

Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: September 26, 2013
Time: 12:30 pm
Location: Saturna Recreation and Cultural Centre
 104 Harris Road
 Saturna Island, BC
 V0N 2Y0

Pages

- | | | | |
|-------|---|--------------------|---------|
| 1. | Call to Order | 12:30 PM - 1:30 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 June 6, 2013
(for information) | | 4 - 10 |
| 5.2 | Public Hearing Records and Community Information
Meeting Notes | | |
| | none | | |
| 5.3 | Section 26 Resolutions-without-meeting (attached) | | 11 - 11 |
| 5.4 | Advisory Planning Commission Minutes | | |
| 5.4.1 | Saturna Island Advisory Planning
Commission Meeting Draft Minutes of
August 20, 2013 (attached) | | 12 - 14 |
| 6. | Business Arising from the Minutes | | |
| 6.1 | Follow-up Action Report (attached) | | 15 - 15 |

7. **Delegations**
none
8. **Correspondence**
none
9. **Applications, Permits, Bylaws and Referrals**
9.1 SA-DVP-2013.1 (Angermyer, Schachte) - Pending

-----BREAK -----Stewardship Award -----1:30 PM
10. **Local Trust Committee Projects**
10.1 Work Program Priorities - Staff Report (attached) 16 - 35
11. **Reports**
11.1 Work Program Reports - for information 36 - 37
11.2 Applications Report - for information 38 - 40
11.3 Expense/Budget Reports
11.3.1 Trustee and Local Expenses - (attached for information) 41 - 41
11.3.2 2014-15 Budget Requests - memo (attached) 42 - 45
11.4 Bylaw Enforcement
11.4.1 LTC Pilot Project - Memo Proactively Enforcing Illegal Structures on the Foreshore 46 - 52
11.5 Policies and Standing Resolutions Report (attached) 2:30 PM - 3:00 PM 53 - 54
11.6 Saturna Island LTC Web Page
Link to the Saturna Island Local Trust Committee Home Web Page:

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

The next meeting of the Saturna Island Local Trust Committee will be held on November 14, 2013, at

12:30 pm, at the Saturna Community Hall

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, JUNE 6, 2013, AT 12:30 P.M. AT THE SATURNA COMMUNITY CLUB 105 EAST POINT ROAD, SATURNA ISLAND, B.C.

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

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

1. CALL TO ORDER

Chair Ken Hancock called the meeting to order at 12:33 p.m. and 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

2.1 Additions/Deletions

There was one addition to the agenda:

- 12.2 Permission to bill for attendance at a meeting.

The agenda and addendum were approved by general consent.

2.2 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 Adopted Minutes of April 18, 2013 Local Trust Committee Business Meeting

For information only

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

For information only

5.4 Advisory Planning Commission

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Richardson reported that all items were completed.

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 SA-DVP-2013.2 (Abegg) – Staff Report

Planner Richardson explained that the proposed permit would increase the maximum height for a dwelling unit from 9.0 metres (29.5 feet) to 9.17 metres (30.1 feet) and would decrease the setback from the interior side lot line from 3.0 metres (9.8 feet) to 2.1 metres (6.9 feet) for two accessory buildings. Notices had been sent out and he had received no comments.

Resolution SA-LTC-27-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee development variance permit SA-DVP-2013.2 (Abegg) be approved.

CARRIED

9.2 Mayne Island Local Trust Committee Proposed Bylaw No. 158 - Referral

Resolution SA-LTC-28-2013

It was Moved and Seconded that Saturna Island Local Trust Committee's interests are not affected by Mayne Island Local Trust Committee proposed Bylaw No. 158.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Accommodation Review – Staff Report

Planner Richardson explained that the topics on the Local Trust Committee (LTC) priority list are quite broad so staff has prepared a process and a timeline that allow for community consultation. The timeline suggested allows for fact sheets, an on-line survey, a mailed-out questionnaire and an on-island Community Information Meeting in order to gauge community sentiment regarding which topics they want the LTC to address in the time remaining in their term.

Chair Hancock opened the discussion to the public. The discussion included these questions and concerns, among others:

- A simple barbeque might work well
- Preference for a date in August that is earlier rather than later
- Education about the larger context would assist people in making informed suggestions.
- Need to know what is being done on other islands.
- Fact sheets should have links to further information.
- Saturna has so much parkland now, perhaps density should be looked at again.
- As secondary suites are mentioned on their own, does that mean the trustees see them as something other than just affordable housing?

Resolution SA-LTC-29-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee Work Program Priorities, of June 4, 2013, regarding the timeline and stated actions contained in the staff report, be implemented as drafted.

11. REPORTS

11.1 Work Program Reports

11.1.1 Saturna Island Local Trust Committee Work Program Report dated May 2013

No changes made.

11.2 Applications Report

11.2.1 Saturna Island Applications Report dated May 2013

Planner Richardson explained that there was little change in the status of most of the applications, other than the Abegg Development Variance Permit (DVP), which was approved at this meeting.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

The trustees were concerned to see that the LTC total expenses were \$836.20 over budget, now that invoices from the Salt Spring Island Driftwood newspaper had been paid.

Chair Hancock explained that there was a statutory requirement to advertise certain meetings in a weekly newspaper for the area and The Driftwood is the only one in the area.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

Resolution SA-LTC-30-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee Policies and Standing Resolutions list, item 5, SA-LTC-32-11, be rescinded.

11.6 Saturna Island LTC Web Page

The public was encouraged to take a look at the new Islands Trust website.

Resolution SA-LTC-31-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to always put the Scribbler article on the webpage.

CARRIED

11.7 Chair's Report

Chair Hancock reported that the Islands Trust has new website; the Executive is busy prepping for Trust Council on Mayne Island next week. Kinder Morgan has been invited to do a presentation about their proposed oil tanker increases and world class spill prevention. He also spoke about the Community Carbon Marketplace, which is an alternative to Pacific Carbon Trust and based in the Cowichan Valley. They help community organizations qualify so that they can get carbon dollars and that creates possibilities for the Islands Trust.

11.8 Trustee Reports

Trustee Janzsen stated that she had attended the May 6, Saturna Island Canada Parks Liaison meeting and the May 9. Trust Council Local Planning Committee meeting, which had a Green Shores for Homes presentation on the presentation. She explained that the program has evolved from helping big developments keep the shoreline ecologically sound to helping owners of oceanfront residential homes protect their properties from erosion without hurting the environment. She also attended a CRD sponsored May 15, "Experience the Islands" meeting in Sidney about the creation of a Gulf Islands Trail in conjunction with the Trans Canada Trail. She is looking forward to the Trust Council meeting on Mayne Island next month.

Trustee Brent reported that he attended the Trust Council Financial Planning Committee meeting, which reported that the Islands Trust has a larger surplus than planned. They also reviewed the possible transfer of powers for Salt Spring Island. The Trust Council Programs Committee, which he chairs, reviewed the Community Stewardship Award nominees; Saturna's Richard Blagborne has been nominated for his work with the Fog Alarm Building.

12. OTHER BUSINESS

12.1. Next Business Meeting – September 26, 2013, Saturna Island Rec Centre, Lounge

12.2 Permission to Submit Expenses

Resolution SA-LTC-32-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee approve, without creating a precedent, Trustee Janzsen's reimbursement of \$33.50 for ferry expenses to attend the Experience the Gulf Islands meeting on Mayne Island.

CARRIED

13. TOWN HALL MEETING

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

John Hutchinson offered to share his knowledge of advertising costs with the trustees after the meeting. He asked for clarification of the possible transfer of powers to the Salt Spring Island LTC.

Trustee Brent explained that Trust Council would be looking at a bylaw that would state that if there were costs associated with that transfer of power from the Islands Trust Council, it would be born by the Salt Spring Island LTC.

Trustee Janszen explained that the Salt Spring Island LTC wanted to be able coordinate the clean up of the water quality in Cusheon and St. Mary's Lakes through various agencies and needed permission to do that. The lakes are a big part of the island's water supply.

John Money spoke of having just received his land taxes and said that although most land base values are down 10-20% taxes are up 10-20%. He wanted the Islands Trust to reduce its costs and the burden on tax payers.

Priscilla Ewbank stated that the downloading of costs to tax payers results in them fighting over nickels and dimes and she was sorry to see it. She wanted to have necessary services adequately provided by the senior governments.

John Money spoke about the necessity to consider that the local fire department needs access for their fire-fighting vehicles to any walk-in campgrounds. The Saturna Fire Protection Society is billing Parks Canada for the costs of responding to a recent fire.

Charles Reif said he was looking forward to seeing what questions will be asked on the questionnaire as his experience shows that the answers received will depend on the questions asked. He thought there might be some benefit from local input into the wording of the questionnaire.

The trustees decided to send it to the Advisory Planning Commission for comment.

Resolution SA-LTC-33-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee refer the proposed survey to the Advisory Planning Commission before distributing it.

CARRIED

John Money explained that his subdivision application was due to a boundary change and would not result in any new density.

Planner Richardson clarified that subdivision applications only come to the LTC if there is a variance or a covenant associated with them.

14. ADJOURNMENT

Resolution SA-LTC-34-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee meeting be adjourned at 2:04 p.m.

CARRIED

RECORDER

CHAIR



Islands Trust

Print Date: Sep-19-2013

RWM From: June 06, 2013 To: September 19, 2013

Saturna Island

Resolution #	Action	Resolution Description	Resolution Date
2013-06	In Favour	THAT Saturna Island Local Trust Committee Meeting Minutes of June 6, 2013 be Adopted	Aug 27, 2013
2013-05	In Favour	THAT the Saturna Island Local Trust Committee schedule a Special Meeting on August 17, 2013, to hold a Community Information Meeting regarding the Saturna Local Trust Committee Work Program.	Jun 19, 2013

DRAFT

**MINUTES OF THE SATURNA ISLAND
ADVISORY PLANNING COMMISSION MEETING
HELD ON MONDAY, AUGUST 20, 2012 AT 7 P.M.
AT THE SATURNA ISLAND COMMUNITY HALL
105 EAST POINT ROAD, SATURNA ISLAND, B.C.**

PRESENT:	Charles Reif	Chair
	Wayne Quinn	Vice Chair
	John Gaines	Member
	Hubertus Surm	Member
	Ryan Dentry	Member
	Peter Seed	Member
	Beverley Neff	Secretary
	Paul Brent	Local Trustee
	Pam <u>Janszen</u>	Local Trustee

There were no members of the public in attendance.

1. CALL TO ORDER

Chair Reif opened the meeting at 7:02 p.m.

2. ADOPTION OF MINUTES FROM AUGUST 20, 2012

Resolution SA- APC-01-13

It was Moved by Wayne Quinn and Seconded by John Gaines that the minutes from the Saturna Island Advisory Planning Commission meeting on August 20, 2012 be adopted.

CARRIED

3. ELECTIONS OF CHAIR AND VICE-CHAIR

It was agreed by consensus that Charles Reif and Wayne Quinn would continue to serve as Chair and Vice-Chair, respectively.

4. DESIGNATED MEETING DATES

The Saturna Island Advisory Planning Commission (APC) will meet on the third Monday evening of each month, unless there are no referrals. Notice will be given a week prior to these dates if meetings are cancelled.

5. REFERRAL – SATURNA ISLAND LOCAL TRUST COMMITTEE WORK PROGRAM PRIORITIES SURVEY

Chair Reif invited general comments from the commissioners before proceeding with a question-by-question review of the survey.

The trustees clarified that the survey was initiated by the Local Trust Committee (LTC) and that the density review was not limited to density for social causes (as the draft wording tended to imply).

Vice-Chair Wayne Quinn commented that from his perspective the timeline was legitimate but experience showed that any changes would not take place for at least three or four years. Changing the Official Community Plan (OCP) brings people out and the discussions often go on for a long time. He suggested, instead, that the LTC create a new zoning for medium density (4-5 units per acre) to allow for 3- or 4-plexes. Let anyone who wished to apply do so and then go through the process to amend the Official Community Plan (OCP) and the Land Use Bylaw (LUB).

John Gaines remarked that some higher density is needed to meet the needs of people who want to stay on Saturna as they age, so that they don't have to handle the labour of maintaining a single family dwelling and prefer to live in a strata or condominium development. He noted that very few properties are left without covenants on the remainder of the subdivision and asked if it would be reasonably simple to rezone the remainder.

The trustees responded that they are trying to generate discussion such as the APC was already having, rather than promote any specific solutions and wanted the survey to be unbiased.

Trustee Janszen added that once the community lets them know what they want to happen, they hope they can find a way to do it.

Chair Reif expressed his concern that the fact sheets were not ready to be reviewed along with the survey questions. He stated that they needed to clarify the complexity of density and density transfers so that people will understand what they are being asked on the survey.

Other concerns raised were:

- Whether the general public will understand the context of the questions
- The balance needed between providing too much information (so people stop reading) and too little (for a meaningful survey)
- Projects should stand on their own merits to get increased density; density banks can turn into horse-trading
- Let things stay the way they are now and make a new zoning definition that allows for increased densities up to a limit.
- If we free up the density extinguished with the park acquisitions, where does it go? To the Community Amenity Density Reserve? Or?
- The estimated densities could be allocated based on the merit of the applications

John Gaines explained that the current OCP came up with a five-acre principle but since then 90-100 densities have been lost with the establishment of the National Park. That density could be used in any way the community wanted; by thinking about the long term, it could help to make the community more viable over time.

Chair Reif spoke in defense of the CADR saying that if one reconstitutes some of the extinguished park densities, how they then become available to the community is the issue. Amenities can be created piece by piece without CADR, but CADR ensures the conditions support and are supported by the community.

It was agreed that the concept of using Park densities must be explained and clarified in the fact sheets so that people will understand what it means. The number of possible densities should be included as well.

The trustees remarked that the sole purpose of the questionnaire is to get people thinking and talking so that there can be a community meeting to begin to discuss where the LTC should go with the survey results.

It was agreed by consensus to recommend that the following changes be made to the survey:

1. Full stop at OCP. Delete the rest of the sentence.
2. Replace "Comments" with "If the answer is yes, what would those circumstances be?"
3. Include the number of potential densities in the fact sheet explanation.
4. Full stop after "provided". Delete the rest (everything in the brackets could be moved to the fact sheet explanation).
5. No change.
6. Replace "amending" with "reviewing".
7. No change.
8. No change.
9. Add the unnumbered question under number 10 as #9: "Are there specific types of tourist accommodation that you would support?" is a separate question.
10. Previously number 9. No change.
11. Previously number 10. Replace "permit" with "facilitate"
12. Previously number 11. No change.

4. ADJOURNMENT

Chair Reif adjourned the meeting at 8:12 p.m.

CHAIR

DATE



Islands Trust

Follow Up Action Report w/ Target Date

Saturna Island Apr-18-2013

No.	Activity	Responsibility	Target Date	Status
1	Advertising LTC Meetings and Planner office hours in the Scribbler Newspaper - staff directed to ensure office hours and date of next LTC meeting to be put in scribbler.	Sharon Lloyd-deRosario		Done

Jun-06-2013

No.	Activity	Responsibility	Target Date	Status
2	SA-DVP-2013.2 (Abegg) - approved as drafted.	Sharon Lloyd-deRosario Gary Richardson		Done
3	Mayne Island LTC Bylaw 158 - SILTC interests unaffected	Kathy Jones		Done
4	Policy 5 on Policies and Standing Resolutions Report to be removed as Ocean Loop Geo-thermal exchange now permitted in LUB.	Kathy Jones		Done
5	Timeline in staff report on work program priorities dated June 4, 2013 to be followed as drafted.	Gary Richardson		Done
6	Trustee Janszens ferry fare of ... to be reimbursed.	Nicole Ranger		Done



STAFF REPORT

File: 6500-20-Density
Review

To: Saturna Island Local Trust Committee

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Saturna Island Local Trust Committee Work Program Priorities

BACKGROUND:

At its June 6, 2013 business meeting the Saturna Island Local Trust Committee (LTC) reviewed a staff report on work program priorities. A timeline for the review of the LTC's work priorities was presented. The purpose of the report was to outline a community consultation process to identify work priorities to enable the LTC to spend the remainder of its term (1 year) on priorities that are important to both the LTC and community.

At the June 6 meeting the LTC passed the following resolution:

Resolution SA-LTC-29-2013

It was Moved and Seconded that the Saturna Island Local Trust Committee Work Program Priorities, of June 4, 2013, regarding the timeline and stated actions contained in the staff report, be implemented as drafted.

The timeline included the following:

- **July 2013** - Preparation and mail out of questionnaire to all off and on island property owners.
- **August 17, 2013** – Community Information Meeting
- **September 2013** – Staff report to be prepared containing recommendations and next steps.

The questionnaire outlining some of the top work program items the LTC is considering was mailed out, posted on island and placed online and as of the date of this report 107 completed questionnaires had been received. While the questionnaire is not quantitative in the sense that it is not a statistical sample of community opinion, the high response rate allows the LTC to consider it a significant reflection of opinion. The questionnaire and accompanying fact sheet are attached. The completed report on all of the survey responses is available online on the Saturna LTC web page.

A Community Information Meeting was held on August 17 and approximately 90 members of the public were in attendance.

This staff report provides comments on the top work program priorities identified by the LTC, contains recommendations on specific work program priorities, and also suggests next steps to advance the recommended priorities.

For the purposes of this report the topics contained in the questionnaire have been broken into the following headings: density, short term vacation rentals, campgrounds, bed and breakfasts, secondary suites, and affordable and special needs housing.

Density

The survey contained 5 questions regarding density. Density, to increase it in certain circumstances or not, was a topic of discussion at the CIM in August and has been a topical issue during the term of the present LTC.

The question on the survey asking if the LTC should review the density provisions of the OCP had 75% of respondents choosing yes. The question regarding amending OCP policy to allow an increase in density in certain circumstances had 70% of the respondents choosing yes.

The two questions regarding the use of density on the Gulf Islands National Park Reserve (GINPR) lands to increase density on lands outside of the reserve had a more or less even yes/no response rate with a slightly higher portion of the respondents choosing no. The density on the GINPR lands was also brought up by some of the speakers at the August CIM.

The fifth question was a general question that requested comments on density. Comments were provided by 86% of the respondents. The comments varied widely and can be read as part of the collated survey report on the Saturna LTC webpage.

There appears to be support in the community to both review the density provisions of the OCP as well as allow an increase in density in certain circumstances.

There does not seem to be broad community support to transfer or bank the density from the Gulf Islands National Park Reserve (GINPR).

The main controls in the Saturna OCP regarding density are:

- C.1.3 From the date of adoption of the Plan (July 2001), 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.
- Community Amenity Density Reserve, which is a notional bank that can hold density removed through changes in zoning since the OCP was adopted (July 2001). The density can be redistributed to other properties by an owner making a rezoning application to the LTC. An appropriate amenity to the LTC must also

be provided by the applicant. Park density cannot be redistributed through the CADR. Presently the CADR does not contain any residential density.

The density restriction in the OCP combined with the lack of residential density in the CADR prevents the LTC from currently considering rezoning applications that increase density.

The CADR if used appropriately could be an effective tool for obtaining community amenities such as: trails, parks, land for affordable housing or other amenities acceptable to the LTC and community.

The CADR requires an amenity to be provided and a rezoning to take place each time a density is requested. The notification and consultation requirements contained in the Local Government Act ensure that the public has opportunity to provide input on the proposed rezoning as well as the amenity being provided. This applies to the current LTC and future LTCs.

It is staff's opinion that for the CADR to be effective it needs to be supplied with some residential density. Supplying the CADR with both subdivision potential and residential density should be considered.

A modest figure might be considered between 10 and 20 residential units and between 10 to 20 lots.

Options:

- 1) Leave the CADR as is and wait for a rezoning that removes subdivision potential and residential density and bank that density in the CADR for future use.
- 2) Add an amount of subdivision potential and residential density to the CADR to allow it to be functional.
- 3) Remove the CADR from the OCP as it has not been used since the adoption of the OCP.

Recommendations:

- 1) That the Saturna LTC work program be amended to place CADR review and amendment as the number one work program priority.
- 2) That staff be directed to prepare a staff report and some suggested wording regarding amending the CADR and density provisions in the OCP to allow for a 10 to 20 lot/residence increase in the overall density on the island for the purposes of holding the additional density in the CADR.

Next Steps:

If the LTC supports this recommendation staff will prepare a report for the November 14, 2013 LTC meeting for the LTCs consideration outlining a recommended OCP

amendment process that the LTC could follow to amend the CADR and identifying the amendments to the OCP that would implement the change.

A project charter will also be prepared for the November meeting. The project charter will contain a timeline and budget that will allow the LTC to complete its consideration of this initiative before the end of its term.

Short Term Vacation Rentals

There was one question regarding Short Term Vacation Rentals (STVRs) on the survey. STVRs were also a topic of discussion at the CIM.

Short Term Vacation Rental use means the commercial use of a residence through the rental of the residence as accommodation on a short term basis, typically daily or weekly, to the travelling public.

The question on the survey asking if the LTC should consider reviewing the LUB regarding STVRs to permit them in more situations 73% of respondents chose yes.

STVRs are not a new phenomenon on the islands as they have been occurring for decades. It has been just over a decade however where their prevalence has grown with the use of internet advertising and absentee ownership. STVRs and their impacts are often distinguished as being different from residential use by their land use impacts felt by the community such as noise, traffic, parking, outdoor fires, dogs running loose, outdoor lighting, signage, tents and RVs, water use, loss of rental housing stock, and undermining the sense of community.

The Saturna LUB presently permits one cottage per constructed residence to be used as a short term vacation rental as a home occupation, which means that the operator of the vacation rental must be resident of the property. Having a property owner on site when an STVR is rented tends to alleviate some of the potential problems.

There are some perceived positive attributes to allowing STVRs, they include: introducing people to the island, more suitable for families than a single room rental; encourage people to purchase a home if some of the expenses are offset from revenue generated by short term rental; activity in a house and in the community by occupying a residence that might otherwise be empty; does not require new purpose built buildings; does not have to change the residential character if managed appropriately and provides tourist accommodation beds for an island that has minimal accommodations.

There are several arguments for and against allowing STVRs. Everything from ruining the community and having unfair tax advantage over commercially zoned businesses to the fact that STVRs provide a needed alternative to standard allowable visitor accommodations and in reality bring people to the island that otherwise may not come.

Regardless of whether STVRs are viewed as a positive or negative, they do have an impact on the community and these should be considered seriously before proceeding with any changes.

Options:

1. No change to existing LUB provisions - this currently allows a cottage to be rented out when there is an owner in the other residence. Having the owner nearby would likely prevent some of the negative impacts associated with STVR use; however the present zoning limits the use to a small number of parcels unless more cottages are constructed.
2. Consider by rezoning application – this option would involve amending the OCP to include criteria for a landowner to apply to rezone their property to allow an STVR as an additional use on that property. The advantage of this approach would be that the neighbours and LTC would have the benefit of the notification and discretion associated with a rezoning, the disadvantages are the time and costs associated with rezoning.
3. The Hornby Island Option – The Hornby LUB restricts vacation home rental use to houses that are ordinarily occupied by a resident or on lots where there are two houses. It also has a seasonal aspect to it as there is a long standing tradition on Hornby to rent out your house in the summer and live in it during the rest of the year.
4. Temporary Use Permits – The Saturna OCP allows property owners to apply for a TUP; this could include allowing a residence to be used for an STVR; however there are no specific guidelines in the OCP that apply to consideration of a TUP for an STVR. TUPs have been used on Gabriola and Mayne Islands to permit STVRs. TUPs can only be issued for a maximum of 3 years and are permitted to have one renewal of up to 3 years. The advantage to 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. The cost and processing time are often cited as an issue by property owners.
5. Zoning – the Land Use Bylaw can be amended to allow residences to be used as STVRs in certain zones or on lots of a certain size. This is the approach taken on South Pender Island. Once permitted in zoning the use can be continued in perpetuity even if the zoning that originally permitted it is amended. The Land use bylaw cannot contain all of the conditions that tend to be important to surrounding property owners.

Based on the level of community support, the LTC will likely wish to consider permitting STVRs in further circumstances. Based on experience in other LTAs, TUPs provide the best available option to permit the use with the least cost and time, while allowing

conditions to be included, to ensure that the use is not permanent. and providing opportunity for neighbours to comment.

Recommendations:

- 1) That the Saturna LTC work program be amended to place STVR review as the number two work program priority.
- 2) That staff be directed to prepare a staff report and with draft wording regarding STVR guidelines for the TUP section of the OCP.
- 3) That staff be directed to comment on the option of reducing the fee for the processing and issuing of a TUP.

Next Steps:

If the LTC supports this recommendation staff will prepare a report for the November 14, 2013 LTC meeting for the LTC's consideration outlining a recommended OCP amendment process that the LTC could follow and draft wording to amend the TUP guidelines contained in the OCP regarding STVRs.

A project charter will also be prepared for the November meeting. The project charter will contain a timeline and budget that will allow the LTC to complete its consideration of this initiative before the end of its term.

Campgrounds

The survey contained two questions on campgrounds, and was a topic of discussion at the CIM.

The survey results suggest there is some support for private campgrounds on Saturna. The results suggest that 65% of respondents are in favour of private campgrounds being considered and 62% of respondents chose yes for allowing campsites that allow vehicles.

There appears to be support in the community for the LTC to consider creating regulations that could allow private campgrounds with vehicle access on Saturna Island.

There is presently camping permitted on a limited basis on Saturna Island.

The OCP allows property owners to apply for a TUP to allow walk in campgrounds at 2 sites per 0.4 hectare on lots over 2 hectares.

A campground can require a fair amount of investment so the uncertainty of a TUP may not be appropriate for a landowner making a large investment.

Some other LTCs have enabling policies in their OCPs that give future LTCs and applicants some direction when applying for a rezoning.

Drive-in campgrounds could provide some of the same benefits as STVRs such as: introducing people to the island, more suitable for families than a single room rental; provides tourist accommodation for an island that has minimal accommodations.

Options:

- 1) Status quo - Existing TUP guidelines
- 2) Amend TUP guidelines
- 3) Put enabling policy in OCP
- 4) Amend OCP and LUB to permit camping

Given that the OCP currently has an option to allow for campgrounds through TUP and there is a campground in the GINPR, this should be considered as a future project.

Recommendation:

That the LTC place the review of campground policy and regulations on the project list.

Bed and Breakfasts

The survey contained two questions regarding bed and breakfasts.

The question on the survey asking if more than one meal should be served had 81% of the respondents choosing yes. For the question asking if bed and breakfasts should contain cooking facilities for guests 68% of respondents chose yes.

There seems to be support for allowing more than just breakfast to be served. If the LUB is amended to allow meals to be served starts to move out of the bed and breakfast realm to a use more like a commercial guest house.

Increasing the number of guest accommodation rooms also seems to have support in the community.

The LUB presently allows bed and breakfasts as home occupations. Presently 3 bedrooms can be used to accommodate guests and occasional dinners can be served to guests.

Bed and breakfasts have a long standing presence on the gulf islands and it has been an effective way to accommodate tourists. Increasing the number of rooms could be an effective way to increase tourist accommodation rooms on Saturna without significantly changing the residential feel and without any new construction.

Options:

1. Status quo - Leave the bed and breakfast regulations as they are presently drafted.
2. Amend the LUB to allow more bedrooms to be used for accommodating guests.
3. Amend the LUB to allow more meals to be provided to guests.
4. Amend the LUB to allow a separate set of cooking facilities for guests.

Given that Bed and Breakfasts can currently serve other meals under some circumstances and that changes to the regulations that would make the use more of a commercial accommodation could involve consultation with other agencies (CRD building inspection for changes of occupancy, VIHA regarding licencing, and BC Assessment regarding taxation) this should be considered as a future project if there is considered a need.

Recommendation:

That the LTC place the review of bed and breakfast policy and regulation on the project list.

Secondary Suites

The survey contained one question on secondary suites.

The question on the survey asking if the LTC should consider allowing secondary suites had 84% of the respondents choosing yes.

Secondary Suite refers to an accessory, self-contained dwelling unit, located within a building that otherwise contains a residence. Typically these units have a separate entrance to the outside, and a floor area not exceeding 60 square metres and 40 per cent of the floor area of the principal dwelling.

Some of the advantages to allowing secondary suites include: potential for owners to stay on property longer; suite becomes part of rental/market stock; affordability; can be used as a mortgage helper; and adds to the mix of housing stock.

Some of the concerns that arise over secondary suites are, increased water use, parking, change in single family residential character and increased density.

Mayne Island is presently considering allowing secondary suites of a limited size in specific areas.

Options:

1. Status quo – do not amend LUB to allow secondary suites.
2. Consider amending LUB to allow secondary suites of a limited size in certain areas.

3. Consider amending the LUB to allow secondary suites on all residential zoned lots.

Given the widespread support for considering secondary suites in the survey, the LTC will likely wish to consider the options. Secondary suites are generally considered the best private market option for providing affordable housing.

Recommendation:

1. That the Saturna LTC work program be amended to place secondary suite review as the number three work program priority.
2. That staff be directed to prepare a report regarding secondary suites.

Next Steps:

If the LTC supports this recommendation staff will prepare a staff report on the topic of secondary suites for the November 14, 2013 LTC meeting for the LTC's consideration, along with draft bylaw wording.

A project charter will also be prepared for the November meeting. The project charter will contain a timeline and budget that will allow the LTC to complete its consideration of this initiative before the end of its term.

Affordable and Special Needs Housing

There was one question regarding affordable and special needs housing on the survey.

The question, should the LTC consider policies and regulations that facilitate affordable housing or special needs housing, 83% of the respondents chose yes.

Affordable and special needs housing is reserved for, or solely available to, persons with a low or moderate income, however defined, or special needs. Special needs can include the elderly, persons with physical or mental disabilities or other persons considered in need. Legislation allows local governments to enter into housing agreements or adopt zoning to limit use of such units to be affordable or to persons with special needs.

There appears to be community support for the LTC to consider policies and regulations to allow affordable and special needs housing.

This has been a topical issue for some time and is becoming even more as the island population ages.

Some of the work program items being proposed, such as including density in the CADR, could more easily facilitate affordable and special needs housing .

This is a very complex topic and would require a great deal of staff and LTC time to review to get useful policies and regulations in place. For this reason staff is not recommending that it be undertaken in this remaining year of the LTCs term.

1. Status quo – no amendments to the OCP or LUB
2. Amend the OCP with a policy enabling affordable and special needs housing to be permitted by rezoning.
3. Amend the OCP and LUB to allow affordable and special needs housing.

Recommendation:

That the LTC place the review of affordable and special needs housing review on the project list.

STAFF COMMENTS:

This report has reviewed the work program priorities of the LTC combined with the community's comments and with the remainder of LTC term in mind.

Staff is confident that if the LTC agrees to the recommended priorities and timelines that these topics can be reviewed and policies and regulations can be implemented within the remainder of the LTCs term.

More LTC meetings may be required to satisfy some of the statutory and community consultation steps required; however these meetings can be arranged when necessary as special meetings.

RECOMMENDATIONS:

- 1) That the Saturna LTC work program be amended to place CADR review and amendment as the number one work program priority, STVR review as the number two Work Program priority, and Secondary Suites as the number three Work Program Priority, and that the LUB review be moved to the projects list.
- 2) That the LTC place the review of bed and breakfast policy and regulations, campground policy and regulations, and affordable and special needs housing policies on the project list
- 3) That staff be directed to prepare a staff report, project charter, and draft wording regarding amending the CADR and density provisions in the OCP to allow for a 10 to 20 lot/residence increase in the overall density on the island for the purposes of holding the additional density in the CADR.

- 4) That staff be directed to prepare a staff report, project charter and with draft wording regarding STVR guidelines for the TUP section of the OCP and to comment on the option of reducing the fee for the processing and issuing of a TUP.
- 5) That staff be directed to prepare a report and project charter regarding secondary suites and draft wording.

Prepared and Submitted by:

Gary Richardson

September 19, 2013

Date

Concurred in by:



Regional Planning Manager

September 19, 2013



Date

Attachments: questionnaire responses

Saturna Island Local Trust Committee Work Program Priorities Survey




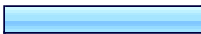
1. Should the LTC review the density provisions of the OCP?

		Response Percent	Response Count
Yes		75.2%	79
No		24.8%	26

Comments: 51

answered question	105
skipped question	2



2. Should the policy limiting density in the OCP be reviewed with a view to considering allowing an increase in density in certain circumstances?

		Response Percent	Response Count
Yes		69.9%	72
No		30.1%	31



If yes what would those circumstances be? 61

answered question	103
skipped question	4

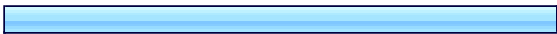

3. Should the LTC consider density previously contained within the lands occupied by the Gulf Islands National Park Reserve if considering an increase in density on lands outside of the Park Reserve?

		Response Percent	Response Count
Yes		49.5%	49
No		50.5%	50
	Comments		51
	answered question		99
	skipped question		8



4. Should the LTC consider using density from parkland (Gulf Islands National Park Reserve or CRD) solely for use in the Community Amenity Density Reserve and only in the event an “appropriate” community amenity is provided?

		Response Percent	Response Count
Yes		43.3%	39
No		56.7%	51
	Comments		49
	answered question		90
	skipped question		17



5. Are there any other comments you would like to provide to the LTC regarding density on Saturna Island?

		Response Percent	Response Count
Yes		85.5%	59
No		14.5%	10
Comments			64
answered question			69
skipped question			38



6. Should the LTC consider reviewing the Saturna Land Use Bylaw regarding short term vacation rentals (STVRs) to permit them in more situations?

		Response Percent	Response Count
Yes		72.8%	75
No		27.2%	28
Comments			64
answered question			103
skipped question			4

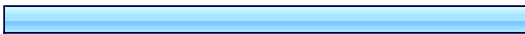

7. Should the LTC consider creating policies and regulations that could allow private campgrounds on Saturna Island?

		Response Percent	Response Count
Yes		64.6%	64
No		35.4%	35
	Comments		67
	answered question		99
	skipped question		8

8. If the LTC does consider permitting private campgrounds, should the LTC consider allowing campsites that permit vehicle access?

		Response Percent	Response Count
Yes		62.0%	57
No		38.0%	35
	Comments		49
	answered question		92
	skipped question		15


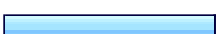
9. Should bed and breakfasts be permitted to serve meals other than breakfast to their guests?

		Response Percent	Response Count
Yes		80.8%	80
No		20.2%	20

Comments: 56

answered question	99
skipped question	8



10. Should bed and breakfasts be permitted to include kitchen facilities for their guests?

		Response Percent	Response Count
Yes		67.7%	67
No		32.3%	32

Comments: 42

answered question	99
skipped question	8



11. Should the LTC consider allowing secondary suites?

		Response Percent	Response Count
Yes		84.2%	85
No		15.8%	16

Comments: 52

answered question	101
skipped question	6



12. Should the LTC consider policies and regulations that facilitate affordable housing or special needs housing?

		Response Percent	Response Count
Yes		82.7%	81
No		17.3%	17

Comments: 47

answered question	98
skipped question	9

13. Are there specific types of tourist accommodation that you would support?

		Response Percent	Response Count
Yes		88.2%	75
No		11.8%	10

Comments: 87

answered question	85
skipped question	22

14. What do you see as the most important work program priority for the LTC to put its resources into over the coming months? You can reference the priorities listed in this questionnaire or recommend new ones that have not been addressed. If you have more than one please consider putting them in priority sequence.

	Response Count
	84
answered question	84
skipped question	23

WORK PROGRAM PRIORITIES FACT SHEET

What is the purpose of this fact sheet?

As part of a review of its Work Program Priorities, the Saturna Island Local Trust Committee is consulting with residents and property owners on a number of topics. Part of this consultation includes a community survey. As the survey 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 in the survey.

1. *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
2. *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
3. *Density contained in the Gulf Islands National Park Reserve* refers to the subdivision potential existing on lots that became part of the National Park reserve. Although federal lands are not subject to local government zoning, the zoning has never been amended. Based on a calculation of subdivision potential under this zoning, the potential density at the time the lands became part of the National Park Reserve would have been approximately 153 lots, 43 existing lots and 110 potential additional lots. These would have been potential lots only, not all could have been developed.
4. *Short Term Vacation Rental* in general means the commercial use of a residence through the rental of the residence as accommodation on a short term basis, typically daily or weekly, to the persons who have a primary residence elsewhere. The Saturna Island Land Use Bylaw presently permits one cottage per constructed residence to be used as a short term vacation rental as a home occupation, which means that the operator of the vacation rental must be resident on the property.

5. *Camp Grounds* refers in this survey to lands used, or potentially used, for the short term commercial accommodation of persons in tents or recreational vehicles. Currently tent camping is permitted in certain locations in the National Park Reserve.
6. *Secondary Suite* refers to an accessory, self-contained dwelling unit, located within a building that otherwise contains a residence. Typically these rental units have a separate entrance to the outside, and a floor area not exceeding 60 square metres and 40 per cent of the floor area of the principal dwelling unit.
7. *Affordable or Special Needs Housing* refers to housing that is reserved for or solely available to persons with a low or moderate incomes, however defined, or special needs. Special needs can include the elderly, persons with physically or mentally disabilities or other persons considered in need. Legislation allows local governments to enter into housing agreements or adopt zoning to limit use of such units to affordable or special needs.
8. *Tourist accommodation uses* are permitted currently in several forms on Saturna: as Bed and Breakfasts, as Visitor Accommodation units in the Farm Resort and the Commercial Recreation and Accommodation zone (there are few properties in these zones). Additionally, a cottage may be used for Short Term Vacation Rental under certain conditions.
9. *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.
10. *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.
11. *Bed and Breakfast* refers to tourist accommodation that is conducted as a home occupation in a residence and in Saturna's zoning is regulated so as to be limited to a maximum of 3 bedrooms. In addition to breakfasts, dinners may be served to guests staying more than two nights.



Islands Trust

Print Date: Sep-19-2013

Top Priorities

Saturna Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Accommodation Review	Staff to prepare a report and timeline for reviewing accommodations on Saturna Island. Specifically visitor accommodations, affordable housing and secondary suites. Initial report to be prepared for June 6, 2013 LTC Mtg. Further staff report prepared for Sept 26, 2013 LTC Mtg.	Apr-18-2013	Gary Richardson		On Going
2	Review Land Use Bylaw	Staff to prepare table of recommended technical changes to LUB.	Apr-18-2013	Gary Richardson	Sep-26-2013	On Going
3	Density Provisions in the OCP	Staff report prepared for Sept 26, 2013 LTC Mtg.	Apr-18-2013	Gary Richardson		On Going



Islands Trust

Projects

Saturna Island

No.	Description	Activity	Received/Initiated	Status
1	Land Use Bylaw Review - targeted (Ben Bylaw)		Sep-06-2012	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



Applications w/ Status - Saturna Island Status: Open

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
SA-DP-2013.1	Nancy Angermeyer & Planner: Gary Richardson	Mar-15-2013	204 NARVAEZ BAY RD to resolve a boundary irregularity

Planning Status

Status Date: Sep-12-2013

Staff report and draft permit to be prepared for November 14/13 LTC meeting for the LTCs consideration.

Status Date: May-08-2013

On hold until PLA or further information is received from MOTI.

Status Date: Apr-08-2013

Meeting with applicants April 18 to discuss.

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
SA-DVP-2013.1	Nancy Angermeyer & Planner: Gary Richardson	Mar-15-2013	204 NARVAEZ BAY RD Panhandle variance - superimposed registered easement

Planning Status

Status Date: Sep-12-2013

Staff report and draft permit on Sept 26/13 LTC agenda for LTC consideration

Status Date: May-08-2013

On hold until PLA or further information is received from MOTI

Status Date: Apr-08-2013

Staff to meet with Applicants to discuss April 18/13

Rezoning

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

Planning Status

Status Date: Feb-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.

Status Date: Jul-31-2012

Staff report prepared for sept 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: Sep-12-2013

DVP prepared for Sept 26/13 LTC agenda for LTC consideration

Status Date: Sep-12-2013

DP to be prepared for November 14/13 LTC agenda for LTC consideration.

Status Date: Feb-04-2013

Staff to contact applicants prior to Feb 14, 2013 LTC meeting to determine status.

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: Apr-08-2013

PLA issued March 26, 2013

Status Date: Feb-04-2013

Staff to contact applicant to discuss details of MoTI response.

Status Date: Nov-02-2012

Response sent to MoTI

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

Planning Status

Status Date: Apr-08-2013

PLA not yet issued.

Status Date: Feb-04-2013

Staff to contact applicant to discuss details of MoTI response.

Status Date: Nov-02-2012

Response sent to MoTI

Sharon Lloyd-deRosario

From: Nicole Ranger
Sent: July-29-13 10:15 AM
To: Gary Richardson; Ken Hancock; Pamela Janszen; Paul Brent; Robert Kojima; Sharon Lloyd-deRosario
Cc: Nancy Roggers
Subject: Saturna LTC expenses - July 31/13

Islands Trust					
LTC EXP SUMMARY REPORT F2014					
Invoices posted to July 31, 2013					
660 Saturna	Invoices posted to July 31, 2013	Budget	Spent	Balance	
65000 660	LTC "Trustee Expenses"	1,100.00	358.54	741.46	
65200 660	LTC Local Exp LTC Meeting Expenses	1,500.00	400.72	1,099.28	
65210 660	LTC Local Exp APC Meeting Expenses	500.00	-	500.00	
65220 660	LTC Local Exp Communications	500.00	-	500.00	
65230 660	LTC Local Exp Special Projects	2,000.00	-	2,000.00	
65240 660	LTC Local Exp Miscellaneous	250.00	-	250.00	
TOTAL LTC Local Expense		4,750.00	400.72	4,349.28	
73001 660 2012	Saturna OCP/LUB	4,000.00	-	4,000.00	
73001 660 4017	Saturna Density Review	4,000.00	-	4,000.00	
TOTAL Project Expense		8,000.00	0.00	8,000.00	

Nicole Ranger

Finance Clerk
 Islands Trust
 200-1627 Fort Street
 Victoria, BC V8R 1H8
 Phone: (250) 405-5152
 Fax: (250) 405-5155

Preserving *Island* communities, culture and environment



Please consider the environment before printing this email



Memorandum

Date August 16, 2013 File Number

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

From Robert Kojima
Regional Planning Manager
Local Planning Services

Re 2014-15 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year (2014-15).

Local Trust Committee Expense Budgets:

A budget for Local Expense Account has been developed based on the historical spending. Local trust committees may make changes to this allocation; however, consideration should be given to the historical spending and a rationale provided for making the change.

The Special Projects line item in the Local Trust Committee Expense Account is intended to support local planning initiatives at the discretion of the local trust committee (a local trust committee resolution is required to use these funds). Generally, these funds would be for small projects of up to \$2,000, or could be used to supplement project budgets. This budget item was introduced in the 2013-14 budget.

LTC Projects Budgets:

Local trust committees should make a funding request to support project work, including OCP and LUB work that cannot be undertaken with the money available in the Expense Account Special Projects line.

Special Consideration:

When considering new work items for the 2014/15 fiscal year, Regional Planning Managers and LTCs have been requested to consider the following:

- 2014 is an election year, so no major new projects should start; rather funding should focus on completing on-going projects.
- Any new projects begun in the beginning of the fiscal year should be completed by September in advance of the election.
- Some funding could be provided to allow the new LTC to begin preliminary work prior to the end of the fiscal; however, this should be minimal as after orientation, there would not be much time left.
- Projects planned for the current fiscal (2013/14) which are not completed should be considered as a new project for the 2014/15 fiscal year with resources allocated to support that work.

Budget Request Timeline:

August 2013 Regional Planning Managers develop budget estimates for consideration by LTCs

Aug to Sept Local trust committees review and approve budget requests at LTC meeting

Aug 21 2013 FPC reviews budget principles

Sept 27 2013 Budget requests submitted to Director of Local Planning Services

Oct 4 2013 Budget requests forwarded to Director of Administrative Services

Oct 30 2013 FPC reviews first draft of budget

Nov 13 2013 FPC approves the draft budget

Dec 4 2013 Trust Council reviews draft budget

LTC Budget Requests

I have included the attached table with all draft project submissions for information. LTCs should review the specific requests. The preliminary project requests have been drafted based on Top Priority work program items which are currently anticipated to commence, or to carry, into the next fiscal year. I have also included items from the Projects List which the planners anticipate commencing in the coming year. Each LTC should identify any other projects it is currently considering and include them to the budget request (and the work program if necessary) and identify any additional expenses associated with the identified projects.

Resolution Wording

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2014-15 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2014-15 LTC Project Budget submission by including (deleting) _____ and forward to Financial Planning Committee as revised.

Attachments:

1. Summary table of LTC project budget requests
2. Project Budget Submission worksheet

pc Island Planners

Galiano:

1. LUB Phase II (completion) - \$3000 (Public hearings)
2. STVR review (completion) - \$2500 (communication, public hearing)
3. Groundwater DPA (completion) - \$2500 (communication, public hearing)

Mayne

1. RAR (completion) - \$2000 (communication, public hearing)
2. LUB update - \$5000 (communication, CIM and public hearing)

North Pender

1. Conservation subdivision review (completion) - \$2000 (public hearing)
2. Road and transportation amendments (OCP and LUB) - \$2500 (CIM and public hearing)
3. LUB updates - \$5000 (CIMs, communications, public hearings)

Saturna

1. STVR review (completion) - \$1500 (public hearing, combined)
2. Density review (completion) - \$1500 (public hearing, combined)
3. Secondary suite review (completion) - \$1500 (public hearing, combined)

South Pender

1. Marine Geothermal (completion) - \$2000 (public hearing)
2. Farm Plan (participation and matching funding) - \$5000
3. LUB updates (new) - \$4000 (communications, CIMs, public hearing)

SATURNA Project		Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes	Approved by LTC	Approved by FPC	Approved by TC
Project #1	STVR review (completion)	\$ 1,500.00		x			public hearing (combined ad and hearings)			
Project #2	Density review (completion)	\$ 1,500.00		x			public hearing (combined ad and hearings)			
Project #3	secondary suite review (completion)	\$ 1,500.00		x			public hearing (combined ad and hearings)			
TOTAL PROJECTS		\$ 4,500.00								



Memorandum

Date June 18, 2013 File Number 4020-20 Foreshore Structures

To Local Trust Committee

From Local Planning Committee

Re **PROACTIVE BYLAW ENFORCEMENT OF ILLEGAL STRUCTURES ON THE FORESHORE**

At the May 9th, 2013 Local Planning Committee (LPC) meeting the following resolution was passed:

It was MOVED and SECONDED

That the Local Planning Committee direct staff to ask the Local Trust Committees if they are willing to pilot a project on proactively enforcing illegal structures on the foreshore.

CARRIED

As a result, this memo is to ask whether there is willingness to participate in a pilot project regarding proactively enforcing illegal structures on the foreshore. Attached is a copy of the staff briefing report considered at the LPC meeting.

The purpose of this project is to address the issue of proactive bylaw enforcement of illegal structures on the foreshore and to develop a generalized approach that all islands could use through education, proactive enforcement and regulation. The intent of this project is to address the issue of illegal foreshore structures (e.g. buildings, decks, seawalls, etc.) through various methods of improving awareness about, and enforcement of, regulations pertaining to structures built near the sea.

At this stage, it is just to gather the interest of the LTCs and then a decision will be made on which LTC and what sort of pilot project it will be given the resources (staff and funding) available.

Please indicate your interest by e-mail to Kris Nichols, Island Planner at knichols@islandstrust.bc.ca. The LPC will take the LTCs interests and comments into consideration at the August LPC Meeting.

Attachment: Staff Briefing Report

Pc David Marlor, Director

To: Local Planning Committee

For the Meeting of: May 9, 2013

From: Kris Nichols, Island Planner

Date Prepared: April 30, 2013

pc: David Marlor, Director

File No: 4020-20 Foreshore Structures

SUBJECT: PROACTIVE BYLAW ENFORCEMENT OF ILLEGAL STRUCTURES ON THE FORESHORE

DESCRIPTION OF ISSUE:

Local Planning Committee (LPC) has as its number one priority on its Work Program, “Develop Mechanism for Proactive Bylaw Enforcement of Illegal Structures on the Foreshore”. The purpose of this work program priority/project is to address the issue of proactive bylaw enforcement of illegal structures on the foreshore and to develop a generalized approach that all islands could use through education, proactive enforcement and regulations.

Initially, this priority was to be addressed in the form of a project charter. It was decided by staff in consultation with the LPC Chair and the Director of Local Planning Services that a project charter would not be the best approach to take at this time given the uncertainty of some of the issues around doing proactive enforcement, participation by the Local Trust Committees and resources (staff, time and money) required to carry out the project given the current budget of \$2000.00. Staff determined that a report would be the best approach in order to provide information to understand the issues around proactive bylaw enforcement of illegal structures on the foreshore and to present options for consideration of moving forward.

The intent of this report is to outline the issues and the possible scope of enforcement that could occur and present options for LPC discussion and direction for moving forward.

BACKGROUND:

This project has been initiated by the Local Planning Committee (LPC). This topic is in the Strategic Plan as item 2.2. The intent of this project is to address the issue of illegal foreshore structures (e.g. buildings, decks, seawalls, etc.) through various methods of improving awareness about and enforcement of regulations pertaining to structures built near the sea.

Residents that have built within the setback to the sea have done so either through not being aware of current bylaw regulations or thinking that a replacement structure is permitted without adhering to the bylaws. Some may also believe that if a building permit is not required (e.g. seawall construction) there is no issue with other local bylaw requirements such as setbacks from the sea or development permits. As well, those that do build ignoring the regulations recognize that currently there is little risk. The structures are also generally not that visible except from the seaward side of the property that bylaw officers cannot easily access, making proactive enforcement difficult when you don't know where the structures are. The best option for viewing these foreshore structures is by boat, plane or helicopter, but to do this for all the islands with approximately 1377 km of shoreline may not be a feasible solution. Residents that chose to ignore the regulations are generally aware that they can apply for a development

variance permit retroactively and in many cases these get approved, thereby weakening the argument for restrictive development of structures within the foreshore.

Generally, bylaw enforcement is complaint driven. That being said, the Islands Trust bylaw enforcement policy does permit bylaw enforcement officers to initiate enforcement on the foreshore without complaint as these areas are considered as environmentally sensitive. Pro-active enforcement is generally the best approach which should be combined with education (i.e. workshops, letters, brochures, web postings, newspaper advertisements, etc.) as bylaw officers have limited resources and capacity to do this on their own. Increasing proactive enforcement should result in greater compliance as it would increase the risk to property owners who ignored the regulations, but more importantly education of the regulations and their rationale and subsequent enforcement should help to reduce the number of bylaw infractions and protect these environmentally sensitive areas.

Rationale for Proactive Enforcement of Illegal Foreshore Structures

In establishing some of the background rationale for this priority staff has met with Bylaw Enforcement staff to gain a further understanding of the need for proactive enforcement and the specific file types (e.g. docks, decks, seawalls, etc.). Staff has reviewed the bylaw files pertaining to illegal foreshore structures on each of the islands. There are 38 files bylaw enforcement files currently open. They are as follows:

Island	Files	Generalized Type
Denman	6	Stairs to Foreshore: 5 Building: 1
Gabriola	1	Stairs to Foreshore & Log Seawall: 1
Galiano	2	Retaining Wall: 1 Stairs to Foreshore: 1
Gambier	8	Concrete Dock: 1 Structure (not specified): 5 Rip Rap Seawall: 2
Hornby	0	N/A
Lasqueti	0	N/A
Mayne	0	N/A
North Pender	5	Wooden Ramp to Foreshore: 1 Seawall (Possibly Rip Rap): 1 Dock: 2 Stairs to Foreshore: 1
Saturna	3	Deck: 2 Platform: 1
Salt Spring	8	Seawall (no indication of what type): 2 Groyne: 1 Deck with Stairway to Beach: 2 Deck: 2 Concrete Seawall: 1
South Pender	0	N/A
Thetis	5	Concrete Seawall: 1 Deck and Dock: 1 House/Deck/Stairs: 1 Float/Boat Ramp/Stairs: 1 Addition to Cabin: 1
Totals	38	Stairs to Foreshore: 7 Building: 1 Stairs to Foreshore & Log Seawall: 1 Retaining Wall: 1 Concrete Dock: 1 Structure (not specified): 5

		Rip Rap Seawall: 2 Wooden Ramp to Foreshore: 1 Seawall (not specified what type): 3 Dock: 2 Deck: 4 Platform: 1 Groyne: 1 Deck with Stairway to Beach: 2 Concrete Seawall: 2 Deck and Dock: 1 House/Deck/Stairs: 1 Float/Boat Ramp Stairs: 1 Addition to Cabin: 1
--	--	---

Table 1 – Foreshore Enforcement Files

The files listed above give a good indication of the issues that are prevalent for bylaw enforcement in addressing illegal structures on the foreshore with the most prevalent being providing access to the foreshore through the construction of stairs. The enforcement of these files will help to establish that there are regulations pertaining to illegal structures within the foreshore. It is hoped that through such enforcement that others will learn of the need to follow the regulations. This would have to be coupled with proactive enforcement in order to be more effective in getting the word out or to tackle those that were not a result of a complaint or happened upon by the enforcement officer. Again, bylaw enforcement will have to consider existing resources in order to determine whether they can expand their current enforcement program which will be needed at the outset. It should be noted that because four local trust committees do not have foreshore violations does not mean that they do not have illegal structures on the foreshore, they just don't have any recorded complaints.

Project Outline:

Staff has outlined in brief the project objectives and scope to address illegal foreshore structures. This is based on the original discussion at LPC, however, after some analysis staff realize that the project will have to be further defined prior to proceeding with further (more detailed) project evaluation.

Proposed Project Objectives

- Initiate proactive enforcement through regulation, education and awareness.
- Reduce the number of development variance permits that are applied for retroactively in the foreshore areas.
- Educate property owners with sea frontage on the importance of maintaining these environmentally sensitive areas and providing alternatives to hard structures where "green" structures could be utilized lessening the environmental impact.
- Educate agencies (e.g. CRD, VIHA, etc.) and contractors that deal with property owners with sea frontage (e.g. building permits, septic fields, etc.)
- Develop as required regulations that will help to protect the foreshore areas from illegal structures (e.g. development permits, additional setbacks, etc.)
- Establish general procedures for the enforcement of regulations with a combination of proactive enforcement and education. This would include an analysis as to the best way to establish a benchmark and the subsequent reviews of the island shorelines.

Proposed Project Scope

- Increase communication around education and awareness regarding foreshore/setback from the sea structure construction.
- Review of existing regulations on all Islands to determine if new regulations are required.
- Review of differing island approaches being taken for pro-active foreshore enforcement (i.e. existing bylaws, communication, etc.)
- Review of the current regulations used on each island regarding the ability to construct structures within the foreshore/setback to the sea.
- Determine the best approach to identifying structure on the foreshore (i.e. boat, plane, helicopter, roads, etc.) initially and a timeframe for subsequent analysis.

ATTACHMENT(S):

AVAILABLE OPTIONS:

Options to Consider for Proactive Enforcement

There are a number of options that should be considered by the LPC as to the direction to take toward increasing proactive enforcement of illegal structures on the foreshore. It is important to remember that currently the budget for this project is \$2000.00 and that as this is an enforcement issue there are limited staff resources that need to be considered.

1. Trust Wide Proactive Enforcement

This would be the most financially, staffing and time dependent option. It would involve researching the shorelines of all the islands to locate through GPS possible infractions and then identifying the specific properties and determining whether they had been given variances to accommodate the infractions or to determine when they may have occurred. It would then entail being proactive with the land owners and following up with their infractions. Follow up would be required by either bylaw enforcement staff or planning staff. Creating a foreshore picture of illegal structures would be a useful tool, but would have to be maintained every 2-3 years to be effective.

Pros – this would create the best record of structures on the foreshore for all the local trust areas. It would enable staff to be proactive in their approach by identifying specific properties and thereby proposing specific remedies.

Cons – It would be costly and time consuming for staff to establish the record and for follow up. Additionally, funding would be required and buy-in from all the local trust committees and respective staff. It would also have to be done every 2-3 years to remain effective. It would take staff away from current bylaw enforcement duties and file management. It may increase staff requirements for follow up.

2. Island Proactive Enforcement – Establish Generalized Approach

The intent would be to take one local trust area to establish a proactive enforcement approach and to use that approach, once determined, in other local trust areas (with variations).

In addition, this approach could involve establishing an education and awareness program that could ultimately be used for other islands.

Pros – this approach would create a sample proactive enforcement approach for a specific local trust area that could be used in other local trust areas. It would provide an

idea of what extra resources (i.e. staffing, time and money) would be required to do the proactive enforcement.

Cons – this approach would be specific to one local trust area and not address illegal foreshore structures immediately in all the local trust areas.

3. Education and Awareness Approach – Trust Wide

This would be the least resource dependent approach and would deal with ways to educate land owners of the need to protect the shoreline and likely could be started with the \$2000 allocated at this time. However, it could be argued that this is the least likely way to get results.

1. Mail outs – to select foreshore property owners for a targeted mail out of information regarding island specific enforcement (i.e. setbacks, development permit areas, etc.)
2. Pamphlets/Brochures – a more general approach through the development of a brochure to be available at offices and possibly used for a mail out and placed on website.
3. Website Updates – to be placed on all Island's web pages in a similar format with the brochure, but with island specific references (i.e. links to zones, Development Permit Areas, etc.)
4. Information meetings – build on Shoreline Workshops held over the past couple of months, but with specific reference to enforcement issues and what can and cannot be built in the foreshore areas.
5. Encouraging Local Trust Committees to adopt Development Permits for Shorelines Areas – while this may not stop illegal structures from occurring, the process of implementing Development Permit Areas will help to educate people about the importance of protecting the foreshore areas.

Pros – this approach is the least costly method to get information out to the residents. It ensures that those that are most likely to be able to impact the foreshore will be made aware of what is permitted to be constructed and what is not. May be a first approach to enforcement and could be evaluated at a later date to see what else may be needed. It fits within the allocated budget.

Cons – this approach may be the least likely to get results as it may just be considered another piece of paper and or meeting by the local trust committee.

4. Status Quo Approach

Given that illegal foreshore activities are only 13.9% of enforcement files and the anticipated impact that proactive enforcement may have on current resources (staff, time and money) that no proactive enforcement be taken.

Pro – keeps resources as they are currently being used.

Con – illegal foreshore structures may continue to be an issue for many islands and enforcement will remain to be both complaints driven and proactive where noticed.

Staff Summary:

It should also be noted that the active files indicated in the table (See Table 1) represent 13.9% of the total number of open enforcement files (273) currently. It should also be noted that being proactive regarding illegal foreshore structures is important in order to address some environmental concerns; however, the reality is that it will have an impact on the existing enforcement resources and will undoubtedly increase the number enforcement files that staff will have to address. It will also likely impact planning staff for follow up where applications are made. It has to be understood that a shift in the allocation of the limited resources (i.e. staff,

time and money) would be required to be more proactive in enforcement thereby impacting what kind, how and when infractions are being dealt with.

A sample approach could be done with the \$2000 currently allocated for this project, but certainly not the most effective approach, which is to survey all the foreshore properties in order to be truly proactive as to what currently exists on the foreshore properties. The LPC in making its decision about how to proceed will have to consider:

- The amount of resources (staffing, time and money) they want the Islands Trust to spend on being proactive?
- Given the amount of resources required to do this proactive enforcement in an effective manner and the resultant impact it will have on current enforcement. Should this still be an LPC top priority for all the Islands?
- There is no additional staffing enforcement resources and that bylaw files will grow and that the initiation of taking proactive enforcement measures will take some time to fully implement?
- Would education and awareness through brochures, website, and/or mail outs be sufficient given the resource limitations?

Given the possible breadth of this project and its scope staff is providing information to inform the LPC discussion on the various options considering the allocated budget available. Given the budget allocated, the most cost effective approach would be to do a brochure that could be useable for all islands and put on the websites as information as to what can and cannot be done and who to contact for further information.

FOLLOW-UP:

That the Local Planning Committee discuss and decide upon an option regarding proactive bylaw enforcement for illegal foreshore structures based on the information provided in this report entitled, "*Proactive Bylaw Enforcement of Illegal Structures on the Foreshore*" dated April 30, 2013.

Prepared By: Kris Nichols, Island Planner

Date: April 30, 2013

Reviewed By: David Marlor, Director of Local Planning Services

Saturna Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 16/07	SA-LTC-16-07	Travel Trailer or Camper	<p>It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: 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.</p> <p>Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: 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.</p> <p>Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.</p>
2.	August 20/08	SA-LTC-43-08	Bylaw Enforcement: Short Term Vacation Rentals	<p>It was Moved and Seconded THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement:</p> <ol style="list-style-type: none"> 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;

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