent benchmarking and review of the Trust's organization structure to review the effectiveness of the Trust's organization in delivering its services, and that;
- Recognizes the mutual benefit of connecting Islands Trust staff with the communities that support them (through taxation) and the benefit to island communities of repatriating those tax dollars back to support community sustainability, and that;
- Views the expiration of Trust office leases in 2016 as a unique opportunity to examine relocation of some Trust services to the Trust area.

**CARRIED UNANIMOUSLY**

**14. UPCOMING MEETINGS**

**14.1. Discussion to Change June Meeting Date**

**SA-2015-016**

**It was Moved and Seconded** to change the next scheduled meeting from June 4, 2015 to June 9, 2015, all other factors being equal.

**CARRIED**

**14.2. Next Regular Meeting Rescheduled to Tuesday June 9, 2015 at 12:30 pm, at the Recreation & Cultural Centre**

**15. TOWN HALL**

**Al Sewell** reiterated concern regarding the complicated subdivision application process, questioning why it has to be done in this way.

**Janet Land** asked for a proposed date for the next community meeting.

**By general consent** it was agreed the next special meeting will be on Saturday, May 9, 2015 at 9:00 am at the Community Hall.

**16. CLOSED MEETING**

**16.1. Motion to Close the Meeting**

**SA-2015-017**

**It was Moved and Seconded** that the Saturna Island Local Trust Committee business meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s. 90(1) (a) & (d) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated April 27, 2014;
- Appointment of APC Members;
- And that the recorder and staff attend the meeting.

**CARRIED**

Note: The meeting was closed at 3:20 pm and the public asked to leave the room.

#### **16.2. Recall to Order**

Note: The meeting was reopened to the public at 3:30 pm

#### **16.3 Rise and Report**

Chair Grams reported that the minutes of the April 27, 2014 in-camera meeting were adopted and, the appointments of Ryan Dentry, Charles Reif, and Hubertus Surm to the Saturna Island Advisory Planning Commission.

### **17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:31 pm.

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George Grams, Chair

Certified Correct:

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Beverly Lowsley, Recorder

## **Saturna Island Local Trust Committee Minutes of Special Meeting**

**Date:** May 9, 2015  
**Location:** Saturna Recreation & Cultural Centre  
104 Harris Road, Saturna Island, BC

**Members Present:** George Grams, Chair  
Paul Brent, Trustee  
Lee Middleton, Trustee

**Staff Present:** Beverly Lowsley, Recorder

**Public and Media Present:** There were approximately 35 members of the public present

### **1. CALL TO ORDER**

Chair Grams called the meeting to order at 9:03 a.m. After welcoming remarks and introductions he described the process of the irregular Islands Trust meeting to receive public input on the items listed on the agenda.

### **2. APPROVAL OF AGENDA**

A comment that was made that maps and reference materials relating to proposals being discussed should be available.

Chair Grams responded this irregular meeting was not attended by Islands Trust staff and that staff provide these materials.

Trustee Brent explained that at regular local trust committee meetings such information is provided. These meetings on the alternate month are a response to community requests for meetings to enable input and sharing of information in a less formal manner.

Additions to the agenda for consideration:

Add Item 5. a. Consideration of Format of Meetings  
Add Item 5. b. Update on Trails Maps

**By general consent**, the agenda as amended was Approved.

Trustee Middleton acknowledged terminology used when framing these discussions as community input could be confused with the more formal Islands Trust Community Information Meeting format.

Following suggestions that formal seating in rows is not conducive to discussion it was agreed to move to the larger room with seating in a circle to facilitate more open discussion and face-to-face dialogue.

There was a 5 minute break to accomplish the move.

### **3. PUBLIC INPUT INTO SATURNA POINT HOLDINGS CAMPGROUND CONCEPT**

Trustee Middleton noted that the idea of sharing a concept prior to going to the trouble and expense of a formal application allows an opportunity to discuss potential issues which may arise. These can then be addressed in the application rather than slowing the process by having to revise and resubmit.

**Bob Fitzgerald** reviewed his concept for development of a campground at Lyall Harbour as presented at the regular LTC meeting of April 23, 2015. His goal is to have a low impact camping area to cater to kayakers as well as to offer an alternative for individuals who come to Saturna and camp "off road". He shared this information to get feedback prior to submission of a formal application noting that exploration of water and septic needs are still in progress.

Discussion questions related to number and size of sites, vehicle access, campfires, size of the services building, and water management issues to control consumption. Various ideas were offered.

**Pat Carney** expressed support for expansion of the dock to attract boaters but has concern regarding a campground adjacent to a pub which has off sales in a residential area with no police enforcement available. She stressed the importance of having regulations which are monitored and enforced.

**Tom Johnstone** recognized the need for camping facilities to offset unregulated camping and the dangers they pose, reiterating the importance of supervision.

**Bill Sheffield** reviewed the history of transient accommodation suggesting to think about the concept of a "public house", also noting that the party people will want to go somewhere else. He expressed support of a campground as a Temporary Use Permit, and then determine if it is a problem.

**John Hutchinson** noted that the shower will be an important feature. He reviewed previous discussion of the noise issue and importance of having a contact if issues arise.

**Al Razutis** expressed support of the idea, recalling that when he came here 20 years ago his first impression was of the No Camping sign. He suggested a "Welcome to Saturna" sign instead, stressing advantages for diversity and commerce far outweigh the disadvantages which can be addressed.

**John Money** pointed out that the area is zoned for commercial use. The hike to Narvaez Bay is a long trek, noting that he has found evidence of unauthorized camping, including by the dam which is our water supply. There is definitely a need for alternative options.

**Al Sewell** in favour of the concept but commented on the potential financial strain of this development on one individual business.

**Priscilla Ewbank** expressed that this dialogue is exactly the purpose of such meetings. She views this as one island business contributing to the welfare of the community, while sharing challenges of small businesses working to achieve financial success. If a person lives right there it is a less expensive option than hiring a caretaker. She acknowledged concerns regarding regulation and monitoring.

**Morgan Yates** noted that he has submitted a letter to the trustees expressing his views and wondered how this would be shared.

The Trustees responded that they have read the letter and it has been forwarded to the Islands Trust office to be posted on the website.

Chair Grams noted that as Chair, this process bothers him as discussion of a proposal prior to it even being submitted circumvents the process of obtaining advice from the planner regarding whether it meets the requirements of the OCP and bylaws. The usual process is in place for good reason.

**Theresa Higgins** read a brief letter from Joan Combs then expressed support of this community discussion process, not to circumvent the process which is in place but to enrich the application development and decision process.

Chair Grams responded that this provides advice from everyone else but not the planner who knows the legalities involved.

**Al deJoseph** suggested that there is not a difference between boaters at the dock and campers in the area who will use similar services and conceivably make as much noise. He strongly supports the concept.

**Judith Rees-Thomas** compared this process to having a conversation in your living room with a group of neighbours. She also noted that the police can be here quickly if needed.

**Anne Popperwell** agreed with Pat Carney's concerns in reference to the potential noise factor suggested that a planting to screen the area would help reduce noise as well as providing a visual barrier.

**John Gaines** expressed support for the concept while recommending that the structures be large enough to have 2 toilets and 2 showers. The reality of the area which is rated as commercial and residential is that there will be more traffic and potential noise.

**John Hutchinson** suggested this process is a response by the community to enhance what the Islands Trust approach provides.

**Janet Land** wondered if the idea of having a mini trailer as a "park house" onsite would provide housing as well as supervision of the area.

**Pat Carney** commented that a Community Information Meeting is not to listen to the trustees and IT personnel but to give input for local community ideas. In relation to the boaters, she suggested that the Wharfinger has authority to monitor and enforce rules. In regard to having a "park house" supervisor that person has no authority. She has called the police at times and from her experience, their response time is longer than suggested and they may not arrive until the next day.

**Sue Syverson** countered that police prioritize calls and a large issue (drinking, fighting) goes up on the response list. She also gave an example of a group of locals who had a party on the wharf which did create noise. She objected to categorizing young people as drinkers and partiers.

**Dawn Wood** expressed thanks to Bob and Christine for their creative approach toward promoting their business and attracting visitors to the island. She also commented that these circle gatherings are a significant mechanism for expressing what is important to the community and which will not undermine or circumvent the formal process.

Chair Grams commented that they do have Community Information Meetings on Salt Spring but only after formal information has been presented at Islands Trust Regular meetings so people are fully informed prior to open discussion.

**Al Sewell** countered the idea that there are a number of past trustees as well as individuals present who have been members of Advisory Planning Commission who have the experience and legal knowledge from those experiences.

**Beverley Neff** suggested a campsite use policy stating expectations of what is offered, rules regarding quiet time, fires, and use of the facilities.

**Bill Sheffield** gave some of the history of our original paranoia regarding camping which was based on stories of issues on Galiano Island 40 years ago. He suggested that this local process may help to smooth the process once the official decision time arrives.

Chair Grams acknowledged that he still has reservations and understands the public statements of support.

**Bettianne Hayward** commented that previous comments have addressed her concerns. In the past she and her family camped in supervised campsites which were well run but when supervision was withdrawn the campsites had issues of drinking, drugs, and fights. She stressed the importance of these meetings and of individuals being heard.

**Priscilla Zimmerman** expressed thanks for this. As an architect she offered her view of the big picture, the idea of a low-impact development which is on the main street suggesting that concerns with water and noise could be mitigated.

**Andree Fredette** offered her support for this idea noting there are a number of blogs describing where and how to camp secretly off road and that this will offer an alternative for those who arrive on bikes or backpacking.

**Bill Douglass** warned of "vision creep" suggesting the wording for creating the new zone be identified as a "tent site" rather than a campground. The OCP has specific requirements for campsites and density requirements.

**John Money**, responding to concerns of policing and supervision, noted that Bob Fitzgerald lives on the island and is available by phone if issues arise.

**Richard Blagborne** suggested the need for a vehicle traffic plan as not all people will be back-packers or cyclists. Marketing is also an important factor which will help control some of the issues identified.

#### **4. PUBLIC INPUT INTO PERETZ APPLICATION**

**Alan Peretz** reviewed the plan. The 9 acre property has 3 legal conforming homes set up as a company of three families. The goal is to have the 3 strata lots on the water side property reclassified as strata for estate planning as the original residents are aging and want to pass the properties on the future generations.

**Al Razutis** asked what is the problem as this was put forward in 2012.

**Alan Peretz** explained the issue of density relating to the part of the property on the other side of Boot Cove Road which was offered as an amenity was rejected. When asked about what would happen to the section across the road he stated that it would remain undeveloped.

**Priscilla Ewbank** remarked this situation was set up prior to Islands Trust and would impact the density regulations in the Official Community Plan which has been the focus of previous discussions.

**John Hutchinson** spoke in support of the proposal noting the lot boundaries are already there and doubts that there is another property on the island for which this would set a precedent. These circumstances are unique.

**Tom Johnston** stated that he can see no negative effects.

**John Money** expressed support of the application as a mechanism of estate planning which will be faced by a number of families on Saturna.

**John Gaines** spoke in favour of some form of legalization of the current use noting anything we can do to support long standing families on the island to remain for future generations is a good thing.

**Al Sewell** noted that he is opposed to ad hoc land use rezoning and recommended following the Land Use Bylaws and Official Community Plan (OCP), not one-off approvals. This would be fair to the whole community.

**Janet Land** reviewed her understanding of the situation which was in effect prior to the OCP. When the OCP came in their 3 houses were essentially 2 extra densities over the allowable density but they were grandfathered in. How do we justify those 2 extra densities? The planners report at the last meeting addressed some of these issues.

**Anne Popperwell** expressed as a neighbour that it is absurd this has gone on so long. Such a minimal change should not be so arduous and complicated.

**Bill Sheffield** confirmed that this situation predates the regional district plan. Houses come and go, buildings deteriorate but the land is forever and how it is carved up matters. He has sent a written proposal on this issue which will be on the Islands Trust website.

**Alan Peretz** noted that this is not carving up small pieces, that the proposed lots are larger than any others on Boot Cove Road and there is not a significant increase in the value of the land if allowed to be zoned as strata.

**Morgan Yates** suggested there is a great deal of common sense in the application as well as a fair amount of complexity. Hopefully this process will lead to an expedited solution that makes many more people happy without adverse effects.

**Bill Douglass** suggested that the Islands Trust should focus on the interests of the community, consider benefits to the island and not simply expedite the process. They should negotiate an acceptable amenity for the increased density.

**Dawn Wood** noted that previously there was a house on the lot across the road which has since been demolished and a possible amenity might be to construct another small rental house or allocate parking space.

**Alan Peretz** countered that the house was on an adjacent piece of property; there was never a house on the mentioned property. Also that in the 2012 application the space was offered as a community amenity which was not accepted.

**Beverly Neff**, from her experience as a Trustee during 2011 clarified that a suggested parking area which was not accepted involved 100 feet which was part of a lot nearer the corner of East Point and Boot Cove Road.

**Sue Syverson** noted that there are a number of homes on the island which were here before the OCP was developed. She is against penalizing people for how their properties were developed prior to the OCP.

**Priscilla Ewbank** stated there are principles of land use and development by which land use needs to be decided. This is a different proposal from 2012 which needs careful deliberation aside from the personal component of knowing the family. She also suggested we need a coherent community plan related to parking needs in the residential and commercial areas.

**John Money** noted that the OCP states clearly that we cannot make a decision which makes a non-conforming property yet this was done previously in this case. The density already exists so should go ahead.

**Tom Johnstone** agreed that this property became legal non-conforming densities from the time the bylaws were set. There is no increase in density now.

**Al Sewell** suggested that the two properties are divided by Boot Cove Road and should be considered a "hooked" property when considering density issues. He suggested a possible *not withstanding* clause be added to the land use bylaws to clarify such situations.

**John Hutchinson** noted that this application has identified a number of areas where the OCP may need to be revised and requested that the trustees get on with this application.

**Bill Sheffield** related that he came to Saturna because there were no zoning or building regulations on this island. The OCP was created to counter the provincial plan to require minimum 10 acre lots on Saturna. Previous land owners gave up potential zoning density and development potential as part of this community plan development.

**John Gaines** agreed that planning is important but people are also important and they have a right to plan their family's future. This has been beaten around for a long time and this is a minor change. We should find some way to make this work.

**Priscilla Zimmerman** asked that this family be given approval. This is commonsense.

**Dawn Wood** was pleased that the piece of property on the other side of the road will not be built on.

**Anne Popperwell** noted that the OCP was developed prior to the acquisition of federal park land in which a large amount of property was taken out of available density allocation. Our community needs to grow and we need to be less precious about density.

## **5. PUBLIC INPUT INTO OCP AND BYLAW CHANGES - EVOLUTION OR REVISION?**

Trustee Middleton suggested that some issues have arisen in which the OCP might be identified as a barrier to proceed. On the other hand, new issues such as solar panels and other new technologies are not addressed in the OCP and may need to be added.

**Al Razutis** commented that revisions to the OCP are long overdue, should not take overlong and should be set as a priority.

**Bill Sheffield** warned that although there are areas in the OCP that need review and change, a full review and revision would require an inordinate amount of work and time.

**Al Sewell** suggested looking at the first 3 pages, the preamble, which is where the real problem lies.

Trustee Brent commented that if we are to move ahead we will have to contemplate some sort of revision to our OCP and bylaws or we will never be able to accomplish anything. The question is do we do a full scale OCP review or focus on specific areas such as solar power applications.

**John Gaines** commented that use of geothermal as well as solar and other green technologies may be hampered by over governance.

**Morgan Yates** suggested a modular approach to incorporate new technologies and perhaps areas around renewables. Also, there seems to be some opportunity arising for the area between the dock and the general store which might need to be considered.

**Beverley Neff** expressed reluctance to reopen the OCP but would like to have a group conversation about what we would like to see, for example, between the dock and the store.

**Al Razutis** looks forward to emerging technologies to enhance communication and dialogue as a mechanism for re-evaluation and redefinition of our governing bylaws.

**Pat Carney** suggested that the trustees compile a list of examples of what may be anticipated and what issues will be important, then have another round table meeting to discuss them. Vision before the planning.

**Alan Peretz** said that the idea suggested at the last meeting about developing a strategic plan be brought forward then the OCP needs to be a vehicle to enable such strategies to move forward.

**John Money** suggested small changes which could be incorporated to reduce our foot print on the planet. We already have the initiative to discuss these issues put forward by the provincial government directives to reduce our carbon footprint.

#### **5. a. Format and Setup of Meeting**

Trustee Brent stated that as these community meetings are effective for the Saturna community they should continue in between the regular meetings. This process will help applicants to put together proposals that are more likely to succeed without them or us spending excess dollars. What we call them is whatever everyone wants.

**Carol Voyte** related that this process is a community building exercise and in effect is an advantage. In the past we have felt the IslandsTrust and the planner have dictated to us what is needed rather than us identifying what we want and seeking their advice on how to achieve it.

**Morgan Yates** found value in hearing from other members in the community especially those who have long experience rather than relying solely on the Islands Trust planners.

**Al Sewell** commented that when decisions are made sometimes those who are opposed are left out. They should have their objections recognized and reasons given for the final decision.

**Judith Rees-Thomas** suggested we title these *Irregular Meetings*.

**Beverley Neff** agreed as the Community Information Meeting format is an official Islands Trust process.

**Alan Peretz** expressed some discomfort that at this type of meeting there may be people who go away with misinformation. He requests that if an actual application is under discussion the planner's presence would be important to provide clarification where needed.

Trustee Brent suggested that Mr. Peretz send any items which he views as potential misinformation or items of confusion to Planner Richardson so he can clarify them at the next regular meeting.

Trustee Middleton also suggested that if an actual application is up for discussion at one of our Irregular meetings, perhaps it should be policy to have the island planner present, either in person, or by telephone.

**5. b. Update on Trails Maps**

Trustee Middleton commented that Planner Richardson is still working on this and local trustees do not have information to report at this time. It will be addressed at the next regular meeting.

**Morgan Yates** noted that Planner Richardson was going to check on the authenticity of the map that he had and would provide a copy for this meeting.

**6. ADJOURNMENT**

By consensus the meeting was adjourned at 11:20 am

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George Grams, Chair

Certified Correct:

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Beverly Lowsley, Recorder



Islands Trust

Print Date: Jun-01-2015

## RWM From: April 23, 2015 To: June 01, 2015

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### Saturna Island

| Resolution # | Action    | Resolution Description                                                                  | Resolution Date |
|--------------|-----------|-----------------------------------------------------------------------------------------|-----------------|
| 2015-05      | In Favour | THAT_Saturna Island Local Trust Committee Meeting minutes of April 23, 2015, be adopted | May 13, 2015    |



## Follow Up Action Report w/ Target Date

### Saturna Island Apr-23-2015

| No. | Activity                                                                                                                                                                                                                                                                                | Responsibility                 | Target Date | Status   |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------|----------|
| 1   | SA-RZ-2012.1 (Yardley/Peretz) - LTC directed staff to: request the applicant to pursue the option of obtaining subdivision density; and schedule a CIM.                                                                                                                                 | Lori Foster<br>Gary Richardson |             | Done     |
| 2   | Update LTC website by moving previous terms projects and draft bylaws to background area.                                                                                                                                                                                               | Lori Foster                    |             | Done     |
| 3   | 2014/2015 Annual Report - approved as drafted.                                                                                                                                                                                                                                          | Robert Kojima                  |             | Done     |
| 4   | Input into strategic plan to be forwarded to CAO.<br>Put on June 9 agenda for further discussion.<br>Ask LTC if they want it on the Saturna web page prior to the June 9 Mtg.                                                                                                           | Gary Richardson                |             | On Going |
| 5   | Change LTC meeting date from June 4, 2015 to June 9, 2015.                                                                                                                                                                                                                              | Lori Foster                    |             | Done     |
| 6   | Arrange special meeting for May 9, 2015. Contact Local Trustees to determine time, location and agenda items.                                                                                                                                                                           | Lori Foster<br>Gary Richardson |             | Done     |
| 7   | Mayne LTC Bylaws 161 and 162 - Saturna LTCs interests are unaffected.                                                                                                                                                                                                                   | Sharon Lloyd-deRosario         |             | Done     |
| 8   | Amend Work Program by:<br>- Move Secondary Suite Review and Mapping Review from top priority list to project list.<br>- add new top priority 1) Preparation of Community Profile and 2) Strategic Context for the Saturna Community (check minutes for further details on this project) | Gary Richardson                |             | Done     |

|    |                                                                                                       |                                |      |
|----|-------------------------------------------------------------------------------------------------------|--------------------------------|------|
| 9  | Forward examples of some community profiles that have been prepared for the LTCs reference.           | Gary Richardson                | Done |
| 10 | Place some community profiles for other islands on the Saturna Website for the communities reference. | Lori Foster<br>Gary Richardson | Done |
| 11 | Put upcoming meeting dates in scribbler calendar                                                      | Lori Foster                    | Done |
| 12 | Bring Copies of Profiles to June 9, 2015 LTC meeting for reference.                                   | Gary Richardson                | Done |

# STAFF REPORT

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Date June 1, 2015 File Number SA-TUP-2015.1

To Saturna Island Local Trust Committee

From Gary Richardson  
Island Planner

Re Application to Renew Temporary Use Permit

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In June 2012, the LTC issued a Temporary Use Permit (TUP)(SA-TUP-2012.1) for a portion of Lot B, Sec 18, Plan 20198, Saturna Island.

The 2012 TUP allows a portion of the subject lot to be used for the operation of a mobile food vending vehicle (double decker bus) as a café.

The applicant, Aleah Johnson, has requested that the permit be renewed for three additional years.

A TUP may be renewed by LTC resolution for up to three years. In terms of issues associated with a renewal:

1. There are no known complaints or concerns associated with the use over the past three years.
2. Renewal of the permit would be for a maximum of three years. After that time the owner would have to apply for a new TUP, apply for a rezoning or cease the use.

A draft permit is attached and is identical to the permit issued in 2012 except for the file number and if it is extended a new expiry date will be inserted.

## Recommendation

1. THAT the Saturna Island Local Trust Committee renew Temporary Use Permit SA-TUP-2015.1 for a period of three years.
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Respectfully submitted by:

*Gary Richardson*

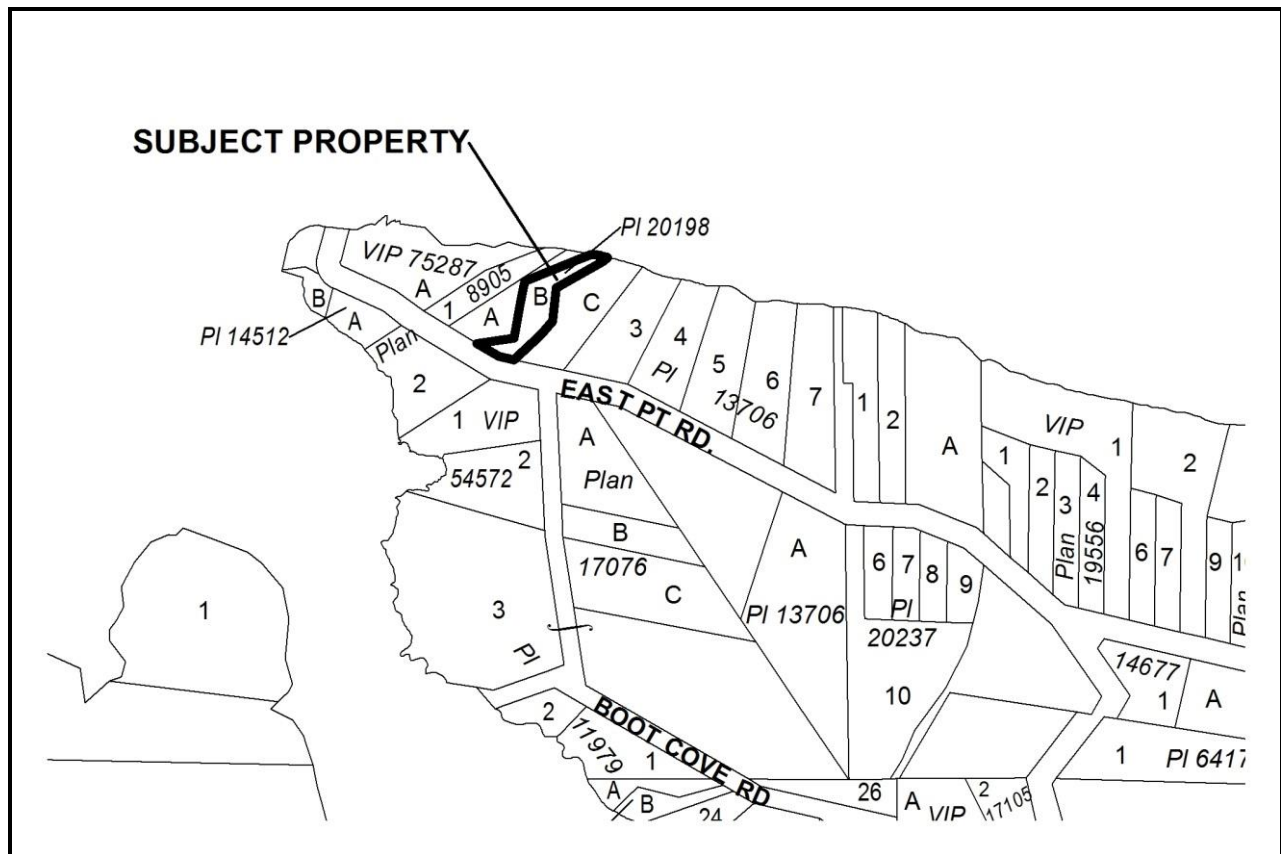
June 1, 2015

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Gary Richardson

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Date



Subject Property



## PROPOSED

**SATURNA ISLAND LOCAL TRUST COMMITTEE  
TEMPORARY USE PERMIT  
SA-TUP-2015.1 (Johnson)**

**109 East Point Road**

To: Aleah Johnson

1. This Permit applies to the land described below:

Lot B, Section 18, Saturna Island, Cowichan District, Plan 20198, shown on Schedule "A", which is attached to and forms part of this Permit.

2. This Permit is issued for the purpose of permitting the operation of a mobile food vending vehicle (double decker bus) as a café on the above referenced lot and is subject to the following conditions:

- a) the owner must not remove any existing vegetative screening;
- b) the owner must provide parking for a minimum of one (1) vehicle on the property;
- c) outdoor lighting must not be directed onto surrounding properties;
- d) the number of indoor seats is limited to twenty seats (20);
- e) the number of outdoor seats is limited to twenty-two seats (22); and
- f) the food vending vehicle, outdoor seating and parking shall be sited substantially in accordance with Schedule "B", which is attached to and forms part of this permit.
- g) the bus and associated structures must be removed if the use is discontinued for 6 months or if the permit expires.

3. This Permit expires on ,

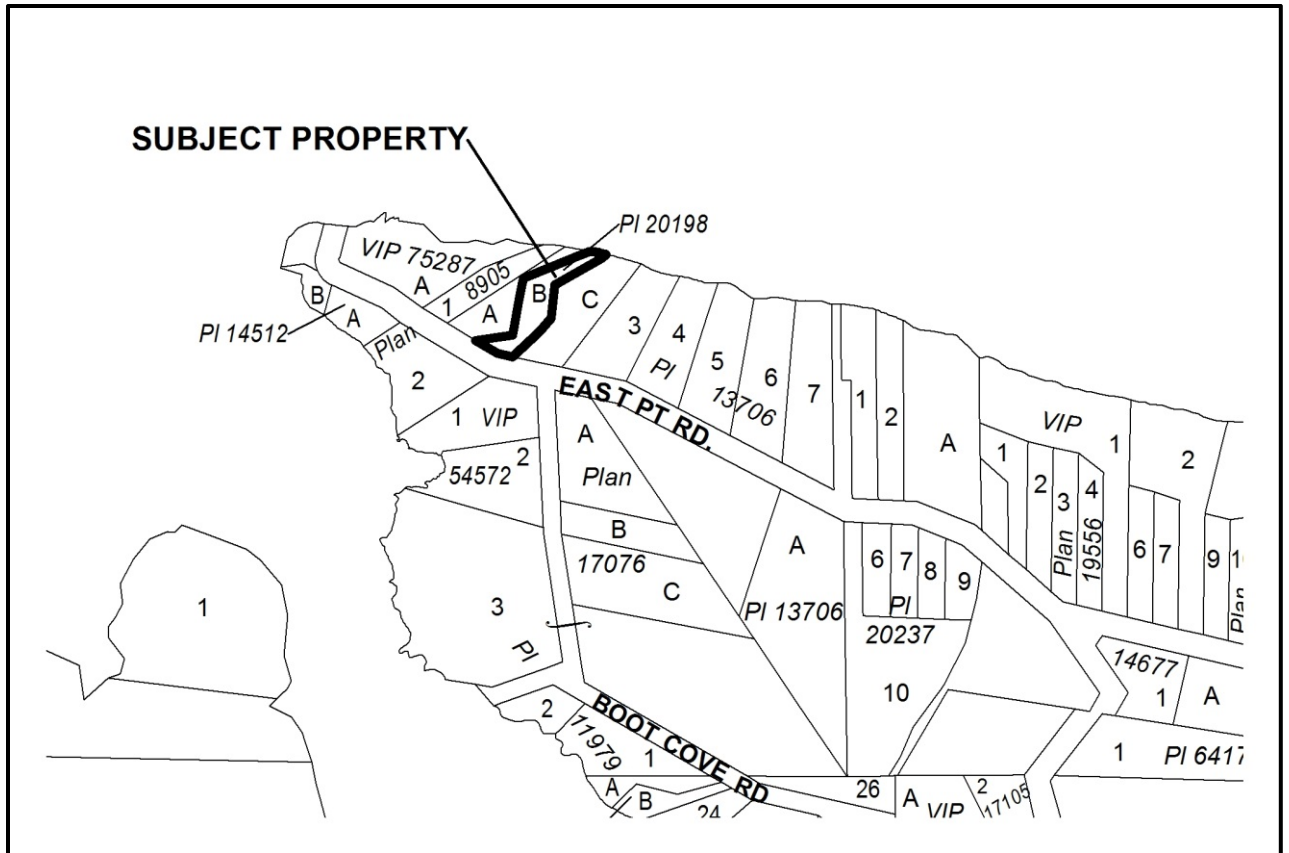
4. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE SATURNA ISLAND LOCAL TRUST COMMITTEE THIS DAY OF .**

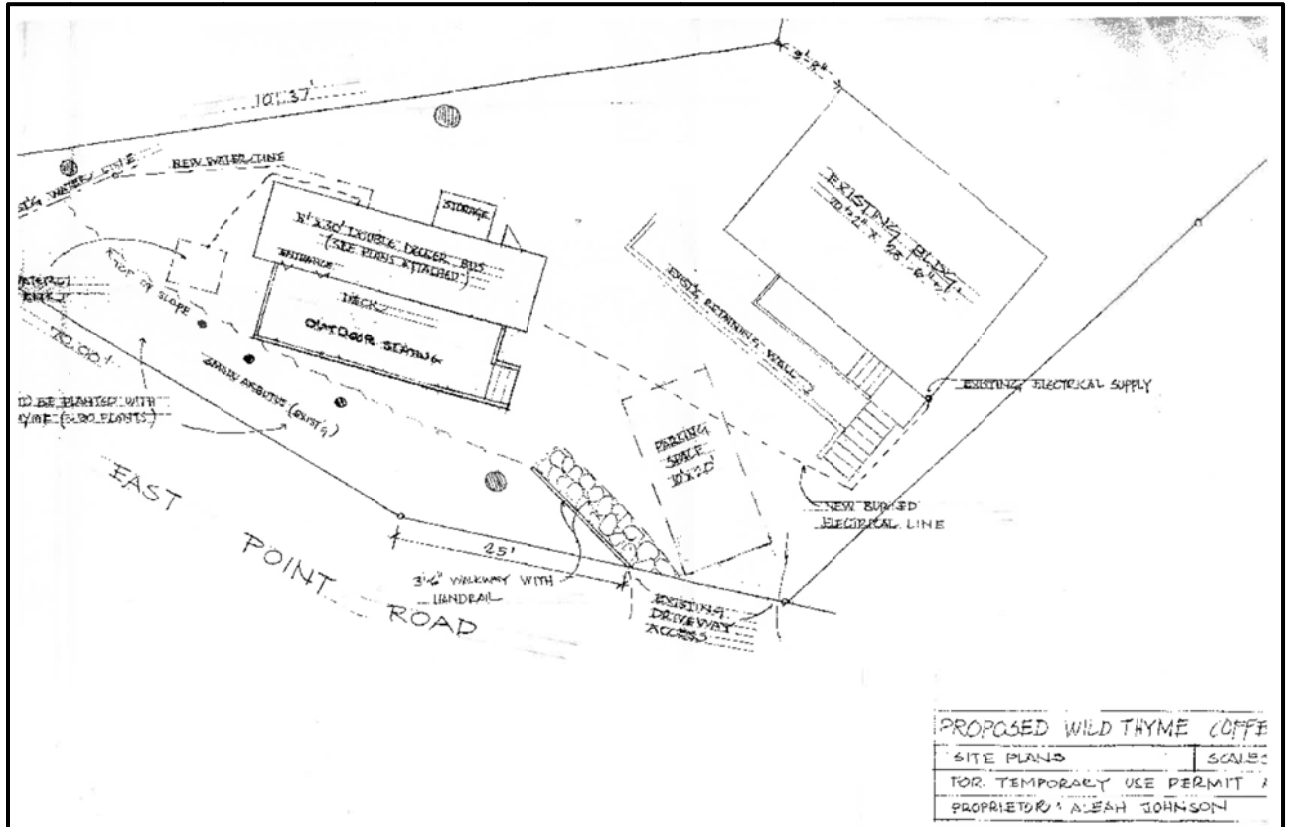
\_\_\_\_\_  
Deputy Secretary, Islands Trust

\_\_\_\_\_  
Date Issued

SATURNA ISLAND LOCAL TRUST COMMITTEE  
SA-TUP-2015.1  
SCHEDULE A



**SATURNA ISLAND LOCAL TRUST COMMITTEE**  
**SA-TUP-2015.1**  
**SCHEDULE B**



# STAFF REPORT

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**File No.:** SA-RZ-2012.1

**To:** Saturna Island Local Trust Committee  
For the meeting of June 9, 2015

**From:** Gary Richardson, Island Planner

**CC:** Robert Kojima, Regional Planning Manager

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**Re: Staff Report for Amended Application SA-RZ-2012.1  
(Nepenthe/Peretz)**

**Owner:** Nepenthe Holdings Ltd.

**Applicant:** Jonathan Yardley, Architect Inc./ Alan Peretz

**Description:** Lot 3, Section 18, Plan 11979, except part in Plan 17076, Saturna Island

**Civic Address:** 102 - 106 Boot Cove Road

## SUPLIMENTARY REPORT (Amended Application)

**THE PROPOSAL:** The amended proposal is to rezone a 3.62 hectare (8.94 acre) waterfront property to allow for three strata lots to be created. This would allow for the three existing waterfront dwellings to be sited on separate strata lots with the associated common property located across Boot Cove Road. The original application requested zoning to allow for four strata lots to be created.

This staff report outlines options available to the applicant based on the direction given by the LTC at the April 23, 2015 LTC meeting.

### BACKGROUND:

The application to rezone the subject property was received in January 2012. The initial application was requesting zoning to allow for four lots to be created. Several staff reports were prepared and a Community Information Meeting was held. The application was put into abeyance for the past several months and has now been brought forward with an amended request for zoning to provide for three strata lots.

**SA-2015-010**  
***It was Moved and Seconded that the Saturna Island Local Trust Committee request staff to advise the applicant of SA-RZ-2012.1 (Yardley/Peretz) to pursue the option of obtaining subdivision density and to schedule a Community Information Meeting (CIM) for discussion of options.***

Also as a result of the direction given staff has detailed two options for the applicant to consider that if successful would allow subdivision density to be obtained and transferred to the subject lot.

The subject area is a waterfront property located in the Boot Cove area of Saturna Island. The property is predominately surrounded by smaller residential lots. A 1.78 hectare (4.4 acre) portion is separated from the waterfront portion and is located across Boot Cove Road. A site review was carried out March 6, 2012 it was clear by the review the houses have been in place for some time. Two of the houses share one access and the third house has its own access. There is one dock in place which fronts proposed Lot C. It appeared as though one of the houses contains a second set of cooking facilities. The lots are well treed and are covered with mostly mature native vegetation.

32

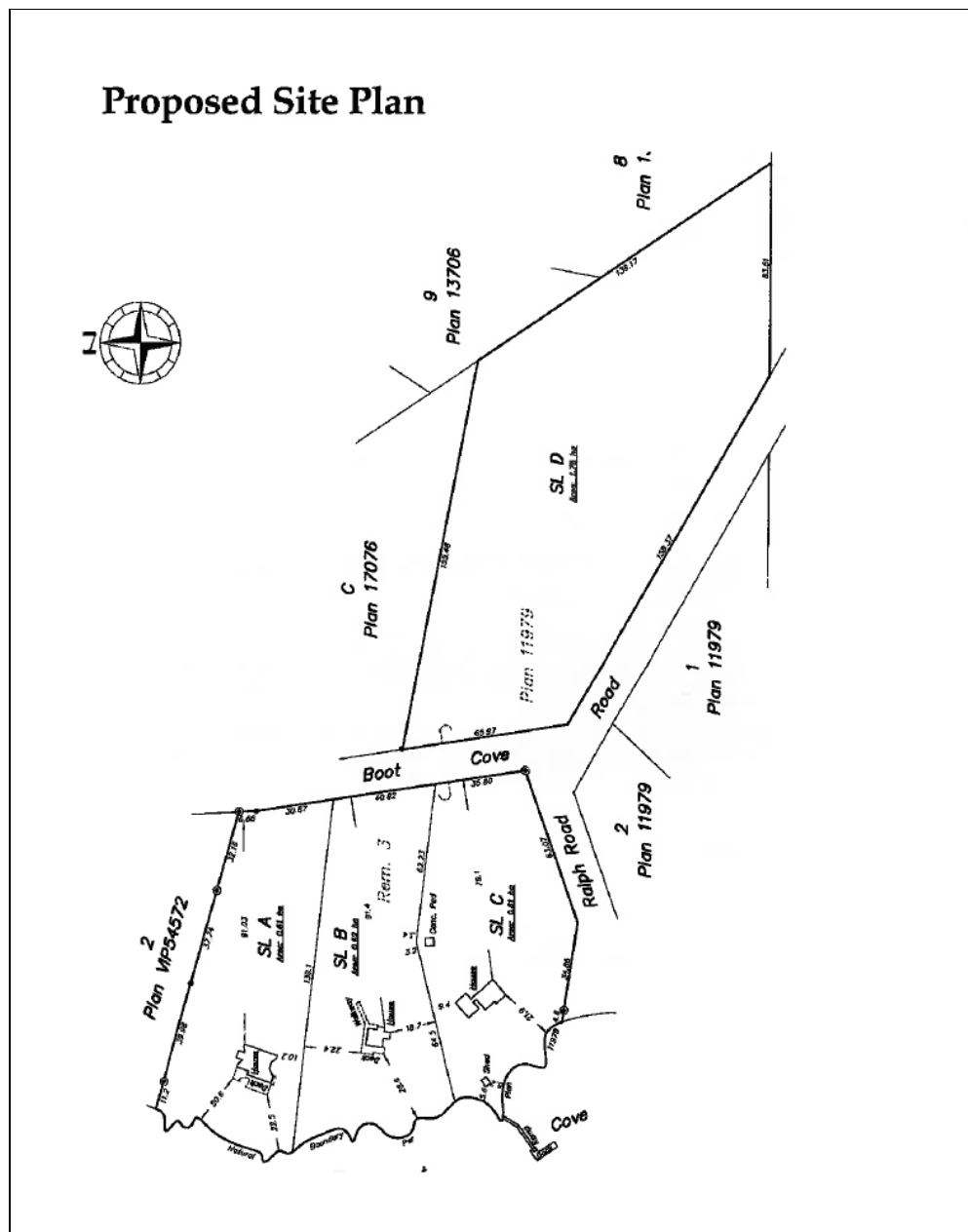


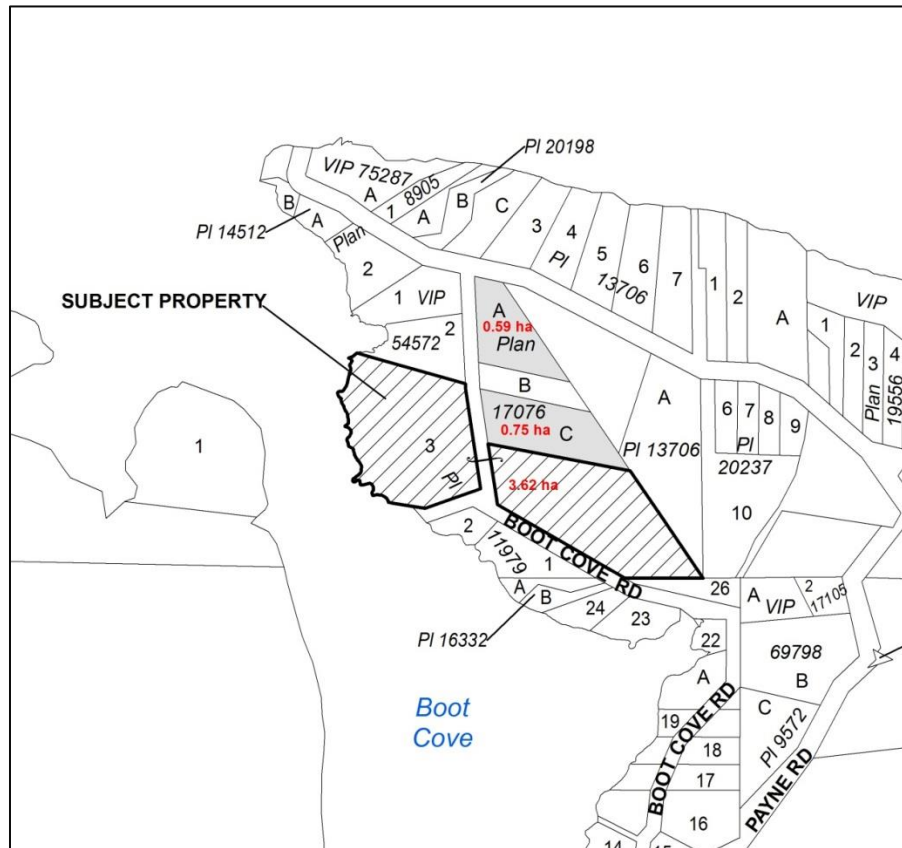
Figure 3: Orthophoto of subject property



Figure 4: Orthophoto of subject property and surrounding area



Figure 5: Subject property Lot 3. Other Lots owned by same owner Lot A and C



## CURRENT PLANNING STATUS OF SUBJECT LANDS:

### Islands Trust Policy Statement:

Trust Policy Statement contains some directive policies that pertain to this application:

## 5.2 Growth and Development

### **Directive Policies**

- 5.2.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.*
- 5.2.4 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.*
- 5.2.5 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.*

## Official Community Plan

The subject area is designated Rural (R) in the Saturna Island Official Community Plan, Bylaw No.70, 2000.

The following sections of the OCP apply to this proposal:

- C.1.3** *From the date of adoption of the Plan, no rezoning, development permit, temporary permits, or other planning tool or device available to the local trust committee should be used to increase the maximum subdivision capacity, or total residential density of any island within the Area.*
- C.2.2** *In considering permits, referrals, applications and bylaw amendments, the Saturna Island Local Trust Committee should use all available means within its direct jurisdiction to ensure the preservation and protection of the Area's diverse natural environment by:*
- a) maintaining sufficient habitat in its natural state for wildlife, plant life and marine life to flourish;*
  - b) protecting coastal systems and marine areas subject to development or contamination;*
  - c) protecting groundwater supplies by ensuring the water absorbing capacity of the ground in water catchment areas is maintained, and by preventing contamination;*
  - d) basing land use decisions on the inherent capability of land and water areas to accommodate the type, scale and intensity of proposed land uses;*
  - e) ensuring renewable resource use does not exceed the natural carrying capacity of the natural resource base;*
  - f) protecting indigenous ground and tree cover while maintaining sufficient areas of each forest type and evolutionary stage to optimize biological diversity; and*
  - g) considering greenhouse gas emissions and climate change*
- D.1.4** *Rural Subdivision Capacity:*  
*The maximum number of lots that can be created shall equal the acreage of the lot designated rural divided by five (5) except where:*
- a) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant;*
  - b) the lot has split designations then section D.7 applies; or*
  - c) density from the Community Amenity Density Reserve is granted in exchange for an amenity.*
- D.1.R Rural Residential**
- D.1.R.6** *The minimum lot area for subdivision shall not be less than 0.81 hectares (2 acres), except where the proposed lot fronts on the ocean, it may be 0.40 hectares (1 acre) subject to the provision of adequate water supply and septic waste disposal facilities as approved by the Regional Health Authority.*
- D.1.G Rural General**
- D.1.G.5** *The minimum lot area for subdivision shall not be less than 0.81 hectares (2 acres).*

## Land Use Bylaw

The subject area is designated Rural General (RG) in the Saturna Island Land Use Bylaw, No. 78, 2002. The relevant regulations for this zone are included below:

### **4.2 RURAL GENERAL ZONE (RG)**

#### **Permitted Uses**

4.2.1 *In the **Rural General (RG) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.*

4.2.1(1) *residential;*

4.2.1(2) *home occupations and home based industry;*

4.2.2 *In addition to the uses permitted above, the following uses shall be permitted on parcels 1.0 ha (2.5 acres) or larger:*

4.2.2(1) *farm use;*

4.2.2(2) *the harvesting of trees and the carrying out of all silviculture practices;*

4.2.2(3) *portable temporary sawmills and log chippers for the processing of logs harvested on the parcel only.*

#### **Residential Site Density.**

4.2.4 *On a parcel 1.21 hectares (3 acres) or less the maximum density is one (1) residence.*

4.2.5 *On a parcel greater than 1.21 hectares (3 acres) and less than 4.05 hectares (10 acres) the maximum density is one (1) residence and one (1) cottage.*

4.2.6 *On parcels 4.05 hectares (10 acres) or greater one (1) residence and one (1) cottage per 2.02 hectares (5 acres) are permitted up to a maximum density of five (5) units and five (5) cottages per parcel.*

#### **Subdivision Lot Size Requirements**

4.2.11 *No lot having an area less than 0.81 hectares (2 acres) may be created by subdivision in the Rural General Zone .*

4.2.12 *No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).*

## Islands Trust Fund

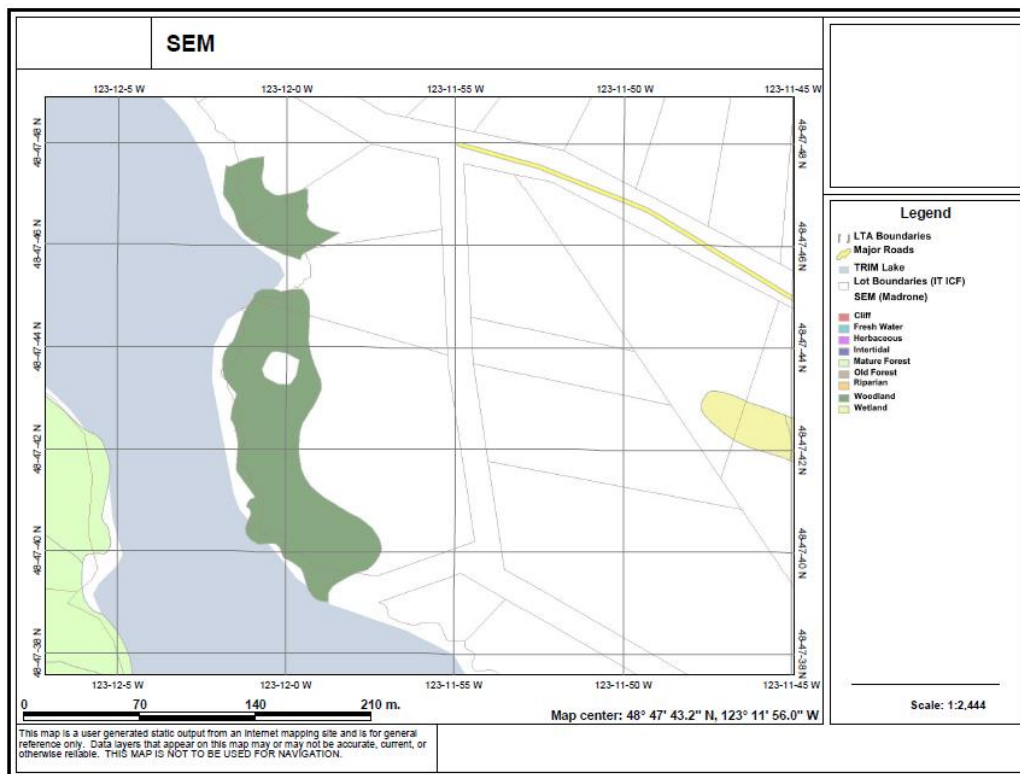
There are no apparent issues that should be referred to the Islands Trust Fund (ITF) for comment, if any arise in the review of this proposal ITF will be forwarded the application for comment.

## Regional Conservation Plan

The proposal will not impact the Regional Conservation Plan as proposed.

## Sensitive Ecosystems and Hazard Areas

A woodland ecosystem is located in the subject area and is depicted in Figure 4 below.



## Archaeological Sites

Based on information from the Provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites on this property.

Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeological Branch.

## Covenants

There are no covenants registered on the title.

## Bylaw Enforcement:

There are no open bylaw enforcement files on the subject property.

## Climate Change Mitigation and Adaptation

This application has no direct bearing on climate change mitigation or adaptation.

## Shoreline

The shoreline type is identified as being sea cliff, which tends to consist of rock and is not easily erodible.

### Other

There is evidence that the three residences are pre-existing based on a CRD building permit issued for three dwellings on April 21, 1971.

### **COMMUNITY INFORMATION MEETING(S):**

A Community Information Meeting has been scheduled for June 9, 2015.

### **RESULTS OF CIRCULATION:**

No circulation has occurred for this application at this time. Should the LTC wish to pursue this application, referral of bylaws and circulation of notices will occur as part of the rezoning process.

### **STAFF COMMENTS:**

The OCP states in part that no rezoning should be used to increase the maximum subdivision capacity, or total residential density of any island within the Area. This application is requesting an increase in the subdivision capacity of Lot 3.

The subject lot presently has no subdivision potential and a subdivision potential of three lots is being requested. As proposed, this would not result in any increase in the number dwellings, but the ability to subdivide to create three bare land strata lots, one for each of the current dwellings. Any of the courses of action used to advance this proposal will require amending the OCP and LUB.

The LTC has requested that the applicant consider either obtaining density from the CADR or transferring density from another location. In either option, the overall density of the Saturna Local Trust Area will not be increased if density is taken from the CADR or transferred from another lot.

The following two options are consistent with the direction given by the LTC at the April 23, 2015 business meeting.

### **OPTIONS:**

#### **1) Transfer of Development Potential**

This option would require the applicant to obtain the development potential from a parcel or parcels of land elsewhere within the Saturna Island Local Trust Area equivalent to the proposed increase in development potential on the subject property.

For example if the rezoning of this property results in 2 additional lots the applicant can obtain the density from a property or properties that have a potential of 2 additional lots and transfer that potential to the subject lot. This option would be implemented through a simultaneous rezoning of two or more properties, by reducing the density in one location(s) (the donor area) and increasing it in the other (the receiving area).

This option would also require an OCP amendment to allow it to proceed.

If the applicant proposes this approach the LTC would assess the proposal on the basis that the donor area is less suitable for development than the receiving area. Examples of areas where existing development potential could be reduced may include agricultural land, productive forest lands, sensitive ecosystems, water supply areas, heritage sites, sensitive shorelines, or areas of scenic or recreational significance.

While there can be a financial cost to the property owner using this option as development potential is normally sold at market value, the LTC should consider the issue of compensation between owners as a purely private matter in which the LTC is not involved. The LTC's role is to assess the land use impacts and merits of the proposal.

There would be no increase in the overall density within the Saturna Island Local Trust area if this option is used.

## **2) Community Amenity Density Reserve**

The Community Amenity Density Reserve is a policy in the OCP that is intended to direct development to appropriate areas, subject to provision of a community amenity, while not allowing an increase in the overall subdivision capacity or total residential density of the island. This option combines the principles of both transfer of density, density banking, and amenity zoning.

It works much like a bank, if a property (other than parkland) has had its subdivision and/or residential building capacity removed from it through rezoning it is considered to be in a pool of unallocated density. The banked density can be drawn from and granted to a lot in exchange for community amenities. There are several requirements outlined in the OCP that must be complied with when using this reserve. This option has been established for property owners who wish to increase the density on their property and not exceed the overall cap established in OCP policy C.1.3.

One of the requirements is that density increases shall not be permitted on parcels that are less than 4.05 hectares (10 acres). The subject property is only 3.62 hectares (8.94 acres). Under this option this would need to be addressed through a specific policy amendment in the OCP or by a boundary adjustment, in addition to providing an amenity acceptable to the LTC.

Saturna Island LTC Bylaw No. 81 rezoned a 14 ha (35 acre) lot (Lot A, Plan VIP74669), from Rural General (RG) to the Rural Comprehensive Development (RCD) Zone in June of 2003. The lot area required for subdivision went from 2.02 ha. (5 acres) to 12.12 ha. (30 acres); therefore Lot A went from having a potential of being able to be subdivided into 7 lots to having no subdivision potential at all. This reduces the overall subdivision potential of the island by 6. Bylaw No. 81 did not reduce the residential potential of Lot A as the RCA zone permits the lot to have 7 residences constructed on it. The permission to have cottages was taken away from Lot A by Bylaw No. 81.

As Bylaw No. 81 reduced the subdivision potential by 6 lots, those 6 lots are now in the CADR and can be used somewhere else on the island if the CADR policies are complied with. There would be no increase in the overall density of the Saturna Island Local Trust area if this option is used.

It seems reasonable to allow for three bare land strata lots to be created in order to permit each residence to be sited on a discrete lot as there would be no increased residential density. The portion of the lot across the road would remain undeveloped common property. The proposed lots are in keeping with the development pattern in the area. This would resolve a historical situation and make maintenance, alteration and general ownership of the residences less complicated in the future. Finally, the proposal will not result in any additional residential development.

The LTC requested that the applicant consider one of these two means of obtaining density to allow it to be subdivided. As this is an application, the applicant should indicate which option they wish to pursue before further work can be done on this file. Once the applicant chooses an option, staff can advise the LTC and applicant what steps will be required for the proposal to advance, review the proposal, and it can be considered by the LTC and community.

**RECOMMENDATION:**

1. **THAT** the Saturna Island Local Trust Committee request staff to advise the applicant of SA-RZ-2012.1 (Peretz/Nepenthe) to indicate which option they wish to pursue to obtain sufficient density to subdivide Lot 3 into three bare land strata lots.

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Prepared and Submitted by:

*Gary Richardson*

May 28, 2015

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Date

Concurred in by:

  
Robert Kojima  
Regional Planning Manager

May 29, 2015

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Date



Islands Trust

Print Date: Jun-01-2015

## Top Priorities

### Saturna Island

| No. | Description                                 | Activity                                    | Received/Initiated | Responsibility | Target Date | Status   |
|-----|---------------------------------------------|---------------------------------------------|--------------------|----------------|-------------|----------|
| 1   | Preparation of Community Profile            | To be discussed at June 9, 2015 LTC Meeting | Apr-23-2015        |                |             | On Going |
| 2   | Strategic Context for the Saturna Community | To be discussed at June 9, 2015 LTC Meeting | Apr-23-2015        |                |             | On Going |

## Projects

### Saturna Island

| No. | Description                                   | Activity                                                                                                                      | Received/Initiated | Status   |
|-----|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|--------------------|----------|
| 1   | Land Use Bylaw Review - targeted (Ben Bylaw)  |                                                                                                                               | Sep-26-2012        | On Going |
| 2   | Sensitive Ecosystem Mapping and DPA review    | 1. Complete Sensitive Ecosystem Mapping<br>2. Consider options for implementing sensitive ecosystem protection, including DPA | Feb-25-2009        | On Going |
| 3   | Geological Hazard Mapping                     |                                                                                                                               | Feb-25-2009        | On Going |
| 4   | Raptor Nest Mapping                           |                                                                                                                               | Feb-25-2009        | On Going |
| 5   | Agricultural Building Watercourse Setbacks    |                                                                                                                               | Sep-30-2011        | On Going |
| 6   | National Park Lands OCP and LUB amendments    |                                                                                                                               | Feb-09-2012        | On Going |
| 7   | Campground Policy Review                      |                                                                                                                               | Sep-26-2013        | On Going |
| 8   | Bed and Breakfast Policy Review               |                                                                                                                               | Sep-26-2013        | On Going |
| 9   | Seniors and Affordable housing policy review. |                                                                                                                               | Sep-26-2013        | On Going |
| 10  | Review Trails Map                             |                                                                                                                               | Sep-18-2014        | On Going |
| 11  | Secondary Suite Review                        |                                                                                                                               | Apr-23-2015        | On Going |
| 12  | Mapping Review                                |                                                                                                                               |                    | On Going |



## Applications w/ Status - Saturna Island Status: Open

### Applications

#### Agricultural Land Reserve

| File Number   | Applicant Name        | Date Received | Purpose                                         |
|---------------|-----------------------|---------------|-------------------------------------------------|
| SA-ALR-2015.1 | Money Family Projects | May-12-2015   | 029-302-552<br>Property exclusion from the ALR. |

**Planner:** Phil Testemale

#### Planning Status

**Status Date:** May-27-2015

Staff report prepared for LTC consideration at June 9, 2015 LTC Mtg.

**Status Date:** May-14-2015

Processed fee, opened file, gave to Planner forwarded to LTC

#### Rezoning

| File Number  | Applicant Name                 | Date Received | Purpose                     |
|--------------|--------------------------------|---------------|-----------------------------|
| SA-RZ-2012.1 | Jonathan Yardley Architect Inc | Jan-26-2012   | Rezone to allow subdivision |

**Planner:** Gary Richardson

#### Planning Status

**Status Date:** May-27-2015

CIM being scheduled for June 9, 2015.

**Status Date:** Apr-16-2015

Staff report prepared for LTCs consideration at April 23 2015 LTC Meeting. Request has been revised and is now for zoning to allow for a 3 lot subdivision.

**Status Date:** Oct-22-2014

Requested status from applicant to determine if/how they would like to proceed.

## Subdivision

| File Number   | Applicant Name              | Date Received | Purpose                                                             |
|---------------|-----------------------------|---------------|---------------------------------------------------------------------|
| SA-SUB-2014.1 | Wolfe-Milner Land Surveying | Aug-21-2014   | 187 EAST POINT ROAD<br>A subdivision of one parcel & one remaining. |

**Planner:** Phil Testemale

### Planning Status

**Status Date:** Feb-11-2015

waiting for PLA from MoTI

**Status Date:** Sep-17-2014

Response e-mailed to MoTI

**Status Date:** Sep-10-2014

fee/application received, gave file to planner, notified LTC

## Temporary and Industrial Use Permit

| File Number   | Applicant Name | Date Received | Purpose                                                              |
|---------------|----------------|---------------|----------------------------------------------------------------------|
| SA-TUP-2015.1 | Aleah Johnson  | May-05-2015   | 109 EAST POINT RD<br>TUP renewal, continuation of existing business. |

**Planner:** Gary Richardson

### Planning Status

**Status Date:** May-27-2015

Staff report and draft permit prepared for June 9, 2015 LTC meeting for LTC to consider issuance of permit renewal.

**Status Date:** May-05-2015

fee received, opened file, gave to planner.

***Islands Trust***  
LTC EXP SUMMARY REPORT F2015  
Invoices posted to Month ending March 2015

| 660 Saturna             | Invoices posted to Month ending March 2015       | <u>Budget</u>   | <u>Spent</u>    | <u>Balance</u>  |
|-------------------------|--------------------------------------------------|-----------------|-----------------|-----------------|
| 65000-660               | LTC "Trustee Expenses"                           | 700.00          | 47.38           | 652.62          |
| LTC Local               |                                                  |                 |                 |                 |
| 65200-660               | LTC - Local Exp - LTC Meeting Expenses           | 1,000.00        | 1,701.08        | -701.08         |
| 65210-660               | LTC - Local Exp - APC Meeting Expenses           | 500.00          | 0.00            | 500.00          |
| 65220-660               | LTC - Local Exp - Communications                 | 300.00          | 0.00            | 300.00          |
| 65230-660               | LTC - Local Exp - Special Projects               | 750.00          | 0.00            | 750.00          |
| TOTAL LTC Local Expense |                                                  | <u>2,550.00</u> | <u>1,701.08</u> | <u>848.92</u>   |
| Projects                |                                                  |                 |                 |                 |
| 73001-660-4017          | Saturna Density Review                           | 1,500.00        | 839.41          | 660.59          |
| 73001-660-4031          | Saturna Short Term Vacation Rental (STVR) Review | 1,500.00        | 659.41          | 840.59          |
| 73001-660-4032          | Saturna Secondary Suite Review                   | 1,500.00        | 659.41          | 840.59          |
| TOTAL Project Expenses  |                                                  | <u>4,500.00</u> | <u>2,158.23</u> | <u>2,341.77</u> |

# Saturna Island Local Trust Committee POLICIES AND STANDING RESOLUTIONS

| No | Meeting Date | Resolution No. | Issue                                          | Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----|--------------|----------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | May 16/07    | SA-LTC-16-07   | Travel Trailer or Camper                       | <p>It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when:<br/>The travel trailer or camper is being used for recreational purposes by the owners of the lot and;<br/>The travel trailer or camper is being used intermittently and for short periods not exceeding two months.</p> <p>Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if:<br/>The travel trailer or camper is being used as a second residence or;<br/>The trailer or camper is situated within the setbacks for a structure or;<br/>There are serious safety issues, unsightliness, noise, or health problems related to the use or;<br/>A complaint based on the above three items is received from a person who owns neighboring property.</p> <p>Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.</p> |
| 2. | August 20/08 | SA-LTC-43-08   | Bylaw Enforcement: Short Term Vacation Rentals | <p>It was Moved and Seconded THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement:</p> <ol style="list-style-type: none"> <li>1. They are advertised on the internet, newspapers or other media;</li> <li>2. They are not managed by the property owner;</li> <li>More than one STVR per constructed residence on the lot is simultaneously made available for STVR;</li> <li>4. While the property is rented persons are also staying in tents, trailers, or RV's;</li> <li>5. There are issues related to health and safety;</li> <li>6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR;</li> </ol>                                                                                                                                                                                                                              |

|    |                   |              |                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|-------------------|--------------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                   |              |                               | <p>7. The owner of the property uses more than one property on Saturna Island as an unpermitted STVR.</p> <p>And THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.</p>                                                                                                                                                                                                            |
| 3. | February<br>25/09 | SA-LTC-09-09 | Adopt LTC<br>Minutes by RWM   | It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.                                                                                                                                                                                                                                                                                                                                                                                                               |
| 4. | June<br>22/11     | SA-LTC-      | Adopting In<br>Camera Minutes | It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.                                                                                                                                                                                                                                                                                                                                                                   |
| 5. | February<br>9/12  | SA-LTC-11-12 | Adopt SOL policy              | It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion Licence referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning staff may approve the Special Occasion Licence without referral to the Local Trust Committee. All other Special Occasion Licence referrals are to be referred to the Local Trust Committee for consideration |

## **Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality May 2015**

### **ITF Name Change – Meeting with Assistant Deputy Minister**

Trust Fund Board Chair Tony Law joined the Executive Committee for a meeting with Jay Schlosar, an Assistant Deputy Minister with the Ministry of Community, Sport and Cultural Development. The main topic was the long-standing request for a legislative amendment to the *Islands Trust Act* to re-name the Islands Trust Fund to Islands Trust Conservancy. Mr. Schlosar agreed that the existing name presents a barrier to fundraising and marketing and that a new name that reflects what we do could make a significant difference for us. Although the proposed change is minor, Mr. Schlosar cautioned those attending that there are always many competing priorities for the legislative agenda. The ADM indicated his willingness to move our request forward and will keep us informed about timelines and process. The Trust Fund Board appreciates the support of Trust Council and the Executive Committee in advancing the name change request, something that has been on the Board's agenda for several terms.

### **Lasqueti Crown Land Acquisition**

Representatives of TFB and staff will be meeting with the Chief and Councillors of Qualicum First Nation to begin discussing a possible Sponsored Crown Grant application on Lasqueti Island. The parcel in question is north of Mount Trematon, an existing Islands Trust Fund nature reserve encompassing the highest point on Lasqueti. The acquisition would contribute to a significant network of protected areas for the island.

### **Islands Trust Fund Annual Report – A good read!**

TFB has approved our annual report for 2014-15 to be included as a section in the Islands Trust Council's annual report to the Minister. While this report meets a statutory requirement, it also offers a good read that provides interesting information about our work. We encourage trustees who want to be more familiar with our activities to read our section when the draft comes to Trust Council's meeting for approval in June 2015.

### **Conservation Covenants on Salt Spring Island**

In February we registered a conservation covenant on 0.3 hectares of a private Salt Spring Island property, providing legal protection to a First Nations burial site, as well as forest ecosystem values. A covenant has also been registered on our Cyril Cunningham Nature Reserve by the Habitat Acquisition Trust and the Salt Spring Island Conservancy, adding a new layer of protection.

### **Howe Sound Science and Knowledge Workshop**

Kate Emmings, Ecosystem Protection Specialist, attended a workshop co-hosted by the Squamish Nation, Vancouver Aquarium, and David Suzuki Foundation to "bring knowledge holders together to identify and share observations, information, experiences, and future knowledge priorities related to the aquatic biophysical features of Howe Sound." Kate shared eelgrass and forage fish data for the area and identified potential resources for the Gambier Island Local Trust Committee.

### **Strategic Plan**

Trust Fund Board has submitted its input for the Islands Trust Strategic Plan. All our suggestions relate to the Policy Statement goal of Ecosystem Preservation and Protection and to achieving objectives of the Regional Conservation Plan. Our input supports activities to protect coastal and marine areas, including utilizing land use planning tools for shoreline protection.

### **More information?**

Please contact any of the three trustees who are members of the Board – Tony Law, Susan Morrison and Kate-Louise Stamford – who will be glad to help answer any questions you may have.