



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: June 5, 2014
Time: 12:30 pm
Location: Saturna Island Community Hall
105 East Point Road
Saturna Island, BC
V0N 2Y0

Pages

1. Call to Order 12:30 PM - 12:45 PM
2. Approval of Agenda
 - 2.1 Additions/Deletions
3. Community Information Meeting
none
4. Public Hearing
none
5. Previous Meetings
 - 5.1 Adopted Local Trust Committee Minutes
 - 5.1.1 Saturna Island Local Trust Committee Special Meeting Minutes of April 5, 2014 (attached) 4 - 4
For Information
 - 5.1.2 Saturna Island Local Trust Committee Meeting Minutes of April 17, 2014 (attached) 5 - 12
For Information
 - 5.2 Public Hearing Records and Community Information Meeting Notes
 - 5.2.1 Saturna Island Local Trust Committee Community Information Meeting Notes of April 5, 2014 (attached) 13 - 17
For Information
 - 5.3 Section 26 Resolutions-without-meeting (attached) 18 - 18
RWM Report dated May 2014

5.4	Advisory Planning Commission Minutes	
	none	
6.	Business Arising from the Minutes	
6.1	Follow-up Action Report (attached)	19 - 20
	FUAL Report dated May 2014	
7.	Delegations	
	none	
8.	Correspondence	12:45 PM - 2:45 PM
	none	
9.	Applications, Permits, Bylaws and Referrals	
9.1	SA-ALR-2014.1 (Sewell) - Staff Report (attached)	21 - 26
10.	Local Trust Committee Projects	
10.1	Community Amenity Density Reserve - Staff Report - Draft Bylaw No. 112/Project Charter (attached)	27 - 43
10.2	Secondary Suites - Staff Report - Draft Bylaws No. 113 & 114/Project Charter (attached)	44 - 58
10.3	Short Term Vacation Rentals (STVR) Review & TUP Fees - Staff Report - Draft Bylaws No. 115 & 116/Project Charter (attached)	59 - 73
11.	Reports	2:45 PM - 3:30 PM
11.1	Work Program Reports	
11.1.1	Work Program Report dated May 2014 (attached)	74 - 75
	For Information	
11.1.2	Federal Marihuana for Medical Purposes Regulation - Staff Report (attached)	76 - 83
11.2	Applications Report dated May 2014 (attached)	84 - 86
	For information	
11.3	Expense/Budget Reports	
11.3.1	Trustee and Local Expenses dated May 2014 (attached)	87 - 87
	For information	
11.4	Bylaw Enforcement	
	none	

**11.5 Policies and Standing Resolutions Report
(attached)**

11.6 Saturna Island LTC Web Page

Saturna Island Local Trust Committee Web page
can be found at:

[www.islandstrust.bc.ca/islands/local-trust-
areas/saturna](http://www.islandstrust.bc.ca/islands/local-trust-areas/saturna)

11.7 Chair's Report

11.8 Trustee Report

12. Other Business

12.1 Next Business Meeting

The next meeting of the Saturna Island Local Trust
Committee will be held July 10, 2014, at 12:30 pm,
at the Saturna Island Rec Centre, Lounge.

13. Town Hall Meeting

14. Adjournment

3:30 PM - 3:30 PM

ADOPTED

**MINUTES OF THE SATURNA ISLAND
LOCAL TRUST COMMITTEE SPECIAL MEETING
HELD ON THURSDAY, APRIL 5, 2014, AT 12:30 PM
AT THE SATURNA RECREATION AND CULTURAL CENTRE,
SATURNA ISLAND, B.C.**

<u>PRESENT</u>	Ken Hancock Paul Brent Gary Richardson Beverly Lowsley	Chair Local Trustee Island Planner Recording Secretary
<u>REGRETS</u>	Pamela Janszen	Local Trustee

There were approximately forty-nine (49) members of the public present.

1. CALL TO ORDER

The meeting was called to order at 12:30 p.m. Chair Hancock acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Introductions were made and the meeting introduced. Chair Hancock noted that a Community Information Meeting (CIM) gives the public an opportunity make comment and/or to ask questions.

2. APPROVAL OF AGENDA

Chair Hancock asked for any addition or changes to the agenda. No amendments were made.

SA-2014-010

It was MOVED and SECONDED that the Saturna Island Local Trust Committee approve the agenda as presented.

CARRIED

3. BUSINESS ITEMS

3.1 Community Information Meeting

See separate Community Information Meeting (CIM) notes dated April 5, 2014.

4. ADJOURNMENT

Chair Hancock declared the meeting adjourned 3:33 p.m.

RECORDER

CHAIR

ADOPTED

**MINUTES OF THE SATURNA ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, APRIL 17, 2014, AT 12:30 PM
AT THE SATURNA ISLAND RECREATION & CULTURAL CENTRE,
SATURNA ISLAND, B.C.**

PRESENT:	Ken Hancock Paul Brent Gary Richardson Beverly Lowsley	Chair Local Trustee Island Planner Recording Secretary
REGRETS:	Pam Janszen	Local Trustee

There were 9 members of the public present when the meeting began.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 12:30 p.m. Introductions were made and the meeting introduced. He stated appreciation and acknowledgment that today's meeting is taking place on the traditional territories of the Coast Salish people. Chair Hancock requested that members of the public state their name prior to making a comment.

2. APPROVAL OF THE AGENDA

Chair Hancock asked for any additions or changes to the agenda.

2.1 Additions/Deletions

The agenda was amended as follows:

- add item 5.1.2 Review of Community Information Meeting minutes dated April 5, 2014
- add item 10.1 Additional Correspondence
- minute of silence honoring the recent passing of Saturna Island residents.

SA-2014-011

It was MOVED and SECONDED

That the Saturna Island Local Trust Committee approve the agenda as amended.

CARRIED

Note: Before proceeding with the rest of the meeting, a minute of silence was observed in recognition of several recent losses of Saturna Island residents.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Saturna Island Local Trust Committee Meeting Minutes of February 13, 2014

For Information

5.1.2 Review of Community Information Meeting Minutes dated April 5, 2014

Corrections were made to the spelling of several names.

Two individuals noted that their specific comments were not specifically included in the record.

Ian Rowe noted that if Proposed Bylaw 112 proceeds, notification of properties eligible for increased densities should be given.

John Money clarified his comment that the impetus for the Short Term Vacation Rentals (STVR) process was driven by Islands Trust rather than by the community.

Louise Peramaki had noted neither buses nor firefighting equipment should be viewed as comparable to land amenities. If not explicated in the bylaws, public hearing and/or community information meeting should be held for input regarding what constitutes acceptable amenities.

5.2 Public Hearing Record and Community Information Meeting

None

5.3 Section 26 Resolutions-without-Meeting

RWM Report dated April 10, 2014

For information

5.4 Advisory Planning Commission Minutes

5.4.1 Saturna Island Advisory Planning Commission Draft Minutes of March 17 & 24, 2014

Received for information

6. BUSINESS ARISING FROM THE REPORT

6.1 Follow-up Action Report

Planner Richardson reported that requested actions are ongoing.

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 North Pender Island Local Trust Committee Bylaw No. 194 Referral

SA-2014-011

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee interests are unaffected by the North Pender Island Local Trust Committee Bylaw No. 194 referral.

CARRIED

9.2 SA-ALR-2013.2 (Deanovic)

SA-2014-012

It was MOVED and SECONDED,

That Saturna Island Local Trust Committee resolve that pursuant to Section 25(3) of the *Agricultural Land Reserve Act*, subdivision application SA-ALR-2013.2 (Deanovic & Kuzyk) proceed to the Agricultural Land Commission.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Project(s) Memo/Correspondence

Report from Planner Richardson was received.

Correspondence related to the proposed bylaws was also received from six residents who were unable to attend the Community Information Meeting.

10.2 Community Amenity Density Reserve – Draft Bylaw No.112 / Project Charter

Trustee Brent expressed reluctance to move ahead without Trustee Janszen present and without questions answered regarding the number of lots potentially affected (2.5 acre or greater but under 10 acres), build out map, development map, and description of lots/properties potentially subject to receiving Community Amenity Density Reserve (CADR) review under present and proposed regulations.

SA-2014-013

It was MOVED and SECONDED by Saturna Island Local Trust Committee that Staff be directed to prepare a number of maps as enunciated by the chair and identified in the Community Amenity Density Reserve Review.

CARRIED

SA-2014-014

It was MOVED and SECONDED by Saturna Island Local Trust Committee that Staff be requested to prepare an issues summary and courses of action with respect to proposed Bylaws No. 112, 113, 114, and 115.

CARRIED

SA-2014-015

It was MOVED and SECONDED by Saturna Island Local Trust Committee that project charters for bylaws 112 - 115 be amended to include maps and information requested at the April meeting, to be delivered at the regular meeting in June.

CARRIED

SA-2014-016

It was MOVED and SECONDED by Saturna Island Local Trust Committee Staff add to the project charters an additional meeting date in August and amend the numbering accordingly.

CARRIED

10.3 Secondary Suites – Draft Bylaws No. 113 &114/ Project Charter

See item 10.2

10.4 Short Term Vacation Rental (STVR) Review – Draft Bylaw No. 115 / Project Charter

See item 10.2

10.5 Draft Administrative Fees Bylaw No. 116

This item is in progress and will be brought forward to the next meeting.

11. REPORTS

11.1 Work Program Reports

Work Program Report dated April 2014 has been received.

11.2 Applications Reports

Agricultural Land Reserve Application Report dated April 2014 has been received.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

Local Trustees final expense reports will be presented at the next meeting.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

Provided for information

11.6 Saturna Island LTC Web Page for Review

Saturna Island Local Trust Committee Web page can be found at:

www.islandstrust.bc.ca/islands/local-trust-areas/saturna

Chair Hancock noted that the website will be updated based on additions or changes agreed upon today.

11.7 Chair's Report

Chair Hancock reported that Director for the Southern Gulf Islands, David Howe, and Chief Administrative Officer, Robert Lapham, of the Capital Regional District (CRD) will be visiting the Gulf Islands. They will be on Saturna Island Thursday, May 8.

11.8 Trustee Report

Trustee Brent noted that this has been a busy time. He and Trustee Janszen attended the Islands Trust Council March 4 - 6, 2014. The Trust Council received trustees support and adopted a beginning impact study on BC Ferries fare increases and service cuts. They have consistently asked the province to do an impact study prior to service cuts. Support and approval was given for the Trust Council to continue these efforts. Next Trust Council meeting will be on Saturna on June 17 - 19, 2014. Aquaculture issues will be discussed.

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next Business Meeting of the Saturna Island Local Trust Committee will be held on June 5, 2014, at 12:30 p.m., at the Saturna Community Hall, Saturna Island.

12.2 Groundwater Toolkit & Memo

Gulf Islands Groundwater Protection - A Regulatory Toolkit, has been circulated to all Local Trust Committees and planning staff so they are aware of options available for the protection of groundwater. It is also available on the website.

12.3 2013-2014 Annual Report Submission

SA-2014-017

It was **MOVED** and **SECONDED** that Saturna Island Trust Committee approves the Saturna Island Status Report for inclusion in the 2013 - 2014 Annual Report for approval by Trust Council and submission to the Ministry of Community, Sports, and Cultural Development.

CARRIED

13. TOWN HALL MEETING

Chair Hancock opened the Town Hall session for comments and questions.

Al Sewell suggested that the density cap should be removed and processes normally used for reviews be used with each application being considered on an individual basis.

John Money noted that STVR's have been in operation for many years. If proposed bylaw 115 is passed he suggested an annual review of Temporary Use Permits (TUP) to determine if any issues arise.

Trustee Brent stated that the TUP bylaw allows for flexibility on timing.

John Money supported the Islands Trust actions relating to BC Ferries issues.

Chair Hancock noted that when BC Ferries was a Crown Corporation they did an economic impact study which was available under a Freedom of Information request. Currently there is no business case for the changes being made. There is a lack of transparency regarding their decision making processes.

Louise Peramaki in reference to the information package dealing with enforcement questioned "removal of the object of the *Islands Trust Act*".

Trustee Brent noted that the Preserve and Protect element of the act can still be congruent with affordable housing.

John Hutchison stated the BC Ferries issue is purely political. He noted that Saturna is in a terrible position being at the outer perimeter of the Southern Gulf Islands. He suggested that if the Saturna community were to partner with Mayne Island for a shared link there may be advantages for both islands.

Al Sewell recommended that the public should read Dan Miller's item in the Vancouver Sun newspaper, November 11, 2013 regarding government spending decisions.

John Money described the home port system of the past, whereby the Cumberland was on Salt Spring Island with runs to Montague Harbour and Mayne Island while Mayne Queen's home port was on Saturna, running to Pender and Mayne Islands. From Mayne Island either route could link to Swartz Bay or to Tsawwassen.

There was ongoing discussion related to BC Ferries issues including fare elasticity. As fares increase, ridership drops and can be used as a reason to cut back on sailings.

John Money asked if a property has a covenant could there be transfer of the property density from one to the other.

Al Sewell described the Saturna Beach development which had a specific cap based on the acreage (200 acres with 5 acre lots would potentially allow 40 lots) when in fact they only developed 32 lots. He asked if this unused potential of 8 lots would be counted in possible density of 20 at this time.

Charles Reif expressed interest in seeing the original map of the boundaries of the island development areas as a basis of density.

John Money noted that the Official Community Plan (OCP) was done before the National Parks were established and suggested that things have changed dramatically since then.

Janet Land agreed, suggesting that a whole review of the OCP should be done.

14. MOTION TO CLOSE MEETING

SA-2014-018

It was MOVED and SECONDED by the Saturna Island Local Trust Committee that pursuant to Section 90(a) and (f) of the Community Charter, the Saturna Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting February 14, 2014, Saturna Island LTC in-Camera minutes and to consider Advisory Planning Commission appointments; and further that staff and Recording Secretary, Beverly Lowsley, remain present.

CARRIED

Note: the public was asked to adjourn at 2:15 p.m.

15. RECALL TO ORDER

15.1 Rise and Report from In-Camera Meeting

The meeting was recalled to order at 2:25 pm at which time Chair Hancock reported that the February 14, 2013 In Camera minutes were adopted. He also reported the appointment of Ian Rowe to Advisory Planning Commission as well as the re-appointments John Gaines, Wayne Quinn, and Peter Seed for a term ending January 1, 2016.

16. ADJOURNMENT

There being no further business, Chair Hancock declared the meeting adjourned at 2:30 p.m.

RECORDER

CHAIR

NOTES OF THE SATURNA ISLAND
LOCAL TRUST COMMITTEE
COMMUNITY INFORMATION MEETING
HELD ON THURSDAY, APRIL 5, 2014, AT 12:30 PM
AT THE SATURNA RECREATION AND CULTURAL CENTRE,
SATURNA ISLAND, B.C.

<u>PRESENT</u>	Ken Hancock	Chair
	Paul Brent	Local Trustee
	Gary Richardson	Island Planner
	Beverly Lowsley	Recording Secretary
<u>REGRETS</u>	Pamela Janszen	Local Trustee

There were approximately forty-nine (49) members of the public present.

3.1 COMMUNITY INFORMATION MEETING

Reviewing of 3 Saturna Island Local Trust Committee initiated projects and relative draft bylaws.

a) Community Amenity Density Reserve (CADR)

Draft Bylaw No. 112 background information was reviewed by Planner Richardson. Proposed revisions and draft bylaws relate to the Official Community Plan, cited as the "Saturna Island Official Community Plan Bylaw No. 70", 2000". Printed information packages were available for reference for those in attendance.

Chair Hancock invited questions from the public.

Priscilla Ewbank (Saturna resident) noted the challenge of trying to address 3 complex issues in the available time. She also requested a more clearly stated definition of amenity (Part J) and rationale for changes of applicable size (from 10 to 2.5 acres).

John Money (Saturna resident) suggested to keep questions for clarification rather than open debate at this time. Several specific wording clarifications were requested as was the fact that there was no mention in the draft bylaw of water capacity.

Planner Richardson explained that the building permit application process will require the applicant to show they have sufficient potable water.

Bill Douglass (Saturna resident) noted 20 new densities are being created but wording is not included to indicate if that number will be reduced as new rezoning's occur.

John Money (Saturna resident) asked if some properties are down zoned could new densities be added.

Planner Richardson confirmed that this would be the case.

Bill Sheffield noted that developers made decisions when building single family residences that lost cottages. He suggested review of the original OCP for specific wording of the rules relating to house and cottage on a single property.

Louise Peramaki asked for clarification of Local Trust Committee Resolution as a process for adding to the CADR. She also suggested clarification with more specific wording of revisions relating to community amenities.

Charles Reif (Chair of the Advisory Planning Committee) summarized comments of the APC. Use of CADR was not generally supported; lack of stated parameters or goals would tend to make choice of an amenity arbitrary; potential scope and impact of the bylaw is unclear.

Note: There was a 10 minute break.

The Community Information Meeting resumed with comments from the public.

Juliet Kershaw questioned what prompted this proposed amendment.

Trustee Brent responded that the suggestion was made at a local meeting to increase the density.

Juliet Kershaw asked was there consideration of zones where increased density might be appropriate and others not?

Trustee Brent responded that this specific process has not looked at that and that staff would consider those issues as part of an application.

Pat Carney asked what is current density under the OCP. What is density potential?

Another resident suggested the LTC produce a map showing zoning potential of areas which might be affected.

Chair Hancock indicated that a community "build out" map could be created as one approach to address this question. The Local Trust Committee (LTC) can request this. Further suggestions included removal of the density cap and look at individual applications as they arise; identify a need then do spot density rezoning which would support a specific project such as affordable housing (a known goal would add clarity for the community).

Bill Douglass asked if it is true that a property with a covenant cannot be approved for increased density.

Planner Richardson indicated that covenants can be changed where all agree to renegotiate the covenant.

b) Suitability of Secondary Suites for Residentially zoned properties

Bylaw 113 relates to the Official Community Plan (OCP); Bylaw 114 relates to Land Use Bylaw (LUB). This amendment is for the purposes of providing for secondary suites.

Bill Douglass countered that inhabitants of a residence actually do contribute to density and as the number of individuals on site increases so does the use of resources. Also, he noted the suite could only be 40% of the residence (if greater, it would not comply with the building code and/or would become a duplex).

Chair Hancock responded that a secondary suite must be contained within the walls of the residence.

Katie Jones, speaking from the perspective of young adults working on Saturna, noted it is challenging to find appropriate housing. For those wanting to stay here and purchase a home, allowing a secondary suite could be a major help for them to manage a mortgage.

Janet Land acknowledged that secondary suites may be appropriate for residential use but not as short term vacation rentals (STVR). Water usage is still an issue. She also noted that many communities allow them as long as there are no legitimate complaints.

Chair Hancock pointed out many municipalities have programs to assist bringing illegal suites into compliance.

Tricia DeJoseph noted the cost to transform a residence to a two family house could be excessive. Would the rental be month by month or long term saying that anything less than 30 days is an STVR. It was also not clear if both parts of the residence could be rented out or if the owner has to live in part of the residence.

Pat Carney noted Boot Cove Water System is already at capacity so cannot handle increased development; overall impact of the CADR and the Secondary Suites on Saturna Island needs to be projected.

John Gaines - applauded the Local Trust Committee for efforts to improve potential on the island which is suffering. He noted an issue he feels is inequitable in the way it is written: a quarter acre lot at East Point can have a suite, but because his land is part of the older 5+5 (houses and cottages), they would not be permitted one suite per house, only 1 suite in total. **Bill Sheffield** pointed out there are already a number of secondary suites on the island. This would normalize the practice. There are issues relating to water but probably not insurmountable issues. He indicated general support of the concept.

John Money suggested these draft bylaws be sent to the water district.

Chair Hancock indicated that this has already been done.

Others members of the public identified issues relating to CRD rules governing septic requirements; more vehicles parked on the property or roadway; potential implications for the fire department and whether the number of outbuildings on the property might increase.

Planner Richardson indicated the same rules would apply as for single family dwellings.

c) Existing Temporary Use Permit (TUP) Guidelines used for the evaluation of Short Term Vacation Rental (STVR) applications

Proposed Bylaw 115 Official Community Plan and Temporary Use Permit. Amending OCP to establish guidelines for evaluation of Short Term Vacation Rentals (STVR) applications. Temporary Use Permit is approved for a set period of time whereas if an area is zoned the permissions can stay in effect for perpetuity. STVR's are currently approved on Saturna for use of a cottage on a property.

Janet Land stated there are already several STVR's, although some are problematic and have not responded to complaints. The current bylaw does not seem to be enforced. Why would people with these suites bother to apply for approval as a STVR or TUP?

John Money pointed out that past TUP's were Islands Trust driven rather than a community driven process. Applaud a process for the honest citizens to do so legally. There is a definite need for accommodation for transient visitors to the island.

Al DeJoseph questioned if the idea is to provide more beds and produce positive economic impact. Established businesses are all suffering so won't that compete with them? What happens at end of TUP, renewable (so potentially 6 years of guests who are noisy and disruptive to local neighbours).

Trustee Brent remarked that this would provide motivation for good screening of STVR guests. Another resident agreed with the concept but felt extension of TUP's should be a thoughtful process rather than automatic approval.

Pat Carney commented that so far there has been a don't ask, don't tell approach. There needs to be proper enforcement if Bylaw 115 is brought in. She suggested the wording "may be required...." be changed to be "must". In the past, the B&B's have objected to STVR's. Have they been consulted?

Trustee Brent indicated he has had verbal response from 2 B&B's so far.

Sue Syverson remarked that B&B's do not offer the same amenities (lunch and dinners). Ability to make own meals makes a holiday affordable for families. If not recognized as a legal undertaking there could be insurance cost impacts.

Priscilla Ewbank (Saturna business owner) stated a 3-year period would be ample to determine whether the business should be regularized as a commercial venture. Six years under TUP gives those operators an unfair advantage over other operators.

Positive responders support having STVR's to reinvigorate the island, people coming to visit and hopefully return; we need to make people feel welcome and make it easier to operate here but have a level playing field, where neighbours are made aware when renewal is being reviewed.

Others present shared negative experiences with STVR's and agreed that if allowed there must be appropriate enforcement; issues of accountability - one week of STVR draw on a well can turn it salty.

There being no further comments from the public, Chair Hancock closed the Community Information Meeting.

RECORDER

DATE



Islands Trust

Print Date: May-29-2014

RWM From: April 17, 2014 To: May 29, 2014

Saturna Island

Resolution #	Action	Resolution Description	Resolution Date
2014-03	In Favour	THAT Saturna Island Local Trust Committee Special Meeting minutes of April 5, 2014, and Business meeting minutes of April 17, 2014, be adopted; And THAT Saturna Island Local Trust Committee Community Information Meeting notes of April 5, 2014 be Received.	May 23, 2014



Follow Up Action Report w/ Target Date

Saturna Island

Apr-05-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to prepare maps showing: - development potential - lots under 2.5 acres in size. - lots between 2.5 acres and 10 acres - lots over 10 acres - vacant lots - lots with constructed residences	Barb Dashwood Kim Farris Gary Richardson		Done

Apr-17-2014

No.	Activity	Responsibility	Target Date	Status
2	Update LTC Webpage with meeting highlights of April 17 LTC Mtg.	Lori Foster Gary Richardson		Done
3	North Pender LTC Bylaws 194- Saturna LTCs interests unaffected.	Sharon Lloyd-deRosario		Done
4	SA-ALR-2013.2 (Deanovic) - LTC directed staff to forward application to ALC	Kim Farris		Done
5	LTC Projects staff to: CADR, -calculate current build out - number of sfds - number of vacant lots - list some possible amenities - can number of cottages lost since OCP adopted be calculated Secondary Suites,	Barb Dashwood Kim Farris Gary Richardson		Done

- respond to concerns about water use, specifically on Eastpoint

- respond to concerns about use as STVRs

STVRs,

- respond to concerns about noise and water consumption

For all project summarize and comment on concerns raised at April 5 CIM and April 17 LTC Mtg.

Respond to comments regarding Islands Trust Policies on Transfer of Density and Amenity bonus tools.

6	LTC Special Meeting minutes of April 5, 2014 adopted as drafted.	Lori Foster	Done
7	Community Information meeting notes received as amended.	Lori Foster	Done
8	Arrange LTC meeting for a date in august.	Lori Foster	On Going
9	Amend project charters to reflect addition meeting and amended time frame.	Gary Richardson	Done
10	Ian Rowe to be appointed to the APC for a term from April 17, 2014 to Jan 1, 2016. John Gains, Wayne Quinn and Peter Seed to be reappointed for a term from April 17, 2014 to Jan 1, 2016.	Sharon Lloyd-deRosario	Done
11	Beverly Lowsley to be appointed as Secretary to the Saturna APC effective April 17, 2014.	Sharon Lloyd-deRosario	Done
12	In-camera minutes of Feb 14, 2013 to be adopted as drafted.	Lori Foster	Done

STAFF REPORT

Date: May 27, 2014
For the meeting of June 5, 2014

File No.: SA-ALR-2014.1

To: Saturna Island Local Trust Committee

From: Kerry Thompson
Co-op Planner I

CC: Robert Kojima, Regional Planning Manager

Re: Application for Exclusion from the Agricultural Land Reserve
SA-ALR-2014.1 (Sewell)

Owners: Allen and Gayle Sewell

Applicants: same

Location: 101 Church Bay Road

Legal: That Part of the North ½ of Section 18, Saturna Island, Cowichan District, as Shown Outlined in Red on Plan 749R Except Parts in Plans 16929, 24256, 37639, 49442, VIP53810 and VIP63614.

BACKGROUND: This is a referral to the Local Trust Committee (LTC) of an application to the Agricultural Land Commission (ALC) for an exclusion from the Agricultural Land Reserve (ALR). Any application for an exclusion from the ALR must be filed with the local government and may not proceed unless authorized by a resolution of the local government.

In 2005 an application was made to the ALC to include a 2.378 ha portion of this lot into the ALR on the grounds that the land was used for grazing and that inclusion would discourage development and ensure the continuation of small-scale family farming on the site. The application was successful (ALC Resolution #382/2005) and now the entire lot is in the ALR. At the time, a no-subdivision covenant was also granted by the LTC at the request of the owners.

In 2012 an application was made to the ALC to subdivide the lot into a 0.704 hectare (1.74 acre) parcel and a 3.57 hectare (8.82 acre) remainder lot. The LTC authorized the application to proceed and discharged the no-subdivision covenant. However, the application was denied by the ALC (Resolution #16/2013) on the grounds that the application was inconsistent with the purpose of the *Agricultural Land Commission Act* and with the stated motivations for the inclusion of the same portion of the lot into the ALR in 2005.

The owners subsequently applied to the ALC with a Request for Reconsideration, stating that the 2005 inclusion had been sought for taxation purposes and that the portion of the lot in question actually had limited agricultural utility. After reviewing the Request, the ALC again

denied the application for subdivision (Resolution #402/2013) because the proposed subdivision lot would more appropriately addressed through an application for exclusion.

The present application effectively seeks to restore the ALR boundary that existed prior to the 2005 inclusion, by excluding 2.2 ha of the same portion of the lot from the ALR.

SITE CONTEXT:

The property subject to the application fronts both Winter Cove and Church Bay Roads. It is 4.274 ha in size and is predominantly flat. There are two dwellings, one cabin, a tennis court and several outbuildings. Sensitive ecosystems including fresh water, wetlands and mature forest are located on parts of the property not under application for exclusion. Based on the absence of evidence of farming supplied in the Request for Reconsideration, the primary use of the property appears to be residential.

Figure 1: Subject Property

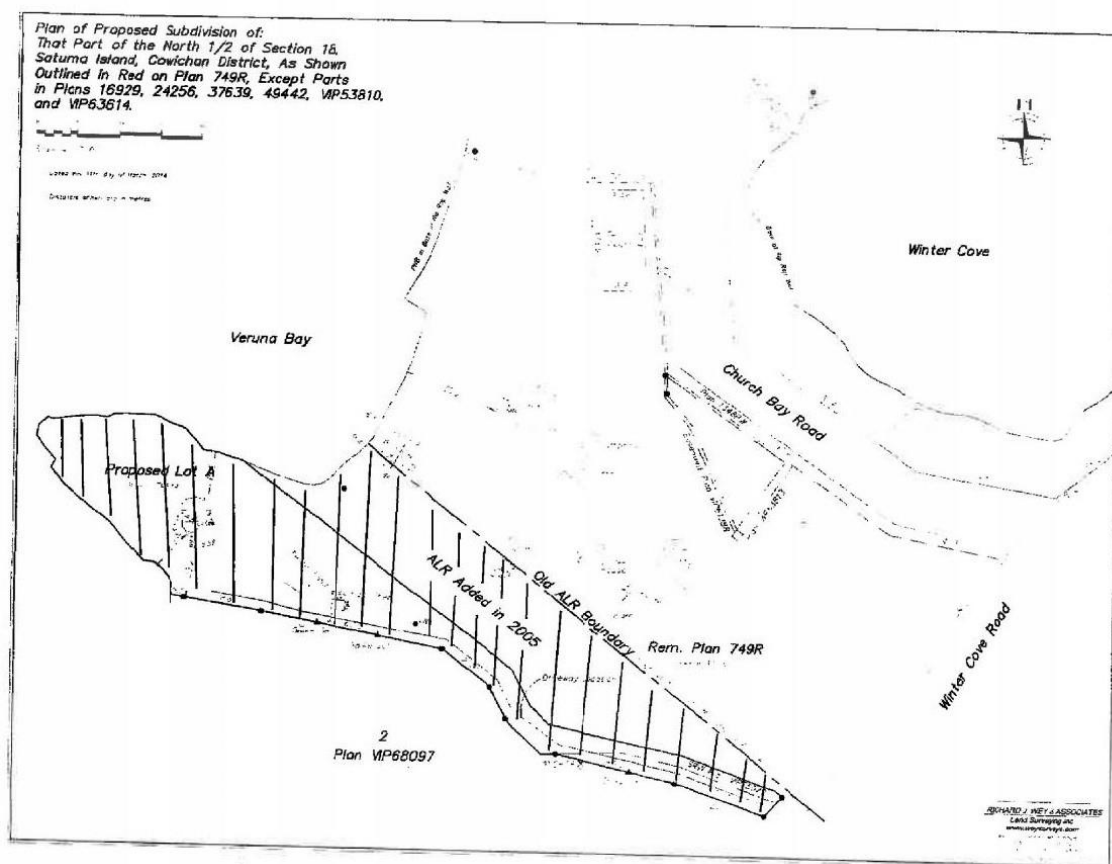


Figure 2: Orthophoto showing subject property and surrounding area



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The policy statement contains several policies that support the preservation, protection and encouragement of farming.

Official Community Plan:

The lot is designated Rural on the OCP Land Use Schedule. The lot is also identified as suitable for future acquisition and preservation as public open space. The policies in the OCP do not directly address the exclusion of land from the ALR, except insofar as they may assume that land within the ALR should be arable or productive, and should therefore be preserved in recognition of the importance of farming to Saturna's economy and to the rural character of the Island.

Land Use / Zoning Bylaw:

The lot is zoned Rural General (RG) in the Land Use Bylaw, which allows for both residential and farm uses. The zoning bears on the applicability of Section 30(4) of the *Agricultural Land Commission Act*, which states that an application for exclusion may not proceed unless authorized by a resolution of the local government if the application applies to land that is zoned by bylaw to permit agricultural or farm use. Otherwise, the Bylaw does not comment on the exclusion of land from the ALR.

Islands Trust Fund:

This application has no considerations for the Islands Trust Fund.

Regional Conservation Plan:

Saturna Island has been identified as a local trust area where acquisition/conservation covenant or landowner stewardship are the primary means of conservation. As above, the subject property has been identified as a priority for acquisition for public open space. Exclusion of part of the property from the ALR may have an impact on the ability or ease of acquiring the property for conservation purposes with regards to the regulatory process.

Sensitive Ecosystems and Hazard Areas:

As noted above, sensitive ecosystems (wetland, mature forest, and fresh water) are located on parts of the property not under application for exclusion. Low and Medium Steep Slope Hazards can be found on nearly all of the shoreline bordering the property, particularly those areas under application for exclusion (see Figure 3).

Archaeological Sites:

There are archaeological sites registered on the property. It is the responsibility of the landowner to contact the Archaeology Branch of the BC Ministry of Forests, Lands and Natural Resource Operations for details.

Figure 3: Steep Slope Hazard Areas



Covenants:

Conservation covenant EX17033 (2005) has already been discharged. None of the other legal notations on the title have a bearing on the proposed exclusion.

Bylaw Enforcement:

There are no bylaw enforcement files associated with this property.

Climate Change Mitigation and Adaption

There are no climate change impacts associated with this application.

Shoreline

The shoreline consists of fine sediment type on Winter Cove, and low rock/boulder and pebble/sand beach types on Veruna Bay. Only the latter two border the relevant part of the property, and do not affect the application.

Other:

As noted above, the entire property is presently included in the Agricultural Land Reserve.

COMMUNITY INFORMATION MEETING(S): A community information meeting is not typically recommended for an ALC referral.

RESULTS OF CIRCULATION: The applicant provided all necessary documentation indicating compliance with the notification requirements of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. At the writing of this report, staff have received no public submissions. Should staff receive any submissions prior to the June 5, 2014 LTC meeting, these will be presented at that time.

ISSUES SUMMARY:

Statutory Background:

The application is made under Section 30(1) of the *Agricultural Land Commission Act*, which states that an owner of land may apply to the commission to have their land excluded from an agricultural land reserve. Section 30(4) goes on to state that such an application may not proceed unless authorized by a resolution of the local government if it applies to land that is zoned by bylaw to permit agricultural or farm use. Furthermore, applicants are required to complete their application and provide public notice of the application per the requirements of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Process: Although this is an application to the ALC, it is filed with the local government and the application may not proceed without LTC authorization. The process is essentially as follows:

1. The application is considered by LTC and, if authorized by the LTC, it is then forwarded to the ALC, along with a copy of the resolution and staff report.
2. The ALC may refuse permission, grant permission or grant permission for a subdivision or non-farm use on the land.

LTC Policy: The OCP does not provide any direct guidance to the LTC in this instance.

Density: The proposal has no impact on the allowed density on the property; the excluded portion of the lot would be equally subject to the regulations of the LUB and the OCP as the balance of the property.

LTC Discretion: Because the application would not be in clear and direct collision with any OCP policy, the LTC is not compelled to refuse the application outright.

STAFF COMMENTS:

The Saturna LTC previously considered the land uses and context of this property in their meeting of September 6, 2012 (file SA-ALR-2014.1). The LTC determined that there had not been a legitimate land use planning purpose for including the proposed subdivided lot in the ALR and therefore authorized the subdivision application to proceed. The current application reiterates the rationale opposing the continued inclusion of the proposed portion of the lot in the ALR. The hypothetical primary objection of a local government to an exclusion from the ALR would likely relate to the loss of agricultural lands in the community, yet in this case it has been proven that the portion of the property under consideration is neither geophysically supportive of farm uses, nor is it used for such a purpose.

Given the questionable motivation for inclusion in the ALR in 2005, the apparent disuse of the land for agricultural purposes, and the recommendation of the ALC to seek an exclusion, staff recommend that the LTC forward the application without conditions.

RECOMMENDATION:

1. THAT the Saturna Island Local Trust Committee resolve that pursuant to Section 30(4) of the *Agricultural Land Commission Act*, exclusion application SA-ALR-2014.1 (Sewell) proceed.

Respectfully submitted by:



Kerry Thompson, Co-op Planner I

May 27, 2014

Date

Concurred in by:



Robert Kojima, Regional Planning
Manager

May 27, 2014

Date

Date: May 28, 2014

File No.: 6500-20-[CADR Review]

To: Saturna Island Local Trust Committee
For the meeting of June 5, 2014

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Community Amenity Density Reserve Review

Supplementary Report

The purpose of this report is to provide the LTC an opportunity to review a draft Official Community Plan (OCP) amendment (draft bylaw 112) which contains proposed changes to the Community Amenity Density Reserve (CADR) and overall density limits contained in the OCP. Staff is seeking direction on how the LTC would like to proceed with this initiative.

Project Objectives

The objective of the project is to amend the Saturna Official Community Plan policies regarding the Community Amenity Density Reserve (CADR). The amendments are intended to place density in the reserve so that the reserve can function as intended.

Project Background

This issue was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013, the LTC conducted community consultation in order to identify priorities relating to general density issues and amendments to the CADR. This consultation took the form of an on-line and mailed survey, a community information meeting, and deliberations at several LTC meetings. At its meeting of November 14, 2013 the LTC received a staff report outlining the issue and presented options, recommendations and a project charter.

A Community Information Meeting (CIM) was held April 5, 2014

A staff report and a draft bylaw were prepared for an LTC meeting held April 17, 2014.

At the April 17, 2014 the LTC passed the following resolutions:

It was MOVED and SECONDED by Saturna Island Local Trust Committee that Staff be directed to prepare a number of maps as enunciated by the chair and identified in the Community Amenity Density Reserve Review.

It was MOVED and SECONDED by Saturna Island Local Trust Committee that Staff be requested to prepare an issues summary and courses of action with respect to proposed Bylaws No. 112, 113, 114, and 115.

It was MOVED and SECONDED by Saturna Island Local Trust Committee that project charters for bylaws 112 - 115 be amended to include maps and information requested at the April meeting, to be delivered at the regular meeting in June.

It was MOVED and SECONDED by Saturna Island Local Trust Committee Staff add to the project charters an additional meeting date in August and amend the numbering accordingly.

Analysis

The CADR is a notional bank that can hold density from properties that have had their density removed through changes in zoning (downzoning) since the OCP was adopted in 2001. The density can be redistributed to other properties by an owner making a rezoning application to the LTC. An appropriate amenity acceptable to the LTC must be provided. The CADR has not been added to or drawn from since it was established in 2001.

The CADR needs to be provided with residential density and subdivision density for it to function. The removal of density through downzoning of private lands does not often take place and it's only through this type downzoning that the CADR can be provided with density. Following direction given by the LTC at its November 13, 2013 meeting, staff have prepared a Draft OCP Bylaw (112) to amend the Saturna OCP. Draft Bylaw 112 has been prepared to remove some of the obstacles that prevent the CADR from functioning as intended.

Draft Bylaw 112 contains the following amendments (additions are in bold and deletions show with strikethrough):

1. Section C.1.3 of the OCP requires amending to allow LTCs to place density in the CADR creating a bank of density that can be drawn from.

The amended section will read as follows:

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.

Despite the above limit on subdivision capacity and residential density, the Local Trust Committee may allow overall density limits contained in this Plan to be exceeded for the purpose of adding density to the Community Amenity Density Reserve for the purpose of securing community amenities.

This amendment will allow the LTC to place density in the CADR from time to time without being in conflict with the existing density limit established in C.1.3.

2. The LTC directed staff to amend section C.1.4 of the OCP by removing a portion of the section.

The amended section will read as follows:

C.1.4 Community Density Reserve - *To facilitate keeping development in appropriate areas, including changes in density, while maintaining the policy requirements of C.1.3, the Trust Committee will maintain an accounting system for tracking and controlling changes in density that it may approve from time to time in the future. The Reserve may be used to increase density in areas deemed appropriate by the community through the zoning process and to secure “amenities” of value to the community. ~~Each transfer should accomplish some environmental or heritage policy objective of the Plan.~~ Details are described further in Appendix A.*

The removal of this wording was requested by the LTC at its November 14, 2013 meeting. This amendment will allow LTCs to use the density from the CADR on a broader basis and not limit the LTC to only considering proposals that accomplish an environmental or heritage objective.

3. Part J –Glossary requires amending as the above amendment regarding amenities is not consistent with the existing defined term of “amenity”.

The amended section will read as follows:

“amenity means a ~~conservation value that furthers the object of the Islands Trust Act and~~ that the community considers desirable to retain or enhance.

This will remove the conflict with the above amendment and will allow the LTC to consider a broader spectrum of proposals.

4. Schedule “E” Appendix A of the OCP is proposed to be amended to allow density removed through lot amalgamations to be deposited in the CADR at time of amalgamation. There have been several lot amalgamations in the past, some have resulted in the subdivision potential or residential potential of a lot being reduced.

An additional amendment to Schedule E is being proposed that will give the LTC the ability to add density to the CADR by resolution of the LTC as deemed appropriate.

The amended section will read as follows:

*The Community Amenity Density Reserve (CADR) represents and is to account for subdivision and residential building capacity removed from lots through rezoning or lot amalgamation. **Subdivision and residential capacity can also be added to the CADR by means of a Local Trust Committee resolution.** When subdivision or residential density is removed, **or added by the Local Trust Committee**, that density is to be placed in a pool of unallocated density, which in the future may be drawn from and granted to a lot in exchange for community amenities.*

This amendment will allow density to be banked in the CADR from reductions in development potential created by lot amalgamation.

5. The LTC directed staff to amend Schedule “E”, Appendix A, (e) by adding wording to clarify the section.

The amended section will read as follows:

*e) Community amenities should include, **but not be limited to**, land dedication for public purposes, environmental protection, heritage site protection, community forests, parks, or heritage areas;*

This will allow the LTC to consider a broader spectrum of proposals.

6. Schedule “E”, Appendix A, (g) is proposed to be amended by reducing the size of a lot that can accept density from the CADR.

The amended section will read as follows:

*(g) Density increases shall not be permitted on parcels that are less than ~~4.05 hectares (10 acres)~~ **1 hectare (2.5 acres)** or that have a covenant against further subdivision;*

The 1 hectare lot size will allow density from the CADR to be utilized in more situations. The 1 hectare size is large enough in most cases to accept the additional density.

7. Schedule E is proposed to be amended by adding a limit on the density that can be added by and LTC.

The new section will read as follows:

l) The total amount of density to be added to the CADR by the LTC shall not exceed 20 densities. The densities can either be in the form of residential density or subdivision density. These densities are independent of densities added to the CADR by means of rezonings or lot amalgamations.

8. Schedule “E” Appendix A and B require re-titling as they are presently incorrectly titled.

The titles will be changed in both cases from Schedule E Appendix A and B to Schedule F Appendix A and B.

9. An information note will be inserted on the same page as Schedule E to track densities. An information note is not part of the bylaw and can be updated as needed without amendment.

Information Note				
Date	Bylaw number or LTC resolution number	Residential Density – Number of Dwellings	Subdivision Capacity – Number of Lots	Comments

--	--	--	--	--

Referral Comments:

South Pender Is. LTC, Mayne Is LTC and North Pender Is. LTC responded that their interests are unaffected.

Community Information Meeting:

- need clearly stated definition of amenity.
- rationale for changing the minimum lot size from 10 acres to 2.5 acres.
- 20 new densities created how will number be reduced as rezonings occur.
- decisions have been made over time by some to develop in a way that reduces cottage potential.
- lack of stated parameters or goals tend to make choice of amenity arbitrary.
- is there an area where increased density might be appropriate? Are there other areas where it would not be appropriate.
- LTC should produce a map of affected areas.
- density cap in OCP should be removed altogether.

APC Comments:

In summary, the APC members felt that:

- 1.--- Use of the CADR was not favored by most, and favored by none in the form presented.
- 2.--- The explanation of how often and how easily the CADR could be refilled lacked clarity; therefore the potential scope and impact of the Bylaw is unclear.
- 3.--- The lack of stated parameters or community goals could tend to make the choice of an amenity arbitrary.

Staff Comments:

Amenity – a list of amenities and a definition of amenities is often seen as a way to limit or define amenities a community deems appropriate. The concern with defining something too narrowly is that a situation may arise that has not been anticipated in the list of amenities.

A document prepared in 2014 by the Ministry of Community, Sport and Cultural Development on Community amenities contains the following definition of community amenity:

“Community Amenities” contribute to the attractiveness of a project or a neighborhood, and typically include aesthetic features, public spaces, and facilities to meet a range of social, cultural, recreational, and infrastructure needs of the community.

This definition, slightly amended, could be placed in the OCP and LUB to give more direction on the type of amenities that are appropriate.

Some Island OCPs have a list of acceptable amenities. A list can be prepared for the Saturna OCP; however once again it may preclude an amenity from being accepted in the future if it's not specifically identified on the list of acceptable amenities.

A list of community amenities from the Mayne OCP is attached for reference as **Schedule A**.

Existing Subdivision potential – A development potential map is attached as **Schedule B**.

The following has been calculated from the existing zoning:

ZONE	EXISTING PARCELS	ADDITIONAL PARCELS
RG	367	61
FG	3	4
F1	1	0
F2	2	0
CRA	2	0
CS	8	0
MFR	1	0
PU	1	0
RCD	7	14
SPLIT ZONED	21	197
	413	276
NATIONAL PARK RESERVE	42	114

Note: Limits of future subdivision potential which may exist but are not considered include: lot configurations, park dedication, access, topography, and some covenants.

The permitted residential density would be close to the subdivision potential other than on the Rural Comprehensive Development Zoned lots as the residential density permitted on those lots is higher than the subdivision potential.

Lot Size Map – A map identifying various lot sizes is attached as **Schedule C**.

Specifically the map shows:

- lots under 2.5 acres (432 lots)
- lots between 2.5 acres and 10 acres (56 lots)
- lots over 10 acres (43)

If the lot size for a lot that can accept density from the CADR is reduced from 10 acres to 2.5 acres an additional 56 lots could accept density.

Based on this review the reduction of lots that can accept density from 10 acres to 2.5 acres is being recommended to allow the CADR to be utilized on a larger number of lots without allowing density increases on small lots.

The map shows where the lots of each size are located and it also shows lots with residences.

Residential calculations based on BC Assessment Authority data are that there are 391 lots with residences and 140 vacant lots.

For clarification purposes staff is recommending that an amended definition of amenity be placed in the OCP and that amendments be made to the CADR in order to clarify that the 20 densities can only be added once.

Staff is recommending that the LTC review each of the proposed amendments to the CADR proposed in draft bylaw 112 and provide staff with direction on any other amendments to be made.

The project charter has been amended to add a meeting in August to make up for the meeting in April that Trustee Janzen was unable to attend. This will allow the LTC to consider adopting draft bylaw 112 within this term of office.

Next Steps

The LTC is requested to:

1. Review the attached proposed amendments and provide direction on any changes.
2. Provide direction on the amended project charter.

RECOMMENDATIONS:

1. THAT the Saturna Island Local Trust Committee directs staff to amend draft bylaw 112 by amending the definition of amenity and clarifying that the 20 densities can only be added to the CADR once.
2. That the Saturna Island Local Trust Committee approve the project charter as amended.

Prepared and Submitted by:

Gary Richardson

Gary Richardson, Island Planner

May 28, 2014

Date

Concurred in by:



Regional Planning Manager

May 28, 2014

Date

Attachments:

- A: List community amenities from Mayne OCP
- B: Subdivision Potential Map
- C: Lot Size Map
- D: Draft Bylaw 112
- E: Project Charter

Schedule A

Excerpt from Mayne OCP

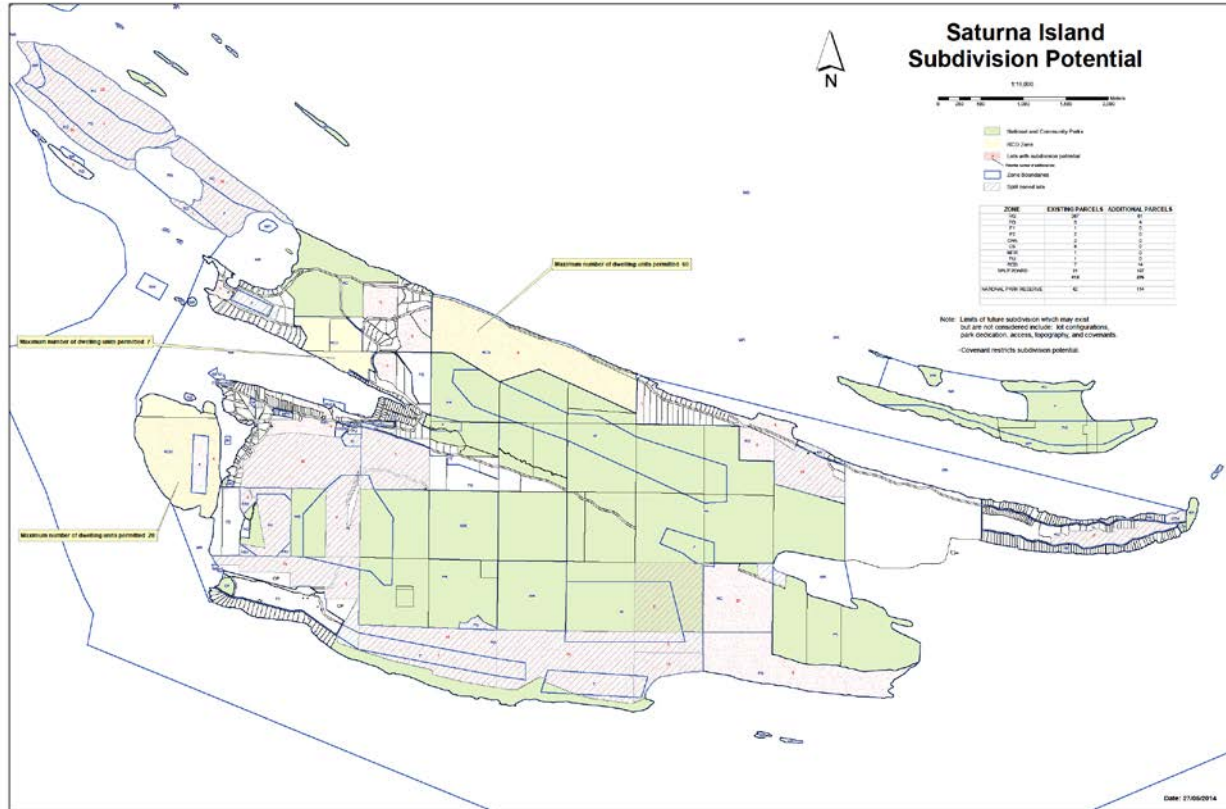
2.10 AMENITY ZONING GUIDELINES

2.10.1 In the case where a property owner offers to provide a voluntary community amenity as a condition of subdivision or rezoning, consideration may be given to increasing the permitted density on a parcel in any designation other than Public Service, Park or Resource Conservation.

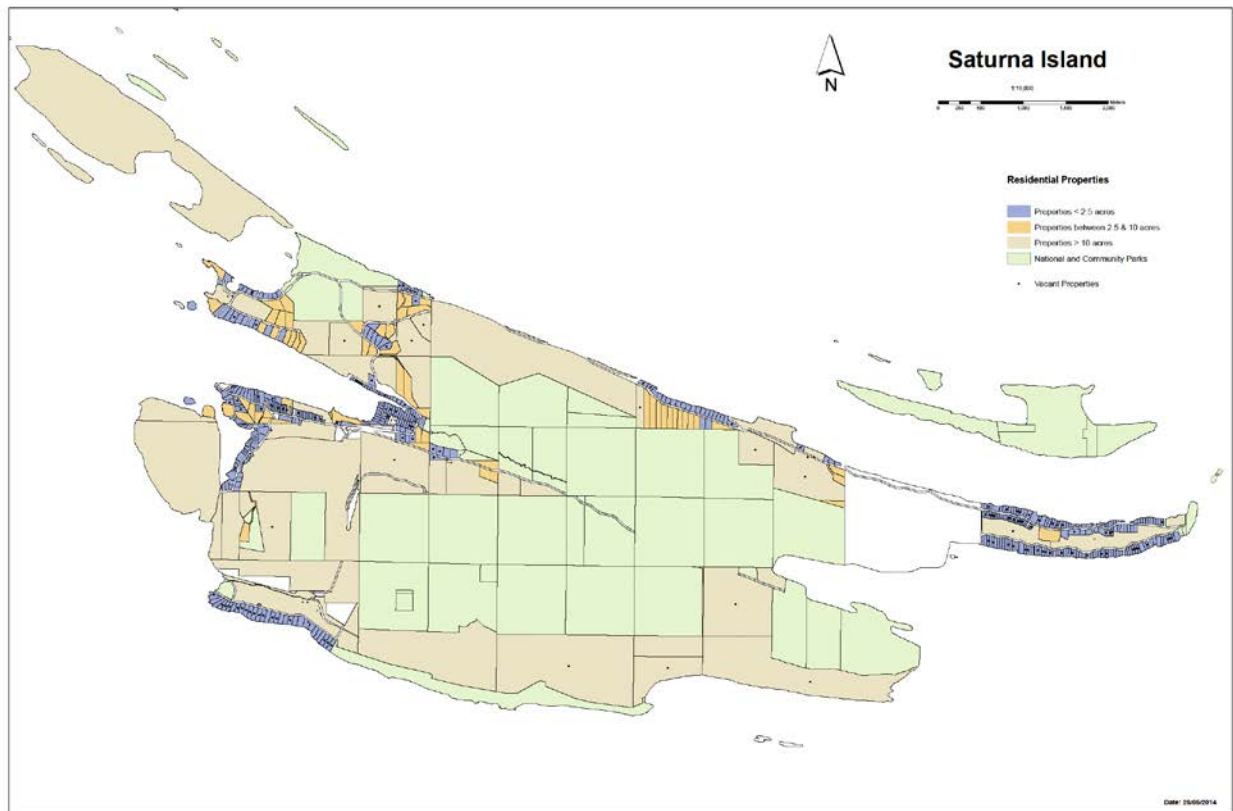
2.10.2 The following community amenities represent a list of potential community amenities which may be acceptable for consideration under this section:

- i) the provision of land for preservation of unique natural environments and sensitive areas,
- ii) the provision of land to preserve forests, watersheds and wetlands,
- iii) the provision of land for community park or public open space,
- iv) the provision of land for sewage treatment facilities or community water systems,
- v) the provision of community wells for domestic water supply,
- vi) the provision of fire fighting storage reservoirs,
- vii) the provision of easements or rights of way for utilities or trails,
- viii) the provision of community buildings,
- ix) the provision of land for community buildings or structures,
- x) the provision of community space in a commercial building,
- xi) the provision of affordable and special needs housing, and
- xii) the provision of any other amenity which is similar in nature to the foregoing and/or is consistent with the objectives and policies of the OCP.

Schedule B



Schedule C



BYLAW NO. 112

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

WHEREAS the Saturna Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Saturna Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Saturna Island Local Trust Committee wishes to amend the Saturna Island Official Community Plan Bylaw No. 70, 2000;

AND WHEREAS the Saturna Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2013."

2. SCHEDULES

Schedules A (Policy Document) and E of Saturna Island Official Community Plan No. 70, 2000 are amended as indicated on Schedule 1, attached to and forming part of this amending bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this _____ day of _____, 2014.

PUBLIC HEARING HELD this day of , 2014.

READ A SECOND TIME this _____ day of _____, 2014.

READ A THIRD TIME this _____ day of _____, 2014.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this _____ day of _____, 2014.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this
day of , 2014.

ADOPTED this _____ day of _____, 2014.

DEPUTY SECRETARY

CHAIR

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 112**

SCHEDULE 1

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" is amended by:
 - a) Amending section C.1.3 by inserting the words: "Despite the above limit on subdivision capacity and residential density, the Local Trust Committee may allow overall density limits contained in this Plan to be exceeded for the purpose of adding density to the Community Amenity Density Reserve for the purpose of securing community amenities." immediately after the words "density of any island within the Area.";
 - b) Amending section C.1.4 by removing the following sentence: "Each transfer should accomplish some environmental or heritage policy objective of the Plan." and
 - c) Amending Part J – Glossary by removing the definition of "amenity" in its entirety and replacing it with: ""amenity" means a value that the community considers is desirable to retain or enhance.".
2. Schedule "E" Appendix A and B of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" are amended by:
 - a) Re-titling "Schedule "E" Appendix A" to "Schedule "F" Appendix A" and re-titling "Schedule "E" Appendix B" to "Schedule "F" Appendix B";
 - b) Amending Appendix A by inserting the words: "or lot amalgamation. Subdivision and residential capacity can also be added to the CADR by means of Local Trust Committee resolution." immediately after the words: "removed from lots through rezoning";
 - c) Amending Appendix A by inserting the words: "or added by the Local Trust Committee," immediately after the words: "When subdivision or residential density is removed,"
 - d) Amending Appendix A, e) by inserting the words: "but not be limited to," immediately after the words: "Community amenities should include";
 - e) Amending Appendix A, g) by deleting "4.05 hectares (10 acres)" and replacing it with "1 hectare (2.5 acres)"; and
 - f) Amending Appendix A by adding a new section l) immediately following section k) as follows:

"l) The total amount of density to be added to the CADR by the Local Trust Committee shall not exceed 20 densities without an amendment to the Official Community Plan. The densities can either be in the form of residential density or subdivision density. These densities are independent of densities added to the CADR by means of rezonings or lot amalgamations."



Project Charter

Project Name: Saturna Island Local Trust Committee – Community Amenity Density Reserve Review

Creation Date: November 1, 2013

Last Updated: November 15, 2013

Version: 2

Purpose

The purpose of the project is to create amend the policies in the Official Community Plan to allow the Community Amenity Density Reserve (CADR) by placing both subdivision density and residential density in the reserve.

Background

This project was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013, the LTC had conducted community consultation in order to identify priorities relating to accommodation and housing issues. Consultation took the form of an on-line and mailed survey, a community information meeting, and staff reports and deliberations at several LTC meetings. A number of options were reviewed, and consideration of amending the CADR and associated density policies in the OCP was identified as a priority project. The CADR is a notional bank that can hold density from properties that have had their density removed through changes in zoning since the OCP was adopted in 2001. The density can be redistributed to other properties by an owner making a rezoning application to the LTC. An appropriate amenity acceptable to the LTC must be provided. Presently the density from the rezoning of Parkland cannot be redistributed through the CADR. The CADR presently does not contain any residential or subdivision density at this time. For the CADR to be functional it needs to be provided with both subdivision density and residential density. The LTC will also be considering revisions to specific CADR policies.

To allow density to be placed in the CADR the OCP needs to be amended. The specific section that contains the provisions guiding the use of the CADR as well as other policies regarding density will need amending to allow the CADR to be supplied with density.

Project Objectives

- To provide draft OCP amendments required to supply the CADR with residential density.

Project Scope

In Scope	Out of Scope
▪ Review OCP policies regarding density and CADR provisions ▪ Website and fact sheet communications materials ▪ Prepare draft OCP amendments ▪ Community information meeting ▪ Process to amend OCP, including CIM/public hearing	▪ Amendments to Land Use Bylaw ▪ Unrelated OCP amendments ▪ Additional or extra-ordinary community consultation

Project Deliverables

- Preliminary communications in the form of a fact sheet and on-going website postings
- Options and recommendations to amend the CADR and associated density provisions in the OCP in the form of one or more staff reports
- A draft amending bylaw
- Legislative process to amend OCP.

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>All property/business owners, residents, and visitors</i>	<i>Individuals, businesses, community groups and associations</i>	To have the opportunity to provide comment on proposed OCP amendments.

First Nations: As with all LTC projects, First Nations with asserted aboriginal rights in the subject area will be contacted early to inform them of the project and ask them to identify any aboriginal rights that may be impacted by the proposed change.

Project Team Resources

Name	Role	Responsibility
<i>Saturna Island Local Trust Committee</i>	<i>Project Sponsor</i>	Provides support and direction through maintaining the project as a work program priority and giving direction and approvals as needed
<i>Robert Kojima Regional Planning Manager</i>	<i>Project Champion</i>	Provides adequate project resources; staff support, direction and oversight; and ensures project aligns with overall goals and objectives
<i>Gary Richardson, Island Planner</i>	<i>Project Manager</i>	Day-to-day management of the project, and undertake or direct all project work
<i>Lori Foster/Sharon Lloyd-deRosario</i>	<i>Admin support</i>	Provides general administrative support, including advertising, booking meetings, preparing notices, updating website, distributing bylaw referrals, assembling public hearing materials, etc.

Project Budget

Item	Details	Fiscal Yr 2013/14	Fiscal Yr 2014/15
Communications	Fact sheet printing/distribution	\$200	\$200
Meetings	Two community information meetings (1 held August 2013)	\$2000	
Public Hearing	Combined CIM/Public hearing (may be combined with other concurrent project hearings)		\$1300
Contingency		\$1800	
Totals		\$4000	\$1500

Project Timeline

Deliverable / Milestone	Target Completion Date
Staff report, with draft guidelines, options and recommendations, and draft project charter / LTC endorsement of charter, direction to prepare draft amending bylaw	November 14, 2013
Staff report with draft bylaw, fact sheet / LTC direction to refer bylaws and schedule community information meeting	February 2014
Community information meeting	(March) April 2014
Staff report summarizing community, agency, APC and FN responses, and providing options for amending draft OCP bylaw / LTC direction to make any revisions to bylaw, option to consider First Reading	(April) June 2014
LTC consideration of First Reading of OCP amendment bylaw	(June) July 2014

Deliverable / Milestone	Target Completion Date
Public hearing, further readings of bylaw, referral to EC and Minister	(July) August 2014
EC and Ministerial approval	September 2014
Final adoption	October 2014

Endorsements

	Name	Endorsement Date
Project Sponsor	Saturna Island Local Trust Committee	November 14, 2013
Project Champion	Robert Kojima	November 15, 2013
Project Manager	Gary Richardson	November 15, 2013

STAFF REPORT

Date: May 27, 2014

File No.: 6500-20-[Secondary Suite Review]

To: Saturna Island Local Trust Committee
For the meeting of June 5, 2014

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Secondary Suite Review

Supplementary Report

The purpose of this report is to provide the LTC with an opportunity to review a draft Official Community Plan (OCP) amendment (draft bylaw 113) and a draft Land Use Bylaw (LUB) amendment (draft bylaw 114) which contains proposed changes to allow for secondary suites to be permitted on Saturna Island. Staff is seeking direction on how the LTC would like to proceed with this initiative.

Project Objectives

The objective of the project is to amend the Saturna Official Community Plan policies and Land Use Bylaw regulations to establish secondary suites as a permitted use.

Project Background

This issue was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013, the LTC conducted community consultation in order to identify priorities relating to general density issues and amendments to the CADR. This consultation took the form of an on-line and mailed survey, a community information meeting, and deliberations at several LTC meetings. The survey results suggested that 84% of respondents agree with allowing secondary suites.

At its meeting of November 14, 2013 the LTC received a staff report outlining the issue and presenting options, recommendations and a project charter. The LTC directed staff to make some amendments to the proposed wording and prepare draft bylaws to amend the Saturna Island Official Community Plan and Land Use Bylaw to allow for secondary suites as a permitted use.

Analysis

Secondary suites are intended to provide affordable, ground oriented and market based rental housing. Given single family residences dominate the housing type on Saturna Island, and its aging population, the ability to provide legal secondary suites could assist the community in providing for increased housing diversity and affordable housing rental options in appropriate locations. The November 2013 staff report provided detailed analysis of the options and issues associated with secondary suites generally and in relation to the Saturna bylaws. A copy that report is posted here: www.islandstrust.bc.ca/islands/local-trust-areas/saturna/projects-initiatives/secondary-suite-review.

Draft Bylaw 113 would amend the OCP in the following ways:

- Amends section C.1.3 which is a section that restricts overall density in the Saturna Island Local Trust area to the density that can be achieved under the existing policies of the OCP. The proposed amendment clarifies the position that secondary suites are not considered residential density for the purposes of calculation overall density.
- Amends the Rural, Rural Residential, Rural General, Farmland, Forest, Heritage Forest, and Wilderness Reserve designations to allow for one secondary suite per lot.
- Amends the Rural Comprehensive designation to allow for one secondary suite per primary residence.

The Rural Comprehensive designation is permitted one secondary suite per residence instead of one secondary suite per lot as in the other designations listed as it's a designation that applies to large lots that are permitted multiple residences.

These OCP amendments support the establishment of secondary suites in most zones that allow residential use in the LUB. The Multiple Family Residential designation and designations that allow for a caretaker residence were not identified as designations appropriate for secondary suites.

Draft Bylaw 114 would amend the LUB in the following ways:

- Establish a secondary suite section within the general regulations section of the LUB. This new section contains regulations regarding the permitted size of the suite, the general configuration of the suite and availability of potable water. The size and configuration is consistent with regulations in the BC Building Code regarding secondary suites.
- Amends the Rural Residential, Rural General, Farmland, Forest General, and Wilderness Reserve zones to allow for one secondary suite per lot.
- Amends the Rural Comprehensive Development zone and the Forest Residential zone to allow for one secondary suite per primary residence.

The Rural Comprehensive Development zone and the Forest Residential zone are permitted one secondary suite per residence instead of one secondary suite per lot as in the other zones listed as it's a zone that applies to large lots that are permitted multiple residences.

Referrals:

CRD Engineering – The Lyall Harbour/Boot Cove (LHBC) system is sized for existing residences only, and cannot accommodate the additional demands that would be created by secondary suites.

Note: if water for a suite is provided by means other than the LHBC system it is not a concern.

Fire Chief – Adding suites to a house has the potential of placing people in a living arrangement where there is only one way out. Concerned that people will renovate without the appropriate building permits avoiding the need to build to code. This could create a dangerous situation.

Island Health – the landlord is required to provide potable water to the tenants for domestic purposes. Sewage systems need to be adequately sized accommodate the increased use.

MoTI – no concerns unless a second driveway is constructed.

Mayne LTC, South Pender LTC and North Pender LTC – no concerns

Community Comments:

A brief summary of some of the comments made at the April 5, 2014 CIM meeting.

- Additional inhabitants of a residence actually do contribute to density
- Allowing a secondary suite could be a major help to manage a mortgage
- May be appropriate for residential use but not for use as an STVR
- Water use is an issue
- Cost to transform a residence to a two family house could be excessive
- Can both the suite and house could be rented
- Boot Cove water system already at capacity
- Inequitable as a small lot on East Point can have a suite but a lot that is permitted multiple houses is only permitted one suite per lot.
- This would normalize existing suites
- Concerns about septic requirements, more vehicles parked on property or roadway
- Potential implications for the fire department
- Number of outbuildings might increase

Advisory Planning Commission Comments:

In summary on Draft Bylaws 113 and 114, the [APC has the] following concerns:

1. --- potential for suites, or even STVR's , without neighbor input or --in the case of STVR use of a suite-- without the regulations described in Draft Bylaw 115 for a TUP.
2. --- fairness across all zones.
3. --- overall water and septic capacity if suites were taken up widely.

Staff Comments:

Several concerns have been brought up regarding the permitting of secondary suites:

Parking: Parking on the road and too many vehicles on a lot has been brought up as a concern. The draft bylaw does contain a requirement for one additional off road parking space per secondary suite.

Water - Concerns have been brought up about suites increasing water use. The draft bylaw presently states that a building permit shall not be issued for a suite until the building is serviced by an adequate supply of potable water. The CRD will be required to insure there is an adequate potable water supply at the time a building permit is taken out to construct a suite.

In addition, before a building permit is issued for a dwelling or a large addition to a dwelling in the East Point Water Management Area, which is the most sensitive groundwater area on the island, a water catchment system must be constructed. This being said an existing dwelling could be converted to contain a suite without triggering the water catchment requirement.

Lyall Harbour/Boot Cove water system - Cannot take on the increased capacity needed for secondary suites; however the suites in the area serviced by the system could be required to be supplied from an alternate source, such as a well or rain water catchment. Another option is to exclude properties serviced by the water system from the bylaw allowing suites.

Septic Capacity - Will need to be increased as per the sewage system regulation as it would for any other increase in use or floor area of a residence.

STVR Use – Use of a secondary suite as an STVR will be enforced on a complaint basis as any other unlawful use would be.

Inequity – It has been brought up that a lot with multiple residences, unless it's in the RCD zone, would be only permitted one suite per lot. The LTC may want to consider changing this provision for all residential zones to allow one suite per residence.

Building Code – concerns have been raised that suites will be constructed without a permit and not meet the requirements of the BC Building Code. This is a concern that can be applied to any building or structure being constructed without permits. There is a requirement for anyone building within the CRD to obtain a building permit and comply with the BC Building Code. There is different code for suites; however, they must be constructed to the present level required by code.

In conclusion staff is recommending that the draft by be amended to: 1) require all suites in the East Point Water Management Area to be in a dwelling containing a water catchment and storage system; ensure that properties served by the Lyall Harbour/Boot Cove water system only be permitted to have a suite if an alternate source of potable water is used; allow one suite per dwelling on all residential lots.

The project charter has been amended to add a meeting in August to make up for the meeting in April that Trustee Janzen was unable to attend. This will allow the LTC to consider adopting draft bylaw 112 within this term of office.

Next Steps

The LTC is requested to:

1. Review the attached proposed amendments and provide direction on any changes.
2. Review the attached project charter and provide direction on any changes.

RECOMMENDATIONS:

1. THAT the Saturna Island Local Trust Committee direct staff to amend draft bylaw 113 cited as Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013 and draft bylaw 114 cited as Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013 to allow one secondary suite per residence in all zones that allow residential use.
2. THAT the Saturna Island Local Trust Committee direct staff to amend draft bylaw 113 cited as Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013 and draft bylaw 114 cited as Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013 to only allow secondary suites within the Lyall Harbour/Boot Cove water supply area if an alternate source of potable water is used to supply the suite.
3. That the Saturna Island Local Trust Committee direct staff to amend draft bylaw 113 cited as Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013 and draft bylaw 114 cited as Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013 to require that all building containing secondary suites within the East Point water management area be required to construct a water catchment and storage system as per the requirement in section 2.18 of the LUB.
4. That the Saturna Island Local Trust Committee approves the project charter as amended.

Prepared and Submitted by:

Gary Richardson

Gary Richardson, Island Planner

May 27, 2014

Date

Concurred in by:



Regional Planning Manager

May 27, 2014

Date

Attachments:

- 1: Draft Bylaws 113 and 114
- 2: Project Charter

BYLAW NO. 113

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

WHEREAS the Saturna Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Saturna Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Saturna Island Local Trust Committee wishes to amend the Saturna Island Official Community Plan Bylaw No. 70, 2000;

AND WHEREAS the Saturna Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013."

2. SCHEDULES

Schedule A (Policy Document) of Saturna Island Official Community Plan No. 70, 2000 is amended as indicated on Schedule 1, attached to and forming part of this amending bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this _____ day of _____, 2014.

PUBLIC HEARING HELD this day of , 2014.

READ A SECOND TIME this _____ day of _____, 2014.

READ A THIRD TIME this _____ day of _____, 2014.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this _____ day of _____, 2014.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this
day of , 2014.

ADOPTED this _____ day of _____, 2014.

DEPUTY SECRETARY

CHAIR

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 113**

SCHEDULE 1

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" is amended by:
 - a) Amending section C.1.3 by inserting the following as the last sentence in the section: "Secondary Suites are not considered as residential density for the purposes of calculating overall residential density within the Saturna Island Local Trust Area.";
 - b) Amending section D.1 Rural by adding a new section j immediately following section i) as follows:

"j) Secondary Suites may be permitted in designations that permit residential use.";
 - c) Amending section D.1.R Rural Residential by adding a new section D.1.R.7 immediately following section D.1.R.6 as follows:

"D.1.R.7 One secondary suite, limited in size, contained within a primary residence may be permitted per lot."
 - d) Amending section D.1.G Rural General by adding a new section D.1.G.6 immediately following section D.1.G.5 as follows:

"D.1.G.6 One secondary suite, limited in size, contained within a primary residence may be permitted per lot.";
 - e) Amending section D.1.C Rural Comprehensive by adding a new section D.1.C.5 immediately following section D.1.C.4 as follows:

"D.1.C.5 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.";
 - f) Amending section D.2 Farmland by adding a new section D.2.10 immediately following section D.2.9 as follows and renumbering the remaining sections accordingly:

"D.2.10 One secondary suite, limited in size, contained within a primary residence may be permitted per lot.";
 - g) Amending section D.4 Forest by adding a new section D.4.14 immediately following section D.4.13 as follows and renumbering the remaining sections accordingly:

"D.4.14 One secondary suite, limited in size, contained within a primary residence may be permitted per lot.";
 - h) Amending section D.4 Forest by adding a new section D.4.20 immediately following section D.4.19 as follows and renumbering the remaining sections accordingly:

"D.4.20 One secondary suite, limited in size, contained within a primary residence may be permitted per lot on Forest Residential zoned land.";
 - i) Amending section D.5 Heritage Forest by adding a new section D.5.6 immediately following section D.5.5 as follows:

"D.5.6 One secondary suite, limited in size, contained within a primary residence may be permitted per lot."; and
 - j) Amending section D.6 Wilderness Reserve by adding a new section D.6.5 immediately following section D.6.4 as follows and renumbering the remaining sections accordingly:

"D.6.5 One secondary suite, limited in size, contained within a primary residence may be permitted per lot."

SATURNA ISLAND TRUST COMMITTEE BYLAW NO. 114

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 78, 2002

The Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Saturna Island Trust Committee Area under the Islands Trust Act, enacts as follows:

A. The Saturna Island Land Use Bylaw, No. 78, cites as "Saturna Island Land Use Bylaw 78, 2002" is amended as follows:

1. Part 2 General Regulations is amended by inserting the following as a new section 2.19:

"2.19 Secondary Suites

(1) The *secondary suite* must be contained within the walls of the building that contains the principal *residence*.
(2) The entrance to a *secondary suite* from the exterior of the building must be separate from the entrance to the principal *residence*.
(3) A building permit shall not be issued for a secondary suite until the building is serviced by an adequate supply of potable water.
(4) The floor area of the secondary suite shall not exceed 90m² (968 ft²) nor shall it exceed 40 per cent of the floor area of the principal *residence*. A secondary suite must not be subdivided from the principal *residence* under the *Land Title Act* or the *Strata Property Act*.";
2. By adding a new subsection immediately following subsection 4.1.4 as follows:

" 4.1.5 One secondary suite is permitted per lot subject to section 2.19."

and renumbering the following sections accordingly;
3. By adding a new subsection immediately following subsection 4.2.6 as follows:

" 4.2.7 One secondary suite is permitted per lot subject to section 2.19."

and renumbering the following sections accordingly;
4. By adding a new subsection immediately following subsection 4.4.4 as follows:

" 4.4.5 One secondary suite is permitted per *residence* subject to section 2.19."

and renumbering the following sections accordingly;
5. By adding a new subsection immediately following subsection 7.1.3 as follows:

" 7.1.4 One secondary suite is permitted per lot subject to section 2.19."

and renumbering the following sections accordingly;
6. By adding a new subsection immediately following subsection 9.2.4 as follows:

" 9.2.5 One secondary suite is permitted per lot subject to section 2.19."

and renumbering the following sections accordingly;

- | Table 1: Off street parking requirements | | |
|--|-----------------|--|
| | Use | Minimum Number of Off street parking Spaces Required |
| (k) | Secondary Suite | 1 per secondary suite |

- B. This Bylaw may be cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013".

READ A FIRST TIME this	day of	,2014.
PUBLIC HEARING HELD this	day of	,2014
READ A SECOND TIME this	day of	, 2014
READ A THIRD TIME this	day of	, 2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLAND TRUST this	day of	, 2014
ADOPTED this	day of	, 2014

Deputy Secretary



Project Charter

Project Name: Saturna Island Local Trust Committee – Secondary Suite Review

Creation Date: November 4, 2013

Last Updated: November 15, 2013

Version: 2

Purpose

The purpose of the project is to initiate a review of the suitability of secondary suites for properties on Saturna Island.

Background

This project was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013 the LTC conducted community consultation to identify priorities relating to accommodation and housing issues. Consultation took the form of an on-line and mailed survey, a community information meeting, and deliberations at several LTC meetings. A number of options were reviewed, and consideration of permitting secondary suites was identified as a priority project. Secondary suites are typically affordable, ground oriented and market based. Given the number of single family residences on Saturna Island, and its aging population, the ability to provide legalized secondary suites could assist the community in addressing its perceived housing diversity and affordability issues in appropriate locations. Prior to drafting a secondary suite bylaw, a number of issues need to be examined: community context, locations/zones where secondary suites might be permitted, and specific regulations for the secondary suites (definition of a secondary suite, maximum floor area, number of suites per lot/dwelling). Comments from stakeholders and the general public should be obtained so that the draft bylaw can accurately address the community's concerns. Once the issues have been addressed, amendments to the LUB will be required to permit secondary suites. An enabling statement in the OCP will also be required to permit secondary suites in specific designations.

Project Objectives

- To provide amendments to the LUB and OCP to permit secondary suites

Project Scope

In Scope	Out of Scope
▪ Review secondary suite policies, guidelines, conditions, practices and experiences from other LTCs and jurisdictions ▪ Communications on webpage and by information sheet ▪ Prepare draft bylaw to amend LUB ▪ Prepare draft policy amendment to OCP ▪ Community information meeting/ Public Hearing	▪ Unrelated OCP amendments ▪ Other LUB amendments ▪ Additional or extra-ordinary community consultation

Project Deliverables

- Options and recommendations on secondary suite options in the form of one or more staff reports
- Preliminary communications in the form of a fact sheet and on-going website postings
- A draft amending LUB bylaw and OCP bylaw
- Legislative process to amend LUB and OCP
- Implementation communications following adoption in the form of an fact sheet

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>All property/business owners and residents</i>	<i>Individuals, community groups, stratas and associations</i>	• To have the opportunity to provide comment on regulations.
<i>Neighbours</i>	<i>Individual residents and owners, neighbourhood associations</i>	• To have the opportunity to provide comment on regulations
<i>Community Water Systems</i>	<i>Operators (CRD and private)</i>	• To have potential impacts on water usage considered
<i>Other regulatory bodies</i>	<i>CRD building inspection, Saturna Island Fire Department, Islands Trust Bylaw enforcement, VIHA</i>	• To be consulted on potential impact of bylaw amendments on jurisdiction or responsibilities

First Nations: As with all LTC projects, First Nations with asserted aboriginal rights in the subject area will be contacted early to inform them of the project and ask them to identify any aboriginal rights that may be impacted by the proposed change.

Project Team Resources

Name	Role	Responsibility
<i>Saturna Island Local Trust Committee</i>	<i>Project Sponsor</i>	Provides support and direction through maintaining the project as a work program priority and giving direction and approvals as needed
<i>Robert Kojima Regional Planning Manager</i>	<i>Project Champion</i>	Provides adequate project resources; gives staff support, direction and oversight; and ensures project aligns with overall goals, objectives and timelines
<i>Gary Richardson, Island Planner</i>	<i>Project Manager</i>	Day-to-day management of the project, and undertake or direct all project work
<i>Kim Farris Planner 1</i>	<i>Planner</i>	Project support – research, report writing, and bylaw drafting
<i>Barb Dashwood</i>	<i>GIS/Mapping Support</i>	Provides mapping as required
<i>Lori Foster/Sharon Lloyd-deRosario</i>	<i>Admin support</i>	Provides general administrative support, including advertising, booking meetings, preparing notices, preparing agendas, updating website, distributing bylaw referrals, assembling public hearing materials, reviewing meeting notes, consolidating bylaws, etc.

Project Budget

Item	Details	Fiscal Yr 2013/14	Fiscal Yr 2014/15
Communications	Fact sheet printing/distribution	\$200	\$200
Meetings	One community information meeting and advertising	\$800	
Public Hearing	Combined CIM/Public hearing (may be combined with other concurrent project hearings)		\$1300
Contingency	(may be used for additional hours for 0.6 FTE Planner 1)	\$1000	
Totals		\$2000	\$1500

Project Timeline

Deliverable / Milestone	Target Completion Date
Staff report, with draft guidelines, options and recommendations, and draft project charter / LTC endorsement of charter, direction to prepare draft amending bylaws	November 14, 2013
Consultation with stakeholder groups for initial comments	December 2013/January 2014
Staff report with draft bylaws, fact sheet / LTC direction to refer bylaws and schedule community information meeting	February 2014
Community information meeting	(March 2014) April 2014
Staff report summarizing community, agency, APC and FN responses, and providing options for amending draft bylaws, / LTC direction to make any revisions to bylaws, option to consider First Reading	(April 2014) June 2014
LTC consideration of First Reading of amendment bylaws	(June) July 2014
Public hearing, further readings of bylaws, referral to EC and Minister	(July) August 2014
EC and Ministerial approval	September 2014
Final adoption	October 2014

Endorsements

	Name	Endorsement Date
Project Sponsor	Saturna Island Local Trust Committee	November 14, 2013
Project Champion	Robert Kojima	November 15, 2013
Project Manager	Gary Richardson	November 15, 2013

STAFF REPORT

Date: May 27, 2014

File No.: 6500-20-STVR
Review

To: Saturna Island Local Trust Committee
For the meeting of June 5, 2014

From: Gary Richardson, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Short Term Vacation Rental Review

The purpose of this report is to provide the LTC an opportunity to review the draft Official Community Plan amendment (Official Community Plan Bylaw No. 115), to outline the next steps for this project, and to provide information to consider an amendment to the fee bylaw.

Project Objectives

The objective of the project is to establish temporary use permit guidelines for the evaluation of Short Term Vacation Rental applications. This includes specific STVR guidelines in the OCP that will provide greater certainty for applicants and future LTCs. The LTC also identified an amendment to the fees bylaw to reduce the application fee for such TUP applications as an option the LTC would like to consider.

Project Background

This issue was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013, the LTC conducted community consultation in order to identify priorities relating to overall accommodation and housing issues. This consultation took the form of an on-line and mailed survey, a community information meeting, and deliberations at several LTC meetings. Consideration of permitting Short Term Vacation Rentals (STVR) through the mechanism of Temporary Use Permits (TUP) was identified as a priority project at the September 26th LTC meeting. At that meeting, the LTC adopted the following resolution:

Resolution SA-LTC-39-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to prepare a staff report and draft wording regarding Short Term Vacation Rental guidelines for the Temporary Use Permit section of the Official Community Plan.

At the November 14, 2013 LTC meeting a staff report and project charter were presented. The LTC adopted the following resolution:

Resolution SA-LTC-61-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to prepare a draft Official Community Plan amendment bylaw that would create Temporary Use Permit guidelines as outlined in the staff report of November 1, 2013; and that and that staff amend guideline A to specify that areas with known water issues must include measures to ensure an adequate water supply.

Resolution SA-LTC-62-2013

It was Moved and Seconded by the Saturna Island Local Trust Committee endorses the amended Project Charter attached to the staff report of November 1, 2013.

At the April 17, 2014 LTC meeting a staff report and draft bylaw was presented. The LTC adopted the following resolutions:

Resolution SA-2014-014

It was Moved and Seconded by the Saturna Island Local Trust Committee that Staff be requested to prepare an issues summary and courses of action with respect to proposed Bylaws No. 112, 113, 114, and 115.

Resolution SA-2014-015

It was moved and seconded by Saturna Island Local Trust Committee that project charters for bylaws 112 - 115 be amended to include maps and information requested at the April meeting, to be delivered at the regular meeting in June.

Resolution SA-2014-016

It was moved and seconded by the Saturna Island Local Trust Committee that staff add to the project charters an additional meeting date in August and amend the numbering accordingly.

Saturna Island STVR & TUP Overview

STVR is a term commonly used to describe the commercial rental of dwellings to paying guests for a period of time generally less than a month. Currently, the Land Use Bylaw defines STVRs as a permitted home occupation use in cottages in residential zones. The more commonly used term applies to the use of any residence (not just a cottage) as a vacation rental. If the LTC were to amend the OCP to include guidelines for Temporary Use Permits for vacation rentals in other residences, the current home occupation option would remain as an outright permitted use. In order to provide certainty with respect to the existing cottage option, staff have drafted the proposed TUP guidelines to use a different terminology - "commercial vacation rental". The definition of commercial vacation rental will be included in the TUP guidelines.

Temporary Use Permits are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years. The LTC has identified that specific guidelines relating to issuance of TUPs for vacation rentals should be drafted for inclusion in the OCP. This would provide guidance and certainty for applicants, and guidance for planning staff and the LTC in assessing applications.

Draft TUP Guidelines

There are two main objectives to amending the current OCP TUP guidelines which are to bring Part H (TUPs) into conformity with current legislation and to include guidelines specifically for commercial vacation rental. Staff have drafted revisions to Part H of the OCP based on the current direction of the LTC. The attached draft bylaw would:

- Remove references to “commercial and industrial” TUPs – this reflects changed legislation.
- Add short term commercial vacation rental as a specific use for which a permit may be issued and define the term. Commercial vacation rental will be defined as “the use of a *residence* as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier” within the TUP guidelines;
- Change reference to “two years” to “three years”, reflecting legislative changes.
- Remove a reference to TUPs regulating aggregate removal as extraction of aggregates (as opposed to processing) cannot be regulated by local governments except through Soil Deposit and Removal Bylaws.
- Include a new set of guidelines for vacation rentals that would provide criteria for review of a permit application, and potential conditions that could be included in a permit where appropriate. These draft guidelines are based, in part, on guidelines in place for TUPs from the Gabriola OCP, and on conditions that have been included in a TUP issued by the Mayne LTC. The guidelines are intended to allow the LTC to address potential impacts commonly or potentially associated with the use.

By resolution at the November 14, 2013 regular Saturna Island LTC meeting, staff were directed to amend the TUP guidelines to specify areas with known water issues and to include measures to ensure an adequate water supply for those areas. Previous hydrogeology studies identified the East Point and Saturna Beach areas as having water shortage problems. Therefore, staff have included these two areas in the draft TUP guideline revisions:

- despite H.1, the Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental located in the Eastpoint Water Management Area as described in the Saturna Island Land Use Bylaw and properties located in Strata Plan VIS3488, if the commercial vacation rental is equipped with a water catchment system and cistern(s) for the storage of rainwater with a minimum cistern(s) capacity of 21,820 litres (4,800 gallons).

As noted in the above draft guideline, staff are recommending a minimum cistern capacity of 21,820 litres (4,800 gallons). This is to be consistent with Saturna Island LUB requirement (Section 2.18) that requires a minimum cistern capacity of 21,820 litres (4,800 gallons) for any new construction of a residence or visitor accommodation unit, or any addition to a residence or visitor accommodation unit that exceeds 11.6 square metres of floor area that is located in the water management area. The water management area indicated in the LUB consists of properties located in the East Point area. The Saturna beach area is referenced by registered plan.

Fees Bylaw

It was suggested by the LTC to consider amending the Saturna Island Fees Bylaw No. 90 to accommodate TUP applications for commercial vacation rental. Currently, the cost of a TUP as stated in the Fees Bylaw is \$1,100 for an application and \$165 to renew the permit. The TUP application fee is similar to other LTCs with the exception of Gabriola Island (\$900 TUP fee) and Lasqueti Island (\$770 TUP fee). The renewal fee is the same for all LTCs with the exception of Gabriola Island (\$150 renewal fee).

The intention of an application fee is to cover the average cost of advertisement, notification, and a portion of staff time. Calculating the basic cost of advertisement and mail-out is required in order to assess reducing the application fee. Section 921 of the *Local Government Act* requires that a notice to be published in newspaper and be mailed to surrounding neighbours (100 metres from the subject property as per Saturna Island Trust Committee Development Procedure Bylaw No.43, 1992).

The estimated cost of an advertisement is \$620 in the Driftwood newspaper and a large mail out is estimated to cost \$80. The minimum possible TUP application fee to cover the advertisement and mail out is therefore \$700. Staff recommend including an additional amount (\$200) to cover a portion of the cost for staff time. A potential \$900 application fee for TUP applications for commercial vacation rental is reasonable as it would cover the basic costs of advertisement, notification, and a portion of staff time, and reflects the same application fee as the Gabriola Island LTC. Also, these are commercial uses that can generate significant revenue for the landowner. Staff are recommending an amendment to the Fees Bylaw No. 90 that would establish a \$900 application fee for TUP applications for commercial vacation rental.

Community Information Meeting (April 5/14):

The following is a summary of the main comments expressed at the Community Information Meeting:

- Why would people with existing suites apply for a TUP as there is no enforcement on the existing illegal ones?
- There is a definite need for accommodation for transient visitors on the island.
- Established businesses are all suffering so why compete with them?
- There needs to be proper enforcement if bylaw is adopted.
- Allows ability to make own meals.
- Makes holiday affordable for family.
- STVRs could help invigorate the island.
- Concerns about water use and saltwater intrusion.

Referral Comments:

MoTI, South Pender LTC, Mayne Island LTC and North Pender LTC have no objections to draft bylaw 115 (OCP).

Advisory Planning Commission Comments:

The APC discussed the draft bylaws on March 24, 2014, there is no specific recommendation. The following are some of the comments from the minutes:

- Allows site conditions to be controlled.
- Allows testing out of use during temporary period.
- How will complaints about STVRs be recorded.
- What will happen if existing STVRs don't apply for a TUP?
- Concern about effective enforcement.
- Will this bylaw harm existing businesses?
- STVRs may introduce prospective visitors to the island.
- Cost of TUP and length of time to get permit may be deterrent.

Staff Comments:

The draft TUP guidelines for short term commercial vacation rental use would allow a future LTC to consider including conditions to mitigate most of the concerns **expressed** at the CIM. With respect to concerns over enforcement, enforcement of current STVRs is in abeyance while the LTC proceeds with this project. This is consistent with enforcement policy and practice, as it is impractical to proceed to litigation while an LTC is considering amendments to permit a use. Enforcement files remain open and new complaints would be received. If the amendments are adopted, bylaw enforcement would implement a strategy to follow-up on any open files and those that are operating would be expected to apply for a TUP or cease operating. Overall, TUPs are a valuable tool to allow a use to be carried out for a limited time with conditions that can be more specific than can be contained in an LUB.

The reduced application fee being proposed in draft bylaw 116 will make it less expensive for applicants to legalize existing rentals and encourage land owners considering renting their house on a short term basis to apply for a TUP.

Staff is recommending that draft bylaw 115 (OCP) and 116 (fee bylaw) proceed as drafted.

Next Steps

The LTC is requested to:

1. Review the attached draft OCP bylaw and provide direction on any changes.
2. Provide direction on fees bylaw.
3. Provide direction on amended project charter.

RECOMMENDATIONS:

1. THAT the Saturna Island Local Trust Committee give draft bylaw 115 cited as, Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2013 be given 1st reading.
2. That staff schedule a public hearing for Proposed Bylaw 115 in August.
3. That the Saturna Island Local Trust Committee give draft bylaw 116 cited as, Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014, be given 1st reading
4. That the Saturna Island Local Trust Committee give proposed bylaw 116 cited as, Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014, be given 2nd reading.
5. That the Saturna Island Local Trust Committee give proposed bylaw 116 cited as, Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014, be given 3rd reading
6. That the Saturna Island Local Trust Committee forward proposed bylaw 116 cited as, Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014 to Secretary of the Islands Trust for Executive Committee Approval.
7. That the Saturna Island Local Trust Committee endorse the project charter as amended.

Prepared and Submitted by:

May 27, 2014

Date

Concurred in by:



Regional Planning Manager

May 27, 2014

Date

Attachments:

- 1: Draft OCP Bylaw 115
- 2: Draft Fees Bylaw 116
- 3: Project Charter

BYLAW NO. 115

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

WHEREAS the Saturna Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Saturna Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Saturna Island Local Trust Committee wishes to amend the Saturna Island Official Community Plan Bylaw No. 70, 2000;

AND WHEREAS the Saturna Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2013."

2. SCHEDULES

Schedules A (Policy Document) of Saturna Island Official Community Plan No. 70, 2000 are amended as indicated on Schedule 1, attached to and forming part of this amending bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this _____ day of _____, 201_.

READ A SECOND TIME this _____ day of _____, 201_.

PUBLIC HEARING HELD this _____ day of _____, 201_.

READ A THIRD TIME this _____ day of _____, 201__.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of _____, 201_.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this _____ day of _____, 201_.

ADOPTED this _____ day of _____, 201__.

DEPUTY SECRETARY

CHAIRPERSON

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 115**

SCHEDULE 1

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" is amended by deleting Part H (Temporary Commercial and Industrial Use Permits) in its entirety and replacing it with the following:

"PART H - TEMPORARY USE PERMITS

- H.1** The Saturna Island Local Trust Committee may issue Temporary Use Permits in the Rural, Forest, Farmland and Harbours designations as shown on Schedule B.

Objectives for Issuing Temporary Use Permits

- H.1.1** Permits for temporary uses may be issued:
- a) for short term uses;
 - b) as a test of the compatibility of the proposed land use, which may not have been anticipated, with existing uses; or
 - c) for the rental of a residence as a short term commercial vacation rental.

Permit Guidelines

- H.1.2** Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- H.1.3** Permitted uses should be consistent with the policies of the designation and the provisions of H.1.1.
- H.1.4** Permitted uses should not preclude or compromise future permitted uses on the affected lot.
- H.1.5** Uses should not be allowed if they conflict with any ongoing planning policies or programs.
- H.1.6** Sand and gravel processing, and asphalt plants shall be subject to a permit if they exceed 50 truck loads in any given year.
- H.1.7** Permit conditions must make reference to measures dealing with the following points:
- a) general activity levels that will not create any disturbance apparent beyond the property's boundaries;
 - b) adequate landscape buffering or distance separation to adjacent lots;
 - c) provision of off-street parking spaces consistent with regulatory bylaws;
 - d) reclamation measures that will restore the permit area to suitability for its designated primary use; and
 - e) adequate supervision of the site.
- H.1.8** In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.

- H.1.9** Campsites may be permitted provided there is adequate supervision to a maximum density of 2 campsites per acre on properties of at least 2.02 hectares (5 acres).
- H.1.10** All individual campsites will have walk-in access only with no vehicle access directly to the site.
- H.1.11** In reviewing applications and establishing permit conditions, the Local Trust Committee should consider the climate change impacts of the proposed use.
- H.1.12** In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a commercial vacation rental:
- a) for the purpose of a temporary use permit, “commercial vacation rental” means the use of a *residence* as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier;
 - b) the Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental located in the Eastpoint Water Management Area as described in the Saturna Island Land Use Bylaw and properties located in Strata Plan VIS3488 provided the commercial vacation rental is equipped with a water catchment system and cistern(s) for the storage of rainwater with a minimum cistern(s) capacity of 21,820 litres (4,800 gallons);
 - c) the Local Trust Committee should consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for commercial vacation rentals;
 - d) the Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence;
 - e) the Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening;
 - f) the landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use;
 - g) the landowner should demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles;
 - h) in addition to any other conditions the LTC may consider appropriate, the permit may:
 - require that the owner or other contact be available on Saturna by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit;
 - require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager’s phone number, and a copy of the temporary use permit;
 - require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage of garbage, septic care and control of pets (if pets are permitted), and remind guests that the

- property is located in a residential area;
 - establish a maximum number of people that can stay;
 - establish a maximum number of guests per bedroom;
 - prohibit camping or occupancy of RVs on the property;
 - restrict advertising to one unilluminated sign, with a maximum area;
 - prohibit the rental or provision of motorized personal watercraft;
 - prohibit outdoor fires;
 - establish the dates during which the use may occur; and
 - include a provision stating that the bylaw enforcement officer may enter the property between certain hours without prior consultation if a complaint is received; and
- i) a temporary use permit respecting a parcel in the Agricultural Land Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.”

Saturna Island Local Trust Committee

BYLAW NO. 116

**A BYLAW TO AMEND THE SATURNA ISLAND LOCALTRUST COMMITTEE
FEES BYLAW NO. 90, 2007**

The Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Saturna Island Local Trust Committee Area under *the Islands Trust Act*, enacts as follows:

1. The Saturna Island Local Trust Committee Fees Bylaw, No. 90 cited as "Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007" is amended as follows:
 - a) By amending subsection 3.1, Table 2 - Permits, numbers 10 and 11 , Column 1 by removing the words, "Temporary commercial and industrial use permit" in both occurrences and replacing them with the words, "Temporary use permit" ; and
 - b) by inserting a new number 11 in subsection 3.1 Table 2 – Permits by adding the following words to Column 1 "Temporary use permit for a commercial vacation rental" and by adding the following into Column 2, "\$500" and renumbering the following rows according.
2. This bylaw may be cited as "Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014".

READ A FIRST TIME THIS	DAY OF	20XX
READ A SECOND TIME THIS	DAY OF	20XX
READ A THIRD TIME THIS	DAY OF	20XX
AAPPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	20XX
ADOPTED THIS	DAY OF	20XX

DEPUTY SECRETARY

CHAIRPERSON



Project Charter

Project Name: Saturna Island Local Trust Committee - Short Term Vacation Rental Review

Creation Date: October 30, 2013

Last Updated: November 15, 2013

Version: 2

Purpose

The purpose of the project is to create Temporary Use Permit guidelines for the evaluation of Short Term Vacation Rentals applications.

Background

This project was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013 the LTC conducted community consultation to identify priorities relating to accommodation and housing issues. Consultation took the form of an on-line and mailed survey, a community information meeting, and deliberations at several LTC meetings. A number of options were reviewed, and consideration of permitting Short Term Vacation Rentals (STVR) through the mechanism of Temporary Use Permits (TUP) was identified as a priority project. STVR is a term commonly used to describe the rental of dwellings to paying guests for a period of time generally less than a month. STVRs are currently a permitted use in residential zones under only limited circumstances. Temporary Use Permits are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years. Conditions of use may be included in the permit. Authorization to issue TUPs must be included in the Official Community Plan (OCP). While the Saturna OCP currently permits the issuance of TUPs, the LTC has identified that specific guidelines relating to issuance of TUPs for STVRs should be drafted for inclusion in the OCP. Including specific STVR guidelines will provide greater certainty for applicants and future LTCs. The LTC also identified amendment of the fees bylaw to reduce the fees for STVR TUP applications as an option the LTC would like to consider.

Project Objectives

- To provide draft TUP guidelines for permitting STVRs
- To provide options for amending the fees bylaw
- To provide amendments to the OCP to incorporate TUP guidelines for permitting STVRs

Project Scope

In Scope	Out of Scope
▪ Review STVR policies, guidelines, conditions, practices and experiences from other LTCs and jurisdictions ▪ Communications on webpage and by information sheet ▪ Prepare draft TUP guidelines and options, review of enforcement policy ▪ Prepare draft bylaw to amend OCP, fees bylaw ▪ Community information meeting ▪ Process to amend OCP, including CIM/public hearing	▪ Amendments to Land Use Bylaw ▪ Unrelated OCP amendments ▪ Additional or extra-ordinary community consultation

Project Deliverables

- Preliminary communications in the form of a fact sheet and on-going website postings
- Options and recommendations on TUP criteria and fee options in the form of one or more staff reports
- A draft amending bylaw

- Legislative process to amend OCP, potentially fees bylaw, and enforcement policy
- Implementation communications following adoption in the form of an applicant fact sheet and checklists

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>All property/business owners, residents, and visitors</i>	<i>Individuals, businesses, community groups, stratas, and associations</i>	• To have the opportunity to provide comment on guidelines.
<i>STVR owners/operators</i>	<i>Owners, property managers</i>	• To have a degree of certainty for lawful use • To have opportunity to provide comment on guidelines
<i>Neighbours</i>	<i>Individual residents and owners, neighbourhood associations</i>	• To have the opportunity to provide comment on guidelines • To have a degree of certainty that applications can be commented on by neighbours
<i>Community Water System</i>	<i>Operators (CRD and private)</i>	• To have potential impacts on water usage considered
<i>Other regulatory bodies</i>	<i>CRD building inspection, Saturna Island Fire Department, Islands Trust Bylaw enforcement, VIHA</i>	• To be consulted on potential impact of bylaw amendments on jurisdiction or responsibilities

First Nations: As with all LTC projects, First Nations with asserted aboriginal rights in the subject area will be contacted early to inform them of the project and ask them to identify any aboriginal rights that may be impacted by the proposed change.

Project Team Resources

Name	Role	Responsibility
<i>Saturna Island Local Trust Committee</i>	<i>Project Sponsor</i>	Provides support and direction through maintaining the project as a work program priority and giving direction and approvals as needed
<i>Robert Kojima Regional Planning Manager</i>	<i>Project Champion</i>	Provides adequate project resources; gives staff support, direction and oversight; and ensures project aligns with overall goals, objectives and timelines
<i>Gary Richardson, Island Planner</i>	<i>Project Manager</i>	Day-to-day management of the project, and undertake or direct all project work
<i>Kim Farris Planner 1</i>	<i>Planner</i>	Project support – research, report writing, and bylaw drafting
<i>Barb Dashwood</i>	<i>GIS/Mapping Support</i>	Provides mapping as required
<i>Lori Foster/Sharon Lloyd-deRosario</i>	<i>Admin support</i>	Provides general administrative support, including advertising, booking meetings, preparing notices, preparing agendas, updating website, distributing bylaw referrals, assembling public hearing materials, reviewing meeting notes, consolidating bylaws, etc.

Project Budget

Item	Details	Fiscal Yr 2013/14	Fiscal Yr 2014/15
Communications	Fact sheet printing/distribution	\$200	\$200
Meetings	One community information meeting and advertising	\$800	
Public Hearing	Combined CIM/Public hearing (may be combined with other concurrent project hearings)		\$1300
Contingency	(may be used for additional hours for 0.6 FTE Planner 1)	\$1000	
Totals		\$2000	\$1500

Project Timeline

Deliverable / Milestone	Target Completion Date
Staff report, with draft guidelines, options and recommendations, and draft project charter / LTC endorsement of charter, direction to prepare draft amending bylaw	November 14, 2013
Staff report with draft bylaw, fact sheet / LTC direction to refer bylaws and schedule community information meeting	February 2014
Community information meeting	(March) April 2014
Staff report summarizing community, agency, APC and FN responses, and providing options for amending draft OCP bylaw, fees bylaw, and enforcement policy / LTC direction to make any revisions to bylaw, option to consider First Reading	(April) June 2014
LTC consideration of First Reading of OCP amendment bylaw and three readings of fees bylaw amendment	(June) July 2014
Public hearing, further readings of bylaw, referral to EC and Minister	(July) August 2014
EC and Ministerial approval	September 2014
Development of implementation material (application information sheet, applicant checklist, planner checklist)	November 2014
Final adoption	October 2014

Endorsements

	Name	Endorsement Date
Project Sponsor	Saturna Island Local Trust Committee	November 14, 2013
Project Champion	Robert Kojima	November 15, 2013
Project Manager	Gary Richardson	November 15, 2013



Top Priorities

Saturna Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Community Amenity Density Reserve Review	Prepare staff report and draft bylaw regarding amendments to the CADR. Draft Bylaw 112 prepared. CIM held April 5, 2014. Draft bylaw to be discussed at June 5, 2014 LTC Meeting.	Sep-26-2013	Gary Richardson	Oct-10-2014	On Going
2	Short Term Vacation Rental Review	Prepare staff report and draft bylaw containing recommended amendments to the TUP guidelines regarding STVRs. Draft Bylaw 115 prepared. CIM held April 5, 2014 Draft bylaw to be discussed at June 5, 2014 LTC meeting.	Sep-26-2013	Gary Richardson	Oct-10-2014	On Going
3	Secondary Suite Review	Prepare staff report and draft bylaws regarding recommended amendments to allow for secondary suites. Draft Bylaws 113 and 114 prepared. CIM held April 5, 2014 Draft bylaw to be discussed at June 5, 2014 LTC Meeting.	Sep-26-2013	Gary Richardson	Apr-10-2014	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 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

Date: May 26, 2014

File No.: 6500 -20

To: Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee

From: Robert Kojima, Regional Planning Manager
Marnie Eggen, Planner 1

CC: Regional Planning Managers
Southern Team Island Planners
David Marlor, Director of Local Planning Services

Re: New Federal *Marihuana for Medical Purposes Regulation*

THE PROPOSAL:

The purpose of this report is to provide Local Trust Committees with the following:

- an overview of the new *Marihuana for Medical Purposes Regulation*;
- an overview of its implications for the Islands Trust Southern Region;
- a summary of the zones in Southern Region local trust areas that could currently permit medical marihuana production; and
- options on how to proceed

A version of this report has been provided to Northern Region Local Trust Committees.

BACKGROUND:

Implementation of the new Federal *Marihuana for Medical Purposes Regulations* (MMPR) is underway. The new regulations (June 2013) came into force on April 1, 2014. However, as a result of a Federal Court Order, brought down March 21, 2014, those operating under the old regulations, *Medical Marihuana Access Program* (MMAR), are allowed to continue to produce medical marihuana past the original expiry date of March 31, 2014. The Order, however, does not affect the right of commercial medical marihuana producers to proceed with applications to Health Canada for licenses under the MMPR.

The new system relies on a more secure supply and distribution system that is based on federally licensed production facilities.

The key elements of the federal MMPR program are the following:

1. Production in residential dwellings will no longer be permitted.
2. All aspects of medical marihuana growth, cultivation, processing, storage, research and development, shipping/distribution and administrative office functions are to be centralized and contained within an enclosed, indoor, secure facility, which must contain a restricted-access area and 24/7 video surveillance monitoring.
3. A commercial licensed producer will have the ability to conduct research and development, test and produce a variety of strains.
4. Only dried marihuana may be produced and sold.
5. Storefronts and retail outlets will not be permitted.
6. All medical marihuana distribution will be by a secured courier to a registered client.
7. Key facility personnel must hold valid security clearance, issued by Health Canada.
8. Applicants for a commercial medical marihuana production license must provide notice (including location details) to the local government, and police and fire.
9. Health Canada will ensure that a Facility meets security, safety, quality control, record keeping, inventory and monitoring requirements to avoid theft. Health Canada is not bound to ensure compliance with local government zoning when issuing licenses.

Generally, the proposed changes will move the industry from many small producers to fewer larger commercial producers. *Marihuana for Medical Purposes Regulation* may be found at: <http://gazette.gc.ca/rp-pr/p2/2013/2013-06-19/html/sor-dors119-eng.php>

Health Canada

Health Canada indicates, as of November, 2013, that it has received over 250 applications from individuals or companies seeking to become certified producers. Under the new regulation, applicants for a production licence are required to notify the local government, local police force and local fire officials of intention to apply to Health Canada.

As defined within the Regulation,

“local government” includes the government of

- o *(a) an incorporated or unincorporated city, metropolitan area, town, village or municipality;”*

Health Canada has indicated that it will not publically release the location of production sites. In the licencing process, it is looking to assure that producers are familiar with and able to comply with local government land use, development and servicing provisions. Health Canada does enable producers to publicize the location, and recognizes that an application to amend zoning or for a variance permit requires notification of the location.

Agricultural Land Commission

The British Columbia Agricultural Land Commission (ALC) has released an information bulletin stating that “if a land owner is lawfully sanctioned to produce marihuana for medical purposes, the farming of said plant in the Agricultural Land Reserve (ALR) is permitted and would be interpreted by the Agricultural Land Commission as being consistent with the definition of “farm

use” under the ALC Act.” Production of the plant indoors is considered farming, similar to a vegetable greenhouse operation. A small business office, testing lab, processing and drying, packaging/shipping areas, cloning room and anything else directly related to the growing and processing of the plant are considered to be accessory uses associated with farm use. Determining an accessory use is contingent on the use being necessary and commensurate with the primary function of the property/building to produce an agricultural product. If a land use activity is proposed that is not specifically related to the growing of an agricultural product including a stand-alone research and development facility, an application to the Land Commission for non-farm use would be required.

Anecdotally, the Land Commission advises that a standard production and distribution facility may range from 10,000 to 50,000 square feet in size. Similarly to other indoor plant production, common nuisances for surrounding property owners may include odors, noise associated with air ventilation and generators, and night time lighting.

The Information Bulletin may be found at:

http://www.alc.gov.bc.ca/publications/ALC_Info_Bulletin_Marijuana_Amended_Jan_2014.pdf

Union of BC Municipalities

The Union of BC Municipalities (UBCM) wrote to the federal Health Minister in June 2013 to draw attention to gaps in the federal licensing process that could allow an application to be approved which does not meet local government regulations. Responding to this concern, Health Canada is initiating phone confirmation directly to local governments to ensure that it has received notice of the application. Staff are not aware of any licenses issued under the new regulations to date within the Islands Trust Area. Islands Trust has received a handful of notices of intent; none have been received for locations within the Southern Region.

Notice of intent to Local Governments

Health Canada has designed a program that provides improved security of production and responds to the medical needs of Canadians. Implementing the program across Canada has not enabled federal authorities to tailor its process to each unique level of local government.

Health Canada requires that applicants, prior to submitting an application, must “provide written notice to local authorities to inform them of their intention to submit an application”. It also states that notice must be delivered to a senior official of the local government, of the RCMP, and of the local fire authority. To date, two notices of intent have been received for the Northern Region and the letter of response, copied to Health Canada, has included the following information:

- provisions of the applicable Land Use Bylaw, any applicable Development Permit Area provisions;
- reference to other agencies that work in cooperation with Islands Trust to manage development and servicing within the Trust Area; and
- a request that Health Canada refer the completed application with site plan for confirmation of compliance with the applicable Local Trust Committee bylaws.

Further information from Health Canada indicates that Health Canada won't be referring the completed application to local governments. As a result, staff will be requesting a full set of site

plans from the applicant. As further information is provided from Health Canada, these processes may change. Local trust committees are not being copied or otherwise notified of these responses to notices of intent.

Health Canada is working with the Federation of Canadian Municipalities to develop a Fact Sheet. It has not confirmed if local elected officials are to be advised of the application, nor has it reconciled how the perspectives of the locally elected officials would be gathered if the location and address is protected by federal privacy and security provisions. At best, the comments of a local trust committee may be considered in-camera under section 90(1)(m) of the *Community Charter*.

Local Government Development and Servicing Regulations

Land use bylaws in each individual local trust area provide regulations concerning land use. Servicing of new development may be governed by bylaws of an applicable regional district, water purveyor, fire service area, or improvement district.

Islands Trust Policy Statement

The Policy Statement provides a general strategy for land use planning in partnership with provincial and federal agencies to achieve Object of the Islands Trust (Reference BC *Islands Trust Act* and *Islands Trust Policy Statement*, 1993). Specific strategies addressed include ecosystem protection, stewardship of resources, and sustainable communities. Within the policy statement, there is commitment that some uses are not suited to the Trust Area.

The production of marihuana for medicinal purposes is not addressed explicitly in the Policy Statement. Several policies address all forms of development and essential servicing such as transportation or water supply, and environmental quality such as the following:

3.1.9 Trust Council encourages actions and programs of other government agencies which... prevent pollution of the air, land and fresh and marine waters of the Trust Area.

4.1.2 Trust Council shall consult with the Ministry of Agriculture and the British Columbia Land Reserve Commission to request that agricultural policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.

4.4.1 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater.

5.1.2 It is Trust Council's policy that the intensity of noise and lighting in and through the Trust Area should be compatible with community character.

STAFF COMMENTS:

Medical marihuana production under the MMPR could include the following activities:

- Growing and harvesting
- Testing
- Research
- Processing

- Packing and storage
- Shipping and distribution
- Administration

Due to the nature of the above activities and the requirements for secure facilities, the impacts of the activity could be considered more akin to an industrial land use due to the scale and characteristics of the buildings. Depending on the bylaw, medical marihuana could be an outright permitted use in some industrial zones; however, in order to be permitted, the definition would have to address all aspects of the use, including growing and harvesting. As it is considered an agricultural land use by the Agricultural Land Commission (ALC), by the same principle it would also be permitted outright in zones where agriculture is a permitted use. As the ALC has recognized the licensed production of medical marihuana as a “farm use” under the *ALC Act*, medical marihuana production facilities are permitted on all lands that are located in the Agricultural Land Reserve. Local governments can, however, regulate the use within the ALR; for example, significant setbacks could be established. Local trust committees consider whether amending their bylaws to regulate the use within the ALR and to address the production of medical marihuana use in zones outside the ALR. Additionally, as outlined in the Islands Trust Policy Statement above, the production of medical marihuana may not be an appropriate use for some areas; for example, small lots, smaller islands that are solely residential in character, or islands that have no ALR or industrial zoned lands. Also, consideration should be given to the likelihood of such operations on islands where services are limited, such as no connection to power, no ferry service, limited water supply.

It is difficult to anticipate if any producers will ever be licensed in the Southern local trust areas. Although Health Canada has received at least 250 applications, it is also very hard to predict how many producers will fill the market in Canada. Health Canada has not imposed any limits, but is taking the approach of letting the market decide.

Many BC local governments have adopted or are currently adopting bylaw amendments addressing the new MMPR. The zones where this use is generally being permitted are industrial and agricultural. Setbacks and minimum parcel size are key components of bylaw amendments. Setbacks are generally being set at 30 m and larger, and minimum parcel size ranges from approximately 2 ha to 260 ha.

Zones that Currently Permit the Production of Medical Marihuana in the Southern Region

The following outlines the various land use bylaws and zones where the production of medical marihuana, licensed under the MMPR, would be permitted currently in the land use bylaws in the Southern Region. Generally the use would be permitted in zones where agriculture is a permitted use, along with accessory uses.

Galiano Island Local Trust Area

Galiano Island Land Use Bylaw No. 127 would permit the production of medical marihuana under the new MMPR in the Rural 2 (R2), Rural 3 (R3) and Agriculture (AG) zones as a “Farm Use”, in combination with provisions for accessory uses. The Light Industrial (L1) and Forest Industrial (FI) zones would not permit the use.

Mayne Island Local Trust Area

The current Mayne Island LUB No. 146 would permit the production of medical marihuana licensed under the MMPR in the following zones based on the definition of “agriculture” along with the accessory use provisions:

- Miners Bay Rural Comprehensive (MRBC)
- Rural (R)
- Upland (UP)
- Agriculture (A)
- Country Guest House Commercial (C5)

The Mayne Island industrial zone (I1) would not permit medical marihuana production.

North Pender Island Local Trust Area

The current North Pender Island LUB No. 103, 1996 would permit the production of medical marihuana licensed under the MMPR in the following zones based on the definition of “agriculture,” and its link to the ALCA:

- Rural (R)
- Rural Comprehensive One (RC1)
- Rural Comprehensive Two (RC2)
- Agriculture (AG)

The industrial zones would not permit the use.

The North Pender Associated Islands LUB No. 148 would permit the production of medical marihuana licensed under the MMPR in the following zones based on the definition of “agriculture” and extensive ALR lands:

- Rural Residential (RR)
- Agriculture (A)
- Agriculture Two (A2)
- Industrial One (I1)
- Forestry One (F1)
- Community Service One, Two and Three (S1, S2, S3)
- Forrest Island Comprehensive Development Zone (CD 1)
- James Island Comprehensive Development Zone (CD 3)

Saturna Island Local Trust Area

The current Saturna Island LUB No. 78 would permit the production of medical marihuana licensed under the MMPR as a “farm use” in the following zones:

- Rural Residential (RR) – on parcels 1.0 hectare or larger
- Rural General (RG) – on parcels 1.0 hectare or larger
- Rural Agricultural Sales (RAS)
- Rural Comprehensive Development (RCD)
- Farmland (F)
- Farm Resort (F1)
- Farm Retreat (F2)
- Forest Reserve (FR) on lands also within the ALR
- Forest General (FG) on lands also within the ALR

South Pender Island Local Trust Area

The current South Pender Island LUB No. 92 would permit the production of medical marihuana licensed under the MMPR in the following zones where “agriculture” is a permitted use, in combination with the accessory use provisions:

- Rural Residential One, Two and Three (RR1, RR2 & RR3)
- Agriculture (A)

SUMMARY OF OPTIONS:

Staff recommends that local trust committees consider and direct staff on their preferred approach in respect of the new MMPR. Local Trust Committees have the following options:

- a) **Status Quo:** This could be an appropriate response where no notifications have been received and it is unlikely that a medical marihuana production facility under the new MMPR would be approved.
- b) **Add to the projects list:** This would allow an LTC to consider future amendments, balancing the likelihood of a medical marihuana production facility being applied for under the MMPR in future with the other projects on an LTC’s work program.
- c) **Add to the top priorities list and direct staff to provide more information:** If the LTC chooses this option based on concerns about potential impacts, staff should be directed to report back with options.

RECOMMENDATIONS:

1. **THAT**, with regard to the production of medical marihuana under the new *Marihuana for Medical Purposes Regulation*, the (*insert Island*) Local Trust Committee not consider amendments to the (*insert Island name*) Island Bylaw No. (*insert no.*) at this time.

OR

2. **THAT** the *(insert Island)* Local Trust Committee direct staff to add to the projects list the production of medical marihuana under the *Marihuana for Medical Purposes Regulation*.

OR

3. **THAT** the *(insert Island)* Local Trust Committee direct staff to add to their top priorities list an amendment to the *(insert Island name)* Island Bylaw No. *(insert no.)* regarding the production of medical marihuana under the *Marihuana for Medical Purposes Regulation* and direct staff to provide further information on options for limiting and regulating the use.

Prepared and Submitted by:

Marnie Eggen

Marnie Eggen, Planner 1

April 28, 2014

Date

RKj

Robert Kojima
Regional Planning Manager

May 26, 2014

Date



Applications w/ Status - Saturna Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SA-ALR-2013.1	Money Family Projects Planner: Kim Farris	Oct-03-2013	Subdivide in the ALR

Planning Status

Status Date: Feb-03-2014

ALC requested further information forwarded Jan 2014

Status Date: Dec-10-2013

Forwarded to ALC

Status Date: Nov-14-2013

Resolution to forward to ALR

File Number	Applicant Name	Date Received	Purpose
SA-ALR-2013.2	Nickolas Deanovic	Nov-12-2013	116 NARVAEZ BAY RD Create a new 5 acre lot with a remainder 10.2 acre lot.

Planner: Kim Farris

Planning Status

Status Date: May-28-2014

File sent to ALC for consideration

Status Date: Mar-25-2014

drafting supplement staff report for April agenda

Status Date: Jan-28-2014

staff report prepared and placed on Feb agenda

File Number	Applicant Name	Date Received	Purpose
SA-ALR-2014.1	Allen and Gayle Sewell	Apr-29-2014	101 CHURCH BAY RD To exclude 2.2 ha, or such lesser area acceptable to the ALC.

Planner: Kerry Thompson

Planning Status

Status Date: May-27-2014

added to agenda for jun 5 meeting

Status Date: May-15-2014

sent staff report to GR for review

Status Date: May-01-2014

opened file and notified Planner, sent receipt of fees

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-28-2014

Staff to contact applicant prior to June 5 mtg to determine if they want to proceed.

Status Date: Feb-03-2014

Applicant to advise how they want to proceed.

Status Date: Feb-04-2013

Staff report prepared for February 14, 2013 LTC meeting in response to proposed amenity.

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2010.1	Angermeyer	Jan-28-2010	204 NARVAEZ BAY RD To create 2 new lots

Planner: Gary Richardson

Planning Status

Status Date: Feb-03-2014

Applicant fulfilling PLA conditions, no further Islands Trust requirements except for review of final sub. plan when prepared.

Status Date: Nov-14-2013

frontage waiver approved

Status Date: Nov-06-2013

DP prepared for Nov 14, 2013 LTC meeting for LTC consideration.

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending May 2014

660 Saturna	Invoices posted to Month ending May 2014	Budget	Spent	Balance
65000-660	LTC "Trustee Expenses"	700.00	0.00	700.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	1,000.00	279.35	720.65
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>279.35</u>	<u>2,270.65</u>
Projects				
73001-660-2012	Saturna OCP/LUB	0.00	234.93	-234.93
73001-660-4017	Saturna Density Review	1,500.00	180.00	1,320.00
73001-660-4031	Saturna Short Term Vacation Rental (STVR) Review	1,500.00	0.00	1,500.00
73001-660-4032	Saturna Secondary Suite Review	1,500.00	0.00	1,500.00
TOTAL Project Expenses		<u>4,500.00</u>	<u>414.93</u>	<u>4,085.07</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	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: The travel trailer or camper is being used for recreational purposes by the owners of the lot and; The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: The travel trailer or camper is being used as a second residence or; The trailer or camper is situated within the setbacks for a structure or; There are serious safety issues, unsightliness, noise, or health problems related to the use or; A complaint based on the above three items is received from a person who owns neighboring property. 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.
2.	August 20/08	SA-LTC-43-08	Bylaw Enforcement: Short Term Vacation Rentals	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: 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; - More than one STVR per constructed residence on the lot is simultaneously made available for STVR; 4. While the property is rented persons are also staying in tents, trailers, or RV's; 5. There are issues related to health and safety; 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;

				7. The owner of the property uses more than one property on Saturna Island as an unpermitted STVR. 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.
3.	February 25/09	SA-LTC-09-09	Adopt LTC 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 22/11	SA-LTC-	Adopting In 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 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