



Saturna Island Local Trust Committee Regular Meeting Agenda

Date: February 13, 2014
Time: 12:30 pm
Location: Saturna Island Community Hall
105 East Point Road
Saturna Island, BC
V0N 2Y0

Pages

- | | | | |
|-------|---|---------------------|---------|
| 1. | Call to Order | 12:30 PM - 12:45 PM | |
| 2. | Approval of Agenda | | |
| 2.1 | Additions/Deletions | | |
| 3. | Community Information Meeting | | |
| | none | | |
| 4. | Public Hearing | | |
| | none | | |
| 5. | Previous Meetings | | |
| 5.1 | Adopted Local Trust Committee Minutes | | |
| 5.1.1 | Saturna Island Local Trust Committee
Adopted Meeting Minutes of November 14,
2013. (attached) | | 4 - 12 |
| 5.2 | Public Hearing Records and Community Information
Meeting Notes | | |
| | none | | |
| 5.3 | Section 26 Resolutions-without-meeting
RWM Report dated February 2014 (attached) | | 13 - 13 |
| 5.4 | Advisory Planning Commission Minutes | | |
| | none | | |

6.	Business Arising from the Minutes	
6.1	Follow-up Action Report	14 - 15
	FUAL Report dated February 2014 (attached)	
7.	Delegations	
	none	
8.	Correspondence	
	none	
9.	Applications, Permits, Bylaws and Referrals	12:45 PM - 1:45 PM
9.1	Referral of Mayne Island Local Trust Committee Proposed Bylaws No. 159 & 160 (attached)	16 - 19
9.2	SA-ALR-2013.2 (Deanovic) - Staff Report (attached)	20 - 26
10.	Local Trust Committee Projects	
10.1	Community Amenity Density Reserve - Staff Report (attached)	27 - 44
10.2	Secondary Suites - Staff Report (attached)	45 - 64
10.3	Short Term Vacation Rental (STVR) Review - Staff Report (attached)	65 - 84
	-----BREAK-----	
	1:45 pm - 2:00 pm	
11.	Reports	2:00 PM - 3:00 PM
11.1	Work Program Reports -dated February 2014 (attached)	85 - 86
	For information	
11.2	Applications Report - dated February 2014 (attached)	87 - 89
	For information	
11.3	Expense/Budget Reports	
11.3.1	Trustee and Local Expenses - dated Janaury 2014 (attached)	90 - 90
	For information	

- 11.4 Bylaw Enforcement**
none
- 11.5 Policies and Standing Resolutions Report (attached)** 91 - 92
- 11.6 Saturna Island LTC Web Page**
The Saturna Island Local Trust Committee web page can be viewed at:

www.islandstrust.bc.ca/islands/local-trust-areas/saturna
- 11.7 Chair's Report** 3:00 PM - 3:30 PM
- 11.8 Trustee Report**
- 12. Other Business**
- 12.1 Next Business Meeting**

The next meeting of the Saturna Island Local Trust Committee will be held April 17, 2014, at 12:30 pm, at the Saturna Island Rec. Centre (lounge).
- 13. Town Hall Meeting**
- 14. Adjournment** 3:30 PM - 3:30 PM

ADOPTED

**MINUTES OF THE SATURNA ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, NOVEMBER 14, 2013, AT 12:30 P.M.
AT THE SATURNA ISLAND 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
	Robert Kojima	Regional Planning Manager
	Beverley Neff	Minute Taker

There were two (2) members of the public in attendance when the meeting began.

1. CALL TO ORDER

The meeting was called to order at 12:30 p.m. Chair Ken 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

By general consent, the agenda was approved.

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 Meeting Minutes of September 26, 2013

For information only

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

5.3.1 RWM Report dated November 2013

For information only

5.4 Advisory Planning Commission Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

6.1.1 FUAL Report dated November 2013

Island Planner Richardson reported that all items were completed.

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1. 2013 - 10 04 Islands Trust Council Referral of Strategic Plan to LTC

The Islands Trust Strategic Plan was supported by the Saturna Island Local Trust Committee, with minor amendments.

Resolution SA-LTC-50-2013

It was Moved and Seconded by the Saturna Island Local Trust Committee that the Islands Trust Council Strategic Plan, at Strategy 4.3.1 under Status, be amended by inserting “and Saturna” after “Hornby”.

CARRIED

Resolution SA-LTC-51-2013

It was Moved and Seconded by the Saturna Island Local Trust Committee that the Islands Trust Council Strategic Plan, at Strategy 4.3.2. under Status, be amended by adding “Saturna considering amendment to allow secondary suites.”

CARRIED

9.2. SA-DP-2013.1 (Angermeyer/Schachte) Staff Report & Draft Permit

The purpose of the proposed development permit is to allow a two-lot subdivision at 104 Narvaez Bay Road. A portion of the subject property is in the Bluffs development permit area. Island Planner Richardson reported that the proposed development complies with the guidelines for the Bluff Development Permit Area as itemized on Schedule A of his report.

Resolution SA-LTC-52-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee Development Permit SA-DP-2013.1 (Nancy Angermeyer and Henry Schachte) be approved.

CARRIED

9.3. SA-SUB-2010.1 (Angermeyer/Schachte) Memo re: 10% Frontage Request

Resolution SA-LTC-53-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee, pursuant to Section 944(2) of the *Local Government Act*, and the 10% perimeter provisions of Section 944(1) of the *Local Government Act* for proposed Lots A and B of Subdivision Application SA-SUB-2010.1 (Nancy Angermeyer and Henry Schachte) be granted exemption.

CARRIED

9.4. SA-SUB-2012.2 (Money Family Projects) Memo re: 10% Frontage Request

Resolution SA-LTC-54-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee, pursuant to Section 944(2) of the *Local Government Act*, and the 10% perimeter provisions of Section 944(1) of the *Local Government Act* for proposed Lot 1 of Subdivision Application SA-SUB-2012.2 (Money Family Projects Ltd.) be granted exemption.

CARRIED

9.5 SA-ALR-2013.1 (Money Family Projects)

The applicant is proposing to subdivide the parent parcel into two lots (4.07 ha and 9.59 ha respectively) in order to provide a lot for a family member. Island Planner Richardson explained the process, stating that if accepted by the ALR, the application will then be referred to the Saturna LTC to see if it is congruent with the Land Use Bylaw (LUB).

Resolution SA-LTC-55-2013

It was Moved and Seconded by the Saturna Island Local Trust Committee, pursuant to Section 25(3) of the *Agricultural Land Reserve Act*, that Subdivision Application SA-ALR-2013.1(Money) proceed.

CARRIED

Resolution SA-LTC-56-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee appoint Chair Hancock to be signatory for covenants pursuant to SA-SUB-2012.2.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Community Amenity Density Review (CADR)

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

Resolution SA-LTC-57-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to make the following changes to the Saturna Island Official Community Plan, Community Amenity Density Reserve Policies recommended in the staff report of November 1, 2013:

- C.1.4 Community Density Reserve; delete penultimate line from first paragraph: "Each transfer should accomplish some environmental or heritage policy objective of the Plan."
- SCHEDULE "E" Appendix A: Community Amenity Density Reserve (e): after "should include". Insert "but not be limited to"

CARRIED

Resolution SA-LTC-58-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to prepare a draft bylaw that would amend the Saturna Official Community Plan Community Amenity Density Reserve Policies as recommended in the amended staff report of November 1, 2013.

CARRIED

Resolution SA-LTC-59-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to change the final adoption target completion date in the Project Charter from November 2014 to October 2014.

CARRIED

Resolution SA-LTC-60-2013

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

CARRIED

It was agreed that the Project Charter Scope would be amended to reflect the motions passed at this meeting.

10.2 Short Term Vacation Rental Review

Regional Planning Manager Kojima explained that the objective of the Short Term Vacation Rental (STVR) project is to establish temporary use permit guidelines for the evaluation of STVR applications. Including specific STVR guidelines in the Official Community Plan (OCP) will provide greater certainty for applicants and future LTCs. Staff are recommending that the scope of the remainder of the project consist of the following: the review of policy options for addressing vacation rentals, preparation of amendments to the Temporary Use Permit (TUP) section of the OCP and potentially the fees bylaw, the formal process associated with amending the OCP, communications in the form of a fact sheet, and further consultation in the form of a community information meeting.

Staff was directed to change the final adoption target completion date in the Project Charter from November 2014 to October 2014.

Resolution SA-LTC-61-2013

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

CARRIED

Resolution SA-LTC-62-2013

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

CARRIED

10.3 Secondary Suites Review

Island Planner Richardson explained that 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 legal secondary suites could assist the community in addressing its perceived housing diversity and affordability issues in appropriate locations. He went over the analysis of issues in the staff report.

The LTC recommended the following changes:

- #2: Replace “following residential zones: Rural Residential, Rural General, and Rural Comprehensive Development” with “anywhere residential use is permitted”
- #4: Replace “water catchment systems” with “adequate water supply”
- #5: Strike
- #10: Add “Staff will look into the use of 99-year leases.”
- Project Charter, under Stakeholders, Community Water System: change “System” to “Systems” and under Represented by: change “Operator (CRD)” to “Operators”.
- The final adoption date should be changed to October 2013

Resolution SA-LTC-63-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to prepare draft amendments to the Saturna Island Official Community Plan and Land Use Bylaw to allow for secondary suites as a permitted use.

CARRIED

Resolution SA-LTC-64-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee endorses the amended Project Charter attached to the staff report of November 5, 2013.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 Work Program Report dated November 2013

No changes

11.2 Applications Report

11.2.1 Application Report dated November 2013

Island Planner Richardson reviewed the status of the applications.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

For information only

11.3.2 Expense/Budget Reports

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 and updating to reflect today's decisions.

It was mentioned that the Islands Trust water page has been revamped and now has many helpful links on it.

11.7 Chair's Report

Chair Hancock spoke of the Trust Council meeting in Victoria in December. There will be a half-day session on economic development with politicians from all levels of government invited to attend.

11.8 Trustee Reports

Trustee Brent spoke of the BC Ferry advocacy meetings being held now and said that it was unlikely that the Southern Gulf Islands would have further cuts. He said that Finance Committee is paring down costs in the draft budget and he is pleased it seems to be heading towards a very limited tax increase.

Trustee Janszen reported that the Local Planning Committee (LPC) met last week and they will recommend to Trust Council that the LPC work program be cut back to what can realistically be accomplished in the remainder of this term of office. They had a very good presentation about Green Shores for Homes and what is being accomplished at this stage of the project in the Puget Sound region. Thetis Island has volunteered to be the trial island for the Trust's Greenshores Program. Finding incentives to stimulate engagement in the program is a challenge on both sides of the border.

12. OTHER BUSINESS

12.1. Next Business Meeting

The next meeting of the Saturna Island Local Trust Committee will be held on February 13, 2014, at the Saturna Island Community Hall 12:30 p.m.

12.2. Saturna Island Local Trust Committee Proposed 2014 Annual LTC Meeting Schedule

Staff will provide alternative dates for the April and November meetings; the schedule will be approved by a Resolution-without-meeting.

13. TOWN HALL MEETING

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

John Hutchinson expressed his appreciation to staff for the many reports and timeline efficiencies.

Al Sewell remarked that there were a lot of First Nations decisions about land ownership in the news lately and wondered if the Islands Trust was keeping track of the issues.

Island Planner Richardson responded in the affirmative.

Charles Reif asked about Community Amenity Density Review (CADR): How can a LTC be able to add densities at any time in the future, "from time to time", without any limit or purpose?

Island Planner Richardson responded that 20 densities is the density cap and the first bullet is the mechanism by which to do it. If the balance reached zero, a future LTC could amend the CADR without having to amend the density cap.

John Money asked if Parks Canada was invited to the economic development Trust Council workshop in December, suggesting it would be a good idea.

Chair Hancock agreed and said he would follow through on the suggestion.

14. ADJOURNMENT

Resolution SA-LTC-65-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee meeting be adjourned at 2:50 p.m.

CARRIED

RECORDER

CHAIR

RWM From: November 14, 2013 To: February 04, 2014

Saturna Island

Resolution #	Action	Resolution Description	Resolution Date
2013-10	In Favour	THAT the regular meetings of the Saturna Island Local Trust Committee for 2014, be scheduled at 12:30 p.m., February 13th, April 17th, June 5th, July 10th, September 18th and October 23rd.	Dec 10, 2013
2013-09	In Favour	THAT Saturna Island Local Trust Committee Meeting Minutes of November 14, 2013 be Adopted	Dec 10, 2013



Follow Up Action Report w/ Target Date

Saturna Island Nov-14-2013

No.	Activity	Responsibility	Target Date	Status
1	9.1 Trust Council Strategic Plan - 1. Add "and Saturna" to the status column of 4.3.1 of the Strategic Plan 2. Add "and Saturna considering amendment to allow secondary suites" in front of existing text in the status column of 4.3.2	Marie Smith		Done
2	9.2 SA-DP-2013.1 (Angermyer/Schachte) - approved as drafted	Sharon Lloyd-deRosario Gary Richardson	Nov-28-2013	Done
3	9.3 SA-SUB-2010.1 (Angermyer/Schachte) - 10% waiver approved	Gary Richardson	Nov-21-2013	Done
4	9.4 SA-SUB-2012.2 (Money Family Projects) 10% waiver approved	Gary Richardson	Nov-21-2013	Done
5	9.5 SA-ALR-2013.1 (Money Family Projects) forward to ALC	Gary Richardson	Nov-21-2013	Done
6	10.1 CADR Review - The LTC gave the following direction: 1) Direction to draft bylaw, with Appendix A e) revised by adding after should "but not limited to" and revising c.1.4 first paragraph by deleting penultimate sentence and by changing first sentence, second paragraph "will" to "may" and adding "among other things" to the end of the sentence. 2) Project Charter - change date from November to October, review scope to include revisions in (1) - DONE	Gary Richardson	Nov-29-2013	Done

7	10.2 STVR Review - The LTC gave the following direction: 1) change draft guideline (a) to include reference to ensure adequate water in water short areas 2) Endorse project charter with date changed from November to October - DONE	Gary Richardson	Nov-29-2013	Done
8	10.3 Secondary Suite Review - The LTC gave the following direction: 1) change zones where permitted to include all zones where residences permitted 2) water catchment change to adequate alternate water supply 3) remove #5 on page 8 4) subdivision, consider not permitting 99 year lease 5) project charter change date from November to October - DONE	Gary Richardson	Dec-20-2013	Done
9	11.6 Webpage to be updated with today's meeting decisions.	Lori Foster Gary Richardson	Nov-18-2013	Done
10	12.2 2014 Meeting Schedule - search for alternate dates for April and November and adopt by RWM	Lori Foster Sharon Lloyd-deRosario	Nov-22-2013	Done
11	Chair authorized to execute covenants associated with SA-SUB-2012.2	Gary Richardson	Dec-13-2013	On Going



Islands Trust

BYLAW REFERRAL FORM

Island: Mayne Island

Bylaw No.: 159 (OCP) and 160
(LUB)

Date: December 4, 2013

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.

APPLICANTS NAME / ADDRESS:

Mayne Island Local Trust Committee

PURPOSE OF BYLAW:

The purpose of Proposed Bylaw 159 is to amend the Mayne Island Official Community Plan in order to establish policy that would permit secondary suites within the Mayne Island Local Trust area.
The purpose of Proposed Bylaw 160 is to amend the Mayne Island Land Use Bylaw to allow secondary suites, having a floor area of 60 square metres or less to be permitted in the Settlement Residential, Rural, Upland and Agricultural zones. All subdivisions on community water systems have been excluded.

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

NA

SIZE OF PROPERTY AFFECTED:

NA

ALR STATUS:

Yes

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

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: Gary Richardson

Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

Provincial Agencies

Ministry of Transportation and Infrastructure
Agricultural Land Commission

Non-Agency Referrals

Mayne Island Fire Department
Mayne Island Improvement District
Mayne Island Integrated Water System Society
Baker View Holdings Ltd
Bennet Bay Waterworks District
Dinner Point Water Systems
Georgina Waterworks & sewage District
Laura Point Water Society
Lighthouse Point Waterworks District

Regional Agencies

Capital Regional District- Planning & Protective Services (Robert Gutierrez)
Capital Regional District - Environmental Services (Tim Tanton)
Vancouver Island Health Authority (Rory Beise)

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
Salt Spring Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'umimnus First Nation
Tsartlip First Nation

PLEASE TURN OVER →

Non-Agency Referrals Cont'

Mount Parks Waterworks District
Skana Water Services Area
Village Point Waterworks & Sewage District
Campbell-Bennett Bay Waterworks District

First Nations Cont'

Tsawout First Nation
Tsawwassen First Nation
Tseycum 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)

Mayne Island
(Island)

No. 159 (OCP)
(Bylaw Number)

(Signature)

(Name and Title) Please Print

(Date)

(Agency)

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)

Mayne Island

(Island)

No. 160 (LUB)

(Bylaw Number)

(Signature)

(Name and Title) Please Print

(Date)

(Agency)

STAFF REPORT

Date: January 23, 2014

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

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). 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 subdividing 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.

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 Ministry of Transportation and Infrastructure (MOTI) approval was granted 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 a family member, 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 Approving Officer. A subdivision application will be provided if the ALC is in support of the two-lot subdivision proposal.

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

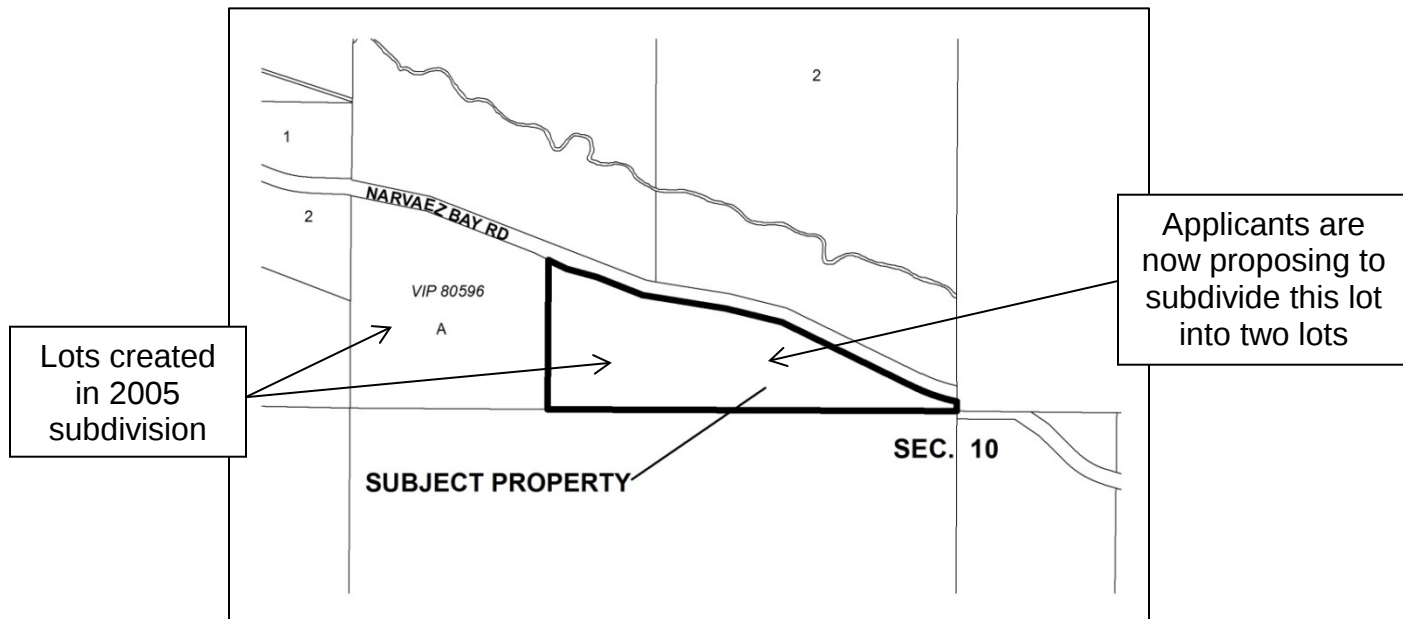


Figure 2: Orthophoto and 2 metre Contour Lines

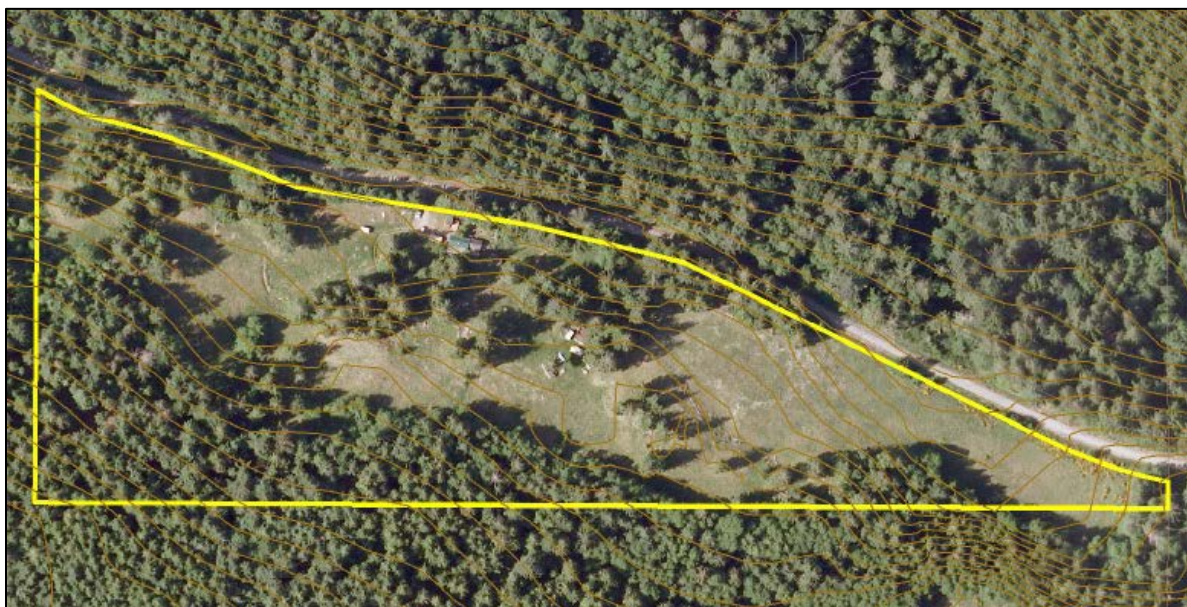
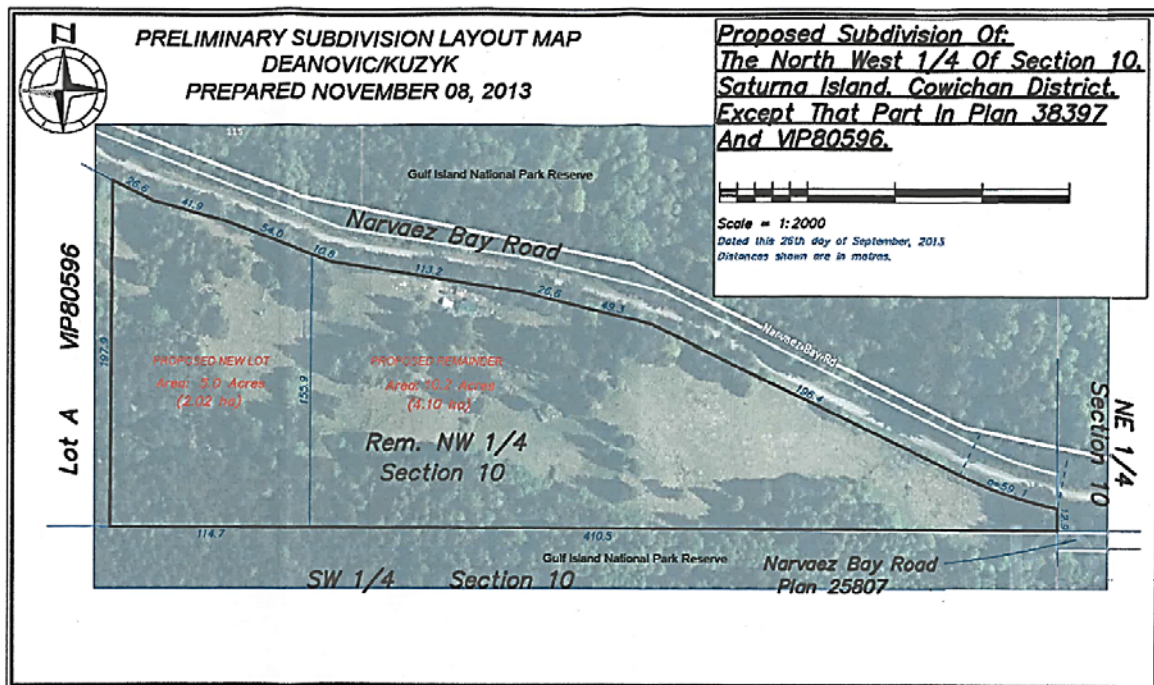


Figure 3: Subdivision Plan (by applicant)



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.

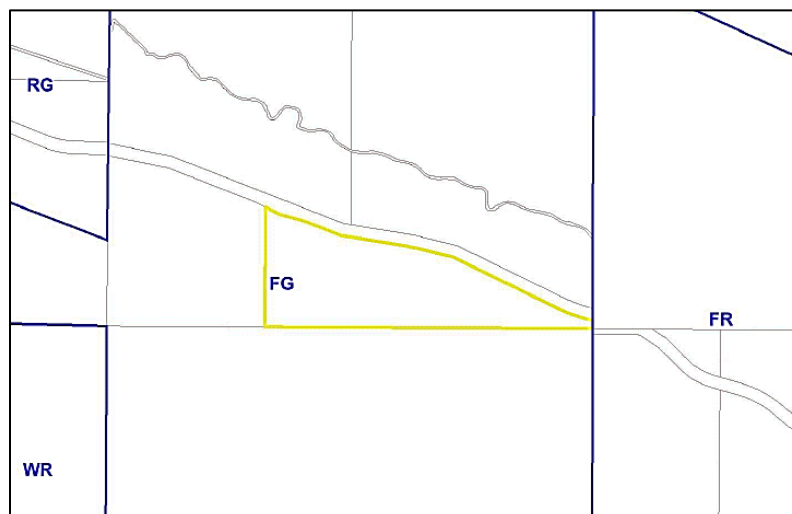
D.4.13 - Residential density is not to exceed one primary residence and one cottage on a lot zoned Forest General.

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).

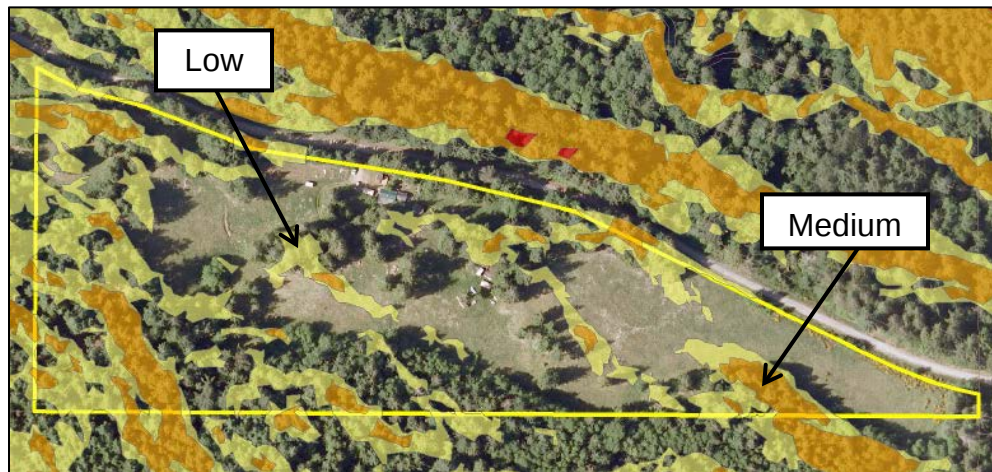
Figure 4: Zoning Map



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 applicant is proposing to subdivide the subject property into two parcels under Section 946 of the *Local Government Act* in order to provide a lot for a family member. 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 the property owners have applied for. 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 or for the owner's relatives. There is not a stipulation stating that the property owners may only subdivide under Section 946 once.

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.

As the applicant has not provided sufficient information to support the application, it was not possible to provide comments justifying support for the Section 946 subdivision application. Although they stated they wish to subdivide under Section 946, they did not provide a strong rationale for their choice. As the property owners have not provided a clear rationale for the Section 946 subdivision application, have already subdivided once before under Section 946 of the *Local Government Act*, and the OCP policy supports the retention of larger parcels, staff are recommending the application not to proceed to the ALC.

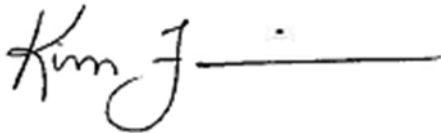
Despite the above, the LTC has the following options:

1. Resolve that the subdivision application proceed to the ALC.
2. Request further information from the applicant as to the rationale for the Section 946 subdivision application.
3. 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) not proceed.

Prepared and Submitted by:



Planner 1

January 23, 2014

Date

Concurred in by:

Gary Richardson

Island Planner

January 24, 2014

Date

Date: January 29, 2014

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

To: Saturna Island Local Trust Committee
For the meeting of February 13, 2014

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Community Amenity Density Reserve Review

Supplementary Report

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

Project Objectives

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

Project Background

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

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to make the following changes to the Saturna Island Official Community Plan, Community Amenity Density Reserve Policies recommended in the staff report of November 1, 2013:

- *C.1.4 Community Density Reserve; delete penultimate line from first paragraph: "Each transfer should accomplish some environmental or heritage policy objective of the Plan."*
- *SCHEDULE "E" Appendix A: Community Amenity Density Reserve (e): after "should include". Insert "but not be limited to"*

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to prepare a draft bylaw that would amend the Saturna Official Community Plan Community Amenity Density Reserve Policies as recommended in the amended staff report of November 1, 2013.

It was Moved and Seconded that the Saturna Island Local Trust Committee directs staff to change the final adoption target completion date in the Project Charter from November 2014 to October 2014.

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

Analysis

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

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

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

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

The amended section will read as follows:

C.1.3 From the date of adoption of the Plan, no rezoning, development permit, temporary permits, or other planning tool or device available to the Local Trust Committee should be used to increase the maximum subdivision capacity, or total residential density of any island within the Area.

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

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

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

The amended section will read as follows:

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

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

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

The amended section will read as follows:

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

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

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

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

The amended section will read as follows:

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

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

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

The amended section will read as follows:

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

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

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

The amended section will read as follows:

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

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

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

The new section will read as follows:

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

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

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

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

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

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Islands Trust Policy Statement (ITPS) Checklist

The draft bylaw is in compliance with the ITPS, a copy of which is attached to the staff report.

Communication

The LTC has conducted community consultation leading up to the initiation of this project; however, additional consultation is recommended.

Fact Sheet:

A fact sheet was prepared to provide the public an understanding of the topic as the information provided (staff reports and CIM) contains a number of terms or statements that may be not be familiar to everyone. The fact sheet includes a number of questions and answers, as well as a list of useful definitions. A draft copy of the fact sheet is attached to the staff report (attached).

Referrals:

As a next step, staff is recommending referring the draft bylaw to agencies, Advisory Planning Commission (APC), First Nations and stakeholders identified in the project charter. This will allow the LTC to make any necessary changes to the draft bylaw prior to consideration of First Reading.

Community Information Meeting:

Staff recommends that the LTC schedule a Community Information Meeting in March 2014 to provide an opportunity for the community to comment on this proposed bylaw amendment. There are the following options to consider:

1. Schedule CIM with other Saturna Island LTC projects (Secondary Suites and STVR) or to hold a CIM for the CADR project separately.
2. Hold the CIM in a separate stand-alone Saturday meeting or at a regular LTC meeting.

Staff recommends scheduling a CIM with other LTC projects to reduce project costs and impacts staff time, as a separate stand-alone community information meeting.

Next Steps

The LTC is requested to:

1. Review the attached proposed amendments and provide direction on any changes
2. Direct staff to schedule a Community Information Meeting for March 2014
3. Pass a resolution to refer the draft bylaw to the APC for comment. Staff would refer the draft to other agencies, stakeholders, and First Nations at the same time.

RECOMMENDATIONS:

1. THAT the Saturna Island Local Trust Committee refer draft bylaw 112 to the Advisory Planning Commission for comment.
2. THAT the Saturna Island Local Trust Committee direct staff to schedule a community information meeting for March 2014 to coincide with other Saturna Island LTC projects and in a separate stand-alone meeting format.

Prepared and Submitted by:

Gary Richardson

Gary Richardson, Island Planner

January 31, 2013

Date

Concurred in by:



Regional Planning Manager

January 31, 2013

Date

Attachments:

- 1: CADR Fact Sheet
- 2: Draft Bylaw 112
- 3: ITPS Checklist
- 4: Project Charter

Community Amenity Density Reserve Fact Sheet

What is the purpose of this fact sheet?

As part of a review of its Work Program Priorities, the Saturna Island LTC is considering amending policies in the Saturna Official Community Plan regarding the Community Amenity Density Reserve (CADR). As the information provided in staff reports and at community information meetings contains a number of terms or statements that may be not be familiar to everyone, this fact sheet provides explanations of some of the terms used.

Community Amenity Density Reserve (CADR) refers to 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. Amenities can include but are not limited to: parkland, trails, parking lot, conservation covenant, funding for affordable or special needs housing, community bus, or firefighting equipment. Presently the density from the rezoning of Parkland cannot be redistributed through the CADR.

Density has several meanings, depending on the context:

- a. In relation to subdivision, means the subdivision potential or capacity as measured in the number of lots or potential lots
- b. In relation to residential uses, means the number of residential units (houses or cottages) that can be placed on a lot
- c. In relation to commercial accommodation uses, means the number of sleeping units

Density Cap refers to statements included in the OCP that no rezoning or other planning tool available to the LTC should be used to increase the maximum subdivision capacity, or total residential density, within the Saturna Island Local Trust Area. This policy effectively capped the density that could be achieved through rezoning to that on July 13, 2001 when the OCP was adopted

Amenity refers generally to something that is considered desirable or of value to the community. In Saturna's OCP it is further defined as a conservation value that furthers the Object of the Islands Trust.

For further information please contact:

Gary Richardson, Island Planner
200-1627 Fort Street, Victoria, BC V8R 1H8
Phone: 250-405-5157 Toll Free: 1-800-663-7867
Email: grichardson@islandstrust.bc.ca

SATURNA ISLAND LOCAL TRUST COMMITTEE

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. 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."



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: BL 112, SA-OCP-01-2013

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
n/a	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
n/a	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	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.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, 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 existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
n/a	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



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

Date: February 4, 2014

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

To: Saturna Island Local Trust Committee
For the meeting of February 13, 2014

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Secondary Suite Review

Supplementary Report

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

Project Objectives

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

Project Background

This issue was identified as a Work Program Priority by the LTC in September 2013. During the summer of 2013, the LTC conducted community consultation in order to identify priorities relating to general density issues and amendments to the CADR. This consultation took the form of an on-line and mailed survey, a community information meeting, and deliberations at several LTC meetings. The survey results suggested that 84% of respondents agree with allowing secondary suites. At its meeting of November 14, 2013 the LTC received a staff report outlining the issue and presented options, recommendations and a project charter. The LTC adopted the following resolutions at its November meeting:

The LTC recommended the following changes:

- #2: Replace “following residential zones: Rural Residential, Rural General, and Rural Comprehensive Development” with “anywhere residential use is permitted”
- #4: Replace “water catchment systems” with “adequate water supply”

- #5: Strike
- #10: Add “Staff will look into the use of 99-year leases.”
- Project Charter, under Stakeholders, Community Water System: change “System” to “Systems” and under Represented by: change “Operator (CRD)” to “Operators”.
- The final adoption date should be changed to October 2013

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to prepare draft amendments to the Saturna Island Official Community Plan and Land Use Bylaw to allow for secondary suites as a permitted use.

It was Moved and Seconded that the Saturna Island Local Trust Committee endorses the amended Project Charter attached to the staff report of November 5, 2013.

Analysis

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

Draft Bylaw 113 amends the OCP in the following ways:

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

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

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

Draft Bylaw 114 amends the LUB 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.

Islands Trust Policy Statement (ITPS) Checklist

The draft bylaw is in compliance with the ITPS, a copy of the checklist is attached to the staff report.

Communication

The LTC has conducted community consultation leading up to the initiation of this project; however, additional consultation is recommended.

Fact Sheet:

A fact sheet was prepared to provide the public an understanding of the topic as the information provided (staff reports and CIM) contains a number of terms or statements that may be not be familiar to everyone. The fact sheet includes a number of questions and answers, as well as a list of useful definitions. A draft copy of the fact sheet is attached to the staff report (attached).

Referrals:

As a next step, staff is recommending referring the draft bylaw to agencies, Advisory Planning Commission (APC), First Nations and stakeholders identified in the project charter. This will allow the LTC to make any necessary changes to the draft bylaw prior to consideration of First Reading.

Community Information Meeting:

Staff recommends that the LTC schedule a Community Information Meeting in March 2014 to provide an opportunity for the community to comment on this proposed bylaw amendment. There are the following options to consider:

1. Schedule CIM with other Saturna Island LTC projects (STVR and CADR) or to hold a CIM for the Secondary Suite project separately.
2. Hold the CIM in a separate stand-alone Saturday meeting or at a regular LTC meeting.

Staff recommends scheduling a CIM with other LTC projects to reduce project costs and impacts staff time, as a separate stand-alone community information meeting.

Next Steps

The LTC is requested to:

1. Review the attached proposed amendments and provide direction on any changes
2. Direct staff to schedule a Community Information Meeting for March 2014
3. Pass a resolution to refer the draft bylaw to the APC for comment. Staff would refer the draft to other agencies, stakeholders, and First Nations at the same time.

RECOMMENDATIONS:

1. THAT the Saturna Island Local Trust Committee refer draft bylaw 113 and 114 to the Advisory Planning Commission for comment.
2. THAT the Saturna Island Local Trust Committee direct staff to schedule a community information meeting for March 2014 to coincide with other Saturna Island LTC projects and in a separate stand-alone meeting format.

Prepared and Submitted by:

Gary Richardson

Gary Richardson, Island Planner

February 4, 2014

Date

Concurred in by:



Regional Planning Manager

February 5, 2014

Date

Attachments:

- 1: Fact Sheet
- 2: Draft Bylaws 113 and 114
- 3: ITPS Checklist
- 4: Project Charter

Saturna Island Local Trust Committee

Secondary Suite Fact Sheet

What is the purpose of this fact sheet?

As part of a review of its Work Program Priorities, the Saturna Island LTC is considering amending policies in the Saturna Official Community Plan and Land Use Bylaw regarding secondary suites. As the information provided in staff reports and at community information meetings contains a number of terms or statements that may be not be familiar to everyone, this fact sheet provides explanations of some of the terms used.

Secondary Suite refers to an accessory, self-contained residential unit, located within a building that otherwise contains a residence. They are required to have a separate entrance to the outside and a floor area not exceeding 90 square metres and 40 per cent of the floor area of the principal dwelling unit. This floor area is consistent with floor area provisions in the BC building code; therefore a building permit could be obtained if the suite is limited to this size and all other code conditions are complied with. If the building code size restrictions are exceeded the construction would no longer be considered a secondary suite under the BC Building Code.

Secondary suites are intended to provide affordable, ground oriented and market based housing. Given that single family residences dominate the housing mix on Saturna Island, and due to the islands aging population, the ability to provide legalized secondary suites could assist the community in diversifying its mix of housing types and address affordability issues. It is proposed to allow secondary suites in most zones that permit residential use.

Residential Unit means that part of a building designed for use by an individual, or a group of individuals living together in common occupancy, as a single household, which includes a kitchen and bathroom for the exclusive use of the unit's household.

What are some of the benefits of secondary suites?

- Potential for owners to remain on property longer
- Suite becomes part of rental market/stock
- Could be used as mortgage helpers
- A new standalone structure does not need to be constructed in order to provide additional housing

What are some of the impacts of secondary suites?

- Increased need for automobile parking
- Increased water consumption

Density has several meanings, depending on the context:

- a. In relation to subdivision, means the subdivision potential or capacity as measured in the number of lots or potential lots
- b. In relation to residential uses, means the number of residential units (houses or cottages) that can be placed on a lot
- c. In relation to commercial accommodation uses, means the number of sleeping units

Density Cap refers to statements included in the OCP that no rezoning or other planning tool available to the LTC should be used to increase the maximum subdivision capacity, or total residential density, within the Saturna Island Local Trust Area. This policy effectively capped the density that could be achieved through rezoning to that on July 13, 2001 when the OCP was adopted.

It is proposed that Secondary Suites not be considered as residential density for the purposes of calculating overall residential density within the Saturna Island Local Trust Area. The reason that this is being clarified is that the Saturna Island Official Community Plan contains a density cap as referenced above. Secondary suites are not considered an increase in density as they are contained within the footprint of an existing residence.

For further information please contact:

Gary Richardson, Island Planner
200-1627 Fort Street, Victoria, BC V8R 1H8
Phone: 250-405-5157 Toll Free: 1-800-663-7867
Email: grichardson@islandstrust.bc.ca

SATURNA ISLAND LOCAL TRUST COMMITTEE

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.4.20 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.";
 - h) 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.";
 - i) 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;
7. By adding a new subsection immediately following subsection 9.3.6 as follows:

“ 9.3.7 One secondary suite is permitted per residence subject to section 2.19.”

8. By adding a new subsection immediately following subsection 10.1.3 as follows:

“ 10.1.4 One secondary suite is permitted per lot subject to section 2.19.”

and renumbering the following sections accordingly;
9. By adding a new parking requirement “k” to Part 14, Table 1: Off street parking requirements, following “(j)” as follows:

10. By adding a new definition to Part 15. Interpretation immediately after subsection 15.1.40 as follows:

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



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: BL 113, SA-OCP-02-2013

Bylaw and File No: BL 114, SA-LUB-01-2013

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
n/a	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
n/a	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	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.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, 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 existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1 3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
n/a	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



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

STAFF REPORT

Date: January 29, 2014

File No.: 6500-20-STVR
Review

To: Saturna Island Local Trust Committee
For the meeting of February 13, 2014

From: Kim Farris, Planner 1

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

Re: Short Term Vacation Rental Review

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

Project Objectives

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

Project Background

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

Resolution SA-LTC-39-2013

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

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

Resolution SA-LTC-61-2013

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

Resolution SA-LTC-62-2013

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

Saturna Island STVR & TUP Overview

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

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

Draft TUP Guidelines

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

- Remove references to "commercial and industrial" TUPs – this reflects changed legislation.
- Add short term commercial vacation rental as a specific use for which a permit may be issued and define the term. Commercial vacation rental will be defined as "the use of a *residence* as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier" within the TUP guidelines;
- Change reference to "two years" to "three years", reflecting legislative changes.
- Remove a reference to TUPs regulating aggregate removal as extraction of aggregates (as opposed to processing) cannot be regulated by local governments except through Soil Deposit and Removal Bylaws.
- Include a new set of guidelines for vacation rentals that would provide criteria for review of a permit application, and potential conditions that could be included in a permit where

appropriate. These draft guidelines are based, in part, on guidelines in place for TUPs from the Gabriola OCP, and on conditions that have been included in a TUP issued by the Mayne LTC. The guidelines are intended to allow the LTC to address potential impacts commonly or potentially associated with the use.

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

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

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

Fees Bylaw

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

The intention of an application fee is to cover the average cost of advertisement, notification, and staff time. Calculating the basic cost of advertisement and mail-out is required in order to assess reducing the application fee. Section 921 of the *Local Government Act* requires that a notice to be published in newspaper and be mailed to surrounding neighbours (100 metres from the subject property as per Saturna Island Trust Committee Development Procedure Bylaw No.43, 1992). The estimated cost of an advertisement is \$620 in the Driftwood newspaper and a large mail out is estimated to cost \$80. The minimum possible TUP application fee to cover the advertisement and mail out is therefore \$700. Staff recommend including an additional amount (\$200) to cover a portion of the cost for staff time. A potential \$900 application fee for TUP applications for commercial vacation rental is reasonable as it would cover the basic costs advertisement, notification, and a portion of staff time, and reflects the same application fee as the Gabriola Island LTC. Staff are recommending an amendment to the Fees Bylaw No. 90 that would establish a \$900 application fee for TUP applications for commercial vacation rental.

Islands Trust Policy Statement (ITPS) Checklist

The draft bylaw is in compliance with the ITPS a copy of which is attached to the staff report.

Communication

As the LTC has conducted community consultation leading up to the initiation of this project, significant or extraordinary additional consultation beyond a community information meeting is not anticipated.

Fact Sheet:

A fact sheet was prepared to provide the public with an understanding of the topic as the information provided (in staff reports and at a CIM) contains a number of terms or statements that may be not be familiar to everyone. The fact sheet includes a number of questions and answers, as well as a list of useful definitions. A draft copy of the fact sheet is attached to the staff report (attached).

Referrals:

As a next step, staff are recommending referring the draft bylaw to agencies, Advisory Planning Commission (APC), and First Nations. This will allow the LTC to make any necessary changes to the draft bylaw prior to First Reading.

Unless otherwise directed by the LTC, referrals would include:

- Saturna Island APC (an LTC resolution is required for this referral)
- First Nations
- Parks Canada
- Fisheries and Oceans Canada
- Agricultural Land Commission
- Ministry of Agriculture
- Ministry of Community, Sport and Cultural Development
- Ministry of Environment
- Ministry of Forest, Lands & Natural Resource Operations, Ecosystem Protection
- Ministry of Transportation & Infrastructure
- Capital Regional District, Area Director and Building Inspection Services
- Adjacent Local Trust Areas: Mayne Island LTC, North Pender Island LTC, and South Pender Island LTC
- Island Trust Fund
- Islands Trust Bylaw Enforcement

Community Information Meeting:

Staff recommend that the LTC schedule a Community Information Meeting in March 2014 to provide an opportunity for the community to comment verbally on STVRs. There are the following options to consider:

1. Schedule CIM with other Saturna Island LTC projects (Secondary Suites and CADR) or to hold a CIM for the STVR project separately.
2. Hold the CIM in a separate stand-alone meeting or at a regular LTC meeting.

Staff recommend scheduling a CIM with other LTC projects to reduce project costs and limit staff overtime, in a separate stand-alone meeting format.

Next Steps

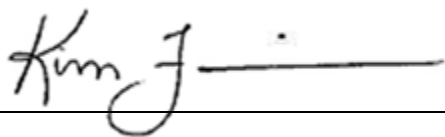
The LTC is requested to:

1. Review the attached draft OCP bylaw and provide direction on any changes.
2. Direct staff to schedule a CIM for March, either as a separate meeting or with other LTC projects.
3. Review and provide any comments on the fact sheet.
4. Provide direction on an amendment to the fees bylaw.

RECOMMENDATIONS:

1. THAT the Saturna Island Local Trust Committee refer Bylaw No. 115 bylaw to the APC for comment.
2. THAT the Saturna Island Local Trust Committee direct staff to schedule a community information meeting for March 2014 to coincide with other Saturna Island LTC projects and in a separate stand-alone meeting format.
3. THAT the Saturna Island Local Trust Committee direct staff to prepare a draft fee amendment bylaw that would establish a \$900 application fee for TUP applications for commercial vacation rental.

Prepared and Submitted by:



January 29, 2014

Date

Concurred in by:



Regional Planning Manager

January 31, 2014

Date

Attachments:

- 1: Draft OCP Bylaw
- 2: STVR Fact Sheet
- 3: ITPS Checklist
- 4: Project Charter

BYLAW NO. 115

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

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

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

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

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

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

1. CITATION

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

2. SCHEDULES

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

3. SEVERABILITY

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

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

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

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

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

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

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

ADOPTED this _____ day of _____, 201__.

DEPUTY SECRETARY

CHAIRPERSON

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

SCHEDULE 1

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

"PART H - TEMPORARY USE PERMITS

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

Objectives for Issuing Temporary Use Permits

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

Permit Guidelines

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

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

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

Short Term Vacation Rentals (STVRs) Fact Sheet

What is the purpose of this fact sheet?

As part of a review of its Work Program Priorities, the Saturna Island LTC is consulting with residents and property owners on STVRs. As the information provided in documents such as staff reports contains a number of terms or statements that may be not be familiar to everyone, this fact sheet provides some definitions and explanations of some of the terms used.

What is a STVR (Short Term Vacation Rental)?

Short Term Vacation Rentals (STVRs) is a term commonly used to describe the rental of dwellings to paying guests for a period of time generally less than on a month-to-month basis. This use occurs in dwellings (residences or cottages) that are located in residential zones, where the common form of occupancy is owner-occupancy or month-to-month rental by tenants.

Are STVRs currently permitted on Saturna Island?

Yes, currently the Land Use Bylaw (LUB) permits STVRs in cottages as a home occupation in residential zone. The use of residences as STVRs is not currently permitted.

What is the purpose of Temporary Use Permits (TUP) if STVRs are already permitted?

As the use of STVRs in residences is not currently permitted, a TUP provides an opportunity for the applicant to apply to the Saturna Island LTC to permit that use in a residence. TUPs can be issued for a maximum of 3 years and are permitted to have one renewal of up to 3 years. The advantage of TUPs is that they can contain a range of conditions that cannot be contained in a LUB, neighbours have a formal opportunity to comment, if there are violations they can be enforced and the permit does have to be renewed.

What are the benefits of permitting STVRs on Saturna Island?

There are a number of potential benefits with permitting STVRs, such as visitors supporting the local economy (restaurants, retail, and tourist attractions), additional income to property owners, and more accommodation options and prices for visitors.

Are there any issues with permitting STVRs on Saturna Island?

There are a number of potential issues and impacts that may be felt by neighbours or the community in general, such as noise, traffic, parking, water use, garbage, loss of affordable rental stock, lower taxes to a comparable commercial use, competition with existing legal operations and undermining the sense of community that exists on the island.

Do other LTCs permit STVRs?

Currently, South Pender Island, and Hornby Island are the only islands in the Trust Area where STVR use is legal. Hornby Island refers to them as Vacation Home Rental Uses and made amendments to their OCP and LUB to accommodate them. Saturna Island permits STVR of cottages as a home occupation. Some Islands such as Mayne and Gabriola have permitted STVRs to be established through a Temporary Use Permit (TUP). Galiano Island LTC is in the process of also considering permitting STVRs.

Helpful Definitions:

(from the Saturna Island Land Use Bylaw [LUB] no. 78)

“Accommodation Unit” means a rental unit with a kitchen and a bathroom and no more than two bedrooms with a total combined floor area of not more than 92.9 m² (1,000 ft²) used exclusively for temporary commercial accommodation of the public.

“Cottage” means a building accessory to a residence that shall not be greater than 92.9 m² (1,000 ft²) in total floor area, excluding a basement that does not exceed the footprint of the main floor.

“Home Occupation” means an occupation or profession carried on for gain which is clearly incidental and secondary to the use of the residence and meets all the provisions set forth in this LUB pertaining to home occupations. No more than three persons may be employed in any home occupation, at least one of whom must reside permanently on the premises on which the home occupation is conducted.

“Residence” means a building used by an individual, or group of individuals living together in common occupancy, as a single household and containing only one kitchen.

“Short Term Vacation Rental” means the use of a cottage 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. For this purpose, a cottage used as short term vacation rental shall be considered an accessory home occupation subject to the regulations established in Section 2.16 of the Saturna Island LUB.

“Temporary” in respect of the use of an accommodation unit, sleeping unit or campsite means use by a succession of different persons, whether by license, rental or otherwise, and excludes the personal use of an accommodation unit or sleeping unit by the Unit Owner for more than 45 days in a calendar year and more than 29 continuous days. For uses such as sawmills and log chippers, temporary means not more than 45 days of use in a calendar year.

“Temporary Use Permit” is 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 [general definition - not defined in LUB]. More information on Temporary Use Permits can be found in the Saturna Island Official Community Plan (OCP) and the *Local Government Act*.

“Unit Owner” means:

(a) the registered owner of one or more accommodation units or sleeping units located on a Commercial Recreation zoned parcel, and includes the spouse, children and parents of the registered owner and the parents of the registered owner's spouse;

(b) where there is more than one registered owner of one or more accommodation units or sleeping units located on a Commercial Recreation zoned parcel, all the registered owners, and includes their spouses, children, parents and parents of their spouses; and

(c) where the registered owner of one or more accommodation units or sleeping units located on a Commercial Recreation zoned parcel is a corporation or corporations, all directors, officers, shareholders and employees of the corporation or corporations, and includes the spouse, children and parents of each of them, together with the corporation or corporations.

“Visitor Accommodation” means the temporary use by any person of an accommodation unit or sleeping unit exclusively for accommodation while traveling or vacationing, and where permitted by the bylaws of the Trust Committee includes such subordinate and incidental uses as are customarily accessory to the use of the accommodation unit or sleeping unit.

For further information please contact:

Gary Richardson, Island Planner

200-1627 Fort Street, Victoria, BC V8R 1H8

Phone: 250-405-5157 Toll Free: 1-800-663-7867

Email: grichardson@islandstrust.bc.ca



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: OCP Bylaw No. 115

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
n/a	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
n/a	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
n/a	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
n/a	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
n/a	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
n/a	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	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.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, 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 existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

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



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.	Sep-26-2013	Gary Richardson	Feb-13-2014	On Going
2	Short Term Vacation Rental Review	Prepare staff report and draft bylaw containing recommended amendments to the TUP guidelines regarding STVRs.	Sep-26-2013	Gary Richardson	Feb-13-2014	On Going
3	Secondary Suite Review	Prepare staff report and draft bylaws regarding recommended amendments to allow for secondary suites.	Sep-26-2013	Gary Richardson	Feb-13-2014	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: 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
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SA-RZ-2012.1

Jonathan Yardley Jan-26-2012
Architect Inc
Planner: Gary Richardson

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.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2012.2	Saturna Garage & Contracting Ltd. c/o Wolfe-Milner Land Surveying Inc. Planner: Gary Richardson	Jul-04-2012	Creating 4 lots

Planning Status

Status Date: Feb-03-2014

Timing of covenats and sub plan to be coordinated with MoTI

Status Date: Nov-14-2013

frontage waiver approved

Status Date: Nov-06-2013

Frontage waiver request on agenda of Nov 14, 2013 LTC meeting.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2012.3	c/o Wolfe Milner Land Surveying Inc. Planner: Gary Richardson	Aug-01-2012	Proposed boundary adjustment

Planning Status

Status Date: Feb-03-2014

Final review of file to be done and timing of deposit of Sub Plan to be coordinated with MoTI

Status Date: Apr-08-2013

PLA not yet issued.

Status Date: Feb-04-2013

Staff to contact applicant to discuss details of MoTI response.

Islands Trust
LTC EXP SUMMARY REPORT F2014
Invoices posted to Month ending January 2014

660 Saturna	Invoices posted to Month ending January 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	806.50	693.50
65210-660	LTC - Local Exp - APC Meeting Expenses	500.00	117.54	382.46
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>924.04</u>	<u>3,825.96</u>
Projects				
73001-660-2012	Saturna OCP/LUB	4,000.00	846.30	3,153.70
73001-660-4017	Saturna Density Review	4,000.00	978.47	3,021.53
TOTAL Project Expenses		<u>8,000.00</u>	<u>1,824.77</u>	<u>6,175.23</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 License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration