



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: April 17, 2014
Time: 12:30 pm
Location: Saturna Recreation and Cultural Centre
104 Harris 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 | 12:45 PM - 12:50 PM | |
| 5.1 | Adopted Local Trust Committee Minutes | | |
| 5.1.1 | Saturna Island Local Trust Committee
February 13, 2014 Meeting Minutes
(attached) | | 4 - 11 |
| | For Information | | |
| 5.2 | Public Hearing Records and Community Information
Meeting Notes | | |
| | none | | |
| 5.3 | Section 26 Resolutions-without-meeting (attached) | | 12 - 12 |
| | RWM Report dated April 2014 | | |
| 5.4 | Advisory Planning Commission Minutes | | |
| 5.4.1 | Saturna Island Advisory Planning
Commission Draft Minutes of March 17 & 24,
2014 (attached) | | 13 - 18 |

6.	Business Arising from the Minutes	12:50 PM - 1:00 PM	
6.1	Follow-up Action Report (attached)		19 - 20
	FUAL Report dated April 2014		
7.	Delegations		
	none		
8.	Correspondence		
	<i>[correspondence received concerning applications and/or projects is considered with the applications/projects]</i>		
	none		
9.	Applications, Permits, Bylaws and Referrals	1:00 PM - 1:30 PM	
9.1	North Pender Island Local Trust Committee Bylaw No. 194 Referral (attached)		21 - 23
9.2	SA-ALR-2013.2 (Deanovic) - Staff Report (attached)		24 - 31
10.	Local Trust Committee Projects	1:30 PM - 2:30 PM	
10.1	Project(s) Memo/Correspondence (attached)		32 - 39
10.2	Community Amenity Density Reserve - Draft Bylaw No. 112 / Project Charter (attached)		40 - 45
10.3	Secondary Suites - Draft Bylaws No. 113 & 114 / Project Charter (attached)		46 - 54
10.4	Short Term Vacation Rental (STVR) Review - Draft Bylaw No. 115 / Project Charter (attached)		55 - 62
10.5	Draft Administrative Fees Bylaw No. 116 & Memo (attached)		63 - 64
11.	Reports	2:30 PM - 3:00 PM	
11.1	Work Program Reports - for information (attached)		65 - 66
	Work Program Report dated April 2014		
11.2	Applications Report - for information (attached)		67 - 68
	Application Report dated April 2014		
11.3	Expense/Budget Reports		
11.3.1	Trustee and Local Expenses - for information (attached)		69 - 69
	Local Trustee Expense Report dated March 2014		
11.4	Bylaw Enforcement		

none

- | | | |
|------|--|-------------------|
| 11.5 | Policies and Standing Resolutions Report (attached) | 70 - 71 |
| 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 | |
| 11.7 | Chair's Report | |
| 11.8 | Trustee Report | |
| 12. | Other Business | 3:00 PM - 3:10 PM |
| 12.1 | Next Business Meeting
The next regular meeting of the Saturna Island Local Trust Committee will be held on Thursday, June 5, 2014, at 12:30 PM, at the Saturna Community Hall, Saturna Island | |
| 12.2 | Groundwater Toolkit & Memo (attached) | 72 - 98 |
| 12.3 | 2013-2014 Annual Report Submission (attached) | 99 - 101 |
| 13. | Town Hall Meeting | 3:10 PM - 3:20 PM |
| 14. | In-Camera Meeting

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, 2013, Saturna LTC In-Camera Minutes and to consider Advisory Planning Commission appointments; and further that staff and Recording Secretary, Lori Foster, remain present (distributed under separate cover). | 3:20 PM - 3:30 PM |
| 15. | Recall to Order | 3:30 PM - 3:40 PM |
| 15.1 | Rise and Report from In-Camera Meeting | |
| 16. | Adjournment | 3:40 PM - 3:40 PM |

ADOPTED

**MINUTES OF THE SATURNA ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, FEBRUARY 13, 2014, AT 12:30 P.M.
AT THE SATURNA COMMUNITY HALL
105 EAST POINT ROAD, SATURNA ISLAND, B.C.**

PRESENT:	Ken Hancock	Chair
	Paul Brent	Local Trustee
	Pam Janszen	Local Trustee
	Gary Richardson	Island Planner
	Beverley Neff	Minute Taker

There were seven (7) members of the public in attendance when the meeting began.

1. CALL TO ORDER

The meeting was called to order at 12:38 p.m. Chair Hancock acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Trustees and staff were introduced.

2. APPROVAL OF AGENDA

The agenda was approved by general consent.

2.1 Questions from Public on Agenda Items

None

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Saturna Island Local Trust Committee (LTC) Adopted Meeting Minutes of November 14, 2013

For information only

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting (RWM)

5.3.1 RWM Report dated February 2014

For information only

5.4 Advisory Planning Commission Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Island Planner Richardson reported that all items were completed other than the ongoing authorization of the Chair to execute covenants associated with SA-SUB-2012.2

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1. Referral of Mayne Island Local Trust Committee Proposed Bylaws No. 159 and 160

Staff was directed to make sure referred bylaws were sent to the minute taker as they are no longer included in agenda packages.

SA-2014-001

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee interests are unaffected by Mayne Island Local Trust Committee Proposed Bylaw No. 159 cited for all purposes as "Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2013" and Bylaw No. 160 cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.2, 2013".

CARRIED

9.2. SA-ALR-2013.2 (Deanovic and Kuzyk)

As this property is located within the Agricultural Land Reserve (ALR), approval to subdivide is required from the Agricultural Land Commission (ALC) prior to approval from the Ministry of Transportation and Infrastructure Approving Officer. A subdivision application will be provided if the ALC is in support of the two-lot subdivision proposal. Although this is an application to the ALC it is filed with the local government and the application may not proceed without LTC authorization.

Island Planner Richardson reviewed his report.

SA-2014-002

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee direct staff to request further information from the applicant as to the rationale for the Section 946 subdivision application.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Community Amenity Density Review (CADR)

Island Planner Richardson explained that 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. Draft Bylaw 112 to amend the Saturna Official Community Plan has been prepared to remove some of the obstacles that prevent the CADR from functioning as intended. It contains nine amendments that are explained in the Staff Report.

Island Planner Richardson went over the draft amendments and suggested that # 7 needs clarity that it will be in effect in perpetuity and the public process defined.

SA-2014-003

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee direct staff to add "without an amendment to the Official Community Plan" to the end of the first sentence of Appendix A 2 I).

CARRIED

The discussion was opened to the public and the following comments, among others, were received:

- concerns that the LTC can keep adding density whenever it wishes;
- concerns that with the removal of reference to the object of the Islands Trust, the new definition of amenity is wide open;
- more latitude needed for the use of shared property;
- suggestion that the new definition gives that latitude, even if the reference to the object of the Islands Trust is left in;
- removing that reference to the object seems dangerous to some people.

It was agreed that this discussion would continue as the public process proceeds.

SA-2014-004

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee refer the Staff Report and Draft Bylaw No.112 to the Advisory Planning Commission for comment.

CARRIED

SA-2014-005

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee direct staff to establish a March date for a weekend Community Information Meeting for all three work projects on today's agenda.

CARRIED

Staff will prepare a strike-through version of the bylaw changes.

10.2 Secondary Suites

Island Planner Richardson explained that the OCP amendments in Draft Bylaw No. 113 support the establishment of secondary suites in most zones that allow residential use in the Land Use Bylaw (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 No. 114 amends the Land Use Bylaw in the following ways:

- establishes 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 designation that applies to large lots that are permitted multiple residences.

After a discussion with members of the public, it was agreed that "ground oriented" be struck from the Secondary Suite Fact Sheet.

SA-2014-006

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee refer Draft Bylaw No. 113 cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013" and Bylaw No. 114 cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013," to the Advisory Planning Commission for comment.

CARRIED

These bylaws will also be discussed at the Community Information Meeting to be held on a weekend in March.

Members of the public expressed concerns about, how adequate water supply would be determined, and whether secondary suites would be used for Short Term Vacation Rentals (STVR).

10.3 Short Term Vacation Rental (STVR) Review

Island Planner Richardson explained that if the LTC were to amend the OCP to include guidelines for Temporary Use Permits (TUP) 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 has amended 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.

Draft Bylaw No. 115 amends the current OCP TUP guidelines to bring Part H (TUPs) into conformity with current legislation and include guidelines specifically for commercial vacation rental.

Island Planner Richardson stated that enforceability could be a problem. Once a TUP is issued, it can't be withdrawn before the permit expires.

Chair Hancock invited comments from the public. Questions were raised, including the following:

- What was the purpose of the bylaw: to legitimize current use, to encourage more STVRs?
- How many do we have now?
- Court costs prohibit enforcement, how would TUPs be enforced?

There was also discussion about reducing the fees for such a TUP.

SA-2014-007

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee refer Draft Bylaw No.115 cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2013” to the Advisory Planning Commission for comment.

CARRIED

This bylaw would also be included in the March Community Information meeting being planned.

SA-2014-008

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee direct staff to prepare a draft fee amendment bylaw that would establish a \$500 application fee for TUP applications for commercial vacation rentals.

CARRIED

11. REPORTS

11.1 Work Program Reports

No changes

11.2 Applications Report

Island Planner Richardson reviewed the status of the applications.

11.3 Expense/Budget Reports

The report shows a surplus, which will be reduced by the cost of the community outreach for the draft bylaws. There will be a direct mail out, off and on island, which will include a summary of the bylaws, fact sheets, and an invitation to comment.

11.3.1 Trustee and Local Expenses

For information only

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

Presented for information

11.6 Saturna Island LTC Web Page

Staff was directed to change the webpage by posting reports, the draft bylaws, the date of the CIM and adding a link to Trust Program's work on water.

11.7 Chair's Report

Chair Hancock spoke of preparing for Trust Council's meeting in early March. There will be the adoption of a budget for 2014-2015. Trust Council has filed for commentator status at the Kinder Morgan pipeline hearings, so there will be a discussion of how best to do that. Islanders are filing comments and copying them to the Islands Trust. The Agricultural Land Reserve (ALR) core services review is also on the agenda.

11.8 Trustee Reports

Trustee Janszen reported that she was looking forward to visiting Hornby Island for Trust Council. She missed the Local Planning Committee meeting recently but she reported that they passed the water report for Trust Council's approval.

Trustee Brent spoke of the Community Stewardship Awards coming up and the ongoing work advocating for fair service from BC Ferries. There is discussion on the Program's Committee about the Island Trust's ability to continue its advocacy programs and how to get the resources needed for them. The Financial Planning Committee is recommending a budget with no increase in taxes this year. He reported that the January 30 Southern Gulf Islands Economic Development conference by the CRD was well attended.

12. OTHER BUSINESS

12.1. Next Business Meeting

The next regular meeting of the Saturna Island Local Trust Committee will be held April 17, 2014, at 12:30 pm, at the Saturna Island Recreation Centre (lounge).

There will also be a Community Information Meeting at a date to be announced in March.

13. TOWN HALL MEETING

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

John Hutchinson commented that he was impressed that there would be no tax increases and pleased to see the review of advocacy. He had questions about funding for the upcoming election and other expenditures.

Trustee Janzsen gave Trustee Brent a lot of credit for the proposed budget and commented on the difficulty of setting boundaries on advocacy when there are so many current issues that are relevant and important to the islands.

Janet Land thanked the Islands Trust and Trust Council for all the advocacy work they are doing and asked if the Islands Trust is able to give tax receipts for donations. She remarked that many islanders do not realize what is being done on our behalf.

John Robertson asked about the statutory requirements for legal notices.

14. ADJOURNMENT

SA-2014-009

It was **MOVED** and **SECONDED**, that the Saturna Island Local Trust Committee meeting be adjourned at 3:05 p.m.

CARRIED

RECORDER

CHAIR

RWM From: February 13, 2014 To: April 10, 2014

Saturna Island

Resolution #	Action	Resolution Description	Resolution Date
2014-02	In Favour	THAT the Saturna Island Local Trust Committee schedule a Special Meeting on April 5, 2014, to hold a Community Information Meeting regarding Saturna Island Local Trust Committee initiated projects and relative draft bylaws.	Mar 10, 2014
2014-01	In Favour	THAT Saturna Island Local Trust Committee Business meeting minutes of February 13, 2014, be adopted.	Mar 10, 2014



DRAFT



MINUTES OF THE SATURNA ISLAND
ADVISORY PLANNING COMMISSION MEETING
HELD MONDAY MARCH 17 & 24, 2014 AT 7PM
AT THE SATURNA COMMUNITY HALL.

Commissioners: March 17: Wayne Quinn, John Gaines, Peter Seed,
Ryan Dentry, Charles Reif
Public: Priscilla Ewbank
Commissioners: March 24: Wayne Quinn, John Gaines, Hubertus Surm,
Charles Reif
Public: Priscilla Ewbank (portion)

1. CALL TO ORDER MARCH 17

Called to order at 7:10pm by Charles Reif (acting chair).

2. ELECTION OF CHAIR AND VICE-CHAIR

Agreed by concensus that Charles Reif and Wayne Quinn will continue as
Chair and Vice-Chair.

3. DESIGNATED MEETING DATES

It was reconfirmed that the 3rd Monday of each month continues to be a
workable meeting day for the Commissioners.

4. REFERRALS:

The Commissioners had received Draft Bylaws 112, 113, 114 and 115, along
with portions of the OCP showing how proposed new wordings would be
integrated.

A number of Commissioners found themselves unclear about the
background and intent of the draft bylaws. When it was realized that none
of the Commissioners other than the Chair had read the Staff Reports
pertaining to these bylaws, the following motion was made:

Moved Wayne Quinn, seconded John Gaines, THAT the APC meeting be
reconvened on Monday, March 24th at 7pm, to allow Commissioners time to
review the Staff Reports. CARRIED

5. ADJOURNMENT TO MARCH 24: 7:25pm

1. CALL TO ORDER MARCH 24

Called to order at 7:05pm by Charles Reif (Chair).

The Commissioners agreed to having the meeting recorded, as Chair Reif was also acting as minute-taker. Chair Reif reported that Planner Richardson was available by telephone to answer questions if needed.

2. THE REFERRALS

The Commissioners agreed to review Draft Bylaws 113, 114 and 115 first, leaving 112 until later as it was deemed to require more time.

A) DRAFT BYLAWS 113 (OCP) AND 114 (LUB) – SECONDARY SUITES:

Hubertus Surm said he had no initial problems with these Bylaws; while the implications could be huge, he did not expect a large response initially. He wondered if there was a way for a period of say 1 year that you limited the number to 50 suites.

John Gaines pointed out that Secondary Suites under these Bylaws would not run under a Trust permit; you would apply for a building permit and it's automatically permitted in most zones. A building permit application at CRD would be forwarded to the Local Trust Committee, but how could they restrict it?

Vice-Chair Quinn confirmed that with these Bylaws, anywhere there's a residence there can be a secondary suite. He added that he didn't see why anyone would endure the CADR process to get a density if through Bylaws 113 and 114 they could get a suite automatically. While he doesn't expect a stampede, you would be making every house a duplex in essence.

Chair Reif noted that, under these proposed Bylaws, a suite can never be subdivided or strata'd, and so would not be a sellable asset in the way that a CADR density would be.

John Gaines noted that there are some lots on the island where there isn't room to add a suite, but not many. But he noted that, unlike a zoning change, there would be no neighbour input --- a suite would be allowed outright.

Chair Reif expressed two concerns with the Bylaws. First, that there was no incentive towards affordability of the suites --- that's left to the owners. But second, that it is not clear if there would be anything in the existing bylaws to prevent a property owner from building a suite to use as a Short Term Vacation Rental "home occupation".

John Gaines said he could see there could be opportunities to allow helper suites for the elderly, or for parents and children to co-occupy, and even purpose-built for a family member, or for 2 families to share the cost of ownership. And that would be okay.

Vice-Chair Quinn addressed the fact that, although these secondary suites are not being called densities, they could use double the water and need double the septic capacity.

John Gaines noted an issue he feels is inequitable in the way it's 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, but only 1 suite in total.

In summary on Draft Bylaws 113 and 114, the following concerns:

- 1.--- potential for suites, or even STVR's, without neighbour 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.

B) DRAFT BYLAW 115 -- SHORT TERM VACATION RENTAL RESIDENCES TO BE PERMITTED BY A TEMPORARY USE PERMIT:

Vice-Chair Quinn reviewed the use of Temporary Use Permits, from industrial uses to the recent example of Aleah Johnson's bus café. TUP's are now proposed to be used for STVR's, the advantages being that you can control various site conditions, and allow a testing out during the temporary permit period.

Hubertus Surm wondered if the Lodge and B&B owners were going to be happy with this.

John Gaines said that the Bylaw would not affect what he's doing. But in terms of their cottages, self-interest would suggest that he rather not allow it, as there are 12-15 running now, and it cuts into the cottage business. He felt that if Draft ByLaw 115 goes ahead, we will at least need Bylaw Inspection to enforce the process of getting permits, or else shutting them down. There is some doubt that would actually happen. Secondly, he wanted to know where complaints go, who keeps track of them – so that there's an accurate record to review at the end of the permit period.

Chair Reif suggested consideration of a shorter than 3 year permit period. Most of those who would apply are not facing significant start-up costs, so a shorter term would not be a financial deterrent; but a shorter "trial" period might allow neighbours assurance of ending a bad operation sooner.

Hubertus Surm and Vice-Chair Quinn agreed that their main concern with 115 is whether it will harm existing businesses. It seems not a level playing field for legitimate operations.

John Gaines replied that on the other hand, the commercial concerns are struggling, a number of B&B's have closed, and that he is concerned that when potential visitors go to the website to look for accommodation choices, especially in summer, they will not find any. And so we will lose prospective visitors being introduced to the Island. Maybe this will help.

Priscilla Ewbank noted that ferry fares are the biggest deterrent to island visitors, and therefore to tourist businesses.

It was thought that a TUP would cost about \$1000, and could take up to a year, so there may not be much demand if other alternatives remain.

C) DRAFT BYLAW 112 (OCP) --- TO PLACE DENSITIES IN THE COMMUNITY AMENITY DENSITY RESERVE:

Hubertus Surm asked why the Island needs this.

Chair Reif suggested that amenity bonusing has been used elsewhere successfully to achieve community goals. However, he was concerned that heritage and conservation objectives were being removed outright from

C.1.4 and Part J – Glossary, rather than having other amenity objectives added, or even a clause allowing others to be defined in future. What is left is a definition of “amenity” as anything the community wants, which is a very subjective decision, especially when no criteria are being set out. He was concerned that it could end up leaving both the question of what qualifies as a community amenity, and how much is appropriate in exchange for a density, effectively being decided by 2 trustees and the applicant. Or that, without any stated amenity goals, a community amenity will be defined by what’s offered.

Vice-chair Quinn asked whether APC members fully understood the principle here.

John Gaines sees application of the Bylaw to be fraught with difficulties – if more density were wanted, better to change the density formula in the Bylaws. He didn’t believe that use of the CADR would work. Who gets to decide? By what parameters? It’s too open. He did doubt however that if only land or heritage were allowed that there’d be anyone to provide it.

Vice-Chair Quinn indicated that he was totally opposed to this Bylaw. And wondered why anyone would go through this process. For example, with a 20 acre lot that could be subdivided already into 4 five acre lots, why go through hoops to get a 5th lot when with Bylaws 113 and 114 you can get 8 dwelling units outright. He viewed Bylaw 112 as being aimed at larger projects, but sees it as not workable.

Chair Reif suggested that the Bylaw may be responding to smaller scale situations such as detached remainder lots that currently have zero density. The reduction in minimum lot size would be consistent with that.

Priscilla Ewbank asked if she understood correctly that the trustees will be able to put up to 20 densities in the CADR as many times as they want.

Chair Reif replied that it’s unclear to him from a reading of clause 2.f whether the trustees only have to amend the OCP if they wish to exceed 20 densities, but can keep topping up the CADR to 20 densities without amending the OCP further. It would help if the intent were made clearer in the wording.

John Gaines believed that Saturna does need more densities, given that 105-110 lots were lost when the National Park Reserve was created. We now have a build-out that's 110 lots down from when the cap was created. However, as said before, he would rather see that addressed directly.

John Gaines restated that one thing he believes the Island needs is a multi-family zone permitting enough density to allow projects other than the OAP (on the land at Carefree Court) to work. Specifically projects for older property owners who want to stay on the island but no longer want to handle large houses or properties. There is land available. But at only 1.2 times the permitted single family density, it's not viable.

In summary, the APC members felt that:

- 1.--- Use of the CADR was not favoured by most, and favoured 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.

3) ADJOURNMENT:

The meeting was adjourned at 8:22pm

CHAIR

DATE



Follow Up Action Report w/ Target Date

Saturna Island Feb-13-2014

No.	Activity	Responsibility	Target Date	Status
1	Update Saturna Webpage with todays meeting decisions.	Lori Foster Gary Richardson		Done
2	Mayne Island Local Trust Committee Bylaws 159 and 160 - Advise that the Saturna Island LTC has no objections.	Sharon Lloyd-deRosario		Done
3	SA-ALR-2013.2 (Deanovic) - staff to contact applicant and request further information.	Kim Farris		Done
4	Community Amenity Density Reserve Project (draft bylaw 112): 1) forward draft bylaw to APC 2) arrange CIM 3) amend as per notes and minutes	Gary Richardson		Done
5	Secondary Suite Project (draft bylaws 113&114): 1) forward draft bylaws to APC 2) arrange CIM	Gary Richardson		Done
6	Short Term Vacation Rental Project (draft bylaw 115): 1) forward draft bylaw to APC 2) arrange CIM	Gary Richardson		Done
7	Prepare black-line version of draft bylaw amendments	Sharon Lloyd-deRosario		Done
8	Staff to prepare a draft fee bylaw that reduces the fee for TUPs for STVRs to 500.00.	Sharon Lloyd-deRosario		Done
9	April 5 , 2014 CIM - staff to direct mail all property owners a notice regarding the meeting.	Lori Foster Gary Richardson		Done

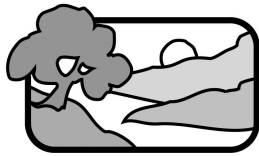
- 10 Web Page - staff was directed to change the webpage by posting reports, draft bylaws, the date of the CIM (and notice), and a link to Trust Programs work on water.

Lori Foster

Done

Apr-05-2014

No.	Activity	Responsibility	Target Date	Status
11	Staff to prepare maps showing: - development potential - lots under 2.5 acres in size.	Gary Richardson		On Going



Islands Trust

BYLAW REFERRAL FORM

#200 - 1627 Fort Street
Victoria BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: North Pender Island Trust Area Bylaw No.: 194 Date: March 6, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held April 24, 2014.

APPLICANTS NAME / ADDRESS:

North Pender Island Local Trust Committee initiated

PURPOSE OF BYLAW:

The proposed bylaw amendments have been initiated by the North Pender Island Local Trust Committee to amend the Land Use Bylaw to correct erroneous cross-references or typographical errors, update regulatory references, and improve clarity in the bylaw. There are also four amendments to the zoning map:

- one to amend land zoned Rural (R) to Agriculture (AG) to reflect land now included in the ALR ,
- two to amend the zone boundary for the public dock facilities located at Hope Bay and Port Washington to improve alignment of the zone boundary with both the Crown lease area and the existing dock structure, and
- one to amend the zone boundary for the marina at Otter Bay to reflect the current location of the existing breakwater structure.

GENERAL LOCATION:

n/a

LEGAL DESCRIPTION:

n/a

SIZE OF PROPERTY AFFECTED:

n/a

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

n/a

OTHER INFORMATION:

More information on this project is available at: <http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/projects-initiatives/lub-technical-amendments.aspx> or by contacting Andrea Pickard at apickard@islandstrust.bc.ca or 250-405-5189

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Andrea Pickard

Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

Agricultural Land Commission
Ministry of Forests, Lands, and Natural Resource Operations
Ministry of Transportation and Infrastructure - Approving Officer

Non-Agency Referrals

Islands Trust Bylaw Enforcement

Regional Agencies

Capital Regional District - Building Inspection Services
Southern Gulf Islands Port Manager

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nations
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexw Treaty Association

PLEASE TURN OVER →

First Nations Con't

Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Songhees Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseyucum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

(DO NOT FILL OUT BEYOND THIS SECTION – REFERRAL AGENCY WILL COMPLETE SECTION)

North Pender Island Trust Area

(Island)

194

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)

STAFF REPORT

Date: April 7, 2014

File No.: SA-ALR-2013.2
(Deanovic & Kuzyk)

To: Saturna Island Local Trust Committee

From: Kim Farris, Planner 1

CC: Robert Kojima, Regional Planning Manager
Gary Richardson, Island Planner

Re: Application for Subdivision in the Agricultural Land Reserve

Owner: Nick Deanovic & Denise Kuzyk

Applicant: Same

Location: The North West ¼ of Section 10, Saturna Island, Cowichan District, Except that Part in Plan 38397 and VIP80596

BACKGROUND:

This is a referral to the Local Trust Committee (LTC) for an application to the Agricultural Land Commission (ALC) to subdivide within the Agricultural Land Reserve (ALR). In 2004, the applicants applied to the ALC to subdivide a 12.6 ha parcel lot into two lots (6.48 ha and 6.12 ha) under Section 946 of the *Local Government Act*. The 6.48 ha lot was to be for a family member and the applicants would continue to live on the 6.12 ha lot. The ALC subdivision approval was granted in 2004 and the Approving Officer granted approval for final subdivision in 2005.

The applicants are now proposing to subdivide the 6.12 ha parcel into two lots (2.02 ha and 4.1 ha respectively) in order to provide a lot for one of the owners, again under Section 946 of the *Local Government Act*. To date, an application for subdivision has not been received. As this property is located within the ALR, approval to subdivide is required from the ALC prior to approval from the Approval Officer. A subdivision application will be provided if the ALC is in support of the two-lot subdivision proposal.

Any application for a subdivision within the ALR must be filed with the local government and may not proceed unless authorized by a resolution of the local government. If this application is authorized by the LTC, and subsequently by the ALC, the owners are proposing to proceed with a subdivision under Section 946 (subdivision to provide residence for a relative) of the *Local Government Act*. This legislation authorizes the subdivision Approving Officer to approve the subdivision of land that would otherwise be prevented from subdivision by a local government bylaw where the subdivision is for the purpose of providing a separate residence for the owner or the owner's relatives. Local governments have the authority to establish minimum lot sizes for Section 946 subdivisions, except for land within the ALR. The subject property considered in this application is located in the ALR.

A staff report was presented to the LTC meeting on February 13, 2014 in which the following resolution was passed:

It was MOVED and SECONDED, that the Saturna Island Local Trust Committee direct staff to request further information from the applicant as to the rationale for the Section 946 subdivision application.

The applicants have since stated that the Section 946 subdivision is primarily for family estate planning, and to provide a separate property and residence for one of the owners.

SITE CONTEXT:

The subject property is a 6.12 ha (15.12 acre) in area and is zoned Forest General (FG). The properties surrounding the subject property are zoned Forest General and Forest Reserve varying in areas from 6.47 ha (16 acres) to 162 ha (400 acres). The property is also surrounded by the Gulf Island National Park Reserve to the north, east, and west. The entire property is located within the Agricultural Land Reserve (ALR). The applicant has stated that a dwelling unit, barn and two storage sheds are currently located on the property. As mentioned previously, this property was subdivided in 2005 into two lots (see Figure 1).

Figure 1: Subject Property Map

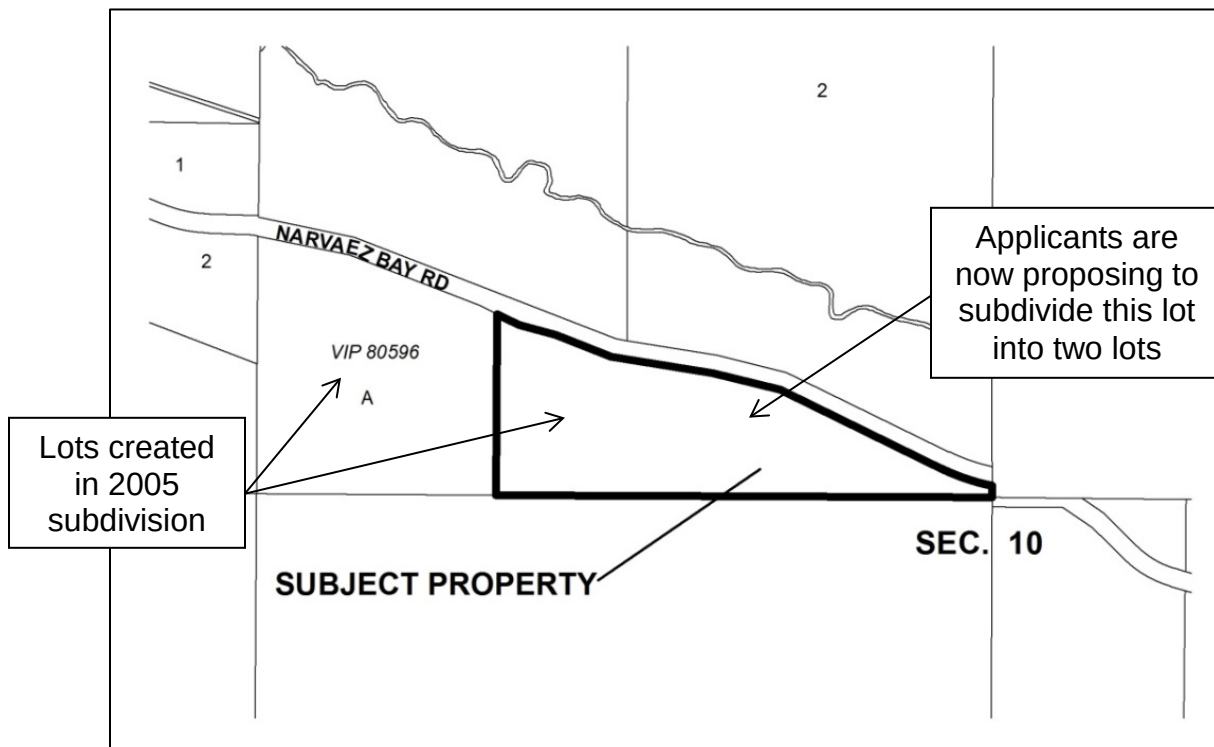
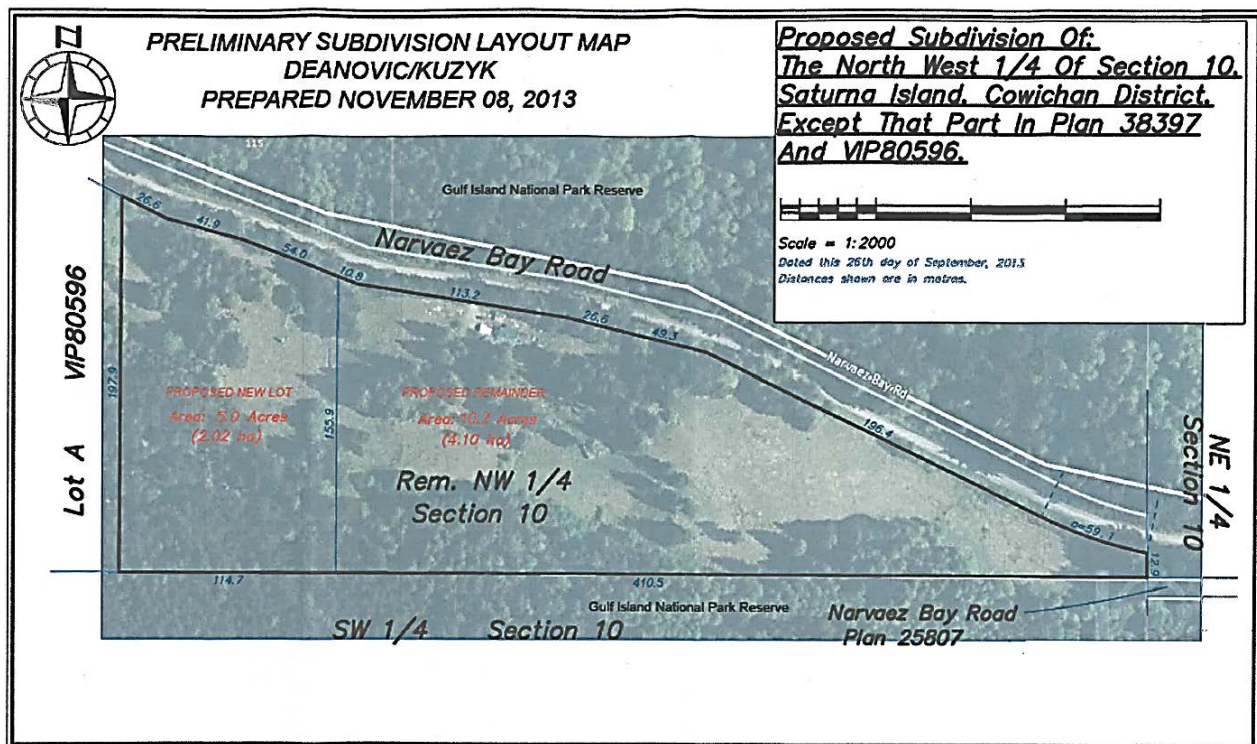


Figure 2: Orthophoto and 2 metre Contour Lines



Figure 3: Subdivision Plan (by applicant)



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The proposal is consistent with the Islands Trust Policy Statement. In particular, the following policy relates to this proposal:

- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

Official Community Plan:

The lot is designated Forest in the Saturna Island Official Community Plan (OCP). The objectives of this designation are to:

- maintain the traditional value of a forestry economy,
- manage forestry to minimize erosion and runoff,
- retain the moisture absorbing characteristics of the forests,
- preserve the fertility of forest soils,
- provide habitat for indigenous plant and animal species, and
- enhance the growth, harvesting, and regeneration of forests, generally.

The Forest designation establishes the following subdivision policies:

D.4.4 - Forest Subdivision Capacity: The maximum number of lots that can be created shall equal the acreage of the lot designated forest divided by twenty (20) except where:

- a) a restrictive covenant controls further subdivision then it shall be the amount specified in the covenant;
- b) the lot has split designations then section D.7 applies; or
- c) density from the Community Amenity Reserve has been granted.

D.4.5 - In subdivisions where a lot of less than 20.24 hectares (50 acres) is created, restrictive covenants are to be required on all lots of 20.24 hectares (50 acres) or more prohibiting further subdivision and all residential uses.

D.4.6 - The Saturna Island Local Trust Committee, when zoning Forest designated land, shall ensure that the density of residential use does not permit the number of primary residences to exceed the Forest Subdivision Capacity of the lot.

The following are policies specifically for the parcels zoned Forest General:

D.4.11 - Zoning for Forest General use provides for a mix of home based enterprises together with a family residence, a cottage and all forestry and silviculture uses. Subject to a parcel's Forest Subdivision Capacity, the minimum lot area for subdivision shall not be less than 20.24 hectares (50 acres).

D.4.12 - A full range of home based occupations customary to rural areas will be accommodated subject to D.4.3 and D.4.7.

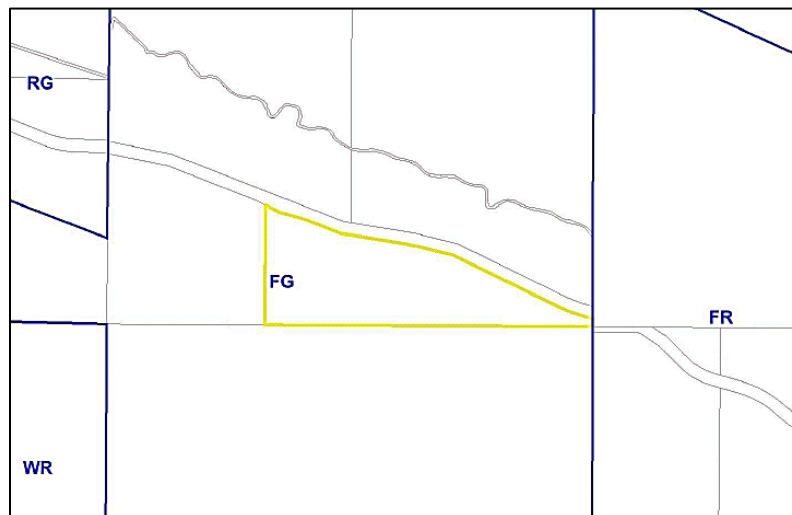
D.4.13 - Residential density is not to exceed one primary residence and one cottage on a lot zoned Forest General.

The subject property is not located within any Development Permit Areas (DPA).

Land Use Bylaw:

The subject property is zoned Forest General (FG) in the Saturna Island Land Use Bylaw (LUB). The FG zone permits residential use and farm use on land within the Agricultural Land Reserve. In addition, the FG zone regulates minimum parcel size by stating that no lot having an area less than 20.24 ha (50 acres) may be created by subdivision in this zone (excerpt from Subsection 9.2.5). Despite Subsection 9.2.5, the minimum lot size is not applicable to subdivisions under Section 946 (see Statutory Background for more information).

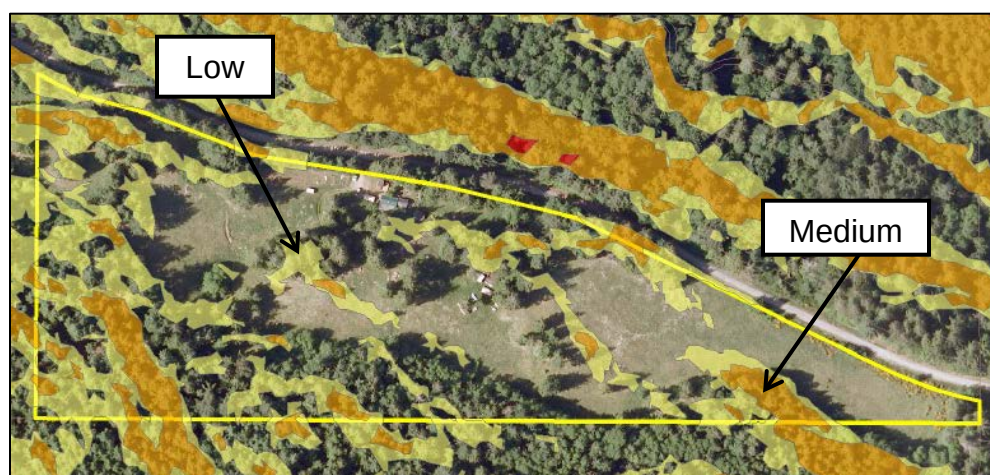
Figure 4: Zoning Map



Sensitive Ecosystems and Hazard Areas:

The Islands Trust Sensitive Ecosystem Mapping (SEM) did not identify any sensitive ecosystems on the subject property. There are low to medium steep slope hazards identified on the property although there are no anticipated impacts due to the proposed subdivision application.

Figure 5: Steep Slope Hazard Map



ISSUES SUMMARY:

Statutory Background:

1. The application is made under Section 21(2) of the *Agricultural Land Commission Act*, which states that an owner of agricultural land may apply to the commission to subdivide agricultural land. Section 25(3) 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.
2. A subsequent subdivision application would be made under Section 946(1) of the *Local Government Act*, which states that an Approving Officer may approve the subdivision of a parcel of land that would otherwise be prevented from subdivision by a provision in a bylaw that establishes a minimum parcel size.

Section 946(2) establishes that such an application may only be made if the person making the application has owned the parcel for at least five years and the application is made for the purpose of providing a separate residence for:

- o the owner,
- o a parent of the owner or of the owner's spouse,
- o the owner's child or the spouse of the owner's child, or
- o the owner's grandchild;

Section 946(4) further states that a local government may, by bylaw, establish a minimum size for a parcel that may be subdivided under Section 946; and Subsection 12.9.4(3) of the LUB establishes a 8.1 hectare minimum for such subdivisions for a relative. However Section 946(5) goes on to state that any minimum established under 946(4) does not apply to land within the ALR.

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 the same as that for a non-farm use in the ALR, and 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 an alternative subdivision.
3. If the ALC grants permission for the subdivision, the applicant would then be able to make application to the subdivision Approving Officer (Ministry of Transportation and Infrastructure) for the subdivision. The application would then be referred to the Islands Trust to ensure the subdivision meets all other bylaw requirements and all other statutory and regulatory requirements (septic disposal, access to lands beyond). Ultimate subdivision approval would be at the discretion of the Approving Officer.

STAFF COMMENTS:

The applicants are proposing to subdivide the subject property into two parcels under Section 946 of the *Local Government Act* in order to provide a lot and residence for one of the owners for their family estate planning. As the property is located within the ALR, approval is required from the ALC prior to subdivision approval from the MOTI.

This is the second Section 946 subdivision application applied by the same property owners. The subject property proposed to be subdivided is lot created from the 2005 Section 946 subdivision. The current subdivision application does meet the requirements of Section 946: the property owners have owned the property for more than five years, and the application is made for the purpose of providing a separate residence for the owner. Section 946 of the *Local Government Act* does not regulate how many times a property owner may apply under Section 946.

The subject property is zoned Forest General which requires a minimum lot size of 20.24 ha (50 acres). The subdivision proposal includes subdividing the 6.12 ha parcel into two lots (2.02 ha and 4.1 ha respectively). Although the proposal does not meet the minimum lot size requirement, proposed lots created under Section 946 of the *Local Government Act* are not required to meet the minimum lot size regulated in a bylaw (LUB or OCP) if the property is located within the ALR. As this property is located within the ALR, the subdivision is not required to meet the minimum lot size of 20.24 ha. If this subdivision application was not a Section 946 application, it would not be permitted under the current zoning or OCP designation. The FG zone does permit a dwelling unit and cottage on the subject property. Although the cottage does not provide land ownership for the property owner's relative, it does provide an accommodation option without going through the process of subdivision.

The existing OCP policies are not particularly helpful as the minimum lot size (20.24ha) established in the OCP is not a requirement and there are no guidelines on Section 946 subdivisions. It should be stated that requiring a minimum lot size of 20.24 ha would imply the importance of retaining large parcels designated Forestry.

If this application did not meet the requirements of Section 946 of the *Local Government Act*, the subdivision would not be supported. In this case, the application appears to meet the requirements of Section 946 therefore staff are recommending the application proceed to the ALC for decision.

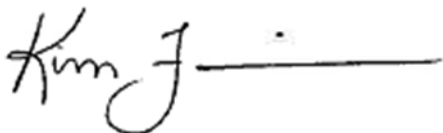
Despite the above, the LTC has the following options:

1. Resolve that the subdivision application proceed to the ALC.
2. Resolve that the subdivision not proceed to the ALC.

RECOMMENDATIONS:

THAT the 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 ALC.

Prepared and Submitted by:



Planner 1

April 7, 2014

Date

Concurred in by:

Robert Kojima

Regional Planning Manager

April 9, 2014

Date

Memorandum

#200 - 1627 Fort Street Victoria BC V8R 1H8

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information@islandstrust.bc.ca www.islandstrust.bc.ca

Date April 9, 2014

To Saturna Island Local Trust Committee

From Gary Richardson
Island Planner

Re Draft Bylaws 112, 113, 114 and 115

File Number 6500-20
(STVR)(CADR)
(Secondary Suite)

Draft Bylaws 112 to 115 have been prepared as a result of the three work program projects of the LTC and are associated with the projects as follows:

Draft Bylaw 112 – is an OCP amendment prepared to amend the density provisions of the OCP and policies associated with the Community Amenity Density Reserve (CADR)

Draft Bylaw 113 (OCP) and 114 (LUB) are amendments that have been prepared to allow secondary suites on lots that permit residential use.

Draft Bylaw 115 (OCP) amends the Temporary Use Permit guidelines in the Saturna Official Community Plan that are used to evaluate the use of a residence for short term vacation rental purposes.

At the February 14, 2014 LTC business meeting the LTC directed staff to:

- Make some minor amendments to the bylaws.
- Forward the amended draft bylaws to the APC for review and comment.
- Arrange a CIM on a weekend day in March.

The bylaws were amended, forwarded to the APC, forwarded to agencies and First Nations, and a CIM was arranged for April 5, 2014.

The minutes of the CIM are not yet available; however staff will bring them as a late item to the April 17 LTC meeting if they are received in time.

To date very few agency comments have been received and are as follows:

- The North Pender, South Pender and Mayne LTCs responded that their interests are unaffected.
- Ministry of Transportation and infrastructure responded that on the draft bylaws regarding secondary suites that if a second driveway is required that a permit will need to be obtained. They responded to the draft bylaw regarding STVRs that they have no objections.

- Island Health responded to the draft secondary suite bylaws that the landlord is responsible for providing potable water to the suite and if the living spaced is increased a larger septic system may be required.
- Please refer to agenda item 5.4.1 for APC comments on the draft bylaws.

The project charters for the three projects (attached) have a target date of April for the following: Staff report summarizing community, agency, APC and FN responses, and providing options for amending draft OCP/LUB bylaws. LTC direction to make any revisions to bylaws and option to consider 1st reading.

The project charter had the CIM scheduled for a date in March; however, April 5 was the first available date for the CIM. There was not sufficient time between the CIM and the agenda deadline for the April 17 LTC meeting for staff to review the April 5 minutes and prepare of a staff report for the April 17 LTC meeting. A staff report as recommended in the project charter will be prepared for the June 5 LTC meeting unless staff is directed to do otherwise.

The LTC can consider 1st reading of the draft bylaws at its April 17 LTC meeting, direct staff to amend the bylaws before considering any further readings, decide to proceed no further with one or more of the draft bylaws or wait and consider 1st reading at the next LTC meeting June 5.



I AM IN FAVOR OF SECONDARY SUITES TO HELP KEEP THE COSTS DOWN FOR PEOPLE THAT WISH TO LIVE ON SATURNA.

I AM CONCERNED ABOUT SHORT TERM RENTALS CHANGING SATURNA. PART OF THE MAGIC OF SATURNA IS IT'S PLACE AND QUIET. CONTROLLED EXPANSION TO ALLOW SHORT TERM RENTALS IN NON RESIDENTIAL AREAS IS OK BUT NOT IN RESIDENTIAL ZONED AREAS PLEASE.

I ALSO AM CONCERNED ABOUT HOW TO CONTROL WATER USAGE. OUR SUMMERS ARE NORMALLY VERY DRY AND OUR WATER SUPPLY IS LIMITED. OUT OF CONTROL WATER USAGE WILL POSSIBLY CAUSE SUPPLY PROBLEMS TO RESIDENTS.

SLOW CONTROLLED AND PLANNED MODIFICATIONS TO OUR OCP IS OK BUT KNEE JERK REACTIONS ENCOURAGE MISTAKES.

GLENN FJORD RATTEN



From: Maureen McNally
Sent: April-04-14 12:17 PM
To: Pamela Janszen; Paul Brent; Gary Richardson; saltcwebmail
Subject: Comment on bylaw change 112 density on Saturna Island

To all concerned,

I am unable to attend the [April 5](#) community meeting, but you are welcome to **voice my support for draft bylaw 112.**

After reading through the staff reports etc concerning the CADR, adding a maximum of 20 densities to the reserve and other wording/language changes, I think it is a good idea. **I support this draft bylaw 112.** I believe these changes may allow the CADR to actually function. I think this is necessary for Saturna Island.

However, I really don't see how this can be done given the language below.
But if it can be done, by all means I do support it.

Here is my interpretation that makes it OK.

Since the parks have removed a number of subdivision capacities and total residential densities after 2001, then the MAXIMUM subdivision capacity or total residential densities would not be actually increased by this draft bylaw 112 since 2001.

Even though you can not actually put densities from park creation into the CADR.
That's how it makes sense to me.

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.

Thanks for your attention,

Maureen McNally,

[REDACTED]

[REDACTED]

From: Maureen McNally
Sent: April-04-14 9:08 AM
To: Paul Brent; Pamela Janszen; Gary Richardson; saltcwebmail
Subject: Bylaws 113 and 114

Pam and Paul,
I'm just now reading through all the staff reports etc for the secondary suites.
I think it is a good idea. I support it. Looks like you considered pros and conc.
I will not be able to attend the April 5 meeting. But you are welcome to use my voice.

Thanks to all who spent time on this,

Maureen McNally


From: Maureen McNally
Sent: April-04-14 10:08 AM
To: Gary Richardson; saltcwebmail; Paul Brent; Pamela Janszen
Subject: Bylaw 115, commercial short tern vacation rentals on SATURNA

To all concerned,

I am unable to attend the April 5 community meeting, but you are welcome to **voice my support** for this bylaw change.

Short Term Commercial Vacation Rental: Draft Bylaw 115: I think it's a **very, very good idea**. I think the TUP is a very good way to go to try this change. It is not very risky.

I believe this change is so terribly needed on Saturna. This change will help this island's future economic health, bring young families visiting Saturna and encourage the creation of new ambassadors of the gulf islands. (I know from experience that the last 2 points are facts.) Guests visit SATURNA and go back home wanting to protect it, preserve it and share it.

I could go on and on about the positive effects of this change. But you have stated them in your list of benefits. I believe **there are very real benefits** to the island people and the physical island itself.

After reading all the staff reports etc. I realize how much work and time it takes. Or rather, took. **Thanks** go out to all who worked on this. The report looks pretty complete, and considered many issues, real, unreal, perceived and otherwise.

One thing I noticed, and please correct me if I am wrong or misinterpreted the bylaw, I noticed how much power or discretion the LTC has, at the time of TUP issuances, applying TUP conditions, and TUP arbitrations etc. ... So this is fine at the moment, but in the future, I could in vision a possible problem. Say, a possible conflict of interest.....But, on the other hand, I think it is important that the LTC has power to address any issues that **MAY** arise.

Fees: I was very **naive** about the fees for the TUP. I thought they would go back to the Island itself somehow. And I thought that was a good idea or use of "Fees for a TUP". Boy was I wrong! Personally, I think the money spent on newspaper notification is a waste of money. But, if the law stipulates that you must do that, well, you must.

Maureen McNally


From: John-Marc Priest
Sent: March-26-14 6:10 PM
To: saltcwebmail
Subject: Comments on Draft Bylaw 115

Hello, we are unable to attend the Special Meeting on April 5th.

Please consider our comments:

"Please allow short-term vacation rentals on main residences. It is difficult for us to be able to afford our cabin without this possibility."

Thank you

John-Marc Priest and Vanda Wegner-Priest


From: Margaret Paterson
Sent: April-04-14 12:05 PM
To: saltcwebmail
Subject: Meeting April 5th

As I will not be able to attend the meeting these are my thoughts on the topics to be discussed:

Secondary Suites:

As far as I am aware a number of these have been in use on Saturna for many years. I have not been aware of any problems associated with them and do not see any point in changing the status quo.

Short Term Vacation Rentals:

I question the advisability of these unless the owner of the property is on island. There are issues here that non residents do not fully understand i.e. water shortage at the times when the properties would be used the most. I am concerned about noise in quiet residential areas. If the owner is not on island how would these problems be addressed? Would this lead to persons buying property for the sole purpose of renting it out? We need people who are going to be here full time and contribute to the community. Would they be allowed only in areas zoned for such use. I do understand the need for tourist accommodation but am not convinced that STVs are the answer .

Sincerely
Margaret Paterson

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 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 2014
LTC consideration of First Reading of OCP amendment bylaw	June 2014

Deliverable / Milestone	Target Completion Date
Public hearing, further readings of bylaw, referral to EC and Minister	July 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

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".

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
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
LTC consideration of First Reading of amendment bylaws	June 2014
Public hearing, further readings of bylaws, referral to EC and Minister	July 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

SATURNA ISLAND LOCAL TRUST COMMITTEE

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.”

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 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 2014
LTC consideration of First Reading of OCP amendment bylaw and three readings of fees bylaw amendment	June 2014
Public hearing, further readings of bylaw, referral to EC and Minister	July 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

Memorandum

#200 - 1627 Fort Street Victoria BC V8R 1H8
Telephone **(250) 405-5151** FAX: (250) 405-5155
Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**
information@islandstrust.bc.ca www.islandstrust.bc.ca

Date	April 9, 2014	File Number	SA BL 116 3900-20
To	Saturna Island Local Trust Committee		
From	Gary Richardson Island Planner		
Re	Amendment Bylaw No. 116 – To reduce the fees for a Temporary Use Permit for commercial vacation rentals to \$500.00		

In accordance with the Project Charter associated with the STVR project and as requested by the LTC at the February 13, 2014 LTC meeting, find attached the Saturna Island Local Trust Committee Draft Fees Amendment Bylaw No. 116.

LTC resolution February 13, 2014:

Staff to prepare a draft fee amendment bylaw that would establish a \$500 application fee for TUP applications for commercial vacation rentals.

The draft bylaw is here for the LTCs consideration of readings. The draft bylaw can be given three readings and be forwarded to the Executive Committee at the April 17, 2014 LTC meeting.

In the event draft bylaw 115 (STVR Bylaw) does not proceed to adoption this draft bylaw can stop and proceed no further at any time prior to adoption.

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



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 April 17, 2014 LTC Meeting.	Sep-26-2013	Gary Richardson	Apr-17-2014	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 April 17, 2014 LTC meeting.	Sep-26-2013	Gary Richardson	Apr-17-2014	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 April 17, 2014 LTC Meeting.	Sep-26-2013	Gary Richardson	Apr-17-2014	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



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: Mar-25-2014

drafting supplement staff report for April agenda

Status Date: Jan-28-2014

staff report prepared and placed on Feb agenda

Status Date: Nov-14-2013

Created hardcopy and electronic file, gave to Planner

Rezoning

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

Planning Status

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.

Status Date: Oct-30-2012

Staff to prepare a report for November 8, 2012 LTC meeting.

Subdivision

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

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 F 2014
Invoices posted to Month ending March 2014

660 Saturna	Invoices posted to Month ending March 2014	Budget	Spent	Balance
65000-660	LTC "Trustee Expenses"	1,100.00	275.33	824.67
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	1,500.00	898.50	601.50
65210-660	LTC - Local Exp - APC Meeting Expenses	500.00	192.54	307.46
65220-660	LTC - Local Exp - Communications	500.00	0.00	500.00
65230-660	LTC - Local Exp - Special Projects	2,000.00	0.00	2,000.00
65240-660	LTC - Local Exp - Miscellaneous	250.00	0.00	250.00
TOTAL LTC Local Expense		<u>4,750.00</u>	<u>1,091.04</u>	<u>3,658.96</u>
Projects				
73001-660-2012	Saturna OCP/LUB	4,000.00	1,692.60	2,307.40
73001-660-4017	Saturna Density Review	4,000.00	978.47	3,021.53
TOTAL Project Expenses		<u>8,000.00</u>	<u>2,671.07</u>	<u>5,328.93</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



Memorandum

Date March 19, 2014

To Local Trust Committees
Planning Staff
Bowen Island Municipality

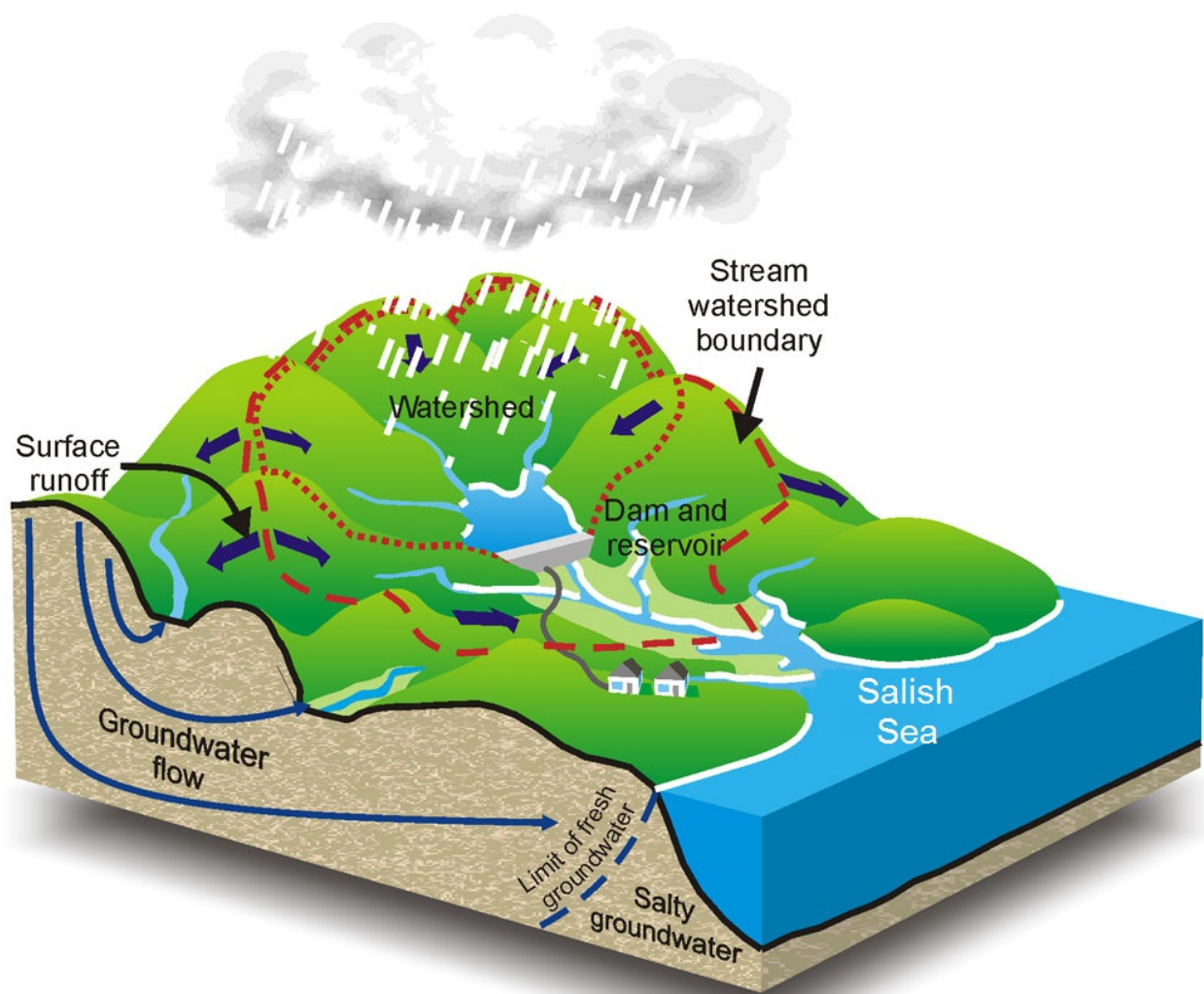
From Local Planning Committee

Re *Gulf Islands Groundwater Protection - A Regulatory Toolkit*

At its meeting on March 4-6, 2014, the Islands Trust Council passed a resolution requesting that the attached toolkit be circulated to all Local Trust Committees, planning staff and Bowen Island Municipality so that they are aware of some of the options available for the protection of groundwater.

This toolkit addresses options for the islands to consider in order to safeguard their water supplies now and into the future. The intent of this toolkit is to enable Local Trust Committees, planning staff and Bowen Island Municipality to choose the correct tool for the project at hand that suits their island.

Attachment: *Gulf Islands Groundwater Protection - A Regulatory Toolkit*



Gulf Islands Groundwater Protection

A Regulatory Toolkit

Prepared by Kris Nichols, LPC Island Planner

January 30, 2014



Islands Trust

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Introduction

Islanders are taking voluntary actions to steward and conserve water, island organizations educate and manage their water resources, and the Islands Trust has a strong focus on the importance of voluntary actions to protect water quality and quantity. A sample can be viewed here: <http://www.islandstrust.bc.ca/trust-council/projects/water-resource-information-for-islanders.aspx>.

This project discussion paper is only about what regulatory options are available if islanders and trustees want to proceed down the regulatory route; it is not the only route to protect groundwater quality and quantity.

The Islands Trust Local Planning Committee (LPC) has on their work program the development of water quality and quantity toolkit and development of a model bylaw. This report includes a toolkit, a model Development Permit Area (DPA) bylaw and a model Development Approval Information Area (DAI) Provisions that will assist all Local Trust Committees (LTC) in addressing the issue of water conservation.

This report addresses options for the islands to consider in order to safe guard their water supplies now and into the future. The protection of a safe adequate water source will remain a priority for the Islands and will become increasingly important as the Islands continue to develop. Reaching the full potential of water conservation requires comprehensive and long-term strategic planning.

There is an ever increasing need to balance the water supply requirements for area growth against future sustainability and environmental needs. The issue of water quality and quantity has been a long standing issue on the Gulf Islands. Local Trust Committees (LTC) have approached the issue differently from no action to developing development permit area guidelines and specific water conservation bylaws or subdivision servicing regulations. However, it is believed that to plan for the future of the Islands is to include the protection of water – groundwater and surface water. Groundwater is inextricably linked to the amount of surface water which many island ecosystems and habitats rely on which is another reason why an island's groundwater supply should be protected and sustainably used.

Background

In British Columbia, water is owned by the Crown and not by individual land owners. Surface water is regulated by the *Water Act*. British Columbia is the last jurisdiction in Canada without groundwater legislation or licensing (i.e. protection). The intent of the Province in the near future is to integrate groundwater and surface water allocation. The Province is working to finalize the new *Water Sustainability Act* (see: <http://www.livingwatersmart.ca/water-act/>)

which would require all existing and new large groundwater users to apply for and obtain a water licence (e.g. waterworks, community wells, industrial and agricultural users). This proposed legislation will replace the *Water Act*. The proposed legislation would not include individual residential well users, but it would in high risk areas (priority areas) where for instance aquifers are under stress due to over use. To establish the Islands Trust as a priority area would be beneficial, but this cannot be established until the new legislation is in place. This would enable closer evaluation with the province on providing regulation for the protection of aquifers/ground water. Something all islands would benefit from.

An aquifer is the area underground where spaces between gravel, sand, clay, or rock fill with water. Water stored underground is called groundwater. There are different types of aquifers. When water is found in cracks and pores in the rock, we call this a 'bedrock' aquifer. When water is found in the spaces between sand and gravel, we call this a 'sand and gravel', or 'unconsolidated' aquifer.

There are two types of aquifers that exist in the Gulf Islands: sand and gravel layers and fractured bedrock. Fractured bedrock provides the primary source of freshwater for the majority of the island residents. Fractures in the bedrock located below the water table are filled with water and tapped by wells. The density of fractures and proximity to major faults determine the water yield from individual wells.

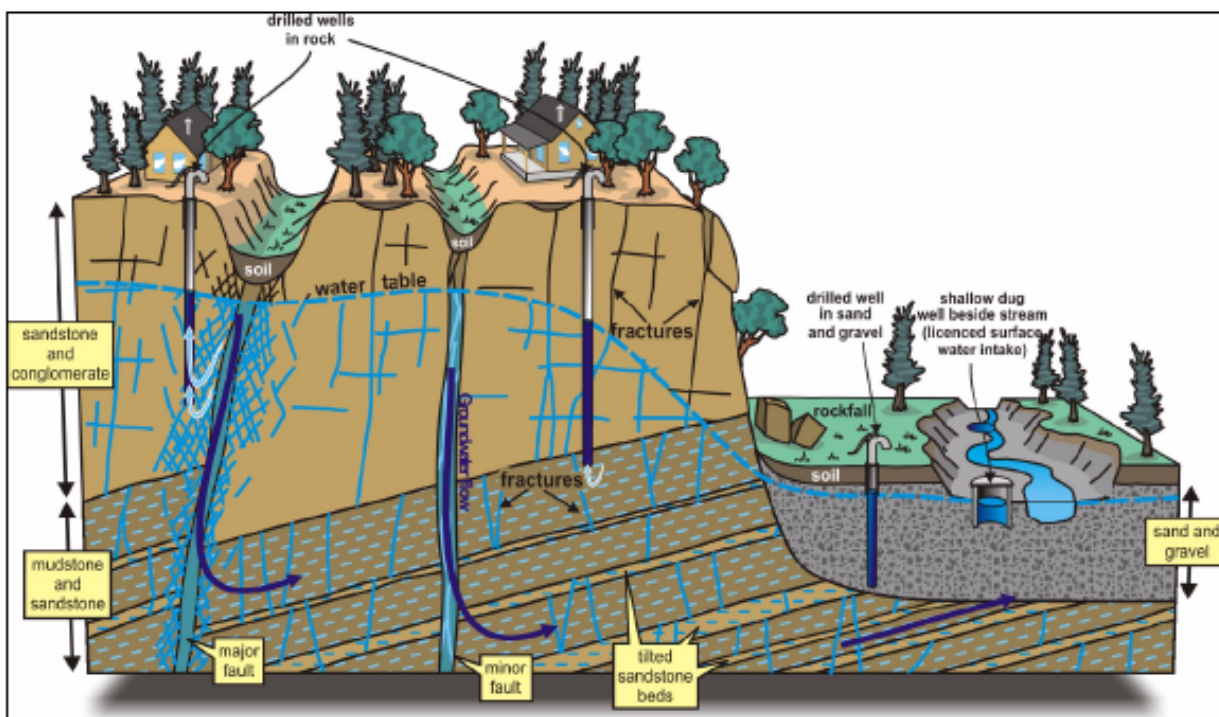


Figure 1. Ground water fills cracks and pores below the water table.

Source: Natural Resources Canada (http://ngwd-bdnes.cits.nrcan.gc.ca/service/api_ngwds:def/en/brief/pr_i03_mj.html)

Development pressures will continue to raise concerns over adequate quantity and quality of water on the Islands. The drinking water in the Gulf Islands comes from a variety of sources – private water systems, improvement districts, regional district water systems, individual wells, surface water all which rely on a safe supply of groundwater from aquifers. There are specialized systems that do not rely on groundwater such as rainwater catchment and desalinization. A few residents rely on bottled/trucked water.

Sustainable practices are required to conserve and protect fresh groundwater sources. There is currently no system to understand the cumulative impacts of individual wells drilled. There are a number of issues that impact the quality and quantity of groundwater such as saline intrusion, land use impacts (i.e. types and amount of uses), well interference, surface contamination, topography, recharge rates, soils, vegetation cover, geology, proximity to the sea, liquid waste (i.e. septic system) and seasonal water shortage. Climate change may also have an impact on groundwater supplies. The protection of existing groundwater supplies is significantly easier than finding alternative water sources on the islands. Groundwater also plays an important role in maintaining base flows in rivers and streams, which are critical in providing wildlife habitat and maintaining fish spawning areas and wetlands.

The Islands Trust has an important role to play in groundwater protection. It controls long-range development (Official Community Plans) and land use planning, zoning, development permit areas, bylaw enforcement, subdivision servicing bylaws. The Regional Districts and the Ministry of Transportation and Infrastructure (MoTI) have jurisdiction for water utilities and subdivision approvals, respectively. Island Health (formerly VIHA) has jurisdiction, through registered installers, for the approval of septic fields.

In addition to land use controls, there are several water conservation practices (e.g. low flow toilets, showers, rainwater collection, etc.) for residential home owners that should be encouraged to promote the sustainable use of water. Much of what will make the difference will not necessarily come from regulations, but from the community and its water use practices.

The Islands Trust decisions about how and where land is developed impacts groundwater quality and quantity. Therefore, the Island communities expect that the Islands Trust will manage land development to protect both water quality and quantity of groundwater. Often local government policy on groundwater is often unmanaged and unmeasured. With improved information, the Islands Trust can improve its impact on water quality and quantity. Even low density development can impact the rate of groundwater extraction through the use of wells and the ability of water to infiltrate into aquifers with development in recharge areas. Islands Trust communities have very few alternative sources of water than what they are currently using. Groundwater protection should be an overarching priority informing all land use decisions.

What is the Islands Trust Doing Currently?

The Islands Trust has recognized the significance of protecting the groundwater. Some islands have addressed water protection through development permit areas such as Salt Spring Island with its Development Permit Area 5 for the protection of Community Well Capture Zones or Galiano Island with its Development Permit Area 4 which addresses the protection Elevated Groundwater Catchment Areas. Some Islands such as Saturna Islands have specific requirements for areas of the island that have gone through studies around their groundwater. On the East Point area of Saturna Island where there is limited water quality and quantity the zoning bylaw requires that the lots contain a cistern for the storage of water. Galiano Island also has a similar bylaw requirement for areas identified as Water Management Areas and the requirement for extra cistern water storage.

In Gabriola's OCP they recognize the importance of groundwater by stating that, "there are known problems with inadequate soil percolation for septic disposal and groundwater supply because of the complex nature of groundwater flow through fractures in the bedrock. " Their OCP also "does not support the further creation of small lot residential areas except as permitted through density averaging provisions of this plan." The OCP also has a number of Water Supply Advocacy Policies that present a number of requests to the Ministry of Health and the Ministry of the Environment.

What Information is Available to Islands Trust Staff Currently?

Currently, staff have a number of sources of information that are available to them. In-house, staff have access to mapping (TAPIS) which indicates intrinsic vulnerability mapping for aquifers and various ecosystem mapping. The aquifer mapping relates specifically too how vulnerable the aquifer may be to contaminants primarily and therefore is useful for identifying land uses (industrial vs. residential). In general the islands are rural in nature with primarily large lots (> 1 acre) and therefore the vulnerability mapping has limited applicability. Both of these are valuable in determining areas where some groundwater issues may occur. Some islands as indicated previously may have specific development permits areas that can also be shown on TAPIS as well as specific zoning.

Some islands have also done advanced studies beyond what is available from the Islands Trust in general. Some have done studies for specific areas such as Saturna's East Point which was used to prescribe certain bylaw regulations (i.e. cistern requirement). Gabriola Island being part of the Regional District of Nanaimo has some of the best mapping related to groundwater and aquifers available as a result of programs the RDN has initiated.

There are several other sources of information that are available and can be used in evaluating water quality and quantity. One good source is the provincial well database on the Ministry of

Environment's website: http://www.env.gov.bc.ca/wsd/data_searches/wells/. It should be noted that unless the well is being monitored the information being provide by this well data base is a snapshot in time.

The Trust Area Services (TAS) is currently putting together an Islands Trust Water Resource Education Materials Project which will identify existing education materials by creating an inventory; to identify information gaps and if necessary develop options to address these gaps. There is a great deal of literature available on water conservation initiatives which are as important in the protection of water quality and quantity as protecting the source. Ensuring a sustainable use of the water source is beneficial. Utilizing sustainable practices is no longer a fad, but the norm.

See: <http://www.islandstrust.bc.ca/trust-council/advocacy/groundwater-regulation-advocacy.aspx>

Local Government Jurisdiction

The Islands Trust role in groundwater sustainability is limited to land use powers to:

- Ensure that rainwater is returned to streams and aquifers;
- Protect headwaters, riparian areas and other vulnerable aquifer recharge areas;
- Prevent groundwater contamination by limiting and regulating potentially polluting uses over aquifers and in groundwater recharge areas through zoning;
- Direct development to appropriate locations where the sufficiency of groundwater for domestic or commercial uses has been thoroughly assessed on a watershed scale before development occurs;
- Regulate storage and application of fertilizers and compost;
- Obtain information about the location of existing and new wells (including geothermal wells) when new development occurs; and
- Develop well protection plans.

The following will outline tools that will present some options in addressing the objectives listed in Table 1. The tools are for the development of Official Community Plans (OCP), Land Use Bylaws (LUB), Development Permit Areas (DPA), Development Approval Information (DAI) Bylaws and water conservation tools.

Official Community Plan

(*Local Government Act*, Part 26, Division 2)

Purpose: to establish a vision and policies for community development.

- Guides how and where new development occurs
- Directs LTCs and staff to undertake groundwater protection measures
- Raise awareness within a community of groundwater issues and areas of concern
- Establishes and contains the guidelines for development permit areas.

To ensure that policies and land use designations are most effective they should be based on data collection and mapping of recharge areas, local aquifers and areas of limited or critical supply. OCPs can contain explicit policies for groundwater protection.

Given that new bylaws cannot be in direct conflict with the OCP, it permits the ability for the OCP to contain policies on groundwater sustainability that will set the foundation for other bylaws (i.e. zoning) to contain specific and enforceable standards. OCPs can also establish policies around groundwater protection that can influence how development applications are reviewed/evaluated, for instance requirements placed on subdivisions.

Some examples of effective OCP policy areas for aquifer and groundwater protection:

- Protect aquifers by establishing development permit areas that require buffer zones and site specific attention through permitting prior to development.
- Designate aquifer protection zone(s) and development permit areas for which studies may be required.
- Commit the Local Trust Committee to an integrated water management planning approach that will coordinate action on the community water supply, rainwater management, green infrastructure and government regulations (e.g. RAR)
- Specify site design that maintains natural hydrologic cycles, including performance based measures such as managing rain water on site and not net increase in post development flows.
- Encourage cluster development that minimizes impervious surfaces and other impacts across the landscape.
- Direct LTCs to encourage communities to practice water conservation and protection.

It is important that OCPs are interpreted such that policy has an impact and considered in all land use decisions. The policies in the OCP are in many instances only as good as the subsequent bylaws.

Land Use Bylaw - Zoning

(Local Government Act, Part 26, Division 7)

Purpose: to regulate what, and where and how much of, activities may occur on specific parcels of land.

- Regulates use and density of property to direct development away from groundwater-limited or aquifer recharge areas
- Can limit lots sizes to reduce density in groundwater scarce areas
- Can prohibit potentially polluting uses in areas where aquifers must be protected.
- Sets standards on aspects of development that will have an impact on the water resources on the site or in an area (e.g. setbacks from riparian areas)
- Can encourage groundwater sensitive development by clustering development through rezoning and possibly utilizing density bonus provisions.
- Can leverage habitat protection or water-efficient amenities when rezoning.

Zoning permits the Local Trust Committee (LTC) to regulate the use and density and development standards (e.g. height, setbacks) through creating specific zones. Zoning for aquifer/groundwater protection would direct specific developments away from groundwater sensitive or aquifer recharge areas or prohibiting potential contaminating uses.

For instance, zoning can protect groundwater by keeping rural aquifer areas as rural zoning with low density and low risk uses. Zoning can regulate development by:

- Directing development to appropriate locations;
- Requiring development to be setback from riparian areas;
- Limiting the total impermeable site coverage;

- Establishing appropriate lot sizes;
- Limiting density;
- Requiring appropriate drainage; and
- Prohibiting potentially polluting uses in areas where aquifers must be protected.

Local Trust Committees (LTC) should review the zoning in areas that are important for aquifer protection and adjacent to riparian areas to ensure that no polluting land uses are permitted. In those areas that require aquifer/groundwater protection a form of aquifer zoning is recommended. The intent being to apply it to aquifer recharge areas, well capture zone areas and watersheds particularly ones that are relied upon for potable water. This zoning could have particular characteristics for:

- Maintaining large lots
- Increased setbacks from watercourses
- Lessened lot coverage requirements to encourage clustering of development and lessening road construction
- Amount of impervious lot coverage

Impermeable Site Coverage

It is not uncommon for zoning bylaws to address the total impermeable site coverage in a zone. This limits the amount of runoff generated. To exceed this site coverage, a development variance permit would be required.

New zoning bylaws increasingly contrast between “actual” and “effective” impermeability of a site.

Actual impermeability means the amount of the site covered by surfaces through which water will not infiltrate. This is what is generally addressed in many zoning bylaws.

Effective impermeability relates to how much of the total rainfall on a site is infiltrated into the ground. This can be enhanced through storm water detention, bio-filtration and ensuring that drainage occurs onsite.

For example where some sites may have 60% actual impervious meaning that water does not penetrate 60% of the site, but by utilizing techniques to ensure that water drainage remains on the site it may be possible to have an effective permeability significantly less than the actual impermeability. This could be achieved by a combination of drainage standards implemented through subdivision servicing bylaws and zoning regulations.

Although tough to measure, there would be benefits to ensuring actual impermeability is lessened and effective impermeability is increased.

Protecting Groundwater

The clustering of development on a portion of a site is a form of groundwater-sensitive development. There is a possibility voluntary amenity provision such as water efficient infrastructure by including it as part of a rezoning or amenity density bonus. The applicant

would have to choose an amenity density bonus zoning option that includes amenities that protect groundwater.

An amenity density bonus would permit an applicant to apply for increased density on a site in return for providing the LTC with an amenity. Some examples of LTC amenities could be:

- Building design that conserves water;
- Water efficient landscaping;
- Enhancement of riparian habitat;
- Dedication of wetlands; and
- Preservation of streams and other unique environmental attributes.

It may also be possible for an LTC to require cash-in-lieu amenity provided that the zoning bylaw specifies which cash-in-lieu contribution are favored (i.e. for what?).

Development Permit Area (DPA) Designation

To require applicants for development to obtain a permit that specifies conditions to protect groundwater/aquifers.

Development Permit Areas (DPAs) are areas designated in an OCP (in some cases a zoning bylaw) to which particular guidelines apply. A DPA may be designated for the protection of the natural environment or to promote water efficiency/conservation that will address watershed health. (see *Local Government Act* s. 919.1(i)) In order for the DPA to be effective it is important for the DPA to integrate surface water along with groundwater considerations. Generally, DPAs prohibit site disturbance before development approval which gives the LTC time to evaluate the development against established DPA guidelines. The DPA may include requirements for such things as landscaping, the siting of buildings, and the type and placement of trees and vegetation.

Some examples of guidelines are:

- Mandate replanting and rehabilitation of disturbed areas
- Erosion and sediment control (site specific plan)
- Environmental impact assessments/hydrologic studies to satisfaction of the Local Trust Committee
- Consistency between pre and post development hydrology
- Vegetation as per landscape plan
- Incorporate standards from other levels of government (e.g. Riparian Areas Regulation)
- Limits as to the amount of impermeable surfaces
- Specify areas that must remain clear of development

It is best to have a DPA as a companion tool with zone-specific requirements for groundwater protection as DPAs cannot be used to limit the amount of development permitted on a site. Nor can they address building construction standards that are addressed through the respective regional district building permit process.

DPAs do permit the LTC to monitor environmental conditions as the development progresses and for a limited amount of time post development. This is done through the collection of a security to ensure that works to complete permit conditions are finalized. If this is not done, then the intent is to use the funds/security to complete the conditions. Therefore, the security is returned only if the conditions are met.

See Appendix 1 - Development Permit Area Model Bylaw

In addition to having a stand-alone DP for groundwater/aquifer protection there are options where various guidelines could be implemented within existing DP areas for such land uses as industrial. The following guidelines are taken from the Regional District of Nanaimo's Area A OCP (Cedar Development Permit Area).

Groundwater Protection

- 1. The use or disposal of substances or contaminants that may be harmful to area aquifers shall be discouraged and wherever practical, steps shall be taken to ensure the proper disposal of such contaminants.*
- 2. The RDN may require an applicant to submit a rain water management plan prepared by a professional engineer which must ensure that any run off, rain water, or other liquid from any of the proposed land uses, buildings and impervious surfaces does not negatively impact groundwater quality. The plan must include recommendations on how to minimize the risk of deleterious substances entering the groundwater. The RDN should require the applicant to implement the report's recommendations in the proposed development.*
- 3. The RDN shall require that drainage from all impervious surfaces and areas where vehicles and machinery are stored, cleaned, operated, and maintained be directed through an appropriately sized and engineered sedimentation, oil, water and grease separator or other engineered solution to the satisfaction of the RDN. The engineer must provide an appropriate maintenance schedule.*
- 4. The RDN may require the applicant to enter into a Section 219 covenant registering on title the maintenance schedule and a commitment to maintain the sedimentation, oil, water and grease separator as per the engineer's recommendations.*
- 5. Developments that are found to pose detrimental impacts on either the quality or quantity of groundwater shall not be supported.*

Development Approval Information Areas (DAI) Bylaw

Development Approval Information (DAI) Areas Bylaws are to establish areas in which local governments may request additional information from applicants for zoning, development permits, or temporary use permits. The purpose of a DAI is to enable the LTC to obtain expert assessment of the impact of a development on the community at the expense of the applicant.

A DAI bylaw enables the development of site specific information to inform decision making and the ability to require specialized information (e.g. impact assessments, etc.).

The requirement for a detailed assessment may be triggered by an application for a rezoning, a development permit or a temporary use permit. The information required is usually in the form of a professional report and would be used by staff and the LTC in determining permit conditions.

In the case of groundwater the LTC could request a hydrological assessment of:

- The availability of groundwater;
- Cumulative effects of groundwater use;
- Other environmental impacts.

The intent of establishing this DAI is to ensure that potential negative impacts of proposed major developments are identified and documented as part of the development review process and to provide the LTC with complete information to properly assess and mitigate conditions caused by that development. Where reports identify negative impacts, the LTC will require mitigation by the applicant as part of a development permit to improve the proposal and minimize potential negative impacts on hydrology, the environment, and the neighbourhood.

In order for a LTC to establish a DAI bylaw in an OCP it must prepare a bylaw that sets out what information the LTC may require and specific policies and procedures to be followed. DAI may be valuable in that if a bylaw is established and concerns are raised about specific developments specific information can be requested that can go beyond DPAs guideline requirements.

See Appendix 2 - Development Approval Information Model Provisions

Subdivision Servicing Bylaws

The intent of these bylaws is to establish standards for the subdivision of land that maximizes infiltration of water and minimizes impervious surfaces and evaluates the sustainability of new groundwater withdrawal from a specific aquifer.

Subdivision servicing bylaws set the standards by which works and services must be constructed when land is divided into new parcels. Standards that support groundwater quality and supply can be included in subdivision servicing bylaws. They can require each proposed lot to have a reliable source of potable water, and can establish infiltration, drainage and permeability standards. Subdivision servicing standards can direct development to mimic natural hydrology by requiring rainwater infiltration and limiting impervious surfaces. If an LTC has established a wellhead protection area that is regulated by zoning or a development permit area, the requirements could also be included in a subdivision servicing bylaw.

Land developments generally have two water supply options generally a stand-alone water source (surface or well) or a community water system. Of course, on the islands there are other water source options that do not involved groundwater/aquifers such as rainwater collection or desalinization.

Approvals are based on one time “proof of water” evaluations that generally do not give consideration to long-term ground water consideration such as impacts of future development or cumulative impacts of developments over time in a watershed. Most bylaws will contain requirements that each new parcel created have a potable water source and a specific flow rate depending on the type of development proposed. However, this “proof of water” focuses on yield and quality of each well and not the sustainability and protection of the aquifer system as a whole. Some LTCs do require an evaluation of long term sustainability and a qualified professional’s hydrology report especially where a development will be drawing on the aquifer in a greater quantity than single family development (e.g. higher density development, commercial uses, etc.). On-going monitoring should be implemented in sensitive aquifers or groundwater-limited areas.

There may also be instances when “proof of water” is not required with some subdivisions such as the creating of large lots (> 20 acres) or boundary adjustments where sources of water have historically been proven.

Community water approvals (>3 connections) are dealt with through the provincial government (i.e. Vancouver Island Health Authority). If lots are to connect to a community system, the LTC has an option to require that unused wells (if any) be closed in accordance with the Ground Water Protection Regulation (GWPR) by establishing a well closure bylaw thereby protecting the groundwater/aquifer and possible contamination. Given that Island Health is involved in these community wells it may be possible to ensure monitoring is done, however, there are not that many community wells on the islands.

Water Conservation Tools – General Information

In addition to regulatory requirements that an LTC can implement, there are a number of water conservation tools that should be encouraged on the islands. These are less regulatory and more voluntary in nature. Given the groundwater source the islands are reliant on it is important that each resident does their own part to lessen the water demand. The protection of a quantity and quality of water should not be solely reliant on regulatory processes. Education and awareness is also a big part of what is needed in the sustainable use of water on the Islands – a resource used by all. Water conservation practices should become common place for all residents and visitors to the Gulf Islands.

The Trust Programs Committee has initiated a site to educate islanders about water issues and options to promote sustainable use or reuse of water. The intent is that educational materials will be regularly posted on the Islands Trust website as a resource and part of the necessary community outreach. <http://www.islandstrust.bc.ca/trust-council/projects/water-resource-information-for-islanders.aspx>



Source: Regional District of Nanaimo. For indoor and outdoor tips: <http://www.rdn.bc.ca/cms.asp?wpID=877> , <http://www.rdn.bc.ca/cms.asp?wpID=878> and <http://www.rdn.bc.ca/cms.asp?wpID=2155>

Overview

The intent of this toolkit is to provide a variety of tools (options) that will enable LTCs and planners to choose the correct tool for the project at hand that suits their island. The tools presented will aim to achieve the actions presented in Table 1. The following table outlines five objectives for groundwater protection and possible actions that local government can take.

Groundwater Protection Objectives and Actions:

#	Objective	Description	Local Government Actions
1	Minimize impacts on water sources	Streams depend on groundwater, especially during low-flow (baseflow) conditions. Groundwater pumping from many aquifers connected to surface water bodies can deplete or capture surface water flows. Retaining sufficient groundwater retains the health of fish-bearing streams and the security of community water supplies.	• Establish watershed protection zones supported by containment boundaries to preserve hydrologic function between aquifers and surface water sources • Establish well protection areas to capture zones to protect drinking water • Prohibit potentially polluting uses in critical aquifer recharge areas as well as capture or wellhead protection areas. • Understand composition of underlying aquifers
2	Sustain aquifers at healthy levels	Prevent over-use of aquifers and impacts on natural aquifer recharge to promote a healthy water balance. If this does not happen, the aquifer goes into decline and eventual depletion. Maintaining and monitoring water levels promotes healthy habitat and sustainable water supply.	• Plan land uses based on sustainable yield, not site-specific reports on proof of water. • Commit to integrated watershed management planning to coordinate action on community water supply, rainwater management, green infrastructure, and other regulations (e.g. Riparian Areas Regulation requirements) • Require all new development to provide evidence of a sustainable water source as a condition of subdivision or through the development permit process. • Monitor aquifer quality and quantity in partnership with other levels of government.
3	Maximize infiltration	Rainwater and snowmelt infiltration is key to aquifer recharge. Infiltration rates are affected by soil permeability, the amount of topsoil, and the rate that water moves across a landscape (as affected by vegetation, slope, etc.)	• Prohibit or limit development in groundwater recharge areas. • Protect sensitive ecosystems (e.g. wetlands) by establishing development permit areas that require buffer zones and special permitting before development takes place • Preserve baseflows in fish-bearing streams by maximizing groundwater recharge. • Infiltrate virtually all rainwater by limiting effective imperviousness to less than a specific percent. This includes maintaining extensive natural areas above recharge zones. • Implement cluster development through rezoning to maximize land available for

			infiltration. • Maintain native soils and vegetation (e.g. trees and other absorbent landscaping) • Establish landscaping standards for soil depth and type of landscape materials • Promote engineered infiltration systems such as infiltration ponds, vegetated swales, bioswales (i.e. grassy or vegetated areas besides roads and parking areas) or splash pads of gravel or other hard material • Create bioretention areas • Use permeable paving • Require alternative design standards and best management practices that maintain ecosystem functions (e.g. reducing impervious surfaces) • Use green roofs • Specify site design that causes no net increase in post-development flows • Maximum wetland recharge
4	Reduce groundwater use	The less the resource is extracted, the better the chances are that the system will maintain its natural balance. Each aquifer has a carrying capacity that should be considered before intensive use.	• Minimize leakage and waste within public water distribution systems (i.e. regional systems, improvement districts, etc.) • Reduce peak and annual demand for groundwater through water demand management approaches • In groundwater limited areas, limit development and require other water sources (i.e. rainwater and cisterns) • Enact restrictions on outdoor water use where a community water system is used • Promote use of native vegetation and landscaping to minimize water irrigation demand • Promote awareness for low flow devices to be installed in all new developments • Encourage individuals and non-government organizations to practice water conservation and protection
5	Protect groundwater quality	Protecting quality is critical to promoting healthy habitat and ensuring the safety and security of the potable water supply.	• Map and understand the vulnerability of aquifers • Minimize risks from point and non-point (i.e. from a diffuse source such as agricultural runoff, roads) source contaminants by prohibiting or regulating uses that could contaminate fish-bearing streams or aquifer recharge areas, capture zones or wellhead protection areas • Design sites to prevent increases in post-development flows that can pick up contaminants

			• Develop and implement a wellhead protection plan • Establish a local water quality testing program • Adopt a well closure bylaw • Plan developments to protect groundwater recharge areas
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Table 1: Primary Source: Groundwater Bylaws Toolkit (2009)

Information Note: Well Protection Toolkit

A set of voluntary guidelines developed by the Ministry of Environment to assist communities in developing well protection plans to prevent contamination of their well water supply. A well protection plan contains practical, protective measures to minimize and prevent undesirable impacts from land use activities on the source of water for the community well.

See:

http://www.env.gov.bc.ca/wsd/plan_protect_sustain/groundwater/wells/well_protection/acrobat.html

APPENDIX 1: Development Permit Area X – Groundwater Protection DPA

2.1 Designation

All lands shown on Schedule _X_ as being a groundwater protection area are designated as a development permit area.

Alternately may be designated based on an elevation

2.2 Authority

The Groundwater Protection Development Permit Area is designated a development permit area pursuant to Section 919.1(1)(a) of the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity and Section 919.1(i) of the Local Government Act for the establishment of objectives to promote water conservation.

Legislative basis of designation

2.3 Special Conditions and Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is Provincial legislation in Section 877(1)(d) of the Local Government Act that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is environmentally sensitive to development.

It is policy of the Islands Trust Council that Local Trust Committees address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,
- water quality is maintained, and

The [Groundwater Study prepared by...] concluded that ... and recommended the measures in order to preserve and protect groundwater resources:

Note: insert reference to professional report supporting designation of DPA (if applicable) and summarize key conclusions and recommendations

The Objectives of the development permit area are:

- to protect and sustain access to a reliable and safe supply of drinking water for private wells
- to protect and sustain the quality and supply of surface and groundwater necessary to the provision of ecological services
- to mitigate the impacts of development on sub-surface water supplies

2.4 Development Approval Information

The area is also designated an area for which development approval information (DAI) may be required according to Section 920.01(1)(c) of the *Local Government Act*. The designation of these areas for this purpose is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impact of the proposed activity or development on the community or the natural environment.

See DAI for impact assessment report requirements

2.5 Applicability

A development permit is required for the subdivision of land, construction of a new residence or commercial or industrial building, land alteration, or the cutting of trees in excess of the number exempted below.

2.6 Exemptions

The following activities are exempt from any requirement for a development permit:

- a) Repair, maintenance, alteration, additions to, or reconstruction of existing lawful buildings, structures or utilities, including those that are lawfully non-conforming (a building permit may still be required)
- b) Construction of a dwelling or subdivision of land that is, or will be, serviced by a community water system.
- c) Construction of a dwelling where the dwelling:
 - a) Is not to be connected to a groundwater source; and,
 - b) Is entirely serviced with water through stored and treated rain water which meets or exceeds Canadian Drinking Water Standards.
- d) Development on land that is subject to a conservation covenant under section 219(4) of the *Land Title Act* in relation to natural, environmental, wildlife or plant life value relating to the land, granted to the Local Trust Committee or a covenantee designated under section 219(3)(c) of the *Land Title Act*.
- e) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving asphaltting or similar surfacing.

This is based on the DPA being intended to address impacts of individual wells

A report from an engineer or other qualified professional may be required to satisfy the Islands Trust/Regional District that the proposed rainwater system has adequate capacity to meet the year-round water demands of the dwelling being proposed and that water will be stored and treated to meet potable water standards.

- f) The placement of temporary buildings or structures
- g) All vegetation removal except for cutting and removal of more than 5 trees (with a trunk diameter greater than 20 centimetres measured 1.5 metres above the ground) within a 12-month period on any one lot.
- h) Removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property.
- i) Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2), (3), (4) and (5) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.
- j) Forest management activities, as defined in the *Private Managed Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*.
- k) Land alteration that does not alter the natural contours of the land.
- l) The construction of an accessory building or structure with a lot coverage of less than 100m², provided the accessory building or structure is not connected to a supply of water.
- m) Construction of fences.
- n) Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
 - i. Forest fire, flood and erosion protection works;
 - ii. Protection, repair or replacement of public facilities;
 - iii. Clearing of an obstruction from a bridge, culvert, dock wharf or stream; or
 - iv. Bridge repairs.
- o) Works undertaken by a local government or a body established by a local government.

From other RD bylaws and steep slope DPA, could be revised based on specific recommendations

Intended to ensure cut and fill or blasting requires a permit. Language could be revised to be more specific based on recommendations
Exempts small non-plumbed buildings, lot coverage could be altered based on specific recommendations

2.7 Guidelines

1. In general, development should minimize negative impacts on the quality and quantity of subsurface water supplies.
2. Where a qualified professional hydrogeologist or engineer has made recommendations for mitigation measures, the LTC may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of groundwater supply quality or quantity consistent with the measures and recommendations described in the report.

Authorizes LTC to implement conditions of professional report

3. Where the a qualified professional hydro-geologist or engineer's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a hydro-geologist or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
4. Where an application involves the subdivision of land, layout of the subdivision should be designed to:
 - a) replicate the function of a naturally vegetated watershed;
 - b) maintain the hydraulic regime of surface and groundwater pre-development flow rates;
 - c) not interfere with groundwater recharge;
 - d) not introduce or remove material where it would cause erosion of or the filling in of natural watercourses or wetlands.
5. The LTC may require the applicant to install a groundwater monitoring device in at least one well within each proposed subdivision. The LTC may require an agreement to be registered on title to allow a designated person or agency to access the property to collect the data from the device.
6. Where rainwater management is recommended by the report, rainwater should be retained on-site and managed using methods such as vegetated swales, rain gardens, or other methods which allow rainwater to return to the ground.
7. Where rainwater harvesting is recommended by the report for the construction of a new dwelling unit:
 - a) Dwelling units should be sited to allow for the optimal placement of a gravity fed rainwater collection tank which collects rainwater from the roof leaders of the dwelling unit which capture the majority of the rainwater flows.
 - b) Dwelling units should be designed to maximize opportunities for rainwater catchment from all roof surfaces.
 - c) Impervious surfaces should be minimized. The use of impervious paved driveways shall be discouraged.

Appropriate where there is an agency or community group able to monitor wells

Revise to read all buildings where commercial, industrial or institutional buildings are permitted by zoning

- d) The LTC may require that all new dwelling units include an external rainwater harvesting system such which includes the following:
 - i. External equipment for collecting and distributing rainwater from the dwelling unit roof;
 - ii. A storage tank(s) with a minimum storage capacity of 18,000 litres which is designed for rainwater collection and is rated for potable use;
 - iii. A pumping system;
 - iv. An overflow handling system.
- e) All external pipe, plumbing fixtures, and hose bibs where rainwater is used shall be clearly marked with “Non-Potable Water Do Not Drink”.
- f) Where external rainwater harvesting equipment is required as a condition of the permit, the LTC shall encourage the applicant to install dedicated plumbing lines within proposed dwelling units to make use of stored rainwater for flushing toilets and other non-potable uses.
- 8. Where tree removal which is not exempt from the requirement for a permit:
 - a) Removal of trees from steep slopes should only be allowed where necessary and where replacement vegetation / erosion control measures are established. Plans delineating extent of vegetation / tree removal and location of proposed construction, excavation and / or blasting, may be required.
 - b) All development should be undertaken and completed in such a manner as to prevent the release of sediment to any watercourse. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.
 - c) Existing, native trees should be retained wherever possible and trees to be retained near development should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
 - d) If the area has been previously cleared of trees, or is cleared during the process of development, replanting

requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.

- e) Tree species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or wildlife habitat values as needed. Suitably adapted, non-invasive, non-native trees may also be considered acceptable.
 - f) All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead trees should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.
- 9. Roads, driveways, trails and pathways should follow the contours of the land and appropriately manage drainage.
 - 10. Parking areas should be located and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, bio-filtration trenches or swales, unpaved or permeable all-weather surfaces should be considered for this purpose.
 - 11. The Local Trust Committee may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.

APPENDIX 2: Model DAI Bylaw Provisions

1. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the Local Government Act for protection of the natural environment, its ecosystem and biological diversity and Section 919.1(1)(i) for the establishment of objectives to promote water conservation, for the purpose of requiring development permits for Groundwater Protection, the report shall consist of a hydrogeological assessment report containing the following information:
 - a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and driveways, topographic features, and significant features identified in the site inventory. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included where development would occur on slopes exceeding 20% grade.
 - b. A map showing the ownership and locations of all currently used water wells, springs and surface water features within a minimum radius of 1.0 km from the development site.
 - c. A site inventory, providing information on existing pre-development conditions, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, surface water bodies, and topography.
 - d. A background analysis that includes the following known information on the site:
 - A description of the hydrogeological system and setting, including the type of aquifer, aquifer boundaries, local surficial and bedrock geology, physical hydrogeology, local surface water features, estimated recharge area and conditions and climate;
 - A conceptual model of groundwater occurrence and groundwater-surface interaction;
 - A description of existing users within 1.0 km of the development site;
 - A preliminary pre-development water budget;
 - Water quality, including characterization of natural groundwater quality, potability, as well as possibility of contamination;
 - Methodology and, if applicable, uncertainties and limitations of the report.
 - e. A description of the proposed work, detailing construction, cut and fill, blasting, road, driveway or utility line construction, vegetation clearing, water supply requirements, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.

- f. An impact assessment consisting of:
 - Cumulative effects analysis;
 - Impact to existing groundwater users, identification of the potential groundwater protection issues in the area and risk of saline intrusion;
 - Impact to surface water where applicable;
 - Other potential impact implications.
- g. Conclusions and recommendations consisting of:
 - A summary of results and impact assessment;
 - An unqualified statement that the proposed development will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity; or
 - Where such a statement cannot categorically be made, specific recommendations on well and aquifer protection measures which would result in the requirement being met.
- h. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.

REQUEST FOR DECISION

To: All Trust Council Committees, Local Trust Committees and Trust Fund Board

For the Meeting of: April 17, 2014

From: Lisa Gordon, Trust Area Services Director

Date Prepared: March 19, 2014

File No.:

SUBJECT: 2013-2014 ANNUAL REPORT – APPROVAL OF COMMITTEE SECTION

RECOMMENDATION: That the Saturna Island Local Trust Committee approves the attached text for inclusion in the 2013-2014 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Committee reports:	Reports to be approved on the following dates
TPC	May 12
LPC	May 15
FPC	June 2
TFB	May 5
EC	April 15 / May 6
Denman	April 1 / May 2
Gambier	April 10
Gabriola	April 17
Galiano	April 7
Hornby	April 25
Lasqueti	May 1
Mayne	April 23
North Pender	April 24
Salt Spring Island	April 10
Saturna	April 17
South Pender	April 8
Thetis	April 16
Bellenas-Winchelsea Executive Islands	May 2

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: All LTCs and Council committees will review and approve their sections at regular meetings listed above. Executive Committee requires all

contributors to report on accomplishments in terms of how they achieve goals in the strategic plan or in the Islands Trust Policy Statement. LTC and Council Committee Chairs will ensure that the text for their sections meets the new standards.

OTHER:

BACKGROUND

On March 4 and 18, 2014 the Executive Committee provided the following direction for changes in the way staff draft the annual report sections:

- Make the annual report more of a status report on the policy statement and the strategic plan – how are our activities contributing to achieving the higher goals?
- LTC reports should refer only to LTC projects and agenda items, not staff workload.
- Do not report building permits or referrals unless they were on an LTC or TFB agenda and reported in the minutes.
- Report only bylaw enforcement action (proactive or legal) initiated by the LTC.
- Identify grant-funded projects within Local Trust Committee and Trust Council Committee reports, rather than a separate section

REPORT/DOCUMENT: see attached draft Annual Report wording.

KEY ISSUE(S)/CONCEPT(S): Consistent reporting from each committee following new standards and committee approval of its section in the Annual Report

RELEVANT POLICY: This approach complies with Section 19 of the *Islands Trust Act* and Trust Council's [Annual Report Policy 6.10](#)

DESIRED OUTCOME: Trust Council is able to easily approve its annual report in June 2014 without further editing from staff or trustees.

RESPONSE OPTIONS

Recommended: As above

Alternative: None

Prepared By: Lisa Gordon, Director, Trust Area Services

Reviewed By/Date: David Marlor, Director, Local Planning Services

The Saturna Island Local Trust Committee held five regular business meetings, one special meeting and one community information meeting. The Local Trust Committee considered two ALR applications, two development variance permits, one development permit and frontage waivers and covenants related to two subdivision referrals..

Projects initiated, conducted or completed during this period included a review of the community amenity density reserve, development of temporary use permit guidelines for short term vacation rentals and a review to consider permitting and regulating secondary suites.